

State of Iowa  
1953

# JOURNAL OF THE SENATE

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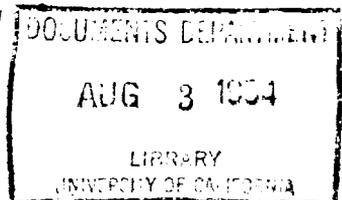
## FIFTY-FIFTH GENERAL ASSEMBLY

Convened January 12, 1953  
Adjourned April 29, 1953

WILLIAM S. BEARDSLEY, Governor  
LEO ELTHON, President of the Senate  
WILLIAM S. LYNES, Speaker of the House

Compiled Under Direction of  
SHERMAN W. NEEDHAM  
Superintendent of Printing

Published by the  
STATE OF IOWA  
Des Moines



## FIFTY-FIFTH GENERAL ASSEMBLY

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### OFFICERS OF THE SENATE

LIEUTENANT GOVERNOR LEO ELTHON, President.....	Fertile
STANLEY L. HART, President Pro Tempore.....	Keokuk
CARROLL A. LANE, Secretary.....	Carroll
EDNA GILLESPIE, Assistant Secretary and Journal Clerk.....	Des Moines
JAMES L. BENNETT, Law and Reading Clerk.....	Des Moines
RICHARD BERGLUND, Assistant Reading and Law Clerk.....	Des Moines
IVENE NELSON, Secretary to Lieutenant Governor.....	Fertile
RUTH E. FISHER, Secretary's Stenographer.....	Des Moines
CATHERINE SULLIVAN, Secretary's Clerk.....	Des Moines
SUE REED, Assistant Journal Clerk.....	Des Moines
MARETTA BLANCHARD, Engrossing Clerk.....	Des Moines
FRANCES ASHLEY, Enrolling Clerk.....	Des Moines
DOROTHY DYKHOUSE, Payroll Clerk.....	Rock Rapids
MARIE SPENCER, Special Clerk.....	West Des Moines
ADA M. JOLLEY, Enrolled Bills Clerk.....	Adel
HELEN ANDRESEN, Enrolled Bills Clerk.....	Des Moines
LOUISE MILLER, Supply Clerk.....	New Virginia
FRANK BUCK, Sergeant-at-Arms.....	Ames
WALTER A. KEITH, Assistant Sergeant-at-Arms.....	Des Moines
ALBERT MARSHALL, Chief Doorkeeper.....	Northwood
NANCY PAGE, Postmistress.....	Bedford
HARRY UPHAM, Bill Clerk.....	Fredricksburg
JOANN DANCER, File Clerk.....	Des Moines
DENNIS MONTGOMERY, Assistant File Clerk.....	Des Moines
DAVID ABRAM, Assistant File Clerk.....	Des Moines
DONALD ABRAM, Assistant File Clerk.....	Des Moines
RICHARD E. OLTMAN, Assistant File Clerk.....	Storm Lake

Documents Dept.

## ELECTIVE OFFICERS

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J87  
J88  
534DOCUMENTS  
DEPT.

## ELECTIVE STATE OFFICERS

Official Address, Des Moines, Iowa

Name	Title	Residence	Politics
Wm. S. Beardsley	Governor	New Virginia	Republican
Leo Elthon	Lieutenant Governor	Fertile	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
Leo A. Hoegh	Attorney General	Chariton	Republican
David B. Long	Commerce Commissioner	Des Moines	Republican
Carl W. Reed	Commerce Commissioner	Cresco	Republican
John M. Ropes	Commerce Commissioner	Des Moines	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
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
Robert L. Larson	Judge of the Supreme Court	Iowa City	Republican

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SENATORS—FIFTY-FIFTH GENERAL ASSEMBLY

Name	Address	Age	Occupation	Politics	District	Counties Composing District	Former Legislative Service
*Anderson, Carl T.	Wellman	63	Farmer	Rep.	10	Henry, Washington	53 54
*Bateson, R. R. (Rex)	Eldora	55	Lawyer	Rep.	37	Hamilton, Hardin, Wright	52 52X 53 54
*Bekman, Elmer K.	Ottumwa	52	Lawyer	Rep.	13	Wapello	48 49 50 50X 51 52 52X 53 54
Bellman, G. D.	Indianola	58	Farmer	Rep.	11	Clarke, Warren	
*Berg, John P.	Cedar Falls	64	Business	Rep.	38	Black Hawk, Grundy	46 46X 47 48 49 50 50X 51 52
Boothby, Laurence M.	Cleghorn	57	Farmer	Rep.	46	Cherokee, Ida, Plymouth	52X 53 54
Byers, Frank C.	Marion	69	Lawyer	Rep.	26	Linn	43 44 45 45X 46 46X 47 48 49 50 50X 51 52 52X 53 54
Clark, Ted D.	Mystic	32	Merchant	Rep.	3	Appanoose, Davis	53 54
*Colburn, Jay C.	Harlan	58	Farmer, Implem't Dealer	Rep.	18	Cass, Shelby	49 50 50X 51 52 52X 53 54
*Dailey, Thomas J.	Burlington	38	Lawyer	Dem.	9	Des Moines	54
Dewel, Duane E.	Algona	51	Publisher	Rep.	49	Emmet, Kosuth, Palo Alto	51 52 52X
Dykhouse, J. T.	Rock Rapids	62	Real Estate, Insurance	Rep.	24	Lyon, Osceola, Sioux	47 48 49 50 50X 51 52 52X 53 54
Elijah, Earl	Clarence	65	Farmer	Rep.	23	Cedar, Jackson, Jones	
*Fishbaugh, Earl C., Jr.	Shenandoah	43	Lawyer	Rep.	7	Fremont, Page	46 46X 47 48 49 50 50X 52 52X 53 54
Grimstead, Jacob	Lake Mills	47	Grocer	Rep.	41	Mitchell, Winnebago, Worth	
*Hart, Stanley L.	Keokuk	56	Farmer	Rep.	1	Lee	47 48 49 50 50X 51 52 52X 53 54
*Hedin, Philip T.	Davenport	70	Real Estate	Rep.	21	Scott	50 50X 51 52 52X 54
Heideman, Henry	Rockwell City	63	Business, Farmer (retired)	Rep.	27	Calhoun, Webster	
Johnson, A. J.	Elkader	53	Banking, Insurance	Rep.	36	Clayton	
Knudson, Herman M.	Clear Lake	65	Retired	Rep.	43	Cerro Gordo, Franklin, Hancock	46 46X 48 49 50 50X 51 52 52X 53 54
Larson, Thomas C.	Blockton	43	Farmer	Rep.	6	Adams, Taylor	
*Linnevoold, William	Decorah	75	Insurance	Rep.	42	Howard, Winneshiek	52 52X 53 54
*Lord, Herman B.	Muscatine	59	Manufacturer	Rep.	20	Louisa, Muscatine	52 52X 53 54
Lucas, J. G.	Madrid	72	Publisher	Rep.	31	Boone, Story	51 52 52X
Lynes, J. Kendall	Plainfield	49	Farmer	Rep.	39	Bremer, Butler	49 50 50X 51 52 52X 53 54
Miller, Leon N.	Knoxville	47	Lawyer	Dem.	15	Marion, Monroe	
*Molison, W. C.	Grinnell	49	Farmer	Rep.	12	Keokuk, Poweshiek	54
*Myrland, E. C.	Onawa	60	Farmer	Rep.	34	Crawford, Harrison, Monona	52 52X 53 54
Nelson, Charles W.	Packwood	44	Chick Hatcheryman	Rep.	2	Jefferson, Van Buren	47 48
*Nesmith, James H.	Kellogg	49	Manufacturer's Rep.	Rep.	29	Jasper	54
Nolan, D. C.	Iowa City	50	Lawyer	Rep.	25	Iowa, Jonson	
*O'Malley, George E.	Des Moines	47	Lawyer	Dem.	30	Polk	53 54
*Oltman, R. J.	Storm Lake	49	Dentist	Rep.	50	Buena Vista, Humboldt, Focahontas	
Prentis, X. T.	Mount Ayr	56	Merchant	Rep.	5	Decatur, Ringgold, Union	48 49 50 50X 51 53 54
Risk, Don	Independence	56	Savings and Loan	Rep.	33	Buchanan, Delaware	53 54
Sayre, Lorin B.	Winterset	70	Retired Schoolman	Rep.	16	Adair, Madison	
Schoening, Erwin	Bryant	56	Farmer, Cattle Feeder	Rep.	22	Clinton	

SENATORS—FIFTY-FIFTH GENERAL ASSEMBLY—Continued

Name	Address	Age	Occupation	Politics	District	Counties Composing District	Former Legislative Service
Scott, George L. ....	West Union.....	63	Farmer.....	Rep....	40	Allamakee, Fayette.....	46 46X 47 48 49 50
Stewart, C. Emory .....	Rose Hill.....	35	Farmer.....	Rep....	14	Mahaska.....	
Stuart, W. C.....	Chariton.....	32	Lawyer.....	Rep....	4	Lucas, Wayne.....	
*Utzig, Arnold.....	Dubuque.....	59	Shoe Merchant.....	Dem....	35	Dubuque.....	50 50X 51 52 52X 53 54
Van Eaton, Charles S.....	Sioux City.....	63	Food Stores.....	Rep....	32	Woodbury.....	51 52 52X 53 54
*Vest, Alan.....	Sac City.....	41	Lawyer.....	Rep....	48	Carroll, Greene, Sac.....	54
Walter, W. Eldon.....	Beaman.....	54	Farmer, Stockman.....	Rep....	28	Marshall.....	49 50 50X 51 52 52X 53 54
Washburn, Henry W.....	Hastings.....	53	Farmer.....	Rep....	8	Mills, Montgomery.....	53 54
Watson, DeVere.....	Council Bluffs.....	59	Lawyer.....	Rep....	19	Pottawattamie.....	49 50 50X 51 52 52X 53 54
Watson, Harry E.....	Sanborn.....	46	Farmer.....	Rep....	47	Clay, Dickinson, O'Brien.....	51 52 52X 53 54
*Weichman, Harry E.....	Newhall.....	60	Farmer (retired).....	Rep....	45	Benton, Tama.....	47 48 49 50 50X 51 52 52X 53 54
Whitehead, G. E.....	Perry.....	60	Publisher.....	Rep....	17	Audubon, Dallas, Guthrie.....	50 50X 51 53 54
*Zastrow, Ralph W.....	Charles City.....	63	Lawyer.....	Rep....	44	Chickasaw, Floyd.....	50 50X 51 52 52X 53 54

\*Holdover Senators.

MEMBERS OF THE SENATE

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

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Name	Address	Age	Occupation	Politics	County	District	Former Legislative Service
Abel, L. W.	Guttenberg	52	Businessman, Farmer	Rep.	Clayton	70	54
Armstrong, Otto	Ottumwa	72	Farmer	Rep.	Wapello	18	
Ballhagen, Wayne W.	New Hartford	38	Merchant, Farmer	Rep.	Butler	73	
Bass, Elmer A.	Red Oak	64	Farmer	Rep.	Montgomery	12	51 52 52X 53 54
Beck, Robert K.	Centerville	37	Publisher	Rep.	Appanoose	4	
Bloedel, A. S.	Tabor	76	Hardware Merchant	Rep.	Fremont	10	54
Brockmeyer, John	Lime Springs	62	Farmer	Rep.	Howard	92	54
Brown, Carroll L.	Oskaloosa	39	Farmer	Rep.	Mahaska	25	52 52X 53 54
Brown, Mahlon N.	What Cheer	28	Attorney	Rep.	Keokuk	24	
Brownlie, John	Winterset	71	Retired Farmer	Rep.	Madison	28	53 54
Buck, Howard C.	State Center	53	Farmer	Rep.	Marshall	51	53 54
Burrows, R. O., Sr.	Belle Plaine	53	Publisher	Rep.	Benton	49	54
Burtch, Charles R.	Osage	59	Farmer	Rep.	Mitchell	93	
Butler, Guy G.	Rolle	65	Farmer, Banker	Rep.	Pocahontas	77	52 52X 54
Carlson, Robert	Sioux City	57	Oil Business	Rep.	Woodbury	58	49 50 50X 51
Christiansen, W. R.	Northwood	57	Retired County Auditor	Rep.	Worth	94	
Cooksey, Paul	Spencer	29	Lawyer	Rep.	Clay	83	54
Cornick, Raymond	New London	63	Farmer	Rep.	Henry	20	53 54
Darrington, W. E.	Persia	48	Farmer	Rep.	Harrison	32	54
Eckels, Penn	Britt	70	Farmer	Rep.	Hancock	86	52 52X 53 54
Edgington, Floyd P.	Sheffield	53	Farmer	Rep.	Franklin	74	
Fairchild, Bert K.	Ida Grove	61	Farmer	Rep.	Ida	59	53 54
Falvey, L. A.	Albia	51	Lumberman, Banker	Dem.	Monroe	17	
Frey, T. J.	Neola	51	Publisher	Rep.	Pottawattamie	31	54
Frommelt, Andrew G.	Dubuque	31	Business Representative	Dem.	Dubuque	69	
Gallup, Lee	Libertyville	56	Farmer	Rep.	Jefferson	19	53 54
Goode, Dewey E.	Bloomfield	54	Produce Dealer	Rep.	Davis	3	45 45X 46 46X 47 48 49 50 50X 53 54
Hadden, Roy	Castana	48	Farmer	Rep.	Monona	57	
Hanson, A. C.	Inwood	61	Livestock Farm	Rep.	Lyon	99	45 45X 53 54
Harris, Fay L.	Greenfield	59	Soil Conservation	Rep.	Adair	29	53 54
Hawkins, R. B.	Leon	67	Lawyer	Rep.	Decatur	6	50 50X 51 52
Hendrix, W. C.	Letta	63	Farmer	Rep.	Muscatine	42	52 52X 53 54
Henry, Jim O.	Carson	56	Farmer, Stock Raising	Rep.	Pottawattamie	31	
Hinchliffe, Charles F.	Baldwin	58	Farmer	Rep.	Jackson	46	
Hoover, Earl T.	Mount Ayr	69	Retired Farmer	Rep.	Ringgold	7	
Hoth, Elmer A.	Postville	52	Hardware Dealer	Rep.	Allamakee	91	
Huisman, Robert	Sibley	58	Farmer	Rep.	Osceola	98	54
Jones, Alfred E.	Osceola	32	Restaurant Owner	Rep.	Clarke	15	54
Judd, William N.	Clinton	65	Retired R.R. Yardmaster	Rep.	Clinton	45	47 48 49 50 54
Kerr, Francis L.	Manilla	65	Farmer	Rep.	Shelby	33	52
Klemesrud, Theo.	Thompson	50	Editor-Publisher	Rep.	Winnebago	95	50 50X 51 52 52X 53 54
Koch, Frank	West Bend	67	Retired Publisher, Printer	Rep.	Palo Alto	84	52 52X 54
Koock, Ernest	Cedar Rapids	45	Businessman	Rep.	Linn	48	52 52X 53 54

MEMBERS OF THE HOUSE

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

Name	Address	Age	Occupation	Politics	County	District	Former Legislative Service
Kudak, Soren S.	Carroll	60	Retired Store Manager	Rep.	Carroll	55	
Kuester, G. T.	Griswold	64	Farmer	Rep.	Cass	30	46 46X 47 48 49 50 50X 51 52 52X 53 54
Lauer, Grant	Eldorado	59	Insurance, Farm Manager	Rep.	Fayette	71	
Lisle, Vern	Clarinda	46	Manufacturer	Rep.	Page	9	53 54
Lucken, J. Henry	Akron	56	Farmer	Rep.	Plymouth	80	52 52X 53 54
Ludwig, G. M.	Tiffin	56	Farmer, Radio Commentator	Rep.	Johnson	41	54
Lynes, William S.	Waverly	59	Drainage Engineer	Rep.	Bremer	72	52 52X 53 54
Mallonee, L. Dee	Audubon	62	Lawyer	Rep.	Audubon	34	54
McFarlane, Arch W.	Waterloo	67	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 54
McNeal, Clark H.	Belmond	33	Broker, Farm Manager	Rep.	Wright	75	54
McWhorter, Ray S.	Burt	62	Farmer	Rep.	Kossuth	85	54
Mensing, A. L.	Lowden	56	Merchant	Rep.	Cedar	44	54
Meyer, Dwight W.	Odebolt	51	Farmer	Rep.	Sac.	60	53 54
Miller, Earl A.	Cedar Falls	49	Farmer	Rep.	Black Hawk	66	53 54
Moore, Kenneth R.	Morning Sun	38	Lawyer	Rep.	Louisa	22	54
Mooty, W. L.	Grundy Center	46	Businessman, Farmer Lawyer	Rep.	Grundy	65	54
Morris, Conway E.	Dallas Centes.	58	Farmer	Rep.	Dallas	36	54
Nelson, Gladys S.	Newton	57	Housewife	Rep.	Jasper	38	54
Nelson, Harold Lum	Sioux City	47	Lawyer	Rep.	Woodbury	58	49 50 50X 52 52X 53 54
Nicholson, Kirk R.	Bedford	50	Farmer	Rep.	Taylor	8	54
Novak, Emil L.	Fairfax	36	Livestock Farmer	Rep.	Linn	48	54
Oberman, Claude	Yarmouth	63	Farmer	Rep.	Des Moines	21	54
Oppedahl, Edward	Renwick	62	Livestock Farmer	Rep.	Humboldt	76	54
Palmer, Ernest, Jr.	Fort Madison	38	Lawyer	Rep.	Lee	1	53 54
Parker, Paul	Des Moines	31	Lawyer	Rep.	Polk	37	
Patrick, Russell A.	Hawarden	52	Farmer	Rep.	Sioux	81	52 52X 53 54
Paul, George L.	Brooklyn	49	Farmer	Rep.	Poweshiek	39	54
Pedrick, Frank	Ottumwa	56	Hardware Merchant	Rep.	Wapello	18	54
Pendleton, Wendell	Storm Lake	32	Attorney	Rep.	Buena Vista	78	54
Peters, John M.	Fort Dodge	25	Attorney	Rep.	Webster	62	
Peterson, Amos C.	Nashua	60	Retired Farmer	Rep.	Chickasaw	89	
Pim, Raymond T.	Lucas	55	Farmer	Rep.	Lucas	16	
Putney, Lawrence	Gladbrook	52	Merchant, Farmer	Rep.	Tama	50	51 52 52X 53 54
Ramseyer, Harry W.	Washington	56	Hatcheryman	Rep.	Washington	23	54
Reilly, Robert C.	Dubuque	48	Merchant	Dem.	Dubuque	69	48 49 50 50X 51 52 52X 53
Ringgenberg, Carl H.	Ames	57	Farmer	Rep.	Story	52	54
Robinson, Glenn E.	Manchester	49	Attorney	Rep.	Delaware	68	50 50X 51 52 52X 53 54
Ryan, Earl C.	Des Moines	56	Attorney	Rep.	Polk	37	54
Sar, Martin E.	Charles City	66	Farmer	Rep.	Floyd	88	54
Scheerer, Chester A.	Boone	53	Farmer	Rep.	Boone	53	
Schroeder, Jack	Davenport	27	Lawyer	Rep.	Scott	43	54

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

Name	Address	Age	Occupation	Politics	County	District	Former Legislative Service
Schwengel, Fred	Davenport	45	Insurance Business	Rep.	Scott	43	51 52 52X 53 54
Sersland, Hillman H.	Decorah	46	Merchant, Farmer	Rep.	Winneshiak	90	
Shaff, David O.	Camanche	28	Lawyer	Rep.	Clinton	45	
Sherod, Clayton D.	Birmingham	73	Farmer	Rep.	Van Buren	2	53 54
Smith, Roy J.	Spirit Lake	63	Farm Manager	Rep.	Dickinson	97	53 54
Soeth, Max M.	Etherville	52	Farmer	Rep.	Emmet	96	54
Steers, Edward J.	Creston	37	Merchant	Rep.	Union	14	
Stephenson, O. C.	Corydon	62	Farmer, Insurance	Rep.	Wayne	5	
Stevens, Henry H.	Scranton	59	Farmer	Rep.	Greene	54	51 52 52X 53 54
Strawman, Clifford M.	Anamosa	63	Lawyer, Farmer	Rep.	Jones	47	51 52 52X 53 54
Tate, W. H.	Mason City	52	Insurance, Real Estate	Rep.	Cerro Gordo	87	54
Thompson, Frank R.	Guthrie Center	36	Attorney	Rep.	Guthrie	35	
Turner, Ira L.	Malvern	70	Farmer	Rep.	Mills	11	52 52X
Turner, W. Oliver	Corning	67	Farmer	Rep.	Adams	13	49 50
Van Zwol, Jacob	Paulina	59	Life Insurance	Rep.	O'Brien	82	53 54
Vermeer, Elmer H.	Pella	32	Farmer	Rep.	Marion	26	
Voigtmann, Fred	Marengo	63	Director of Relief	Rep.	Iowa	40	54
Walker, John A.	Williams	40	Farmer	Rep.	Hamilton	63	52 52X 53 54
Walter, Paul M.	Union	47	Farmer	Rep.	Hardin	64	53 54
Watson, J. O., Jr.	Indianola	49	Lawyer	Rep.	Warren	27	
Weise, Albert	Denison	67	Retired Farmer, Businessman	Rep.	Crawford	56	52 52X 53 54
Weston, L. O.	Stanley	50	Farmer	Rep.	Buchanan	67	53 54
Whitney, W. E.	Aurelia	43	Farm Manager	Rep.	Cherokee	79	
Wilson, Melvin	Rockwell City	62	Semi-retired	Rep.	Calhoun	61	48 49 50 50X

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 12, 1953.

Pursuant to law the Fifty-fifth General Assembly convened at 10 o'clock a.m., and was called to order by Lieutenant Governor William H. Nicholas.

Prayer was offered by Reverend John Gorman, pastor of the Assumption Church, Granger, Iowa.

## TEMPORARY OFFICERS

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

The motion prevailed and the President appointed as such committee Senators Colburn, Hedin, Lord, Van Eaton, and Dewel.

## 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-fifth General Assembly as shown by the duplicate copies of the certificates of election on file in the office of the Secretary of State:

JAY C. COLBURN,  
PHILIP T. HEDIN,  
HERMAN B. LORD,  
R. J. OLTMAN,  
ARNOLD UTZIG,  
*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 4, 1952:

Second District—Charles W. Nelson.  
 Third District—Ted D. Clark.  
 Fourth District—W. C. Stuart.  
 Fifth District—X. T. Prentis.  
 Sixth District—Thomas C. Larson.  
 Eighth District—Henry W. Washburn.  
 Eleventh District—G. D. Bellman.  
 Fourteenth District—C. Emory Stewart.  
 Fifteenth District—Leon N. Miller.  
 Sixteenth District—Lorin B. Sayre.  
 Seventeenth District—G. E. Whitehead.  
 Nineteenth District—DeVere Watson  
 Twenty-second District (To fill vacancy)—Erwin Schoening.  
 Twenty-third District—Earl Elijah.  
 Twenty-fourth District—J. T. Dykhouse.  
 Twenty-fifth District—D. C. Nolan.  
 Twenty-sixth District—Frank C. Byers.  
 Twenty-seventh District—Henry Heideman.  
 Twenty-eighth District—W. Eldon Walter.  
 Thirty-first District—J. G. Lucas.  
 Thirty-second District—Charles S. Van Eaton.  
 Thirty-third District—Don Risk.  
 Thirty-sixth District—A. J. Johnson.  
 Thirty-ninth District—J. Kendall Lynes.  
 Fortieth District—George L. Scott.  
 Forty-first District—Jacob Grimstead.  
 Forty-third District—Herman M. Knudson.  
 Forty-sixth District—Laurence M. Boothby.  
 Forty-seventh District—Harry E. Watson.  
 Forty-ninth District—Duane E. Dewel.

I FURTHER CERTIFY, that the persons named below were declared by the state canvassing board to have been elected for terms of four years in the General Election of November 7, 1950:

First District—Stanley L. Hart.  
 Seventh District—Earl C. Fishbaugh, Jr.  
 Ninth District—Thomas J. Dailey.  
 Tenth District—Carl T. Anderson.  
 Twelfth District—W. C. Molison.  
 Thirteenth District—Elmer K. Bekman.  
 Eighteenth District—Jay C. Colburn.  
 Twentieth District—Herman B. Lord.

Twenty-first District—Philip T. Hedin.  
 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.

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:

G. D. Bellman.	Charles W. Nelson.
Laurence M. Boothby.	D. C. Nolan.
Frank C. Byers.	X. T. Prentis.
Ted D. Clark.	Don Risk.
Duane E. Dewel.	Lorin B. Sayre.
J. T. Dykhouse.	Erwin Schoening.
Earl Elijah.	George L. Scott.
Jacob Grimstead.	C. Emory Stewart.
Henry Heideman.	W. C. Stuart.
A. J. Johnson.	Charles S. Van Eaton.
Herman M. Knudson.	W. Eldon Walter.
Thomas C. Larson.	Henry W. Washburn.
J. G. Lucas.	DeVere Watson
J. Kendall Lynes.	Harry E. Watson.
Leon N. Miller.	G. E. Whitehead.

#### SELECTION OF SEATS

Senator Prentis moved that the holdover and re-elected Senators be granted the privilege of retaining the seats occupied by them during the Fifty-fourth 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	Miller, Marion.....	29
Bateson, Hardin.....	20	Molison, Poweshiek.....	33
Bekman, Wapello.....	16	Myrland, Monona.....	40
Bellman, Warren.....	5	Nelson, Jefferson.....	50
Berg, Black Hawk.....	26	Nesmith, Jasper.....	38
Boothby, Cherokee.....	8	Nolan, Johnson.....	12
Byers, Linn.....	34	Oltman, Buena Vista.....	10
Clark, Appanoose.....	35	O'Malley, Polk.....	13
Colburn, Shelby.....	44	Prentis, Ringgold.....	9
Dailey, Des Moines.....	7	Risk, Buchanan.....	41
Dewel, Kossuth.....	4	Sayre, Madison.....	14
Dykhouse, Lyon.....	46	Schoening, Clinton.....	43
Elijah, Cedar.....	3	Scott, Fayette.....	32
Fishbaugh, Page.....	11	Stewart, Mahaska.....	48
Grimstead, Winnebago.....	39	Stuart, Lucas.....	42
Hart, Lee.....	36	Utzig, Dubuque.....	37
Hedin, Scott.....	24	Van Eaton, Woodbury.....	49
Heideman, Calhoun.....	21	Vest, Sac.....	31
Johnson, Clayton.....	23	Walter, Marshall.....	19
Knudson, Cerro Gordo.....	17	Washburn, Mills.....	30
Larson, Taylor.....	6	Watson, O'Brien.....	22
Linnevold, Winneshiek.....	25	Watson, Pottawattamie.....	15
Lord, Muscatine.....	1	Weichman, Benton.....	28
Lucas, Boone.....	2	Whitehead, Dallas.....	27
Lynes, Bremer.....	47	Zastrow, Floyd.....	18

#### 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.

#### COMMITTEE TO NOTIFY THE GOVERNOR

Senator Hart 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 Hart, Bellman and Anderson.

#### COMMITTEE TO NOTIFY THE HOUSE

Senator Nesmith 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 Nesmith, Clark and Washburn.

## COMMITTEE ON SUPPLIES AND EQUIPMENT

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

The motion prevailed and the President named as such committee Senators Whitehead, Vest and Lucas.

## BADGES

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

## COMMITTEE ON MILEAGE

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

The motion prevailed and the President appointed as such committee Senators Dailey, Grimstead and Johnson.

## ASSIGNMENT OF SEATS IN PRESS GALLERY

Senator Dewel 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. Leland Olson, United Press.
55. Otto Weber, International News Service, Radio Station WHO.
56. Robert Hogan, Iowa Daily Press Association.
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.
62. Robert F. Bonomi, Davenport Morning Democrat.
63. Robert Johnson, WMT Cedar Rapids.

## RESOLUTION FOR CLERKS

Senator Berg 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 as such committee Senators Berg, Watson of Pottawattamie and Fishbaugh.

#### RESOLUTION FOR INAUGURAL COMMITTEE

Senator Zastrow 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 the Lieutenant Governor.

The motion prevailed and the resolution was adopted, and the President appointed as such committee on the part of the Senate Senators Vest, Nesmith, Prentis, Risk, Walter and Oltman.

Senator Byers 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-fourth General Assembly to such members of the Fifty-fifth General Assembly of Iowa who may request the same. House members to leave order 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-fourth 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-fourth 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 Fishbaugh 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-fifth 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.

#### REPORT OF COMMITTEE TO NOTIFY THE GOVERNOR

Senator Hart 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 Nesmith 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 Watson of Pottawattamie 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 Watson of Pottawattamie, O'Malley and Weichman.

#### ADOPTION OF RULES

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

#### ELECTION OF PRESIDENT PRO TEMPORE

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

There being no further nominations, the President declared Senator Hart unanimously elected President pro tempore of the Fifty-fifth General Assembly, and asked Senators Byers and Knudson 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 the President.

In accepting the office Senator Hart said:

MR. PRESIDENT, MEMBERS OF THE SENATE: I do not know that I can summon words this morning that will suitably express to you the deep gratitude I feel in my heart on having been re-elected President pro tempore of the Iowa Senate of the Fifty-fifth General Assembly. I am deeply touched and humbly grateful.

As we all know, each member of the legislature will be confronted with many problems this session and we will be called upon to deliberate and take action upon proposed legislation that will be far reaching. Decisions made here will extend to and affect every citizen of this great State of Iowa. The consideration of this legislation and the activities that lie ahead of this body will require our sincere thoughtfulness and most earnest deliberations. Yet, I am sure that when sine die adjournment of this session is had, the activities will be recorded as one of the great sessions of the General Assembly.

When called upon to preside, I will do so without fear or favoritism and with partiality shown no one. Also, be assured, that if I can be of any help to members of the Senate, I stand ready to assist. To the new members, if I can be helpful in the explanation of customs, rules or procedures, I shall try to do so in every way possible. To all I pledge my hearty cooperation.

So, being at a loss for further adequate words, may I again express my appreciation for the high honor conferred upon me, the confidence placed in me, memories of which I will treasure always.

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

#### COMMITTEE ON COMMITTEE ROOMS

Senator Lynes 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 Lynes, Knudson and Watson of O'Brien.

#### ELECTION OF PERMANENT OFFICERS

Senator Whitehead 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.  
 Law and Reading Clerk—James L. Bennett, Polk County.  
 Assistant Law Clerk—Richard Berglund, Polk County.  
 Secretary's Stenographer—Ruth E. Fisher, Polk County.  
 Assistant Journal Clerk—Sue Reed, Polk County.  
 Engrossing Clerk—Maretta Blanchard, Polk County.  
 Enrolling Clerk—Frances Ashley, Polk County.  
 Special Clerk—Marie Spencer, Polk County.  
 Enrolled Bills Clerks—Ada Jolley, Dallas County; Helen Andresen, Polk County.  
 Payroll Clerk—Dorothy Dykhouse, Lyon County.  
 Secretary's Clerk—Catherine Sullivan, Polk County.  
 Supply Clerk—Louise Miller, Warren 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—  
 Assistant File Clerk—JoAnn Dancer, Polk County.  
 Chief Doorkeeper—Albert Marshall, Worth County.  
 Assistant Doorkeepers—William Slack, Muscatine County; Emil Schnabel, Polk County; Ora Ingram, Ringgold County; Victor Lindquist, Lucas County; R. R. Ramsell, Wapello County; Robert Barnum, Polk County; Leslie L. Blacketer, Keokuk County.  
 Postmistress—Nancy Page, Taylor County.  
 Head Porter—Horace Coles, Jasper County.  
 Cloakroom Attendant—Archie Martin, Polk County.  
 Matrons—Maizie Allen, Dallas County; Kathryn Shelton, Polk County; Sarah Elizabeth Jones, Page County.  
 Telephone Messengers—Mary Pruitt, Polk County; Carrie Randle, Polk County.  
 Multilith Operator—Dora Sacco, 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 Zastrow, 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 adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 1, providing for a joint session of the Fifty-fifth General Assembly to hear the biennial message of the Governor.

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

House Concurrent Resolution 2, providing for the appointment of a joint committee to nominate additional employees of the Fifty-fifth General Assembly, and the Speaker has appointed as such members on the part of the House: Ryan of Polk, Weston of Buchanan and Brown of Mahaska.

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-fifth General Assembly be held on January 13, 1953, 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 result announced and recorded as provided by law.

#### HOUSE CONCURRENT RESOLUTION 2

*Be It Resolved by the House, the Senate Concurring:* That a joint committee of six members be appointed, three from the Senate to be appointed by the President and three from the House to be appointed by the Speaker, to nominate such additional employees as may be necessary for the work of the session and that the committee recommend the position to be filled.

#### HOUSE MESSAGES CONSIDERED

Senator Zastrow 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 Zastrow 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 Whitehead, Lord and Lucas.

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

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 13, 1953.

The Senate met in regular session, President Nicholas presiding.

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

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Dewel, from one hundred seventy residents of Kosuth County in opposition to sale of colored oleomargarine.

By Senator Dewel, from twelve residents of Palo Alto County favoring the sale of colored oleomargarine.

## MESSAGES FROM 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 has appointed as such committee on the part of the House: Weston of Buchanan, Christiansen of Worth, Ryan of Polk, Parker of Polk, McFarlane of Black Hawk and Jones of Clarke.

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 distribution of additional 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 additional distribution of legislative journals and bills of the Fifty-fifth General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

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

## SENATE CONCURRENT RESOLUTION 4

*Be It Resolved by the Senate, the House Concurring:* That when ad-

journalment is had on Thursday, January 15, 1953, it be to reconvene on Monday, January 19, 1953, at 11:00 o'clock a.m.

The motion prevailed and the resolution was adopted.

On motion of Senator Zastrow, the Senate recessed until 1:30 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 law and concurrent resolution duly adopted, the joint convention was called to order, President Nicholas presiding.

The roll was called. Those present were, 140:

Abel	Elthon	Kudsk	Oberman
Anderson	Elijah	Kuester	Oltman
Armstrong	Fishbaugh	Larson	O'Malley
Bateson	Fairchild	Lauer	Oppedahl
Ballhagen	Falvey	Linnevold	Parker
Bass	Frey	Lisle	Patrick
Beck	Frommelt	Lucas	Paul
Bellman	Gallup	Lucken	Pedrick
Berg	Goode	Ludwig	Pendleton
Bloedel	Grimstead	Lynes	Peters
Boothby	Hadden	(J. Kendall)	Pim
Brockmeyer	Hanson	Lynes (Wm. J.)	Prentis
Brown of Keokuk	Hart	McFarlane	Putney
Brown of Mahaska	Harris	McNeal	Ramseyer
Brownlie	Hedin	McWhorter	Reilly
Burrows	Heideman	Meyer	Ringgenberg
Burtch	Hendrix	Miller (Earl A.)	Risk
Carlson	Hinchliffe	Miller (Leon N.)	Sar
Christiansen	Hoover	Molison	Sayre
Clark	Hoth	Moore	Scheerer
Cooksey	Huisman	Morris	Schroeder
Cornick	Johnson	Myrland	Schoening
Dailey	Jones	Nelson of Jasper	Schwengel
Darrington	Judd	Nelson	Scott
Dewel	Kerr	(Chas. W.)	Sersland
Dykhouse	Klemesrud	Nesmith	Shaff
Eckels	Knudson	Nicholson	Sherod
Edgington	Koch	Nolan	Smith
	Kosek	Novak	Soeth

Steers	Turner of Adams	Walker	Watson of
Stephenson	Turner of Mills	Walter	Warren
Stevens	Utzig	(W. Eldon)	Weichman
Stewart	Van Eaton	Washburn	Weiss
of Mahaska	Van Zwol	Watson of	Whitehead
Strawman	Vermeer	O'Brien	Whitney
Stuart of Lucas	Vest	Watson of	Wilson
Thompson	Voigtmann	Pottawattamie	Zastrow

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

Senator Watson of Pottawattamie 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 Watson of Pottawattamie, Bellman of Warren and Nesmith of Jasper on the part of the Senate, and Representatives Mal-lonee of Audubon, Kerr of Shelby and Henry of Pottawattamie 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 address:

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

I am, indeed, happy to be with you on this occasion, and to have the privilege of bringing to you the biennial report which is of historic record in our great state.

It is the good fortune of the chief executive on each biennium to have the privilege of reporting to the General Assembly.

First, I want to congratulate you of the Fifty-fifth General Assembly on your election to these legislative halls. I have a high regard for the splendid traditions of our great state, and a sincere appreciation of the great contribution which the General Assembly makes to the progress, growth and development of our state.

So to all of you . . . my heartiest congratulations, and I wish to state my firm belief, to my old colleagues who are here . . . to the members of the former sessions . . . and to the new members . . . that I have every confidence that you will maintain with distinction the high traditions of the Iowa General Assembly.

When the General Assembly convened two years ago, certain forces were loose in the world, which contributed much to the disquiet and concern of citizenry everywhere, and made difficult the problems of the Fifty-fourth General Assembly. The uncontrolled inflationary forces

which have run riot through our economy have, during the past two years, made the problems of government difficult, in the same proportion and in the same manner, in which the problems of the citizenry generally have been made difficult.

I am pleased to report to you, that the state government has been able to carry forward the business of the state within the bounds established for it by the Fifty-fourth General Assembly, and has been able to meet the problems from time to time as they arose, and has met those problems within the limits of the funds provided by the Fifty-fourth General Assembly. I wish to report to you that the state finances are in sound condition. We have a balanced budget, and in this biennium, it has not been necessary to touch the stabilizing reserve which was so wisely created by the Fifty-third General Assembly.

These have been busy years in state government, and, in my judgment, the various departments of state government have made great progress, not only in the quality of service rendered to the citizens of this great state, but in adding to the efficiency of state government, and in all those benefits which flow from increased efficiency and good service.

In the past two years, the new state office building has been completed, and many administrative departments of our state government transferred to these fine and efficient quarters. This has had a pronounced effect on the quality of service rendered the citizenry of our state. I say to you, in these active years in the history of the State of Iowa, by virtue of these finer facilities and the devotion to duty of the state employees therein housed, they have rendered a finer service, have handled a heavier volume of business, with actually fewer employees than in former years.

This has been salutary, I believe, in improving the functions of government in the State of Iowa, for we must realize that, in the final analysis, our State of Iowa is subject to the same conditions, and must find the same solutions to the problems which confront it, by the application of sound business practices, and with the same techniques and good management, which are found necessary in the conduct of all business. I am grateful to all the administrators, to the fine employees of the state, to my colleagues in the Executive Council and other capacities, for the cooperation and the great contribution which they have made to this record of achievement.

Our Tax Commission has an important function of government, and there, by improved methods of operating, and by the addition of necessary modern office equipment, they have made material increases and advances in the quality of service rendered to the people of our state.

As much can be said of all other departments. In the Department of Public Health, the services rendered the people of the state have gone forward in a satisfactory way. The General Hospital plan inaugurated six years ago has been carried forward with success.

Our Board of Social Welfare in administering the programs which fall within their province, have done an outstanding job. In comparing the situation with other states in the Union, we must recognize we have a splendid department in our state. Aid to dependent children, aid to the blind, old age assistance and other programs have been carried forward in an able and satisfactory way.

I am firmly of the opinion educators have made their proper contribution to the growth and development of our state. In the field of advanced education, our splendid educational institutions through their administrators and the able Board of Education have made pronounced progress. I might mention also those smaller institutions under the board of education . . . the School for the Deaf . . . the School for the Blind . . . which have augmented their programs and made advancement of benefit to the citizenry. In the field of elementary education, the fine teaching force and school administrators have made definite progress in meeting the educational requirements of modern times.

So I am happy to present to you a report of progress and accomplishment in all these fields . . . fields which affect the well being of the citizenry of our state, not only in our time, but in generations yet to come.

Our road building program which was wisely planned by the Fifty-third General Assembly has made pronounced advancement during the past two years. There has been more construction of highways during the last twelve months, than in any other given period in the history of our state. Favored by favorable weather in the season of 1952, construction went forward in this state at a rate of more than one million dollars per week. As a result we have depleted the primary road construction fund and materially reduced the farm to market funds, but I think it was proper to do this, because as I told the Highway Commission months ago, we are not running a bank. These funds were paid into the road construction fund by the citizens of the state, and it was our duty to give them roads as rapidly as possible under that plan. As we look at the modernization which has been attained and the expansion of the farm to market and the secondary roads in our state, I think you will agree that these past two years have been fruitful ones in highway construction.

In the field of conservation we have made progress. The State of Iowa continues to pace the nation in conservation work. In the past two years in our conservation districts and in the work of the natural resources council, a work which, as a matter of fact, Iowa pioneered, we have established the pattern, and the technical principles which will guide us in formulating a program and mastering the problems of conservation . . . conservation of soil and water which will give us sound guidance in the future. What we must do now is to draw on the experiences of the past. Appraise the methods and programs for their actual worth and by virtue of these experiences, we can plan more constructively and for better use in the coming years.

It is of primary importance, and I am confident you will agree, that such advancement and growth in conservation of our natural resources is essential, our experiences in Iowa demonstrate the value of cooperation of various agencies and the desirability of control at the grass roots level.

Under happy circumstances, we have made progress in Iowa in the field of highway safety. The legislature, wisely, in 1951, provided for an expansion of the highway patrol in our state. This has been completed, and the highway patrol in our state is one of the finest . . . yes,

I am firmly of the opinion, it is the finest in all the land. They have placed increased emphasis, not only on law enforcement, but in the important field of safety education. Numerous private organizations have joined hands in this joint endeavor, and made a major contribution to the advancement in the field of safety, not only on our highways, but in the schools, on the farms, in the industries of our state. We have a favorable position in our state as compared with other states of the Union, but nevertheless, when we consider the appalling numbers of fatalities and the accident rate, we find a challenge, which urges us to do more and more, to make every contribution humanly possible to greater advancement in this great program of education.

Law enforcement in our state is at a high level, thanks to the cooperation of all agencies. It is, I think, of primary importance that we have cooperation, because it is the duty of state and county and municipal officials to cooperate in every way humanly possible. We have in our state in all fields of endeavor, whether municipal or county or state, a joint responsibility. We have helpful cooperation, all of which is conducive to the betterment of our state.

We have been free of any great tragedies, these past two years. Last year, we witnessed the great river floods on the borders of our state, and there again, all agencies working together met the challenge of nature and avoided loss of life and reduced property damage.

We saw this demonstrated in the city of Council Bluffs, where team work saved a great city. We saw, too, the necessity for a dike system for flood control. We saw that flood prevention programs like those of the lower Mississippi are needed on the upper Mississippi and Missouri as well—both the agricultural levees, and levees to protect the cities and towns. The city of Dubuque was involved in these floods. Ninety per cent of her industry was in the flood area. Naturally that has a pronounced effect on the entire city under such conditions. It is much to the credit of Dubuque's spirit that more than one-half million dollars of private funds have been expended and the entire municipality is alerted to this work, in seeking programs to prevent future recurrence.

Within our state, conservation programs are reaching the stage where we can look to greater advancement. Our rich farm resources have maintained stability. Harassed by many problems, nevertheless, the farming plant of this great state is substantial and growing more so.

Our industries have made a continued improvement in the over-all pattern, and I am of the opinion we have much to be thankful for. I am even more firmly of the opinion that by working together in all good faith and understanding, we can serve the common good . . . we can chart a course for an even greater improvement in the future and in doing, we will prove ourselves not only worthy of the rich and great heritage which is ours, but can lay a pattern and construct a program which will provide wisely and well for generations yet to come.

Again, my heartiest congratulations to all of you of the Fifty-fifth General Assembly. I have the feeling that the next hundred days will be beneficial days for the people of this state. I have every confidence in your judgment and wisdom, and that you will find solutions for the problems to come before you. In the final analysis, it is the responsibility of all of

us to serve to that end, and I deem it a great privilege to have the good fortune to work with you in every possible way to that end. I hope during these days you will come to see me often. The Governor wants your counsel, your help, your cooperation. Thank you.

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:

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 4, 1952.

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

#### CANVASS OF VOTES

President Nicholas 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 4, 1952, and announced as teller on the part of the Senate, Senator Oltman of Buena Vista, and as assistant tellers Senators Weichman of Benton and Utzig of Dubuque.

Speaker Lynes announced as teller on the part of the House, Brown of Mahaska, and as assistant tellers Frey of Pottawattamie and Beck of Appanoose.

President Nicholas further announced that in accordance with statute, tellers Senator Oltman and Representative Brown 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 4, 1952.

On motion by Goode of Davis, the joint convention recessed until 1:45 p.m., January 15, 1953.

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

#### INTRODUCTION OF BILLS

Senate File 1, by Senators Watson of Pottawattamie, Van Eaton, Myrland, Hart, Nesmith, Byers, Oltman, Lord, Hedin and Whitehead, a bill for an act to repeal sections one hundred ninety-four point one (194.1) to one hundred ninety-four point thirteen (194.13), inclusive, Code 1950, relating to the excise tax of five cents (5¢) per pound upon oleomargarine.

Read first and second times, and passed on file.

Senate File 2, by Senators Watson of Pottawattamie, Van Eaton, Myrland, Hart, Nesmith, Byers, Oltman, Lord and Hedin, a bill for an act to amend sections one hundred ninety point one (190.1), one hundred ninety point six (190.6), one hundred ninety-one point two (191.2) and one hundred ninety-one point three (191.3), Code 1950, relating to imitation butter and the sale and labeling thereof, and to repeal section one hundred ninety-two point thirty-two (192.32), Code 1950, relating to the use of imitations of butter in certain state institutions.

Read first and second times, and passed on file.

Senate File 3, by Senators Watson of Pottawattamie, Van Eaton, Myrland, Hart, Nesmith, Byers, Oltman, Lord and Hedin, a bill for an act to levy a tax of five cents (5¢) per pound on the sale or offer or exposure for sale of any oleomargarine or margarine containing any fat or oil ingredient other than certain designated fats and oils.

Read first and second times, and passed on file.

Senate File 4, by Senators Watson of Pottawattamie, Van Eaton, Myrland, Hart, Nesmith, Byers, Oltman, Lord and Hedin, a bill for an act to prohibit the manufacturing, selling, or offering for sale any colored oleomargarine or colored margarine containing any fat or oil ingredient other than certain designated fats and oils.

Read first and second times, and passed on file.

Senate File 5, 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 Des Moines, 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.

Senate File 6, by Senators Van Eaton, Lynes and Boothby, a bill for an act creating a state legislative research council and providing for an executive board of the council and designating its duties, and making an appropriation therefor.

Read first and second times, and passed on file.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 14, 1953.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Gene Alexander, pastor of the First Methodist Church, Audubon, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Prentis, from fifteen residents of Union County favoring the sale of colored oleomargarine.

By Senator Stewart, from twenty-two residents of Mahaska County favoring the sale of colored oleomargarine.

## INTRODUCTION OF BILLS

Senate File 7, by Senators Oltman and Watson of Pottawattamie, a bill for an act to amend section two hundred four point twenty-two (204.22), Code 1950, relating to the penalty for the unlawful use of narcotics.

Read first and second times, and passed on file.

Senate File 8, by Senator Lord (Hendrix), a bill for an act to legalize the transfer of funds collected through public subscription and deposited in the city of Muscatine, Iowa, treasury, as 1952 flood emergency funds, to the Muscatine special levee board of trustees.

Read first and second times, and passed on file.

Senate File 9, by Senators Vest, Lord, Risk, Whitehead, Fishbaugh and Walters, a bill for an act to amend section three hundred thirty-seven point eleven (337.11), sub-section eleven (11), Code 1950, relating to the compensation of sheriffs for feeding prisoners.

Read first and second times, and passed on file.

Senate File 10, by Senator Anderson, a bill for an act to legalize the proceedings of the Board of Supervisors of Washington County in paying for the remodeling of the courtroom in the courthouse from the general county fund.

Read first and second times, and passed on file.

Senate Joint Resolution 1, by Senators Bateson, Knudson, Zastrow, Lynes, Berg, Nolan and Bekman (Schwengel, Kuester, McFarlane, Burrows, Walter, Walker, McNeal, Strawman), a joint resolution to provide a committee to choose designs for a new Great Seal for the State of Iowa, to revise the motto of the state, to conduct a contest to secure designs for said seal and to provide an appropriation therefor.

Read first and second times, and passed on file.

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

#### SENATE CONCURRENT RESOLUTION 5

*Whereas*, through the free and open expression of the will of the American electorate, Dwight D. Eisenhower has been selected to assume the office of Presidency of the United States, and

*Whereas*, the American way of life has been defended and the two party system preserved, and

*Whereas*, the Sovereignty of our nation has been worthily emphasized, and

*Whereas*, the inauguration of the President of the United States is a great and meaningful event for the people of America, and

*Whereas*, the inauguration will be given national coverage by the radio and television services of this country.

*Now, Therefore, Be It Resolved by the Senate, the House Concurring:* That a joint convention be held on Tuesday, January 20, 1953, fifteen minutes prior to the announced hour of the commencement of the inaugural ceremonies, and that adequate arrangements be made whereby the members of the Fifty-fifth General Assembly, in joint convention assembled, and all guests may view and listen to the inaugural ceremony of the President of the United States.

The motion prevailed and the resolution was adopted.

Senator Dailey submitted 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 W. H. Nicholas.....	130	\$13.00
Lieutenant Governor-Elect Leo Elthon.....	135	13.50
Anderson, Carl T.....	125	12.50
Bateson, R. R.....	75	7.50
Bekman, Elmer K.....	90	9.00

Bellman, G. D.....	18	1.80
Berg, John P.....	106	10.60
Boothby, Laurence M.....	185	18.50
Byers, Frank C.....	130	13.00
Clark, Ted D.....	99	9.90
Colburn, Jay C.....	100	10.00
Dailey, Thomas J.....	160	16.00
Dewel, Duane E.....	135	13.50
Dykhouse, J. T.....	260	26.00
Elijah, Earl .....	160	16.00
Fishbaugh, Earl C., Jr.....	140	14.00
Grimstead, Jacob .....	135	13.50
Hart, Stanley L.....	186	18.60
Hedin, Philip T.....	184	18.40
Heideman, Henry .....	110	11.00
Johnson, A. J.....	190	19.00
Knudson, Herman M.....	125	12.50
Larson, Thomas C.....	104	10.40
Linnevoid, William .....	200	20.00
Lord, Herman B.....	165	16.50
Lucas, J. G.....	30	3.00
Lynes, J. Kendall.....	142	14.20
Miller, Leon N.....	40	4.00
Molison, W. C.....	60	6.00
Myrland, E. C.....	165	16.50
Nelson, Charles W.....	100	10.00
Nesmith, James H.....	45	4.50
Nolan, D. C.....	120	12.00
Oltman, R. J.....	150	15.00
O'Malley, George E.....	No claim for mileage	
Prentis, X. T.....	88	8.80
Risk, Don .....	145	14.50
Sayre, Lorin B.....	38	3.80
Schoening, Erwin .....	204	20.40
Scott, George L.....	170	17.00
Stewart, C. Emory.....	78	7.80
Stuart, W. C.....	52	5.20
Utzig, Arnold .....	225	22.50
Van Eaton, Charles S.....	210	21.00
Vest, Alan .....	134	13.40
Walter, W. Eldon.....	66	6.60
Washburn, Henry W.....	140	14.00
Watson, DeVere .....	140	14.00
Watson, Harry E.....	225	22.50
Weichman, Harry E.....	100	10.00
Whitehead, G. E.....	42	4.20
Zastrow, Ralph W.....	145	14.50

THOMAS J. DAILEY, *Chairman.*  
 JACOB GRIMSTEAD.  
 A. J. JOHNSON.

The motion prevailed and the report was adopted.

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

### AFTERNOON SESSION

The Senate reconvened, President Nicholas presiding.

Senator Fishbaugh submitted the following report and moved its adoption :

#### REPORT OF COMMITTEE ON CLERKS

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

Senator Anderson—Katherine Mills.  
Senator Bateson—Winifred Dalrymple.  
Senator Bekman—Mary Louise Brady.  
Senator Bellman—Hazel Marshall.  
Senator Berg—Betty Durden.  
Senator Boothby—Marjorie Reedquist.  
Senator Byers—Dorothy McMurray.  
Senator Clark—Gracie Mae Clark.  
Senator Colburn—Yvonne Chapman.  
Senator Dailey—Lenore Nash.  
Senator Dewel—Irene Williams.  
Senator Dykhouse—Dora Dykhouse.  
Senator Elijah—Eleanor Sawyer.  
Senator Fishbaugh—Edith Roth.  
Senator Grimstead—Helyne Lawrence.  
Senator Hart—Jewell Snider.  
Senator Hedin—Gladys Astley.  
Senator Heideman—Mary Heideman.  
Senator Johnson—Virginia Likins.  
Senator Knudson—Esther Campbell.  
Senator Larson—Doris Andre.  
Senator Linnevold—Nora Richards.  
Senator Lord—Mary Launspach.  
Senator Lucas—Jean Olson.  
Senator Lynes—Marie Capper.  
Senator Miller—Doris Giles.  
Senator Molison—Elaine Langer.  
Senator Myrland—Eunice Mills.  
Senator Nelson—Sandra Nelson.  
Senator Nesmith—Frieda Cross.  
Senator Nolan—Audrey Noring.

Senator Oltman—JoAnn Hansen.  
Senator O'Malley—Ada Silletto.  
Senator Prentis—Marguerite Ash.  
Senator Risk—Betty O'Brien.  
Senator Sayre—Maurine Lewis.  
Senator Schoening—Ruby Briar.  
Senator Scott—Margaret Renard.  
Senator Stewart—Ardith Martin.  
Senator Stuart—Ruth Utter.  
Senator Utzig—Hilda Utzig.  
Senator Van Eaton—Lois Dailey.  
Senator Vest—Beth Stanton.  
Senator Walter—Mary Davis.  
Senator Washburn—Phyllis Abram.  
Senator Watson (O'Brien)—Zoe Stalker.  
Senator Watson (Pottawattamie)—Charleen Marcovis.  
Senator Weichman—Ethel Hansen.  
Senator Whitehead—Lois Downing.  
Senator Zastrow—Marion McMurray.

JOHN P. BERG, *Chairman.*  
DEVERE WATSON.  
EARL C. FISHBAUGH, JR.

On motion of Senator Fishbaugh, the report was adopted.

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

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 15, 1953.

The Senate met in regular session, President Nicholas presiding.

Prayer was offered by Reverend Don H. Gill, pastor of the First Christian Church, Ottumwa, Iowa.

## PETITION AND MEMORIAL

The following petition was presented and placed on file:

By Senator Heideman from fifty-two residents of Webster County favoring the sale of colored oleomargarine.

## INTRODUCTION OF BILLS

Senate File 11, by Senators Weichman and Bateson, a bill for an act to amend section four hundred twenty-five point eleven (425.11), Code 1950, relating to definitions in the homestead tax credit chapter.

Read first and second times, and passed on file.

Senate File 12, by Senator Fishbaugh, a bill for an act to transfer the duties of the existing Legislative Reference Bureau from the state law library to a Legislative Reference Service under the immediate jurisdiction of the General Assembly and to amend section three hundred three point five (303.5), Code 1950, relating thereto.

Read first and second times, and passed on file.

Senate File 13, by Senator Prentis, 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 14, by Senators Walter, Oltman, Nesmith, Dailey, Heideman, Myrland and Nolan (Buck), a bill for an act to authorize the state board of control to construct a building, equipped for the care of the infirm, of not less than two hundred fifty (250) bed capacity at the Iowa Soldiers Home, and appropriate money therefor.

Read first and second times, and passed on file.

Senate File 15, by Senators Walter, Molison, Bellman and Elijah (Buck), 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 16, by Senators Walter, Anderson and Heideman, a bill for an act to amend section one hundred seventy point one (170.1), sub-section four (4), Code 1950, relating to the definition of a restaurant, and to amend sections one hundred seventy point two (170.2) and one hundred seventy point five (170.5), sub-section six (6), Code 1950, relating to the licensing of any establishment where food is manufactured, processed or offered for sale.

Read first and second times, and passed on file.

Senate File 17, by Senators Walter, Anderson and Heideman, a bill for an act to amend section one hundred ninety point two (190.2), Code 1950, relating to the authority to establish additional standards for foods.

Read first and second times, and passed on file.

Senate File 18, by Senators Dykhouse and Colburn, a bill for an act to amend sections one hundred nine (109) and one hundred ten point one (110.1), Code of 1950, relating to an open season and license for game birds and animals by including deer.

Read first and second times, and passed on file.

Senate File 19, by Senators Walter, Anderson and Molison, a bill for an act to amend sections one hundred sixty-three point two (163.2) and one hundred sixty-three point fifteen (163.15), Code 1950, relating to the designation of communicable diseases among animals, and providing for a program of indemnity in case of condemnation and killing of infected animals.

Read first and second times, and passed on file.

Senate File 20, by Senator Anderson (Ramseyer), a bill for an act to repeal chapter five hundred forty-six (546), Code 1950, relating to nonresident auctioneers and to substitute a new chapter relating to the licensing of auctioneers crying sales within the State of Iowa.

Read first and second times, and passed on file.

## MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate Concurrent Resolution 4, providing for the recess adjournment of the General Assembly from Thursday, January 15, 1953, to Monday, January 19, 1953, at 11:00 a.m.

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

Senate Concurrent Resolution 5, providing for a joint convention to be held January 20, 1953, at hour of the inaugural ceremonies at Washington, D. C.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE CONCURRENT  
RESOLUTION 5

Amend Senate Concurrent Resolution 5 by adding the following paragraph:

*"Be It Further Resolved:* That arrangements be made for a picture of the new President to be placed at the precise moment that he takes the oath of office as President of the United States."

## HOUSE AMENDMENT CONSIDERED

Senator Watson of Pottawattamie called up for consideration Senate Concurrent Resolution 5, amended by the House, and moved that the Senate concur in the House amendment.

The Senate concurred in the House amendment.

Senator Watson of Pottawattamie moved that the resolution as amended by the House and concurred in by the Senate be adopted, which motion prevailed and the resolution as amended was adopted.

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

## SENATE CONCURRENT RESOLUTION 6

*Be It Resolved by the Senate, the House Concurring:* That when adjournment is had on Friday, February 27, 1953, it be to reconvene on Monday, March 9, 1953, at 11:00 a.m.

The motion prevailed and the resolution was adopted.

On motion of Senator Zastrow, the Senate recessed until 1:00 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

The joint convention reconvened, President Pro Tempore Hart, President of the joint convention, presiding.

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 15, 1953.

## 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 4, 1952, beg leave to make the following report of the total vote cast for Governor:

William S. Beardsley.....	638,388
Herschell C. Loveless.....	587,671
Z. E. Kellum .....	2,775
Mr. Prichard .....	1
Ernest J. Seeman.....	1,202
W. H. Nicholas .....	4
Kenneth R. Evans .....	3

And the total vote cast for Lieutenant Governor at the election held November 4, 1952:

Leo Elthon .....	677,908
Sewell E. Allen .....	483,370
E. L. Tarr .....	2,122

All of which is most respectfully submitted.

R. J. OLTMAN,  
CARROLL L. BROWN,  
*Judges.*

HARRY E. WEICHMAN,  
ARNOLD UTZIG,  
T. J. FREY,  
ROBERT K. BECK,  
*Tellers.*

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

Senator Oltman of Buena Vista moved that the report be adopted. Brown of Mahaska 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 Leo H. Elthon, 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 15, 1953.

This is to certify that upon a canvass in joint convention of the two houses of the Fifty-fifth General Assembly of the State of Iowa, of all the votes cast at the general election held November 4, 1952, 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 15th day of January, A. D. 1953.

STANLEY L. HART,  
*President Pro Tempore of the  
Senate and President of the  
Joint Convention.*  
WILLIAM S. LYNES,  
*Speaker of the House.*  
R. J. OLTMAN,  
*Teller of the Senate.*  
CARROLL L. BROWN,  
*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 15, 1953.

This is to certify that upon a canvass in joint convention of the two houses of the Fifty-fifth General Assembly of the State of Iowa, of all the votes cast at the general election held November 4, 1952, for the office of Lieutenant Governor of the State of Iowa, it appeared that Leo H. Elthon 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 15th day of January, A. D. 1953.

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

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

R. J. OLTMAN,  
*Teller of the Senate.*

CARROLL L. BROWN,  
*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.

Senator Zastrow of Floyd 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 Leo H. Elthon of the official result of the canvass of votes.

Motion prevailed and President Hart named as such committee Senators Zastrow of Floyd and Bellman of Warren, and Representatives Paul of Poweshiek, Hinchliffe of Jackson and Nelson of Woodbury.

REPORT OF COMMITTEE

Senator Zastrow from the joint committee appointed to notify William S. Beardsley and Leo H. Elthon 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 Leo H. Elthon 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,

RALPH ZASTROW,  
G. D. BELLMAN,  
*On the part of the Senate.*

GEORGE PAUL,  
CHARLES F. HINCHLIFFE,  
HAROLD LUM NELSON,  
*On the part of the House.*

### Report adopted.

Senator Lynes of Bremer 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 Elthon to the House chamber.

Motion prevailed and President Hart of the joint convention appointed Representatives Watson of Warren, Goode of Davis and Christiansen of Worth and Senators Lynes of Bremer and Grimstead of Winnebago as such committee.

Vocal selections, "This Is My Country" and "Faith of Our Fathers," were offered by Lieutenant and Mrs. Ernest A. Miller, of the Salvation Army, accompanied by Bill Austin.

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

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

The invocation was delivered by the Reverend William J. Fowler, D.D., Pastor, Methodist Church, New Virginia.

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

The oath of office was administered to Lieutenant Governor-elect Leo Elthon by the Honorable W. A. Smith, Chief Justice of the Supreme Court of Iowa.

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

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

It is with a feeling of humility and sincere appreciation that I have taken the oath of office and assume the further responsibility as Governor of this great state. I am extremely grateful to the people of Iowa for the confidence which they have reposed in the leadership of my administration. I wish to assure all of you present and the citizens everywhere in our state that I am motivated by but one desire and that is to serve the best interests of all of the people of Iowa to the very best of my ability. To that end I pledge my tireless efforts.

History is the record of recurring struggles by mankind to assure a better kind of a world. We live in a dramatic period in history. Our nation, in the past few months, has re-asserted itself by electing to the office of President of the United States a truly great American. I am confident that under the peerless leadership of Dwight D. Eisenhower our nation will be able to resolve every problem which confronts us today and resolve them in a constructive and satisfactory way. I am firmly of the opinion that the international situation can be stabilized and that free men everywhere can once more pursue the pathways of peace. A strong America must be a dynamic America, worthy of its rich traditions and history—capable of its opportunities. We must secure not only a peaceful world, but we must attain tranquility at home so that our nation, vigorous, strong and confident as it is, can achieve its destiny. We must have confidence in the American way of life. We must believe in the ability of the American people not only to discharge their responsibilities as a people today, but at the same time to build for a strong, progressive and constructive nation in the future. With this encouraging national background, we, as Iowans, have reason to face the future with every confidence of success and accomplishment.

As one who has served in these legislative halls, I have a sincere, profound respect and appreciation for the legislative bodies and share with you the pride of accomplishment in the cause of good government which has been achieved in these very chambers. On behalf of all Iowans, it is a privilege to congratulate you members of the Fifty-fifth General Assembly on your election to the offices which you now hold. It is a great opportunity for service to the people of Iowa and I know of no finer honor than to have the privilege of serving in the General Assembly.

In the important work ahead, it is highly desirable that we have close cooperation between the executive and legislative branches of government. Both branches have a joint responsibility in serving the interests of the people to the end that we will meet the problems of the day and build wisely and well for the future. The ideal way, the constructive way, the American way of achieving these goals is to judge every public question by the standard of what is best for Iowa. Let us, in these hundred days which are ahead, approach every public question from that viewpoint. If we do, we will have merited the honor and the trust which the people of this great state have reposed in all of us.

We cannot escape the fact that, in the final analysis, present day government is a business operation. To give it the finest administration

we must approach public questions and the administration of public affairs from the standpoint of sound and proven business principles.

### TAXATION, FINANCE AND BUDGET

Fortunately, for Iowa, we are in a sound financial condition. During the recent inflationary years we have met the problems of the state without unwise expenditures and have been able to operate the state government pursuing sound fiscal policies and respecting sound financial rules. In all of this period the State of Iowa has met its problems and has confined state expenditures to the income of the state. As we look to the future, it is imperative in my mind that we continue this policy of no deficit spending and the maintenance of sound budgetary programs. Equally important, we must seek every possible means of continuing and expanding every essential service provided by state government without the necessity of any new taxes or increases in sales or income taxes.

Shortly, I will present my budgetary message to you, and it will be predicated on the policy of no increases in sales or income taxes, and no new taxes. We must constantly bear in mind that the power to tax is the power to destroy and unless we maintain a policy of balanced budgets, living within our income without increase in the tax burden, we will fail the people of our state.

### ROADS

It is impossible, in this address, to deal with all of the legislative problems which will be considered here during the next one hundred days. However, there are certain matters to which I wish to refer specifically on this occasion. One of these subjects is that of roads.

We live in a period when transportation is of greater importance to the citizenry of our state than ever before. Four years ago, in the Fifty-third General Assembly, we enacted into a law a program which has proven effective in actually building roads. Our pay-as-we-go program which was adopted at that time has brought great improvements in the highways and roads of Iowa. These have been the busiest road construction years in the history of our state. This program, balanced as it is, has proven especially satisfactory in farm-to-market and secondary road construction in our state. Likewise, it has been successful in the improvement and further development of the primary road system. But there is tremendous public interest in further highway construction and improvement. The citizens must be advised of the fact that any further acceleration of highway construction and improvement in Iowa will require additional funds which, in one way or another, the people must provide. You, as representatives of the people, must be responsive to the will of the people. A sound public policy requires that highway users pay for highway improvements. Diversion of public funds collected from highway users by the federal government is improper.

As a major step in obtaining the funds which should be applied for road construction purposes, it would seem appropriate for this General

Assembly to consider the adoption of a joint resolution memorializing Congress to enact laws returning to the states the taxes now levied against road users and which have been diverted for other purposes. In the case of Iowa, the adoption of this legislation alone would make available increased funds for highway purposes in excess of \$17,000,000 annually. Today I have telegraphed the Governors of every state in which legislatures are now in session or are scheduled to convene shortly, urging them to take similar action.

During the past year, a special citizens' study committee examined the toll road programs in other states and studied the possibilities of a modern toll road in Iowa as another means of solving present day transportation problems. As more and more freight, mail and passenger traffic, which once moved by railroads, has started moving over our highways, it has been increasingly clear that highway construction engineered for lighter traffic loads, was inadequate. By siphoning off our heaviest traffic to new heavy duty highways we can preserve our existing roads and extend the useful life of these roads.

The Toll Road Study Committee has made its survey and the report has been filed with the legislature. It is my opinion that a careful perusal of this report will indicate that this program should be studied further. Iowa stands athwart a main east-west artery of highway commerce of our nation. If we do not furnish the cross-country link it is probable that other states will do so. With the rapid development of toll road systems in the various states of the nation, we should be prepared to deal with any and all eventualities. This calls for constructive action on the part of the Fifty-fifth General Assembly.

## EDUCATION

In the field of education it is imperative that we continue to provide funds as liberally as possible, within our means. We must continue to provide adequate support for our institutions of higher learning, including funds for productive research.

Again referring to the Acts of the Fifty-third General Assembly, we adopted a comprehensive program of state aid to the public schools of our state. As a result of the inflationary forces which have run rampant in this country the past four years, this formula has fallen behind. It is desirable in my judgment that we increase the amount of state aid for schools to restore the percentages in the formula which was adopted in 1949.

Within the past twelve months, the Federal Communications Commission has made available channels for educational television. Because of the promise which television holds for both public school and adult education, and because the value of audio-visual education has been well established, it is timely that you give the matter most serious consideration. There is a time limit on this situation as it confronts us now. To avail ourselves of educational television facilities under the present federal plan, we must indicate our desires by proper legislative action before July 1, 1953.

### MENTAL HEALTH

Iowa, in recent years, has made great strides in the field of mental health, and in the care of the mentally ill. Using the resources at our command, we have expanded and improved all of the programs in our mental health institutes. Four screening centers have been put into operation and in-patient and out-patient clinics are a regular function of the hospitals.

There is great promise in the field of research. A pilot program of research, using cooperatively the facilities and personnel of the psychopathic hospital and medical school of the University of Iowa and the Mental Health Institute at Mount Pleasant, is in the planning stage. To further augment this service, we need also to expand the professional staffs at all of the mental health institutes and two children's mental schools. This expanded program in the field of psychiatry and other professional fields will accelerate the program of mental health treatment.

I recommend this program for your most serious consideration.

### NEEDS OF AGRICULTURE

No session of the General Assembly should conclude without a careful review of each phase of the state laws which affect the efficiency and prosperity of Iowa's great farm establishment. Our first billion dollar corn crop should emphasize our responsibility. Farm prices have been subjected to continuing adjustment in the market places of the nation, the welfare of our farm population in terms of purchasing power and income has been affected proportionately.

The fixed tax load must be kept at a minimum; the marketing of farm products must be facilitated, and practices for the maintenance and use of our precious resource in the soil of Iowa must be re-studied in the light of the tremendous strides of science in this modern age.

### INDUSTRIAL GROWTH

Our state now enjoys a substantial development of industry built upon a fine labor force, adequate transportation and our available natural resources. One cannot travel this state and fail to notice the hundreds of small manufacturing enterprises which are under way. State government touches industry in many ways. We must continue to lend every effort to promote the growth and development of industry in our state.

### HIGHWAY SAFETY AND SAFETY EDUCATION

In the field of safety education and accident and fire prevention through cooperation of the agencies of state government and many private organizations, we have made great gains. The benefits of this have been most reassuring and should impel us to even greater effort in the future.

Every step to advance the cause of safety, such as the establishment of an inspection service for motor vehicles and all programs for expanded

effort in these important fields of endeavor, merits the most serious consideration by this General Assembly.

### CONSERVATION

In the field of conservation and flood control, Iowa has advanced to the stage where we can measure accurately the possibilities of further development in the future. Fortunately, because of the programs of the past ten years and the legislative action of recent general assemblies, we have formulated a program of natural resources development which has placed Iowa in a position of leadership in this very important field. The program is predicated on local control and based on the wholesome principle of working with nature instead of against nature. With this program, we can pursue the intelligent development of our watersheds which will not only add to the fertility and the abundant production of Iowa soil and make its contribution to present day society, but will conserve our resources for generations yet unborn. This is a prime necessity.

The benefits of our preliminary work are now very much in evidence. We should, within the next two years, by the necessary work, by setting all the pins which are necessary in our program on all of the watersheds of the state, complete the state-wide blanket or quilt of enduring soil conservation.

### LABOR

In the United States today there is a genuine realization that in this industrial age we must continue to explore and expand the fields of conciliation and progress in labor-management relationships. In my judgment, it would be constructive if this legislature would review our labor laws and make such changes, in line with the principles set out in the 1952 majority political party platform, as will put them in conformity with the federal laws relative to labor-management relations.

### LEGISLATIVE RE-APPORTIONMENT

Our constitution provides at periodic intervals that the legislative representation should be re-apportioned in accordance with certain definite principles.

During the present biennium the national census has been completed. As these census results are now available, it is my hope that the Fifty-fifth General Assembly will put this responsibility on its agenda for completion before the termination of the session.

### REORGANIZATION

During the past two years we have made major strides in the various departments of state government in upgrading the public service, in effecting economies and in improving efficiency. This has been done within the present law. However, it is desirable always for the legislature to give due thought to programs for reorganization, in order to assist in solving the problems of administrative efficiency in state government.

### PUBLIC UTILITY COMMISSION

Another field in which it seemed desirable for the legislature to have the benefit of advance study was the question of a public utility commission for the State of Iowa. Iowa is one of two states which does not have such a commission. The magnitude of work required to treat intelligently and successfully with this problem made it necessary, in my judgment, for a pre-study to be made. With that thought in mind, I appointed a citizens' Public Utility Study Committee for the purpose of examining this broad field and making a report to the Fifty-fifth General Assembly. That report is now before you.

Because the municipalities of the state cannot have the technical and engineering staff necessary to provide the proper regulation of utility rates, it is my judgment that the legislature should seriously consider this question. You will find the work of this committee very beneficial to you in furnishing basic information as to the needs of the people of our state. In most states, public utility commissions are for the sole purpose of regulating private utilities within the states. In my judgment this is a sound policy. However, municipalities and REA organizations should have the privilege of availing themselves of the advantage of rate regulation if they elect to do so.

### STATE RETIREMENT PROGRAM

Former years have demonstrated the necessity of having expert counsel in specialized fields of public interest and administration. I have referred already to the study committees on toll roads and the public utility commission. Also, the last two years we have had a study committee, authorized by the Fifty-fourth General Assembly, on the Old-Age Survivors and Insurance Program of the state. That report is also before this legislature.

In your action on this subject, I recommend you conserve the interests of all the beneficiaries who have paid their good money into the system, and maintain the financial stability of the system. I am confident that this General Assembly will deal wisely with this very important problem.

### LEGISLATIVE RESEARCH DEPARTMENT

The results of these study committees, and study committees in former years, demonstrate the importance of research and factual information in arriving at intelligent decisions in public affairs. Based on that experience, I recommend for your most serious consideration the establishment of a Legislative Research Department. Such an agency, with a small staff of able researchers, could perform, in a broad field of legislative action, the services of research which have been performed by special committees in the past. This would speed up the work of future legislatures and better enable them to deal adequately and constructively with public questions in the future. The services of such a department should be available equally to the executive and legislative branches of state government.

## CONCLUSION

In this assembly today are men and women of many faiths, of many ages and of varying political convictions. Throughout the length and breadth of Iowa, in its ninety-nine counties, in the homes in the cities and towns and on the farmsteads, are the men and women and children of this state who have entrusted to us the responsibilities of leadership and decision.

We cannot measure up to the challenge of this hour unless we have targets for our tomorrows—targets based upon hard realities of today, upon a vision of the better days to come; and upon a faith that by working together we can reach those goals.

No plans for the future will be good unless they make it possible for the young men and women of today to have homes, opportunities, independent businesses, the joys of little children, and the richness of American freedom. No plans for the future will be good unless they will give to your children and mine the kind of a state in which we would like to live. Let us together share the planning and the work by which that future can be ours.

We have severally taken our oaths of office to support the laws of the State of Iowa and to serve honestly and faithfully to the best of our abilities. As I have renewed my pledge I am humbled by the realization that only with divine guidance is it possible for me to do my task. In my daily work I shall seek your help and counsel. In that way a safe and sound course will be charted. In that way we will make the American way of freedom and opportunity live.

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

The Songfellows, accompanied on the piano by Bill Austin, of Radio Station WHO, sang "Stout Hearted Men" and "Student Prince Serenade."

The minutes of the joint convention were read and approved.

Kosek of Linn 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 Zastrow moved that a committee of five be appointed to escort Lieutenant Governor Elthon to his station.

The motion prevailed and the chair appointed as such committee Senators Lynes, Watson of O'Brien, Watson of Pottawattamie, Prentis and O'Malley.

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

THANK YOU, MR. PRESIDENT. MEMBERS OF THE SENATE AND FRIENDS FROM OVER THE STATE: If I were to say at this moment that I did not glory in this position, I would be telling a falsehood, so let me say that it is with much satisfaction that you have elected me Lieutenant Governor, which means that I am to be the presiding officer over this body. With this thought, I assure you, comes a deep feeling of responsibility, and I pray God that it be with humility. I have said many times that no honor can be bestowed upon any man in the State of Iowa which excels or exceeds a position in this body, the State Senate of Iowa. I have had the privilege of serving in this Senate for twenty years and I say sincerely that I have found the members of this Senate to be honorable and great men.

Now that I am your presiding officer, I repeat to you that the oath of office which was administered to me just a few minutes ago, I shall treat sincerely. I am sure I shall not always be free from mistakes, but ask of you your patience. I shall, to the best of my ability, be fair, honest and upright in all decisions. I shall honor you always because you represent the people of the best state and our country.

With these remarks I want to again thank you and ask your counsel and cooperation at all times.

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

Lieutenant Governor Elthon announced the appointment of Mrs. Ivone Nelson of Worth County as his secretary and the appointment of David Abram of Polk County as his page. Mrs. Nelson 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.

On motion of Senator Zastrow, the Senate adjourned until 11:00 a.m., Monday, pursuant to Senate Concurrent Resolution 4.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 19, 1953.

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

Prayer was offered by Reverend G. M. Ottsen, vicar of the Grace Episcopal Church, Charles City, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Knudson for the day on request of Senator Molison; Senator Elijah for the day on request of Senator Lord; Senator Linnevold for the day on request of Senator Berg; Senator Walter for the day on request of Senator Heideman; Senator Risk for the day on request of Senator Prentis.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator O'Malley from forty-eight residents of Polk County favoring the sale of colored oleomargarine.

By Senator Utzig from ten residents of Dubuque County favoring a legislative council.

By Senator Walter from twenty-one members of Marshall County favoring the sale of colored oleomargarine.

## INTRODUCTION OF BILLS

Senate File 21, by Senator Hedin, a bill for an act to authorize the sale and conveyance to Aluminum Company of America of certain submerged land in Scott County, Iowa, below ordinary high-water mark of the Mississippi River.

Read first and second times, and passed on file.

Senate File 22, by Senator Hedin, a bill for an act authorizing the granting to Iowa-Illinois Gas and Electric Company, its successors and assigns, of a pipe line easement in, over and through certain state-owned land in Scott County, Iowa, and also authorizing the sale and conveyance to Iowa-Illinois Gas and Electric Company, its

successors and assigns, for metering and regulating station site, of other state-owned land in Scott County, Iowa.

Read first and second times, and passed on file.

Senate File 23, by Senator Berg (McFarlane), a bill for an act relating to the lien on real estate of judgments of district courts of this state and circuit and district courts of the United States.

Read first and second times, and passed on file.

Senate File 24, by Senator Berg (McFarlane), a bill for an act relating to recording a certificate of dissolution of a corporation and to amend section four hundred ninety-one point twenty-three (491.23), Code 1950.

Read first and second times, and passed on file.

Senate File 25, by Senators Bekman 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 26, by Senators Anderson, Lord, Boothby, Dykhouse and Miller, a bill for an act to amend section ninety-two point eleven (92.11), Code 1950, relating to employment of minors.

Read first and second times, and passed on file.

Senate File 27, by Senator Whitehead (McNeal), a bill for an act to amend chapter one hundred seventeen (117), Code 1950, relating to brokers commission for the sale of land.

Read first and second times, and passed on file.

Senate File 28, by Senators Anderson, Clark, Molison, O'Malley and Schoening (Bass, Brockmeyer, Beck, Soeth, Morris), 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 29, by Senator Weichman, a bill for an act to amend section one hundred forty-four point forty (144.40), Code 1950, relating to vital statistics.

Read first and second times, and passed on file.

Senate File 30, by Senators Anderson, Molison and Lucas, a bill for an act to amend section one hundred ninety point one (190.1), Code 1950, relating to the regulation of the manufacture and sale of ice milk.

Read first and second times, and passed on file.

Senator Dailey asked unanimous consent to have a communication printed in the Senate Journal.

Objection was raised.

Senator Weichman moved that said communication be read to the members of the Senate which motion prevailed and the communication was read.

Objection was again raised to the printing of the communication in the Senate Journal.

Senator Dailey asked and received unanimous consent to withdraw his request.

President Elthon took the chair at 11:05 a.m.

#### APPOINTMENT OF PAGES

Lieutenant Governor Elthon announced the appointment of the following pages of the Senate:

Larry Turbot, Lucas County.

Dick Hines, Polk County.

Daniel Smith, Winnebago County.

Richard Lord, Muscatine County.

#### PRESENTATION OF VISITORS

Senator O'Malley asked and received unanimous consent to present to the Senate forty-five students of the Dowling High School who were present in the balcony with their instructor, Reverend Schwarte.

President Elthon announced the appointment of the following standing committees:

APPOINTMENT OF SENATE COMMITTEES  
FIFTY-FIFTH GENERAL ASSEMBLY

## AERONAUTICS

Risk— Chairman	Grimstead* Bellman	Clark	Dailey
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## AGRICULTURE

Weichman— Chairman	Colburn	Lynes	Scott
Elijah*	Dewel	Molison	Walter
Anderson	Heideman	Nelson	Watson of
Bellman	Johnson	Prentis	O'Brien
	Larson	Schoening	Zastrow

## APPROPRIATIONS

Lynes— Chairman	Dykhouse	Nolan	Van Eaton
Berg*	Grimstead	Oltman	Vest
Anderson	Hedin	Prentis	Watson of
Colburn	Knudson	Risk	O'Brien
Dailey	Lucas	Scott	Weichman
Dewel	Molison	Stuart of Lucas	Whitehead
	Nesmith		

## BANKS, BUILDING AND LOAN

Fishbaugh— Chairman	Byers	Johnson	Sayre
Risk*	Hart	Linnevold	Walter
Boothby	Hedin	Molison	Zastrow

## BOARD OF CONTROL

Knudson— Chairman	Boothby	Risk	Weichman
Fishbaugh*	Heideman	Walter	Whitehead
Bateson	Lucas	Watson of	
		Pottawattamie	

## CHAPLAINS

Linnevold— Chairman			
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## CITIES AND TOWNS

Van Eaton— Chairman	Dykhouse	Lord	Nelson
Hedin*	Fishbaugh	Lucas	O'Malley
Berg	Hart	Miller	Sayre
	Johnson	Myrland	Utzig

## CLAIMS

Stewart of Mahaska— Chairman	Miller* Bellman	Clark Johnson	Schoening
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## COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES

Vest— Chairman	Dailey* Clark	Lord Nolan	Stewart of Mahaska Weichman
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## CONSERVATION

Dewel— Chairman	Bellman	Grimstead	Oltman
Watson of O'Brien*	Dykhouse	Knudson	Utzig
	Elijah	Linnevold	Washburn
	Fishbaugh	Myrland	Zastrow

## ELECTION REFORM

Watson of Pottawattamie —Chairman	Johnson* Linnevold	Miller	Stewart of Mahaska
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\*Indicates ranking member.

## ENROLLED BILLS

Stuart of Lucas— Anderson\* Stewart of  
Chairman Mahaska

## GOVERNMENTAL AFFAIRS

Prentiss— Colburn Heideman Watson of  
Chairman Grimstead Stuart of Lucas Pottawattamie  
Lord\*

## HIGHWAYS

Watson of Boothby Hedin Prentiss  
O'Brien— Clark Lucas Van Eaton  
Chairman Dewel Lynes Washburn  
Weichman\* Dykhouse Myrland Whitehead  
Anderson Grimstead Nolan

## INSURANCE

Bekman— Byers Hedin Risk  
Chairman Clark Linnevold Sayre  
Lynes\* Dewel O'Malley Schoening  
Berg

## INTERSTATE COOPERATION

Dykhouse— Walter\* Nelson Nesmith  
Chairman Berg

## IOWA DEVELOPMENT

Whitehead— Colburn\* Stewart of Utzig  
Chairman Mahaska Washburn

## JUDICIARY 1

Bateson— Fishbaugh Stewart of Walter  
Chairman Nolan Mahaska Weichman  
Vest\* O'Malley Stuart of Lucas Zastrow  
Dailey Scott

## JUDICIARY 2

Byers— Watson of Hart Myrland  
Chairman Pottawattamie\* Lynes Nesmith  
Bekman Miller Oltman

## LABOR

Anderson— Elijah Molison Watson of  
Chairman Hart Nolan Pottawattamie  
Schoening\* Heideman Risk Weichman  
Bellman Lynes Walter Whitehead  
Colburn

## MANUFACTURING, COMMERCE AND TRADE

Nesmith— Myrland\* Utzig Vest  
Chairman Hart Van Eaton Zastrow

## MILITARY AFFAIRS

Walter— Utzig\* Boothby Oltman  
Chairman Berg Fishbaugh Prentiss

## MINES AND MINING

Bellman— Bekman Stewart of Stuart of Lucas  
Chairman Miller Mahaska Washburn

## MOTOR VEHICLES

Colburn— Bekman Elijah Miller  
Chairman Bellman Knudson Schoening  
Scott\* Dailey Lynes Vest  
Bateson

\*Indicates ranking member.

## PRINTING

Lucas— Chairman	Dewel* Knudson	Vest	Whitehead
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## PRIVATE CORPORATIONS

Boothby— Chairman	Byers* Lord	Miller	Zastrow
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## PUBLIC HEALTH

Oltman— Chairman O'Malley*	Bateson Bekman Berg	Lord Myrland Nesmith	Nolan Risk
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## PUBLIC LANDS AND BUILDINGS

Hedin— Chairman	Hart*	Utzig	
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## PUBLIC LIBRARIES

Nolan— Chairman	Sayre*	Linnevold	
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## PUBLIC UTILITIES

Myrland— Chairman Dykhouse* Bekman	Byers Knudson Larson Molison	Nesmith O'Malley Prentis Schoening	Van Eaton Watson of Pottawattamie
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## RAILROADS

Washburn— Chairman	Larson* Bateson	Byers	Watson of O'Brien
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## RULES

Hart— Chairman	Zastrow* Byers	Van Eaton	Watson of Pottawattamie
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## SCHOOLS AND EDUCATIONAL INSTITUTIONS

Molison— Chairman Bateson* Anderson Bekman	Berg Boothby Dailey Elijah Heideman	Larson Lynes Miller Nelson	Prentis Sayre Stuart of Lucas Washburn
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## SOCIAL SECURITY

Lord— Chairman Molison* Dewel	Myrland Nelson O'Malley Prentis	Sayre Schoening Scott Utzig	Van Eaton Whitehead Zastrow
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## TAX REVISION

Clark— Chairman	Heideman* Elijah	Johnson Larson	Lord Oltman
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## WAYS AND MEANS

Berg— Chairman Nelson* Grimstead Hedin	Knudson Larson Lucas Sayre Scott	Stewart of Mahaska Stuart of Lucas Vest	Walter Washburn Watson of O'Brien
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\*Indicates ranking member.

**SENATORS AND THEIR RESPECTIVE COMMITTEES  
FIFTY-FIFTH GENERAL ASSEMBLY**

Labor—Chairman Enrolled bills* Agriculture	<b>SENATOR ANDERSON</b> Appropriations Highways	Schools and educational institutions
	<b>SENATOR BATESON</b>	
Judiciary 1—Chairman Schools and educational institutions*	Board of control Motor vehicles	Public health Railroads
	<b>SENATOR BEKMAN</b>	
Insurance—Chairman Mines and mining* Judiciary 2	Motor vehicles Public health Public utilities	Schools and educational institutions
	<b>SENATOR BELLMAN</b>	
Mines and mining— Chairman Aeronautics	Agriculture Claims Conservation	Labor Motor vehicles
	<b>SENATOR BERG</b>	
Ways and means— Chairman Appropriations* Cities and towns	Insurance Interstate cooperation Military affairs	Public health Schools and educational institutions
	<b>SENATOR BOOTHBY</b>	
Private corporations— Chairman Banks, building and loan	Board of control Highways Military affairs	Schools and educational institutions
	<b>SENATOR BYERS</b>	
Judiciary 2— Chairman Private corporations*	Banks, building and loan Insurance	Public utilities Railroads Rules
	<b>SENATOR CLARK</b>	
Tax revision— Chairman Aeronautics	Claims Compensation of public officers and employees	Highways Insurance
	<b>SENATOR COLBURN</b>	
Motor vehicles— Chairman Iowa development*	Agriculture Appropriations	Governmental affairs Labor
	<b>SENATOR DAILEY</b>	
Compensation of public officers and em- ployees*	Aeronautics Appropriations Judiciary 1	Motor vehicles Schools and educational institutions
	<b>SENATOR DEWEL</b>	
Conservation— Chairman Printing*	Agriculture Appropriations Highways	Insurance Social security
	<b>SENATOR DYKHOUSE</b>	
Interstate coopera- tion—Chairman Public utilities*	Appropriations Cities and towns	Conservation Highways

\*Indicates ranking member.

	<b>SENATOR ELIJAH</b>	
Agriculture* Conservation Labor	Motor vehicles Schools and educational institutions	Tax revision
	<b>SENATOR FISHBAUGH</b>	
Banks, building and loan—Chairman Board of control*	Cities and towns Conservation	Judiciary 1 Military affairs
	<b>SENATOR GRIMSTEAD</b>	
Aeronautics* Appropriations	Conservation Governmental affairs	Highways Ways and means
	<b>SENATOR HART</b>	
Rules—Chairman Public lands and buildings*	Banks, building and loan Cities and towns Judiciary 2	Labor Manufacturing, commerce and trade
	<b>SENATOR HEDIN</b>	
Public lands and buildings—Chairman Cities and towns*	Appropriations Banks, building and loan	Highways Insurance Ways and means
	<b>SENATOR HEIDEMAN</b>	
Tax revision* Agriculture Board of control	Governmental affairs Labor	Schools and educational institutions
	<b>SENATOR JOHNSON</b>	
Election reform* Agriculture	Banks, building and loan Cities and towns	Claims Tax revision
	<b>SENATOR KNUDSON</b>	
Board of control— Chairman Appropriations	Conservation Motor vehicles Printing	Public utilities Ways and means
	<b>SENATOR LARSON</b>	
Railroads* Agriculture Public utilities	Schools and educational institutions	Tax revision Ways and means
	<b>SENATOR LINNEVOLD</b>	
Chaplains—Chairman Banks, building and loan	Conservation Election reform	Insurance Public libraries
	<b>SENATOR LORD</b>	
Social security— Chairman Governmental affairs*	Cities and towns Compensation of public officers and employees	Private corporations Public health Tax revision
	<b>SENATOR LUCAS</b>	
Printing—Chairman Appropriations	Board of control Cities and towns	Highways Ways and means
	<b>SENATOR LYNES</b>	
Appropriations— Chairman Insurance* Agriculture	Highways Judiciary 2 Labor	Motor vehicles Schools and educational institutions

\*Indicates ranking member.

	SENATOR MILLER	
Claims*	Judiciary 2	Private corporations
Cities and towns	Mines and mining	Schools and educational institutions
Election reform	Motor vehicles	
	SENATOR MOLISON	
Schools and educational institutions—	Agriculture	Labor
Chairman	Appropriations	Public utilities
Social security*	Banks, building and loan	
	SENATOR MYRLAND	
Public utilities—	Cities and towns	Judiciary 2
Chairman	Conservation	Public health
Manufacturing, commerce and trade*	Highways	Social security
	SENATOR NELSON	
Ways and means*	Interstate cooperation	Social security
Agriculture	Schools and educational institutions	
Cities and towns		
	SENATOR NESMITH	
Manufacturing, commerce and trade—	Appropriations	Public health
Chairman	Interstate cooperation	Public utilities
	Judiciary 2	
	SENATOR NOLAN	
Public libraries—	Compensation of public officers and employees	Judiciary 1
Chairman	Highways	Labor
Appropriations		Public health
	SENATOR OLTMAN	
Public health—	Conservation	Military affairs
Chairman	Judiciary 2	Tax revision
Appropriations		
	SENATOR O'MALLEY	
Public health*	Insurance	Public utilities
Cities and towns	Judiciary 1	Social security
	SENATOR PRENTIS	
Governmental affairs—	Highways	Schools and educational institutions
Chairman	Military affairs	Social security
Agriculture	Public utilities	
Appropriations		
	SENATOR RISK	
Aeronautics—	Appropriations	Labor
Chairman	Board of control	Public health
Banks, building and loan*	Insurance	
	SENATOR SAYRE	
Public libraries*	Insurance	Social security
Banks, building and loan	Schools and educational institutions	Ways and means
Cities and towns		
	SENATOR SCHOENING	
Labor*	Insurance	Public utilities
Agriculture	Motor vehicles	Social security
Claims		

\*Indicates ranking member.

## SENATOR SCOTT

Motor vehicles*	Appropriations	Social security
Agriculture	Judiciary 1	Ways and means

## SENATOR STEWART OF MAHASKA

Claims—Chairman	Election reform	Judiciary 1
Compensation of public officers and employees	Enrolled bills	Mines and mining
	Iowa development	Ways and means

## SENATOR STUART OF LUCAS

Enrolled bills—Chairman	Governmental affairs	Schools and educational institutions
Appropriations	Judiciary 1	Ways and means
	Mines and mining	

## SENATOR UTZIG

Military affairs*	Iowa development	Public lands and buildings
Cities and towns	Manufacturing, commerce and trade	Social security
Conservation		

## SENATOR VAN EATON

Cities and towns—Chairman	Highways	Public utilities
Appropriations	Manufacturing, commerce and trade	Rules
		Social security

## SENATOR VEST

Compensation of public officers and employees—Chairman	Appropriations	Motor vehicles
Judiciary 1*	Manufacturing, commerce and trade	Printing
		Ways and means

## SENATOR WALTER

Military affairs—Chairman	Banks, building and loan	Judiciary 1
Interstate cooperation*	Board of control	Labor
Agriculture		Ways and means

## SENATOR WASHBURN

Railroads—Chairman	Iowa development	Schools and educational institutions
Conservation	Mines and mining	Ways and means
Highways		

## SENATOR WATSON OF O'BRIEN

Highways—Chairman	Agriculture	Railroads
Conservation*	Appropriations	Ways and means

## SENATOR WATSON OF POTTAWATTAMIE

Election reform—Chairman	Board of control	Public utilities
Judiciary 2*	Governmental affairs	Rules
	Labor	

## SENATOR WEICHMAN

Agriculture—Chairman	Board of control	Judiciary 1
Highways*	Compensation of public officers and employees	Labor
Appropriations		

## SENATOR WHITEHEAD

Iowa development—Chairman	Board of control	Printing
Appropriations	Highways	Social security
	Labor	

\*Indicates ranking member.

## SENATOR ZASTROW

Rules\*  
Agriculture  
Banks, building and  
loan

Conservation  
Judiciary 1  
Manufacturing, com-  
merce and trade

Private corporations  
Social security

President Elthon announced that under the provisions of Senate Rule 18 he was turning over to the chairman of the committee on judiciary 1 and judiciary 2, a number of proposed bills prepared by the Code Editor for their consideration.

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

## AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

## PRESENTATION OF VISITORS

Senator O'Malley asked and received unanimous consent to present to the Senate seventy members of the 9A class of the Washington Irving Junior High School who were present in the balcony with their principal, Victor Mastin.

## ADDITIONAL EMPLOYEES

Senator Whitehead submitted the following revision of the list of permanent officers and employees of the Senate, elected and found on page 9 of the Senate Journal:

File Clerk—JoAnn Dancer, Polk County.

Assistant File Clerk—Dennis Montgomery, Polk County.

Matron—Mable Mason, Polk County.

## ADDITIONAL ASSIGNMENTS

Assistant File Clerks, Don Abram, Polk County and Dave Abram, Polk County.

## 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—Wednesday, 2:00 p.m., Room 22

Appropriations—Monday, 2:00 p.m., Room 22

Banks, building and loan—Monday, 1:00 p.m., Room 22

Board of control—Tuesday, 2:00 p.m., Room 24

Chaplains—On call of chairman  
 Cities and towns—Monday, 3:00 p.m., Room 22  
 Claims—Thursday, 1:00 p.m., Room 23  
 Compensation of public officers and employees—Monday, 3:00 p.m.,  
     Room 23  
 Conservation—Tuesday, 2:00 p.m., Room 22  
 Election reform—Thursday, 1:00 p.m., Room 24  
 Enrolled bills—On call of chairman  
 Governmental affairs—Wednesday, 1:00 p.m., Room 22  
 Highways—Tuesday, 1:30 p.m., Room 22  
 Insurance—Tuesday, 1:00 p.m., Room 22  
 Interstate cooperation—Wednesday, 3:00 p.m., Room 22  
 Iowa development—Wednesday, 3:00 p.m., Room 24  
 Judiciary 1—Monday and Wednesday, 1:30 p.m., Room 22  
 Judiciary 2—Monday and Wednesday, 1:30 p.m., Room 24  
 Labor—On call of chairman  
 Manufacturing, commerce and trade—Tuesday, 1:30 p.m., Room 24  
 Military affairs—Monday, 2:00 p.m., Room 24  
 Mines and mining—On call of chairman  
 Motor vehicles—Thursday, 3:00 p.m., Room 22  
 Printing—On call of chairman  
 Private corporations—Monday, 1:30 p.m., Room 23  
 Public health—Tuesday, 1:00 p.m., Room 24  
 Public lands and buildings—On call of chairman  
 Public libraries—On call of chairman  
 Public utilities—Thursday, 1:00 p.m., Room 22  
 Railroads—On call of chairman  
 Rules—On call of chairman  
 Schools and educational institutions—Tuesday, 9:00 a.m., Thursday,  
     1:30 p.m., Room 22  
 Social security—Tuesday, 2:30 p.m., Room 24  
 Tax revision—Monday, 1:00 p.m., Room 23  
 Ways and means—Tuesday and Thursday, 2:30 p.m., Room 22

HARRY E. WATSON of O'Brien.

J. KENDALL LYNES.

On motion of Senator Zastrow, the Senate adjourned until 9:30 a.m., Tuesday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 20, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend Leland De Flon, pastor of the Clifton Heights Presbyterian Church, Des Moines, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Knudson for the day on request of Senator Molison; Senator Walter for the day on request of Senator Heideman; Senator Vest for the day on request of Senator Molison.

## PETITION AND MEMORIAL

The following petition was presented and placed on file:

By Senator Hart, from forty-six residents of Lee County favoring the sale of colored oleomargarine.

## INTRODUCTION OF BILLS

Senate File 31, by Senators Prentis, Lord and Lucas, a bill for an act relating to execution of the biennial budget report and the recommendations of the budget and financial control committee.

Read first and second times, and passed on file.

Senate File 32, by Senators Nolan and Stuart of Lucas, a bill for an act to amend section three hundred twenty-one point four hundred ninety-eight (321.498), Code 1950, relating to actions against nonresidents.

Read first and second times, and passed on file.

Senate File 33, by Senator Lynes, a bill for an act to repeal section three hundred twenty-one point three hundred sixty-two (321.362), Code 1950, relating to unattended motor vehicles, and to enact a substitute therefor.

Read first and second times, and passed on file.

Senate File 34, by Senators Hedin, Lord and Dailey, a bill for an act to amend section one hundred nine point one hundred seven

(109.107), Code 1950, relating to seining fish in the Mississippi and Missouri Rivers.

Read first and second times, and passed on file.

Senate File 35, by Senators Watson of Pottawattamie and Dykhouse, 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 36, by Senators Bateson, Byers and Bekman, a bill for an act to amend section two hundred seventy-nine point forty (279.40), Code 1950, relating to sick leave for school employees.

Read first and second times, and passed on file.

Senate File 37, by Senators Walter, Heideman, Bateson, Nesmith, Washburn, Weichman, Scott, Dykhouse, Lynes, Boothby and Lucas (Cornick), a bill for an act relating to the confidential nature of certain records pertaining to recipients under the old age assistance law; providing for issuance of a report showing disbursements to recipients with public access thereto; prohibiting certain uses of this information and providing penalty for violation; and to repeal section two hundred forty-nine point forty-four (249.44), Code 1950.

Read first and second times, and passed on file.

Senate File 38, by Senators Walter, Heideman, Bateson, Nesmith, Washburn, Weichman, Scott, Dykhouse, Lynes, Boothby and Lucas (Cornick), a bill for an act relating to the confidential nature of certain records pertaining to recipients under the law providing aid to dependent children; providing for issuance of a report showing disbursements to recipients with public access thereto; prohibiting certain uses of this information and providing penalty for violation; and to repeal section two hundred thirty-nine point ten (239.10), Code 1950.

Read first and second times, and passed on file.

Senate File 39, by Senators Walter, Heideman, Bateson, Nesmith, Washburn, Weichman, Scott, Dykhouse, Lynes, Boothby and Lucas (Cornick), a bill for an act relating to the confidential nature of certain records pertaining to recipients under law providing aid

for the blind; providing for issuance of a report showing disbursements to recipients with public access thereto; prohibiting certain uses of this information and providing penalty for violation; and to repeal section two hundred forty-one point twenty-five (241.25), Code 1950.

Read first and second times, and passed on file.

#### CONGRATULATIONS TO THE REPUBLICANS

Senator O'Malley, on behalf of the Democratic members of the Senate, placed on the desk of the President of the Senate a congratulatory floral tribute on the Republican victory of 1952.

Senator Zastrow, on behalf of the Republican members, highly commended and thanked their fellow members of the Senate.

Senator Whitehead called up the following report and moved its adoption, which motion prevailed and the employees named were declared duly elected and subscribed to their oath of office:

#### ADDITIONAL EMPLOYEES

Senator Whitehead submitted the following revision of the list of permanent officers and employees of the Senate, elected and found on page 9 of the Senate Journal:

File Clerk—JoAnn Dancer, Polk County.

Assistant File Clerk—Dennis Montgomery, Polk County.

Matron—Mable Mason, Polk County.

#### ADDITIONAL ASSIGNMENTS

Assistant File Clerks, Don Abram, Polk County and Dave Abram, Polk County.

Senator Lynes called up the following report and moved its adoption:

#### 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—Wednesday, 2:00 p.m., Room 22

Appropriations—Monday, 2:00 p.m., Room 22

Banks, building and loan—Monday, 1:00 p.m., Room 22

Board of control—Tuesday, 2:00 p.m., Room 24

Chaplains—On call of chairman

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

HARRY E. WATSON of O'Brien.  
 J. KENDALL LYNES.

The motion prevailed and the report was adopted.

#### PRESENTATION OF VISITOR

Senator Lord asked and received unanimous consent to present to the Senate Doctor Edgar Mertner, M.A., professor of English language and literature at the University of Muenster in Westphalia, northern Germany, an enrollee at Drake University, who was present in the Senate chamber.

#### COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that in accordance with Senate Concurrent Resolution 5, duly adopted, the House was ready to receive the Senate in joint convention for the

purpose of viewing the inaugural ceremony of President-elect Dwight D. Eisenhower.

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 Elthon presiding.

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

William Patil, of Bombay, India, addressed the joint convention.

The joint convention witnessed the inauguration of Dwight D. Eisenhower as President and Richard M. Nixon as Vice President on television.

Following the oath of office, Senator Watson of Pottawattamie and Representatives Tate of Cerro Gordo and Falvey of Monroe placed a picture of President Eisenhower on the wall of the Speaker's station.

Goode of Davis moved that the joint convention be now dissolved.

Motion prevailed.

The Senate returned to the Senate chamber, President Elthon presiding.

On motion of President pro tempore Hart, the Senate recessed until 1:30 p.m.

### AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

Senator Lord moved that the Senate express its appreciation to the Sidles Company of Iowa and Nebraska for providing the television facilities for viewing the inaugural ceremonies of President Eisenhower, which motion prevailed, and the request was complied with.

### BILLS ASSIGNED TO COMMITTEE

President Elthon announced the following assignment of bills to committees:

- S. F. 1 Ways and means
- S. F. 2 Manufacturing, commerce and trade
- S. F. 3 Manufacturing, commerce and trade
- S. F. 4 Manufacturing, commerce and trade
- S. F. 5 Public lands and buildings
- S. F. 6 Governmental affairs
- S. F. 7 Judiciary 1
- S. F. 8 Judiciary 2
- S. F. 9 Governmental affairs
- S. F. 10 Judiciary 2
- S. F. 11 Judiciary 1
- S. F. 12 Governmental affairs
- S. F. 13 Judiciary 2
- S. F. 14 Military affairs
- S. F. 15 Agriculture
- S. F. 16 Manufacturing, commerce and trade
- S. F. 17 Manufacturing, commerce and trade
- S. F. 18 Conservation
- S. F. 19 Agriculture
- S. F. 20 Judiciary 1
- S. F. 21 Public lands and buildings
- S. F. 22 Public lands and buildings
- S. F. 23 Judiciary 2
- S. F. 24 Judiciary 1
- S. F. 25 Insurance
- S. F. 26 Judiciary 1
- S. F. 27 Judiciary 2
- S. F. 28 Judiciary 2
- S. F. 29 Judiciary 1
- S. F. 30 Agriculture
- S. F. 31 Judiciary 2
- S. F. 32 Judiciary 1
- S. F. 33 Motor vehicles
- S. F. 34 Conservation
- S. F. 35 Governmental affairs
- S. F. 36 Social security
- S. F. 37 Social security
- S. F. 38 Social security
- S. F. 39 Social security

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 21, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend J. Wesley Pierson, pastor of the Congregational Church, Newton, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Lucas from one hundred nine public employees of Boone and Story Counties favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors Insurance.

By Senator Myrland from six residents of Crawford County favoring the sale of colored oleomargarine.

By Senator Utzig from residents of Dubuque County favoring a legislative council.

By Senator Van Eaton from eighty-one residents of Woodbury County favoring the sale of colored oleomargarine.

By Senator Watson of Pottawattamie from eighteen public employees of Pottawattamie County favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors Insurance.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Knudson for the day on request of Senator Watson of Pottawattamie; Senator Walter for the day on request of Senator Heideman.

## INTRODUCTION OF BILLS

Senate File 40, by Senator Watson of Pottawattamie, a bill for an act to amend section one hundred sixteen point six (116.6), Code 1950, and sections one hundred sixteen point eleven (116.11) and one hundred sixteen point eighteen (116.18), Code 1950, relating to

the definition and financial responsibility of accountants and providing for a permanent injunction for violations.

Read first and second times, and passed on file.

Senate File 41, by Senator Watson of Pottawattamie, a bill for an act to amend section four hundred twenty-seven point three (427.3), subsection four (4), Code 1950, relating to military service exemptions.

Read first and second times, and passed on file.

Senate File 42, by Senators Stuart of Lucas and Nolan, a bill for an act to amend section three hundred twenty-one point two hundred eighty-five (321.285), Code 1950, relating to the speed restrictions on motor vehicles.

Read first and second times, and passed on file.

Senate File 43, by Senator Lynes, a bill for an act to prescribe the minimum butterfat content of milk.

Read first and second times, and passed on file.

Senate File 44, by Senator Lynes, a bill for an act relating to the licensing of milk dealers.

Read first and second times, and passed on file.

Senate File 45, by Senator Lynes, a bill for an act relating to the licensing of manufacturers of mattresses and comforters and prescribing the license fee.

Read first and second times, and passed on file.

Senate File 46, by Senator Lynes, a bill for an act to prescribe a minimum butterfat content in ice milk.

Read first and second times, and passed on file.

Senate File 47, by Senator Oltman, a bill for an act to amend sections one hundred forty-seven point fourteen (147.14), one hundred forty-seven point nineteen (147.19), one hundred forty-seven point thirty-eight (147.38), one hundred forty-seven point eighty (147.80), one hundred forty-seven point one hundred two (147.102), one hundred forty-eight point three (148.3), and chapter one hundred forty-eight (148), Code 1950, relating to the medical examiners board, providing for an additional two members and

increasing the length of the term of office, increasing the renewal fee for the practice of medicine and surgery, enlarging the powers of the board of medical examiners, qualifications of applicants, and providing for temporary and special licenses for the practice of medicine and surgery.

Read first and second times, and passed on file.

Senate File 48, by Senators Nolan, Stewart, Van Eaton, O'Malley, Utzig, Hedin, Clark and Dailey, a bill for an act to amend chapter three hundred sixty-three (363), Code 1950, relating to the compensation of police matrons.

Read first and second times, and passed on file.

Senate File 49, by Senators Nolan, Bekman, O'Malley, Clark, Hedin, Stewart, Van Eaton, Utzig and Dailey, 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 50, by Senator Molison (Brown of Keokuk), 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 county public hospital bonds by Keokuk County, Iowa, and the provisions made for taxes for the payment of said bonds and declaring said bonds issued and sold pursuant to said election, and proceedings to be valid obligations of said county.

Read first and second times, and passed on file.

Senate File 51, by Senator Nelson (Sherod, et al.), a bill for an act to amend section one hundred nine point eighty-seven (109.87), Code 1950, relating to open seasons and providing for a continuous open season on raccoon.

Read first and second times, and passed on file.

Senate Joint Resolution 2, by Senators O'Malley, Miller, Utzig and Dailey, a joint resolution proposing an amendment to section one (1), article two (II) of the constitution of the State of Iowa, by striking the word "twenty-one" from lines two (2) and three (3) of said section 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.

#### PRESENTATION OF VISITORS

Senator Whitehead asked and received unanimous consent to present to the Senate the members of the eighth grade civics class of the Panora Elementary School who were present in the balcony with their instructor, Mr. Johnson.

#### MESSAGE FROM THE HOUSE

The following message was received from the House:

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

House Concurrent Resolution 4, fixing the compensation of the officers and employees of the Fifty-fifth General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE CONCURRENT RESOLUTION 4

*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";

*Now, Therefore, Be It Resolved by the House, the Senate Concurring:* That the daily compensation of all chaplains, officers and employees of the Fifty-fifth 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.....	17.50
Law and Reading Clerk.....	15.00
Assistant Law and Reading Clerk.....	15.00
Secretary's Stenographer .....	12.50
Secretary's Clerk .....	9.00
Secretary to Lieutenant Governor.....	12.50
Assistant Journal Clerk.....	10.00
Engrossing Clerk .....	10.00
Enrolling Clerk .....	10.00
Special Clerks .....	10.00
Payroll Clerk .....	10.00
Assistant Enrolled Bills Clerks.....	8.00
Supply Clerk .....	9.00
Senate Secretaries .....	7.50

Sergeant-at-Arms .....	8.00
Assistant Sergeant-at-Arms .....	7.00
Bill Clerk .....	7.50
File Clerk .....	6.50
Assistant File Clerks.....	6.00
Chief Doorkeeper .....	7.00
Assistant Doorkeepers .....	6.50
Postmistress .....	6.50
Multilith Operator .....	7.50
Porters .....	6.00
Cloakroom Attendant .....	6.00
Matrons .....	6.00
Pages .....	5.00

## OFFICERS AND EMPLOYEES OF THE HOUSE

Chief Clerk .....	\$20.00
Assistant Chief Clerk .....	15.00
Reading Clerk .....	10.00
Law Clerk .....	15.00
Engrossing Clerk .....	10.00
Journal Clerks .....	10.00
Assistant Journal and Clip Sheet Clerk.....	8.00
Secretary to Speaker.....	10.00
Enrolling Clerk .....	10.00
Assistant Enrolling Clerks.....	8.00
Supervisor of Clerks.....	10.00
Secretary to Chief Clerk.....	12.50
Clerk to Chief Clerk.....	10.00
Secretary to Law Clerk.....	10.00
Index Clerk .....	8.00
Payroll Clerk .....	10.00
House Secretaries .....	7.50
Sergeant-at-Arms .....	8.00
Assistant Sergeant-at-Arms .....	7.00
Bill Clerk .....	7.50
Assistant Bill Clerks.....	6.50
File Clerks .....	6.50
Supply Clerks .....	6.50
Postmaster .....	6.50
Multilith Operator .....	7.50
Chief Electrician .....	9.00
Assistant Electrician .....	6.50
Control Board Operator .....	7.50
Chief Doorkeeper .....	7.00
Assistant Doorkeepers .....	6.50
Cloakroom Attendants .....	6.00
Matrons .....	6.00
Porters .....	6.00
Pages .....	5.00

## JOINT LEGISLATIVE HELP

Assistants in Law Research.....	\$15.00
Stenographers .....	7.50
General Research Clerks.....	6.50
Janitors .....	6.50
Telephone Operators .....	6.50
Elevator Operators .....	6.50
Matrons .....	6.00
Head Policeman .....	7.00
Policemen .....	6.50
Post Office Assistants .....	6.50
Mail Carriers .....	6.50
Photostat Operator for Code Editor.....	7.50
Clerk in Code Editor's Office.....	7.00
Stenographer in Archives Department.....	7.50
Matron in Historical Department and Library.....	6.00

*Be It Further Resolved:* That the compensation of chaplains officiating at the opening of the sessions of the Senate and House of the Fifty-fifth General Assembly shall be fixed at five dollars (\$5) 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.

*Be It Further Resolved:* That the persons selected to assist in the preliminary work of convening the General Assembly are entitled to receive compensation therefor for the actual number of days in which they were so employed, at the same scale of compensation as fixed for such officers and employees of the Fifty-fourth General Assembly, and the President and Secretary of the Senate and the Speaker and Chief Clerk of the House are hereby authorized and directed to make requisition for such payment and the State Comptroller is hereby authorized and directed to issue warrants as hereby provided.

Senator Whitehead asked and received unanimous consent to take up for consideration House Concurrent Resolution 4.

On motion of Senator Whitehead, the resolution was adopted.

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

## AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

## BILLS ASSIGNED TO COMMITTEE

President Elthon announced the following assignment of bills to committees:

- S.J.R. 1 Schools and educational institutions
- S.J.R. 2 Judiciary 2

- S. F. 40 Judiciary 2
- S. F. 41 Military affairs
- S. F. 42 Motor vehicles
- S. F. 43 Agriculture
- S. F. 44 Agriculture
- S. F. 45 Agriculture
- S. F. 46 Agriculture
- S. F. 47 Public health
- S. F. 48 Cities and towns
- S. F. 49 Social security
- S. F. 50 Judiciary 1
- S. F. 51 Conservation

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 22, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend Dean Williams, pastor of the Presbyterian Church, Sanborn, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Knudson for the day on request of Senator Molison; Senator Walter for the day on request of Senator Heideman; Senator Risk for the day on request of Senator Fishbaugh.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Bellman from twenty-four residents of Warren County favoring the sale of colored oleomargarine.

By Senator Colburn from fifty-one residents of Shelby County favoring the sale of colored oleomargarine.

By Senator Lucas from thirty-nine public employees of Boone and Story Counties favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors Insurance.

By Senator O'Malley from one hundred fifteen residents of Polk County favoring proposed legislation to end unfair restrictions on the sale and use of yellow oleomargarine and to repeal the special tax on oleomargarine.

## INTRODUCTION OF BILLS

Senate File 52, by Senators Oltman, Dailey, Molison and Whitehead, a bill for an act to amend chapter two hundred sixty (260), Code 1950, relating to the Board of Educational Examiners and certification of teachers.

Read first and second times, and passed on file.

Senate File 53, by Senator Weichman, a bill for an act to amend section two hundred eighty-six point four (286.4), 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 54, by Senators Boothby, Bateson, Zastrow, Oltman, Anderson, Dykhouse, Nolan, Stuart of Lucas and Bekman, a bill for an act relating to the practice of funeral directing and embalming and to repeal chapter one hundred fifty-six (156), Code 1950, relating thereto, and to enact a substitute therefor.

Read first and second times, and passed on file.

Senate File 55, by Senators Boothby, Bateson, Zastrow, Oltman, Anderson, Dykhouse, Nolan, Stuart of Lucas and Bekman, a bill for an act to amend sections one hundred forty-seven point one (147.1), one hundred forty-seven point two (147.2), one hundred forty-seven point thirteen (147.13), one hundred forty-seven point fifteen (147.15), one hundred forty-seven point eighteen (147.18), one hundred forty-seven point eighty (147.80), and one hundred forty-seven point one hundred one (147.101), Code 1950, relating to the practice of funeral directing and embalming and the license fees thereof.

Read first and second times, and passed on file.

Senate File 56, by Senators Whitehead and Anderson (Morris, et al.), a bill for an act to amend section one hundred nine point one hundred twenty (109.120), Code 1950, relating to hunting from aircraft.

Read first and second times, and passed on file.

Senate File 57, by Senator Whitehead (Morris, et al.), a bill for an act to amend section one hundred nine point seventy-four (109.74), Code 1950, relating to where the use of trot or throw lines is permitted.

Read first and second times, and passed on file.

Senate File 58, by Senators Hedin, Nesmith, Lucas and Bellman, a bill for an act to amend section six hundred one point one hundred twenty-nine (601.129), Code 1950, relating to constable's mileage.

Read first and second times, and passed on file.

Senate File 59, by Senators Hedin, Nesmith, Lucas and Bellman, 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 60, by Senators Nesmith, Hedin and Lucas, a bill for an act to amend chapter two hundred five (205), Acts of the Fifty-fourth General Assembly, relating to salaries for justices of the peace and constables.

Read first and second times, and passed on file.

Senate File 61, by Senators Hedin and Nesmith, a bill for an act to amend section thirty-nine point twenty-one (39.21), Code 1950, relating to justice's of the peace and constable's term of office.

Read first and second times, and passed on file.

Senate File 62, by committee on judiciary 1, a bill for an act to repeal section five hundred thirty-four point eighty-eight (534.88), Code 1950, relating to building and loan associations.

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

Senate File 63, by committee on judiciary 1, a bill for an act to amend sections four hundred sixteen point one hundred eleven (416.111) and four hundred sixteen point one hundred thirteen (416.113), Code 1950, relating to drains and sewers in cities over 100,000 population.

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

Senate File 64, by committee on judiciary 1, a bill for an act to amend section four hundred sixteen point sixty-eight (416.68), Code 1950, relating to elections to remove officers in commission cities.

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

Senate File 65, by committee on judiciary 1, a bill for an act to amend section six hundred two point forty-nine (602.49), Code 1950, as amended by chapter two hundred six (206), Acts of the Fifty-fourth General Assembly, relating to salaries in municipal courts.

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

Senate File 66, by committee on judiciary 1, a bill for an act to amend chapter one hundred forty-five (145), Acts of the Fifty-fourth General Assembly, relating to elections to change the form of a municipal government.

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

Senate File 67, by Senators Stewart of Mahaska, Nelson and Miller, a bill for an act relating to the election of county assessors, to repeal sections four hundred forty-one point two (441.2) and four hundred forty-one point three (441.3), Code 1950, and to enact a substitute therefor.

Read first and second times, and passed on file.

Senate File 68, by Senators Berg, Dailey, Watson of Pottawattamie, Whitehead and Van Eaton, a bill for an act to create a state civil defense agency in the executive branch; providing for a director as head thereof and defining the powers and duties of the governor and director; providing emergency powers for the governor; authorizing mobile support and mutual aid 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 and adopt ordinances relating thereto; authorizing local organizations for civil defense to contract for mutual aid and accept gifts, grants and loans; 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 local defense councils; providing for the rights, privileges and immunities of 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 to carry out the purpose of this act.

Read first and second times, and passed on file.

Senate File 69, by Senators Berg, Dailey, Watson of Pottawattamie, Whitehead and Van Eaton, 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.

Read first and second times, and passed on file.

Senate File 70, by Senator Watson of Pottawattamie, a bill for an act to amend sections one hundred forty-one point four (141.4) and one hundred forty-one point twelve (141.12), Code 1950, relating to the disposal of dead bodies and to provide for a record thereof.

Read first and second times, and passed on file.

Senate File 71, by Senator Watson of Pottawattamie, a bill for an act relating to the operation of cemeteries in the State of Iowa, and funds for the perpetual care and maintenance thereof, and the sale of burial space therein, and providing penalties for the violation thereof.

Read first and second times, and passed on file.

Senate File 72, by Senators Fishbaugh, Watson of O'Brien, Nolan, O'Malley and Walter, a bill for an act to amend chapter three hundred twenty-one (321), Code 1950, relating to automobile registration plates for holders of amateur radio station licenses.

Read first and second times, and passed on file.

Senate File 73, by committee on judiciary 2, a bill for an act to amend section two hundred eighty-five point two (285.2), Code 1950, relating to the basis of state aid for transportation of school pupils.

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

Senate File 74, by committee on judiciary 2, a bill for an act to amend section three hundred ten point twenty-seven (310.27), Code 1950, relating to reapportionment of unused farm-to-market road funds.

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

Senate File 75, by Senators Molison, Anderson and Clark, a bill for an act to amend sections one hundred ninety-eight point eight (198.8) and one hundred ninety-eight point nine (198.9), Code 1950, relating to authorized uses of inspection fees on commercial feeds.

Read first and second times, and passed on file.

Senate File 76, by Senators Lord and Elijah, a bill for an act to amend section four hundred fifty point four (450.4), Code of 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.

Senate File 77, by Senators Whitehead, O'Malley and Hedin, a bill for an act to amend chapter four hundred seventy-four (474), Code 1950, relating to safety, sanitary and shelter facilities for railroad employees.

Read first and second times, and passed on file.

Senate File 78, by Senators Anderson, Whitehead, Lord and Zastrow, a bill for an act to authorize county boards of supervisors to require the licensing of auctions outside of cities and towns within the state or within any city or town that has not by ordinance licensed the sales of auctioneers and to require the posting of a bond and submission of inventory of goods offered for sale at such auctions, and providing penalties for violation thereof.

Read first and second times, and passed on file.

Senate File 79, by Senators Nolan, Zastrow, Dykhouse, Fishbaugh and Stuart of Lucas, a bill for an act to authorize and empower all state commissions, departments, boards and agencies and all commissions, departments, boards and agencies of all political subdivisions of the State of Iowa, not otherwise authorized, to purchase and pay for liability and property damage insurance which shall insure against individual personal legal liability of officers and employees of such commissions, departments, boards and agencies while in the performance of their duties.

Read first and second times, and passed on file.

Senate File 80, by Senator Lucas, a bill for an act to legalize the action of the board of supervisors of Boone County in contracting and paying for the construction of a twenty-two (22) pen hog house at Boone County farm, Boone County, Iowa.

Read first and second times, and passed on file.

Senator Zastrow announced that a number of Senate Files by the committee on judiciary 1, placed on the calendar, were non-controversial and that, with unanimous consent of the Senate, could be considered at this time.

### THIRD READING OF BILLS

Senator Bateson asked and received unanimous consent to take up for consideration Senate File 62, a bill for an act to repeal section five hundred thirty-four point eighty-eight (534.88), Code 1950, relating to building and loan associations.

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, 47:

Anderson	Fishbaugh	Myrland	Stuart of Lucas
Bateson	Grimstead	Nelson	Utzig
Bekman	Hart	Nesmith	Van Eaton
Bellman	Hedin	Nolan	Vest
Berg	Heideman	Oltman	Washburn
Boothby	Johnson	O'Malley	Watson of
Byers	Larson	Prentis	O'Brien
Clark	Linnevoold	Sayre	Watson of
Colburn	Lord	Schoening	Pottawattamie
Dailey	Lucas	Scott	Weichman
Dewel	Lynes	Stewart of	Whitehead
Dykhouse	Miller	Mahaska	Zastrow
Elijah	Molison		

Nays, none.

Absent or not voting, 3:

Knudson	Risk	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.

Senator Bateson asked and received unanimous consent to take up for consideration Senate File 63, a bill for an act to amend sections four hundred sixteen point one hundred eleven (416.111) and four hundred sixteen point one hundred thirteen (416.113), Code 1950, relating to drains and sewers in cities over 100,000 population.

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	Fishbaugh	Myrland	Stuart of Lucas
Bateson	Grimstead	Nelson	Utzig
Bekman	Hart	Nesmith	Van Eaton
Bellman	Hedin	Nolan	Vest
Berg	Heideman	Oltman	Washburn
Boothby	Johnson	O'Malley	Watson of
Byers	Larson	Prentis	O'Brien
Clark	Linnevoid	Sayre	Watson of
Colburn	Lord	Schoening	Pottawattamie
Dailey	Lucas	Scott	Weichman
Dewel	Lynes	Stewart of	Whitehead
Dykhouse	Miller	Mahaska	Zastrow
Elijah	Molison		

Nays, none.

Absent or not voting, 3:

Knudson	Risk	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.

Senator Bateson asked and received unanimous consent to take up for consideration Senate File 64, a bill for an act to amend section four hundred sixteen point sixty-eight (416.68), Code 1950, relating to elections to remove officers in commission cities.

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, 47:

Anderson	Fishbaugh	Myrland	Stuart of Lucas
Bateson	Grimstead	Nelson	Utzig
Bekman	Hart	Nesmith	Van Eaton
Bellman	Hedin	Nolan	Vest
Berg	Heideman	Oltman	Washburn
Boothby	Johnson	O'Malley	Watson of
Byers	Larson	Prentis	O'Brien
Clark	Linnevoid	Sayre	Watson of
Colburn	Lord	Schoening	Pottawattamie
Dailey	Lucas	Scott	Weichman
Dewel	Lynes	Stewart of	Whitehead
Dykhouse	Miller	Mahaska	Zastrow
Elijah	Molison		

Nays, none.

Absent or not voting, 3:

Knudson	Risk	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 Zastrow, the Senate recessed until 1:30 p.m.

## AFTERNOON SESSION

The Senate reconvened, President pro tempore Hart 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 6, providing for the March 1 recess adjournment of the Fifty-fifth General Assembly.

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

House Concurrent Resolution 3, memorializing Congress to give serious consideration to the elimination of federal gasoline tax, and leaving that area of taxation entirely to the states.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE CONCURRENT RESOLUTION 3

*Whereas*, building of roads and highways since the inception of our government has been primarily a state responsibility; and

*Whereas*, every state of the Union has tremendous problems in maintaining, extending, and building highways and bridges due to the lack of building program during the war year period; and

*Whereas*, the federal government has always collected much more than they have sent back to the states for road building purposes; and

*Whereas*, the costs of building and maintaining roads and highways have increased tremendously; and

*Whereas*, states have demonstrated they are willing, have, and do cooperate in building the federally designated highways; and

*Whereas*, the states sensed the responsibility of an integrated highway system as it relates to the national welfare; and

*Whereas*, the states have demonstrated that they can build adequate highways; and

*Whereas*, in many instances, many economies can be effected through sole state responsibility of building highways; and

*Whereas*, because of the foregoing facts and after due consideration, the Council of State Governments in the National Meeting December 7 in Chicago passed a resolution supporting this proposition, and the Governors' Conference in the National Meeting in July, 1952, unanimously passed a resolution supporting this proposition.

*Therefore, Be It Resolved by the House of the Fifty-fifth General Assembly of the State of Iowa, the Senate Concurring:* That the Eighty-fourth session of Congress give serious consideration to the question of eliminating the federal gasoline tax and leaving that area of taxation entirely to the states,

*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

Senate, the Speaker of the House of Representatives, to each member of the Iowa delegation in Congress of the United States, and to the Speaker and President of the respective houses of the General Assembly in the midwestern states.

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

### SENATE CONCURRENT RESOLUTION 7

By Committee on Printing

*Whereas*, it is desirable to effect all the economies in the operation of our government that can possibly be made and it is incumbent upon this General Assembly to reduce its own costs and expenditures in every possible respect, and

*Whereas*, the cost of printing is one of the larger items of cost in each session of the General Assembly, and

*Whereas*, it is the practice and custom to introduce in both the Senate and the House bills with identically the same text, known as companion bills, both of which are printed in their entirety, and

*Whereas*, it is felt that great savings can be accomplished by eliminating this double cost of printing by providing for the complete printing of companion bills in one house of the legislature only;

*Now, Therefore, Be It Resolved by the Senate, the House of Representatives Concurring:* That where a bill has been introduced in one house and a bill containing identically the same text is to be introduced in the other house the bill first introduced shall be printed in full and complete form and the companion bill as introduced in the other house shall be printed only to and including the enacting clause thereof, except that any explanation appended to the bill may also be printed, and following the enacting clause there shall be printed an additional statement as follows: "This bill is an identical and companion bill to Senate (House) File ..... For printed text see that bill."

*Be It Further Resolved:* That any existing rules of the General Assembly as to companion bills shall remain in full force and effect.

*Be It Further Resolved:* That appropriate instructions shall be formulated and issued by the Secretary of the Senate and the Chief Clerk of the House to carry out the provisions of this resolution.

The motion prevailed and the resolution was adopted.

Senator Whitehead asked and received unanimous consent that the resolution be immediately messaged to the House, which request was complied with.

### PROOF OF PUBLICATION

Published copy of proposed legislation (Senate File 50) and verified proof of publication of said bill in the Keokuk County News on January

8, 1953, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

CARROLL LANE, *Secretary of Senate.*

### BILLS ASSIGNED TO COMMITTEE

President Elthon announced the following assignment of bills to committee:

- S. F. 52 Schools and educational institutions
- S. F. 53 Schools and educational institutions
- S. F. 54 Public health
- S. F. 55 Public health
- S. F. 56 Conservation
- S. F. 57 Conservation
- S. F. 58 Compensation of public officers and employees
- S. F. 59 Compensation of public officers and employees
- S. F. 60 Compensation of public officers and employees
- S. F. 61 Election reform
- S. F. 67 Judiciary 2
- S. F. 68 Military affairs
- S. F. 69 Military affairs
- S. F. 70 Judiciary 2
- S. F. 71 Judiciary 2

### REPORT OF COMMITTEE

Senator Bekman submitted the following report:

MR. PRESIDENT: Your committee on insurance to which was referred **Senate File 25**, 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, 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

- 1 Amend Senate File 31 by striking from section 2, line 9,
- 2 "January 1" and inserting in lieu thereof "on or before
- 3 December 15".

X. T. PRENTIS.

- 1 Amend House Concurrent Resolution 3 by striking all of the last
- 2 paragraph and inserting in lieu thereof the following:
- 3 "Be It Further Resolved, That attested copies of this concurrent

4 resolution be sent to the presiding officers of each house of the  
5 Congress and to each member of the Iowa delegation in Congress,  
6 and that printed copies thereof, showing that said concurrent  
7 resolution was adopted by the legislature of Iowa, be sent to each  
8 house of each legislature of each state of the United States."

JOHN P. BERG.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 23, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend J. Grant Carlson, pastor of the Grace Lutheran Church, Des Moines, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Walter for the day on request of Senator Heideman; Senator Hedin for the day on request of Senator Vest; Senator Johnson for the day on request of Senator Weichman; Senator Risk for the day on request of Senator Prentis.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Bateson from twenty public employees of Wright County favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance.

By Senator Berg from forty-three residents of Butler County in opposition to proposed legislation for the sale of colored oleomargarine.

By Senator Linnevold from twelve public employees of Winneshiek County favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance.

By Senator Scott from two hundred fifty residents of Fayette County in opposition to proposed legislation for the sale of colored oleomargarine.

## INTRODUCTION OF BILLS

Senate File 81, by Senator Watson of Pottawattamie, a bill for an act providing for the deduction from gross income of persons taxable under the provisions of chapter four hundred twenty-two point eight (422.8), Code 1950, of the first two thousand dollars (\$2,000) of compensation from the federal government to persons in the armed forces of the United States during the period be-

ginning January 1, 1952, and ending December 31, 1954, and repealing chapter forty-three (43), Laws of the Fifty-first General Assembly.

Read first and second times, and passed on file.

Senate File 82, by committee on printing, a bill for an act to amend section sixteen point thirty-one (16.31), Code 1950, relating to printing of legislative bulletin.

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

Senate File 83, by Senators Lucas and Lord (Sheerer), 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 passed on file.

Senator Berg asked and received unanimous consent to take up the following resolution:

### HOUSE CONCURRENT RESOLUTION 3

*Whereas*, building of roads and highways since the inception of our government has been primarily a state responsibility; and

*Whereas*, every state of the Union has tremendous problems in maintaining, extending, and building highways and bridges due to the lack of building program during the war year period; and

*Whereas*, the federal government has always collected much more than they have sent back to the states for road building purposes; and

*Whereas*, the costs of building and maintaining roads and highways have increased tremendously; and

*Whereas*, states have demonstrated they are willing, have, and do cooperate in building the federally designated highways; and

*Whereas*, the states sensed the responsibility of an integrated highway system as it relates to the national welfare; and

*Whereas*, the states have demonstrated that they can build adequate highways; and

*Whereas*, in many instances, many economies can be effected through sole state responsibility of building highways; and

*Whereas*, because of the foregoing facts and after due consideration, the Council of State Governments in the National Meeting December 7 in Chicago passed a resolution supporting this proposition, and the Governors' Conference in the National Meeting in July, 1952, unanimously passed a resolution supporting this proposition.

*Therefore, Be It Resolved by the House of the Fifty-fifth General Assembly of the State of Iowa, the Senate Concurring:* That the Eighty-fourth session of Congress give serious consideration to the question of

eliminating the federal gasoline tax and leaving that area of taxation entirely to the states,

*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 Senate, the Speaker of the House of Representatives, to each member of the Iowa delegation in Congress of the United States, and to the Speaker and President of the respective houses of the General Assembly in the midwestern states.

Senator Berg offered the following amendment and moved its adoption :

Amend House Concurrent Resolution 3 by striking all of the last paragraph and inserting in lieu thereof the following:

*"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."

The amendment was adopted.

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

Senator Berg asked and received unanimous consent that the resolution as amended be immediately messaged to the House, which request was complied with.

### THIRD READING OF BILLS

On motion of Senator Bateson, Senate File 65, a bill for an act to amend section six hundred two point forty-nine (602.49), Code 1950, as amended by chapter two hundred six (206), Acts of the Fifty-fourth General Assembly, relating to salaries in municipal courts, 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, 46:

Anderson	Clark	Grimstead	Lucas
Bateson	Colburn	Hart	Lynes
Bekman	Dailey	Heideman	Miller
Bellman	Dewel	Knudson	Molison
Berg	Dykhouse	Larson	Myrland
Boothby	Elijah	Linnevold	Nelson
Byers	Fishbaugh	Lord	Nesmith

Nolan	Scott	Van Eaton	Watson of
Oltman	Stewart of	Vest	Pottawattamie
O'Malley	Mahaska	Washburn	Weichman
Prentis	Stuart of Lucas	Watson of	Whitehead
Sayre	Utzig	O'Brien	Zastrow
Schoening			

Nays, none.

Absent or not voting, 4:

Hedin	Johnson	Risk	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 Bateson, Senate File 66, a bill for an act to amend chapter one hundred forty-five (145), Acts of the Fifty-fourth General Assembly, relating to elections to change the form of a municipal government, was taken up, and considered.

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, 45:

Anderson	Elijah	Molison	Stuart of Lucas
Bateson	Fishbaugh	Myrland	Utzig
Bekman	Grimstead	Nelson	Van Eaton
Bellman	Hart	Nesmith	Vest
Berg	Heideman	Nolan	Washburn
Boothby	Knudson	Oltman	Watson of
Byers	Larson	O'Malley	O'Brien
Clark	Linnevoid	Prentis	Watson of
Colburn	Lord	Sayre	Pottawattamie
Dailey	Lucas	Schoening	Weichman
Dewel	Lynes	Stewart of	Whitehead
Dykhouse	Miller	Mahaska	Zastrow

Nays, none.

Absent or not voting, 5:

Hedin	Risk	Scott	Walter
Johnson			

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

On motion of Senator Byers, Senate File 73, a bill for an act to amend section two hundred eighty-five point two (285.2), Code 1950, relating to the basis of state aid for transportation of school pupils, 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	Fishbaugh	Myrland	Stuart of Lucas
Bateson	Grimstead	Nelson	Utzig
Bekman	Hart	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Knudson	Oltman	Washburn
Boothby	Larson	O'Malley	Watson of
Byers	Linnevold	Prentis	O'Brien
Clark	Lord	Sayre	Watson of
Colburn	Lucas	Schoening	Pottawattamie
Dailey	Lynes	Scott	Weichman
Dewel	Miller	Stewart of	Whitehead
Dykhousé	Molison	Mahaska	Zastrow
Elijah			

Nays, none.

Absent or not voting, 4:

Hedin	Johnson	Risk	Walter
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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 Byers, Senate File 74, a bill for an act to amend section three hundred ten point twenty-seven (310.27), Code 1950, relating to reapportionment of unused farm-to-market road funds, 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	Fishbaugh	Myrland	Stuart of Lucas
Bateson	Grimstead	Nelson	Utzig
Bekman	Hart	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Knudson	Oltman	Washburn
Boothby	Larson	O'Malley	Watson of
Byers	Linnevold	Prentis	O'Brien
Clark	Lord	Sayre	Watson of
Colburn	Lucas	Schoening	Pottawattamie
Dailey	Lynes	Scott	Weichman
Dewel	Miller	Stewart of	Whitehead
Dykhousé	Molison	Mahaska	Zastrow
Elijah			

Nays, none.

Absent or not voting, 4:

Hedin	Johnson	Risk	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.

## SENATE CONCURRENT RESOLUTION 8

By Lord

*Whereas*, it has been the practice for the law library to keep a General Assembly scrapbook since the Thirty-fourth General Assembly; and,

*Whereas*, the information contained in these scrapbooks is of legislative and historical value; and,

*Whereas*, heretofore, the clippings have been taken exclusively from two Iowa daily newspapers; and,

*Whereas*, the scrapbook is of state-wide interest and the opinions reflected should be state-wide; and,

*Whereas*, certain additional Iowa daily and weekly newspapers have volunteered to send to the Iowa state law library, without cost to the State of Iowa, copies of their papers during the session to be used in preparing the General Assembly scrapbook;

*Now, Therefore, Be It Resolved, by the Senate of the State of Iowa, and the House of Representatives, Concurring, That we accept with thanks the offer of various daily and weekly newspapers for copies of their newspapers during the Fifty-fifth General Assembly for the law library, for use in compiling the General Assembly scrapbook.*

## COMMUNICATIONS FROM THE STATE COMPTROLLER

The following communications were received from the State Comptroller:

OFFICE  
STATE COMPTROLLER

January 13, 1953

TO THE SECRETARY OF THE SENATE AND CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES:

In accordance with the provisions of chapter 25, Code of Iowa, 1950, there are submitted herewith claims acted upon by the State Appeal Board on January 3, 1952, and December 16, 1952. Each claim bears the recommendation of the board.

Claims of a general nature are numbers 1 to 3, inclusive, 5 to 11, inclusive, 13 to 31, inclusive, 33 to 34, inclusive, 36 to 48, inclusive, 50 to 51, inclusive, 53 to 68, inclusive, 70 to 72, inclusive, 74 to 89, inclusive, 91 to 93, inclusive, 96 to 105, inclusive, 108 to 111, inclusive, 113, 114 and 120, 122 to 127, inclusive; also, highway commission claims numbers H-1-53 to H-13-53, inclusive, H-16-53 to H-45-53, inclusive, H-47-53 to H-50-53, inclusive, H-53-53 to H-57-53, inclusive, H-60-53 to H-69-53, inclusive, H-71-53 to H-74-53, inclusive, H-77-53, H-79-53 and H-80-53, H-83-53 to H-86-53, inclusive.

GLENN D. SANSFIELD,  
*Chairman, State Appeal Board.*

No.	Name of Claimant and Nature of Claim	Amount of Claim
1	Charles R. Funaro, Des Moines, Iowa—Damage to car of claimant by National Guard truck.....	\$ 60.09

No.	Name of Claimant and Nature of Claim	Amount of Claim
2	Norman R. Matson, Iowa State Men's Reformatory, Anamosa, Iowa—Injuries suffered by claimant while an inmate in the Men's Reformatory.....	Unstated
3	County Treasurer, Kossuth County, Algona, Iowa—County Auditor failed to certify certain property for the Agricultural Land Credit Tax refund in 1950....	380.60
5	Janeba Funeral Home, Cedar Rapids, Iowa—Claimant furnished all necessities for the funeral of Mary Vosmek, an old age pension recipient, who died November 21, 1950.....	150.00
6	Mutual Fire & Automobile Insurance Co., Cedar Rapids, Iowa—Damage to car of claimant's assured by State Conservation Commission employee, Virgil Miller .....	176.17
7	Strueber Funeral Home, Dubuque, Iowa—Claimant furnished all necessities for the funeral of Teresa Hurley, an old age pension recipient who died September 17, 1949 .....	150.00
8	Dr. Walker B. Henderson, Oelwein, Iowa—Medical services rendered William J. Youngton, a parolee from the Men's Reformatory at Anamosa.....	45.00
9	Farmers Insurance Group, Des Moines 9, Iowa—Damage to car of claimant's assured by an Iowa National Guard truck .....	228.04
9A	Edwin G. Beastro, Cedar Rapids, Iowa—Damage to claimant's car by Iowa National Guard truck, same being the \$50 deductible portion of the collision policy which claimant held with the Farmers Insurance Group .....	50.00
10	Johnston & Morgan, Lisbon, Iowa—Claimants furnished all necessities for the funeral of Nellie Minnick, an old age pension recipient, who died July 3, 1949 .....	150.00
11	Traul Funeral Home, Ottumwa, Iowa—Claimant furnished all necessities for the funeral of Henry Daggett, an old age pension recipient, who died September 10, 1950.....	125.00
13	Schutter & Son, Buffalo Center, Iowa—Claimants furnished all services for the funeral of John L. Hoveland, an old age pension recipient who died August 24, 1949 .....	150.00
14	Jesse D. Griffith, Palo Alto, California—Claim for maintenance while an employee of the Iowa State Hospital at Cherokee .....	1,400.00
15	Jack Dreessen, Jolley, Iowa—Injuries suffered while an inmate at the Iowa State Reformatory at Anamosa .....	Unstated
16	County Treasurer, Grundy County, Grundy Center, Iowa—County Auditor of Grundy County failed to certify certain property for the Agricultural Land Credit tax refund in 1950.....	7,277.78

No.	Name of Claimant and Nature of Claim	Amount of Claim
17	County Treasurer, Franklin County, Hampton, Iowa— County Auditor of Hardin County failed to certify certain property for the Agricultural Land Credit tax refund in 1950 .....	3.47
18	County Treasurer, Pottawattamie County, Council Bluffs, Iowa—Agricultural Land Credit Tax refund for 1946, 1947, 1948 and 1949.....	1,233.79
19	Didesch Funeral Home, Dubuque, Iowa — Claimant furnished all necessities for the funeral of Mary Ellen Connelly, an old age pension recipient, who died Au- gust 11, 1949 .....	150.00
20	Edmund Froehle, New Vienna, Iowa—Loss of 300 acres of corn consumed or destroyed by deer on his farm near New Vienna, Iowa.....	450.00
21	Roy Johnson, Cherokee, Iowa—Damages to car of claimant by truck driven by Walter Graves, an em- ployee of Cherokee State Hospital.....	21.60
22	Jack Minikus, Council Bluffs, Iowa — Damage to claimant's car by state owned car.....	56.33
23	Treasurer of Plymouth County, LeMars, Iowa— County Auditor failed to certify certain property for the Agricultural Land Credit tax refund in 1950- 1949 .....	67.45
24	Betty J. O'Flaherty, Woodward, Iowa—Damage to claimant's car by state owned dairy truck.....	16.14
25	Motors Insurance Corporation—Damage to car of claimant's assured by a National Guard jeep.....	333.45
26	John Taylor, Sioux City, Iowa—Claim for being illegally held at Cherokee State Hospital from December 17, 1941 to October 19, 1949.....	8,595.00
27	Jones County, Anamosa, Iowa—Expenses incurred in a coroner's inquest held in February, 1950, at Anamosa, as a result of a stabbing in the yard of the Iowa Men's Reformatory at Anamosa.....	93.85
28	Wesley H. Gill, Iowa State Penitentiary, Fort Madi- son, Iowa—Injuries suffered at Iowa State Peniten- tiary. Claimant is an inmate.....	1,000.00
29	County Treasurer of Van Buren County, Keosauqua, Iowa—Agricultural Land Credit Tax Refund for years 1950-1951.....	1,520.48
30	Richard L. Gunsenhauser, Muscatine, Iowa—Claim- ant's car struck road block placed on road by Na- tional Guard, causing damage to his car.....	59.70
31	Iowa Farm Mutual Ins. Co., Des Moines, Iowa— Damages suffered by claimant's assured when struck by a state car driven by Herman Heise.....	850.00
33	W. Lawrence Oliver, Des Moines, Iowa—Damages to claimant's car when struck by car assigned to the Anamosa Reformatory.....	110.25

No.	Name of Claimant and Nature of Claim	Amount of Claim
34	Sietsema & Fritz, Ackley, Iowa—Claimants furnished all necessities for the funeral of Samuel Fischer, an old age pension recipient, who died on March 1, 1951.....	116.67
36	Webster Mutual Insurance Company, Des Moines, Iowa—Damage to car of claimant's assured by a state owned truck.....	875.46
37	Boone County Community Hospital, Albion, Neb.—Medical care furnished Mrs. Ada Bush, a former resident of Leon, Iowa, and a recipient of old age assistance in Iowa.....	39.75
38	James J. McCullough, Sioux City, Iowa—Deductible amount of claimant's policy with Western Mutual Ins. Co., and represents the amount for which he has not been reimbursed as a result of an accident on May 13, 1951, with a National Guard truck.....	50.00
39	B. M. Brooks, Bouton, Iowa—Several inmates of the State Hospital at Woodward escaped on July 7, 1951, and stole articles from claimant's service station.....	40.70
40	County Treasurer of Appanoose County, Centerville, Iowa—County Auditor failed to certify certain property for the Agricultural Land Credit tax refund in 1950 .....	218.79
41	Walter A. Lair, McAllen, Texas—Claim for refund on 1944 Iowa Income Tax Return.....	269.79
42	Treasurer of O'Brien County, Primghar, Iowa—County Auditor failed to certify certain property for the Agricultural Land Credit Tax Refund in 1950..	191.87
43	Arthur Baker, Anamosa, Iowa—Damages to car and personal injuries when struck by a truck driven by an inmate of the Iowa State Reformatory, Edward Baloney .....	11,346.69
44	Mrs. Clara Baker, Waterloo, Iowa—Damages to claimant's car when struck by car driven by C. E. Fowler of the Iowa State Civil Defense office.....	120.58
45	August and Elbert Resch, RR, Spirit Lake, Iowa—Damages to farm land caused by overflowing sewage system .....	719.30
46	Russell McNatton, Iowa State Penitentiary, Fort Madison, Iowa—Injuries suffered while on parole from the State Penitentiary.....	Unspecified
47	Treasurer of Mills County, Glenwood, Iowa—County Auditor failed to certify certain property for the Agricultural Land Credit tax refund in 1950.....	108.87
48	C. A. Carty, Earlville, Iowa—An Old Age Assistance warrant for Laura Werkmeister, now deceased, was misplaced, and when found the statutory time for cashing the warrant had run.....	44.30

No.	Name of Claimant and Nature of Claim	Amount of Claim
50	County Treasurer of Keokuk County, Sigourney, Iowa—Agricultural Land Credit tax refund for year 1946 .....	40.64
51	Treasurer of Hardin County, Eldora, Iowa—County Auditor failed to certify certain property for the Agricultural Land Credit tax refund in 1950.....	14.08
53	Thos. J. Mulgrew Co., Dubuque, Iowa—Claim for coal furnished to the Boys' Training School at Eldora in August, 1950, was either lost or improperly filed, and the 90-day statutory period had run before payment was ready to be made.....	211.13
54	City of Madrid, Madrid, Iowa—Damages to school stop sign by car driven by mechanic employed at the State Maintenance Pool, Camp Dodge, Iowa.....	53.80
55	Frank Flynn, Fort Madison, Iowa—Injuries suffered at the Iowa State Penitentiary at Fort Madison. Claimant is an inmate.....	2,000.00
56	State Farm Ins. Co., Bloomington, Illinois—Damages to car of claimant's assured at Iowa State Fair grounds .....	60.00
57	Edward Bauerle, Davenport, Iowa—Damages to claimant's car when struck by school bus used by Annie Wittenmyer Home of Davenport.....	10.50
58	Ted P. Wentz, Fort Madison, Iowa—Overcharge for automobile licenses for three years.....	5.25
59	Bituminous Casualty Corporation, Rock Island, Illinois—Medical care of claimant's assured while engaged in a fight with a sergeant in the Iowa National Guard .....	23.00
60	James Shaver, Waterloo, Iowa—Injuries suffered from fall at the Iowa State Penitentiary at Fort Madison. Claimant is an inmate.....	40,000.00
61	Giles Funeral Home, Burlington, Iowa—Funeral and burial services for Mrs. Margaret Tarpay Noble, who was not an old age recipient. Her husband was an old age recipient .....	100.00
62	Andrew V. Reinken, Spirit Lake, Iowa—Damages to claimant's car when struck by a truck belonging to the Conservation Commission and driven by Fay Fronk of Spirit Lake, Iowa.....	95.00
63	Albert Beach, Fort Madison, Iowa—Overcharge for automobile licenses for years 1949, 1950 and 1951....	5.00
64	Tom D. Phalen, Mason City, Iowa—Overcharge for 1950 automobile license.....	4.00
65	Mrs. Russell Phillips, Rockwell Iowa—Overcharge for 1950 automobile license.....	5.00
66	Charles Johnson, Des Moines, Iowa—Damages to car of claimant when struck by pick-up truck assigned to the State Custodian's office.....	28.20

No.	Name of Claimant and Nature of Claim	Amount of Claim
67	Iowa Farm Mutual Ins. Co., Des Moines, Iowa—Damages to car of claimant's assured by an employee of the Department of Public Safety.....	11.88
68	James A. Reid, Algona, Iowa—Deductible amount of insurance policy. Damages to car of claimant by an employee of the Department of Public Safety.....	10.00
70	Ralph Mortice, Iowa State Reformatory, Anamosa, Iowa—Injuries suffered at Anamosa Reformatory. Claimant is an inmate.....	Unspecified
71	Wilson-Hull Funeral Home, Holstein, Iowa—Claimant furnished all of the necessities and services in the funeral of Bergetta Jurgensen, deceased, an Old Age Pension recipient.....	150.00
72	Lee Pickert, Lisbon, Iowa—Overcharge for automobile licenses for the years 1949, 1950 and 1951.....	18.00
74	L. R. Pierce, Pierce Funeral Home, Morning Sun, Iowa—Services rendered in the funeral of old age pension recipient, David C. Orwig.....	50.00
75	Dealers Transport Company, Chicago 33, Illinois—Damages to claimant's vehicle when struck by a vehicle belonging to the Men's Reformatory at Anamosa, and being driven by C. H. Walker, a prisoner	387.88
76	Winkley Artificial Limb Company, Davenport, Iowa—Balance due on artificial limb for Dudley Kelley of Mount Pleasant, Iowa, an old age recipient	70.00
77	Florence Stines, Waterloo, Iowa—Duplicate notary public fee paid into Governor's office.....	5.00
78	W. A. Kilberger, Swisher, Iowa—Damage to claimant's fencing when Lt. Colonel William J. Feiler in the National Guard Air Corps attempted to land his aircraft .....	52.60
79	County Treasurer, Black Hawk County, Waterloo, Iowa—Agricultural Land Credit Tax Refund for year 1950.....	304.29
80	Herbert C. Green, Des Moines, Iowa—Damages to claimant's car when struck by John Perona, an employee of the State Hospital at Woodward.....	46.78
81	M. A. Andrew, RR 1, Ogden, Iowa—Overcharge on automobile licenses for the years 1949, 1950 and 1951 .....	4.50
82	B. J. Sinkler, New Sharon, Iowa—Overcharge for automobile licenses for years 1949, 1950 and 1951....	14.00
83	Schroeder Funeral Home, Boone, Iowa—Funeral services for Mary Ann Love, an Old Age Assistance recipient. ....	150.00
84	S. C. Snider Funeral Home, West Liberty, Iowa—Claimant furnished all funeral services for old age pension recipient William Kaalberg.....	150.00

No.	Name of Claimant and Nature of Claim	Amount of Claim
85	Emmet County, Estherville, Iowa—Claim for refund of use tax.....	20.63
86	County Treasurer Howard County, Cresco, Iowa—Agricultural Land Credit Tax Refund for year 1951	6.98
87	Commerce Clearing House, Inc., Chicago 1, Illinois—Subscription to Commerce Clearing House Service for Iowa Aeronautics Commission.....	175.00
88	Des Moines Packing Co., Des Moines 2, Iowa—Damages to truck of claimant when struck by a state vehicle driven by an employee of the Iowa State Custodian's office.....	51.06
89	Elmer J. Daly, Iowa State Penitentiary, Fort Madison, Iowa—Injuries suffered while working on a sanding machine in the penitentiary factory.....	1,500.00
91	Iowa Farm Mutual Insurance Company, Des Moines 9, Iowa—Damages to car of claimant's assured when struck by a National Guard vehicle.....	312.63
93	Iowa Farm Mutual Insurance Company, Des Moines, Iowa—Damages to car of claimant's assured when struck by vehicle owned by the State and driven by John Hipsley, a restaurant inspector for the Department of Agriculture.....	346.11
96	Stomac Motor Express, Fort Dodge, Iowa—Claim for printed matter delivered to Income Tax Division of the State Tax Comm. in Algona, Iowa.....	1.50
97	Monger Funeral Home, Fairfield, Iowa—Claim for services rendered in the funeral of Lee Owens, an old age pension recipient .....	150.00
98	Behr's Funeral Home, Dubuque, Iowa—Claimant furnished all necessary services for the funeral of Ellen A. Connors, an old age recipient.....	150.00
99	Forrest Hatfield, Woodward, Iowa—Damages to car of claimant, an employee of the Woodward State Hospital, when struck by vehicle of one of the employees at the dairy of the hospital.....	63.70
100	Iowa Farm Mutual Insurance Company, Des Moines, Iowa—Damages to car of claimant's assured, when struck by vehicle driven by Iowa Highway Patrolman H. A. Swieter.....	341.30
101	Zimmerman & Sons Funeral Service, Bussey, Iowa—Claimant furnished all funeral services in the funeral of Ned DeWitt, an old age pension recipient.....	150.00
102	B. A. Pollard, Boone, Iowa—Damages to car of claimant when he struck a tree stump in Spring Lake State Park to avoid hitting another vehicle.....	103.07
103	County Treasurer of Mitchell County, Osage, Iowa—Agricultural Land Credit Tax Refund for year 1951..	686.07

No.	Name of Claimant and Nature of Claim	Amount of Claim
104	County Treasurer of Story County, Nevada, Iowa— Agricultural Land Credit Tax Refund for year 1951....	55.44
105	George Boess, Hawkeye, Iowa—Damage to claim- ant's car by deer on Highway No. 18 near Hawkeye, Iowa .....	174.70
108	Swan Funeral Home, Independence, Iowa—Claimant furnished funeral of Charles G. Stonebraker, an old age pension recipient.....	150.00
109	Richards Funeral Home, Winterset, Iowa—Claim- ant furnished all services in regard to the funeral of Mrs. Kathryn Oliver, an old age assistance re- cipient .....	150.00
110	Boone-Story Drainage District No. 1, c/o County Treasurer of Story County, Nevada, Iowa—Assess- ments levied in drainage district No. 1 in Story County, Iowa. State owns a large portion of land in said district .....	797.37
111	County Treasurer Page County, Clarinda, Iowa— Agricultural Land Credit Tax Refund for year 1951 .....	569.66
113	County Treasurer Hamilton County, Webster City, Iowa—Agricultural Land Credit Tax Relief for year 1951 .....	217.64
114	Louis J. Elbert, Doon, Iowa—Loss of 110 bushels of corn consumed or destroyed by deer.....	145.20
120	Brandt Funeral Home, Dallas Center, Iowa—Claim- ant furnished all the funeral services of Morrison T. Snow, an Old Age Pension Recipient.....	150.00
122	Merville Caldwell, Independence, Iowa—Damages to claimant's car when struck by Thomas Connelly, an employee at the Iowa State Hospital at Inde- pendence .....	96.66
123	Glen Kiger, Mount Pleasant, Iowa—Damages to claimant's car when struck by a vehicle belonging to the State of Iowa and driven by one of the guards at the Iowa State Penitentiary at Fort Madison.....	227.67
124	Jessie Kiger, Mount Pleasant, Iowa—Injuries suf- fered while passenger in car belonging to Glen Kiger	37.00
125	Gladys Estes Robertson, Mount Pleasant, Iowa— Injuries suffered while driving car of Glen Kiger....	28.00
126	Fred Moeller, Davenport, Iowa—Damages to claim- ant's car when struck by a school bus owned by the Iowa Annie Wittenmyer Home at Davenport, and driven by Vance Gould.....	24.60
127	Bill Abrahamson, Chariton, Iowa—Damages to claimant's car when his vehicle collided with a deer..	282.97

No.	Name of Claimant and Nature of Claim	Amount of Claim
Highway Commission Claims		
H-1-53	Wayne Wolverton, Adair, Iowa—Claim for deductible item in Wolverton's insurance policy for repairs to his car which was damaged in collision with Highway Commission Ford truck and snow plow....	50.00
H-2-53	Iowa Home Casualty Co., Des Moines, Iowa—Claim to reimburse insurance company for expenditures made towards repair of car owned by Wayne Wolverton .....	169.51
H-3-53	Penaluna Transfer, Hampton, Iowa—Claim for damage to tire and tube on claimant's tractor which was struck by Highway Commission snow plow.....	87.34
H-4-53	Winfred Ross, Jr., Council Bluffs, Iowa—Claim for damage to 1942 Oldsmobile; loss of use of car; loss of salary and pain and suffering, due to collision with Highway Commission snow plow.....	655.77
H-5-53	Ardis Moore, Council Bluffs, Iowa—Claim for medical expense, pain and suffering due to personal injuries while a passenger in the Winfred Ross car which was involved in collision with Highway Commission truck and snow plow.....	241.50
H-6-53	Ina Ross, Council Bluffs, Iowa—Claim for pain and suffering alleged to be the result of a collision between the car driven by Winfred Ross in which claimant was a passenger when it collided with a Highway Commission truck and snow plow.....	100.00
H-7-53	Gloria Anderson, Council Bluffs, Iowa—Claim for pain and suffering alleged to be the result of a collision between the car driven by Winfred Ross in which claimant was a passenger when it collided with a Highway Commission truck and snow plow....	100.00
H-8-53	Francis X. Guardipes, Sarasota, Florida—Claim for cost of repairs to 1942 Oldsmobile which was damaged when a piece of broken concrete fell from a Highway Commission truck.....	81.96
H-9-53	Paul Fitzpatrick, Churdan, Iowa—Claim for cost of 20 per cent of cost of repairs to 1950 Ford which was damaged in collision with Highway Commission GMC pickup .....	13.56
H-10-53	State Farm Mutual Insurance Co., Bloomington, Illinois—Claim to reimburse insurance company for 80 per cent of cost of repairs to car owned by Paul Fitzpatrick of Churdan, Iowa, which was damaged on a street in Council Bluffs when the Fitzpatrick car ran into the rear end of a Highway Commission truck....	54.24
H-11-53	Ronald H. Hobbs, Gilman, Iowa—Claim for costs of repairs to 1947 Frazier sedan which was involved in collision with Highway Commission truck and snow plow .....	181.43
H-12-53	LeRoy Olson, Cedar Falls, Iowa—Repairs and tow-in charge when claimant's car was involved in collision with Highway Commission truck.....	84.92

No.	Name of Claimant and Nature of Claim	Amount of Claim
H-13-53	Mrs. Ed Kemmerer, Boone, Iowa—Claim for cost of repairs to a neon advertising sign located in front of Kemmerer's Cabin Camp.....	33.00
H-16-53	Thos. C. and Bernice M. Anderson, Whitewater, Wisconsin—Claims for the deductible item on Travelers Insurance Company auto collision policy for damage to claimants' car sustained in collision with Highway Commission truck and snow plow.....	50.00
H-17-53	Travelers Insurance Company, Milwaukee, Wisconsin—Claim to reimburse insurance company for expenditures made on account of damage to car owned by Thos. C. and Bernice M. Anderson, which was involved in collision with Highway Commission truck and snow plow.....	475.82
H-18-53	Iowa Home Mutual Casualty Co., Des Moines, Iowa—Claim to reimburse insurance company for payments made on auto collision insurance policy of Robert Bradley, whose truck was damaged in collision with Highway Commission pickup.....	481.34
H-19-53	Robert Bradley, Moulton, Iowa—To reimburse claimant for the deductible item on his auto collision insurance policy when his truck was damaged in collision with Highway Commission pickup.....	50.00
H-20-53	Marion T. Douglas, Fort Dodge, Iowa—Claim for cost of repairs to auto which was damaged when struck by wing of Highway Commission snow plow.....	59.53
H-21-53	Union Automobile Indemnity Co., Washington, Iowa—Claim to reimburse insurance company for amount paid on collision insurance policy of Marvin Warnock whose auto was damaged in collision with Highway Commission truck and snow plow.....	428.16
H-22-53	Jake Nieuwendorp, Sheldon, Iowa—Claim for estimated loss of garden crop and fruit trees which were damaged by 2,4-D weed spray when Highway Commission maintenance crew was spraying weeds within the highway right-of-way alongside the Nieuwendorp property.....	60.00
H-23-53	Mrs. Elsie Frazier, Hamburg, Iowa—Claim for personal injuries alleged to have been received when claimant fell on a sidewalk in the town of Hamburg, Iowa.....	530.00
H-24-53	Peterson's Sheet Metal Works, Denison, Iowa—Cost of repairs to concrete mixer which was damaged when a wheel on the mixer struck a man-hole on extension of primary road No. 5 in Town of Pomeroy.....	68.99
H-25-53	Wilbur Carstensen & Donald Segebart, Denison, Iowa—Labor and incidental expense transporting materials and equipment from Pomeroy to Denison following damage to Peterson Sheet Metal Works concrete mixer at Pomeroy.....	60.00

No.	Name of Claimant and Nature of Claim	Amount of Claim
H-26-53	Miss Fern Eads, Omaha, Nebraska—To reimburse claimant for cost of repairs to auto which was damaged near the south corporation line of Council Bluffs, when struck by a Highway Commission power grader .....	9.35
H-27-53	W. D. Roberts, Ainsworth, Iowa—Claim for cost of new tractor tire which was damaged when claimant struck a steel right-of-way marker while plowing in a field on the east side of Primary Road No. 218 about two miles south of the junction of Primary Roads Nos. 92 and 218 in Washington County, Iowa .....	138.89
H-28-53	Roy Van Patten, What Cheer, Iowa—Flood damage following a seven inch rainfall in hilly land along primary road No. 21 in south part of the town of What Cheer .....	400.00
H-29-53	Harry Brown, 914 South B St., Oskaloosa, Iowa—Claim for cost of repairs to auto sustained when Mrs. Brown drove over a rock on the pavement alleged to have fallen from a state truck.....	32.54
H-30-53	Frederick C. Brenke, Jr., Dubuque, Iowa—Claim for estimated cost of repairs to car which was damaged when it ran into the rear end of a Highway Commission snow removal truck.....	83.56
H-31-53	Iowa Farm Mutual Ins. Co., Des Moines, Iowa—To reimburse claimant for expenditures made on account of damage to car owned by its assured Wilbert L. Holtkamp.....	42.05
H-32-53	Wilbert Holtkamp, West Point, Iowa—Claim for deductible item in collision insurance of claimant following damage to his car when a reinforcing rod was forced through the trunk of his car.....	10.00
H-33-53	Mrs. Aletha Humphreys, Sheldon, Iowa—Claim for cost of repairs to car when damaged when it collided with the rear end of another car which claimant was following .....	86.55
H-34-53	Mrs. Irmgard Mortensen, Newport News, Virginia—Claim for cost of repairs to car which was damaged when Highway Commission snow removal truck backed into the car.....	92.25
H-35-53	Iowa Farm Mutual Insurance Co., Des Moines, Iowa—To reimburse claimant for expenditures made on auto collision policy of E. Howard Hill which was damaged when struck by Highway Commission panel mail truck.....	56.30
H-36-53	E. Howard Hill, Minburn, Iowa—Claim for reimbursement of the deductible item on auto collision insurance policy when auto was damaged by Highway Commission panel mail truck.....	10.00
H-37-53	Howard Teater, Centerville, Iowa—Purchase of used re-treaded tractor tire to replace tire which was ruined when claimant struck a Highway marker.....	77.21

No.	Name of Claimant and Nature of Claim	Amount of Claim
H-38-53	Harold Beyer, Dows, Iowa—Claim for auto repairs, medical and dental expense resulting from collision between claimant's auto and a Highway Commission snow plow truck.....	664.02
H-39-53	Arlene Huffman, Charles City, Iowa—Claim for reimbursement for loss in connection with collision between claimant's car and Highway Commission truck .....	200.00
H-40-53	American Casualty Co., Chicago, Illinois—Claim to reimburse insurance company for expenditure on collision policy when assured's car was damaged when struck by a Highway Commission snow removal truck.....	282.15
H-41-53	Griffith Laboratories, Inc., Chicago 4, Illinois—Deductible item on collision policy of claimant which he paid toward repairs to his auto which was damaged in collision with Highway Commission snow removal truck .....	50.00
H-42-53	Mrs. Betty Graham, Oakland, Iowa—Flood damage during summer of 1951 on farm in Sec. 24-T73N-R41W .....	2,823.87
H-43-53	Richard Van Voorst, Sr., LeMars, Iowa—Estimated cost of repairs to auto which was damaged when claimant drove into the rear end of a Highway Commission truck.....	77.00
H-44-53	Mrs. Roy Gay, R.F.D., Lime Springs, Iowa—To reimburse claimant for losses and expenses when Highway Commission rotary snow plow threw ice and snow through the windows at the farm home occupied by claimant.....	29.20
H-45-53	Owen W. Darrow, Clear Lake, Iowa—Cost of repairs to auto and for personal injuries received when his auto overturned .....	1,123.80
H-47-53	Lawrence Sams, Des Moines, Iowa—Cost of repairs to car which was damaged when car struck a bent intake cover alongside the pavement on primary road No. 132 .....	118.79
H-48-53	Lewis W. Taylor, Grinnell, Iowa—Cost of repairs, tow-in, temporary storage and loss of use of damaged auto resulting from collision with Highway Commission snow plow truck.....	356.54
H-49-53	Maurice Truck Service, Maurice, Iowa—Cost of repairs to cattle truck and incidental expense to driver due to a chunk of snow going through the truck windshield .....	112.47
H-50-53	P. F. Hockersmith, Bloomfield, Iowa—Estimated cost of repairs to Dodge car which was scratched when auto and snow plow met in a snow-drift.....	26.86
H-53-53	J. E. Blanke, Minneapolis, Minnesota—Claim for cost of repairs to car which was damaged in collision with a Highway Commission truck .....	78.25

No.	Name of Claimant and Nature of Claim	Amount of Claim
H-54-53	C. W. Stearns, Omro, Wisconsin—To reimburse claimant for expenditures for repairs to his car that was damaged on Primary Road No. 151 when debris from a state owned truck fell in the path of his car....	32.10
H-55-53	Employers Mutual Casualty Co., Des Moines, Iowa—To reimburse claimant for expenditures made on account of damage to the car owned by X. T. Prentis which occurred when Mr. Prentis was driving on Primary Road No. 169 about one mile northeast of Lorimor .....	679.92
H-56-53	State Farm Insurance Companies, Bloomington, Illinois—To reimburse insurance company for expenditure made on their auto collision policy with Alfred Mallie of Tripoli, on account of collision with Highway Commission snow plow .....	50.72
H-57-53	Alfred Mallie, Tripoli, Iowa—To reimburse claimant for the amount of the deductible item in his auto collision insurance policy .....	12.68
H-60-53	Mrs. Frank Uriell, Garnavillo, Iowa—Claim for cost of repairs to car which was damaged in collision with of state owned snow plow .....	204.50
H-61-53	Howard Mayberry, Maquoketa, Iowa—Claim for estimated worth of a 1941 Studebaker that was wrecked in a collision with a state owned snow plow .....	425.00
H-62-53	Arthur G. Kersey, Marshalltown, Iowa—To reimburse claimant for estimated cost of repairs to car damaged when it collided with a sign that fell off a state owned truck .....	200.56
H-63-53	Mrs. A. R. Rankin, Zearing, Iowa — To reimburse claimant for estimated loss of business and for inconvenience in connection with her service station operation while Primary Road No. 317 was being improved	2,000.00
H-64-53	Treasurer of the United States, Washington, D. C.—To reimburse the U. S. Government for expenditures made on account of damage to Federal Bureau of Investigation auto No. 58 which was involved in a collision with a truck-mounted snow plow owned by the State of Iowa .....	206.31
H-65-53	Cook's Hatchery, Spirit Lake, Iowa — Expenditures made by claimant in connection with a collision of its truck with a state owned truck and snow plow .....	51.26
H-66-53	Mrs. James D. Lysaght, Des Moines, Iowa—To reimburse claimant for cost of repairs to her car which was damaged when it struck a hole in the road surface on Primary Road No. 6 .....	25.00
H-67-53	P. G. Wilcox, 2150 Glass Road N.E., Cedar Rapids, Iowa—To reimburse claimant for expenditure in connection with repairing damage to his car that occurred on the detour of Primary Road No. 14 .....	10.89

No.	Name of Claimant and Nature of Claim	Amount of Claim
H-68-53	Allied Mutual Casualty Co., Des Moines, Iowa—To reimburse claimant for expenditures on its collision policy with John Snittjer whose car was involved in an accident with a state owned snow plow.....	344.04
H-69-53	John Snittjer, Wellsburg, Iowa—To reimburse claimant for expenditure made in repairing his car that was damaged in a collision with a state owned truck and snow plow on Primary Road No. 57.....	50.00
H-71-53	Hans Serk, Holstein, Iowa—To reimburse claimant for cost of repairs to plow which was damaged when it struck a broken snow fence post on his farm.....	10.71
H-72-53	Basil Willett, Murray, Iowa—To reimburse claimant for loss due to damage when in collision with Highway Commission snow plow.....	51.50
H-73-53	Mrs. Wayne Rhoten, Des Moines, Iowa—For cost of repairs to the oil pan assembly and fly wheel cover alleged to have been damaged when claimant's car was driven across a windrow of gravel.....	24.17
H-74-53	City of Rock Rapids, Rock Rapids, Iowa—To reimburse claimant for cost of replacing broken fire hydrant at the corner of South 5th Ave. and Greene Street, which was struck by a Highway Commission snow removal truck.....	149.17
H-77-53	Iowa Hardware Mutual Insurance Co., Mason City, Iowa—To reimburse insurance company for expenditures on auto collision insurance policy of Louis Leifer when his car was damaged in collision with Highway Commission truck.....	54.32
H-78-53	Louis Leifer, Council Bluffs, Iowa—To reimburse claimant for payment toward repair of his car which was damaged in collision with Highway Commission truck .....	50.00
H-79-53	Rudolph Henning, Clarksville, Iowa—To reimburse claimant for cost of repairs to his truck which was damaged in collision with Highway Commission truck .....	306.43
H-80-53	Lorenze C. Mallgren, Rock Island, Illinois—To reimburse claimant for cost of repair to 1949 sedan which was damaged in collision with Highway Commission snow plow.....	38.64
H-83-53	G. A. Freihage, Afton, Iowa—To reimburse claimant for cost of repairs to his car which was damaged in collision with Highway Commission snow plow....	27.21
H-84-53	Iowa National Mutual Insurance Co., Cedar Rapids, Iowa—To reimburse insurance company for expenditures made on auto collision policy of Raymond Skilbred, whose car was damaged in collision with a Highway Commission snow plow.....	220.11
H-85-53	Raymond Skilbred, Blairsburg, Iowa—To reimburse claimant for expenditures made on cost of repairs to his car which was damaged in collision with a Highway Commission snow plow.....	50.00

No.	Name of Claimant and Nature of Claim	Amount of Claim
H-86-53	E. R. Glover, Sioux City, Iowa—To reimburse claimant for cost of repairs to his truck which was damaged when he skidded off the pavement in a dense fog on Primary Road No. 175.....	77.83

OFFICE  
STATE COMPTROLLER

January 20, 1953

TO THE SECRETARY OF THE SENATE AND CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES:

In accordance with the provisions of chapter 25, Code of Iowa, 1950, there are submitted herewith claims acted upon by the State Appeal Board on January 8, 1953. Each claim bears the recommendation of the board.

Claims of a general nature are Numbers 4, 12, 35, 49, 52, 52A, 112, 119, 128, 130 to 136, inclusive, 138 to 142, inclusive, 145, 146, 151, 152 and 153; also, highway commission claims Numbers 15, 46, 51, 52, 58, 59, 75, 76, 87 and 88, 90 to 99, inclusive, 103 to 117, inclusive.

GLENN D. SANSFIELD,  
*Chairman, State Appeal Board.*

No.	Name of Claimant and Name of Claim	Amount of Claim
4	Herschel B. Harris, Ames, Iowa—Claim for automobile license refund because of removal from state.....\$	20.25
12	James Lingren, Des Moines, Iowa—Damages to car of claimant when he collided with a semi-trailer belonging to the Conservation Commission and driven by Robert Boettcher .....	229.00
35	A. W. Rudnick, Ames, Iowa—Refund on automobile license because of removal from state.....	10.00
49	Lawrence Putney, Gladbrook, Iowa—Claimant failed to file his expenses for December, 1950, as a member of the State Office Building Committee.....	32.16
52	Western Assurance Company, c/o F. H. Mackaman, Des Moines 9, Iowa—Damage to car of claimant's assured when assured collided with car driven by Iowa Highway Patrolman Chevalier.....	432.29
52A	Howard G. Evans, Des Moines, Iowa—Deductible item on claimant's automobile insurance policy.....	50.00
112	R. R. R. Dvorak, Des Moines, Iowa—Salary for 3½ years' service as secretary of Peace Officers' Retirement Accident and Disability System.....	1,750.00
119	J. A. Baughman, Bloomfield, Iowa—Claimant sold car out of state. Claim is for license refund.....	15.50
128	Guy Rominger, Bloomfield, Iowa—Claim for automobile license. Claimant sold car out of state.....	8.25

No.	Name of Claimant and Nature of Claim	Amount of Claim
130	Emmet County, c/o Treasurer, Estherville, Iowa— Drainage District No. 60 assessments.....	491.91
131	Cerro Gordo County, c/o County Treasurer, Mason City, Iowa—Drainage District No. 40 assessments....	36.95
132	Fremont County, c/o County Treasurer, Sidney, Iowa—Waubonsie Drainage District assessments.....	999.27
133	Pocahontas County, c/o County Treasurer, Poca- hontas, Iowa—Drainage Districts Nos. 22 and 160 as- sessments .....	261.84
134	Emmet County, c/o County Treasurer, Estherville, Iowa—Drainage District No. 17 assessments.....	687.01
135	Carl Spurgeon, Bloomfield, Iowa—Claim for refund on 1951 license plates.....	9.00
136	Joseph Threlkeld, c/o John Connolly III, Des Moines, Iowa—Claim for alleged wrongful and unauthorized use of picture and equipment upon the running race program of Iowa State Fair for year 1952.....	350.00
138	The B. C. Peffers Funeral Home, Belle Plaine, Iowa— Claimant furnished all necessities for the funeral of Hyrceanus Fisher, who died November 29, 1951, and was an old age recipient.....	150.00
139	Mrs. Martha Pingree, Des Moines, Iowa—Injuries suffered while at 1952 State Fair. Claim is for doctor bills, damage to several articles of clothing and loss of salary .....	77.95
140	Mrs. Amelia Kipfer, Pontiac, Illinois—Injuries suf- fered at 1952 Iowa State Fair. Claim is for doctor bills and X-ray .....	25.00
141	Chickasaw County, c/o County Treasurer, New Hampton, Iowa .....	7.69
142	Marjorie Stiles, Des Moines, Iowa—Claimant severed employment with state and asked for 9/12th of va- cation pay .....	Unspecified
145	Midwest American Mutual Insurance Co., Des Moines, Iowa—Claimant's assured had parked car which was moved by State Liquor Commission em- ployee so that he could unload merchandise. Em- ployee failed to set handbrake and car rolled down an incline and into side of the Hess garage.....	241.38
146	G. A. and Lois Currier, Spirit Lake, Iowa—Claim for deductible item on automobile insurance policy.....	50.00
151	Clarence R. York, Marion, Iowa—Overcharge on 1952 automobile license registration .....	1.00
152	Ivan N. Gates, West Liberty, Iowa—Refund on 1952 automobile license. Car has not been in use and has been junked .....	10.00

No.	Name of Claimant and Nature of Claim	Amount of Claim
153	R. E. Newell, Waterloo, Iowa—Claimant's car was damaged when it collided with car driven by C. M. Kallem, an employee of the Department of Labor....	149.11
Highway Commission Claims		
H-15-53	Iowa Farm Mutual Insurance Co., Des Moines, Iowa—Claim to reimburse insurance company on collision policy of Donald Harvey when Harvey car collided with Highway Commission snow removal truck.....	55.98
H-46-53	Geraldine Satrang, M. D., Omaha, Nebraska—Claim for auto damage and personal injuries received in collision with Highway Commission snow removal truck	4,500.00
H-51-53	American Associated Insurance Cos., Des Moines, Iowa—To reimburse insurance company for expenditures made on collision insurance contract with L. G. Hawkins, whose car was involved in a collision with a Highway Commission motor grader.....	70.64
H-52-53	L. G. Hawkins, Mason City, Iowa—To reimburse claimant for repairs to his car which was involved in a collision with a Highway Commission motor grader	50.00
H-58-53	Hardware Mutual Casualty Co., St. Louis 8, Mo.—To reimburse insurance company for auto collision policy of Gale M. Fisher for damage to Fisher car sustained in collision with Highway Commission GMC truck .....	375.61
H-59-53	Gale W. Fisher, Minneapolis, Minn.—To reimburse claimant for deductible item in his auto collision insurance policy in connection with his collision with Highway Commission snow removal truck.....	50.00
H-75-53	Pacific National Fire Ins. Co., Portland, Maine—To reimburse insurance company on collision auto policy of Harold A. Rodman, who was involved in a collision with a Highway Commission truck.....	612.32
H-76-53	Harold A. Rodman, Portland, Maine—To reimburse claimant for deductible item in auto insurance policy when his car was damaged in collision with Iowa State Highway Commission truck.....	50.00
H-87-53	Mrs. Hyldred Reese, Clarinda, Iowa—To reimburse claimant for cost of repairs to auto which was damaged when double parked beside a Highway Commission truck .....	82.22
H-88-53	O. T. Kulsrud, 1004 Rockford Ave., Austin, Minn.—To reimburse claimant for expenditures for repairs to his car that was involved in a collision with a state-owned tractor .....	49.35
H-90-53	Independence Produce Co., Independence, Iowa—To reimburse company for repairs to its truck which was involved in a collision with a state-owned plow....	331.51
H-91-53	Nick Egen, Mason City, Iowa—To reimburse claimant for repairs to his car which was involved in a collision with a state-owned truck and snow plow.....	93.57

No.	Name of Claimant and Nature of Claim	Amount of Claim
H-92-53	Mutual Benefit Life Insurance Co., Ames, Iowa—To reimburse claimant for repairs to its car which was involved in a collision with a Highway Commission truck and snow plow.....	100.00
H-93-53	The Travelers Insurance Co.—For expenditure on collision policy of Irving Weber when his car collided with Highway Commission snow plow.....	32.92
H-94-53	Irving Weber, Iowa City, Iowa—To reimburse Irving Weber for deductible item on his automobile insurance policy .....	50.00
H-95-53	Alfred J. Peterson, Kensett, Iowa—To reimburse claimant for repair to his truck which was involved in a collision with a Highway Commission snow plow	46.57
H-96-53	William Ehrle, Homestead, Iowa —To reimburse claimant for repairs to his car which was damaged in collision with Highway Commission truck and snow plow .....	43.57
H-97-53	R. K. Skipworth, Cedar Rapids, Iowa—To reimburse claimant for repairs to his car which was damaged in collision with Highway Commission snow plow....	47.76
H-98-53	Floyd Martz, Harper, Iowa—To reimburse Floyd Martz for repairs to his car which was involved in a collision with a car driven by W. F. Wieck.....	288.14
H-99-53	Dean Redinger, Cainsville, Missouri—To reimburse claimant for repairs to semi-trailer which was damaged when struck by a Highway Commission snow plow .....	188.54
H-103-53	Rex L. Brush, LeGrand, Iowa—To reimburse Rex L. Brush for damage to his car that was involved in a collision with a Highway Commission truck.....	110.11
H-104-53	Chicago & North Western Railway System, Chicago, Illinois—To reimburse claimant for repairs to electric crossing signal which was damaged by a Highway Commission motor grader .....	262.27
H-105-53	Orin Heimdal, Joice, Iowa—To reimburse claimant for repairs to his car which was involved in a collision with a Highway Commission truck.....	513.60
H-106-53	Nathan Petcher, Davenport, Iowa — To reimburse claimant for repairs to his truck which was damaged when it struck a hole in the pavement.....	20.21
H-107-53	Ludeking Garage, Waukon, Iowa — To reimburse claimant for cost of repair work on car owned by C. H. Thornton of Postville, which was involved in a collision with a Highway Commission truck.....	300.00
H-108-53	Iowa Electric Light & Power Co., Cedar Rapids, Iowa—To reimburse claimant for cost of repairs to its transmission line which was damaged when a Highway Commission truck hit a pole.....	123.74

No.	Name of Claimant and Nature of Claim	Amount of Claim
H-109-53	Earl Tangeman, Dubuque, Iowa—To reimburse claimant for repairs to his car which was damaged on a rutted road surface .....	15.95
H-110-53	Floyd Page, Indianola, Iowa—To reimburse claimant for damage to tomatoes alleged to have occurred when Highway Commission sprayed weed poison in the highway right-of-way near garden area.....	100.00
H-111-53	Arthur Kennedy, Riceville, Iowa — To reimburse claimant for cost of repairs to his car which was involved in a collision with a Highway Commission truck and snow plow.....	239.34
H-112-53	Duane A. Bergren, Villisca, Iowa — To reimburse claimant for deductible item on his insurance policy when his car was involved in a collision with a Highway Commission truck and snow plow.....	50.00
H-113-53	Iowa National Mutual Insurance Co., Cedar Rapids, Iowa—To reimburse insurance company for payment made on auto insurance contract with Duane A. Bergren whose car was involved in a collision with a Highway Commission truck and snow plow.....	169.02
H-114-53	Cities Service Oil Co., St. Paul, Minnesota—To reimburse claimant for repairs to semi-trailer alleged to have been damaged when passing through a railroad underpass .....	94.00
H-115-53	Fred H. Pinnow, Omaha, Nebraska—To reimburse claimant for repairs to his car which was involved in a collision with a Highway Commission truck and snow plow .....	21.25
H-116-53	Omer Schultz, Malcom, Iowa—To reimburse claimant for expenditures for repairs to his pickup truck which was involved in a collision with a Highway Commission truck and snow plow.....	50.00
H-117-53	Allied Mutual Casualty Co., Des Moines, Iowa—To reimburse insurance company for expenditure on collision insurance contract with Omer Schultz whose truck was involved in a collision with a Highway Commission truck and snow plow.....	140.62

#### BILLS ASSIGNED TO COMMITTEE

President Elthon announced the following assignment of bills to committee:

- S. F. 72 Motor vehicles
- S. F. 75 Agriculture
- S. F. 76 Judiciary 2
- S. F. 77 Railroads
- S. F. 78 Manufacturing, commerce and trade
- S. F. 79 Insurance
- S. F. 80 Judiciary 2

S. F. 81 Military affairs

S. F. 83 Judiciary 1

AMENDMENTS FILED

1 Amend Senate File 2 as follows:

2 1. By adding to section 4 thereof, after line 24, the following:

3 "If more than one serving is placed upon one plate it  
4 shall be so placed as to clearly show its triangular  
5 form."

6 2. By adding following section 4 the following:

7 "Sec. 5. Penalty. Any person violating any provision  
8 of section one hundred ninety-one point three (191.3) shall upon  
 conviction or plea of guilty  
9 be punished, for the first offense by a fine of \$100;  
10 for the second offense by a fine of \$300; for the  
11 third offense by a fine of \$500 and the suspension  
12 for one year of all licenses issued by the State of  
13 Iowa for the public eating place in which said violation  
14 occurred.", and renumbering the following sections.

W. C. STUART.

1 Amend Senate File 25 by adding thereto the following:

2 "Provided, however, that the life, endowment or annuity  
3 contracts of any company which invests in the said bonds  
4 or other evidence of indebtedness issued, assumed or  
5 guaranteed by the International Bank for Reconstruction  
6 and Development shall not be eligible for purchase by  
7 fiduciaries."

EARL C. FISHBAUGH, JR.

1 Amend Senate File 25 by striking the period (.) after

2 the word "Development" in line 6 and inserting in lieu  
3 thereof the following: ", provided that none of  
4 said bonds or other evidences of indebtedness are  
5 based on loans to the U. S. S. R., Communist China,  
6 any nation having a communistic form of government or  
7 any nation wherein the essential freedoms of speech,  
8 press, assembly, religion and trial by jury are not  
9 guaranteed its citizens by Constitution."

X. T. PRENTIS.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 26, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend Arthur Peterson, pastor of the Methodist Church, Rolfe, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hedin for the day on request of Senator Berg.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Bateson from seventeen public employees of Wright County favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance.

By Senator Boothby from twenty-eight public employees of Plymouth County favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance.

By Senator Dailey from forty-five residents of Des Moines County in opposition to proposed legislation for the sale of colored oleomargarine and also in opposition to removal of the tax.

By Senator Dailey from eleven residents of Des Moines County favoring the sale of colored oleomargarine and the removal of the present tax.

By Senator Grimstead from residents of Winnebago County favoring legislation pertaining to improvements in conditions of railroad facilities for employees.

By Senator Heideman from thirty-six residents of Webster County in opposition to proposed legislation for the sale of colored oleomargarine.

By Senator Utzig from thirty-six employees of Dubuque County favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance.

By Senator Utzig from thirty-seven residents of Dubuque County in opposition to proposed legislation for the sale of colored oleo-margarine.

By Senator Van Eaton from eleven employees of Woodbury County favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance.

By Senator Weichman from twenty-one residents of Marshall and Tama Counties urging immediate legislation for the completion of the school for handicapped children at Iowa City.

By Senator Weichman from nine employees of Wayne County favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance.

#### INTRODUCTION OF BILLS

Senate File 84, by Senator Fishbaugh, a bill for an act relating to rates and charges of corporations selling electrical energy, gas, or water, and to rates and charges of telephone and telegraph companies and to provide a court of inquiry to receive petitions from such corporations for increases in such rates and charges, to conduct hearings thereon, and to adjudicate the necessity for such increases.

Read first and second times, and passed on file.

Senate File 85, by Senator Lucas (Scheerer), a bill for an act to amend sections three hundred seventeen point three (317.3) and three hundred seventeen point nineteen (317.19), Code 1950, relating to the funds to be used for the payment of weed commissioner.

Read first and second times, and passed on file.

Senate File 86, by Senator Oltman, a bill for an act to amend sections one hundred forty-seven point eighty (147.80) and one hundred fifty-eight point eleven (158.11), Code 1950, relating to fees to be collected by the State Department of Health in relation to barbering.

Read first and second times, and passed on file.

Senate File 87, 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 88, by Senators Oltman and Myrland, a bill for an act to amend section seventy-nine point one (79.1), Code 1950, relating to salaries, vacations and sick leave for state employees.

Read first and second times, and passed on file.

Senate File 89, by Senators Colburn, Prentis, Lynes, Larson and Elijah, 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 90, by Senator Byers, a bill for an act to amend, revise and codify sections two hundred thirty point twenty-five (230.25) and two hundred thirty point twenty-six (230.26), Code 1950, relating to the support of the insane and creating a lien on any real estate owned by a person committed to a state hospital for the insane and the spouse of such person for the cost and expenses of the commitment and support of such insane person, and fixing the period of time that such lien shall continue.

Read first and second times, and passed on file.

Senate File 91, by Senators Anderson and Nolan, a bill for an act to amend section seventy-nine point one (79.1), Code 1950, relating to the time of payment of salaries of state employees.

Read first and second times, and passed on file.

Senate File 92, by Senators Oltman, Clark and Molison, a bill for an act to amend section three hundred sixty-five point one (365.1) and section three hundred sixty-five point three (365.3), Code 1950, relating to civil service commissioners in cities and towns.

Read first and second times, and passed on file.

Senate File 93, by Senators O'Malley and Grimstead, a bill for an act to amend chapter 31, Code 1950, by adding a new section thereto providing that October 15 in each year shall be proclaimed by the governor as "Iowa Poetry Day".

Read first and second times, and passed on file.

Senate File 94, by Senators Whitehead and Van Eaton (Paul and Schwengel), a bill for an act to amend chapter twenty-eight

point one (28.1), Code 1950, relating to the Iowa development commission.

Read first and second times, and passed on file.

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

#### SENATE CONCURRENT RESOLUTION 8

*Whereas*, it has been the practice for the law library to keep a General Assembly scrapbook since the Thirty-fourth General Assembly; and,

*Whereas*, the information contained in these scrapbooks is of legislative and historical value; and,

*Whereas*, heretofore, the clippings have been taken exclusively from two Iowa daily newspapers; and,

*Whereas*, the scrapbook is of state-wide interest and the opinions reflected should be state-wide; and,

*Whereas*, certain additional Iowa daily and weekly newspapers have volunteered to send to the Iowa state law library, without cost to the State of Iowa, copies of their papers during the session to be used in preparing the General Assembly scrapbook;

*Now, Therefore, Be It Resolved, by the Senate of the State of Iowa, and the House of Representatives, Concurring, That we accept with thanks the offer of various daily and weekly newspapers for copies of their newspapers during the Fifty-fifth General Assembly for the law library, for use in compiling the General Assembly scrapbook.*

The motion prevailed and the resolution was adopted.

#### THIRD READING OF BILL

On motion of Senator Lucas, Senate File 82, a bill for an act to amend section sixteen point thirty-one (16.31), Code 1950, relating to printing of legislative bulletin, was taken up, and considered.

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

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

Ayes, 48:

Anderson	Dewel	Linnevold	O'Malley
Bateson	Dykhouse	Lord	Prentis
Bekman	Elijah	Lucas	Risk
Bellman	Fishbaugh	Lynes	Sayre
Berg	Grimstead	Miller	Schoening
Boothby	Hart	Molison	Scott
Byers	Heideman	Myrland	Stewart of
Clark	Johnson	Nesmith	Mahaska
Colburn	Knudson	Nolan	Stuart of Lucas
Dailey	Larson	Oltman	Utzig

Van Eaton	Washburn	Watson of	Whitehead
Vest	Watson of	Pottawattamie	Zastrow
Walter	O'Brien	Weichman	

Nays, none.

Absent or not voting, 2:

Hedin	Nelson
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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 following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 7, relating to the printing of companion bills.

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

House File 2, a bill for an act relating to the preparation of election ballots.

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

House File 30, a bill for an act relating to membership on the budget and financial control committee.

Also: That the House has concurred in Senate amendments to and adopted House Concurrent Resolution 3, memorializing Congress to give serious consideration to the elimination of federal gasoline tax, and leaving that area of taxation entirely to the states.

Also: That the House has adopted the report of the joint committee on joint legislative employees.

A. C. GUSTAFSON, *Chief Clerk*:

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

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

#### LAW LIBRARY

Assistants in Law Research:

Norma Warren, Polk County.

William W. Parker, Black Hawk County.

George A. Wilson, Jr., Polk County.

Joe Pasternak, Polk County.

**Stenographers:**

Margaret Duke, Polk County.  
 Alice Duffy, Black Hawk County.  
 Anne Farrer, Polk County.  
 Joan Clark, Polk County.  
 Phyllis Crowley, Polk County.  
 Cleo Timm, Kossuth County.  
 Augusta M. Knudsen, Polk County.

**General Research Clerks:**

Helen Blake, Polk County.  
 Jessie Corwin, Muscatine County.  
 Margaret McCabe, Polk County.  
 Ada Alexander, Polk County.

**Janitor:**

Claude Harris, Polk County.

**Assigned to Historical Department:**

Doris Russell, Polk County—Stenographer for Archives Department.  
 Martha Budrevich, Polk County—Matron.

**CUSTODIAN****Postoffice Assistants:**

Bonita Keyte, Polk County.  
 Jessie Walker, Marshall County.  
 Roberta Frazer, Polk County.

**Mail Carriers:**

Charles Hylton, Warren County.  
 Guy Miller, Polk County.

**Janitors:**

Alfred W. Austin, Polk County.  
 Orval M. Bell, Polk County.  
 George P. Hamilton, Polk County.  
 Dallas Hardman, Warren County.  
 Raymond V. Sargent, Warren County.  
 W. H. Voitel, Jr., Warren County.  
 Fred D. Walker, Polk County.  
 Lawrence Gustafson, Polk County.  
 William Bueck, Wright County.

**Policemen:**

Nels G. Granquist, Polk County.  
 Norlan A. Miller, Clarke County.  
 Wm. H. McDonald, Polk County.  
 Oscar R. Runyan, Polk County.

**Elevator Operators:**

Flora Belle Fleming, Polk County.  
 Maude Morris, Polk County.  
 Edna J. Schwartz, Polk County.

**Telephone Operator:**

Myrtle Miller, Polk County.

## CODE OFFICE

Photostat Operator:

Barbara Dunn, Polk County.

Clerk:

Clarian Leshner, Polk County.

Respectfully submitted,

G. E. WHITEHEAD,

On the Part of the Senate.

CARROLL L. BROWN,

On the Part of the House.

## HOUSE MESSAGES CONSIDERED

House File 2, a bill for an act to amend section forty-three point twenty-eight (43.28), Code 1950, and to repeal section forty-three point twenty-nine (43.29), Code 1950, relating to the preparation of election ballots.

Read first and second times, and passed on file.

House File 30, a bill for an act to amend section one (1), chapter forty-four (44), Acts of the Fifty-fourth General Assembly, in reference to membership on the budget and financial control committee.

Read first and second times, and passed on file.

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

## AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

## SENATE CONCURRENT RESOLUTION 9

By Lord

*Be It Resolved by the Senate, House Concurring, That a joint session of the two houses be held at 1:30 p.m., Tuesday, February 3, 1953, in respect to a hearing on the Iowa old age and survivors' insurance system as recommended by the Iowa study committee.*

## PROOFS OF PUBLICATION

Published copy of Senate File 8 and verified proof of publication of said bill in the Muscatine Journal and News Tribune on January 20, 1953, was filed with the Secretary prior to the time said bill was placed on passage in the Senate.

Published copy of House File 133 and verified proof of publication of said bill in the Keokuk County News on January 23, 1953, was filed with the Secretary prior to the time said bill was placed on passage.

CARROLL A. LANE,

*Secretary of the Senate.*

President pro tempore Hart took the chair at 2:25 p.m.

## ADDITIONAL COPIES

Senator Berg asked and received unanimous consent to have printed 500 additional copies of Senate File 68 and Senate File 69.

## BILLS ASSIGNED TO COMMITTEE

President Elthon announced the following assignment of bills to committees:

- S. F. 84 Public utilities
- S. F. 85 Agriculture
- S. F. 86 Public health
- S. F. 87 Cities and towns
- S. F. 88 Compensation of public officers and employees
- S. F. 89 Agriculture
- S. F. 90 Board of control
- S. F. 91 Compensation of public officers and employees
- S. F. 92 Cities and towns
- S. F. 93 Governmental affairs
- S. F. 94 Iowa development
- H. F. 2 Election reform
- H. F. 30 Governmental affairs

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 27, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend Harvey Quandt, pastor of the Greenbrier Methodist Church, Bayard, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Bellman from twenty-eight public employees of Clarke County favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance.

By Senator Byers from fifty residents of Linn County favoring the sale of colored oleomargarine and in opposition to a special tax on colored oleomargarine.

By Senator Byers from seventy-five public employees of Linn County favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance.

By Senator Oltman from seven residents of Buena Vista County in opposition to proposed legislation for the sale of colored oleomargarine.

By Senator Risk from four residents of Delaware County in opposition to proposed legislation for the sale of colored oleomargarine and also in opposition to removal of the tax.

By Senator Schoening from six residents of Clinton County in opposition to proposed legislation for the sale of colored oleomargarine.

By Senator Watson of Pottawattamie from thirteen public employees of Pottawattamie County favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance.

## INTRODUCTION OF BILLS

Senate File 95, by committee on judiciary 2, a bill for an act to

amend section three hundred sixty-two point sixteen (362.16), Code 1950, relating to notice of discontinuance of a city or town.

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

Senate File 96, by committee on judiciary 2, a bill for an act relating to salaries of deputy county officers.

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

Senate File 97, by committee on judiciary 2, a bill for an act to coordinate various sections of the Code 1950 with chapter one hundred three (103), Acts of the Fifty-fourth General Assembly, relating to secondary roads.

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

Senate File 98, by Senators Schoening, Molison and Anderson (Hendrix, Bass), 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 99, by Senator Lynes, a bill for an act to establish a department of public instruction for 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 present board of educational examiners and transfer duties of said board to the board of public instruction; to abolish the present board for vocational education and to designate the board of public instruction as the state board for vocational education; to amend certain sections of the Code 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.

Senate File 100, by committee on judiciary 1, a bill for an act to amend section five hundred forty-three point thirteen (543.13), Code 1950, relating to bonded warehouses for agricultural products.

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

Senate File 101, by committee on judiciary 1, 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 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 placed on the calendar.

Senate File 102, by committee on judiciary 1, a bill for an act to amend section three hundred eighty-seven point six (387.6), Code 1950, relating to a tax in cities to provide a viaduct or underpass fund.

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

Senate File 103, by committee on judiciary 1, a bill for an act to amend section six hundred seven point five (607.5), Code 1950, relating to fees and mileage of jurors.

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

Senate File 104, by Senators Lord, Risk, Hart, Myrland, Dykhouse, Johnson, Anderson, Molison, Colburn, Dewel, Knudson and Nesmith, a bill for an act to amend section eighty-five point thirty-seven (85.37), Code 1950, as amended, so as to increase the maximum weekly workmen's compensation amount to thirty dollars.

Read first and second times, and passed on file.

Senate File 105, by Senators Byers, O'Malley and Watson of Pottawattamie (Tate, Ryan and Carlson), a bill for an act to amend section four hundred ten point eighteen (410.18), Code 1950, relating to hospital, nursing and medical expense for members of the police and fire departments.

Read first and second times, and passed on file.

Senate File 106, by Senators Miller, Heideman and Elijah, a bill for an act to amend section four hundred twenty-two point nine (422.9), Code 1950, relating to allowable deductions on gross income.

Read first and second times, and passed on file.

Senate File 107, by Senator Vest, a bill for an act repealing section four hundred fifty point thirteen (450.13), Code 1950, relating to inheritance tax and lien book, and amending section six hundred thirty-two point ten (632.10) relating to probate dockets.

Read first and second times, and passed on file.

Senate File 108, by Senators Weichman and Byers, 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 109, by Senator Lord (Hendrix), a bill for an act to enable cities with special charters which operate under chapter four hundred twenty (420), Code 1950, and which collect rubbish and garbage under a can tax to declare the service a benefit to the property served and in case of nonpayment to assess the cost against the property benefited.

Read first and second times, and passed on file.

Senate File 110, by Senator Lord (Hendrix), a bill for an act to authorize the transfer of eight hundred dollars (\$800) by the board of supervisors of Muscatine County to the city of Muscatine.

Read first and second times, and passed on file.

Senate File 111, by Senators Lord, Zastrow and Molison, a bill for an act creating an Iowa public employees' retirement system, providing for the administration of such retirement system by the Iowa employment security commission; creating an Iowa public employees' retirement fund and providing for the investment and expenditure thereof; creating an Iowa advisory investment board and prescribing the appointment and duties thereof; imposing a tax of three and one-half per cent ( $3\frac{1}{2}\%$ ) of the taxable wages paid to public employees who are members of the retirement system by public employers, the proceeds of such tax to be used for the payment of benefits or refunds provided by this act; providing for the imposition of a tax upon public employers equal to three and one-half per cent ( $3\frac{1}{2}\%$ ) of all the wages paid by the employer to employees who are members of the Iowa public retirement system, the proceeds of such tax to be used for the payment of benefits or refunds provided by this act; prescribing the duties of the Iowa employment security commission in relation to the

administration of this act; providing for the payment to employees who are members of this system, or to their beneficiaries, of retirement benefits provided by this act; providing for refunds to Iowa public employees who are members of the system under certain conditions prescribed by this act; making an appropriation of three million five hundred thousand dollars (\$3,500,000) annually from the general fund of the State of Iowa, or so much thereof as may be necessary, into the retirement fund for the maintenance of the retirement system upon a sound actuarial basis; transferring the assets of the old age and survivors' liquidation fund to the Iowa public employees' retirement fund—all relating to the establishment and administration of the Iowa public employees' retirement system.

Read first and second times, and passed on file.

Senate File 112, by Senators Lord, Zastrow and Molison, a bill for an act repealing chapter ninety-seven (97), Code 1950, as amended by the Fifty-fourth General Assembly; providing for the protection of the rights of public employees who were subject to coverage under the provisions of said chapter ninety-seven (97), as amended; authorizing the payment of retroactive federal social security coverage for public employees from funds contributed by the employers and employees under the provisions of said chapter ninety-seven (97), as amended; providing for certain refunds of payments made into the old age and survivors' insurance trust fund by employees; providing for the administration of funds and assets of the Iowa old age and survivors' insurance system by the Iowa employment security commission; providing for the future payment of benefits to which individuals subject to coverage under the provisions of said chapter ninety-seven (97), as amended, are entitled as provided in this act, and creating an Iowa old age and survivors' insurance liquidation fund.

Read first and second times, and passed on file.

Senate File 113, by Senators Lord, Zastrow and Molison, a bill for an act to provide for the coverage of certain officers and employees of the State of Iowa, of interstate instrumentalities jointly created by the State of Iowa and any other state or states, and of local governments of the State of Iowa, under the old age and survivors' insurance provisions of Title II of the Federal Social Security Act, as amended; to prescribe the powers and duties of the Iowa employment security commission in respect to such cover-

age, imposing taxes upon public employees and public employers to cover the cost of said coverage, and authorizing the levy of taxes by public employers to provide funds for the payment of the tax imposed upon public employers.

Read first and second times, and passed on file.

Senate File 114, by Senator Stuart of Lucas, a bill for an act to amend section seven hundred seventy-five point five (775.5), Code 1950, relating to fees for attorneys appointed by the court.

Read first and second times, and passed on file.

Senate File 115, by Senators Grimstead, Fishbaugh, Zastrow, Whitehead and Elijah (Klemesrud, et al.), a bill for an act to amend chapter one hundred twenty-four (124), Code 1950, relating to beer and malt licenses and to repeal various sections of said chapter.

Read first and second times, and passed on file.

Senate File 116, by Senators Weichman and Berg, a bill for an act to amend section two hundred forty-one point one (241.1) and section two hundred forty-one point two (241.2), Code 1950, relating to eligibility for assistance to the needy blind.

Read first and second times, and passed on file.

Senate File 117, by Senator O'Malley (Ryan and Parker), a bill for an act to amend section one hundred seventy-four point thirteen (174.13), Code 1950, relating to county aid.

Read first and second times, and passed on file.

Senate File 118, by committee on cities and towns, a bill for an act to repeal section three hundred ninety-five point twenty-five (395.25), Code 1950, and to enact a substitute section in lieu thereof and to amend section thirty-seven (37) of chapter one hundred fifty-one (151) and section eight (8) of chapter one hundred fifty-nine (159) of the Laws of the Fifty-fourth General Assembly of the State of Iowa, all relating to municipal flood control systems and the issuance of bonds and levy of taxes therefor.

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

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

## SENATE CONCURRENT RESOLUTION 9

*Be It Resolved by the Senate, House Concurring, That a joint session of the two houses be held at 1:30 p.m., Tuesday, February 3, 1953, in respect to a hearing on the Iowa old age and survivors' insurance system as recommended by the Iowa study committee.*

The motion prevailed and the resolution was adopted.

Senator Whitehead asked and received unanimous consent to take up the report of the joint committee on joint legislative employees, filed and found on pages 106, 107 and 108 of the Senate Journal and moved its adoption.

The motion prevailed and the resolution was adopted.

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

## AFTERNOON SESSION

The Senate reconvened, President Elthon 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 8, expressing the appreciation of the Fifty-fifth General Assembly for the complimentary copies of various daily and weekly newspapers of the State of Iowa.

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

House Concurrent Resolution 5, providing for a joint convention of the Fifty-fifth General Assembly to commemorate the birth of the Great Emancipator, Abraham Lincoln, to be held at 11:30 o'clock the morning of February 12, 1953, and that an invitation be extended to President J. W. Maucker of Iowa State Teachers' College to give an address on this occasion.

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 printing of the committee and rule books of the Fifty-fifth General Assembly.

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

House File 31, a bill for an act relating to the powers of local authorities to regulate the use of bicycles.

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

House File 91, a bill for an act relating to a tax imposed on income, and providing for deductions from the computed tax.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE CONCURRENT RESOLUTION 5

*Whereas*, the birthday anniversary of the Great Emancipator, Abraham Lincoln, falls on Thursday, February 12, 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 11:30 o'clock, Thursday, February 12, and a suitable program be arranged for this occasion, and that an invitation be extended to President J. W. Maucker of Iowa State Teachers' College to give an address on the life and public service of Abraham Lincoln.

#### HOUSE CONCURRENT RESOLUTION 6

*Be It Resolved by the House and Senate Concurring*, That the Secretary of the Senate and the Chief Clerk of the House are hereby authorized and directed to cause to be printed three thousand (3,000) copies of the book listing the committee assignments and one thousand five hundred (1,500) copies of the rules governing the Fifty-fifth General Assembly.

#### HOUSE MESSAGES CONSIDERED

House File 91, a bill for an act to amend section four hundred twenty-two point five (422.5), section four hundred twenty-two point twelve (422.12) and section four hundred twenty-two point thirteen (422.13), Code 1950, relating to the rate of tax imposed on income and providing for deductions from the computed tax.

Read first and second times, and passed on file.

House File 31, a bill for an act to amend sections three hundred twenty-one point two hundred thirty-six (321.236) and three hundred eighty-nine point thirty-nine (389.39), Code 1950, relating to the powers of local authorities to regulate the use of bicycles.

Read first and second times, and passed on file.

#### EXECUTIVE SESSION

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

The Senate arose from executive session and resumed regular session.

## SENATE CONCURRENT RESOLUTION 10

By O'MALLEY

*Whereas*, the Fifty-fifth General Assembly is advised that the National Association of Assessing Officers desires to present a Distinguished Assistance Award to the Iowa Legislature, and

*Whereas*, said award is to be made on account of the passage of outstanding legislation designed to improve the quality of assessment administration.

*Now, Therefore, Be It Resolved by the Senate, the House Concurring:* That the General Assembly meet in joint session in the House chamber on Thursday, February 5, 1953, at 11:30 a.m., for the purpose of receiving this award.

## SENATE CONCURRENT RESOLUTION 11

By BERG

*Whereas*, Lewis K. Gough, national commander of The American Legion, will be in Des Moines, Iowa, on February 23, 1953;

*Therefore, Be It Resolved by the Senate, the House Concurring:* That an invitation be extended to Lewis K. Gough to address a joint convention of both houses in the House chamber at 11:00 o'clock a.m. on February 23, 1953.

## APPOINTMENT OF EMPLOYEE

Senator Whitehead announced the appointment of Richard Olman of Buena Vista County as Assistant File Clerk.

## BILLS ASSIGNED TO COMMITTEE

President Elthon announced the following assignment of bills to committees:

- S. F. 98 Judiciary 1
- S. F. 99 Schools and educational institutions
- S. F. 104 Social security
- S. F. 105 Cities and towns
- S. F. 106 Ways and means
- S. F. 107 Judiciary 1
- S. F. 108 Judiciary 2
- S. F. 109 Cities and towns
- S. F. 110 Judiciary 2
- S. F. 111 Social security
- S. F. 112 Social security
- S. F. 113 Social security
- S. F. 114 Judiciary 1
- S. F. 115 Judiciary 2

- S. F. 116 Social security  
 S. F. 117 Judiciary 1  
 H. F. 31 Cities and towns  
 H. F. 91 Ways and means

#### REPORTS OF COMMITTEES

Senator Nesmith submitted the following report:

MR. PRESIDENT: Your committee on manufacturing, commerce and trade, to which was referred **Senate File 16**, a bill for an act to amend section one hundred seventy point one (170.1), subsection four (4), Code 1950, relating to the definition of a restaurant, and to amend sections one hundred seventy point two (170.2) and one hundred seventy point five (170.5), subsection six (6), Code 1950, relating to the licensing of any establishment where food is manufactured, processed or offered for sale, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES H. NESMITH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on manufacturing, commerce and trade, to which was referred **Senate File 17**, a bill for an act to amend section one hundred ninety point two (190.2), Code 1950, relating to the authority to establish additional standards for foods, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JAMES H. NESMITH, *Chairman*.

Ordered passed on file.

Senator Oltman submitted the following report:

MR. PRESIDENT: Your committee on public health, to which was referred **Senate File 86**, a bill for an act relating to fees to be collected by the State Department of Health in relation to barbering, begs leave to report it has had the same under consideration and recommends the same **do pass**.

R. J. OLTMAN, *Chairman*.

Ordered passed on file.

#### AMENDMENT FILED

- 1 Amend Senate File 91 by striking section 1 and
- 2 inserting in lieu thereof the following:
- 3 "Section 1. Amend section seventy-nine point one
- 4 (79.1), Code 1950, by striking the words 'equal monthly or'
- 5 in line five (5) thereof."

D. C. NOLAN.

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

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 28, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend Willard Bell, pastor of the Methodist Church, Odebolt, Iowa.

## PETITIONS AND MEMORIALS

By Senator Bekman from forty-eight residents of Wapello County favoring the sale of colored oleomargarine and the removal of the present tax.

By Senator Elijah from seventeen residents of Jones County favoring proposed legislation for a maximum speed law.

By Senator Nolan from seventy-seven public employees of Johnson County favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance.

By Senator Scott from one hundred ninety-six residents of Fayette County in opposition to proposed legislation for the sale of colored oleomargarine.

By Senator Scott from twenty-one residents of Fayette County favoring proposed legislation extending limitations of civil service rights to cities with a population of six thousand or over.

By Senator Stewart of Mahaska from forty-eight residents of Mahaska County in opposition to proposed legislation for the sale of colored oleomargarine and also in opposition to removal of the tax.

## INTRODUCTION OF BILLS

Senate File 119, by Senator Clark (Beck), a bill for an act to amend chapter two hundred forty-nine (249), Code 1950, relating to old age assistance.

Read first and second times, and passed on file.

Senate File 120, by Senators Prentis, Nesmith and Dewel, a bill for an act relating to the form of warrants issued by the state comp-

troller for salaries and wages and to amend section eight point sixteen (8.16), Code 1950.

Read first and second times, and passed on file.

Senate File 121, by Senator Lucas (Scheerer), a bill for an act to amend section six hundred six point fifteen (606.15), Code 1950, relating to fees for filing of liens.

Read first and second times, and passed on file.

Senate File 122, by Senators Prentis and Berg, 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 passed on file.

Senate File 123, by Senators Dailey, Zastrow, Larson and Boothby, a bill for an act to amend section four hundred twenty-five point eleven (425.11), Code 1950, relating to the definition of the word "owner" of a homestead.

Read first and second times, and passed on file.

Senate File 124, by Senators Bekman, Dykhouse, Scott and Watson of Pottawattamie, 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 125, by Senator Oltman, 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 garage bonds of the City of Storm Lake, Iowa, and the provisions made for the levy of taxes for the payment of said bonds and interest thereon and declaring said bonds issued and sold pursuant to said proceedings to be enforceable obligations of said city.

Read first and second times, and passed on file.

Senate File 126, by Senators Myrland, Watson of Pottawattamie, Elijah, Weichman, and Molison, a bill for an act to amend sections four hundred sixty-two point twelve (462.12), Code 1950, and four

hundred sixty-two point thirteen (462.13), Code 1950, relating to voting for trustees of the drainage districts.

Read first and second times, and passed on file.

Senate File 127, by Senators Byers, Molison and Heideman, a bill for an act amending section five hundred forty-three point seventeen (543.17), Code 1950, relating to the acceptance of bulk grain for purposes other than storage.

Read first and second times, and passed on file.

Senate File 128, by Senator Vest (Kudsk), a bill for an act to amend chapter one hundred thirty-five (135), Acts of the Fifty-fourth General Assembly, relating to the establishment of county supervisor districts.

Read first and second times, and passed on file.

Senate File 129, by Senators Berg, Knudson, O'Malley, Hart, Prentis and Weichman, a bill for an act to revert four hundred fifty thousand dollars (\$450,000) from World War II Service Compensation Fund to the general fund of the State of Iowa.

Read first and second times, and passed on file.

Senate Joint Resolution 3, by Senators Van Eaton, Anderson, Dykhouse, Lynes, Byers, Colburn, Myrland, Lord, Boothby and Larson, a resolution to create a special committee to make a study of the feasibility, location, construction, means of financing and mode of operation of a turnpike between the eastern and western boundaries of the State of Iowa, and to make recommendations to the governor and the general assembly, prescribing the authority of such committee and making appropriation for expenses.

Read first and second times, and passed on file.

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

#### SENATE CONCURRENT RESOLUTION 10

*Whereas*, the Fifty-fifth General Assembly is advised that the National Association of Assessing Officers desires to present a Distinguished Assistance Award to the Iowa Legislature, and

*Whereas*, said award is to be made on account of the passage of outstanding legislation designed to improve the quality of assessment administration.

*Now, Therefore, Be it Resolved by the Senate, the House Concurring:* That the General Assembly meet in joint session in the House chamber on Thursday, February 5, 1953, at 11:30 a.m., for the purpose of receiving this award.

The motion prevailed and the resolution was adopted.

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

#### HOUSE CONCURRENT RESOLUTION 6

*Be It Resolved by the House and Senate Concurring,* That the Secretary of the Senate and the Chief Clerk of the House are hereby authorized and directed to cause to be printed three thousand (3,000) copies of the book listing the committee assignments and one thousand five hundred (1,500) copies of the rules governing the Fifty-fifth General Assembly.

The motion prevailed and the resolution was adopted.

#### THIRD READING OF BILLS

Senator Bateson asked and received unanimous consent to take up for consideration Senate File 100, a bill for an act to amend section five hundred forty-three point thirteen (543.13), Code 1950, relating to bonded warehouses for agricultural products.

Senator Nolan moved that the bill be read a third 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	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 Bateson asked and received unanimous consent to take up for consideration Senate File 102, a bill for an act to amend section three hundred eighty-seven point six (387.6), Code 1950, relating to a tax in cities to provide a viaduct or underpass fund.

Senator Nolan moved that the bill be read a third 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	Grimstead	Myrland	Stuart of Lucas
Babson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

Nays, none.

Absent or not voting, none.

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

Senator Byers asked and received unanimous consent to take up for consideration Senate File 95, a bill for an act to amend section three hundred sixty-two point sixteen (362.16), Code 1950, relating to notice of discontinuance of a city or town.

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

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

Ayes, 50:

Anderson	Colburn	Hedin	Lynes
Bateson	Dailey	Heideman	Miller
Bekman	Dewel	Johnson	Molison
Bellman	Dykhouse	Knudson	Myrland
Berg	Elijah	Larson	Nelson
Boothby	Fishbaugh	Linnevold	Nesmith
Byers	Grimstead	Lord	Nolan
Clark	Hart	Lucas	Oltman

O'Malley	Stewart of	Vest	Watson of
Prentis	Mahaska	Walter	Pottawattamie
Risk	Stuart of Lucas	Washburn	Weichman
Sayre	Utzig	Watson of	Whitehead
Schoening	Van Eaton	O'Brien	Zastrow
Scott			

Nays, none.

Absent or not voting, none.

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

Senator Byers asked and received unanimous consent to take up for consideration Senate File 96, a bill for an act relating to salaries of deputy county officers.

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	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevoold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

Nays, none.

Absent or not voting, none.

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

Senator Byers asked and received unanimous consent to take up for consideration Senate File 97, a bill for an act to coordinate various sections of the Code 1950 with chapter one hundred three (103), Acts of the Fifty-fourth General Assembly, relating to secondary roads.

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

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

Ayes, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow-
Fishbaugh			

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 asked and received unanimous consent to take up for consideration Senate File 16, a bill for an act to amend section one hundred seventy point one (170.1), subsection four (4), Code 1950, relating to the definition of a restaurant, and to amend sections one hundred seventy point two (170.2) and one hundred seventy point five (170.5), subsection six (6), Code 1950, relating to the licensing of any establishment where food is manufactured, processed or offered for sale, with report of committee recommending passage.

On motion of Senator Nesmith, the report of the committee was adopted.

Senator Van Eaton asked and received unanimous consent that action on Senate File 16 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 Senate File 17, a bill for an act to amend section one hundred ninety point two (190.2), Code 1950, relating to the authority to establish additional standards for foods, with report of committee recommending passage.

On motion of Senator Nesmith, the report of the committee 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, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate Concurrent Resolution 9, providing for a joint convention of the Fifty-fifth General Assembly to be held Tuesday, February 3, 1953, at 1:30 p.m., for a hearing on the Iowa 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 47, a bill for an act relating to the renting of books and instructional aids to pupils of various districts.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE MESSAGE CONSIDERED

House File 47, 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 passed on file.

#### PRESENTATION OF VISITOR

Senator Boothby asked and received unanimous consent to

present to the Senate his son, Lieut. Burton C. Boothby, of the U.S.N.R., who was present in the Senate chamber.

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

### AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

### PROOF OF PUBLICATION

Published copy of Senate File 125 and verified proof of publication of said bill in the Storm Lake Register on January 27, 1953, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

CARROLL LANE, *Secretary of Senate.*

### APPOINTMENT OF EMPLOYEE

Senator Whitehead announced the appointment of Laura Kathryn Lepley of Polk County as assistant enrolled bills clerk, effective Thursday, January 29, 1953.

### BILLS ASSIGNED TO COMMITTEE

President Elthon announced the assignment of the following bills to committee:

- S. F. 119 Social security
- S. F. 120 Governmental affairs
- S. F. 121 Judiciary 2
- S. F. 122 Governmental affairs
- S. F. 123 Judiciary 1
- S. F. 124 Insurance
- S. F. 125 Judiciary 2
- S. F. 126 Agriculture
- S. F. 127 Agriculture
- S. F. 128 Judiciary 1
- S. F. 129 Ways and means
- S.J.R. 3 Roads and highways
- H. F. 47 Schools and educational institutions.

### REPORTS OF COMMITTEES

Senator Byers submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred Senate File 8, a bill for an act to legalize the transfer of funds collected

through public subscription and deposited in the city of Muscatine, Iowa, treasury, as 1952 flood emergency funds, to the Muscatine special levee board of trustees, 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 76*, a bill for an act 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, 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 31*, a bill for an act relating to execution of the biennial budget report and the recommendations of the budget and financial control committee, 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 Weichman submitted the following report:

MR. PRESIDENT: Your committee on agriculture, to which was referred *Senate File 19*, a bill for an act relating to the designation of communicable diseases among animals, and providing for a program of indemnity in case of condemnation and killing of infected animals, 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 judiciary 1, to which was referred *Senate File 32*, a bill for an act relating to actions against nonresidents, 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 judiciary 1, to which was referred *Senate File 50*, a bill for an act relating to issuance and sale of hospital

bonds by Keokuk County, Iowa, 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

- 1 Amend Senate File 7 by striking all after the enacting  
 2 clause and inserting in lieu thereof the following:  
 3 "Section 1. Section two hundred four point twenty-two  
 4 (204.22), Code 1950, is repealed and the following enacted  
 5 in lieu thereof:  
 6 "Penalties:  
 7 "1. Any person violating any provision of this  
 8 chapter, except as otherwise provided, shall upon  
 9 conviction be fined not more than two thousand dollars  
 10 and may be imprisoned not less than two or more than five  
 11 years. For a second offense, or if, in case of a first  
 12 conviction of violation of any provision of this chapter,  
 13 the offender shall previously have been convicted of any  
 14 violation of the laws of the United States or of any other  
 15 state, territory or district relating to narcotic drugs or  
 16 marihuana, the offender shall be fined not more than two  
 17 thousand dollars and be imprisoned not less than five or  
 18 more than ten years. For a third or subsequent offense,  
 19 or if the offender shall previously have been convicted two  
 20 or more times in the aggregate of any violation of the law  
 21 of the United States or of any other state, territory or  
 22 district relating to narcotic drugs or marihuana, the  
 23 offender shall be fined not more than two thousand dollars  
 24 and be imprisoned not less than ten or more than twenty  
 25 years.  
 26 "2. Any person violating any provision of this chapter,  
 27 by selling, prescribing, or administering any narcotic drug  
 28 to a minor shall, upon conviction thereof, be punished by  
 29 imprisonment in the state penitentiary for not less than  
 30 five or more than twenty years.  
 31 "3. Any person who takes, steals, or carries away any  
 32 narcotic drugs the property of any person who is duly  
 33 authorized by law to engage in administering, dispensing,  
 34 or selling of narcotic drugs shall be guilty of a felony  
 35 and upon conviction be fined and imprisoned as provided  
 36 in subsection one of this section for any person violating  
 37 any other provisions of this chapter.  
 38 "4. For violation of the provisions of this chapter  
 39 the imposition or execution of sentence shall not be  
 40 suspended and probation or parole shall not be granted until  
 41 the minimum imprisonment herein provided for the offense  
 42 shall have been served."

THOMAS J. DAILEY.

1 Amend Senate File 16, section 3, line 5, by  
2 striking the word "five" and inserting in lieu thereof  
3 the word "three".

JACOB GRIMSTEAD.

1 Amend Senate File 25 by striking the period (.)  
2 following the word "development" in line 6 and inserting  
3 in lieu thereof a comma (,) and adding the following:  
4 "not in excess of two per cent (2%) of its total investment."

HERMAN M. KNUDSON.

RALPH W. ZASTROW.

1 Amend Senate File 47 as follows:  
2 1. Amend section 5 of Senate File 47 by striking the  
3 following in lines 11 and 12: "the practice of medicine  
4 and surgery" and inserting in lieu thereof: "those  
5 licensed to practice medicine and surgery by said board".  
6 2. Further amend section 5, Senate File 47, by  
7 striking the following in lines 14 and 15: "the  
8 provisions relating to the practice of medicine and  
9 surgery" and inserting in lieu thereof: "the laws  
10 governing those licensed to practice medicine and  
11 surgery by said board".

ELMER K. BEKMAN.

1 Amend Senate File 84 by adding the following:  
2 "Sec. 7. The provisions of this act shall not apply to nor  
3 affect any privately owned corporation organized under the  
4 provisions of chapter four hundred ninety-one (491), Code 1950,  
5 or any subsidiary thereof, if three-fourths of the voting stock  
6 of such corporation is owned by individuals owning not more  
7 than one share of stock thereof and if such corporation has  
8 assets of the value of one million dollars or more."

D. C. NOLAN.

1 Amend Senate File 86 by striking all of subsection  
2 3 of section 1 and inserting in lieu thereof the following:  
3 "3. By adding a new subsection as follows: 'For  
4 the renewal of a license to operate a barber shop an  
5 annual fee of two dollars (\$2) for each barber chair  
6 therein.  
7 "4. Any barber or barber shop license which is allowed  
8 to lapse by failing to renew the same on or before its ex-  
9 piration date may be reinstated upon the payment of an  
10 additional two dollars (\$2) fee.'"

R. R. BATESON.

1 Amend Senate File 88 by striking the period at the end  
2 of line 11 and adding the following: "; provided further,  
3 that the superintendent of banking, subject to the approval  
4 of the State Banking Board, shall have power to make rules and

5 regulations governing sick leave pay and vacation pay of  
6 employees and staff members of the State Banking Department  
7 notwithstanding the provisions of this section."

R. J. OLTMAN.

1 Amend Senate File 98 by adding the following:  
2 "Sec. 6. This act being deemed of immediate  
3 importance shall be in full force and effect from and after its  
4 passage and publication in The Clinton Herald, a  
5 newspaper published at Clinton, Iowa, and in The DeWitt  
6 Observer, a newspaper published at DeWitt, Iowa."

ERWIN SCHOENING.

1 Amend House Concurrent Resolution 5 by striking all  
2 after the comma (,) following the first "whereas" and substi-  
3 tuting in lieu thereof the following: "the birthday anniversary of  
4 the Great  
5 Emancipator, Abraham Lincoln, falls on Thursday, February 12,  
6 and,  
7 Whereas, it has been customary in the past, as it should be,  
8 for the General Assembly of Iowa to pause briefly in its  
9 deliberations, to commemorate the life and public service of  
10 this great man,  
11 Now, Therefore, Be It Resolved by the House, the Senate Concur-  
12 ring, that a joint convention be held in the House chamber at 11:00  
13 o'clock, Thursday,  
14 February 12, and a suitable program be arranged for this occa-  
15 sion, and that an invitation be extended to President J. W.  
16 Maucker of Iowa State Teachers' College to give an address on  
17 the life and public service of Abraham Lincoln, also that an  
18 invitation to appear before the joint convention be extended to  
19 United States Senator Karl Mundt, from South Dakota, who will  
20 be in Des Moines on the above referred to date.

JOHN P. BERG.

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

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 29, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend L. H. Athey, pastor of the First Methodist Church, Guthrie Center, Iowa.

## PETITIONS AND MEMORIALS

By Senator Berg from one thousand two hundred sixty-three residents of Black Hawk County favoring the sale of colored oleomargarine and in opposition to a special tax on colored oleomargarine.

By Senator Dykhouse from two hundred seventy-two residents of Lyon and Sioux Counties in opposition to proposed legislation for the sale of colored oleomargarine.

By Senator Fishbaugh from sixty-seven residents of Page County favoring proposed legislation extending civil service rights to cities with a population of six thousand or over.

By Senator Nolan from seventy-five public employees of Johnson County favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance.

By Senator O'Malley from forty-nine public employees of Polk County favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance.

By Senator Risk from twenty public employees of Delaware County favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance.

By Senator Washburn from one hundred three residents of Montgomery County favoring proposed legislation extending civil service rights to cities with a population of six thousand or over.

## INTRODUCTION OF BILLS

Senate File 130, by committee on judiciary 2, a bill for an act relating to nonresident owners of motor vehicles operated on the highways of this state.

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

Senate File 131, by Senator Bekman, 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 132, by Senators Scott, Utzig, Hedin and O'Malley (Judd, et al.), a bill for an act relating to the equipment of rail track motor cars used or furnished by common carriers by railroad for transporting employees; providing for the extension of necessary time in which to equip said cars; and penalizing those carriers who operate or furnish for operation such unequipped cars to their employees for transportation to or from their place or places of labor.

Read first and second times, and passed on file.

Senate File 133, by Senator Stewart of Mahaska, a bill for an act to amend sections three hundred twenty-four point two (324.2) and three hundred twenty-four point sixty-three (324.63), Code 1950, relating to gas tax and to provide a suitable method of financing primary road construction in Iowa.

Read first and second times, and passed on file.

Senate File 134, by Senators Lucas, Schoening and Larson (Scheerer), a bill for an act to amend section three hundred forty-five point one (345.1), Code 1950, relating to expenditures by county board of supervisors.

Read first and second times, and passed on file.

Senate File 135, by committee on judiciary 1, a bill for an act to amend section four hundred twenty point one hundred sixty-six (420.166), Code 1950, relating to ferries in special charter cities.

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

Senate File 136, by committee on judiciary 1, a bill for an act to amend sections one hundred twenty-four point three (124.3), one hundred twenty-four point five (124.5), one hundred twenty-four point ten (124.10), one hundred twenty-four point eleven (124.11), one hundred twenty-four point thirteen (124.13), one hundred twenty-four point twenty (124.20), one hundred twenty-four point twenty-seven (124.27), one hundred twenty-four point twenty-nine (124.29) and

one hundred twenty-four point thirty-two (124.32), Code 1950, relating to class "C" permits.

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

Senate File 137, by committee on judiciary 1, a bill for an act to amend section five hundred fifteen point one hundred thirty-eight (515.138), Code 1950, relating to the standard fire insurance policy.

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

Senate File 138, by Senators Van Eaton and Byers, a bill for an act to amend chapter three hundred ninety-nine (399), Code 1950, and particularly sections three hundred ninety-nine point one (399.1) and three hundred ninety-nine point fourteen (399.14) thereof and to clarify the construction of said chapter and establish that no municipality shall be bound by any part of said chapter excepting at its option and choice expressed by a favorable, popular vote under the provisions of said section three hundred ninety-nine point one (399.1) as hereby amended pertaining to waterworks.

Read first and second times, and passed on file.

Senate File 139, by Senator Walter, a bill for an act to provide for equal pay for equal work.

Read first and second times, and passed on file.

Senate File 140, by Senators Bekman, Nesmith, Watson of Pottawattamie, O'Malley, Hedin, Dailey and Oltman, a bill for an act to amend the Code 1950 by adding the following new chapter and to amend the following sections: sections one hundred thirty-five point eleven (135.11), one hundred thirty-five point twelve (135.12), one hundred thirty-five point fourteen (135.14), one hundred thirty-five point fifteen (135.15), Code 1950, and section twelve (12), chapter one hundred fifty-one (151) of the Acts of the Fifty-fourth (54th) General Assembly, providing 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. WHEREAS proper sanitary rules and regulations are necessary for the public health and the general welfare of the State of Iowa in the installation, alteration, repair and removal of plumbing herein defined, it is deemed necessary under the power reserved by the people of Iowa for the public health and the best interests

of the people as a whole that the provisions provided for in this act be adopted.

Read first and second times, and passed on file.

Senate File 141, by Senators Hedin and Lord, a bill for an act to provide that section seventy-five point five (75.5), Code 1950, and only said section of chapter seventy-five (75), Code 1950, shall be applicable to municipal corporations organized and operating under special charters.

Read first and second times, and passed on file.

#### HOUSE CONCURRENT RESOLUTION 5 ADOPTED

Senator Berg asked and received unanimous consent to take up for consideration House Concurrent Resolution 5, filed and found on page 117 of the Senate Journal.

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

Amend House Concurrent Resolution 5 by striking all after the comma (,) following the first "whereas" and substituting in lieu thereof the following: "the birthday anniversary of the Great Emancipator, Abraham Lincoln, falls on Thursday, February 12, 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 in the House chamber at 11:00 o'clock, Thursday, February 12, 1953, and that a suitable program be arranged for this occasion, and that an invitation be extended to President J. W. Maucker of Iowa State Teachers' College to give an address on the life and public service of Abraham Lincoln, also that an invitation to appear before the joint convention be extended to United States Senator Karl Mundt, from South Dakota, who will be in Des Moines on the above referred to date.

The amendment was adopted.

On motion of Senator Berg, the resolution as amended was adopted.

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

#### SENATE CONCURRENT RESOLUTION 11

*Whereas*, Lewis K. Gough, national commander of The American Legion, will be in Des Moines, Iowa, on February 23, 1953;

*Therefore, Be It Resolved by the Senate, the House Concurring:* That an invitation be extended to Lewis K. Gough to address a joint convention of both houses in the House chamber at 11:00 o'clock a.m. on February 23, 1953.

The motion prevailed and the resolution was adopted.

### THIRD READING OF BILLS

On motion of Senator Van Eaton, Senate File 16, a bill for an act to amend section one hundred seventy point one (170.1), subsection four (4), Code 1950, relating to the definition of a restaurant, and to amend sections one hundred seventy point two (170.2) and one hundred seventy point five (170.5), subsection six (6), Code 1950, relating to the licensing of any establishment where food is manufactured, processed or offered for sale, was taken up for consideration.

Senator Grimstead offered the following amendment:

Amend Senate File 16, section 3, line 5, by striking the word "five" and inserting in lieu thereof the word "three".

Senator Grimstead moved that further action on Senate File 16 be deferred and that the bill retain its place on the calendar, which motion prevailed.

On motion of Senator Oltman, Senate File 86, a bill for an act to amend sections one hundred forty-seven point eighty (147.80) and one hundred fifty-eight point eleven (158.11), Code 1950, relating to fees to be collected by the State Department of Health in relation to barbering, 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 86 by striking all of subsection 3 of section 1 and inserting in lieu thereof the following:

"3. By adding a new subsection as follows: 'For the renewal of a license to operate a barber shop an annual fee of two dollars (\$2) for each barber chair therein.

"4. Any barber or barber shop license which is allowed to lapse by failing to renew the same on or before its expiration date may be reinstated upon the payment of an additional two dollars (\$2) fee.'"

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, 32:

Anderson	Elijah	Nolan	Stuart of Lucas
Bateson	Grimstead	Oltman	Utzig
Bekman	Hart	Risk	Van Eaton
Bellman	Hedin	Sayre	Walter
Berg	Johnson	Schoening	Watson of
Byers	Lynes	Scott	Pottawattamie
Colburn	Molison	Stewart of	Whitehead
Dewel	Nelson	Mahaska	Zastrow
Dykhouse	Nesmith		

Nays, 12:

Boothby	Heideman	Miller	Vest
Clark	Knudson	Myrland	Washburn
Dailey	Linnevold	Prentis	Weichman

Absent or not voting, 6:

Fishbaugh	Lord	O'Malley	Watson of
Larson	Lucas		O'Brien

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 101, 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 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, 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, 45:

Anderson	Hedin	Nelson	Utzig
Bateson	Heideman	Nesmith	Van Eaton
Bekman	Johnson	Nolan	Vest
Bellman	Knudson	Oltman	Walter
Berg	Larson	O'Malley	Washburn
Byers	Linnevold	Prentis	Watson of
Clark	Lord	Risk	O'Brien
Colburn	Lucas	Sayre	Watson of
Dailey	Lynes	Schoening	Pottawattamie
Elijah	Miller	Stewart of	Weichman
Fishbaugh	Molison	Mahaska	Whitehead
Hart	Myrland	Stuart of Lucas	Zastrow

Nays, 5:

Boothby	Dykhouse	Grimstead	Scott
Dewel			

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.

#### PRESENTATION OF VISITORS

Senator Bellman asked and received unanimous consent to present to the Senate fourteen members of the sociology class of the Spring Hill Consolidated School who were present in the balcony with their superintendent, Joe LoKites.

Senator Walter asked and received unanimous consent to present to the Senate twenty members of the civil government class of the Laurel Consolidated School who were present in the balcony with their instructor, Mrs. Alvin Ehret.

Senator Oltman asked and received unanimous consent to present to the Senate twenty-eight members of the junior and senior high schools of Rutland who were present in the balcony with Superintendent and Mrs. B. G. Tye.

#### EXECUTIVE SESSION

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

The Senate arose from executive session and resumed regular session.

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

#### AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

#### THIRD READING OF BILLS

Senator Lord asked and received unanimous consent to take up for consideration Senate File 8, a bill for an act to legalize the transfer of funds collected through public subscription and deposited in the city of Muscatine, Iowa, treasury, as 1952 flood emergency funds, to the Muscatine special levee board of trustees.

On motion of Senator Lord, 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, 47:

Anderson	Hart	Nelson	Stuart of Lucas
Bateson	Hedin	Nesmith	Van Eaton
Bekman	Heideman	Nolan	Vest
Bellman	Johnson	Oltman	Walter
Berg	Knudson	O'Malley	Washburn
Boothby	Larson	Prentiss	Watson of
Byers	Linnevold	Risk	O'Brien
Clark	Lord	Sayre	Watson of
Colburn	Lucas	Schoening	Pottawattamie
Dailey	Lynes	Scott	Weichman
Dewel	Miller	Stewart of	Whitehead
Dykhouse	Molison	Mahaska	Zastrow
Fishbaugh	Myrland		

Nays, none.

Absent or not voting, 3:

Elijah	Grimstead	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 Molison asked and received unanimous consent to take up for consideration Senate File 50, 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 county public hospital bonds by Keokuk County, Iowa, and the provisions made for taxes for the payment of said bonds and declaring said bonds issued and sold pursuant to said election and proceedings to be valid obligations of said county.

On motion of Senator Bateson the report of the committee was 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, 49:

Anderson	Boothby	Dewel	Hedin
Bateson	Byers	Dykhouse	Heideman
Bekman	Clark	Elijah	Johnson
Bellman	Colburn	Fishbaugh	Knudson
Berg	Dailey	Hart	Larson

Linnevold	Nesmith	Scott	Washburn
Lord	Nolan	Stewart of	Watson of
Lucas	Oltman	Mahaska	O'Brien
Lynes	O'Malley	Stuart of Lucas	Watson of
Miller	Prentis	Utzig	Pottawattamie
Molison	Risk	Van Eaton	Weichman
Myrland	Sayre	Vest	Whitehead
Nelson	Schoening	Walter	Zastrow

Nays, none.

Absent or not voting, 1:

Grimstead

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

Senator Nolan asked and received unanimous consent to take up for consideration Senate File 32, a bill for an act to amend section three hundred twenty-one point four hundred ninety-eight (321.498), Code 1950, relating to actions against nonresidents.

On motion of Senator Bateson, the report of the committee was adopted.

Senator Nolan moved that the bill be read a third 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	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Van Eaton
Bekman	Hedin	Nesmith	Vest
Bellman	Heideman	Nolan	Walter
Berg	Johnson	Oltman	Washburn
Boothby	Knudson	O'Malley	Watson of
Byers	Larson	Prentis	O'Brien
Clark	Linnevold	Risk	Watson of
Colburn	Lord	Sayre	Pottawattamie
Dailey	Lucas	Schoening	Weichman
Dewel	Lynes	Scott	Whitehead
Dykhouse	Miller	Stewart of	Zastrow
Elijah	Molison	Mahaska	
Fishbaugh			

Nays, none.

Absent or not voting, 1:

Utzig

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

COMMUNICATION FROM THE  
IOWA STATE HIGHWAY COMMISSION

The following communication was received from Mr. E. F. Koch, chief engineer of the Iowa State Highway Commission :

IOWA  
STATE HIGHWAY COMMISSION  
Ames, Iowa

January 27, 1953.

Mr. Carroll Lane, Secretary of the Senate,  
Mr. A. C. Gustafson, Chief Clerk of the House,  
Fifty-fifth 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, 1951"; also a copy of its "Highway Research Report for the Fiscal Year Ended June 30, 1952".

Table No. 6, on page 31, of the 1951 Highway Research Report, "Estimated Annual and Total Cost 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 June 30, 1951", and similarly, Table No. 8, on page 35 of the 1952 Highway Research Report, show, respectively, the number, kind, estimated cost, and probable duration of highway research projects approved by the Iowa State Highway Commission, since said section 310.36, Code 1950, was adopted and up to June 30, 1951, and June 30, 1952.

The expenditures by the Highway Commission for highway research during the fiscal year ended June 30, 1951, were as follows:

From Primary Road Fund.....	\$44,602.25
From Farm to Market Road Fund.....	19,320.50

Total .....	\$63,922.75
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(See Table No. 5, page 29, 1951 Highway Research Report.)

The expenditures by the Highway Commission for highway research during the fiscal year ended June 30, 1952, were as follows:

From Primary Road Fund.....	\$ 72,801.08
From Farm to Market Road Fund.....	61,138.29

Total .....	\$133,939.37
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(See Table No. 5, page 32, 1952 Highway Research Report.)

Research Project No. 1216A which relates to "Scour around Bridge Piers and Abutments" illustrates the nature and practicability of highway research projects being carried on by the State Highway Commission.

Every one knows that bridges occasionally "wash out" or "collapse" during a severe flood and that these failures are due to scouring around the bridge piers or abutments. Further than that no one knows much

about this problem. This research project was undertaken by the State Highway Commission to find the answers to the many questions involved in this problem. The work on this research project is being conducted by the Iowa Institute of Hydraulic Research at the State University at Iowa City under agreement with the State Highway Commission.

Work on the project is not yet completed. Data thus far made available show, among other things,

(a) As a flood rises in a stream with erodable material in the stream bed, the material in the whole stream bed begins to move. In general, the surface of the whole stream bed is scoured to a lower level.

(b) The depth of scour or lowering of the stream bed varies with the stage of flood; being greatest at high stages and least at low stages.

(c) A bridge pier or abutment constructed in the stream creates an additional and special erosive action in the vicinity of the pier or abutment.

(d) This special erosive action creates a hole in the stream bed at such pier. The general shape of such hole is that of an inverted cone. It is deepest at the upstream face of the pier. The depth of this hole is directly dependent on the depth of flood.

(e) This hole reaches its greatest depth when the flood is at its maximum height. As the flood recedes, this hole refills. When the flood is over the hole may be completely filled.

With the data being developed by this research project, bridge engineers in the future can much more intelligently design their bridge foundations. Bridge failures due to scour in flood periods can be materially reduced or eliminated entirely.

Respectfully submitted,  
IOWA STATE HIGHWAY COMMISSION,  
E. F. KOCH, *Chief Engineer.*

Senator Watson of O'Brien asked and received unanimous consent that the foregoing communication be printed in the Senate Journal and that the reports referred to be filed in the office of the Secretary of the Senate and made available for inspection at any time.

#### ASSIGNMENT OF BILLS

President Elthon announced the assignment of the following bills to committee:

- S. F. 131 Insurance
- S. F. 132 Railroads
- S. F. 133 Highways
- S. F. 134 Governmental affairs
- S. F. 138 Cities and towns
- S. F. 139 Judiciary 2
- S. F. 140 Manufacturing, commerce and trade
- S. F. 141 Cities and towns

## REPORT OF COMMITTEE

Senator Prentis submitted the following report:

MR. PRESIDENT: Your committee on governmental affairs, to which was referred **House File 30**, a bill for an act to amend section one (1), chapter forty-four (44), Acts of the Fifty-fourth General Assembly, in reference to membership on the budget and financial control committee, begs leave to report it has had the same under consideration and recommends the same **de pass**.

X. T. PRENTIS, *Chairman*.

Ordered passed on file.

## AMENDMENT FILED

- 1 Amend Senate File 83, section 1, by inserting in line 4
- 2 after the word "the" and before the word "legal" the word
- 3 "absolute".
- 4 Amend section 2 thereof by inserting in line 5 after
- 5 the word "the" and before the words "legal custody" the
- 6 word "absolute".

J. G. LUCAS.

HERMAN B. LORD.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 30, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend Paul Heath, pastor of the Methodist Church, Belle Plaine, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Fishbaugh for the day on request of Senator Prentis.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Colburn from eighteen members of the Dairy Herd Improvement Association in opposition to proposed legislation for the sale of colored oleomargarine.

By Senator Dewel from thirty-four residents of Palo Alto County in opposition to proposed legislation for the sale of colored oleomargarine.

By Senator Knudson from thirty-eight residents of Franklin County favoring proposed legislation providing 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.

By Senator Molison from fifty residents of Poweshiek County favoring proposed legislation extending civil service rights to cities with a population of six thousand or over.

By Senator Prentis from one hundred sixty-five residents of Decatur County in opposition to proposed legislation for the sale of colored oleomargarine.

By Senator Sayre from nine members of the Madison County Artificial Breeders' Association in opposition to proposed legislation for the sale of colored oleomargarine and also in opposition to removal of the tax.

By Senator Sayre from thirty-seven teachers in the Winterset Public Schools in opposition to proposed legislation to the teacher certification bill raising the requirements of elementary teachers to four years of college.

By Senator Scott from twelve residents of Allamakee County favoring the sale of colored oleomargarine and in opposition to a special tax on colored oleomargarine.

By Senator Van Eaton from one hundred nine public employees of Woodbury County favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance.

By Senator Vest from twenty-two residents of Carroll County favoring proposed legislation extending civil service rights to cities with a population of six thousand or over.

By Senator Weichman from six hundred forty-nine members of the Iowa Retail Food Merchants and one hundred forty-eight patrons of the Alta Vista Farmers Cooperative Association in opposition to proposed legislation for the sale of colored oleomargarine and also in opposition to removal of the tax.

By Senator Whitehead from seventy residents of Adair and Guthrie Counties urging immediate legislation relating to farm-to-market road project.

#### INTRODUCTION OF BILLS

Senate File 142, by Senators Lynes, Molison, Anderson, Walter, Stewart of Mahaska and Heideman (Weston, et al.), a bill for an act to amend chapter one hundred sixty-four (164), section one hundred sixty-four point five (164.5), and repeal section one hundred sixty-four point eleven (164.11), Code 1950, relating to the eradication of Bang's disease.

Read first and second times, and passed on file.

Senate File 143, by Senators Lynes, Molison, Anderson, Walter, Stewart of Mahaska and Heideman (Weston, et al.), a bill for an act to amend section three (3) of chapter eighty (80), Acts of the Fifty-fourth General Assembly, relating to the handling and sale of market milk.

Read first and second times, and passed on file.

Senate File 144, by Senators Bekman, Nolan, Oltman and Weichman (Lisle, et al.), 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.

Senate File 145, by committee on printing, a bill for an act to amend subsection one (1), section seventeen point twenty (17.20) and section one hundred fifty-nine point ten (159.10), Code 1950, relating to the Iowa year book of agriculture.

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

Senate File 146, by Senators Hedin and Lord, a bill for an act to amend section three hundred twenty-one point three hundred twenty-eight (321.328), Code 1950, relating to pedestrian use of streets.

Read first and second times, and passed on file.

Senate File 147, by committee on agriculture, a bill for an act to amend section one hundred sixty-six point one (166.1), Code 1950, relating to hog cholera virus and serum.

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

Senate File 148, by Senators Whitehead, Knudson and Anderson (Turner of Mills, et al.), 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.

Read first and second times, and passed on file.

Senate File 149, by Senators Dykhouse and Watson of O'Brien, a bill for an act to include the employees of the state conservation commission in that group of employees not coming under the division of personnel.

Read first and second times, and passed on file.

Senate File 150, by Senators Watson of Pottawattamie and Nesmith, a bill for an act to establish a state commission on alcoholism; to provide its powers, duties and organization and to make annual appropriations for such commission.

Read first and second times, and passed on file.

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

## EXECUTIVE SESSION

The Senate, in executive session, confirmed the following appointments:

Under suspension of the rules, Martin A. Lauterbach of Hardin County, as a member of the State Tax Commission for the unexpired portion of the regular term ending June 30, 1953.

Under suspension of the rules, Martin A. Lauterbach of Hardin County, as a member of the State Tax Commission for the regular term ending June 30, 1959.

The Senate arose from executive session and resumed regular session.

## THIRD READING OF BILLS

On motion of Senator Bateson, Senate File 103, a bill for an act to amend section six hundred seven point five (607.5), Code 1950, relating to fees and mileage of jurors, was taken up, and considered.

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

The Chair announced that Senator Fishbaugh had left a written request to be recorded as voting "Aye" on Senate File 103. The request was granted.

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

Ayes, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 118, a bill for an act to repeal section three hundred ninety-five point twenty-five (395.25), Code 1950, and to enact a substitute section in lieu thereof and to amend section thirty-seven (37) of chapter one hundred fifty-one (151) and section eight (8) of chapter one hundred fifty-

nine (159) of the Laws of the Fifty-fourth General Assembly of the State of Iowa, all relating to municipal flood control systems and the issuance of bonds and levy of taxes therefor, 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.

The Chair announced that Senator Fishbaugh had left a written request to be recorded as voting "Aye" on Senate File 118. The request was granted.

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

Ayes, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 Walter, Senate File 19, a bill for an act to amend sections one hundred sixty-three point two (163.2) and one hundred sixty-three point fifteen (163.15), Code 1950, relating to the designation of communicable diseases among animals, and providing for a program of indemnity in case of condemnation and killing of infected animals, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Walter asked and received unanimous consent that action on Senate File 19 be deferred and that the bill be placed on the calendar under unfinished business.

#### PRESENTATION OF VISITORS

Senator Berg asked and received unanimous consent to present to the Senate the Honorable LeRoy S. Mercer of Johnson County,

a former member of the Senate who was present in the Senate chamber.

Senator O'Malley asked and received unanimous consent to present to the Senate the students and faculty members of the Capital City Commercial College who were present in the balcony accompanied by their president, Margaret F. Davenport.

#### MESSAGES FROM 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, providing for a joint session of the General Assembly on Thursday, February 5, 1953, at 11:30 a.m., for the purpose of receiving the distinguished assistance award from the National Association of Assessing Officers.

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

Senate Concurrent Resolution 11, extending an invitation to Lewis K. Gough, national commander of The American Legion, to address a joint convention of the Fifty-fifth General Assembly to be held February 23 at 11:00 a.m.

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 drains and sewers.

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

Senate File 64, a bill for an act relating to elections to remove officers in commission cities.

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

Senate File 65, a bill for an act relating to salaries in municipal courts.

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

Senate File 66, a bill for an act relating to elections to change the form of a municipal government.

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

Senate File 73, a bill for an act relating to the basis of state aid for transportation of school pupils.

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

Senate File 96, a bill for an act relating to salaries of deputy county officers.

Also: That the House has concurred in Senate amendments to and adopted House Concurrent Resolution 5, providing for a joint session of the General Assembly to be held at 11:30 a.m., Thursday, February 12, 1953, commemorating the birthday anniversary of Abraham Lincoln.

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

House Concurrent Resolution 7, encouraging the use of the Bible in public schools of the state.

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

House Joint Resolution 3, authorizing the board of control to cooperate with the City of Clarinda relative to the construction and maintenance of a sewage disposal plant.

Also: 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 limitation on cost of repairs to school buildings.

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

House File 41, a bill for an act relating to construction, operation and maintenance of sewage systems, sewage disposal plants and sewer lines.

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

House File 42, a bill for an act relating to the lien on real estate of judgments of district courts.

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

House File 45, a bill for an act to authorize the board of supervisors of any county to accept a legal title to a new site for use for the "county fair" and to provide for disposition of the old site.

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 witnesses.

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 boundary changes of school districts.

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 the Iowa year book of agriculture.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE CONCURRENT RESOLUTION 7

*Whereas*, many citizens of Iowa think the use of the Bible in the public schools of Iowa has no legal authority, and

*Whereas*, twelve states specifically require Bible reading in the public schools, and twenty-four others permit Bible reading in schools including Iowa, and,

*Whereas*, special attention has recently been called to the Bible, the world's best seller, because of new popular translations, and

*Whereas*, the Bible is considered an important part of the moral and spiritual heritage of America and of this state, and

*Whereas*, a knowledge of the Bible appears highly desirable for an understanding of our history and an appreciation of our culture,

*Now, Therefore, Be It Resolved by the House, the Senate Concurring*, That, first, we call attention to the fact that the belief in a Supreme Being has recognition in this state as is evident by our very Constitutional preamble containing these words: "Grateful to the Supreme Being for the blessings hitherto enjoyed, and feeling our dependence on Him for a continuation of those blessings, do ordain and establish a free and independent government by the name of the State of Iowa."

Second, we call attention to section two hundred eighty point nine (280.9) of the Code of Iowa, 1950, which states: "The Bible shall not be excluded from any public school or institution in the state, nor shall any child be required to read it contrary to the wishes of his parents or guardians."

Third, we encourage every public school in Iowa to avail itself of this statutory provision and give the Bible a prominent place in its library and a proper place in its course of study, especially history and literature, being mindful, of course, that such procedure be in accord with public sentiment and in harmony with appropriate educational procedure.

Finally, that the Department of Public Instruction, as opportunity presents itself, assist our public schools in carrying out the provisions and intents of this resolution.

#### HOUSE MESSAGES CONSIDERED

House File 9, a bill for an act to amend sections two hundred ninety-seven point seven (297.7) and two hundred ninety-seven point eight (297.8), Code 1950, relating to the limitation on cost of repairs to school buildings.

Read first and second times, and passed on file.

House File 41, a bill for an act empowering cities and towns located nearby or adjacent to state controlled institutions to enter into agreements with said state institution for construction, operation and maintenance of sewage systems, sewage disposal plants and sewer lines in conjunction and cooperation with said state institution, and to serve the state institution as a customer, whether within or without the corporate limits of said city or town, and to finance the same.

Read first and second times, and passed on file.

House File 42, a bill for an act relating to the lien on real estate of judgments of district courts of this state and circuit and district courts of the United States.

Read first and second times, and passed on file.

House File 45, a bill for an act to authorize the board of supervisors of any county to accept a legal title to a new site for use for the "county fair" and to provide for disposition of the old site.

Read first and second times, and passed on file.

House File 65, a bill for an act to amend section six hundred twenty-two point sixty-nine (622.69), Code 1950, relating to witnesses.

Read first and second times, and passed on file.

House File 156, a bill for an act to repeal chapter one hundred ten (110), Acts of the Fifty-third General Assembly, relating to boundary changes of school districts.

Read first and second times, and passed on file.

House File 157, a bill for an act to amend section one hundred fifty-nine point ten (159.10), Code 1950, relating to the Iowa year-book of agriculture.

Read first and second times, and passed on file.

House Joint Resolution 3, a joint resolution to authorize the Board of Control of State Institutions to cooperate with the City of Clarinda in the construction, enlargement, operation and maintenance of a sewage disposal plant and outfall sewer line and system, to serve both the Mental Health Institute, Clarinda, Iowa, and the City of Clarinda, and to pay to said city certain sums therefor.

Read first and second times, and passed on file.

#### COMMUNICATION FROM THE SUPREME COURT

The following report was received from the Justice of the Supreme Court of Iowa:

IN THE MATTER OF THE  
RULES OF CIVIL PROCEDURE  
REPORT OF THE SUPREME COURT  
OF THE STATE IOWA

To the Fifty-fifth General Assembly of Iowa:

In accordance with sections 684.18 and 684.19, Code of Iowa, 1950, the supreme court of Iowa has prescribed and herewith reports to you rules of practice and procedure in the nature of amendments to the following designated Rules of Civil Procedure heretofore prescribed:

Rule 248

Rule 248 is amended by adding thereto:

Motions under rules 243 and 244 may be joined or made separately. If the motion under rule 243 is sustained, the sustaining thereof shall be deemed a denial of the motion under rule 244. Upon an appeal by any

party from an order sustaining a motion under rule 243 the supreme court may, if the matter is argued, also review such denial of the motion under rule 244 without the necessity of an appeal therefrom.

Rule 250

Rule 250 is amended by adding thereto:

Any such term or condition or judgment entered pursuant thereto shall be deemed of no force and effect and the original judgment entered pursuant to rule 223 shall be deemed reinstated in the event of an appeal.

Rule 342(a)

Rule 342(a) is amended by adding thereto:

The clerk shall also enter in the appearance or combination docket in his office the date of filing and of mailing to the clerk of the supreme court.

Rule 343

Rule 343 is amended by striking the last two sentences of the first paragraph thereof and substituting:

The clerk shall indorse upon the "service copy" his certificate of such filing and mailing, and mail it, so indorsed, to the clerk of the supreme court. The clerk shall also enter in the appearance or combination docket in his office the date of filing and of mailing to the clerk of the supreme court.

DATED this 29th day of January, 1953.

THE SUPREME COURT OF IOWA,  
By T. G. GARFIELD, *Justice.*

CERTIFICATE

I, William A. Smith, do hereby certify that I am the Chief Justice of the Supreme Court of Iowa; that the foregoing amendments to the Rules of Civil Procedure were adopted and approved by the Supreme Court of Iowa and were reported to the Fifty-fifth General Assembly on January 29, 1953, 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 on said date.

WILLIAM A. SMITH,  
*Chief Justice of the Supreme Court of Iowa.*

Attest:

HELEN O. GALVIN,  
*Clerk of the Supreme Court of Iowa.*

ACKNOWLEDGMENT

I, Carroll A. Lane, Secretary of the Senate of the State of Iowa, hereby acknowledge delivery to me on January 30, 1953, 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.

CARROLL A. LANE,  
*Secretary of the Senate,*  
Fifty-fifth General Assembly  
of the State of Iowa.

## PROOF OF PUBLICATION

Published copy of Senate File 10 and verified proof of publication of said bill in the Evening Journal, Washington, Iowa, and the Kalona News, Kalona, Iowa, on January 22, 1953, 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.*

## ASSIGNMENT OF BILLS

President Elthon announced the assignment of the following bills to committee :

- S. F. 142 Agriculture
- S. F. 143 Agriculture
- S. F. 144 Motor vehicles
- S. F. 146 Cities and towns
- S. F. 148 Judiciary 2
- S. F. 149 Governmental affairs
- S. F. 150 Judiciary 2
- H.F. 9 Schools and educational institutions
- H.F. 41 Cities and towns
- H.F. 42 Judiciary 2
- H.F. 45 Public lands and buildings
- H.F. 65 Judiciary 1
- H.F. 156 Schools and educational institutions
- H.F. 157 Agriculture
- H.J.R. 3 Board of control

## REPORTS OF COMMITTEE

Senator Hedin submitted the following report:

MR. PRESIDENT: Your committee on public lands and buildings, to which was referred **Senate File 21**, a bill for an act to authorize the sale and conveyance to Aluminum Company of America of certain submerged land in Scott County, Iowa, below ordinary high-water mark of the Mississippi River, 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.

Also:

MR. PRESIDENT: Your committee on public lands and buildings, to which was referred **Senate File 22**, a bill for an act authorizing the granting to Iowa-Illinois Gas and Electric Company, its successors and assigns, of a pipe line easement in, over and through certain state-owned land in Scott County, Iowa, and also authorizing the sale and conveyance to Iowa-Illinois Gas and Electric Company metering and regulating sta-

tion site, 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.

#### AMENDMENTS FILED

- 1 Amend Senate File 21 as follows:  
 2 1. In line 11 of the preamble insert the word "Iowa"  
 3 before the word "State".  
 4 2. In line 14 of the preamble after the word "Whereas"  
 5 strike the word "The" and insert the word "Iowa".  
 6 3. At the end of the preamble on page 1 delete the  
 7 last word "Therefore" and insert in lieu thereof "NOW  
 8 THEREFORE".  
 9 4. In section 1, line 1, strike "The action of the  
 10 State Conservation Commission" and insert in lieu  
 11 thereof "That the action of the Iowa State Conservation Com-  
 mission".

PHILIP T. HEDIN.

- 1 Amend Senate File 22 as follows:  
 2 1. By omitting the second word "The" in the last line  
 3 of the preamble of the bill.  
 4 2. At the end of the preamble on page two strike  
 5 the word "Therefore" and insert in lieu thereof the  
 6 words "NOW THEREFORE".  
 7 3. In section 1, line 1, insert the word "That"  
 8 before the word "The".  
 9 4. In section 2, line 1, insert the word "That"  
 10 before the word "Upon".

PHILIP T. HEDIN.

- 1 Amend Senate File 25 by striking all of section 1  
 2 and substituting the following:  
 3 "Section 1. Section five hundred eleven point  
 4 eight (511.8), Code 1950, is amended by adding thereto  
 5 immediately after subsection three (3) the following  
 6 new subsection:  
 7 " 'Bonds or other evidences of indebtedness issued,  
 8 assumed or guaranteed by the International Bank for  
 9 reconstruction and development, in an amount not to  
 10 exceed two per cent (2%) of its total assets as shown by the last  
 annual report.' "

E. K. BEKMAN.

- 1 Amend Senate File 85, section 2, by adding after the  
 2 word "pay" in line 3 the following: "the compensation  
 3 of the weed commissioner and his deputies if any; and  
 4 their necessary travel expenses."

THOMAS C. LARSON.

J. G. LUCAS.

On motion of Senator Zastrow, the Senate adjourned until 11:00 a.m., Monday, February 2, 1953.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 2, 1953.

The Senate met in regular session, President Elthon 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 Zastrow for the day on request of Senator Bateson; Senator Nesmith for the day on request of Senator Hart.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Boothby from twenty-six members of the Woman's Society of the Ida Grove Methodist Church in opposition to proposed legislation relating to class "C" permits for the sale of beer.

By Senator Knudson from thirty-six merchants of Mason City, Iowa, in opposition to proposed legislation relating to class "C" permits for the sale of beer.

By Senator Linnevold from two merchants of Protivin, Iowa, in opposition to proposed legislation relating to class "C" permits for the sale of beer.

By Senator Lord from five police matrons of the Des Moines Police Department favoring proposed legislation to provide for equal pay for equal work.

By Senator Lynes from twenty-four residents of Butler County in opposition to proposed legislation for the sale of colored oleomargarine.

By Senator Miller from twenty-two residents of Marion County favoring proposed legislation extending civil service rights to cities with a population of six thousand or over.

By Senator Sayre from eleven residents of Madison County in opposition to proposed legislation for the sale of colored oleomargarine.

By Senator Sayre from thirty-two residents of Johnson County favoring proposed legislation relating to the licensing of insurance agents.

By Senator Scott from thirty-five residents of Fayette County favoring proposed legislation relating to the licensing of insurance agents.

By Senator Stewart of Mahaska from thirty-eight public employees of Mahaska County favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance.

By Senator Stewart of Mahaska from four hundred thirty-eight residents of Mahaska County favoring proposed legislation relating to class "C" permits for the sale of beer.

By Senator Whitehead from seventy-eight residents of Dallas County favoring proposed legislation extending civil rights to cities with a population of six thousand or over.

#### INTRODUCTION OF BILLS

Senate File 151, by Senator Nolan, a bill for an act to amend section three hundred twenty-one point fifty-four (321.54), Code 1950, relating to the registration of motor vehicles of nonresident carriers.

Read first and second times, and passed on file.

Senate File 152, by Senator Nolan, a bill for an act to amend section three hundred twenty-five point six (325.6), Code 1950, relating to certificates of convenience and necessity for motor carriers.

Read first and second times, and passed on file.

#### PRESENTATION OF VISITOR

Senator Prentis asked and received unanimous consent to present to the Senate Mrs. Grant L. Hayes of Mount Ayr, president of the Iowa Council of Republican Women, who was present in the Senate chamber. Mrs. Hayes just returned from Washington, D. C., where she attended the inauguration of Dwight D. Eisenhower, President of the United States.

## THIRD READING OF BILLS

On motion of Senator Prentis, Senate File 31, a bill for an act relating to execution of the biennial budget report and the recommendations of the budget and financial control committee, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Prentis asked and received unanimous consent to withdraw the amendment to Senate File 31, filed by him and found on page 75 of the Senate Journal.

Senator Prentis offered the following amendment and moved its adoption:

Amend Senate File 31 by striking from lines 8 and 9 of section 2 the following: "not later than January 1 of the year of" and inserting in lieu thereof "on or before December 15 of the year prior to".

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, 45:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Heideman	Nolan	Van Eaton
Bellman	Johnson	Oltman	Vest
Berg	Knudson	O'Malley	Walter
Boothby	Larson	Prentis	Washburn
Clark	Linnevold	Risk	Watson of
Colburn	Lord	Sayre	O'Brien
Dailey	Lucas	Schoening	Watson of
Dewel	Lynes	Scott	Pottawattamie
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	
Fishbaugh			

Nays, none.

Absent or not voting, 5:

Byers	Nesmith	Weichman	Zastrow
Hedin			

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 Senate is asked:

House File 3, a bill for an act relating to changing boundaries of school districts.

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

House File 17, a bill for an act relating to retirement systems for policemen and firemen and benefits thereunder.

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

House File 18, a bill for an act relating to qualifications for membership in fraternal beneficiary societies.

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

House File 50, a bill for an act authorizing the granting to Iowa-Illinois Gas and Electric Company a pipe line easement in, over and through certain state-owned land in Scott County, Iowa.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED

House File 3, a bill for an act to amend section two hundred seventy-four point sixteen (274.16), Code 1950, relating to changing boundaries of school districts.

Read first and second times, and passed on file.

House File 17, 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.

House File 18, 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 increasing the limits without requiring medical examination.

Read first and second times, and passed on file.

House File 50, a bill for an act authorizing the granting to Iowa-Illinois Gas and Electric Company, its successors and assigns, of a pipe line easement in, over and through certain state-owned land in Scott County, Iowa, and also authorizing the sale and conveyance to Iowa-Illinois Gas and Electric Company, its successors and assigns, for metering and regulating station site, of other state-owned land in Scott County, Iowa.

Read first and second times, and passed on file.

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

## AFTERNOON SESSION

The Senate reconvened, President pro tempore Hart presiding.

## ASSIGNMENT OF BILLS

President Elthon announced the assignment of the following bills to committee:

- S. F. 151 Motor vehicles
- S. F. 152 Motor vehicles
- H. F. 3 Schools and educational institutions
- H. F. 17 Cities and towns
- H. F. 18 Insurance

## REPORTS OF COMMITTEES

Senator Byers submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred **Senate File 110**, a bill for an act to authorize the transfer of eight hundred dollars (\$800) by the board of supervisors, Muscatine County, to the city of Muscatine, 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 Bateson submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred **Senate File 117**, a bill for an act relating to county aid, 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 Vest submitted the following report:

MR. PRESIDENT: Your committee on compensation of public officers and employees, to which was referred **Senate File 88**, a bill for an act to amend section seventy-nine point one (79.1), Code 1950, relating to salaries, vacations and sick leave for state employees, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ALAN VEST, *Chairman*.

Ordered passed on file.

## AMENDMENTS FILED

- 1 Amend Senate File 16 by striking section 2 and section 3 thereof and inserting in lieu thereof the following:
- 2 "Sec. 2. Subsection six (6), section one hundred seventy
- 3

4 point one (170.1), Code 1950, is hereby amended by striking  
 5 all of said subsection after the word 'any' in line 1 thereof  
 6 and substituting in lieu thereof the following: 'place where  
 7 food is manufactured, processed or offered for sale.'  
 8 "Sec. 3. Section one hundred seventy point two (170.2),  
 9 Code 1950, is hereby amended by striking from lines 1 to 12,  
 10 inclusive, the first sentence, and inserting in lieu thereof the  
 11 following: 'No person shall maintain or conduct a hotel or any  
 12 establishment where food is manufactured, processed or offered  
 13 for sale until he shall have obtained a license from the  
 14 department of agriculture for each such hotel or establishment.'  
 15 "Sec. 4. Subsection six (6), section one hundred seventy  
 16 point five (170.5), Code 1950, is hereby repealed and the  
 17 following substituted in lieu thereof: 'For a food establishment,  
 18 three dollars.'

CHARLES S. VAN EATON.

1 Amend Senate File 16 by striking all of sub-  
 2 section 2 of section 1 and inserting in lieu thereof  
 3 the following: "2. By inserting after the word  
 4 'hotels' in line six (6) 'operating their own food  
 5 departments'."

GEORGE O'MALLEY.

1 Amend Senate File 19 by striking from lines 4 and 5  
 2 the following: "Asiatic Newcastle's disease".

CHARLES W. NELSON.

1 Amend Senate File 22 as follows:

2 1. By striking the word "The" appearing in the  
 3 name "The Annie Wittenmyer Home" in the preamble.

4 2. At the end of the preamble on page two  
 5 strike the word "therefore" and insert in lieu  
 6 thereof the words "NOW THEREFORE".

7 3. Amend section 1, line 1, by striking the first  
 8 "The" and inserting in lieu thereof the words  
 9 "That the".

10 4. Amend section 2, line 1, by striking the word  
 11 "Upon" and inserting in lieu thereof the following  
 12 "That upon".

PHILIP T. HEDIN.

1 Amend Senate File 85, section 2, by striking all of line  
 2 4 and substituting the following: "compensation of the weed  
 3 commissioner and his deputies if any; and their necessary  
 4 travel expenses'."

THOMAS C. LARSON.  
 J. G. LUCAS.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 3, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend C. L. Jardine, pastor of the St. John's Episcopal Church, Keokuk, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Zastrow for the day on request of Senator Bateson.

## PETITIONS AND MEMORIALS

By Senator Dailey from twenty residents of Des Moines County in opposition to proposed legislation for the sale of colored oleo-margarine and also in opposition to removal of the tax.

By Senator Dailey from fifty-three residents of Des Moines County favoring proposed legislation for the sale of colored oleo-margarine and the removal of the present tax.

By Senator Lord from thirty residents of Muscatine County favoring proposed legislation to provide for equal pay for equal work.

By Senator Molison from ninety-one residents of Poweshiek County favoring proposed legislation relating to class "C" permits for the sale of beer.

By Senator O'Malley from sixty-five residents of Polk County favoring proposed legislation to provide for equal pay for equal work.

By Senator Van Eaton from two thousand three residents of Woodbury County in opposition to proposed legislation relating to class "C" permits for the sale of beer.

By Senator Washburn from residents of Mills County favoring enactment of Senate File 136.

## INTRODUCTION OF BILLS

Senate File 153, by Senator Van Eaton (Nelson, et al.), 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 154, by Senator Lord, a bill for an act to amend sections four hundred twenty-two point fifty-one (422.51), four hundred twenty-two point fifty-two (422.52) and four hundred twenty-three point thirteen (423.13), Code 1950, relative to the retail sales tax.

Read first and second times, and passed on file.

Senate File 155, by committee on military affairs, a bill for an act to repeal chapter twenty-nine (29), Code 1950 (Military Code of Iowa), and to enact a substitute therefor.

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

Senate File 156, by Senator Anderson, a bill for an act relating to the labeling of containers for the sale of ice milk and to amend section one hundred ninety point one (190.1), Code 1950.

Read first and second times, and passed on file.

Senate File 157, by Senator Fishbaugh (Mallonee), a bill for an act to regulate lobbying and to provide penalties for the violation thereof.

Read first and second times, and passed on file.

Senate File 158, by Senator O'Malley, a bill for an act to amend section eighty-five point twenty-seven (85.27), Code 1950, by adding the word "chiroprical" so as to allow payment for medical services rendered by doctors of chiropraxy to employees under the workmen's compensation act.

Read first and second times, and passed on file.

Senate File 159, by committee on insurance, a bill for an act to amend section five hundred eight point twenty-eight (508.28), Code 1950, relating to policies of life insurance issued without medical examination and the incontestable period applying thereto.

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

Senate File 160, by committee on insurance, a bill for an act to amend section five hundred eight point twenty-nine (508.29), Code 1950, relating to the authority of life insurance companies to write insurance other than life.

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

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

#### HOUSE CONCURRENT RESOLUTION 7

*Whereas*, many citizens of Iowa think the use of the Bible in the public schools of Iowa has no legal authority, and

*Whereas*, twelve states specifically require Bible reading in the public schools, and twenty-four others permit Bible reading in schools including Iowa, and

*Whereas*, special attention has recently been called to the Bible, the world's best seller, because of new popular translations, and

*Whereas*, the Bible is considered an important part of the moral and spiritual heritage of America and of this state, and

*Whereas*, a knowledge of the Bible appears highly desirable for an understanding of our history and an appreciation of our culture,

*Now, Therefore, Be It Resolved by the House, the Senate Concurring*, That, first, we call attention to the fact that the belief in a Supreme Being has recognition in this state as is evident by our very Constitutional preamble containing these words: "Grateful to the Supreme Being for the blessings hitherto enjoyed, and feeling our dependence on Him for a continuation of those blessings, do ordain and establish a free and independent government by the name of the State of Iowa."

Second, we call attention to section two hundred eighty point nine (280.9) of the Code of Iowa, 1950, which states: "The Bible shall not be excluded from any public school or institution in the state, nor shall any child be required to read it contrary to the wishes of his parents or guardians."

Third, we encourage every public school in Iowa to avail itself of this statutory provision and give the Bible a prominent place in its library and a proper place in its course of study, especially history and literature, being mindful, of course, that such procedure be in accord with public sentiment and in harmony with appropriate educational procedure.

Finally, that the Department of Public Instruction, as opportunity presents itself, assist our public schools in carrying out the provisions and intents of this resolution.

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 95, a bill for an act relating to notice of discontinuance of a city or town.

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

Senate File 102, a bill for an act relating to a tax in cities to provide a viaduct or underpass fund.

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

House File 5, a bill for an act relating to election procedure in cities nominating candidates by nonparty political organizations.

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

House File 14, a bill for an act relating to the use of traps or trot lines in the Mississippi and Missouri Rivers.

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 providing for reciprocal exemptions from inheritance tax upon passing of property to societies.

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

House File 57, a bill for an act relating to 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 71, a bill for an act relating to benefited water districts.

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

House File 165, a bill for an act relating to the condemning of land for highway purposes.

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

House File 175, a bill for an act relating to the standard fire insurance policy.

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 screening centers for psychiatric treatment of insane persons.

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 street and sewer improvements in cities and towns.

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

House Concurrent Resolution 8, providing for a joint convention of the Fifty-fifth General Assembly to be held Friday, February 6, at 11:00 c'clock, for the purpose of receiving the Governor's budget message.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE CONCURRENT RESOLUTION 8

*Be It Resolved by the House, the Senate Concurring:* That a joint convention of the two houses of the Fifty-fifth General Assembly be held on February 6, 1953, at 11:00 a.m.

*Be It Further Resolved:* That Governor Beardsley be invited to read his budget 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.

## HOUSE MESSAGES CONSIDERED

House File 5, a bill for an act relating to election procedure in those cities nominating candidates for municipal office by nonparty political organizations and by petition.

Read first and second times, and passed on file.

House File 14, a bill for an act to amend section one hundred nine point one hundred seven (109.107), Code 1950, relating to the use of traps or trot lines in the Mississippi and Missouri Rivers.

Read first and second times, and passed on file.

House File 39, 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 57, 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 passed on file.

House File 71, a bill for an act to amend chapter three hundred fifty-seven (357), Code 1950, relating to benefited water districts.

Read first and second times, and passed on file.

House File 165, a bill for an act to amend section fourteen (14) of chapter one hundred three (103), Acts of the Fifty-fourth General Assembly, relating to the condemning of land for highway purposes.

Read first and second times, and referred to committee on highways.

House File 175, a bill for an act to amend section five hundred fifteen point one hundred thirty-eight (515.138), Code 1950, relating to the standard fire insurance policy.

Read first and second times, and passed on file.

House File 176, a bill for an act to amend chapter eighty-six (86), Acts of the Fifty-fourth General Assembly, relating to screening centers for psychiatric treatment of insane persons.

Read first and second times, and passed on file.

House File 178, a bill for an act amending sections three hundred eighty-nine point three (389.3), three hundred ninety-one point twenty-one (391.21) and three hundred ninety-one point seventy-seven (391.77), Code 1950, relating to street and sewer improvements in cities and towns.

Read first and second times, and passed on file.

#### THIRD READING OF BILLS

On motion of Senator Van Eaton, Senate File 16, a bill for an act to amend section one hundred seventy point one (170.1), subsection four (4), Code 1950, relating to the definition of a restaurant, and to amend sections one hundred seventy point two (170.2) and one hundred seventy point five (170.5), subsection six (6), Code 1950, relating to the licensing of any establishment where food is manufactured, processed or offered for sale, was taken up for further consideration.

Senator Grimstead asked and received unanimous consent to withdraw the amendment to Senate File 16, filed by him, and found on page 131 of the Senate Journal.

Senator Van Eaton offered the following amendment and moved its adoption:

Amend Senate File 16 by striking section 2 and section 3 thereof and inserting in lieu thereof the following:

"Sec. 2. Subsection six (6), section one hundred seventy point one (170.1), Code 1950, is hereby amended by striking all of said subsection after the word 'any' in line 1 thereof and substituting in lieu thereof the following: 'place where food is manufactured, processed or offered for sale.'

"Sec. 3. Section one hundred seventy point two (170.2), Code 1950, is hereby amended by striking from lines 1 to 12, inclusive, the first sentence, and inserting in lieu thereof the following: 'No person shall maintain or conduct a hotel or any establishment where food is manu-

factured, processed or offered for sale until he shall have obtained a license from the department of agriculture for each such hotel or establishment.'

"Sec. 4. Subsection six (6), section one hundred seventy point five (170.5), Code 1950, is hereby repealed and the following substituted in lieu thereof: 'For a food establishment, three dollars.'"

The amendment was adopted.

Senator O'Malley offered the following amendment and moved its adoption:

Amend Senate File 16 by striking all of subsection 2 of section 1 and inserting in lieu thereof the following: "2. By inserting after the word 'hotels' in line six (6) 'operating their own food departments'."

The amendment was lost.

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, 47:

Anderson	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Utzig
Bekman	Hart	Nelson	Van Eaton
Bellman	Hedin	Nolan	Vest
Berg	Heideman	Oltman	Walter
Boothby	Johnson	Prentis	Washburn
Byers	Knudson	Risk	Watson of
Clark	Larson	Sayre	O'Brien
Colburn	Linnevold	Schoening	Watson of
Dailey	Lord	Scott	Pottawattamie
Dewel	Lucas	Stewart of	Weichman
Dykhousé	Lynes	Mahaska	Whitehead
Elijah	Miller		

Nays, none.

Absent or not voting, 3:

Nesmith	O'Malley	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 Lord, Senate File 76, a bill for an act to amend section four hundred fifty point four (450.4), Code of 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, with report of committee recommending pas-

sage, was taken up, considered, and the report of the committee adopted.

Senator Lord offered the following amendment and moved its adoption:

Amend Senate File 76 by adding after the word "state" in the last line thereof the following: "or to any organization composed wholly of veterans of any war of the United States of America".

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, 49:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	
Fishbaugh			

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 Byers, Senate File 130, a bill for an act relating to nonresident owners of motor vehicles operated on the highways of this state, 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, 49:

Anderson	Boothby	Dewel	Hart
Bateson	Byers	Dykhouse	Hedin
Bekman	Clark	Elijah	Heideman
Bellman	Colburn	Fishbaugh	Johnson
Berg	Dailey	Grimstead	Knudson

Larson	Nelson	Schoening	Walter
Linnevold	Nesmith	Scott	Washburn
Lord	Nolan	Stewart of	Watson of
Lucas	Oltman	Mahaska	O'Brien
Lynes	O'Malley	Stuart of Lucas	Watson of
Miller	Prentis	Utzig	Pottawattamie
Molison	Risk	Van Eaton	Weichman
Myrland	Sayre	Vest	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 Vest, Senate File 135, a bill for an act to amend section four hundred twenty point one hundred sixty-six (420.166), Code 1950, relating to ferries in special charter cities, 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, 49:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	
Fishbaugh			

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 Bateson, Senate File 137, a bill for an act to amend section five hundred fifteen point one hundred thirty-eight (515.138), Code 1950, relating to the standard fire insurance policy, was taken up, and considered.

Senator Vest asked and received unanimous consent that House File 175 be substituted for Senate File 137.

On motion of Senator Vest, House File 175, a bill for an act to amend section five hundred fifteen point one hundred thirty-eight (515.138), Code 1950, relating to the standard fire insurance policy, 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, 49:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevoid	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	
Fishbaugh			

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 Hedin, Senate File 21, a bill for an act to authorize the sale and conveyance to Aluminum Company of America of certain submerged land in Scott County, Iowa, below ordinary highwater mark of the Mississippi River, 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 21 as follows:

1. In line 11 of the preamble insert the word "Iowa" before the word "State".
2. In line 14 of the preamble after the word "Whereas" strike the word "The" and insert the word "Iowa".
3. At the end of the preamble on page 1 delete the last word "Therefore" and insert in lieu thereof "NOW, THEREFORE".

4. In section 1, line 1, strike "The action of the State Conservation Commission" and insert in lieu thereof "That the action of the Iowa State Conservation Commission".

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.

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

Ayes, 49:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	
Fishbaugh			

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 Hedin, Senate File 22, a bill for an act authorizing the granting to Iowa-Illinois Gas and Electric Company, its successors and assigns, of a pipe line easement in, over and through certain state-owned land in Scott County, Iowa, and also authorizing the sale and conveyance to Iowa-Illinois Gas and Electric Company, its successors and assigns, for metering and regulating station site, of other state-owned land in Scott County, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hedin asked and received unanimous consent that House File 50 be substituted for Senate File 22.

On motion of Senator Hedin, House File 50, a bill for an act authorizing the granting to Iowa-Illinois Gas and Electric Company, its successors and assigns, of a pipe line easement in, over and through certain state-owned land in Scott County, Iowa, and

also authorizing the sale and conveyance to Iowa-Illinois Gas and Electric Company, its successors and assigns, for metering and regulating station site, of other state-owned land in Scott County, Iowa, was taken up, and considered.

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, 49:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	
Fishbaugh			

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 Lucas, Senate File 145, a bill for an act to amend subsection one (1), section seventeen point twenty (17.20) and section one hundred fifty-nine point ten (159.10), Code 1950, relating to the Iowa year book of agriculture, was taken up, and considered.

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

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

Ayes, 48:

Anderson	Dailey	Johnson	Myrland
Bateson	Dewel	Knudson	Nelson
Bekman	Dykhouse	Larson	Nesmith
Bellman	Elijah	Linnevold	Nolan
Berg	Fishbaugh	Lord	Oltman
Boothby	Grimstead	Lucas	O'Malley
Byers	Hart	Lynes	Prentis
Clark	Hedin	Miller	Risk
Colburn	Heideman	Molison	Sayre

Schoening	Utzig	Washburn	Watson of
Stewart of	Van Eaton	Watson of	Pottawattamie
Mahaska	Vest	O'Brien	Weichman
Stuart of Lucas	Waiter		Whitehead

Nays, none.

Absent or not voting, 2:  
Scott                      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 Molison, Senate File 147, a bill for an act to amend section one hundred sixty-six point one (166.1), Code 1950, relating to hog cholera virus and serum, was taken up, and considered.

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, 49:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	
Fishbaugh			

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.

#### PRESENTATION OF VISITORS

Senator Byers asked and received unanimous consent to present to the Senate forty members of the government class of the Alburnett School who were present in the balcony with their superintendent, Joseph Bohr.

Senator Heideman asked and received unanimous consent to present to the Senate the students of the Dayton High School who were present in the balcony with their instructor, Rosemary Hall.

#### SENATE FILE 90 RE-REFERRED

Senator Knudson asked and received unanimous consent that Senate File 90 be re-referred to the committee on judiciary 2.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Stuart of Lucas, 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 63, 64, 65, 66, 73 and 96.

W. C. STUART, *Chairman Senate Committee.*

JOHN WALKER, *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 63, 64, 65, 66, 73 and 96.

#### BILLS SENT TO THE GOVERNOR

Senator Stuart of Lucas, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this third day of February, 1953, sent to the Governor for his approval: Senate Files 63, 64, 65, 66, 73 and 96.

W. C. STUART, *Chairman.*

Passed on file.

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

#### AFTERNOON SESSION

The Senate reconvened, President pro tempore Hart presiding.

#### HOUSE FILE 41 RE-REFERRED

Senator Van Eaton asked and received unanimous consent that House File 41 be re-referred to the committee on board of control.

### COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that in accordance with Senate Concurrent Resolution 9, duly adopted, 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.

Mensing of Cedar moved that Senator Herman Lord serve as chairman of the joint convention, for the purpose of discussing the provisions of "The Iowa Old Age and Survivors' Insurance System," as contained in the Governor's study committee report.

Senator Lord introduced Mr. E. McConney, president of the Bankers Life Insurance Company, who addressed the joint convention.

The minutes of the joint convention were read and approved.

Beck of Appanoose moved that the joint convention be dissolved.

Motion prevailed.

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

### ASSIGNMENT OF BILLS

President Elthon announced the assignment of the following bills to committee:

- S. F. 111 Appropriations
- S. F. 153 Public libraries
- S. F. 154 Judiciary 2
- S. F. 156 Agriculture
- H. F. 5 Election reform
- H. F. 14 Conservation
- H. F. 57 Insurance
- H. F. 71 Cities and towns
- H. F. 176 Judiciary 1
- H. F. 178 Judiciary 1

## REPORTS OF COMMITTEES

Senator Lord submitted the following report:

MR. PRESIDENT: Your committee on social security, to which was referred **Senate File 49**, 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 111**, a bill for an act creating Iowa public employees' retirement system and the retirement fund in connection therewith; creating an advisory investment board, imposing a tax on employers and employees for payment of benefits thereunder; and prescribing duties of employment security commission and making appropriation hereunder, 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.

Also:

MR. PRESIDENT: Your committee on social security, to which was referred **Senate File 112**, a bill for an act repealing chapter ninety-seven (97), Code 1950, authorizing payment of retroactive federal social security coverage for public employees; providing for the administration of the old age and survivors' insurance system by the employment security commission and creating the Iowa old age and survivors' insurance liquidation fund, 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.

Also:

MR. PRESIDENT: Your committee on social security to which was referred **Senate File 113**, a bill for an act to provide coverage for Iowa public employees under the Federal Social Security Act; to prescribe duties of Iowa employment security commission; imposing taxes upon public employees and employers to cover cost of coverage, and authorizing levy of tax by public employers to provide funds thereunder, 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 Nesmith submitted the following report:

MR. PRESIDENT: Your committee on manufacturing, commerce and trade, to which was referred **Senate File 2**, a bill for an act to amend

certain sections of Code 1950, relating to imitation butter and the sale and labeling thereof, and to the use of imitations of butter in certain state institutions, begs leave to report it has had the same under consideration and recommends the same **do pass**.

E. C. MYRLAND, *Ranking Member*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on manufacturing, commerce and trade, to which was referred **Senate File 3**, a bill for an act to levy a tax of five cents on the sale of any oleomargarine or margarine containing any fat or oil ingredient other than certain designated fats and oils, begs leave to report it has had the same under consideration and recommends the same **do pass**.

E. C. MYRLAND, *Ranking Member*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on manufacturing, commerce and trade, to which was referred **Senate File 4**, a bill for an act to prohibit the manufacturing, selling, or offering for sale any colored oleomargarine or colored margarine containing any fat or oil ingredient other than certain designated fats and oils, begs leave to report it has had the same under consideration and recommends the same **do pass**.

J. H. NESMITH, *Chairman*.

Ordered passed on file.

#### AMENDMENTS FILED

- 1 Amend Senate File 56 by striking everything after the
- 2 enacting clause and inserting in lieu thereof the following:
- 3 "Section 1. Section one hundred nine point one hundred
- 4 twenty (109.120), Code 1950, is hereby amended by inserting
- 5 at the beginning of said section the following: 'Except as
- 6 otherwise provided in this section,' and by inserting after
- 7 the first sentence of said section the following: 'In areas
- 8 in which the conservation commission finds after investigation
- 9 that wolves, coyotes and foxes exist in numbers constituting
- 10 a menace to game population or domestic animals or fowl,
- 11 wolves, coyotes and foxes may be killed from aircraft in
- 12 flight piloted by persons holding a permit to engage in
- 13 such activity issued by the Iowa aeronautics commission.
- 14 Applications for such permits shall be made upon forms pre-
- 15 scribed by the Iowa aeronautics commission. No such permit
- 16 shall be issued to any person unless the Iowa aeronautics
- 17 commission shall find that such person is competent to engage
- 18 in such activity or pursuit with due regard to the property
- 19 and safety of others. The Iowa aeronautics commission is
- 20 hereby empowered to adopt such reasonable rules and regulations
- 21 with respect to the application for the issuance, duration and

22 revocation of such permits as may be necessary to carry out  
23 the purposes and intent of this section and as may be required  
24 in the interest of safety.'"

G. E. WHITEHEAD.  
CARL T. ANDERSON.

1 Amend Senate File 75, section 2, by striking the period  
2 following the word "expenditures" in line 19 and adding the  
3 following: " , but in no case shall the expenditures for  
4 scientific investigation or research be in excess of fifty  
5 (50) per cent of the net proceeds collected during the year."

HARRY E. WEICHMAN.

1 Amend Senate File 146 by striking all of section 1  
2 and inserting in lieu thereof the following:  
3 "Section 1. Amend section three hundred twenty-one  
4 point three hundred twenty-eight (321.328), Code  
5 1950, by striking the period at the end of the  
6 sentence in line five thereof and adding thereto  
7 the following: 'except that cities and towns may  
8 restrict such a crossing by ordinance.'"

PHILIP T. HEDIN.

1 Amend House File 30, section 1, by adding after line 8 the  
2 following: "The presiding officers of the Senate and House, in  
3 appointing such members to the budget and financial control com-  
mittee, shall  
4 make the appointments, so far as is practicable, to represent each  
5 congressional district of the state."

HARRY E. WEICHMAN.  
J. KENDALL LYNES.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 4, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend Gene S. Siekman, pastor of the Presbyterian Church, Aplington, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Molison for the forenoon on request of Senator Anderson.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Bateson from nine residents of Wright County favoring proposed legislation relating to class "C" permits for the sale of beer.

By Senator Byers from nine residents of Linn County favoring proposed legislation for the sale of colored oleomargarine, and in opposition to proposed legislation for: a regulatory body for utilities; a road building program with subsequent tax increases; compulsory inspection of motor vehicles; educational television program; toll roads; lowering voting age.

By Senator Dewel from fifty residents of Kossuth and Palo Alto Counties in opposition to proposed legislation for the sale of colored oleomargarine.

By Senator Knudson from twenty-six merchants of Cerro Gordo, Franklin and Hancock Counties in opposition to proposed legislation for the sale of colored oleomargarine.

By Senator Larson from sixty-one residents of Taylor County favoring proposed legislation relating to class "C" permits for the sale of beer.

By Senator Linnevold from sixty-four residents of Winneshiek County in opposition to proposed legislation for the sale of colored oleomargarine.

By Senator Lord from thirty-one residents of Burlington, Iowa, favoring proposed legislation to provide for equal pay for equal work.

By Senator Oltman from twenty-one residents of Buena Vista County favoring proposed legislation extending civil service rights to cities with a population of six thousand or over.

By Senator Whitehead from forty-eight residents of Guthrie County favoring proposed legislation relating to class "C" permits for the sale of beer.

#### INTRODUCTION OF BILLS

Senate File 161, by Senator Watson of O'Brien, a bill for an act to amend section one hundred sixty-one point three (161.3), section one hundred sixty-one point five (161.5) and section one hundred sixty-one point six (161.6), Code 1950, relative to forest reservations.

Read first and second times, and passed on file.

Senate File 162, by Senator Watson of O'Brien, a bill for an act to amend sections two hundred ninety-nine point one (299.1) and 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 163, by committee on printing, a bill for an act to amend section six hundred twenty-two point ten (622.10), Code 1950, relating to communications in professional confidence.

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

Senate File 164, by committee on printing, a bill for an act to amend section four point one (4.1), Code 1950, relating to rules in the construction of statutes.

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

Senate File 165, by committee on printing, a bill for an act to amend section sixteen point thirteen (16.13), Code 1950, in regard to printing matters furnished to members of the General Assembly.

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

Senate File 166, by committee on printing, a bill for an act to amend section sixteen point two (16.2), subsection eleven (11),

Code 1950, eliminating the listing of personnel receiving less than six hundred dollars (\$600), and providing for the listing of the total number and salary of such personnel.

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

Senate File 167, by committee on printing, a bill for an act to amend section one hundred fifty-nine point fifteen (159.15), Code 1950, to eliminate duplication of printing.

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

Senate File 168, by Senators Lynes, Weichman and Whitehead, a bill for an act relating to the inspection and registration of anti-freeze, and to appropriate from the general fund of the state funds to purchase equipment to carry out the provisions of chapter two hundred eight A (208A), Code 1950.

Read first and second times, and passed on file.

Senate File 169, by Senator Bateson, a bill for an act relating to the maintenance of veterans' graves and to amend sections two hundred fifty point seventeen (250.17) and two hundred fifty point eighteen (250.18), Code 1950.

Read first and second times, and passed on file.

#### APPOINTMENT OF MEMORIAL COMMITTEE

Senator Zastrow announced to the Senate the death of Mr. John K. Bekman, father of Senator Bekman, and moved that the President appoint a committee to attend the funeral services to be held at 2:00 p.m., Friday, February 6, at the Gospel Church, Orange City, Iowa.

The motion prevailed and President Elthon appointed as such committee Senators Watson of O'Brien, Dykhouse and Oltman.

#### THIRD READING OF BILLS

On motion of Senator Oltman, Senate File 88, a bill for an act to amend section seventy-nine point one (79.1), Code 1950, relating to salaries, vacations and sick leave for state employees, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Oltman offered the following amendment:

Amend Senate File 88 by striking the period at the end of line 11 and adding the following: “; provided further, that the superintendent of

banking, subject to the approval of the State Banking Board, shall have power to make rules and regulations governing sick leave pay and vacation pay of employees and staff members of the State Banking Department notwithstanding the provisions of this section."

Senator Oltman asked and received unanimous consent to withdraw the amendment.

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	Fishbaugh	Myrland	Stuart of Lucas
Bateson	Grimstead	Nelson	Utzig
Bekman	Hart	Nesmith	Van Eaton
Bellman	Hedin	Nolan	Vest
Berg	Heideman	Oltman	Walter
Boothby	Johnson	O'Malley	Washburn
Byers	Knudson	Prentis	Watson of
Clark	Larson	Risk	O'Brien
Colburn	Linnevold	Sayre	Watson of
Dailey	Lord	Schoening	Pottawattamie
Dewel	Lucas	Scott	Weichman
Dykhouse	Lynes	Stewart of	Whitehead
Elijah	Miller	Mahaska	Zastrow

Nays, none.

Absent or not voting, 1:

Molison

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 25, 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 Bekman offered the following amendment and moved its adoption:

Amend Senate File 25 by striking all of section 1 and substituting the following:

"Section 1. Section five hundred eleven point eight (511.8), Code 1950, is amended by adding thereto immediately after subsection three (3) the following new subsection:

" 'Bonds or other evidences of indebtedness issued, assumed or guaranteed by the International Bank for reconstruction and development, in

an amount not to exceed two per cent (2%) of its total assets as shown by the last annual report.' ”

The amendment was adopted.

Senator Fishbaugh offered the following amendment and moved its adoption :

Amend Senate File 25 by adding thereto the following:

“Provided, however, that the life, endowment or annuity contracts of any company which invests in the said bonds or other evidence of indebtedness issued, assumed or guaranteed by the International Bank for Reconstruction and Development shall not be eligible for purchase by fiduciaries.”

Senator Bekman raised the point of order for the reason that the amendment filed by Senator Fishbaugh was not germane to the main bill.

The Chair ruled the point well taken and the amendment out of order.

Senator Prentis offered the following amendment:

Amend Senate File 25 by striking the period (.) after the word “Development” in line 6 and inserting in lieu thereof the following: “, provided that none of said bonds or other evidences of indebtedness are based on loans to the U. S. S. R., Communist China, any nation having a communistic form of government or any nation wherein the essential freedoms of speech, press, assembly, religion and trial by jury are not guaranteed its citizens by Constitution.”

Senator Prentis offered the following amendment to the amendment and moved its adoption :

Amend the amendment by striking the following in line 2: “ ‘Development’ in line 6” and inserting in lieu thereof the word “ ‘reports’ ”.

The amendment to the amendment was adopted.

Senator Prentis moved the adoption of the amendment as amended.

Roll call was demanded.

On the question “Shall the amendment as amended be adopted?” the vote was:

Ayes, 25:

Anderson	Lord	Prentis	Vest
Berg	Lucas	Risk	Walter
Clark	Miller	Sayre	Washburn
Dykhouse	Myrland	Schoening	Watson of
Fishbaugh	Nelson	Scott	O'Brien
Grimstead	Nolan	Stewart of	Weichman
Heideman	Oltman	Mahaska	

## Nays, 23:

Bateson	Dewel	Larson	Utzig
Bekman	Elijah	Linnevold	Van Eaton
Bellman	Hart	Lynes	Watson of
Boothby	Hedin	Nesmith	Pottawattamie
Byers	Johnson	O'Malley	Whitehead
Dailey	Knudson	Stuart of Lucas	Zastrow

## Absent or not voting, 2:

Colburn	Molison
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The amendment as amended was adopted.

Senator Knudson asked and received unanimous consent to withdraw the amendment to Senate File 25, filed by Senators Knudson and Zastrow, and found on page 131 of the Senate Journal.

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

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

## Ayes, 28:

Bateson	Dewel	Larson	Stuart of Lucas
Bekman	Dykhouse	Linnevold	Utzig
Bellman	Elijah	Lynes	Van Eaton
Berg	Hart	Nesmith	Watson of
Boothby	Hedin	O'Malley	Pottawattamie
Byers	Heideman	Sayre	Zastrow
Clark	Johnson	Stewart of	
Colburn	Knudson	Mahaska	

## Nays, 21:

Anderson	Miller	Risk	Washburn
Dailey	Myrland	Schoening	Watson of
Fishbaugh	Nelson	Scott	O'Brien
Grimstead	Nolan	Vest	Weichman
Lord	Olتمان	Walter	Whitehead
Lucas	Prentis		

## Absent or not voting, 1:

Molison

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

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

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

## AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

## PRESENTATION OF VISITORS

Senator Whitehead asked and received unanimous consent to present to the Senate fourteen members of the government class of the Casey High School, who were present in the balcony with their instructor, Dallas R. Quick.

## MESSAGES FROM 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 55, 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 63, a bill for an act relating to moving of heavy machinery on highways.

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 attorney fees in compensation cases.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE MESSAGES CONSIDERED

House File 55, 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 passed on file.

House File 63, a bill for an act to amend chapter one hundred twenty-nine (129), Acts of the Fifty-fourth General Assembly, relating to moving of heavy machinery on highways.

Read first and second times, and passed on file.

House File 64, a bill for an act to amend section eighty-six point thirty-nine (86.39), Code 1950, relating to attorney fees in compensation cases.

Read first and second times, and passed on file.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Stuart of Lucas, 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 95 and 102.

W. C. STUART, *Chairman Senate Committee.*  
JOHN WALKER, *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 95 and 102.

#### BILLS SENT TO THE GOVERNOR

Senator Stuart of Lucas, 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 February, 1953, sent to the Governor for his approval: Senate Files 95 and 102.

W. C. STUART, *Chairman.*

Passed on file.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on February 3, 1953, the Governor had approved the following bills:

Senate File 63, relating to drains and sewers in cities over 100,000 population.

Senate File 64, relating to elections to remove officers.

Senate File 65, relating to salaries in municipal courts.

Senate File 66, relating to elections to change the form of a municipal government.

Senate File 73, relating to the basis of state aid for transportation of school pupils.

Senate File 96, relating to salaries of deputy county officers.

#### TRANSFER OF EMPLOYEE

Senator Whitehead announced the transfer of Kathryn Lepley, assistant enrolled bills clerk to enrolling clerk; and Frances Ashley, enrolling clerk to assistant enrolled bills clerk.

#### ASSIGNMENT OF BILLS

President Elthon announced the assignment of the following bills to committee:

S. F. 157 Governmental affairs

S. F. 158 Social security

- S. F. 161 Conservation
- S. F. 162 Schools and educational institutions
- S. F. 168 Manufacturing, commerce and trade
- S. F. 169 Military affairs
- H. F. 55 Compensation of public officers and employees
- H. F. 63 Highways
- H. F. 64 Judiciary 2

#### REPORTS OF COMMITTEES

Senator Prentis submitted the following report:

**MR. PRESIDENT:** Your committee on governmental affairs, to which was referred **Senate File 93**, a bill for an act to amend chapter thirty-one (31), Code 1950, by adding a new section thereto providing that October 15 in each year shall be proclaimed by the Governor as "Iowa Poetry Day", begs leave to report it has had the same under consideration and recommends the same **be indefinitely postponed**.

X. T. PRENTIS, *Chairman*.

Ordered passed on file.

Senator Bateson submitted the following report:

**MR. PRESIDENT:** Your committee on judiciary 1, to which was referred **Senate File 114**, a bill for an act relating to fees for attorneys appointed by the court, 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 judiciary 1, to which was referred **House File 65**, a bill for an act relating to witnesses, 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 Byers submitted the following report:

**MR. PRESIDENT:** Your committee on judiciary 2, to which was referred **Senate File 23**, a bill for an act relating to the lien on real estate of judgments of district courts of this state and circuit and district courts of the United States, 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 27**, a bill for an act to amend chapter one hundred seventeen

(117), Code 1950, relating to brokers commission for the sale of land, 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 27 as follows: Strike all after the enacting clause and insert in lieu thereof the following:

"Section 1. Chapter one hundred seventeen (117), Code 1950, is amended by adding thereto the following new section:

"All agreements for the payment of a commission or compensation for obtaining a purchaser for the real estate of another shall be in writing, signed by the owner or by his authorized agent'."

FRANK C. BYERS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred **Senate File 28**, a bill for an act designating the state department of social welfare as a trustee of the Iowa Rural Rehabilitation Corporation funds, 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 40**, a bill for an act to amend section one hundred sixteen point six (116.6), Code 1950, and sections one hundred sixteen point eleven (116.11) and one hundred sixteen point eighteen (116.18), Code 1950, relating to the definition and financial responsibility of accountants and providing for a permanent injunction for violations, 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 70**, a bill for an act to amend sections one hundred forty-one point four (141.4) and one hundred forty-one point twelve, Code 1950, relating to the disposal of dead bodies and to provide for a record 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 **Senate File 71**, a bill for an act relating to the operation of cemeteries in the State of Iowa, and funds for the perpetual care and maintenance thereof, and the sale of burial space therein, and providing penalties for

the violation 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 **Senate File 90**, a bill for an act to amend, revise and codify sections two hundred thirty point twenty-five (230.25) and two hundred thirty point twenty-six (230.26), Code 1950, relating to the support of the insane and creating a lien on any real estate owned by a person committed, 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 Dewel submitted the following report :

MR. PRESIDENT: Your committee on conservation, to which was referred **Senate File 18**, a bill for an act to amend the Code relating to an open season and license for game birds and animals including deer, begs leave to report it has had the same under consideration and recommends the same **do pass**.

DUANE E. DEWEL, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on conservation, to which was referred **Senate File 56**, a bill for an act to amend the Code relating to hunting deer from aircraft, begs leave to report it has had the same under consideration and recommends the same **be indefinitely postponed**.

DUANE E. DEWEL, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT: Your committee on conservation, to which was referred **Senate File 57**, a bill for an act to amend the Code relating to where the use of trot or throw lines is permitted, begs leave to report it has had the same under consideration and recommends the same **do pass**.

DUANE E. DEWEL, *Chairman*.

Ordered passed on file.

Senator Weichman submitted the following report :

MR. PRESIDENT: Your committee on agriculture, to which was referred **Senate File 30**, a bill for an act relating to the regulation of the manufacture and sale of ice milk, 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 30 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section one hundred ninety point one (190.1), Code 1950, is amended by striking all of subsection thirty-six (36) thereof.

Sec. 2. Section one hundred ninety point one (190.1), Code 1950, is amended by adding the following:

"Ice milk. Ice milk is a pure, clean, frozen or semifrozen product made from a combination of milk products and one or more of the following ingredients: sugar, dextrose, glucose, corn syrup in liquid or dry form, with harmless flavoring or coloring or both, either natural or artificial, and with or without wholesome stabilizer; and in the manufacture of which freezing has been accompanied by agitation of the ingredients. It contains not more than one-half of one per cent (0.5%) by weight of wholesome stabilizer, and shall in no case contain less than two per cent (2%) or more than five per cent (5%) by weight of milk fat; and not less than eleven per cent (11%) by weight of total milk solids. In no case shall any ice milk contain less than one and three-tenths (1.3) pounds of total food solids per gallon or weigh less than four and five-tenths (4.5) pounds per gallon. It shall not contain fats other than milk fat. Every particle of mix shall be pasteurized at temperature of not less than one hundred fifty-five degrees F. for not less than thirty minutes or to a temperature of not less than one hundred seventy-five degrees F. for not less than twenty-five seconds in approved and properly operated equipment. Provided, that nothing contained in this definition shall be construed as barring any other process which has been demonstrated to be equally efficient and is approved by the state department of agriculture. It shall contain not more than fifty thousand bacteria per c.c. in the manufacturer's package.

"Ice milk sold at retail in the manufacturer's package or wrapper shall be labeled on a contrasting background in plain legible eight point type with the words, 'Ice Milk', provided that: When flavored exclusively with fruit it shall be labeled, 'Fruit Ice Milk', preceded by the name of the fruit. When flavored with fruit and fruit juice, or with fruit juice, it shall be labeled, 'Ice Milk', preceded by the name of the fruit. When bearing the name of a fruit or nut flavor but flavored with artificial flavor, it shall be labeled, 'Ice Milk', preceded by the name of the nut or fruit and followed by the words 'artificially flavored' in the same size type. When flavored with cocoa or chocolate, or cocoa and chocolate syrup, maple syrup, or confections, it shall be labeled, 'Ice Milk', preceded by the name of the product imparting the flavor.

"Notwithstanding any other provision of the Code, ice milk of any flavor may be dispensed into and sold at retail in edible containers subject to the single labeling requirement that such edible container shall have embossed on the outside thereof the words, 'Ice Milk', in letters not less than five-sixteenths of an inch high.

"Notwithstanding any other provision of the Code, ice milk of any flavor may be dispensed into and sold at retail as a part of malted milks and milk shakes, subject only to the labeling requirement that the sales container, package or wrapper be labeled on a contrasting background in plain legible eight point type with the words, 'Ice Milk'.

"Ice milk shall not be dispensed and sold at retail in any form or manner other than as provided herein, unless it is neither flavored with any of the optional ingredients listed herein, nor colored.

"A sign shall be posted in every retail establishment where ice milk is sold, on a white card not less than twelve by twenty-two inches in dimensions with letters not less than three inches in height and two inches in width containing the words, 'Ice Milk Sold Here'; such a sign shall at all times be within plain view of, and at an easily readable distance from the customer.

"The provisions of section one hundred eighty-nine point eleven (189.11) of the Code shall not be applicable to ice milk.

"Imitation ice cream. The minimum standard for imitation ice cream shall be the same as that of ice milk, except that the milk fat content thereof shall not be less than five per cent, nor more than ten per cent.

"Imitation ice cream shall be sold only in the manufacturer's package or wrapper and shall be labeled on a contrasting background in plain legible eight point type with the words, 'Imitation Ice Cream'.

"The posting provisions as to ice milk shall apply in the case of imitation ice cream, except that the sign to be posted shall contain the words, 'Imitation Ice Cream Sold Here'.

"Imitation ice milk. The minimum standard for imitation ice milk shall be the same as that of ice milk, except that the milk fat content thereof shall not be more than two per cent.

"Imitation ice milk shall be sold only in the manufacturer's package or wrapper and shall be labeled on a contrasting background in plain legible eight point type with the words, 'Imitation Ice Milk'.

"The posting provisions as to ice milk shall apply in the case of imitation ice milk, except that the sign to be posted shall contain the words, 'Imitation Ice Milk Sold Here'."

HARRY E. WEICHMAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture, to which was referred **Senate File 43**, a bill for an act relating to the minimum butterfat content of milk, begs leave to report it has had the same under consideration and recommend the same **do pass**.

HARRY E. WEICHMAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture, to which was referred **Senate File 44**, a bill for an act relating to the licensing of milk dealers, 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 44, section 3, subsection 1, by striking the word "place" in line 5 and insertjng in lieu thereof the word "store".

Further amend section 3, subsection 2, by striking in line 7 the words "For persons" and inserting in lieu thereof the words "For each store and each vehicle".

HARRY E. WEICHMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture, to which was referred **Senate File 46**, a bill for an act to prescribe a minimum butterfat content in ice milk, begs leave to report it has had the same under consideration and recommends the same **be indefinitely postponed**.

HARRY E. WEICHMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture, to which was referred **Senate File 85**, a bill for an act relating to the funds to be used for the payment of weed commissioner, 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 85, section 2, by striking all of line 4 and substituting the following: "compensation of the weed commissioner and his deputies if any; and their necessary travel expenses'."

HARRY E. WEICHMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture, to which was referred **Senate File 89**, 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**.

HARRY E. WEICHMAN, *Chairman*.

Ordered passed on file.

#### AMENDMENTS FILED

- 1 Amend Senate File 2 as follows:
- 2 1. Strike the word and figure "two (2)" in line 2 of
- 3 section 2 and insert the word and figure "one (1)".
- 4 2. Strike the word and figure "four (4)" in line 5 of
- 5 said section and substitute the word and figure "three (3)".
- 6 3. Strike the word and figure "seven (7)" in line 8 of
- 7 said section and substitute the word and figure "six (6)".
- 8 4. Insert in section 5, line 2, following the second comma
- 9 in said line, the following: "and as amended by section five
- 10 (5), chapter ninety-three (93), Fifty-fourth (54th) General
- 11 Assembly."

DEVERE WATSON of Pottawattamie.

1 Amend Senate File 5 by striking from paragraph 5  
2 of the preamble in lines 3 and 4 thereof the following:  
3 "eighty-five (85)" and insert in lieu thereof the following:  
4 "one hundred (100)".

5 Further amend Senate File 5 by striking from  
6 paragraph 7 of the preamble in line 3 thereof the following:  
7 "eighty-five (85)" and insert in lieu thereof the following:  
8 "one hundred (100)".

GEORGE E. O'MALLEY.

1 Amend Senate File 19 by striking from section 2, line 27,  
2 the words "reported appraised value" and inserting in lieu  
3 thereof the following: "amount agreed upon by the majority  
4 of the appraisers based on current market prices except in  
5 the case of registered purebred stock, then the amount  
6 payable for indemnity may exceed market prices by not more  
7 than fifty (50) per cent".

HENRY E. HEIDEMAN.

1 Amend Senate File 124, section 1, by striking the  
2 comma at the end of line 12 and further striking  
3 in section 1, lines 13, 14, 15, 16, 17, 18, 19, 20,  
4 21 and 22 and inserting in lieu thereof: "and  
5 fitness to act as an agent. Such application shall  
6 be accompanied by a fee of ten dollars (\$10).  
7 "522.6. After receipt of such application, it  
8 shall be the duty of the commissioner to determine  
9 by appropriate written examination, whether said  
10 applicant possesses mental capacity and knowledge  
11 of the kind or kinds of insurance business he  
12 desires to solicit and write, pursuant to standards  
13 prescribed by the insurance commission, and the  
14 commissioner's action in such respect may, upon  
15 application, be reviewed by the commission."

ELMER K. BEKMAN.

1 Amend House File 30 by striking from line 5 of  
2 section 1 the word "twenty" and inserting in  
3 lieu thereof the word "ten".

GEORGE E. O'MALLEY.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 5, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend Warren M. Hubbard, pastor of the Methodist Church, Clear Lake, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bekman for the day on account of the death of his father on request of Senator Zastrow.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Dewel from twenty-two residents of Emmet County favoring proposed legislation extending civil service rights to cities with a population of six thousand or over.

By Senator Dewel from forty-one residents of Kossuth County in opposition to proposed legislation for the sale of colored oleomargarine.

By Senator Dewel from four hundred one residents of Palo Alto and Pocahontas Counties urging the dredging of Silver Lake.

By Senator Lord from fifty-eight residents of Polk County favoring proposed legislation to provide for equal pay for equal work.

By Senator Lucas from one hundred seventy-six residents of Story County favoring proposed legislation relating to class "C" permits for the sale of beer.

By Senator Molison from six residents of Poweshiek County favoring proposed legislation relating to class "C" permits for the sale of beer.

By Senator Stewart of Mahaska from six residents of Mahaska County favoring the sale of colored oleomargarine and the removal of the tax.

By Senator Utzig from seven teachers of Bryant School, Dubuque County, favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance.

By Senator Van Eaton from thirteen residents of Woodbury County favoring proposed legislation relating to class "C" permits for the sale of beer.

#### INTRODUCTION OF BILLS

Senate File 170, by Senators Miller and Elijah, a bill for an act amending section four hundred twenty-two point forty-seven (422.47), Code 1950, by repealing subsections four (4) through seven (7), inclusive, and amending section four hundred twenty-two point forty-five (422.45), Code 1950, and providing for the exemption from sales and use tax of purchases made by tax certifying and tax levying bodies of the State of Iowa.

Read first and second times, and passed on file.

Senate File 171, by Senators Van Eaton, Heideman and O'Malley, a bill for an act to amend section four hundred eleven point six (411.6), Code 1950, relating to ordinary disability retirement for policemen and firemen.

Read first and second times, and passed on file.

Senate File 172, by Senators Van Eaton, Heideman and O'Malley, a bill for an act to amend section four hundred eleven point six (411.6), Code 1950, relating to accidental disability benefit and accidental death benefit for policemen and firemen.

Read first and second times, and passed on file.

Senate File 173, by Senators Zastrow, Bekman, O'Malley and Dailey, a bill for an act to amend sections eighty-five point twenty-seven (85.27), eighty-five point thirty-two (85.32), eighty-five point thirty-three (85.33) and eighty-five point thirty-seven (85.37), Code 1950, and chapter fifty-nine (59), Acts of the Fifty-fourth General Assembly, relating to workmen's compensation.

Read first and second times, and passed on file.

Senate File 174, by Senator Scott (Hoth, et al.), a bill for an act relating to inspection of meat intended for human food.

Read first and second times, and passed on file.

Senate File 175, by Senator Hedin, a bill for an act to amend section three hundred twenty-four point two (324.2), Code 1950, relating to tax imposed upon certain fuel oil.

Read first and second times, and passed on file.

Senate File 176, by Senator Hedin, a bill for an act to amend section two (2) of chapter one hundred forty-six (146), Acts of the Fifty-fourth General Assembly, relating to general powers of cities and towns, and the mayor-council form of city government.

Read first and second times, and passed on file.

Senate File 177, by Senators Whitehead and Dailey, 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 178, by committee on public utilities, a bill for an act to provide for the creation in the State of Iowa of the Iowa Public Service Commission; to define public utilities and provide for the regulation thereof; to provide for the appointment or election of members of such public service commission; to provide for the organization of such commission by its members and the appointment of employees thereof; to define the powers, duties, and jurisdiction of such commission; to include in said jurisdiction full regulatory authority over all public utilities both publicly and privately owned; to provide for operation of public utilities generally under indeterminate permits rather than under term franchises authorized by local ordinances or elections; to prescribe the procedure of the commission; to provide for enforcement and appeal from orders of such public service commission; to fix and prescribe penalties for the violation of any of the provisions of this act; to provide for the transfer to the Iowa public service commission of all proceedings pending before the Iowa state commerce commission; to abolish the Iowa state commerce commission; to abolish the office of commerce counsel and to create the office of Iowa public service commission general counsel; to transfer authority pertaining to constructing, maintaining, and operating hydroelectric plants from the executive council of the State of Iowa to the Iowa public service commission; to provide for the filing of rate schedules with the commission and to enforce adherence to such schedules; to prohibit discrimination, preference, or advantage in the rendering of public utility service; to provide for regulation of all public utilities, rates.

and services by the Iowa public service commission; to provide a method of effecting changes in rates or the establishment of a sliding scale of rates for public utility service under the supervision of the commission; to provide for the connection and consolidation of public utility properties, facilities, and services; to provide for exercise of the power of eminent domain by public utility operators; to exclude the provisions of this act from application to commerce with foreign nations or to interstate commerce; to provide for regulation by the Iowa public service commission of the issuance of stock, bonds, and other securities and evidences of indebtedness by all public utilities; to provide for court reviews of commission orders in relation to the same; to provide penalties for failures to comply with the laws or commission orders concerning issuance of said securities; to provide authority for the public service commission to assess costs to all utilities which are parties to proceedings before it not to exceed four-fifths of one per cent of their respective gross revenues and to assess all utilities for its support funds in amounts not exceeding one-fifth of one per cent of their respective gross revenues; to declare the legislative intent that all parts of this act be constitutional exclusive of those parts of the act which may hereafter be held to be unconstitutional; and to repeal all laws or parts of laws which are inconsistent with the provisions of this act, or to amend such laws or parts of laws to make them consistent with the provisions of this act.

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

#### UNFINISHED BUSINESS

On motion of Senator Walter, Senate File 19, a bill for an act to amend sections one hundred sixty-three point two (163.2) and one hundred sixty-three point fifteen (163.15), Code 1950, relating to the designation of communicable diseases among animals, and providing for a program of indemnity in case of condemnation and killing of infected animals, was taken up for further consideration.

Senator Nelson offered the following amendment and moved its adoption:

Amend Senate File 19 by striking from lines 4 and 5 the following: "Asiatic Newcastle's disease".

The amendment was adopted.

Senator Heideman offered the following amendment and moved its adoption:

Amend Senate File 19 by striking from section 2, line 27, the words "reported appraised value" and inserting in lieu thereof the following: "amount agreed upon by the majority of the appraisers based on current market prices except in the case of registered purebred stock, then the amount payable for indemnity may exceed market prices by not more than fifty (50) per cent".

The amendment was adopted.

Senator Bateson offered the following amendment and moved its adoption:

Amend Senate File 19 by adding after the word "exceed" in line 26 the following: "two-thirds ( $\frac{2}{3}$ ) of".

Division was called for.

The amendment was lost.

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, 34:

Anderson	Heideman	O'Malley	Walter
Bellman	Johnson	Risk	Washburn
Berg	Knudson	Schoening	Watson of
Boothby	Larson	Stewart of	O'Brien
Clark	Lynes	Mahaska	Watson of
Colburn	Miller	Stuart of Lucas	Pottawattamie
Dewel	Molison	Utzig	Weichman
Elijah	Nolan	Van Eaton	Whitehead
Grimstead	Oltman	Vest	Zastrow
Hedin			

Nays, 5:

Linnevold	Nelson	Nesmith	Prentis
Myrland			

Absent or not voting, 11:

Bateson	Dailey	Hart	Sayre
Bekman	Dykhouse	Lord	Scott
Byers	Fishbaugh	Lucas	

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

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

#### MESSAGE FROM THE HOUSE

The following message was received from the House:

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

Senate File 82, a bill for an act relating to printing of legislative bulletin.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE 82

Amend Senate File 82, section 1, line 9, by inserting after the word "printed" the words "and delivered".

#### HOUSE AMENDMENT CONSIDERED

Senator Lucas called up for consideration Senate File 82, a bill for an act to amend section sixteen point thirty-one (16.31), Code 1950, relating to printing of legislative bulletin, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 82 section 1, line 9, by inserting after the word "printed" the words "and delivered".

The Senate concurred in the House amendment.

Senator Lucas moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

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

Ayes, 43:

Anderson	Heideman	Oltman	Van Eaton
Bateson	Johnson	O'Malley	Vest
Bellman	Larson	Prentis	Walter
Berg	Linnevold	Risk	Washburn
Boothby	Lucas	Sayre	Watson of
Clark	Lynes	Schoening	O'Brien
Colburn	Miller	Scott	Watson of
Dailey	Molison	Stewart of	Pottawattamie
Dewel	Myrland	Mahaska	Weichman
Elijah	Nelson	Stuart of Lucas	Whitehead
Grimstead	Nesmith	Utzig	Zastrow
Hart	Nolan		

Nays, none.

Absent or not voting, 7:

Bekman	Dykhouse	Hedin	Lord
Byers	Fishbaugh	Knudson	

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

## PRESENTATION OF VISITORS

Senator O'Malley asked and received unanimous consent to present to the Senate the members of the government class of the Ankeny High School who were present in the balcony, accompanied by Merrit Parsons.

Senator O'Malley asked and received unanimous consent to present to the Senate the members of the government class of the Sheldahl High School who were present in the balcony with their principal, Mrs. Hazen Moore.

Senator Sayre asked and received unanimous consent to present to the Senate the members of the government class of the Earlham High School who were present in the balcony with their instructor, James Hemphill.

Also, the members of the sophomore English class of the St. Charles High School who were present in the balcony, accompanied by Theodore Cook, Charles Anderson and Mrs. Spooks.

## COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that, in accordance with Senate Concurrent Resolution 10 duly adopted, 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. Senator Byers of Linn moved to dispense with the roll call.

Motion prevailed.

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

Senator O'Malley of Polk moved that a committee of three be appointed to escort George Guggenberger to the House chamber.

Motion prevailed and the President appointed Senator O'Malley of Polk on the part of the Senate, and Representatives Parker of Polk and Burtch of Mitchell on the part of the House.

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

President Hart then introduced Mr. Guggenberger, president of the National Association of Assessing Officers, who addressed the joint convention and presented a distinguished assistance award to the legislature for the passage of outstanding legislation designed to improve the quality of assessment administration.

President Hart and Speaker Lynes accepted the award on behalf of the legislature.

The minutes of the joint convention were read and approved.

Mooty of Grundy 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 Zastrow called up the following concurrent resolution and moved its adoption:

#### HOUSE CONCURRENT RESOLUTION 8

*Be It Resolved by the House, the Senate Concurring:* That a joint convention of the two houses of the Fifty-fifth General Assembly be held on February 6, 1953, at 11:00 a.m.

*Be It Further Resolved:* That Governor Beardsley be invited to read his budget 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.

The motion prevailed and the resolution was adopted.

Upon motion of Senator Zastrow, the Senate recessed until 1:30 p.m.

#### AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

#### SPECIAL ORDER

Senator Zastrow asked and received unanimous consent that Senate File 2 be made a Special Order of Business for 10:30 a.m., Tuesday, February 10, 1953.

#### SENATE FILE 46 RE-REFERRED

Senator Anderson asked and received unanimous consent that Senate File 46 be re-referred to the committee on agriculture.

## THIRD READING OF BILLS

On motion of Senator Watson of Pottawattamie, House File 30, a bill for an act to amend section one (1), chapter forty-four (44), Acts of the Fifty-fourth General Assembly, in reference to membership on the budget and financial control committee, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Weichman offered the following amendment, filed by Senators Weichman and Lynes, and moved its adoption:

Amend House File 30, section 1, by adding after line 8 the following: "The presiding officers of the Senate and House, in appointing such members to the budget and financial control committee, shall make the appointments, so far as is practicable, to represent each congressional district of the state."

The amendment was adopted.

Senator O'Malley offered the following amendment and moved its adoption:

Amend House File 30 by striking from line 5 of section 1 the word "twenty" and inserting in lieu thereof the word "ten".

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	Nelson	Utzig
Bateson	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Grimstead	Myrland	Stuart of Lucas	

Nays, 1:  
Fishbaugh

Absent or not voting, 1:  
Bekman

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

## EXPLANATION OF VOTE ON HOUSE FILE 30

MR. PRESIDENT: I wish to file the following explanation of my vote against House File 30.

The budget and financial control committee has many duties enjoined on it for the service and protection of the people of the State of Iowa. Among these duties are the examination of the reports and official actions of the Executive Council and of each officer, board, commission, and department of the state, with reference to the conduct thereof and the receipt and disbursement by them of public funds.

The act creating the budget and financial control committee provided that it should have ten members, five from the House appointed by the Speaker and five from the Senate, appointed by the President of the Senate; three from each house to be from the majority party and two from the minority party.

This division of membership among the majority party and the minority party continued the philosophy of membership in the retrenchment and reform committee which was the predecessor of the budget and financial control committee. Because of the fact that there are but three Democrats in the membership of the House, and but four Democrats in the membership of the Senate in the Fifty-fifth General Assembly, House File 30 proposes to strip from the minority party one member on the budget and financial control committee from the House and one from the Senate.

The purpose of the budget and financial control committee is not to serve either party which may at the moment be the majority party. The purpose of the financial control committee is to serve the State of Iowa. I believe the State of Iowa is best served by having a fair and adequate representation of the minority party on the budget and financial control committee. It is the purpose and function of the minority party, whichever it may be, to protect the state against the excesses and abuses of power of the majority. The minority party should always question and challenge the acts of the administration—too often the majority party tends to excuse and seeks to justify the acts of the administration, no matter what they may be. It is essential to the two-party system that the minority have fair and adequate representation.

House File 30 attempts to base the representation of the minority party on the number of members they elect to the House and Senate. It ignores the over-all strength of the minority party as revealed by the vote for the head of the ticket at the last general election. It ignores that, traditionally, the division between the parties in Iowa is approximately 60-40. In my opinion House File 30 is unwise, unfair and harmful to the public interest in that it deprives our state government of the protection given it by adequate representation of the minority on this important committee. For that reason, I voted against the bill.

EARL C. FISHBAUGH, JR.

On motion of Senator O'Malley, Senate File 117, a bill for an act to amend section one hundred seventy-four point thirteen (174.13),

Code 1950, relating to county aid, 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, 48:

Anderson	Grimstead	Nelson	Utzig
Bateson	Hart	Nesmith	Van Eaton
Bellman	Hedin	Nolan	Vest
Berg	Heideman	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh	Myrland	Stuart of Lucas	

Nays, none.

Absent or not voting, 2:

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

On motion of Senator Nolan, Senate File 49, 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, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

#### COMMUNICATION FROM THE STATE COMPTROLLER

The following communication was received from the State Comptroller:

#### OFFICE STATE COMPTROLLER

February 5, 1953.

TO THE SECRETARY OF THE SENATE AND CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES.

In accordance with the provisions of chapter 25, Code of Iowa, 1950, there are submitted herewith claims acted upon by the State Appeal Board on January 28, 1953. Each claim bears the recommendation of the board.

Claims of a general nature are numbers 73, 121, 129, 143, 154, 157 and 159, 161 to 170, inclusive, 178, 180, 181, 183, 187, 188, 189 and 190; also,

highway commission claims numbers H-100, 100A and 120, 123 to 128, inclusive, 130 to 139, inclusive, 141 to 145, inclusive, 148 to 155, inclusive, 158 and 159, 162 to 167, inclusive, 169 to 177, inclusive, 179 to 183, inclusive, 186 to 189, inclusive.

GLENN D. SANSFIELD,  
*Chairman, State Appeal Board.*

No.	Name of Claimant and Nature of Claim	Amount of Claim
73	Glenn L. Seydel, 246 West Third St., Davenport, Iowa—Rent for office space in Central Office Bldg. in Davenport .....	\$ 128.00
121	The Des Moines Company, Des Moines, Iowa—Rent for office space in Des Moines Bldg.....	3,370.00
129	Mrs. L. H. Torrey, 1043 S. 4th Street, Springfield, Illinois—Death of Manchester dog, while drinking from Storm Lake.....	50.00
143	Langan Paper Company, 120 Third Street, Des Moines, Iowa—Payment for supplies used by 54th General Assembly .....	310.14
154	Chicago, Rock Island & Pacific R. R. Co., Cedar Rapids, Iowa—For services rendered to director of the Department of Public Instruction, hot lunch program. Shipment of food.....	9.23
157	Harold H. Hessenflow, 17 A Huskerville, Lincoln, Nebraska—Claimant volunteered for service with the Royal Canadian Air Force, and was honorably discharged. Made application for W.W. II Service Compensation. Bona fide resident of Council Bluffs.....	500.00
159	Floyd Beghtel, 2110 Campus Street, Cedar Falls, Iowa—Damages to car of claimant in collision with International tractor driven by employee of Iowa State Teachers' College .....	77.05
161	Lake Township Consolidated School, R.F.D. No. 1, Dickens, Iowa—Sales tax on school bus.....	102.60
162	Buena Vista County Hospital, Storm Lake, Iowa—Use tax refund .....	1,116.56
163	Iowa Methodist Hospital, Des Moines, Iowa—Payment of hospital bill for Patrolman Fulkerson.....	647.20
163A	Dr. Ralph A. Dorner, 710 Equitable Building, Des Moines, Iowa—Payment of doctor bill for treatment of injuries to Patrolman Fulkerson received while on duty .....	250.00
164	Sidney Feintech, 828 Scott Street, Des Moines 16, Iowa—Repairs to claimant's truck which was involved in collision with car of employee of Dept. of Health; also rental of truck while truck of claimant was being repaired .....	184.27
165	Henry Numeyer, Alvard, Iowa—95 chickens were killed in fall of 1951 by badger.....	166.25

No.	Name of Claimant and Nature of Claim	Amount of Claim
166	Ideal Cash Coal Company, Keokuk, Iowa—To reimburse claimant for old age recipient warrant which he misplaced until the six-month period had elapsed..	40.50
167	Fred Thompson, Denison, Iowa—Claimant's car collided with deer on Highway No. 37.....	17.12
168	Harold F. Achenbach, 501 Cedar Street, Webster City, Iowa—Damages to claimant's car in collision with state vehicle driven by an employee of the State Auditor's office .....	100.69
169	Muscatine County, c/o County Treasurer, Muscatine, Iowa—Reimbursement for assessments on state-owned property within drainage district.....	3,819.22
170	Corning Independent School District, Corning, Iowa—Reimbursement of sales tax .....	112.00
178	Lewis Askildson, Lake Mills, Iowa—Pheasants ate 100 bushels of corn on farm of claimant in fall of 1950 and spring of 1951.....	150.00
180	Madison County, c/o County Treasurer, Winterset, Iowa—Reimbursement of sales tax.....	1,668.65
181	Virgil Lietz & B. L. Caudill, 808 Freemon St., Charles City, Iowa, and Alta Vista, Iowa—Mr. Lietz's car collided with a deer on Highway No. 18.....	119.78
183	Winterset Public School, Winterset, Iowa—Reimbursement of sales tax .....	35.79
187	Atkins Consolidated School, Atkins, Iowa—Reimbursement of sales tax.....	98.67
188	Gardiner Consolidated School, Bouton, Iowa—Reimbursement of sales tax.....	80.81
189	Crystal Lake Independent Consolidated School, Crystal Lake, Iowa—Reimbursement of sales tax.....	136.04
190	Kirchhoff Ice Cream Company, Inc., Maquoketa, Iowa—Reimbursement for auto license. Claimant's vehicle was in storage during entire year and not used on highway .....	280.00
Highway Commission Claims		
H-100-53	Farmers Mutual Auto Ins. Co., Madison, Wisconsin—Reimbursement to claimant for repairs to car which was damaged on rutted road surface.....	311.99
H-100A-53	John Van Genderen, Eddyville, Iowa—To reimburse claimant for repairs to his car which was damaged on a rutted road surface.....	50.00
H-120-53	Ivan J. Davis, Sr., Vinton, Iowa—To reimburse claimant for repairs to his car which was involved in collision with Highway Commission truck and snow plow .....	30.50
H-123-53	Cedar Valley Produce Company, Osage, Iowa—To reimburse claimant for repairs to his car which was involved in collision with Highway Commission truck and snow plow .....	27.57

No.	Name of Claimant and Nature of Claim	Amount of Claim
H-124-53	Vernon Brown, Laurel, Iowa—To reimburse claimant for repairs to his car which was involved in collision with Highway Commission snow plow wing.....	28.49
H-125-53	Frank McDonald, Albia, Iowa—To reimburse claimant for repairs to his car which was involved in collision with Highway Commission snow plow.....	32.49
H-126-53	Lane's Bottling Co., Sioux City, Iowa—To reimburse claimant for repairs to his car which was involved in collision with Highway Commission truck.....	191.25
H-127-53	Jerome Feldt, Dubuque, Iowa—To reimburse claimant for damages to his car which was involved in collision with Highway Commission truck and snow plow .....	267.08
H-128-53	Russell McVey, Carlisle, Iowa, R.R. 1—To reimburse claimant for paint job, damaged when Highway Commission crew was spray painting the Des Moines River bridge .....	62.00
H-130-53	Shelby Cemetery Association, Shelby, Iowa—To reimburse claimant for damage to an ornamental brick post at entrance of cemetery by a motor grader.....	54.05
H-131-53	Melvin Brown, Armstrong, Iowa—To reimburse claimant for damage to his truck which was involved in collision with Highway Commission truck and snow plow .....	143.50
H-132-53	Employers Mutual Insurance Co., Des Moines, Iowa—To reimburse claimant for auto collision policy of Roland Petersen, whose car was involved in collision with Highway Commission truck.....	51.99
H-133-53	Roland Petersen, Walnut, Iowa—To reimburse claimant for deductible item on his insurance policy. Car was involved in collision with Highway Commission truck and snow plow.....	50.00
H-134-53	George Weis, Muscatine, Iowa—To reimburse claimant for damages to his car which was involved in collision with Highway Commission car.....	46.25
H-135-53	State Farm Insurance Companies, Bloomington, Illinois—To reimburse insurance company for auto collision policy of Kirk G. Dennis, in connection with a collision with Highway Commission car.....	193.56
H-136-53	Kirk G. Dennis, 705 Skyline Drive, Red Oak, Iowa—Deductible item on claimant's insurance policy in connection with collision with Highway Commission car..	50.00
H-137-53	Independence Body Shop & Robert Hall, Independence, Iowa—To reimburse claimant for damages to his car which was involved in collision with Highway Commission truck and snow plow.....	28.50
H-138-53	Leo Smith, Scranton, Iowa—To reimburse claimant for repairs to his car which was involved in a collision with a Highway Commission truck.....	60.37

No.	Name of Claimant and Nature of Claim	Amount of Claim
H-139-53	Witwer Grocer Company, Marshalltown, Iowa—To reimburse claimant for damages to his car which was involved in a collision with a Highway Commission truck and snow plow.....	910.06
H-141-53	Carbon Mining & Sales Co., 907 Bankers Trust Bldg., Des Moines, Iowa—To reimburse claimant 25c per ton on Illinois coal above the present price in contract	292.50
H-142-53	Allied Mutual Casualty Co., Des Moines, Iowa—To reimburse claimant for auto collision policy of Marjorie Pierson, whose car was damaged in collision with Highway Commission power mower.....	54.23
H-143-53	Leonard Pierson, Charles City, Iowa—To reimburse claimant for deductible item on his auto collision insurance policy. Car was involved in collision with Highway Commission power mower .....	50.00
H-144-53	Lloyd's of Minneapolis, Minneapolis, Minnesota—To reimburse insurance company for payment on collision insurance policy of Hillie Drees, in connection with a collision with Highway Commission motor patrol .....	184.25
H-145-53	Hillie Drees, Thief River Falls, Minnesota—Deductible item on claimant's insurance policy. Collision with Highway Commission motor patrol.....	100.00
H-148-53	Frank Kelberger, 123 16th Ave. S.W., Cedar Rapids, Iowa—To reimburse claimant for repairs to his car which was involved in collision with a Highway Commission truck .....	66.81
H-149-53	Ben Franken, Parkersburg, Iowa—To reimburse claimant for repairs to his car when involved in a collision with Highway Commission truck and snow plow .....	17.81
H-150-53	Lester Larson, Waukon, Iowa—To reimburse claimant for repairs to his car which was involved in a collision with a Highway Commission truck and snow plow .....	75.00
H-151-53	Gilman Johnson, Northwood, Iowa—To reimburse claimant for damage to tractor tire which was caused by a railroad iron that had been driven into ground by Highway Commission men .....	102.00
H-152-53	Iowa Farm Mutual Insurance Company, Des Moines, Iowa—To reimburse insurance company for auto collision policy of Edward A. Clements whose car was involved in collision with Highway Commission caterpillar motor grader .....	50.83
H-153-53	Edward A. Clements, Tipton, Iowa—Deductible item on claimant's auto insurance policy. Car involved in collision with Highway Commission motor grader....	10.00
H-154-53	Iowa Farm Mutual Insurance Co., Des Moines, Iowa—To reimburse claimant for auto collision policy of Robert J. Vreughenhil whose car was involved in a collision with a Highway Commission motor grader..	50.89

No.	Name of Claimant and Nature of Claim	Amount of Claim
H-155-53	Robert J. Vreughenhil, Akron, Iowa—To reimburse claimant for deductible item on his auto collision policy in connection with his collision with a Highway Commission motor grader.....	10.00
H-158-53	Iowa Farm Mutual Ins. Co., Des Moines, Iowa—To reimburse insurance company for auto collision policy of Albert Boess in connection with a collision with Highway Commission truck and snow plow.....	30.83
H-159-53	Albert Boess, Hawkeye, Iowa—Deductible item on claimant's insurance policy. Collision with Highway Commission truck and snow plow.....	10.00
H-162-53	Iowa Farm Mutual Ins. Co., Des Moines, Iowa—To reimburse insurance company for auto collision policy of Roy F. Kapple, whose car was involved in collision with Highway Commission coupe.....	229.71
H-163-53	Roy F. Kapple, Corning, Iowa—To reimburse claimant for deductible item on his auto policy.....	10.00
H-164-53	Iowa Farm Mutual Insurance Co., Des Moines, Iowa—To reimburse claimant for auto collision policy of Scott McMahon whose car was involved in collision with Highway Commission snow plow.....	103.97
H-165-53	Scott McMahon, West Liberty, Iowa—Deductible item on auto collision policy. Car involved in collision with Highway Commission snow plow.....	10.00
H-166-53	Iowa Farm Mutual Insurance Co., Des Moines, Iowa—To reimburse claimant for auto collision policy of Robert Sliger whose car was involved in collision with Highway Commission snow plow.....	40.12
H-167-53	Robert Sliger, Northboro, Iowa—To reimburse claimant for deductible item on insurance policy. Car damaged in collision with Highway Commission snow plow .....	10.00
H-169-53	Kenneth Duwe, Monona, Iowa—To reimburse claimant for cost of repair to his car which was involved in collision with Highway Commission snow plow....	15.73
H-170-53	Quentin T. Swanson, 3329 Martin Ave., Omaha, Nebraska—To reimburse claimant for repairs to his car which was involved in collision with Highway Commission truck and car of Ray Olson.....	349.54
H-171-53	A. L. Griffith, Washington, Iowa—To reimburse claimant for repairing sanitary sewer connection between his property and street sewer, caused by failure of connection made when Highway Commission paved street .....	106.07
H-172-53	Emil Kalous, 3544 W. Belden Ave., Chicago, Illinois—To reimburse claimant for cost of repairs to his car which was damaged in collision with Highway Commission snow plow truck.....	62.17

No.	Name of Claimant and Nature of Claim	Amount of Claim
H-173-53	Chris Mellinger, 117 Ballard St., West Burlington, Iowa—To reimburse claimant for cost of repairs to his car which was damaged when a Highway Commission truck backed into the parked car.....	49.12
H-174-53	Stanley R. Coberly, Shellsburg, Iowa—To reimburse claimant for expenditures for repairs to his car that was damaged when it turned left into a ditch to avoid collision with Highway Commission car.....	148.00
H-175-53	Dr. G. A. Fry, Vinton, Iowa—To reimburse claimant for cost of repairs to his car which was involved in collision with a Highway Commission truck.....	70.39
H-176-53	Lewis Engeltges, Orange City, Iowa—To reimburse claimant for repairs to his car which struck a raised pavement surface .....	95.78
H-177-53	O. N. Homan, Alton, Iowa—To reimburse claimant for repairs to his car which was involved in a collision with a Highway Commission motor grader ....	66.03
H-179-53	Motors Insurance Corporation, Des Moines, Iowa—To reimburse claimant for expenditures on insurance contract with William K. Smith, whose car was involved in a collision with a Highway Commission truck and snow plow.....	41.89
H-180-53	William K. Smith, Mason City, Iowa—To reimburse claimant for repairs to his car which was involved in a collision with Highway Commission truck and snow plow, deductible item on insurance policy.....	50.00
H-181-53	General Accident, Fire & Life Assurance Co., 1105 American Trust Bldg., Dubuque, Iowa—To reimburse claimant for expenditure on its deductible collision insurance contract with Walter J. Lewis, whose car was damaged in collision with Highway Commission snow plow .....	104.13
H-182-53	Walter J. Lewis, Dubuque, Iowa—Deductible item on insurance policy. Claimant's car was damaged in collision with Highway Commission truck and snow plow.....	100.00
H-183-53	M. C. Stoddard, Mason City, Iowa—To reimburse claimant for repairs to his car that struck hole in primary road .....	15.23
H-186-53	Phillip Page, Alpha, Iowa—To reimburse claimant for repairs to his car that struck a protruding piece of pavement on primary road.....	170.64
H-187-53	Walter C. Northcutt, Newton, Iowa—To reimburse claimant for repairs to his car which struck a fence post on detour of primary road.....	48.09
H-188-53	Richard Kuiper, Hull, Iowa—To reimburse claimant for repairs to his pickup which was involved in a collision with a Highway Commission truck and snow plow .....	70.85

No.	Name of Claimant and Nature of Claim	Amount of Claim
H-189-53	James A. Gillett, Ballingall Hotel, Ottumwa, Iowa— To reimburse claimant for repairs to his car which was involved in a collision with a Highway Com- mission truck and snow plow.....	85.95

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Stuart of Lucas, 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 50 and 175.

W. C. STUART, *Chairman Senate Committee.*  
JOHN A. WALKER, *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 50 and 175.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that, on February 4, the Governor had approved the following bills:

Senate File 95, relating to notice of discontinuance of a city or town.

Senate File 102, relating to a tax in cities to provide a viaduct or underpass fund.

#### REPORTS OF COMMITTEES

Senator Hedin submitted the following report:

MR. PRESIDENT: Your committee on public lands and buildings, to which was referred **House File 45**, a bill for an act to authorize the board of supervisors of Cerro Gordo County to accept legal title to a new site for use for the "County Fair", 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 Watson of Pottawattamie submitted the following report:

MR. PRESIDENT: Your committee on election reform, to which was referred **Senate File 61**, a bill for an act to amend section thirty-nine point twenty-one (39.21), Code 1950, relating to justices of the peace and constables term of office, begs leave to report it has had the same under consideration and recommends the same **be indefinitely postponed**.

DEVERE WATSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on election reform, to which was referred **House File 2**, a bill for an act relating to the preparation of election ballots, 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 Molison submitted the following report:

MR. PRESIDENT: Your committee on schools and educational institutions to which was referred **House File 47**, a bill for an act with reference to county boards of education renting books and instructional aids to the pupils of the various districts, begs leave to report it has had the same under consideration and recommends the same **do pass**.

WILBUR C. MOLISON, *Chairman*.

Ordered passed on file.

Senator Berg submitted the following report:

MR. PRESIDENT: Your committee on ways and means, to which was referred **Senate File 1**, a bill for an act to repeal sections one hundred ninety-four point one (194.1) to one hundred ninety-four point thirteen (194.13), inclusive, Code 1950, relative to excise tax of five cents per pound upon oleomargarine, begs leave to report it has had the same under consideration and **returns the bill without recommendation**.

JOHN P. BERG, *Chairman*.

Ordered passed on file.

#### ASSIGNMENT OF BILLS

President Elthon announced the assignment of the following bills to committee:

- S. F. 170 Judiciary 2
- S. F. 171 Social security
- S. F. 172 Social security
- S. F. 173 Social security
- S. F. 174 Agriculture
- S. F. 175 Judiciary 2
- S. F. 176 Cities and towns
- S. F. 177 Election reform

#### AMENDMENTS FILED

- 1 Amend Senate File 2 by adding after section 5 a new
- 2 section 5A to read as follows:
- 3 "Sec. 5A. There is hereby appropriated annually from
- 4 the general fund of the state, not otherwise appropriated,
- 5 the sum of five hundred thousand dollars (\$500,000) for
- 6 the enforcement of this Act."

HARRY E. WEICHMAN.

1 Amend Senate File 2 as follows:

2 1. By striking from line 17, section 4, the first "or"  
3 and substituting in lieu thereof the word "and".

4 2. By striking from line 18, section 4, the words "not  
5 smaller than that normally" and substituting in lieu thereof  
6 the words "as large as the largest type or lettering".

J. KENDALL LYNES.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 6, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend H. D. Temple, pastor of the First Methodist Church, Cedar Falls, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bekman for the day on account of the death of his father on request of Senator Zastrow; Senator Dykhouse for the day to attend the funeral of Senator Bekman's father on request of Senator Zastrow; Senator Watson of O'Brien for the day to attend the funeral of Senator Bekman's father on request of Senator Zastrow; Senator Miller for the day on request of Senator Vest.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Bateson from thirteen residents of Wright County favoring legislation prohibiting the advertising of beer in newspapers, radio and television.

By Senator Bellman from thirty residents of Warren County favoring proposed legislation relating to class "C" permits for the sale of beer.

By Senator Lucas from thirty-one residents of Story County favoring proposed legislation relating to class "C" permits for the sale of beer.

By Senator Nolan from one hundred twenty-one residents of Johnson County favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance.

By Senator Oltman from twenty-three residents of Humboldt County favoring proposed legislation relating to class "C" permits for the sale of beer.

By Senator O'Malley from one thousand five hundred eleven residents of Polk County in opposition to proposed legislation relating to class "C" permits for the sale of beer.

By Senator Scott from eighteen residents of Fayette County favoring proposed legislation relating to class "C" permits for the sale of beer.

By Senator Washburn from twenty-seven residents of Mills and Montgomery Counties favoring proposed legislation relating to class "C" permits for the sale of beer.

By Senator Whitehead from ten residents of Dallas County favoring legislation relating to class "C" permits for the sale of beer.

#### · PRESENTATION OF VISITORS ·

Senator Nolan asked and received unanimous consent to present to the Senate the Honorable Thomas E. Martin, Member of Congress from the First Congressional District, who was present in the Senate chamber. Congressman Martin addressed the Senate briefly.

Senator Dailey asked and received unanimous consent to present to the Senate Dr. Harry Kingham, Maurice E. Wright, Dean Bistline and Arthur W. Walsh, representatives of the Burlington and Des Moines County teachers association, who were present in the Senate chamber.

#### INTRODUCTION OF BILLS

Senate File 179, by Senator Watson of Pottawattamie, a bill for an act to amend section four hundred twenty-two point twenty-six (422.26), Code 1950, relative to the lien imposed in favor of the state upon all property and rights to property whether real or personal belonging to the taxpayer.

Read first and second times, and passed on file.

Senate File 180, by Senator Watson of Pottawattamie, a bill for an act to amend section four hundred fifty point three (450.3), Code 1950, relative to inheritance tax on property held jointly or as tenants in entirety.

Read first and second times, and passed on file.

Senate File 181, by committee on motor vehicles, a bill for an act relating to the origination of titles to motor vehicles, trailers and semi-trailers, the issuance and transfer of registration and certifi-

cate of title to the same, the recording of liens thereon and to amend and repeal various sections of the Code relating thereto.

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

Senate File 182, by Senators Bateson and Knudson, a bill for an act to amend sections two hundred eighty-five point eight (285.8) and three hundred twenty-one point three hundred seventy-six (321.376), Code 1950, relating to school bus transportation and drivers of such busses.

Read first and second times, and passed on file.

### THIRD READING OF BILLS

On motion of Senator Anderson, Senate File 28, 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 future administration of such assets, 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 action on Senate File 28 be deferred and that the bill be placed on the calendar under unfinished business.

On motion of Senator Anderson, Senate File 30, a bill for an act to amend section one hundred ninety point one (190.1), Code 1950, relating to the regulation of the manufacture and sale of ice milk, was taken up for consideration.

Senator Lynes asked and received unanimous consent that action on Senate File 30 be deferred and that the bill retain its place on the calendar.

### COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that, in accordance with House Concurrent Resolution 8 duly adopted, 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 Elthon presiding.

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

Senator Lynes 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 Lynes of Bremer on the part of the Senate, and Representatives Oberman of Des Moines and Kosek of Linn on the part of the House.

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

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

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

In presenting this budget message with the budget recommendations which are now in your hands, I want to reiterate the importance of confining governmental spending to funds available for these purposes, without increases in the sales or income taxes, or the levying of new taxes.

In my judgment, this is a major responsibility of this legislature in providing for the biennium beginning July 1, 1953, and in discharging this responsibility we will be rendering the greatest service possible to the people of our state.

Our finances are in sound condition and our state has an enviable record in maintaining balanced budgets, in restricting appropriations to currently available funds, or, to use a homey expression—in cutting our pattern to fit our cloth. We are in an economic period wherein it is very difficult to measure the impact of certain economic forces on the income of our state government. We are reassured by the fact that the fiscal policies of the new administration in Washington will be conducive to stability and sound progress.

Nevertheless, we must recognize that the inflationary forces which have had a direct effect on the income of state government, are softening, and while we are reassured by the knowledge that our state is in sound condition and that we have a high rate of employment and national income, we must recognize that it is important—yes, I will say imperative—that we exercise extreme caution during the ensuing two-year period.

Agriculture is our basic industry and has been adversely affected by the poor crop of 1951, which is reflected in the income of the year 1952, and also our great farm economy is struggling with the problem of continuing high costs of operation and a deterioration of price levels for products of the farm.

Agriculture, being the primary source of our basic wealth, when involved in economic difficulties, is not only affected itself, but its difficulties are reflected in all lines of business and services in our state. However, we should be reassured that basically we are strong, we have great potentials, tremendous productive power, an expanding economy, an increasing labor force; and out of all this flows the economic strength which reassures us in this hour of cautious judgment.

We must, in my judgment, discharge our responsibilities by providing for necessary and important functions of government as liberally as we can, recognizing the need and the importance of these operations, and at the same time, maintaining the overall financial strength of our state government.

From this premise, I have approached the problem of preparing this budget, and have worked studiously in cooperation with the comptroller and the various departments of state government in its preparation.

Referring to the budget recommendations for the biennium beginning July 1, 1953, the amounts recommended in this budget report will obligate the general fund in the amount of \$74,299,237 per annum, as compared with \$65,327,307.14 in the current biennium. Breaking this sum down into divisions, I recommend for the purpose of administration of State Departments the amount of \$10,354,352, as compared with \$9,379,117 during the present biennium—an increase of \$975,235 or 10.40 per cent.

These recommendations for the various administrative departments of state government include the amount necessary to pay the various salary brackets of the State Classification and Compensation Plan in effect on September 30, 1952, which have been placed in effect in accordance with the provisions of Senate File 2, Acts of the Fifty-fourth General Assembly.

For the first time in recent Iowa history, the state budget includes the amounts necessary to pay the positions indicated for each department. This accomplishment has been made possible through the use of an administrative system in connection with the classification and compensation plan, resulting in an actual computation for each position, which you will find included in this budget in summary form. During the current biennium, necessary salary adjustments for state employees have been made in accordance with the classification and compensation plan now in effect; however, there has been no provision or authority for salary adjustments to those holding the various statutory positions. I am recommending various increases for the fifty-two (52) statutory positions included in the appropriation acts in the amounts ranging from a low of \$300 annually to a maximum of \$1,000 annually for each of these positions.

#### BOARD OF CONTROL INSTITUTIONS

Recommendations for Board of Control institutions include the amount necessary to pay the various salary brackets in effect on October 30, 1952,

for the ensuing biennium. In addition, I have recommended that the professional staffs of the mental institutions be increased in order that better medical and professional care will be available to the individuals in need of this care and treatment.

These recommendations also provide for more attendants in the field of nursing and care. Screening centers have been established in our four Mental Health Institutes, and this increase in the professional staff and attendants will make it possible for us to enter another phase of development and improvement in the care of the mentally ill. I feel it is of utmost importance that we continue this program of progressive improvement. The expenditure is not only timely, but wise.

In the interests of security, these recommendations provide for more guards at the penal institutions. We also provided for expanded programs of vocational training in the training schools and the boys and girls institutions.

For the purposes of better budgetary control, I have recommended that the appropriation for repairs, replacements or alterations be made to include the amount necessary for equipment needed in these institutions.

The total amount recommended for Board of Control institutions is \$11,752,485, as compared with \$9,835,771.14 for each year of the current biennium. This is an annual increase of \$1,916,713.86 (19.49 per cent).

#### BOARD OF EDUCATION INSTITUTIONS

Recommended funds for support of the Board of Education institutions total \$23,924,900 per annum, as compared with \$20,809,919 in the current biennium, an annual increase of \$3,114,981 or 14.97 per cent.

#### SOCIAL WELFARE

Recommended appropriations for the State Board of Social Welfare, with standing appropriations, total \$17,520,000 as compared with \$17,210,000 for each year of the current biennium. This is an annual increase of \$310,000. This provides the additional \$135,000 needed annually to maintain the aid to blind program on its current basis. This also provides the additional \$125,000 annually to maintain the present case load for the aid to dependent children program. Eighty thousand dollars annually is also provided for the additional administration costs of the child welfare program.

Recommended appropriations of the Board of Social Welfare are based on askings of the State Board of Social Welfare for the biennium, and recommended in the amounts requested by them.

#### STATE AID TO SCHOOLS

For the aid to schools program, with standing appropriations, the total amount recommended is \$20,147,500, as compared to \$17,617,500 for each year of the current biennium.

This is an increase of \$2,530,000 annually (14.36 per cent), which restores the percentage established in the program in 1949; and including

the \$5,000,000 appropriation for Agricultural Land Credit and the \$200,000 for Vocational Educational Training aid, gives us a grand total of \$25,347,500.

The recommendations decrease supplemental aid by \$100,000 per year to the amount of \$1,900,000, which is estimated to be sufficient to pay this aid as provided by the statutes; and provide an increase of \$2,600,000 per year for general school aid, or a total of \$14,600,000 per year, which is estimated to be sufficient to pay general school aid as now provided by statute.

All of you are conscious of the problems during the current biennium which have grown out of the inflationary forces and have resulted in increased costs in many operations of state government. These increased costs are reflected in the budget which I have presented today.

Also, the experience of the past two years has demonstrated the desirability of expanding necessary services which likewise are reflected in the budget. May I mention just three instances.

I am recommending an increase of \$100,000 a year in the Soil Conservation appropriation, which is necessary, based on past experience, to carry forward this basic and very important program.

You will also observe an increase in the funds for the Natural Resources Council in the amount of \$35,000 a year, which bears relationship to the overall Soil Conservation and Natural Resources program carried on by the state.

The Natural Resources Council is now organized to undertake its primary work, and in the ensuing biennium it is important that they have the necessary support to complete the preliminary work in that period for the consummation of a state-wide, coordinated Soil Conservation and Natural Resources program.

Another instance is in the work of our Vocational Rehabilitation Division which has been outstanding, measured by results. This Division is rehabilitating approximately one thousand citizens of our state a year, and making it possible for them to be self-supporting and to experience the extreme satisfaction of being independent individuals. To reduce the backlog of handicapped individuals in our state it is very important that we expand this service with our present staff. I am sure that a study of the work of this Division will meet with your hearty approval.

Various other projects covered in the budget will be of interest to you. We will be happy to work with the various subcommittees of your appropriation committees and the membership in its entirety, in canvassing these matters.

The sum of all these recommendations, together with the standing appropriations of state government, gives us a total appropriation of \$117,304,237.

The net balance of the General Revenue Fund on July 1, 1952, was \$53,378,407.57. The estimated appropriable income for the fiscal year ending June 30, 1953, is \$106,165,180. This makes the total amount available in the sum of \$159,543,587.57, from which must be paid the total authorized appropriations for the fiscal year ending June 30, 1953, in the amount of \$122,641,157.48, less estimated reversions of \$4,638,793.51. This leaves a net appropriation liability ending June 30, 1953, of

\$118,002,363.97, which will provide an unencumbered balance on June 30, 1953, in the amount of \$41,541,223.60, which, together with the estimated income of \$223,197,040 for the next biennium will be sufficient to meet this budget and retain the thirty million dollar (\$30,000,000) general revenue special reserve fund intact.

Referring to capital improvements, I am pleased to report that there is no necessity for major capital improvements in buildings and facilities at the seat of government in Des Moines.

I recommend that the appropriation committees carefully canvass the situation with the Board of Control, Board of Education, and Conservation Commission, ascertaining their views and needs. I have visited with the chairmen of the appropriation committees of the House and Senate, who are canvassing the situation as to resources for this purpose, including unexpended balances which may be made available, after which I recommend that the appropriation committees develop a capital improvement program meeting the needs for the ensuing biennium.

I am conscious, as are you, of the great responsibility and problems involved in dealing with appropriation matters. It is a major responsibility of the General Assembly to continue the program of sound finances and wise spending in governmental matters. In my judgment, this is a sound budget, and will provide adequate support and maintain our program of sound budgets and good fiscal policy.

Fortunate, indeed, are we people of Iowa, that we have no colossal debt; that we are in a position to consider a budget which will meet our needs within the funds available, without the necessity of resorting to a state property tax, for we have the unique position in our state that we levy no state property tax and, as a result of this situation, we leave this broadest field of tax income for the cost of local government. It is highly desirable that this sound and fortunate situation be maintained in the future.

As on other occasions, I wish to assure you that, as Governor, I shall be pleased to work with you in your consideration of these recommendations. I should like also to speak for the comptroller and his able staff in this respect. The financial housekeeping, which is the work of making a budget and appropriations, is a first order of business in any stable and progressive government.

Let us dedicate our every effort to the purpose that we do the best work possible within our resources.

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

The minutes of the joint convention were read and approved.

Paul of Poweshiek moved that the joint convention be now dissolved.

Motion prevailed.

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

## THIRD READING OF BILLS

On motion of Senator Whitehead, Senate File 57, a bill for an act to amend section one hundred nine point seventy-four (109.74), Code 1950, relating to where the use of trot or throw lines is permitted, with report of committee recommending passage, was taken up, considered, and the report of the committee 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, 45:

Anderson	Hart	Nelson	Stuart of Lucas
Bateson	Hedin	Nesmith	Utzig
Bellman	Heideman	Nolan	Van Eaton
Berg	Johnson	Oltman	Vest
Boothby	Knudson	O'Malley	Walter
Byers	Larson	Prentis	Washburn
Clark	Linnevold	Risk	Watson of
Colburn	Lord	Sayre	Pottawattamie
Dailey	Lucas	Schoening	Weichman
Dewel	Lyns	Scott	Whitehead
Elijah	Molison	Stewart of	Zastrow
Grimstead	Myrland	Mahaska	

Nays, none.

Absent or not voting, 5:

Bekman	Fishbaugh	Watson of
Dykhousé	Miller	O'Brien

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 70, a bill for an act to amend sections one hundred forty-one point four (141.4) and one hundred forty-one point twelve (141.12), Code 1950, relating to the disposal of dead bodies and to provide for a record thereof, 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:

Anderson	Byers	Elijah	Johnson
Bateson	Clark	Grimstead	Knudson
Bellman	Colburn	Hart	Larson
Berg	Dailey	Hedin	Linnevold
Boothby	Dewel	Heideman	Lord

Lucas	Oltman	Stewart of	Washburn
Lynes	O'Malley	Mahaska	Watson of
Molison	Prentis	Stuart of Lucas	Pottawattamie
Myrland	Risk	Utzig	Weichman
Nelson	Sayre	Van Eaton	Whitehead
Nesmith	Schoening	Vest	Zastrow
Nolan	Scott	Walter	

Nays, none.

Absent or not voting, 5:

Bekman	Fishbaugh	Watson of
Dykhouse	Miller	O'Brien

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

On motion of Senator Lucas, Senate File 85, a bill for an act to amend sections three hundred seventeen point three (317.3) and three hundred seventeen point nineteen (317.19), Code 1950, relating to the funds to be used for the payment of weed commissioner, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Weichman offered the following committee amendment in accordance with the amendment filed by Senators Larson and Lucas and found on page 162 of the Senate Journal and moved its adoption:

Amend Senate File 85, section 2, by striking all of line 4 and substituting the following: "compensation of the weed commissioner and his deputies if any; and their necessary travel expenses."

The amendment was adopted.

Senator Larson asked and received unanimous consent to withdraw the amendment to Senate File 85, filed by Senators Larson and Lucas, and found on page 156 of the Senate Journal.

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

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

Ayes, 45:

Anderson	Hart	Nelson	Stuart of Lucas
Bateson	Hedin	Nesmith	Utzig
Bellman	Heideman	Nolan	Van Eaton
Berg	Johnson	Oltman	Vest
Boothby	Knudson	O'Malley	Walter
Byers	Larson	Prentis	Washburn
Clark	Linnevoid	Risk	Watson of
Colburn	Lord	Sayre	Pottawattamie
Dailey	Lucas	Schoening	Weichman
Dewel	Lynes	Scott	Whitehead
Elijah	Molison	Stewart of	Zastrow
Grimstead	Myrland	Mahaska	

Nays, none.

Absent or not voting, 5:

Bekman	Fishbaugh	Watson of
Dykhouse	Miller	O'Brien

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

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate amendments to and passed House File 80, a bill for an act relating to membership on the budget and financial control committee.

Also: 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 relating to fees of the clerk of the district court in settlement of estates.

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 compensation of petit jurors.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED

House File 60, a bill for an act to amend section six hundred six point fifteen (606.15), subsection twenty-nine (29), Code 1950, relating to fees of the clerk of the district court in settlement of estates.

Read first and second times, and passed on file.

House File 101, 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.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

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

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate File 82.

W. C. STUART, *Chairman Senate Committee.*

JOHN WALKER, *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 82.

## BILL SENT TO THE GOVERNOR

Senator Stuart of Lucas, from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 6th day of February, 1953, sent to the Governor for his approval: Senate File 82.

W. C. STUART, *Chairman.*

Passed on file.

## SENATE FILES 112 AND 113 RE-ASSIGNED

President Elthon announced that, under Senate Rule 21, Senate Files 112 and 113 are re-assigned to the committee on appropriations.

## ASSIGNMENT OF BILLS

President Elthon announced the assignment of the following bills to committee:

- S. F. 179 Judiciary 2
- S. F. 180 Judiciary 2
- S. F. 182 Schools and educational institutions
- H. F. 60 Judiciary 1
- H. F. 101 Judiciary 1

## AMENDMENTS FILED

- 1 1. Amend Senate File 2, section 4, line 14, by inserting
- 2 after the word "conspicuously" the following: "at the
- 3 entrance".
- 4 2. Further amend Senate File 2, section 4, by striking
- 5 line 17 and inserting in lieu thereof the following:
- 6 "and is printed on the menu in type".

HARRY E. WEICHMAN.

## RESIGNATION OF EMPLOYEE

Senator Dailey announced the resignation of his committee clerk, Lenore C. Nash, effective February 7, 1953.

## APPOINTMENT OF COMMITTEE CLERK

Senator Dailey announced the appointment of Hattie Coffee as his committee clerk.

On motion of Senator Zastrow, the Senate adjourned until 11:00 a.m., Monday, February 9, 1953.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 9, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend William Andre, pastor of the Methodist Church, Blockton, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Dykhouse from one hundred eighty-eight residents of Polk County favoring proposed legislation to provide for equal pay for equal work.

By Senator Linnevold from thirteen residents of Franklin County favoring proposed legislation relating to licensing of insurance agents.

By Senator Lord from one hundred eighty-nine residents of Polk County favoring proposed legislation to provide for equal pay for equal work.

By Senator Lynes from thirteen residents of Franklin County favoring proposed legislation relating to licensing of insurance agents.

By Senator Stuart of Lucas from thirteen residents of Lucas County favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance.

By Senator Zastrow from six residents of Chickasaw County in opposition to proposed legislation relating to the election of county assessors.

By the following Senators favoring the sale of colored oleomargarine and in opposition to a special tax on colored oleomargarine:

Senator Anderson from one hundred forty residents of Henry and Washington Counties.

Senator Bateson from two hundred forty-four residents of Hamilton and Hardin Counties.

Senator Bekman from one thousand nine hundred residents of Wapello County.

Senator Bellman from two hundred sixty-two residents of Clarke and Warren Counties.

Senator Boothby from one hundred thirty-five residents of Cherokee, Ida and Plymouth Counties.

Senator Byers from seven hundred thirteen residents of Linn County.

Senator Clark from two hundred sixty-seven residents of Appanoose and Davis Counties.

Senator Colburn from one hundred ninety residents of Cass and Shelby Counties.

Senator Dailey from nine hundred twenty-seven residents of Des Moines County.

Senator Dewel from two hundred ninety-six residents of Emmet, Kossuth and Palo Alto Counties.

Senator Fishbaugh from five hundred thirty-two residents of Fremont and Page Counties.

Senator Hart from nine hundred fifty-six residents of Lee County.

Senator Hedin from seven hundred fifty residents of Scott County.

Senator Heideman from six hundred nineteen residents of Calhoun and Webster Counties.

Senator Knudson from seven hundred eight residents of Cerro Gordo, Franklin and Hancock Counties.

Senator Lucas from four hundred sixty-eight residents of Boone and Story Counties.

Senator Miller from four hundred eighty-eight residents of Marion and Monroe Counties.

Senator Myrland from two hundred forty residents of Crawford, Harrison and Monona Counties.

Senator Nesmith from three hundred one residents of Jasper County.

Senator Nolan from three hundred forty-six residents of Iowa and Johnson Counties.

Senator Oltman from one hundred forty-two residents of Buena Vista, Humboldt and Pocahontas Counties.

Senator O'Malley from four thousand two hundred two residents of Polk County.

Senator Prentis from one hundred forty-eight residents of Decatur, Ringgold and Union Counties.

Senator Schoening from one thousand one hundred eighty-four residents of Clinton County.

Senator Stuart of Lucas from two hundred fifty-two residents of Lucas and Wayne Counties.

Senator Utzig from eight hundred forty residents of Dubuque County.

Senator Van Eaton from two thousand nine hundred thirty-eight residents of Woodbury County.

Senator Walter from two hundred twenty-one residents of Marshall County.

Senator Washburn from one hundred thirty-two residents of Mills and Montgomery Counties.

Senator Watson of Pottawattamie from one thousand three hundred sixty-one residents of Pottawattamie County.

Senator Weichman from four hundred twenty residents of Benton and Tama Counties.

Senator Whitehead from three hundred sixty-seven residents of Audubon, Dallas and Guthrie Counties.

Senator Zastrow from one hundred seventy-eight residents of Chickasaw and Floyd Counties.

By the following Senators in opposition to proposed legislation for the sale of colored oleomargarine:

Senator Dailey from ninety-three residents of Des Moines County.

Senator Dewel from twenty-three residents of Emmet, Kossuth and Palo Alto Counties.

Senator Grimstead from one hundred forty-two residents of Winnebago County.

Senator Heideman from fifty-two residents of Calhoun and Webster Counties.

Senator Risk from thirty-six residents of Buchanan County.

Senator Scott from one hundred residents of Allamakee County.

By the following Senators favoring proposed legislation relating to class "C" permits for the sale of beer:

Senator Anderson from ninety-one residents of Washington County.

Senator Bateson from seventy-five residents of Hamilton and Hardin Counties.

Senator Bellman from thirty-four residents of Warren County.

Senator Boothby from forty-seven residents of Plymouth County.

Senator Clark from nineteen residents of Davis County.

Senator Dewel from eighty-eight residents of Kossuth County.

Senator Elijah from one hundred eight residents of Cedar and Jackson Counties.

Senator Grimstead from forty-five residents of Worth County.

Senator Knudson from twenty-nine residents of Hancock County.

Senator Larson from one hundred two residents of Adams County.

Senator Lord from two hundred eighty-six residents of Louisa and Muscatine Counties.

Senator Lucas from ninety-six residents of Boone and Story Counties.

Senator Risk from thirty-eight residents of Buchanan and Delaware Counties.

Senator Scott from one hundred one residents of Fayette County.

Senator Stuart of Lucas from sixty residents of Lucas County.

Senator Van Eaton from ninety-five residents of Woodbury County.

Senator Walter from fifty-two residents of Marshall and Tama Counties.

Senator Washburn from thirty residents of Montgomery County.

Senator Watson of Pottawattamie from thirty-five residents of Pottawattamie County.

Senator Whitehead from thirty-one residents of Dallas County.

By the following Senators in opposition to proposed legislation relating to class "C" permits for the sale of beer:

Senator Johnson from thirty-six residents of Clayton County.

Senator O'Malley from eight hundred six residents of Polk County.

Senator Utzig from one hundred five residents of Dubuque County.

#### INTRODUCTION OF BILLS

Senate File 183, by Senator Van Eaton (Nelson of Woodbury), a bill for an act to amend section six hundred eighteen point thirteen (618.13), Code 1950, relating to the publication of district court dockets.

Read first and second times, and passed on file.

Senate File 184, by Senator Hedin, a bill for an act to amend chapter three hundred eighty-three (383), Code 1950, relating to municipal interstate bridges by adding a new section thereto authorizing the enlargement and reconstruction of such bridges and the issuance of revenue bonds to finance such enlargement and reconstruction.

Read first and second times, and passed on file.

#### PRESENTATION OF VISITORS

Senator Nolan asked and received unanimous consent to present to the Senate seventy-three residents of Iowa County, members of the Iowa County Home Extension Service, who were present in the balcony with their leader and director, Miss Alverta James, home economist of Iowa County. Also, Miss Mary Welch, president of

the Iowa County Education Association, and Larry Mullnix, student winner of the essay contest to "Get Out the Vote" in the 1952 primary election.

#### MESSAGES FROM 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 50, a bill for an act legalizing the special election and proceedings relating to issuance and sale of public hospital bonds by Keokuk County, Iowa.

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

Senate File 118, a bill for an act relating to municipal flood control systems.

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 fees of justice.

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

House File 119, a bill for an act extending the limitation period of examination of individual income tax returns.

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

House File 120, a bill for an act relating to constable's mileage.

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 annual tax for juvenile home.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED

House File 78, a bill for an act to amend sections three hundred thirty-seven point twelve (337.12), six hundred one point one hundred twenty-eight (601.128) and six hundred one point one hundred thirty (601.130), Code 1950, relating to fees of justice.

Read first and second times, and passed on file.

House File 119, a bill for an act to amend subsection one (1) of section four hundred twenty-two point twenty-five (422.25), Code 1950, extending the limitation period of examination of individual income tax returns and determination of the correct tax from the period of two (2) years to the period of three (3) years.

Read first and second times, and passed on file.

House File 120, a bill for an act to amend section six hundred one point one hundred twenty-nine (601.129), Code 1950, relating to constable's mileage.

Read first and second times, and passed on file.

House File 130, 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 passed on file.

#### UNFINISHED BUSINESS

On motion of Senator Lynes, Senate File 28, 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, was taken up for further consideration.

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, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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

### THIRD READING OF BILLS

On motion of Senator Walter, Senate File 155, a bill for an act to repeal chapter twenty-nine (29), Code 1950 (Military Code of Iowa), and to enact a substitute therefor, was taken up and considered.

Senator Walter asked and received unanimous consent that Brigadier General Fred C. Tandy, Adjutant General of Iowa, be permitted to explain the contents of Senate File 155 to the Senate.

Senator Vest asked and received unanimous consent that action on Senate File 155 be deferred and that the bill be placed on the calendar under unfinished business.

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

### AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

### THIRD READING OF BILLS

On motion of Senator Bekman, Senate File 160, a bill for an act to amend section five hundred eight point twenty-nine (508.29), Code 1950, relating to the authority of life insurance companies to write insurance other than life, 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, 48:

Anderson	Grimstead	Myrland	Stuart of Lucas
Batson	Hart	Nelson	Van Eaton
Bekman	Hedin	Nesmith	Vest
Bellman	Heideman	Nolan	Walter
Berg	Johnson	Oltman	Washburn
Byers	Knudson	O'Malley	Watson of
Clark	Larson	Prentis	O'Brien
Colburn	Linnevold	Risk	Watson of
Dailey	Lord	Sayre	Pottawattamie
Dewel	Lucas	Schoening	Weichman
Dykhouse	Lynes	Scott	Whitehead
Elijah	Miller	Stewart of	Zastrow
Fishbaugh	Molison	Mahaska	

Nays, none.

Absent or not voting, 2:

Boothby                      Utzig

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 Whitehead, Senate File 27, a bill for an act to amend chapter one hundred seventeen (117), Code 1950, relating to brokers commission for the sale of land, 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 27 as follows: Strike all after the enacting clause and insert in lieu thereof the following:

“Section 1. Chapter one hundred seventeen (117), Code 1950, is amended by adding thereto the following new section:

“All agreements for the payment of a commission or compensation for obtaining a purchaser for the real estate of another shall be in writing, signed by the owner or by his authorized agent.”

Senator Whitehead asked and received unanimous consent that action on Senate File 27 be deferred and that the bill be placed on the calendar under unfinished business.

On motion of Senator Watson of Pottawattamie, Senate File 40, a bill for an act to amend section one hundred sixteen point six (116.6), Code 1950, and sections one hundred sixteen point eleven (116.11) and one hundred sixteen point eighteen (116.18), Code 1950, relating to the definition and financial responsibility of accountants and providing for a permanent injunction for violations, 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 40 by striking from section 3, line 6, the word “shall” and inserting in lieu thereof the word “may”.

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, 49:**

Anderson	Fishbaugh	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow

Nays, none.

Absent or not voting, 1:

Grimstead

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.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Stuart of Lucas, 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 30.

W. C. STUART, *Chairman Senate Committee.*

JOHN A. WALKER, *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 30.

#### BILLS INDEFINITELY POSTPONED

The Secretary of the Senate announced the following bills indefinitely postponed under Senate Rule 36:

Senate File 56, relating to hunting from aircraft.

Senate File 93, relating to "Iowa Poetry Day".

#### ASSIGNMENT OF BILLS

President Elthon announced the assignment of the following bills to committee:

- S. F. 14 Appropriations (Under Senate Rule 21)
- S. F. 183 Judiciary 2
- S. F. 184 Cities and towns
- H. F. 119 Judiciary 2
- H. F. 120 Compensation of public officers and employees
- H. F. 130 Judiciary 1

#### RESIGNATION OF EMPLOYEE

President Elthon announced the resignation of Mrs. Ivene Nelson as his secretary.

#### APPOINTMENT OF EMPLOYEE

President Elthon announced the appointment of Sylvia Elthon as his secretary.

#### REPORTS OF COMMITTEES

Senator Walter submitted the following report:

MR. PRESIDENT: Your committee on military affairs, to which was referred **Senate File 14**, a bill for an act to authorize the state board of control to construct a building equipped for the care of the infirm, of not less than two hundred fifty (250) bed capacity at the Iowa Soldiers' Home, and appropriate money therefor, begs leave to report it has had the same under consideration and recommends that the same **do pass**.

W. ELDON WALTER, *Chairman*.

Ordered passed on file.

Senator Bateson submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred **House File 176**, a bill for an act relating to screening centers for psychiatric treatment of insane persons, 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 Van Eaton submitted the following report:

MR. PRESIDENT: Your committee on cities and towns, to which was referred **Senate File 105**, a bill for an act to amend section four hundred ten point eighteen (410.18), Code 1950, relating to hospital, nursing and medical expense for members of the police and fire departments, 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.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred **Senate File 146**, a bill for an act to amend section three hundred

twenty-one point three hundred twenty-eight (321.328), Code 1950, relating to pedestrian use of streets, 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 146 filed by Senator Hedin and found on page 180 of the Senate Journal, which is as follows; **and when so amended the bill do pass:**

Amend Senate File 146 by striking all of section 1 and inserting in lieu thereof the following: "Section 1. Amend section three hundred twenty-one point three hundred twenty-eight (321.328), Code 1950, by striking the period at the end of the sentence in line five thereof and adding thereto the following: 'except that cities and towns may restrict such a crossing by ordinance'."

CHARLES S. VAN EATON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred **House File 17**, a bill for an act 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.**

CHARLES S. VAN EATON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred **House File 31**, a bill for an act to amend sections three hundred twenty-one point two hundred thirty-six (321.236) and three hundred eighty-nine point thirty-nine (389.39), Code 1950, relating to the powers of local authorities to regulate the use of bicycles, 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 Vest submitted the following report:

MR. PRESIDENT: Your committee on compensation of public officers and employees, to which was referred **Senate File 58**, a bill for an act to amend section six hundred one point one hundred twenty-nine (601.129), Code 1950, relating to constable's mileage, begs leave to report it has had the same under consideration and recommends the same **do pass.**

ALAN VEST, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers and employees, to which was referred **Senate File 59**, 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 the same under consideration and recommends the same **do pass.**

ALAN VEST, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers and employees, to which was referred **House File 55**, 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, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ALAN VEST, *Chairman*.

Ordered passed on file.

#### AMENDMENTS FILED

- 1 Amend Senate File 1 by striking all after the
- 2 enacting clause and inserting in lieu thereof the
- 3 following: "Section 1. Insert after the second comma
- 4 in line five (5) of section one hundred ninety-four point one
- 5 (194.1), Code 1950, 'except upon uncolored oleomargarine,'"

D. C. NOLAN.

JAY C. COLBURN.

W. C. MOLISON.

- 1 Amend Senate File 2 by striking from line 24
- 2 of section 4 the words "triangular in shape" and inserting
- 3 in lieu thereof the words "in the form of a triangle or a round
- 4 patty".

LAURENCE M. BOOTHBY.

- 1 Amend Senate File 2 as follows:
- 2 1. By inserting after line 7, section 3, the following:
- 3 "the entire surface of each pound or fractional unit thereof
- 4 shall be molded in a mold with a screen surface to provide a
- 5 distinguishing one-eighth inch screen pattern thereon;".
- 6 2. Further amend Senate File 2 by adding a new section
- 7 following section 3 and renumbering the following sections:
- 8 "Amend section one hundred ninety-two point thirty-one
- 9 (192.31), Code 1950, by inserting after the word 'sold' in
- 10 line 2 the following: 'only when the entire surface of each
- 11 pound or fractional unit thereof shall be molded in a mold
- 12 with a screen surface to provide a distinguishing one-eighth
- 13 inch pattern imprint thereon, and '."

CARL T. ANDERSON.

- 1 Amend Senate File 2 by striking the period at
- 2 the end of line 24 of section 3 thereof and
- 3 substituting in lieu thereof the following: "providing
- 4 however that in no case shall said oleomargarine
- 5 or margarine have less than eighty per cent (80%) fat
- 6 content and of which fat content at least eighty per
- 7 cent (80%) thereof is soybean oil."

R. W. ZASTROW.

1 Amend Senate File 2 by adding thereto the  
2 following:

3 "The department of agriculture may prescribe  
4 and establish standards for oleomargarine or margarine  
5 manufactured or sold in this state and may adopt the  
6 standards set up by now existing regulations of the  
7 Federal Security Administration as found in 1949,  
8 Code of federal regulations, title 21, part 45,  
9 section 45.0, except that there shall not be used in  
10 the manufacture of oleomargarine or margarine any  
11 cream, milk, skim milk, or milk fat, or any dried milk,  
12 or dried skim milk, or buttermilk or dried buttermilk."

R. W. ZASTROW.

1 Amend Senate File 2 by adding a paragraph  
2 thereto reading as follows: "No person, by himself,  
3 or agent, shall, by any means whatever, directly or  
4 indirectly, advertise or represent by statement,  
5 printing, writing, circular, poster, design, device,  
6 grade designation, advertisement, symbol, sound, or any  
7 combination thereof, that oleomargarine or margarine,  
8 or any brand of oleomargarine or margarine, is a dairy  
9 product for the purpose of inducing or which is likely  
10 to induce, directly or indirectly, the purchase for  
11 consumption of oleomargarine or margarine, or any brand  
12 thereof. Whoever shall violate this provision shall be  
13 deemed guilty of a misdemeanor."

R. W. ZASTROW.

1 Amend Senate File 2 by adding a paragraph  
2 thereto which reads as follows: "The provisions  
3 of this act are hereby made a part of title 10, Code  
4 1950. It shall be the duty of the  
5 secretary of agriculture and his agents to enforce  
6 this chapter and of the county attorneys and of the  
7 attorney general of the state to cooperate with him  
8 in the enforcement of this chapter."

R. W. ZASTROW.

1 Amend Senate File 2 by adding at the end of line 7,  
2 section 3, the following: "Such oleomargarine or margarine  
3 is in separately wrapped triangular forms weighing one-  
4 fourth pound;".

EARL C. FISHBAUGH, JR.

1 Amend Senate File 2 by striking from line 8 of section 3  
2 the semi-colon (;) and by adding in lieu thereof "in a package  
3 that is in the shape of a right prism with triangular base."

J. KENDALL LYNES.

1 Amend Senate File 2 by adding a paragraph reading as follows:  
2 "The department of agriculture, through the secretary, shall

3 have the power and it shall be its duty to:

4 "1. Investigate, inspect and supervise the sale and exposure  
5 for sale of oleomargarine for home consumption.

6 "2. Investigate, inspect and supervise the sale and serving  
7 in public eating places of oleomargarine.

8 "3. Make and enforce reasonable rules and regulations  
9 implementing the provisions of this chapter relating to the  
10 manufacture, production and sale of oleomargarine.

11 "4. To enforce the provisions of this chapter.

12 "5. To revoke any license issued under chapter 170, Code of  
13 Iowa, for violation of any of the provisions of this chapter.

14 Nothing contained in this section shall be deemed or construed  
15 to limit in any way the effect of any other provision of this  
16 chapter or of title X, Code of 1950, conferring a power or  
17 imposing a duty upon the department of agriculture or the  
18 secretary of agriculture."

J. KENDALL LYNES.

1 Amend Senate File 2 by adding a new section to read as  
2 follows: "No individual, no partnership, association, corporation,  
3 or any other entity or organization individually or by agent or  
4 servant shall by any means whatever, either directly or indirectly,  
5 advertise or represent by statement, printing, writing, circular,  
6 poster, word, design, device, grade designation, symbol, sound,  
7 or any combination thereof that oleomargarine or margarine or any  
8 brand of oleomargarine or margarine is a dairy product for the  
9 purpose of inducing, or which is likely to induce, directly or  
10 indirectly, the purchase and consumption of oleomargarine or  
11 margarine or any brand thereof."

J. KENDALL LYNES.

1 Amend Senate File 2 by striking from line 18 of section 3  
2 the period (.) at the end of the line and substituting a semi-  
3 colon (;) and by adding after said semi-colon the word "and"  
4 and by adding after line 18, as so amended, a new subparagraph  
5 reading as follows: "the said package and any labels, printing,  
6 pictures, trade-marks, trade-names, symbols, devices or  
7 representations thereon is or are printed or shown in a color  
8 or colors other than yellow or any shade thereof in semblance  
9 of the color of butter."

J. KENDALL LYNES.

1 Amend Senate File 7 by adding the following new sections:

2 1. "Section two hundred four point one (204.1), Code  
3 1950, is hereby amended by striking all of subsection  
4 fifteen (15) and inserting in lieu thereof the following:

5 "15. 'Narcotic drugs' means coca leaves, opium, cannabis,  
6 isonipecaïne, amidone, isoamidone, keto-bemidone, and every  
7 other substance neither chemically nor physically distinguishable  
8 from them or any other drugs to which the federal laws relat-  
9 ing to narcotic drugs may now apply."

10 2. "Section two hundred four point one (204.1) Code

11 1950, is hereby amended by adding the following new sub-  
12 sections:

13 "21. 'Amidone' means any substance identified chemically  
14 as 4, 4-diphenyl-6-dimethylamino-heptanone-3, or any salt  
15 thereof, by whatever trade name designated.

16 "22. 'Isoamidone' means any substance identified chemically  
17 as 4, 4-diphenyl-5-methyl-6-dimethylamino-hexanone-3, or any  
18 salt thereof, by whatever trade name designated.

19 "23. 'Keto-bemidone' means any substance identified  
20 chemically as 4-(3-hydroxyphenyl)-1-methyl-4-piperidyl ethyl  
21 ketone hydrochloride, or any salt thereof, by whatever trade  
22 name designated."

THOMAS J. DAILEY.

1 Amend the title to Senate File 18 as follows:

2 1. Strike from line 1 all after the word "act" and insert in  
3 lieu thereof the following:

4 "to amend sections one hundred nine point thirty-eight (109.38),  
5 one hundred nine point forty-eight (109.48), one hundred nine point  
6 seven (109.87) and one hundred ten point one (110.1) Code 1950,  
7 relating  
8 game birds and animals including deer, and authorizing the conserva-  
9 tion  
10 commission, under certain conditions, to limit the methods by which  
11 fish, game  
12 and fur-bearing animals may be taken."

J. T. DYKKOUSE.

JAY C. COLBURN.

1 Amend Senate File 133 by striking section 2 and  
2 inserting in lieu thereof the following:

3 "Sec. 2. Section three hundred twenty-four point sixty-three  
4 (324.63), Code 1950, is hereby amended by striking all of said  
5 section and substituting in lieu thereof the following:

6 "The net proceeds from the license fees and penalties  
7 collected under the provisions of this chapter shall be credited  
8 to the road use tax fund as set out in section 308A.2.'"

X. T. PRENTIS.

1 Amend Senate File 159 by striking the period (.)  
2 after the word "dollars" in line 10 thereof, and  
3 adding the following: ", except that additional  
4 insurance without medical examination may be issued in  
5 an amount not to exceed ten thousand dollars subsequent  
6 to the issuance of any policy on said life after medical  
7 examination."

E. K. BEKMAN.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 10, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend W. H. Slack, retired pastor of the Methodist Church, Des Moines, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By the following Senators favoring proposed legislation for the sale of colored oleomargarine:

Senator Colburn from twenty-nine residents of Cass County.

Senator Miller from nineteen residents of Marion County.

By the following Senators in opposition to proposed legislation for the sale of colored oleomargarine.

Senator Dykhouse from thirty-six residents of Lyon County.

Senator Oltman from one hundred sixty residents of Pocahontas County.

By the following Senators favoring proposed legislation relating to class "C" permits for the sale of beer:

Senator Anderson from nine residents of Washington County.

Senator Bateson from one hundred fifty-nine residents of Hamilton and Wright Counties.

Senator Bellman from one hundred eight residents of Clarke and Warren Counties.

Senator Boothby from twenty-seven residents of Plymouth County.

Senator Byers from one hundred two residents of Linn County.

Senator Clark from forty-seven residents of Davis County.

Senator Dykhouse from one hundred twenty-three residents of Lyon, Osceola and Sioux Counties.

Senator Elijah from two hundred ninety residents of Jackson and Jones Counties.

Senator Grimstead from sixty-four residents of Worth County.

Senator Heideman from twenty-six residents of Calhoun County.

Senator Johnson from eighty-six residents of Allamakee and Clayton Counties.

Senator Knudson from thirty-six residents of Cerro Gordo County.

Senator Larson from one hundred sixteen residents of Adams and Taylor Counties.

Senator Linnevold from eighty-eight residents of Howard and Winneshiek Counties.

Senator Lord from two hundred seventy-five residents of Muscatine County.

Senator Lucas from three hundred twenty residents of Boone and Story Counties.

Senator Miller from one hundred seventy-four residents of Marion County.

Senator Molison from forty-one residents of Poweshiek County.

Senator Myrland from eighty-one residents of Crawford and Harrison Counties.

Senator Nelson from fifty-two residents of Jefferson County.

Senator Nesmith from three hundred eleven residents of Jasper County.

Senator Oltman from one hundred eight residents of Humboldt and Pocahontas Counties.

Senator O'Malley from two hundred eight residents of Polk County.

Senator Prentis from eleven residents of Union County.

Senator Schoening from twenty residents of Clinton County.

Senator Scott from sixty-four residents of Fayette County.

Senator Stuart of Lucas from forty-two residents of Lucas County.

Senator Utzig from forty-four residents of Dubuque County.

Senator Van Eaton from forty residents of Woodbury County.

Senator Walter from two hundred seventy-three residents of Marshall County.

Senator Washburn from three hundred forty-eight residents of Montgomery County.

Senator Weichman from two hundred residents of Benton and Tama Counties.

Senator Whitehead from three hundred one residents of Dallas County.

By Senator O'Malley from four hundred seventy-four residents of Polk County in opposition to proposed legislation relating to class "C" permits for the sale of beer.

#### INTRODUCTION OF BILLS

Senate File 185, by committee on board of control, a bill for an act to amend sections two hundred twenty-two point forty-one (222.41), two hundred twenty-two point forty-nine (222.49) and two hundred twenty-three point fourteen (223.14), Code 1950, relating to the liability for cost of commitment and support and maintenance of patients in the Woodward state hospital and school and Glenwood state school.

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

Senate File 186, by committee on board of control, a bill for an act relating to the county's liability for and right of recovery of costs and expenses attending the arrest, investigation and hearing for a patient ordered to a screening center by a county commission of insanity; to the personal liability for the support of a patient ordered to a screening center; to the liability of the county of legal settlement or the state for such a patient's support and to right to recover from those personally liable for such support.

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

Senate File 187, by Senators Washburn and Fishbaugh (Turner of Mills and Bloedel), 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 file.

Senate File 188, by committee on cities and towns, a bill for an act to repeal section three hundred ninety-eight point twelve (398.12), Code 1950, and to enact a new section in lieu thereof and to amend section three hundred ninety-nine point thirty-two (399.32) and to interpret section three hundred ninety-nine point fourteen (399.14), Code 1950, relating to municipal waterworks in certain cities, and to validate certain municipal proceedings in relation thereto.

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

Senate File 189, by Senators Prentis, Sayre, Heideman and Bellman, 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 190, by Senator Hedin, a bill for an act to amend sections four hundred twenty point fourteen (420.14) and four hundred twenty point fifteen (420.15), Code 1950, relating to salaries of certain city officials.

Read first and second times, and passed on file.

#### ANNOUNCEMENT

**MR. PRESIDENT AND MEMBERS OF THE SENATE:** In behalf of my family I wish to express sincere thanks for the beautiful floral tribute in honor of my father at the time of his passing.

He had often visited the Iowa Senate, held a keen interest in legislative procedure and had high regard for the members of the Senate.

The presence of the committee, representing the Senate, at the funeral was profoundly appreciated.

Sincerely,  
ELMER K. BEKMAN.

Senator Dewel moved that a committee of one be appointed by the President of the Senate to cooperate with the state printing board in securing suitable photographs for use in the Iowa Official Register.

The motion prevailed and President Elthon appointed as such committee Senator Dewel.

#### MESSAGES FROM 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 32, a bill for an act relating to actions against nonresidents.

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

Senate File 62, a bill for an act relating to building and loan associations.

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

Senate File 74, a bill for an act relating to reapportionment of unused farm-to-market road funds.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 130, a bill for an act relating to nonresident owners of motor vehicles operated on the highways of this state.

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

Senate File 135, a bill for an act relating to ferries in special charter cities.

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 allocations of the road use tax fund.

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

House File 8, a bill for an act providing that public school employees handling money accruing from school activities furnish bond to school corporation.

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

House File 202, a bill for an act relating to definitions of highway systems of state.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE 32

Amend Senate File 32, section one (1), by inserting after the word "by" and before the word "adding" in line two (2) thereof the following:

"Striking from lines one (1), two (2) and three (3) thereof the words 'The use and operation of a motor vehicle in this state on the public highways thereof by a person who is a nonresident of this state' and inserting in lieu thereof the following: 'The acceptance by any nonresident of this state of the privileges extended by the laws of this state to nonresident operators or owners of operating a motor vehicle, or having the same operated, within this state' and by".

#### HOUSE AMENDMENT TO SENATE FILE 130

Amend Senate File 130 by adding a new section as follows:

"Sec. 4. A nonresident owner, except as provided in sections three hundred twenty-one point fifty-four (321.54), three hundred twenty-one point fifty-five (321.55) and three hundred twenty-one point fifty-six (321.56), Code 1950, of a private passenger motor vehicle, not operated

for hire, may operate or permit the operation of such vehicle within this state without registering such vehicle in, or paying any fees to, this state subject to the condition that such vehicle at all times when operated in this state is duly registered in, and displays upon it a valid registration plate or plates issued for such vehicle in the place of residence of such owner. A nonresident who leases a vehicle from a resident owner shall not be considered a nonresident owner of such vehicle for the purpose of exemption under this section. This section shall be operative to the extent that under the laws of the foreign country, state, territory, or federal district of such nonresident owner's residence like exemptions and privileges are granted to vehicles registered under the laws, and owned by residents, of this state."

Further amend Senate File 130 by adding at the end of line five (5) of section three (3) the words "and as provided in section four (4) of this act."

#### HOUSE MESSAGES CONSIDERED

House File 8, 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 school corporation.

Read first and second times, and passed on file.

House File 200, a bill for an act to amend section three hundred eight A point two (308A.2), Code 1950, relating to allocation of the road use tax fund.

Read first and second times, and passed on file.

House File 202, a bill for an act to amend section three hundred thirteen point two (313.2), Code 1950, relating to definitions of highway systems of state.

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 the members of the eighth grade class of the West Independent School who were present in the balcony with their instructor, Mrs. Brightwell.

Senator Nesmith asked and received unanimous consent to present to the Senate fifty members of the social problems and business law classes of the Colfax High School who were present in the balcony with their principal, D. K. Moberly.

Senator Molison asked and received unanimous consent to present to the Senate twenty-five members of the Iowa Council for Better Education, now meeting in Des Moines, who were present in the balcony.

Senator Walter asked and received unanimous consent to present to the Senate twenty-six members of the United States history class of the Melbourne High School who were present in the balcony with their instructor, Esther Luthe.

Senator Zastrow asked and received unanimous consent to present to the Senate five students of a rural school of Floyd County who were present in the balcony, accompanied by Virginia Froscht.

Senator Bellman asked and received unanimous consent to present to the Senate forty-two members of the Liberty Center Consolidated School who were present in the balcony with their principal, Charles O. Tomlinson.

Senator Sayre asked and received unanimous consent to present to the Senate sixty-four members of the history and world problems classes of the Greenfield Independent High School who were present in the balcony with their instructors.

Senator Lucas asked and received unanimous consent to present to the Senate twenty-two members of the Boone County Farm Bureau who were present in the balcony.

#### SPECIAL ORDER

The hour of 10:30 a.m., having arrived, President Elthon announced the special order for the consideration of Senate File 2.

#### THIRD READING OF BILLS

On motion of Senator Watson of Pottawattamie, Senate File 2, a bill for an act to amend sections one hundred ninety point one (190.1), one hundred ninety point six (190.6), one hundred ninety-one point two (191.2) and one hundred ninety-one point three (191.3), Code 1950, relating to imitation butter and the sale and labeling thereof, and to repeal section one hundred ninety-two point thirty-two (192.32), Code 1950, relating to the use of imitations of butter in certain state institutions, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Watson of Pottawattamie offered the following amendments and moved their adoption:

Amend Senate File 2 as follows:

1. Strike the word and figure "two (2)" in line 2 of section 2 and insert the word and figure "one (1)".
2. Strike the word and figure "four (4)" in line 5 of said section and substitute the word and figure "three (3)".
3. Strike the word and figure "seven (7)" in line 8 of said section and substitute the word and figure "six (6)".
4. Insert in section 9, line 2, following the second comma in said line, the following: "and as amended by section five (5), chapter ninety-three (93), Fifty-fourth (54th) General Assembly."

The amendments were adopted.

Senator Anderson offered the following amendment and moved the adoption of division 1 of the amendment:

Amend Senate File 2 as follows:

1. By inserting after line 7, section 3, the following: "the entire surface of each pound or fractional unit thereof shall be molded in a mold with a screen surface to provide a distinguishing one-eighth inch screen pattern thereon;"
2. Further amend Senate File 2 by adding a new section following section 3 and renumbering the following sections:  
"Amend section one hundred ninety-two point thirty-one (192.31), Code 1950, by inserting after the word 'sold' in line 2 the following: 'only when the entire surface of each pound or fractional unit thereof shall be molded in a mold with a screen surface to provide a distinguishing one-eighth inch pattern imprint thereon, and'."

Senator Lynes offered the following amendment to division 1 of the amendment and moved its adoption:

Amend the amendment by inserting before the word "the" in line 3 the following: "when served in public eating places".

The amendment to the amendment was adopted.

Senator Anderson moved the adoption of division 1 of the amendment as amended.

Division was called for.

Division 1 of the amendment as amended was adopted.

Senator Fishbaugh offered the following amendment:

Amend Senate File 2 by adding at the end of line 7, section 3, the following: "Such oleomargarine or margarine is in separately wrapped triangular forms weighing one-fourth pound;"

Senator Fishbaugh asked unanimous consent to amend the amendment as follows:

Amend the amendment by inserting after the word "forms" in line 3 the following "in the shape of a right prism with triangular base".

Objection was raised.

Senator Fishbaugh moved the adoption of the amendment to the amendment which motion prevailed and the amendment to the amendment was adopted.

On motion of Senator Fishbaugh, the amendment as amended was adopted.

Senator Lynes asked and received unanimous consent to withdraw amendment 1 filed by him to Senate File 2 and found on page 241 of the Senate Journal.

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

#### AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

The Senate resumed consideration of Senate File 2.

Senator Lynes offered the following amendment and moved its adoption:

Amend Senate File 2 by striking from line 18 of section 3 the period (.) at the end of the line and substituting a semicolon (;) and by adding after said semicolon the word "and" and by adding after line 18, as so amended, a new subparagraph reading as follows: "the said package and any labels, printing, pictures, trade-marks, trade-names, symbols, devices or representations thereon is or are printed or shown in a color or colors other than yellow or any shade thereof in semblance of the color of butter."

The amendment was lost.

Senator Zastrow offered the following amendment and moved its adoption:

Amend Senate File 2 by striking the period at the end of line 24 of section 3 thereof and substituting in lieu thereof the following: "providing however that in no case shall said oleomargarine or margarine have less than eighty per cent (80%) fat content and of which fat content at least eighty per cent (80%) thereof is soybean oil."

The amendment was lost.

Senator Anderson asked and received unanimous consent to withdraw division 2 of his amendment.

Senator Weichman offered the following amendment and moved the adoption of division 1.

1. Amend Senate File 2, section 4, line 14, by inserting after the word "conspicuously" the following: "at the entrance".

2. Further amend Senate File 2, section 4, by striking line 17 and inserting in lieu thereof the following: "and is printed on the menu in type".

The motion prevailed and division 1 of the amendment was adopted.

On motion of Senator Weichman, division 2 of the amendment was adopted.

Senator Lynes offered the following amendment:

Amend Senate File 2 as follows:

1. By striking from line 17, section 4, the first "or" and substituting in lieu thereof the word "and".

2. By striking from line 18, section 4, the words "not smaller than that normally" and substituting in lieu thereof the words "as large as the largest type or lettering".

Senator Lynes asked and received unanimous consent to withdraw division 1 of the amendment.

On motion of Senator Lynes, division 2 of the amendment was adopted.

Senator Boothy asked and received unanimous consent to withdraw the amendment filed by him to Senate File 2 and found on page 240 of the Senate Journal.

Senator Stuart of Lucas offered the following amendment:

Amend Senate File 2 as follows:

1. By adding to section 4 thereof, after line 24, the following:

"If more than one serving is placed upon one plate it shall be so placed as to clearly show its triangular form."

2. By adding the following section:

"Penalty. Any person violating any provision of section one hundred ninety-one point three (191.3) shall upon conviction or plea of guilty be punished, for the first offense by a fine of \$100; for the second offense by a fine of \$300; for the third offense by a fine of \$500 and the suspension for one year of all licenses issued by the State of Iowa for the public eating place in which said violation occurred.", and renumbering the following sections.

Senator Stuart asked and received unanimous consent to withdraw division 1 of the amendment.

On motion of Senator Stuart of Lucas, division 2 of the amendment was adopted.

Senator Weichman offered the following amendment:

Amend Senate File 2 by adding after section 5 a new section 5A to read as follows:

"Sec. 5A. There is hereby appropriated annually from the general fund of the state, not otherwise appropriated, the sum of five hundred thousand dollars (\$500,000) for the enforcement of this act."

Senator Watson of Pottawattamie raised a point of order for the reason that the amendment filed by Senator Weichman was not germane to the main bill.

The chair ruled the point not well taken and the amendment in order.

Senator Weichman offered the following amendment to the amendment and moved its adoption:

Amend the amendment by inserting following "(\$500,000)" the following: "or so much thereof as may be necessary".

Division was called for.

The amendment to the amendment was lost.

Senator Utzig 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, 10:			
Bellman	Knudson	Scott	Weichman
Heideman	Lucas	Utzig	Zastrow
Johnson	Lynes		
Nays, 37:			
Anderson	Fishbaugh	Nelson	Stuart of Lucas
Bateson	Grimstead	Nesmith	Van Eaton
Bekman	Hart	Nolan	Vest
Byers	Hedin	Oltman	Walter
Clark	Larson	O'Malley	Washburn
Colburn	Linnevold	Prentis	Watson of
Dailey	Lord	Sayre	O'Brien
Dewel	Miller	Schoening	Watson of
Dykhoush	Molison	Stewart of	Pottawattamie
Elijah	Myrland	Mahaska	Whitehead

Absent or not voting, 3:

Berg                      Boothby                      Risk

The amendment was lost.

Senator Zastrow offered the following amendment and moved its adoption:

Amend Senate File 2 by adding a section thereto reading as follows: "No person, by himself, or agent, shall, by any means whatever, directly or indirectly, advertise or represent by statement, printing, writing, circular, poster, design, device, grade designation, advertisement, symbol, sound, or any combination thereof, that oleomargarine or margarine, or any brand of oleomargarine or margarine, is a dairy product for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase for consumption of oleomargarine or margarine, or any brand thereof. Whoever shall violate this provision shall be deemed guilty of a misdemeanor."

The motion prevailed and the amendment was adopted.

Senator Zastrow offered the following amendment:

Amend Senate File 2 by adding thereto the following:

"The department of agriculture may prescribe and establish standards for oleomargarine or margarine manufactured or sold in this state and may adopt the standards set up by now existing regulations of the Federal Security Administration as found in 1949, Code of federal regulations, title 21, part 45, section 45.0, except that there shall not be used in the manufacture of oleomargarine or margarine any cream, milk, skim milk, or milk fat, or any dried milk, or dried skim milk, or buttermilk or dried buttermilk."

Senator Zastrow offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking the comma (,) in line 9 and inserting in lieu thereof a period (.) and by striking the balance of the amendment.

The amendment to the amendment was adopted.

On motion of Senator Zastrow, the amendment as amended was adopted.

Senator Lynes asked and received unanimous consent to withdraw amendments two and three of the amendments filed by him to Senate File 2 and found on pages 241 and 242 of the Senate Journal.

Senator Zastrow offered the following amendment and moved its adoption:

Amend Senate File 2 by adding a section thereto which reads as follows: "The provisions of this act are hereby made a part of title 10,

Code 1950. It shall be the duty of the secretary of agriculture and his agents to enforce this chapter and of the county attorneys and of the attorney general of the state to cooperate with him in the enforcement of this chapter."

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, 29:

Anderson	Hedin	Nolan	Van Eaton
Bateson	Larson	Oltman	Vest
Bekman	Lord	O'Malley	Walter
Byers	Miller	Sayre	Washburn
Clark	Molison	Schoening	Watson of
Dailey	Myrland	Stewart of	Pottawattamie
Fishbaugh	Nelson	Mahaska	Whitehead
Hart	Nesmith	Stuart of Lucas	

Nays, 21:

Bellman	Elijah	Lucas	Utzig
Berg	Grimstead	Lynes	Watson of
Boothby	Heideman	Prentis	O'Brien
Colburn	Johnson	Risk	Weichman
Dewel	Knudson	Scott	Zastrow
Dykhouse	Linnevold		

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 SIGNED BY THE GOVERNOR

A communication was received announcing that, on February 9, the Governor had approved the following bill:

Senate File 82, relating to printing of legislative bulletin.

#### BILL INDEFINITELY POSTPONED

The Secretary of the Senate announced the following bill indefinitely postponed under Senate Rule 36:

Senate File 61, relating to constable and justice of the peace term.

## ASSIGNMENT OF BILLS

President Elthon announced the assignment of the following bills to committee:

- S. F. 187 Judiciary 1
- S. F. 189 Judiciary 1
- S. F. 190 Cities and towns
- H. F. 8 Schools and educational institutions
- H. F. 200 Judiciary 2
- H. F. 202 Judiciary 2

## REPORTS OF COMMITTEES

Senator Oltman submitted the following report:

MR. PRESIDENT: Your committee on public health, to which was referred **Senate File 47**, a bill for an act relating to medical examiners board, providing for an additional two members and increasing length of office, increasing renewal fee, enlarging powers of board, qualifications of applicants, and providing for temporary and special licenses for practice of medicine and surgery, begs leave to report it has had the same under consideration and recommends the same **do pass**.

R. J. OLTMAN, *Chairman*.

Ordered passed on file.

Senator Molison submitted the following report:

MR. PRESIDENT: Your committee on schools and educational institutions, to which was referred **House File 3**, a bill for an act relating to changing boundaries of school districts, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass**:

Amend House File 3 by adding a new section as follows:

"Sec. 2. This act, being deemed of immediate importance, shall take effect and be in full force from and after its passage and publication in the *Sac Sun*, a newspaper published at Sac City, Iowa, and in the *Waterloo Daily Courier*, a newspaper published at Waterloo, Iowa."

WILBUR C. MOLISON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on schools and educational institutions, to which was referred **House File 156**, a bill for an act relating to boundary changes of school districts, begs leave to report it has had the same under consideration and recommends the same **do pass**.

WILBUR C. MOLISON, *Chairman*.

Ordered passed on file.

## AMENDMENT FILED

- 1 Amend Senate File 164 by striking in line 2, section 1,
- 2 the word "paragraph" and inserting in lieu thereof the word
- 3 "subsection".

J. G. LUCAS.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 11, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend Elmer Johnson, pastor of the St. Luke's Episcopal Church, Des Moines, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator O'Malley from one hundred twenty-six residents of Polk County in opposition to proposed legislation relating to class "C" permits for the sale of beer.

By Senator Sayre from thirteen residents of Franklin County favoring proposed legislation relating to licensing of insurance agents.

By the following Senators favoring proposed legislation relating to class "C" permits for the sale of beer:

Senator Bateson from two hundred seventeen residents of Hardin and Wright Counties.

Senator Bellman from one hundred sixteen residents of Warren County.

Senator Berg from one hundred sixty-one residents of Black Hawk and Grundy Counties.

Senator Boothby from forty-six residents of Plymouth County.

Senator Clark from seventy-six residents of Appanoose County.

Senator Colburn from thirty-six residents of Cass County.

Senator Dewel from four hundred thirty residents of Emmet, Kossuth and Palo Alto Counties.

Senator Elijah from thirty residents of Cedar County.

Senator Fishbaugh from five hundred ninety-five residents of Fremont and Page Counties.

Senator Grimstead from thirty-nine residents of Howard and Mitchell Counties.

Senator Hart from ninety residents of Lee County.

Senator Hedin from sixteen residents of Scott County.

Senator Heideman from two hundred ninety-four residents of Calhoun and Webster Counties.

Senator Johnson from sixty residents of Clayton County.

Senator Knudson from seventy-five residents of Cerro Gordo and Franklin Counties.

Senator Larson from fifty-four residents of Adams County.

Senator Linnevold from thirty residents of Winneshiek County.

Senator Lord from twenty-five residents of Louisa County.

Senator Lucas from twenty-five residents of Boone County.

Senator Miller from thirty residents of Monroe County.

Senator Nolan from sixty residents of Iowa County.

Senator O'Malley from one hundred thirty-four residents of Polk County.

Senator Prentis from fifteen residents of Union County.

Senator Risk from three hundred residents of Delaware County.

Senator Sayre from two hundred fifty residents of Adair and Madison Counties.

Senator Schoening from fifteen residents of Clinton County.

Senator Scott from eighty-nine residents of Allamakee and Fayette Counties.

Senator Stewart of Mahaska from six hundred eight residents of Mahaska County.

Senator Stuart of Lucas from seventeen residents of Lucas County.

Senator Van Eaton from fifty-six residents of Woodbury County.

Senator Walter from two hundred twenty-seven residents of Marshall County.

Senator Washburn from two hundred five residents of Mills and Montgomery Counties.

## INTRODUCTION OF BILLS

Senate File 191, by committee on schools and educational institutions, a bill for an act to amend section two hundred ninety-eight point ten (298.10), Code 1950, relating to a general school levy for support of the schools.

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

Senate File 192, by Senator Weichman, a bill for an act to repeal section three hundred fifty-eight A point one (358A.1), Code 1950, and to enact a substitute therefor, relating to the number of inhabitants of a county for the purpose of zoning.

Read first and second times, and passed on file.

Senate File 193, by Senator Hart, a bill for an act to repeal section two hundred ten point fifteen (210.15), Code 1950, and substitute a new section in lieu thereof, relating to the size of milk containers.

Read first and second times, and passed on file.

Senate File 194, by Senator Dewel, a bill for an act to amend section six hundred eighteen point three (618.3), Code 1950, relating to publishing and posting of notices.

Read first and second times, and passed on file.

Senate File 195, by Senator Dewel, a bill for an act to amend section four hundred forty-six point nine (446.9) and section four hundred forty-six point ten (446.10), Code 1950, relating to publication in connection with tax sale.

Read first and second times, and passed on file.

## HOUSE AMENDMENT CONSIDERED

Senator Nolan called up for consideration Senate File 32, a bill for an act to amend section three hundred twenty-one point four hundred ninety-eight (321.498), Code 1950, relating to actions against nonresidents, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 32, section one (1), by inserting after the word "by" and before the word "adding" in line two (2) thereof the following: "Striking from lines one (1), two (2) and three (3) thereof the words 'The use and operation of a motor vehicle in this state on the public highways thereof by a person who is a nonresident of this state' and inserting

in lieu thereof the following: "The acceptance by any nonresident of this state of the privileges extended by the laws of this state to nonresident operators or owners of operating a motor vehicle, or having the same operated, within this state' and by".

The Senate concurred in the House amendment.

Senator Nolan moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

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

Ayes, 48:

Bateson	Grimstead	Nelson	Utzig
Bekman	Hart	Nesmith	Van Eaton
Bellman	Hedin	Nolan	Vest
Berg	Heideman	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamic
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh	Myrland	Stuart of Lucas	

Nays, none.

Absent or not voting, 2:

Anderson                      Johnson

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

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House Concurrent Resolution 10, providing for a special recess to be held on Good Friday afternoon, April 3, 1953, during the hours of twelve to three o'clock, out of reverence to the passion and death of our Lord.

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

House Concurrent Resolution 11, authorizing immediate compliance with Senate File 82.

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

House File 35, a bill for an act authorizing the sale of land in H. Lyons Addition to the town of Demoiné.

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

House File 69, a bill for an act relating to township trustees and clerks.

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 relating to election requirements.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE CONCURRENT RESOLUTION 10

*Whereas*, both houses of the legislature see fit to open their day's work with prayer, and it is unseemly that they should work during the time in which is commemorated the passion and death of the Lord to whom they dedicate their daily efforts;

*Whereas*, many members will absent themselves from the legislative halls during that time to attend services in their respective churches;

*Therefore, Be It Resolved by the House, the Senate Concurring*: That a special recess be held on Good Friday afternoon, April 3, 1953, during the hours of twelve to three o'clock, out of reverence to the passion and death of our Lord.

#### HOUSE CONCURRENT RESOLUTION 11

*Whereas*, Senate File 82 of the Fifty-fifth General Assembly, providing for a change in the number of legislative bulletins or indexes to be printed at any one legislative session, has passed the Fifty-fifth General Assembly, and

*Whereas*, such newly enacted legislation would not become effective until July 4 of this year, and

*Whereas*, it is desirable that the provisions of this measure shall be in effect for the Fifty-fifth General Assembly,

*Now, Therefore, Be It Resolved by the House, the Senate Concurring*, That the superintendent of printing is hereby authorized and directed to immediately comply with provisions of Senate File 82, the same as though the same were in full force and effect at this time.

#### HOUSE MESSAGES CONSIDERED

House File 35, 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.

House File 69, a bill for an act to amend sections three hundred fifty-nine point seventeen (359.17), three hundred fifty-nine point

forty-six (359.46) and three hundred fifty-nine point forty-seven (359.47), Code 1950, relating to township trustees and clerks.

Read first and second times, and passed on file.

House File 213, a bill for an act to permit members of the armed forces to vote in primary and general elections and to provide for the amendment of certain sections of the Code 1950, relating to election requirements.

Read first and second times, and passed on file.

#### COMMITTEE ON MEMORIAL RESOLUTIONS

Senator Linnevold 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 subcommittees to prepare memorial resolutions.

The motion prevailed and President Elthon appointed as such committee Senators Linnevold, Miller and Larson.

#### UNFINISHED BUSINESS

On motion of Senator Nolan, Senate File 49, 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, was taken up for further consideration.

Senator Nolan asked and received unanimous consent that House File 17 be substituted for Senate File 49.

On motion of Senator Nolan, House File 17, 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, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Nolan moved that the bill be read a third 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:

Bateson	Byers	Dykhouse	Hedin
Bekman	Clark	Elijah	Heideman
Bellman	Colburn	Fishbaugh	Johnson
Berg	Dailey	Grimstead	Knudson
Boothby	Dewel	Hart	Larson

Linnevold	Nesmith	Scott	Washburn
Lord	Nolan	Stewart of	Watson of
Lucas	Oltman	Mahaska	O'Brien
Lynes	O'Malley	Stuart of Lucas	Watson of
Miller	Prentis	Utzig	Pottawattamie
Molison	Risk	Van Eaton	Weichman
Myrland	Sayre	Vest	Whitehead
Nelson	Schoening	Walter	Zastrow

Nays, none.

Absent or not voting, 1:

Anderson

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 155, a bill for an act to repeal chapter twenty-nine (29), Code 1950 (Military Code of Iowa), and to enact a substitute therefor, was taken up for further consideration.

Senator Walter asked and received unanimous consent that Donald B. Johnson, Assistant Adjutant General, be permitted to explain the contents of Senate File 155 to the Senate.

Senator Berg asked and received unanimous consent that Kent Emery, Assistant Attorney General, also be permitted to assist in the further explanation of Senate File 155.

Senator Dailey offered the following amendment and moved its adoption:

Amend Senate File 155 by striking section 28 and inserting in lieu thereof the following:

"All officers and employees of the state, or a subdivision thereof, or a municipality therein, who are members of the national guard, organized reserves or any component part of the military, naval, or air forces or nurse corps of this state or nation, or who are or may be otherwise inducted into the military service of this state or of the United States, shall, when ordered by proper authority to active state or federal service, be entitled to a leave of absence from such civil employment for the period of such active state or federal service, without loss of status or efficiency rating, and without loss of pay during the first thirty (30) days of such leave of absence. The proper appointing authority may make a temporary appointment to fill any vacancy created by such leave of absence."

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	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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

### THIRD READING OF BILLS

On motion of Senator Bekman, Senate File 159, a bill for an act to amend section five hundred eight point twenty-eight (508.28), Code 1950, relating to policies of life insurance issued without medical examination and the incontestable period applying thereto, was taken up, and considered.

Senator Bekman offered the following amendment and moved its adoption:

Amend Senate File 159 by striking the period (.) after the word "dollars" in line 10 thereof, and adding the following: ", except that additional insurance without medical examination may be issued in an amount not to exceed ten thousand dollars subsequent to the issuance of any policy on said life after medical examination."

The amendment was adopted.

Senator Fishbaugh moved that action on Senate File 159 be deferred and that the bill be placed on the calendar under unfinished business, which motion prevailed.

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

## AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

## PRESENTATION OF VISITORS

Senator O'Malley asked and received unanimous consent to present to the Senate thirty members of the sixth grade class of the Stowe School who were present in the balcony with their teacher, Lorraine Kimball.

Senator Miller asked and received unanimous consent to present to the Senate five students of Central College who were present in the Senate chamber.

Senator Nesmith asked and received unanimous consent to present to the Senate the Honorable Fred Maytag, a former member of the Senate, who was present in the Senate chamber.

Senator Heideman asked and received unanimous consent to present to the Senate thirty students from the Lehigh High School who were present in the balcony with their principal, Lowell Hendricks.

Senator Heideman asked and received unanimous consent to present to the Senate twenty-two members of the civic department of the Fort Dodge Women's Club who were present in the balcony.

## THIRD READING OF BILLS

On motion of Senator Dykhouse, Senate File 18, a bill for an act to amend sections one hundred nine (109) and one hundred ten point one (110.1), Code of 1950, relating to an open season and license for game birds and animals by including deer, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Dykhouse offered the following amendment, filed by Senators Dykhouse and Colburn, and moved its adoption:

Amend the title to Senate File 18 as follows:

1. Strike from line 1 all after the word "act" and insert in lieu thereof the following:

"to amend sections one hundred nine point thirty-eight (109.38), one hundred nine point forty-eight (109.48), one hundred nine point eighty-seven (109.87) and one hundred ten point one (110.1), Code 1950, relating to the open season on fur-bearing animals, the open season and license for game birds and animals including deer, and authorizing the conservation

commission, under certain conditions, to limit the methods by which fish, game and fur-bearing animals may be taken."

The amendment was adopted.

Senator Vest offered the following amendment and moved its adoption:

Amend Senate File 18 by adding after the period (.) in line 10 the following: "Provided, that no deer shall be taken by means of any rifle."

The amendment was lost.

Senator Bateson offered the following amendment and moved its adoption:

Amend Senate File 18 by adding thereto the following:

"Sec. 6. There shall be no deer hunting on any property in the State of Iowa without first having obtained from the owner of the property, by the hunter, a written permission to do so. In case of violation of this section the hunter shall be fined one hundred dollars (\$100) and forfeit his license for the season."

Division was called for.

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, 39:**

Anderson	Fishbaugh	Lynes	Utzig
Bekman	Grimstead	Miller	Van Eaton
Bellman	Hart	Molison	Walter
Berg	Heideman	Myrland	Washburn
Boothby	Johnson	Nesmith	Watson of
Clark	Knudson	Oltman	O'Brien
Colburn	Larson	O'Malley	Watson of
Dailey	Linnevold	Risk	Pottawattamie
Dewel	Lord	Sayre	Weichman
Dykhouse	Lucas	Stuart of Lucas	Whitehead
Elijah			

**Nays, 9:**

Bateson	Prentis	Stewart of	Vest
Nelson	Schoening	Mahaska	Zastrow
Nolan	Scott		

**Absent or not voting, 2:**

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

#### SENATE FILES 3 AND 4 RETURNED TO COMMITTEE

Senator Watson of Pottawattamie asked and received unanimous consent that Senate Files 3 and 4 be returned to the committee on manufacturing, commerce and trade.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Stuart of Lucas, 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 50, 62, 74, 118 and 135.

JOHN A. WALKER, *Chairman House Committee.*

W. C. STUART, *Chairman Senate 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 50, 62, 74, 118 and 135.

#### BILLS SENT TO THE GOVERNOR

Senator Stuart of Lucas, from the committee on enrolled bills, submitted the following report:

**MR. PRESIDENT:** Your committee on enrolled bills respectfully reports that it has, on this 11th day of February, 1953, sent to the Governor for his approval: Senate Files 50, 62, 74, 118 and 135.

W. C. STUART, *Chairman.*

Passed on file.

#### REPORTS OF COMMITTEES

Senator Weichman submitted the following report:

**MR. PRESIDENT:** Your committee on agriculture, to which was referred **Senate File 45**, a bill for an act relating to the licensing of manufacturers of mattresses and comforters and prescribing the license fee, 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 agriculture, to which was referred **Senate File 126**, a bill for an act relating to voting for trustees of the drainage districts, 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 agriculture, to which was referred **Senate File 127**, a bill for an act relating to the acceptance of bulk grain for purposes other than storage, 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 Prentis submitted the following report:

MR. PRESIDENT: Your committee on governmental affairs, to which was referred **Senate File 134**, a bill for an act relating to expenditures by county board of supervisors, 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 Dewel submitted the following report:

MR. PRESIDENT: Your committee on conservation, to which was referred **House File 14**, a bill for an act to amend the Code relating to seining fish in the Mississippi and Missouri Rivers, begs leave to report it has had the same under consideration and recommends the same **do pass**.

DUANE E. DEWEL, *Chairman*.

Ordered passed on file.

Senator Bateson submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred **Senate File 7**, a bill for an act relating to the penalty for the unlawful use of narcotics, 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 judiciary 1, to which was referred **Senate File 83**, a bill for an act relating to marriages, 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

- 1 Amend Senate File 27 by striking all after the enacting  
 2 clause and inserting in lieu thereof the following:  
 3 "Section 1. Section six hundred twenty-two point thirty-  
 4 two (622.32), Code 1950, is amended by adding a new subsection  
 5 as follows:  
 6 "Those for compensation for the procurement of a buyer or  
 7 seller of real estate."  
 8 Further amend by striking from the title all after the  
 9 words "An Act" and inserting in lieu thereof the following:  
 10 "to require contracts to find a buyer or seller of real  
 11 estate to be in writing and to amend section six hundred twenty-  
 12 two point thirty-two (622.32), Code 1950, relating thereto."

G. E. WHITEHEAD.  
 RALPH W. ZASTROW.

- 1 Amend Senate File 159 by striking all after the enacting  
 2 clause and substituting the following in lieu thereof:  
 3 "Section 1. Section five hundred eight point twenty-eight  
 4 (508.28), Code 1950, is hereby amended by deleting the word  
 5 'five' in line twenty-one (21) thereof and substituting therefor  
 6 the word 'ten', and by adding thereto following the word 'less'  
 7 in line twenty-two (22) of said section, the following: 'and  
 8 additional insurance without medical examination may be issued  
 9 in an amount not to exceed ten thousand dollars (\$10,000)  
 10 subsequent to the issuance of any policy on said life after  
 11 medical examination.'"

E. K. BEKMAN.

- 1 Amend Senate File 172 by striking in line two  
 2 of section 1 the word "nine" and inserting in lieu thereof  
 3 the following: "five (5)".  
 4 2. Further amend by inserting in line two of section  
 5 2 after the word "nine" the following: "(9)".

CHARLES S. VAN EATON.

- 1 Amend Senate File 183 by inserting in the title thereof  
 2 before the word "Code" the following: "and section six  
 3 hundred six point fifteen (606.15)".

CHARLES S. VAN EATON.

## PROOFS OF PUBLICATION

Published copy of House File 265 and verified proof of publication of said bill in the Eddyville Tribune on February 5, 1953, was filed with the Secretary prior to the time said bill was placed on passage.

Published copy of House File 274 and verified proof of publication of said bill in the Red Oak Express on February 9, 1953, was filed with the Secretary prior to the time said bill was placed on passage.

CARROLL A. LANE,  
*Secretary of the Senate.*

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 12, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend Carl F. Clems, pastor of St. Mary's Church, Solon, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Bateson from twelve residents of Hardin County favoring proposed legislation relating to equipment of rail track motor cars.

By Senator Bekman from four hundred ninety-five residents of Polk County favoring proposed legislation to provide for equal pay for equal work.

By Senator Heideman from fifty-two residents of Webster County favoring proposed legislation relating to the Board of Educational Examiners and certification of teachers.

By Senator Molison from ninety-four teachers of Poweshiek County favoring proposed legislation relating to the Board of Educational Examiners and certification of teachers.

By Senator Schoening from fourteen residents of Clinton County favoring proposed legislation relating to liability and property damage insurance, Senate File 79.

By Senator Utzig from four residents of Dubuque County favoring proposed legislation relating to justice's of peace and constable's term of office.

By the following Senators in opposition to proposed legislation relating to class "C" permits for the sale of beer:

Senator O'Malley from one hundred ninety residents of Polk County.

Senator Van Eaton from seventy-three residents of Woodbury County.

By the following Senators favoring proposed legislation relating to class "C" permits for the sale of beer:

Senator Anderson from eighty-seven residents of Henry and Washington Counties.

Senator Bateson from one hundred forty-four residents of Hamilton, Hardin and Wright Counties.

Senator Bekman from one hundred residents of Wapello County.

Senator Bellman from thirty-one residents of Warren County.

Senator Byers from fifty-five residents of Linn County.

Senator Elijah from sixty-nine residents of Jones County.

Senator Heideman from twenty-seven residents of Webster County.

Senator Johnson from nine residents of Allamakee and Clayton Counties.

Senator Knudson from forty-seven residents of Cerro Gordo and Franklin Counties.

Senator Linnevold from one hundred fourteen residents of Howard County.

Senator Lucas from ninety-three residents of Boone and Story Counties.

Senator O'Malley from fifty-five residents of Polk County.

Senator Prentis from sixteen residents of Union County.

Senator Risk from seventy-six residents of Buchanan and Delaware Counties.

Senator Sayre from twenty-eight residents of Madison County.

Senator Stewart from one hundred fifty-four residents of Mahaska and Marion Counties.

Senator Van Eaton from seventy-six residents of Woodbury County.

Senator Walter from twenty-seven residents of Marshall County.

Senator Whitehead from sixty-six residents of Dallas County.

## PRESENTATION OF VISITORS

Senator Bekman asked and received unanimous consent to present to the Senate the Honorable Roy E. Stevens of Wapello County, a member of the state board of education and a former member of the Senate, who was present in the Senate chamber.

Senator Nelson asked and received unanimous consent to present to the Senate the Honorable Alden L. Doud, a former member of the Senate, who was present in the Senate chamber.

Senator O'Malley asked and received unanimous consent to present to the Senate twenty-two members of the fifth grade class of the West Independent School who were present in the balcony with their instructor, Mrs. Emmert.

Senator Zastrow, majority floor leader, announced that immediately following the joint session scheduled there would be a party caucus in room 22.

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

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

President Elthon presented to the joint convention the Honorable Karl Mundt, United States Senator from South Dakota, who addressed the joint convention.

Senator Mundt was escorted from the House chamber by the committee previously appointed.

President Elthon presented to the joint convention Dwight Rider, president of the State Board of Education.

Mr. Rider presented to the joint convention Dr. James Hilton, president-designate of Iowa State College, who briefly addressed the joint convention.

Mr. Rider presented to the joint convention Dr. Charles E. Friley, president of Iowa State College.

Mr. Rider presented to the joint convention Dr. J. W. Maucker, president of Iowa State Teachers College, who delivered the following Lincoln Day address:

MR. PRESIDENT, MR. SPEAKER, MR. RIDER, LADIES AND GENTLEMEN OF THE GENERAL ASSEMBLY, FRIENDS:

I greatly appreciate the honor you do Iowa State Teachers College in extending me the privilege of addressing you today.

If ever there were a subject on which one should speak with complete candor, cutting away all pretense, it is the life and character of Abraham Lincoln, whose memory we pause to honor this morning. Lest there be any misunderstanding on the point, I hasten to state that I have no special qualifications for speaking on this occasion—I am not a trained historian, not even an amateur student of Lincoln. I see him just as most of you do—through the eyes of the general citizen who has lived most of his life in the Midwest during the first half of the twentieth century.

Come to think of it, the foregoing statement is not quite true—I do have one bit of previous experience in speaking regarding Lincoln: as a grade school youngster back in the 1920's I was asked to memorize the Gettysburg address and recite it at the Memorial Day exercises on the courthouse lawn at Rock Island, Illinois. I did so, speaking, I believe, in good loud tones, carefully enunciating Lincoln's well-chosen words, trying my best to keep from going too fast. That address is, of course, one of the most cogent known to man—a gem of brevity; I am sorry to say that I improved some on Mr. Lincoln's work—he wrote that memorable address in ten sentences—I recited it in nine.

\* \* \*

Why do we revere Lincoln? Quite universally we consider him one of the two or three greatest Americans; many of us, the greatest. Why do we single out from among the thousands and thousands of men who have been leaders in American life this sorrowful, lonely man “homely as a plowed field”? Most of us, I believe, would be hard-pressed to state explicit reasons—to cite chapter and verse justifying our opinion; nevertheless, we feel in our bones that we are right in that opinion.

No doubt events conspired to throw an aura around him which would have led us to feel kindly toward any decent man in his position—the terrible conflict breaking loose as he assumed the presidency, the awful responsibility of those dark years, his martyrdom at the height of victory—but our feeling toward Lincoln is much more than one of sympathy. Why do we venerate the man?

Perhaps we may profitably spend a few moments searching our hearts for the answer to that question. Each of us might suggest somewhat different answers; I shall offer three. I suggest that we revere Lincoln because of his qualities as a person (the kind of a man he was), because of what he taught us of ourselves and our destiny (of the role of America among the peoples of the earth) and because of the hope he holds out to us as a living example of the workings of democracy.

### A Big Man

And what manner of man was he? So complex, indeed, and so changing as he grew from ungainly backwoods lad to Illinois lawyer to wartime president that entire books have not sufficed to answer this one question. But, after all the claims and counterclaims have been adjusted, we remember him not as being clever or brilliant, though he certainly had a good head on his shoulders; not for physical courage or clean living, though he had exhibited both; not for executive ability or organizational skill, though he performed no mean feats under difficult circumstances; but as a kindly, compassionate, humble, self-effacing, long-suffering, humor-loving, friendly man of intense moral convictions and a driving sense of mission.

He was, in the widest sense, a big man: magnanimous, large of soul, noble. We find these qualities reflected in his generous attitude toward the South, in his personal expression of consolation to bereaved mothers, in his modest exchange of notes with Edward Everett after the dedication ceremony at Gettysburg. And withal a man of unswerving purpose and devotion to the right as he saw it. Remember his reply to Horace Greeley:

"I would save the Union. I would save it the shortest way under the Constitution. . . . If I could save the Union without freeing *any* slave I would do it, and if I could save it by freeing *all* the slaves, I would do it; and if I could save it by freeing some and leaving others alone I would also do that. . . . I have here stated my purpose according to my view of *official* duty; and I intend no modification of my oft-expressed *personal* wish that all men everywhere could be free."

An intense sense of mission may not be a blessing—witness the life of one Adolf Hitler—but Lincoln's was tempered by an unflinching sense of humor, placing events around him in appropriate perspective. He was most effective in making a point under trying circumstances by telling a story or relating an anecdote. Lincoln himself particularly enjoyed the story of two Quaker women overheard discussing the wartime leaders, Jefferson Davis and Lincoln:

"I think Jefferson will succeed."

"Why does thee think so?"

"Because Jefferson is a praying man."

"And so is Abraham a praying man."

"Yes, but the Lord will think Abraham is joking."

J. G. Randall, eminent Lincoln scholar at the University of Illinois, referring to Lincoln's difficulties in dealing with the vindictive elements in his own party, summarizes these qualities we most admire:

"It is in his reaction to these difficult circumstances that we find the measure of Lincoln's qualities as president: his unaffected kindness, his poise, his humor, his largeness of soul, his fairness toward opponents, his refusal to get angry, his steadiness, his ability to maintain that well-tempered morale which is so indispensable in a desperate war."

But it is to poetry we must turn for the most adequate expression of what it is "we feel in our bones" about Lincoln's greatness:

Thus Stephen Vincent Benet lauds his:

"Honesty rare as a man without self-pity,  
Kindness as large and plain as a prairie wind,  
And a self-confidence like an iron bar."

And James Russell Lowell pays tribute to:

"The kindly-earnest, brave, fore-seeing man,  
Sagacious, patient, dreading praise, not blame,  
New birth of our new soil, the first American."

And Edwin Markham claims:

"The color of the ground was in him, the red earth;  
The smell and smack of elemental things;  
The rectitude and patience of the cliff;  
The good-will of the rain that loves all leaves;  
The friendly welcome of the wayside well;  
The courage of the bird that dares the sea;  
The gladness of the wind that shakes the corn;  
The mercy of the snow that hides all scars."

#### Teacher and Prophet

So we love him for his bigness and his moral earnestness—as a man. I believe we also revere him because of what he taught us: that we in America have embarked on an experiment of crucial importance to the world, to all peoples—that as inheritors of a precious tradition, we dare not fail for lack of courage, patience, confidence in one another and in the essential correctness of our basic assumptions.

In *Lincoln, the Liberal Statesman*, J. G. Randall, previously quoted, places great stress on this point:

"This world view as to democracy was so strongly underlined by Lincoln that it is fair to regard it as the pivotal factor in his political philosophy. At Gettysburg, with the ghastliness of the war before his eyes and with the butchery still in progress, he spoke not of immediate issues or war problems; nor did he show a trace of bitterness. The Gettysburg occasion as he viewed it was a high challenge. To meet this challenge, nothing less would serve than a concept so fundamental that it offered a key to the age in which he lived, or rather to the whole sweep of American history in a setting of world history. It was the exaltation of the theme—democracy as a world factor—that gave serenity and timeless significance to this dedicatory vignette. In phrases that were unforgettable he paid tribute to the dead. Then he associated the deepest of patriotic emotions with his dominant political idea—that is, the imperative obligation to make democracy succeed and thus prove to other nations that the American experiment of government by the people is no failure."

In his very first message to Congress, discussing the attack on Fort Sumter, Mr. Lincoln indicated the breadth of his view when he stated:

"And this issue embraces more than the fate of these United States. It presents to the whole family of man the question whether a constitutional republic or democracy—a government of the people by the same people—can or cannot maintain its territorial integrity against its own domestic foes. . . . Must a government, of necessity, be too *strong* for the liberties of its own people, or too *weak* to maintain its own existence?"

Again, on December 1, 1862, in his annual message to Congress,

"Fellow-citizen, *we* cannot escape history. . . . We shall nobly save, or meanly lose, the last best hope of earth. . . . The way is plain, peaceful, generous, just—a way which, if followed, the world will forever applaud, and God must forever bless."

Thus has Abraham Lincoln interpreted the role, the mission, of America. Thus has he cut through the narrow, the provincial, the immediate and given us a vision of ourselves in the stream of history—a vision challenging us to be our best selves. And we are still engaged in carrying out that mission, revering Lincoln as our major prophet.

#### Symbol of Democracy

There is another very special reason why we revere Lincoln: He himself is such a splendid embodiment of one of the "basic hunches" of democracy—that inherent dignity and potential worth are scattered widely among men and will make themselves felt if artificial barriers are removed. He comes as close as one could to having risen on sheer merit from "nothing" to the highest position of leadership. Asserting his belief that it is the man who has had common experiences who is almost always the man who interprets America aright, Woodrow Wilson once asked, "Isn't that the reason that we are proud of such stories as the story of Abraham Lincoln—a man who rose out of the ranks and interpreted America better than any man had interpreted it who had risen out of the privileged classes or the educated classes of America?"

Rereading the story of Lincoln's early years, one is struck by the woefully unpromising conditions under which he got his start in life. Born in a one-room, backwoods Kentucky cabin, of illiterate parents, total formal schooling one year—what handicaps he overcame! In the winter of 1816, when Abe was seven, the family moved to Indiana. Lacking time to build a cabin, they threw up a "half-faced camp", a rude shelter of logs and boughs, enclosed on three sides, with the fourth side protected only by a fire which must be kept blazing to provide even a minimum of comfort. The family subsisted almost entirely on game, which also furnished skins and furs to keep them warm. Two years later Abe's mother died. Deprived of the influence of a woman, they sank almost into squalor. Until age twenty-one, Abe did rough farm work and odd jobs, turning over his earnings to his father. Then he lit out on his own, describing himself as "a piece of floating driftwood". According to Carl Sandberg, even at the age of twenty-eight, when Lincoln moved from

New Salem to Springfield after serving two terms in the legislature, he had only seven dollars in his pocket and was more than a thousand dollars in debt. He rode into town on a borrowed horse, carrying his possessions in two saddle-bags and was glad to make arrangements with friends for free lodging and board. At age of twenty-eight! And yet he became a highly successful lawyer in his own right and a statesman of major proportions.

Again, a poet has packed the whole mystery and pathos of such happenings into a few short lines—this time Rosemary Benet, imagining what Lincoln's mother would have said had she come back to life:

### NANCY HANKS

If Nancy Hanks  
Came back as a ghost,  
Seeking news  
Of what she loved most,  
She'd ask first  
"Where's my son?  
What's happened to Abe?  
What's he done?"

"Scraping along  
In a little shack,  
With hardly a shirt  
To cover his back,  
And a prairie wind  
To blow him down,  
Or pinching times  
If he went to town.

"Poor little Abe,  
Left all alone  
Except for Tom,  
Who's a rolling stone;  
He was only nine  
The year I died.  
I remember still  
How hard he cried.

"You wouldn't know  
About my son?  
Did he grow tall?  
Did he have fun?  
Did he learn to read?  
Did he get to town?  
Do you know his name?  
Did he get on?"

Bless you, Nancy, he did "get on"—in fact, he "got on" as did no other American. And we take hope from his example.

It is good that the Iowa legislature pauses each session to draw from the well-springs of Abraham Lincoln's life and character. Lincoln, you know, spent eight years in the Illinois legislature and later served one term as Congressman from Illinois. He was defeated the first time he ran for the legislature, in 1832, running eighth among twelve or thirteen candidates (they did not lack for candidates in those days), but from 1834-41 he made the grade, working into the position of floor leader for the Whigs, at that time the minority party. You men will appreciate the fact that young Lincoln, age twenty-five, had to borrow \$200 to tide him over until the legislature voted a partial salary payment at Christmas time. Lincoln's legislative career was not a distinguished one, although he was among those responsible for locating the state capital at Springfield, but we must remember he had much to learn—he had started a long way back in the race.

Lincoln himself was not unconscious of the symbolic significance of his own life. Dixon Wecter writes:

"With passionate faith he (Lincoln) believed that democracy was the best of governments and in so far as he thought of himself in the

White House it was in terms of its demonstration. 'I am a living witness,' he (Lincoln) told an Ohio regiment, 'that any one of your children may look to come here as my father's child has . . . that each of you may have, through this free government which we have enjoyed, an open field and a fair chance for your industry, enterprise, and intelligence.' By what he was, therefore, as well as what he stood for, Abraham Lincoln has become a world symbol to all who struggle for freedom."

Thus we revere Lincoln as person, interpreter, symbol.

\* \* \*

Having speculated as to why we and our fellow-Americans hold Lincoln in such high regard, perhaps we might be forgiven if we adventure to inquire what Lincoln's example should mean to us today. We can never know to what extent we may be correct in our guesses as to what he would do, or advise us to do, if he were alive among us today, but it should be good for us to try to apply his teachings to our times.

With your indulgence, I would put words into the great man's mouth: "*Get on with the job, America. Keep your eyes on the main task. Let the people speak.*"

*Get On With the Job, America.*

Would not Lincoln advise us to attack confidently the tremendous tasks we have inherited as the leading power in the free world? While he would not minimize the complexity of our problems and the risks involved in leadership, it seems reasonable to assume that Lincoln would feel that we have made tremendous strides since his day in carrying out his Gettysburg resolution, "that this nation, under God, shall have a new birth of freedom" and that he would urge that we not shrink from the new tasks confronting us, but, having confidence in our fundamental purposes and in our heritage, move on to carry out our mission of making democracy work at home and cooperating with free men everywhere to achieve a lasting peace.

Listen to his Second Inaugural:

"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; 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."

Here is no shrinking from the task, no gloating over anticipated victory, but quiet charity and confidence in the ultimate outcome of high endeavor.

*Keep Your Eyes on the Main Task.*

Would not Lincoln be concerned to see so many evidences of bickering among ourselves in this country? Would he not be disappointed to find us so "jittery" in this time of tension that we totter on the verge of

strangling freedom of thought and expression in our midst, that we enact discriminatory legislation regarding entrance into our "promised land", that we blow hot and cold in our aid to free peoples and act as though our left hand of tariff and trade policies did not know what our right hand of encouraging increased productivity in the free world were doing? Can you not hear Old Abe urging patience, compassion, forbearance among our fellowmen who, though aiming at a common goal, are divided as to appropriate means for achieving it? Can you not hear him urging that we tolerate some error rather than stifle the unfettered competition of ideas in our country? Would he not urge that we be big enough to be undistracted by the petty squabbles of the daily headlines and keep our eyes on the main issues? Might he not even ask Iowa legislators if they have given the greatest emphasis in their deliberations to the matters of highest importance?

Listen to Lincoln at Gettysburg, calling on us to dedicate ourselves to the "great task":

"The world will little note, nor long remember what we say here, but it can never forget what they did here. It is for us the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us—that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion—that we here highly resolve that these dead shall not have died in vain—that this nation, under God, shall have a new birth of freedom—and that government of the people, by the people, for the people, shall not perish from the earth."

*Keep your eyes on the big problems, Americans. Don't let yourselves be distracted so you fight among yourselves on issues which will not matter over the long pull. Keep first things first.*

*Let the People Speak.*

Would not Lincoln speak fondly of the legislative process, urging you men gathered here today to listen for the voice of the people as you make provision for the government of Iowa? Would he not urge you consistently to provide opportunity for the people to keep themselves informed; would he not stress the fundamental importance of economic and educational opportunity (he who as President signed the Homestead Act, intended to extend economic opportunity, and the Morrill Act, establishing our great land-grant colleges)? I think I can hear Lincoln agreeing that the pressure groups, the lobbyists, undoubtedly perform a useful function and then adding wryly "but their axes are so large and so unwieldy!" Would he not urge you to place your trust in the common sense of the people over the long pull (in the Lincoln in each of us), providing only that the channels of information, education and discussion are kept open?

In this connection, let us listen to portions of the First Inaugural, spoken on the brink of Civil War, at a time when grounds for tension were much greater than at any time in any of our lives:

"Why should there not be a patient confidence in the ultimate justice of the people? Is there any better or equal hope in the world? . . . By the frame of the government under which we live, this same people have wisely given their public servants but little power for mischief, and have, with equal wisdom, provided for the return of that little to their own hands at very short intervals. While the people retain their virtue and vigilance, no administration, by any extreme of wickedness or folly, can very seriously injure the government in the short space of four years. . . . Though passion may have strained, it must not break, our bonds of affection. . . . Why should there not be a patient confidence in the ultimate justice of the people? Is there any better or equal hope in the world?"

Dr. H. J. Thornton, whose death during the last year deprived our State University of a splendid teacher, spoke of the meaning of Lincoln to our generation when he said on this occasion two years ago,

"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. . . ."

*"Get on with the job, America. Keep your eyes on the main task and let the people be heard."*

\* \* \*

We are all of us richer because Abraham Lincoln lived in our land. And yet to think on his life as we have done this morning leaves us with something of the brooding sense of loneliness which was part of his own character. I know of no more fitting passage with which to close than the last verse of Edwin Markham's *Lincoln, The Man of the People*:

"So came the Captain with the thinking heart;  
 And when the judgment thunders split the house,  
 Wrenching the rafters from their ancient rest,  
 He held the ridgepole up, and spiked again  
 The rafters of the Home. He held his place—  
 Held the long purpose like a growing tree—  
 Held on through blame and faltered not at praise.  
 And when he fell in whirlwind, he went down  
 As when a lordly cedar, green with boughs,  
 Goes down with a great shout upon the hills,  
 And leaves a lonesome place against the sky.

In the name of the college, Ladies and Gentlemen, I thank you.

The minutes of the joint convention were read and approved.

Senator Dewel of Kossuth moved that the joint convention be now dissolved.

Motion prevailed.

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

The Chair announced that the Senate would stand at ease until the fall of the gavel.

The Senate reconvened, President Elthon presiding.

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

#### AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

#### PRESENTATION OF VISITORS

Senator Heideman asked and received unanimous consent to present to the Senate the Honorable Paul E. McCarville, a former member of the Senate, who was present in the Senate chamber.

Senator Lucas asked and received unanimous consent to present to the Senate the Honorable Ed L. Newton of Anita, a former member of the House of Representatives during the Thirty-seventh and the Thirty-eighth General Assemblies.

Senator Lucas asked and received unanimous consent to present to the Senate twenty-two students of the Slater High School who were present in the balcony with their superintendent, E. L. Hodgin.

#### INTRODUCTION OF BILLS

Senate File 196, by Senator Lynes, a bill for an act to provide for the method of holding elections for the consolidation and merger of school districts in the State of Iowa.

Read first and second times, and passed on file.

Senate File 197, by Senator Berg (Miller, et al.), a bill for an act to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of revenue bonds by the city of Cedar Falls, Black Hawk County, Iowa, to defray the cost of constructing improvements to the municipal sewage treat-

ment plant of said city and the provisions made 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 198, by Senator Prentis, a bill for an act to repeal certain sections of chapter one hundred seventy (170), Code 1950, relating to fire protection in hotels.

Read first and second times, and passed on file.

Senate File 199, by committee on conservation, a bill for an act to amend chapter one hundred eight (108), Code 1950, to require certain conservation practices in connection with the construction of artificial lakes on intermittent streams.

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

Senate File 200, by Senator Dailey, a bill for an act providing for actions against a nonresident owner or operator of aircraft or watercraft causing injury to person or property within this state, venue of such action, manner of service of notice therein, and requiring report by such owner or operator—penalty and rebuttable presumption of negligence for failure to make such report.

Read first and second times, and passed on file.

Senate File 201, by committee on judiciary 1, a bill for an act to amend section six hundred five point two (605.2), Code 1950, relating to expenses of supreme court judges.

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

Senate File 202, by Senators Stuart of Lucas and Nolan, a bill for an act to amend section three hundred twenty-one point three hundred seventy-seven (321.377), Code 1950, relating to speed of school busses.

Read first and second times, and passed on file.

Senate File 203, by Senator Dailey, a bill for an act to amend section seven hundred sixteen point seven (716.7), Code 1950, prohibiting the anchoring of navigation craft to railroad tracks, railroad bridges, signals, switches, or other railroad structures; also prohibiting the mooring of navigation craft against railroad embankments or other railroad structures.

Read first and second times, and passed on file.

Senate File 204, by Senator Dailey, a bill for an act to amend section six hundred eight point ten (608.10), Code 1950, relative to compensation for jury commissions.

Read first and second times, and passed on file.

Senate File 205, by Senators Molison and Anderson, a bill for an act relating to the adulteration of foods.

Read first and second times, and passed on file.

Senate File 206, by Senators Weichman and Watson of O'Brien, a bill for an act to amend section three hundred twenty-four point two (324.2), Code 1950, relating to motor vehicle fuel tax.

Read first and second times, and passed on file.

Senate File 207, by Senator Anderson, 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 passed on file.

Senate File 208, by Senator Anderson, a bill for an act to amend sections three hundred twenty-one point two hundred ninety (321.290) and three hundred twenty-one point two hundred ninety-three (321.293), Code 1950, relating to speed of motor vehicles.

Read first and second times, and passed on file.

Senate File 209, by Senator Berg, a bill for an act to amend section three hundred ninety-four point one (394.1), Code 1950, relating to sewage treatment plants.

Read first and second times, and passed on file.

Senate File 210, by Senators Bekman and Lynes (Paul, et al.), a bill for an act relating to risks, standards and liabilities in insurance contracts other than life and to amend sections five hundred fifteen point forty-nine (515.49) and five hundred twenty point twenty-one (520.21), Code 1950.

Read first and second times, and passed on file.

Senate File 211, by Senators Lynes, Knudson and Watson of Pottawattamië, a bill for an act relating to the commitment and voluntary admission of neglected, dependent and delinquent children to the Iowa Juvenile Home and The Iowa Annie Wittenmyer Home, denying commitment and admission of certain children there to and to amend a part of and to repeal a part of section two hundred thirty-two point twenty-seven (232.27) and to amend section two hundred forty-four point four (244.4), Code 1950.

Read first and second times, and passed on file.

Senate File 212, by Senators Bekman, Berg and Utzig (Schroeder, et al.), a bill for an act to amend section five hundred ninety-nine point five (599.5), Code 1950, relating to disability of minors.

Read first and second times, and passed on file.

Senate File 213, by Senators Bekman, Berg and Utzig (Schroeder, et al.), a bill for an act to repeal section six hundred seventy-two point eleven (672.11), Code 1950, and to enact a substitute therefor relative to the guardianship of incompetent veterans and minor beneficiaries of the Veterans Administration, and to make uniform the law relative thereto.

Read first and second times, and passed on file.

Senate File 214, by Senators Bekman, Berg and Utzig (Schroeder, et al.), a bill for an act to repeal and re-enact 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 passed on file.

#### UNFINISHED BUSINESS

On motion of Senator Whitehead, Senate File 27, a bill for an act to amend chapter one hundred seventeen (117), Code 1950, relating to brokers commission for the sale of land, was taken up for further consideration.

Senator Byers asked and received unanimous consent that the committee amendment filed to Senate File 27, and found on page 190 of the Senate Journal, be withdrawn.

Senator Whitehead offered the following amendment filed by Senators Whitehead and Zastrow and moved the adoption of division 1 of the amendment:

Amend Senate File 27 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section six hundred twenty-two point thirty-two (622.32), Code 1950, is amended by adding a new subsection as follows:

"Those for compensation for the procurement of a buyer or seller of real estate.'"

Further amend by striking from the title all after the words "An Act" and inserting in lieu thereof the following:

"to require contracts to find a buyer or seller of real estate to be in writing and to amend section six hundred twenty-two point thirty-two (622.32), Code 1950, relating thereto."

Division 1 of the amendment was lost.

Senator Whitehead asked and received unanimous consent to withdraw the balance of the amendment.

Senator Whitehead asked and received unanimous consent that Senate File 27 be returned to the committee on judiciary 2.

On motion of Senator Bekman, Senate File 159, a bill for an act to amend section five hundred eight point twenty-eight (508.28), Code 1950, relating to policies of life insurance issued without medical examination and the incontestable period applying thereto, was taken up for further consideration.

Senator Bekman offered the following amendment and moved its adoption:

Amend Senate File 159 by striking all after the enacting clause and substituting the following in lieu thereof:

"Section 1. Section five hundred eight point twenty-eight (508.28), Code 1950, is hereby amended by deleting the word 'five' in line twenty-one (21) thereof and substituting therefor the word 'ten', and by adding thereto following the word 'less' in line twenty-two (22) of said section, the following: 'and additional insurance without medical examination may be issued in an amount not to exceed ten thousand dollars (\$10,000) subsequent to the issuance of any policy on said life after medical examination'."

The amendment was adopted.

Senator Bekman offered the following amendment and moved its adoption:

Amend the title to Senate File 159 by striking the words "and the incontestable period applying thereto."

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	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	
Fishbaugh			

Nays, 1:

Zastrow

Absent or not voting, none.

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

#### HOUSE AMENDMENT CONSIDERED

Senator Oltman called up for consideration Senate File 130, a bill for an act relating to nonresident owners of motor vehicles operated on the highways of this state, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 130 by adding a new section as follows:

"Sec. 4. A nonresident owner, except as provided in sections three hundred twenty-one point fifty-four (321.54), three hundred twenty-one point fifty-five (321.55) and three hundred twenty-one point fifty-six (321.56), Code 1950, of a private passenger motor vehicle, not operated for hire, may operate or permit the operation of such vehicle within this state without registering such vehicle in, or paying any fees to this state subject to the condition that such vehicle at all times when operated in this state is duly registered in, and displays upon it a valid registration plate or plates issued for such vehicle in the place of residence of such owner. A nonresident who leases a vehicle from a resident owner shall not be considered a nonresident owner of such vehicle for the purpose of exemption under this section. This section shall be operative to the extent that under the laws of the foreign country, state, territory, or federal district of such nonresident owner's residence like exemptions and privileges are granted to vehicles registered under the laws, and owned by residents, of this state."

Further amend Senate File 130 by adding at the end of line five (5) of section three (3) the words "and as provided in section four (4) of this act."

The Senate concurred in the House amendment.

Senator Oltman moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

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

Ayes, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 Stuart of Lucas, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

**MR. PRESIDENT:** Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate File 32 and House File 17.

JOHN A. WALKER, *Chairman House Committee.*

W. C. STUART, *Chairman Senate 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 32 and House File 17.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on February 12 the Governor had approved the following bills:

Senate File 50, relating to the issuance, sale and delivery of county public hospital bonds by Keokuk County, Iowa.

Senate File 62, relating to building and loan associations.

Senate File 74, relating to reapportionment of unused farm-to-market road funds.

Senate File 118, relating to municipal flood control systems.

Senate File 135, relating to ferries in special charter cities.

#### ASSIGNMENT OF BILLS

President Elthon announced the assignment of the following bills to committee:

S.J.R. 1	Appropriations
S. F. 192	Judiciary 2
S. F. 193	Manufacturing, commerce and trade
S. F. 194	Printing
S. F. 195	Printing
S. F. 196	Schools and educational institutions
S. F. 197	Judiciary 1
S. F. 198	Governmental affairs
S. F. 200	Judiciary 2
S. F. 202	Motor vehicles
S. F. 203	Railroads
S. F. 204	Judiciary 2
S. F. 205	Agriculture
S. F. 206	Motor vehicles
S. F. 207	Schools and educational institutions
S. F. 208	Motor vehicles
S. F. 209	Cities and towns
S. F. 210	Insurance
S. F. 211	Board of control
S. F. 212	Judiciary 2
S. F. 213	Judiciary 2
S. F. 214	Judiciary 2
H. F. 35	Public lands and buildings
H. F. 69	Compensation of public officers and employees
H. F. 213	Election reform

#### REPORTS OF COMMITTEES

Senator Oltman submitted the following report:

**MR. PRESIDENT:** Your committee on public health, to which was referred **Senate File 54**, a bill for an act relating to the practice of funeral directing and embalming and to repeal chapter one hundred fifty-six (156), 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:

1. Amend section 1 by striking the word "continued" in line 26.

2. Further amend section 1 by striking from lines 28, 29, 30 and 31 the following: "which has legally operated said funeral home or funeral establishment continuously for a period of six months immediately preceding the effective date of this act".

3. Amend section 4 by striking the word "in" in line 3 and inserting in lieu thereof the word "from".

4. Further amend section 4 by striking from lines 9, 10, 11, 12 and 13 the following: "The application must specify the address at which the applicant proposes to conduct the practice of a funeral director and shall contain such other information as the board may require to determine compliance with the requirements of this chapter."

5. Further amend section 4 by inserting after the word "complete" in line 32 the following: "a minimum of".

6. Further amend section 4 by striking the word "continuous" in line 32.

7. Amend section 5 by striking from lines 6, 7, 8, 9 and 10 the following: "The application must specify the address at which the applicant proposes to conduct the practice of an embalmer and shall contain such other information as the board may require to determine compliance with the requirements of this chapter."

8. Further amend section 5 by inserting after the word "complete" in line 30 the following: "a minimum of".

9. Further amend section 5 by striking the word "continuous" in line 30.

10. Amend section 11 by striking from line 3 the following: "for a period of two years".

11. Further amend section 11 by striking the period at the end of line 4 and inserting in lieu thereof the following: ", provided that".

12. Further amend section 11 by striking from line 6 the following: "during said period".

R. J. OLTMAN, *Chairman.*

Also:

MR. PRESIDENT: Your committee on public health, to which was referred **Senate File 55**, a bill for an act to amend sections one hundred forty-seven point one (147.1), one hundred forty-seven point two (147.2), one hundred forty-seven point thirteen (147.13), one hundred forty-seven point fifteen (147.15), one hundred forty-seven point eighteen (147.18), one hundred forty-seven point eighty (147.80) and one hundred forty-seven point one hundred one (147.101), Code 1950, relating to practice of funeral directing and embalming and the license fees thereof, begs leave to report it has had the same under consideration and recommends the same *de pass*.

R. J. OLTMAN, *Chairman.*

Ordered passed on file.

Senator Knudson submitted the following report:

MR. PRESIDENT: Your committee on board of control to which was referred **House Joint Resolution 3**, a resolution to authorize the board of control to cooperate with the city of Clarinda in the construction, enlargement, operation and maintenance of a sewage disposal plant and outfall

sewer line and system, to serve both the Mental Health Institute, Clarinda, Iowa, and the city of Clarinda, and to pay to said city certain sums 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 resolution do pass:**

Amend House Joint Resolution 3 by striking from lines 2 and 3 of section 3 the words "for operation and maintenance" and inserting in lieu thereof the words "the amount of the agreed contribution for services rendered".

HERMAN M. KNUDSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on board of control to which was referred **House File 41**, a bill for an act empowering cities and towns located nearby or adjacent to state controlled institutions to enter into agreements with said state institution for construction, operation and maintenance of sewage systems, sewage disposal plants and sewer lines in conjunction and cooperation with said state institutions, and to serve the state institution as a customer, whether within or without the corporate limits of said city or town, and to finance the same, 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.

Senator Colburn submitted the following report:

MR. PRESIDENT: Your committee on motor vehicles, to which was referred **Senate File 151**, a bill for an act to amend section three hundred twenty-one point fifty-four (321.54), Code 1950, relating to the registration of motor vehicles of nonresident carriers, 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 motor vehicles, to which was referred **Senate File 152**, a bill for an act to amend section three hundred twenty-five point six (325.6), Code 1950, relating to certificates of convenience and necessity for motor carriers, 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 Berg submitted the following report:

MR. PRESIDENT: Your committee on ways and means, to which was referred **Senate File 129**, a bill for an act to revert four hundred fifty thousand dollars (\$450,000) from World War II Service Compensation

Fund to the General Fund of the State of Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN P. BERG, *Chairman*.

Ordered passed on file.

Senator Molison submitted the following report:

MR. PRESIDENT: Your committee on schools and educational institutions, to which was referred **Senate Joint Resolution 1**, a joint resolution to provide a committee to choose designs for a new Great Seal for the State of Iowa, to revise the motto of the state, to conduct a contest to secure designs for said seal and to provide an appropriation therefor, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the joint resolution do pass**:

Amend Section 4 of Senate Joint Resolution 1 by striking the first sentence thereof and inserting in lieu the following:

"Sec. 4. The motto for the State of Iowa shall incorporate the theme of 'Liberties', 'Rights' and 'Duties'."

WILBUR C. MOLISON, *Chairman*.

Ordered passed on file.

Senator Bekman submitted the following report:

MR. PRESIDENT: Your committee on insurance, to which was referred **Senate File 79**, a bill for an act to authorize and empower all state commissions, departments, boards and agencies and all commissions, departments, boards and agencies of all political subdivisions of the State of Iowa, not otherwise authorized, to purchase and pay for liability and property damage insurance which shall insure against individual personal legal liability of officers and employees of such commissions, departments, boards and agencies while in the performance of their duties, 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 **House File 18**, 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 increasing the limits without requiring medical examination, begs leave to report it has had the same under consideration and recommends the same **do pass**.

E. K. BEKMAN, *Chairman*.

Ordered passed on file.

#### AMENDMENTS FILED

- 1 Amend the committee amendment to Senate File 30 as follows:
- 2 1. By striking from line 16 the word "two" and from line 17
- 3 the words "per cent (2%) or more than five per cent (5%)" and

- 4 inserting in lieu thereof the words "less than ten per cent (10%)  
5 but not less than three and one-fourth per cent (3.25%)".  
6 2. By striking everything following line 70.

J. KENDALL LYNES.

- 1 Amend Senate File 54, subsection 4, section 9, by  
2 substituting a comma for the period in line 28 and by  
3 adding the following: "or to any contract made in  
4 conjunction with the sale of any life insurance policy  
5 issued by a life insurance company licensed to transact  
6 business in Iowa."

G. E. WHITEHEAD.

- 1 Amend the amendment to Senate File 136, filed February 12,  
2 1953, by Senator Lynes of Bremer, by adding thereto a new section  
3 as follows:  
4 "No holder of a class "C" permit shall be permitted to  
5 stack and display beer except in an area by him specifically  
6 reserved for such purposes, segregated from other merchandise  
7 and which shall not be in a conspicuous place in his place of  
8 business. No signs offering or advertising beer for sale shall  
9 be larger in size than four inches by twenty-four inches and  
10 shall carry only the words 'beer for sale' which sign shall be  
11 placed immediately adjacent to the area in his place of business  
12 where beer is stored or offered for sale."

H. M. KNUDSON.

#### SENATE FILE 136

- 1 1. Amend Senate File 136 by striking the entire  
2 title and inserting in lieu thereof the following:  
3 "An Act relating to permits to sell beer and  
4 amending and repealing various sections of  
5 chapter 124, Code 1950."  
6 2. Amend Senate File 136 by striking all after  
7 the enacting clause and inserting in lieu thereof  
8 the following:  
9 "Section 1. Sections one hundred twenty-four  
10 point thirty (124.30) and one hundred twenty-four  
11 point forty (124.40), Code 1950, are hereby repealed.  
12 "Sec. 2. Subsection six (6) of section one hundred  
13 twenty-four point two (124.2), Code 1950, is hereby  
14 amended by inserting after the comma (,) following  
15 the word 'who' in line three (3) thereof, the  
16 following: 'within five (5) years immediately'.  
17 Subsection seven (7) of section one hundred  
18 twenty-four point two (124.2), Code 1950, is hereby  
19 further amended by striking the period (.) following  
20 the word 'county' in line five (5) thereof and  
21 inserting in lieu thereof the following: 'or by the  
22 state permit board.'

23 "Sec. 3. Section one hundred twenty-four point three  
24 (124.3), Code 1950, as amended, is hereby amended by  
25 striking from line seven (7) of the second paragraph  
26 thereof the word 'revoke' and inserting in lieu  
27 thereof the word 'deny'.

28 "Section one hundred twenty-four point three (124.3),  
29 Code 1950, as amended, is further amended by  
30 inserting following the word 'same' in line seven  
31 (7) of the second paragraph thereof a period (.).

32 "Section one hundred twenty-four point three (124.3),  
33 Code 1950, as amended, is hereby further amended by  
34 inserting before the word 'upon' in line eight (8)  
35 of the second paragraph thereof the following: "The  
36 state permit board may revoke permits which it has  
37 issued."

38 "Section one hundred twenty-four point three (124.3),  
39 Code 1950, is hereby further amended by striking from  
40 line fifteen (15) thereof the words 'or off'.

41 "Section one hundred twenty-four point three (124.3),  
42 Code 1950, is hereby further amended by striking  
43 from line fifteen (15) thereof the period following  
44 the word 'premises' and inserting in lieu thereof  
45 the following: 'and to sell at retail, beer which  
46 is not refrigerated or in any manner chilled for  
47 consumption off the premises'.

48 "Section one hundred twenty-four point three (124.3),  
49 Code 1950, is hereby further amended by inserting  
50 following the word 'beer' in line sixteen (16) thereof  
51 the following: 'which is not refrigerated or in any  
52 manner chilled'.

53 "Section one hundred twenty-four point three (124.3),  
54 Code 1950, is hereby further amended by striking from  
55 line eighteen (18) of the second paragraph thereof,  
56 the word 'in' and inserting in lieu thereof the words  
57 'on the issuance or'.

58 "Sec. 4. Section one hundred twenty-four point four  
59 (124.4), Code 1950, as amended, is hereby repealed and  
60 the following enacted in lieu thereof: 'Any permit  
61 issuing authority may revoke any permit which it has  
62 issued. Before revoking any permit the issuing authority  
63 shall fix a date at which the permit holder may appear  
64 and show cause why the permit should not be revoked. The  
65 issuing authority shall notify the permit holder of such  
66 hearing by sending a written notice by registered mail  
67 to such permittee at the post office address where the  
68 business is conducted under the permit. Such notice shall  
69 be deposited in the United States mail at least ten days  
70 prior to the date set for hearing. The said notice shall  
71 state the time and place of hearing and shall contain a

72 general statement of the ground or grounds upon which the  
73 proceeding is based.

74 "In the event the hearing be before any city or town  
75 council or board of supervisors, the action taken may be  
76 reviewed by the state permit board. On any such review  
77 by the state permit board a date of hearing shall be  
78 fixed and notice thereof given in the same manner as  
79 is provided for original hearings held by issuing  
80 authorities. The state permit board may affirm or reverse  
81 the action taken by the city or town council or board of  
82 supervisors. The action of the state permit board on any  
83 original hearing relating to a permit issued by it, or on  
84 review of the action of any city or town council or board  
85 of supervisors shall be final, subject to appeal to court  
86 as provided in this chapter. In the event the state permit  
87 board does not commence a review of the action of any city  
88 or town council or board of supervisors, by fixing a date  
89 of hearing and sending notice thereof within thirty days  
90 after the action taken by the city or town council or  
91 board of supervisors is certified to the state permit  
92 board, the action taken by such city or town council or  
93 board of supervisors shall be final subject to appeal to  
94 court as provided in this chapter.

95 "If a permit holder under the provisions of this  
96 chapter is convicted of a felony or is convicted of a sale  
97 of beer, contrary to the provisions of this chapter, or is  
98 convicted of bootlegging, or is convicted of a sale or for  
99 the dispensing of wines or spirits in violation of law, or is  
100 convicted for allowing the mixing or adding of alcohol to  
101 beer or any other beverage on the premises of class 'B'  
102 permittees, or is convicted for any violation of this  
103 chapter as amended, or of any ordinance enacted by any  
104 city or town as provided for in this chapter, his permit  
105 shall be revoked by operation of law and the court in  
106 pronouncing sentence shall provide for the surrender of  
107 the defendant's permit within a period of time not to  
108 exceed forty-five (45) days.

109 "If a permit holder is found by any issuing authority  
110 under which he holds a permit, to have violated any  
111 provisions of this chapter, as amended, or any ordinance  
112 enacted by any city or town, as provided for in this  
113 chapter, or to have sold or dispensed wines or spirits in  
114 violation of law, or to have allowed the mixing or adding  
115 of alcohol to beer or any other beverage on the premises  
116 of class 'B' permittees, or to have violated any rule or  
117 regulation adopted by a board of supervisors, his permit  
118 shall be revoked by the authorities issuing the same  
119 although such permit holder is not convicted of such act  
120 or acts. Any permit may also be revoked by the issuing

121 authority for any cause which, in its judgment, may be  
122 inimical to the carrying out of the intent and purpose  
123 of this chapter.

124 "Any issuing authority may initiate hearing on its own  
125 motion, and city and town councils and boards of supervisors  
126 shall initiate a hearing if so requested by the state permit  
127 board, or upon receiving a complaint signed by at least ten  
128 citizens of any precinct, or of any city or town where said  
129 city or town contains more than one precinct, wherein the  
130 business under the permit referred to in said request or  
131 complaint is conducted.

132 "It shall be the duty of every peace officer having  
133 information of any cause for which a permit may be revoked  
134 to notify the authority issuing such permit in writing of  
135 the grounds for revocation which have come to his attention.

136 "In the preparation and conduct of hearings, issuing  
137 authorities shall have power to require by subpoena the  
138 testimony of witnesses and the production of papers or  
139 documents, and any member of any city or town council or  
140 board of supervisors or any state permit board may sign  
141 subpoenas, administer oaths and affirmations, examine  
142 witnesses, and receive evidence. The fees and mileage of  
143 such witnesses shall be the same as prescribed by law in the  
144 trial of civil cases, and the permittee in all such cases  
145 shall have the opportunity to be heard in person and by  
146 counsel. All parties to any hearing before any issuing  
147 authority shall have the right to the attendance of witnesses  
148 at such hearings upon making request therefor to the issuing  
149 authority and designating the person or persons sought to be  
150 subpoenaed. In case of disobedience to a subpoena, the  
151 issuing authority may invoke the aid of any court of  
152 competent jurisdiction in requiring the attendance and testimony  
153 of witnesses and the production of papers or documents, and  
154 such court may issue an order requiring the persons to appear  
155 before the issuing authority to give evidence or to produce  
156 papers as the case may be, and any failure to obey such orders  
157 of the court may be punished by the court for contempt thereof.  
158 Testimony may be taken by deposition as in civil cases  
159 and any person may be compelled to appear and testify as  
160 in civil actions in the courts of this state. Any person  
161 who shall neglect and refuse to attend and testify or  
162 answer any lawful question or produce documentary evidence,  
163 if it is in his power to do so, in obedience to a subpoena  
164 or lawful requirement of such board, shall be guilty of a  
165 misdemeanor and upon conviction thereof by a court of  
166 competent jurisdiction, shall be punished in accordance  
167 with the provisions of section 687.7.

168 "Sec. 5. Any permit revoked as in this chapter  
169 provided shall not be renewed, nor shall the holder thereof

170 thereafter for a period of five years be allowed to secure  
171 a permit for the distribution or sale of beer, nor shall he  
172 be an employee of any person engaged in the manufacture,  
173 distribution or sale of beer during such five-year period,  
174 and the issuing authorities may refuse to issue a permit  
175 effective on the same premises to any other person for a  
176 period of one year from the date of revocation.

177 "Sec. 6. Whenever any permit has been revoked under  
178 any provision of this chapter, the principal sum of the  
179 bond of the permittee shall be forfeited. The surety on  
180 the bond shall be notified in writing of such forfeiture  
181 by letter sent by registered mail to such surety or  
182 sureties at their address as shown on the said bond. In  
183 the event the said principal sum is not paid within ten  
184 days after such notice is mailed, the issuing authority  
185 shall commence an action against the surety, or if more  
186 than one, against the sureties, jointly and severally.

187 "If it is found in such action that the permit was  
188 revoked and that the surety or sureties were notified,  
189 as herein provided, and that the principal sum was not  
190 paid within the time herein specified, judgment shall  
191 be entered against the surety or sureties jointly and  
192 severally in the amount of the said principal sum and  
193 for the costs of the action.

194 "Sec. 7. Section one hundred twenty-four point  
195 five (124.5), Code 1950, as amended is amended by  
196 striking from lines five (5) and six (6) of the second  
197 paragraph thereof the following: 'through such city or town  
198 council or board of supervisors'.

199 "Section one hundred twenty-four point five (124.5),  
200 Code 1950, as amended, is further amended by striking from  
201 lines nine (9) to twelve (12), inclusive, of the second  
202 paragraph thereof, the following: 'which shall be forwarded  
203 to the state permit board, together with the certification  
204 to the state board of the issuance of such class 'B' or 'C'  
205 permit.'

206 "Section one hundred twenty-four point five (124.5),  
207 Code 1950, as amended, is further amended by inserting  
208 following the word 'issuance' in the first line of the  
209 third paragraph thereof, the following: 'or denial'.

210 "Section one hundred twenty-four point five (124.5),  
211 Code 1950, as amended, is further amended by striking the  
212 word 'The' following the period (.) in line four (4) of the  
213 third paragraph thereof, and inserting in lieu thereof the  
214 following: 'If it is certified that a permit has been  
215 issued the'.

216 "Section one hundred twenty-four point five (124.5),  
217 Code 1950, as amended, is further amended by inserting  
218 following the word 'issue' in line five (5) of the third

219 paragraph thereof the words 'or deny'.

220 "Section one hundred twenty-four point five (124.5),  
221 Code 1950, as amended, is further amended by inserting  
222 following the word 'which' in line eight (8) of the third  
223 paragraph thereof the words "if issued".

224 "Section one hundred twenty-four point five (124.5),  
225 Code 1950, as amended, is further amended by striking from  
226 the last two lines of the third paragraph thereof the  
227 following: 'as to the issuance of each permit', and inserting  
228 in lieu thereof the following: 'as to the action taken. In  
229 the event the state permit is denied by the state permit  
230 board the permit issued by the city or town council or board  
231 of supervisors shall thereupon be cancelled by operation of  
232 law and shall be of no force or effect whatsoever.'

233 "Section one hundred twenty-four point five (124.5),  
234 Code 1950, as amended, is further amended by striking all  
235 of the said section following the word 'taken' in line  
236 four (4) of the last paragraph thereof, and inserting in  
237 lieu thereof a period (.).

238 "Sec. 8. Section one hundred twenty-four point  
239 six (124.6), Code 1950, as amended, is hereby amended by  
240 striking all of the first paragraph thereof following the  
241 period (.) after the word 'provided' in line seven (7) of  
242 the said paragraph and inserting in lieu thereof the  
243 following: 'Permits shall be issued only to citizens of  
244 the State of Iowa, foreign corporations authorized to do  
245 business in Iowa and corporations organized and existing  
246 under and by virtue of the laws of the State of Iowa. Only  
247 citizens of good moral character and repute may be granted  
248 a permit and no permit shall be granted to any corporation  
249 except one whose officers are all of good moral character  
250 and repute.'

251 "Sec. 9. Section one hundred twenty-four point  
252 eight (124.8), Code 1950, as amended, is hereby amended  
253 by adding to subsection three (3) thereof the following:  
254 'Said bond shall be further conditioned to the effect that  
255 the permittee and his surety as a part of the permit granted  
256 hereunder, consent to forfeiture of the principal sum of  
257 said bond in the event of the cancellation of the permit  
258 as provided in this chapter.'

259 "Sec. 10. Section one hundred twenty-four point  
260 nine (124.9), Code 1950, as amended, is hereby further  
261 amended by striking the word 'shall' from line ten (10)  
262 of subsection three (3) thereof.

263 "Sec. 11. Section one hundred twenty-four point  
264 ten (124.10), Code 1950, as amended, is hereby further  
265 amended by adding to subsection three (3) thereof the  
266 following: 'Said bond shall be further conditioned to  
267 the effect that the permittee and his surety, as a part  
268 of the permit granted hereunder, consent to the

269 forfeiture of the principal sum of said bond in event  
270 of cancellation of the permit as provided in this chapter.'

271 "Sec. 12. Section one hundred twenty-four point  
272 twelve (124.12), Code 1950, is hereby amended by striking from  
273 line four (4) thereof the words 'or off'.

274 "Section one hundred twenty-four point twelve (124.12),  
275 Code 1950, is hereby further amended by striking the semicolon  
276 (;) following the word 'premises' in line four (4) thereof,  
277 and by inserting in lieu thereof the following: 'and to sell  
278 at retail, beer which is not refrigerated or in any manner  
279 chilled for consumption off the premises;'

280 "Sec. 13. Section one hundred twenty-four point  
281 thirteen (124.13), Code 1950, is hereby amended by inserting  
282 after the word 'beer' in line three (3) thereof the following:  
283 'which is not refrigerated or in any manner chilled'.

284 "Sec. 14. Section one hundred twenty-four point  
285 twenty-three (124.23), Code 1950, as amended, is hereby  
286 amended by striking the period (.) in line nine (9) thereof  
287 and inserting in lieu thereof the following: 'and the  
288 decision of any city or town council or board of  
289 supervisors shall be final unless such decision is  
290 reviewed by the state permit board or courts of this  
291 state as provided in section one hundred twenty-four  
292 point four (124.4), Code 1950, as amended, and as  
293 amended by this Act, in which event the decision of  
294 the state permit board shall be final.'

295 "Sec. 15. Section one hundred twenty-four point  
296 twenty-four (124.24), Code 1950, is hereby amended by  
297 striking from line two (2) of the last paragraph of the  
298 said section the words 'twenty-five dollars' and by  
299 inserting in lieu thereof the words 'fifty dollars'.

300 "Sec. 16. Any permittee aggrieved by the action of  
301 any issuing authority may appeal to the district court  
302 of the county in which the business is licensed, or a judge  
303 thereof in vacation, from the decision of such issuing  
304 authority, by serving written notice of such appeal on such  
305 issuing authority in the same manner as service of original  
306 notices of suits and filing said notice and return of  
307 service thereof with the issuing authority within ten days  
308 after the date of the action complained of by the permittee.  
309 In the event the decision of the issuing authority provides  
310 for a revocation of the permit, same shall stand revoked  
311 immediately and shall not be reinstated unless the district  
312 court or judge shall reverse the decision of the issuing  
313 authority. When notice of appeal has been served and filed,  
314 the issuing authority shall immediately certify all the  
315 original papers to the clerk of the district court, together  
316 with a certified copy of the action appealed from. The  
317 appeal shall be heard and determined by the district court  
318 without jury, or by a judge thereof in vacation, within

319 ten (10) days thereafter and the hearings thereof shall be given  
 320 precedence over other matters pending in said court. The  
 321 issuing authority and the permit holder may be represented  
 322 by counsel at such hearing: The said district court, or  
 323 judge thereof in vacation, shall have full jurisdiction to  
 324 hear and determine the matter de novo, and the decision of  
 325 the court or judge shall be final and not subject to  
 326 appeal to the supreme court except on the question of  
 327 violation of the constitutional rights of either party.  
 328 Nothing herein shall preclude prosecution of the license  
 329 holder for any violations of law.  
 330 "Sec. 17. This Act being deemed of immediate  
 331 importance, shall be in full force and effect from and  
 332 after its publication in the Bremer County Independent,  
 333 a newspaper published at Waverly, Iowa,  
 334 and in The Iowa Recorder, a newspaper  
 335 published at Greene, Iowa."

J. KENDALL LYNES.

1 Amend Senate File 178, section 2, subsection 4,  
 2 by inserting after word "person" in line 42 the following:  
 3 "who furnishes transportation for persons by motor vehicle  
 4 wholly within a city or town and operating less than twenty-five  
 5 (25) such vehicles, or any person".

D. C. NOLAN.

1 Amend section 4 of Senate File 178 by adding thereto  
 2 the following paragraph: "The provisions of this act shall  
 3 not apply to nor affect any privately owned corporation  
 4 organized under the provisions of chapter 491, Code 1950,  
 5 or any subsidiary thereof, if three-fourths of the voting  
 6 stock of such corporation is owned by individuals owning  
 7 not more than one share of stock thereof and if such  
 8 corporation has assets of the value of one million dollars  
 9 or more."

D. C. NOLAN.

1 1. Amend Senate File 178, section 9, lines 31 and 32, by striking the  
 2 words "may if it finds the connection is reasonable and".

3 2. Amend section 29 by striking from line 14 the words  
 4 "changes or".

D. C. NOLAN.

1 Amend Senate File 178, section 48, by striking lines 12, 13, 14 and  
 2 the words  
 3 "United States or" from line 15, and inserting in lieu thereof the  
 4 following: "The commission shall accept as fulfillment of the  
 5 requirements of this section evidence that there exists an order  
 6 or certification of a duly authorized commission of the United  
 States or may in its discretion accept as fulfillment as requirements

7 of this section evidence that there exists an order or certification  
8 of a duly authorized commission".

9 And further amend section 48, subsection 1, by striking the  
10 period at the end of said subsection 1 and inserting in lieu  
11 thereof "Provided, this provision shall not apply to railroad bonds  
12 or other securities issued under the provisions of section twenty a  
13 (20a) of the Interstate Commerce Act."

D. C. NOLAN.

1 Amend Senate File 178, section 49, by striking the period at the  
end of said  
2 section, and inserting in lieu thereof a comma and adding the  
3 following: "provided, this provision shall not apply to railroad  
4 bonds or other securities issued under the provisions of section  
5 twenty a (20a) of the Interstate Commerce Act."

D. C. NOLAN.

1 1. Amend Senate File 178, section 57, subsection 1, by striking  
from  
2 lines 28, 29 and 30 the words "shall not be chargeable as  
3 part of the remainder under subsection two (2) of this section, but".  
4 2. Amend section 57 by striking from subsection 2 all of  
5 said subsection following the period in line 40 and inserting in  
6 lieu thereof a comma and adding the following: "the expenditures  
7 so ascertained shall be paid out of the general appropriation to  
8 the public service commission."  
9 3. Amend section 57 by striking from subsection 5, line 122,  
10 the words "and two (2)".

D. C. NOLAN.

1 Amend Senate File 178, section 60, by striking  
2 from lines 4, 5, 6, 7 and 8 the following:  
3 "three hundred eighty-six point three (386.3);  
4 three hundred eighty-six point four (386.4);  
5 three hundred eighty-six point five (386.5);  
6 three hundred eighty-six point six (386.6);  
7 three hundred eighty-six point seven (386.7);".

D. C. NOLAN.

1 1. Amend section 1 of House File 42 by striking  
2 the word "civil" in line four (4) thereof and inserting  
3 the word "judgment".  
4 2. Further amend section 1 by  
5 inserting after the word "docket" in line four (4) the  
6 following: "and lien index".

D. C. NOLAN.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 13, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend Wilbur Dierking, pastor of the Presbyterian Church, Mason City, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Bekman from ninety-six residents of Wapello County favoring proposed legislation to provide for equal pay for equal work.

By Senator Bellman from twenty-seven residents of Warren County favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance.

By Senator Heideman from nineteen residents of Webster County favoring proposed legislation relating to the reorganization of the State Department of Public Instruction.

By Senator O'Malley from one thousand eighty-one residents of Polk County in opposition to proposed legislation relating to class "C" permits for the sale of beer.

By the following Senators favoring proposed legislation relating to class "C" permits for the sale of beer:

By Senator Dewel from thirty-one residents of Hancock and Kossuth Counties.

By Senator Larson from twenty-five residents of Taylor County.

By Senator Molison from fifty-two residents of Keokuk County.

By Senator Myrland from one hundred forty-seven residents of Crawford County.

By Senator O'Malley from thirty-two residents of Polk County.

By Senator Stuart of Lucas from thirty residents of Lucas and Wayne Counties.

## INTRODUCTION OF BILLS

Senate File 215, by committee on election reform, a bill for an act relating to the presidential electors and to amend sections fifty-four point six (54.6) and fifty-four point eight (54.8), Code 1950.

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

Senate File 216, by Senators Nelson and Prentis (Ramseyer, et al.), a bill for an act relating to the licensing of baby chick hatcheries, dealers and set-off stations.

Read first and second times, and passed on file.

Senate File 217, by Senator Oltman, a bill for an act to amend sections one hundred sixty-four point one (164.1), one hundred sixty-four point nineteen (164.19), one hundred sixty-five point six (165.6) and one hundred sixty-five point seven (165.7), Code 1950, relating to indemnity to be paid on cows resulting from artificial insemination which are slaughtered in connection with Bang's disease and tuberculosis control programs.

Read first and second times, and passed on file.

Senate File 218, by committee on ways and means, a bill for an act to provide for the transfer of funds from "the state sinking fund for public deposits" to the state general fund.

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

Senate File 219, by committee on insurance, a bill for an act to amend section five hundred fifteen point one hundred nine (515.109), Code 1950, relating to approval of insurance forms.

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

Senate File 220, by committee on insurance, a bill for an act to amend chapter one hundred eighty-eight (188), Acts of the Fifty-fourth General Assembly, relating to accident and sickness insurance policies and riders or endorsements that may be attached thereto.

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

## PRESENTATION OF VISITOR

Senator Boothby asked and received unanimous consent present to the Senate the Honorable Lew MacDonald of Cherokee

County, a former member of the Senate, who was present in the Senate chamber.

#### ADDITIONAL COPIES

Senator Myrland asked and received unanimous consent to have six hundred additional copies of Senate File 178 printed.

#### PROOF OF PUBLICATION

Published copy of Senate File 80 and verified proof of publication of said bill in the Boone News-Republican on January 27, 1953, and in the Ogden Reporter on January 29, 1953, 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.*

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House Joint Resolution 11, providing for an increase in the gross profit markup on distilled spirits and wines sold through the Iowa Liquor Control Commission.

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

House File 73, a bill for an act relating to sick leave for school employees.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED

House File 73, a bill for an act to amend section two hundred seventy-nine point forty (279.40), Code 1950, relating to sick leave for school employees.

Read first and second times, and passed on file.

House Joint Resolution 11, a resolution to provide for an increase in the gross profit markup on distilled spirits and wines and providing that the net profit resulting from such increase be transferred to the general fund to be used as directed by the legislature.

Read first and second times, and passed on file.

#### THIRD READING OF BILLS

On motion of Senator Bateson, Senate File 136, a bill for an act to amend sections one hundred twenty-four point three (124.3), one

hundred twenty-four point five (124.5), one hundred twenty-four point ten (124.10), one hundred twenty-four point eleven (124.11), one hundred twenty-four point thirteen (124.13), one hundred twenty-four point twenty (124.20), one hundred twenty-four point twenty-four (124.24), one hundred twenty-four point twenty-seven (124.27), one hundred twenty-four point twenty-nine (124.29) and one hundred twenty-four point thirty-two (124.32), Code 1950, relating to class "C" permits, was taken up for consideration.

Senator Lynes offered the amendment to Senate File 136 filed by him and found on pages 294 to 301, inclusive, of the Senate Journal.

Senator Fishbaugh raised a point of order with reference to the Lynes amendment to Senate File 136 in that the proposed amendment was not germane. The title to Senate File 136 declares it is a bill for an act to repeal specified sections and to amend other specified sections of the Code of 1950, all relating to class "C" permits for the sale of beer.

The Lynes amendment goes completely beyond said sections, refers to other sections of the Code, and relates to class "B" permits as well as class "C" permits. The Lynes amendment confesses by its terms that it is not germane to Senate File 136 in that it seeks first to amend the title to Senate File 136 in order that the title may be broadened to include the provisions of the amendment.

The Chair ruled the point not well taken for the reason that section 1 of Senate File 136, in lines 5, 6 and 7 of the original bill, not only takes up the matter of "B" permits, but also "A" permits, to the extent that it repeals certain parts of the section which includes "A" and "B" permits and rewrites part of that section, which does include "A" and "B" permits. Now, there are only three permits for beer, they are "A", "B" and "C", and in the original writing of the bill, all types of permits have been taken up and specifically mentioned in the bill.

Senator Vest offered the following amendment to the amendment and moved its adoption:

Amend the amendment by inserting after section 16 the following new section and renumbering the remaining sections:

"No telecasting station within the State of Iowa shall televise any beer advertising."

Roll call was requested.

On the question "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 19:

Anderson	Dewel	Larson	Sayre
Bateson	Elijah	Lucas	Scott
Bekman	Fishbaugh	Lynes	Vest
Bellman	Grimstead	Molison	Walter
Colburn	Knudson	O'Malley	

Nays, 29:

Berg	Heideman	Nolan	Utzig
Boothby	Johnson	Oltman	Washburn
Byers	Linnevold	Prentis	Watson of
Clark	Lord	Risk	O'Brien
Dailey	Miller	Schoening	Watson of
Dykhouse	Myrland	Stewart of	Pottawattamie
Hart	Nelson	Mahaska	Weichman
Hedin	Nesmith	Stuart of Lucas	Whitehead

Absent or not voting, 2:

Van Eaton	Zastrow
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The amendment was lost.

Senator Knudson offered the following amendment to the amendment and moved its adoption:

Amend the amendment to Senate File 136 by adding thereto a new section as follows:

"No holder of a class "C" permit shall be permitted to stack and display beer except in an area by him specifically reserved for such purposes, segregated from other merchandise and which shall not be in a conspicuous place in his place of business. No signs offering or advertising beer for sale shall be larger in size than four inches by twenty-four inches and shall carry only the words 'beer for sale' which sign shall be placed immediately adjacent to the area in his place of business where beer is stored or offered for sale."

Senator Knudson asked unanimous consent to insert following the word "No" in line 8 the word "inside".

Objection was raised.

Senator Knudson moved that the word "inside" be inserted following the word "No" in line 8.

Objection was withdrawn.

The request of Senator Knudson was granted.

On motion of Senator Knudson, the amendment to the amendment was adopted.

Senator Bateson offered the following amendment to the amendment filed by Senator Lynes and moved its adoption:

Amend the amendment by inserting just prior to section 17 the following: "There shall be no pictorial advertising of beer in the State of Iowa where human beings are portrayed therein."

Division was called for.

The amendment was lost.

Senator Byers moved the previous question on the amendment by Senator Lynes and the main bill, which motion prevailed.

Senator Lynes moved the adoption of the amendment as amended.

Roll call was requested.

Rule 8 was invoked.

On the question "Shall the amendment as amended be adopted?" the vote was:

Ayes, 31:

Anderson	Dykhouse	Lucas	Stuart of Lucas
Bekman	Grimstead	Lynes	Utzig
Berg	Hart	Molison	Van Eaton
Boothby	Hedin	Myrland	Watson of
Byers	Johnson	Nesmith	O'Brien
Clark	Knudson	Nolan	Watson of
Colburn	Linnevold	Risk	Pottawattamie
Dailey	Lord	Schoening	Whitehead
Dewel			

Nays, 19:

Bateson	Larson	Prentis	Vest
Bellman	Miller	Sayre	Walter
Elijah	Nelson	Scott	Washburn
Fishbaugh	Oltman	Stewart of	Weichman
Heideman	O'Malley	Mahaska	Zastrow

Absent or not voting, none.

The amendment as amended 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, 50:

Anderson	Clark	Grimstead	Linnevold
Bateson	Colburn	Hart	Lord
Bekman	Dailey	Hedin	Lucas
Bellman	Dewel	Heideman	Lynes
Berg	Dykhouse	Johnson	Miller
Boothby	Elijah	Knudson	Molison
Byers	Fishbaugh	Larson	Myrland

Nelson	Sayre	Van Eaton	Watson of
Nesmith	Schoening	Vest	Pottawattamie
Nolan	Scott	Walter	Weichman
Oltman	Stewart of	Washburn	Whitehead
O'Malley	Mahaska	Watson of	Zastrow
Prentis	Stuart of Lucas	O'Brien	
Risk	Utzig		

Nays, none.

Absent or not voting, none.

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

Senator 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.

#### BILL SENT TO THE GOVERNOR

Senator Stuart of Lucas, 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, 1953, sent to the Governor for his approval: Senate File 32.

W. C. STUART, *Chairman*.

Passed on file.

#### ASSIGNMENT OF BILLS

President Elthon announced the assignment of the following bills to committee:

S. F. 216 Agriculture  
 S. F. 217 Agriculture  
 H.J.R. 11 Judiciary 1  
 H. F. 73 Schools and educational institutions

On motion of Senator Zastrow, the Senate adjourned until 11:00 a.m., Monday, February 16, 1953.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 16, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend Alvin L. Morris, pastor of the Central Presbyterian Church, Des Moines, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Nesmith for the day on request of Senator Myrland; Senator Risk for the day on request of Senator Grimstead.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Knudson from residents of Cerro Gordo County in opposition to proposed legislation relating to class "C" beer permits.

By Senator Utzig from residents of Dubuque County in opposition to proposed legislation relating to hunting from aircraft.

By Senator Utzig from residents of Dubuque County in opposition to proposed legislation relating to class "C" beer permits.

By Senator Washburn from residents of Clayton and Dubuque Counties favoring proposed legislation relating to equipment of rail track motor cars.

By Senator Zastrow from residents of Floyd County in opposition to proposed legislation relating to the licensing of insurance agents.

By the following Senators favoring proposed legislation relating to liability and property damage insurance of state employees:

By Senator Boothby from residents of Cherokee and Plymouth Counties.

By Senator Hedin from residents of Scott County.

By Senator Molison from residents of Poweshiek County.

By the following Senators favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance.

By Senator Lord from residents of Louisa County.

By Senator Scott from residents of Fayette County.

By Senator Weichman from residents of Benton and Tama Counties.

By the following Senators favoring proposed legislation relating to class "C" permits for the sale of beer.

By Senator Grimstead from residents of Worth County.

By Senator Knudson from residents of Butler and Cerro Gordo Counties.

By Senator Larson from residents of Adams County.

By Senator Lynes from residents of Butler County.

By Senator Walter from residents of Marshall County.

By Senator Whitehead from residents of Dallas and Guthrie Counties.

#### INTRODUCTION OF BILLS

Senate File 221, by Senators Dailey, Miller, O'Malley and Utzig, a bill for an act to amend sections four hundred twenty-five point one (425.1), four hundred twenty-five point four (425.4), four hundred twenty-five point nine (425.9) and four hundred twenty-five point eleven (425.11), Code 1950, relating to homestead tax credit.

Read first and second times, and passed on file.

Senate File 222, by Senator O'Malley, a bill for an act to provide for the reopening of East Walnut Street through the "Capitol Extension Grounds" from Kasson Street to East Ninth Street and to provide for the permanent improvement of said street by paving, draining and lighting, to authorize the state highway commission to make the survey for said improvement and prepare plans and specifications therefor and to authorize the executive council to enter into a contract or contracts for the opening and improvement of said street, and to provide an appropriation therefor.

Read first and second times, and passed on file.

Senate File 223, by Senator O'Malley, a bill for an act to amend

section two hundred twenty-seven point fifteen (227.15), Code 1950, relating to county and private hospitals for the insane.

Read first and second times, and passed on file.

Senate File 224, by committee on insurance, a bill for an act to amend section five hundred two point twenty-seven (502.27), Code 1950, relating to violations of the Iowa securities law and providing penalties therefor.

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

Senate File 225, by Senator Byers, a bill for an act to amend section three hundred fifty-eight A point three (358A.3), Code 1950, relating to the powers of county boards of supervisors relative to county zoning.

Read first and second times, and passed on file.

Senate File 226, by Senators Hart and Byers, a bill for an act to amend section one hundred twenty-three point seven (123.7), Code 1950, relating to the appointment of members of the Iowa liquor control commission.

Read first and second times, and passed on file.

Senate File 227, by Senator O'Malley, a bill for an act to establish an Iowa recreation board.

Read first and second times, and passed on file.

Senate File 228, by committee on judiciary 2, a bill for an act to amend section four hundred fifty-five point one hundred sixty-two (455.162), Code 1950, relating to the authorization of governing bodies of drainage or levee districts to invest funds.

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

Senate File 229, by committee on judiciary 2, a bill for an act to repeal section eighty-six point two (86.2), Code 1950, relating to the appointment of deputy industrial commissioners, and to enact a new section in lieu thereof.

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

Senate File 230, by committee on banks, building and loan, a bill for an act relating to merger, consolidation and conversion of national and state banks and trust companies.

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

Senate File 231, by committee on banks, building and loan, a bill for an act to amend section five hundred thirty-four point twenty-one (534.21), Code 1950, relating to shares of building and loan associations.

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

### THIRD READING OF BILLS

On motion of Senator Lynes, Senate File 43, a bill for an act to prescribe the minimum butterfat content of milk, 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, 48:

Anderson	Fishbaugh	Molison	Utzig
Bateson	Grimstead	Myrland	Van Eaton
Bekman	Hart	Nelson	Vest
Bellman	Hedin	Nolan	Walter
Berg	Heideman	Oltman	Washburn
Boothby	Johnson	O'Malley	Watson of
Byers	Knudson	Prentis	O'Brien
Clark	Larson	Sayre	Watson of
Colburn	Linnevold	Schoening	Pottawattamie
Dailey	Lord	Scott	Weichman
Dewel	Lucas	Stewart of	Whitehead
Dykhouse	Lynes	Mahaska	Zastrow
Elijah	Miller	Stuart of Lucas	

Nays, none.

Absent or not voting, 2:

Nesmith                  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 71, a bill for an act relating to the operation of cemeteries in the State of Iowa, and funds for the perpetual care and maintenance thereof, and the sale of burial space therein, and providing penalties for the violation thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Fishbaugh offered the following amendment and moved its adoption:

Amend Senate File 71 by striking from lines 4 and 5 of section 5 the following: "and in a conspicuous place at or near the entrance of the cemetery,".

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	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Van Eaton
Bekman	Hart	Nelson	Vest
Bellman	Hedin	Nolan	Walter
Berg	Heideman	Oltman	Washburn
Boothby	Johnson	O'Malley	Watson of
Byers	Knudson	Prentis	O'Brien
Clark	Larson	Sayre	Watson of
Colburn	Linnevold	Schoening	Pottawattamie
Dailey	Lucas	Scott	Whitehead
Dewel	Lynes	Stewart of	Zastrow
Dykhouse	Miller	Mahaska	
Elijah			

**Nays, none.**

**Absent or not voting, 5:**

Lord	Risk	Utzig	Weichman
Nesmith			

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.

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

#### HOUSE CONCURRENT RESOLUTION 11

*Whereas*, Senate File 82 of the Fifty-fifth General Assembly, providing for a change in the number of legislative bulletins or indexes to be printed at any one legislative session, has passed the Fifty-fifth General Assembly, and

*Whereas*, such newly enacted legislation would not become effective until July 4 of this year, and

*Whereas*, it is desirable that the provisions of this measure shall be in effect for the Fifty-fifth General Assembly,

*Now, Therefore, Be It Resolved by the House, the Senate Concurring,* That the superintendent of printing is hereby authorized and directed to immediately comply with provisions of Senate File 82, the same as though the same were in full force and effect at this time.

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 amended and passed the following bill in which the concurrence of the House was asked:

Senate File 147, a bill for an act relating to hog cholera virus and serum.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENTS TO SENATE FILE 147

1. Amend Senate File 147 by adding thereto as section 2 the following: "Sec. 2. Chapter one hundred sixty-six (166), Code 1950, is hereby amended by adding thereto the following section: 'None of the provisions of this chapter as contained in sections one hundred sixty-six point sixteen (166.16) to section one hundred sixty-six point twenty-eight (166.28), inclusive, and section one hundred sixty-six point thirty (166.30) to section one hundred sixty-six point thirty-three (166.33), inclusive, relative to schools of instruction and permits to purchase and administer virus shall be of any force or effect where either a modified live virus of the non-virulent type or dead virus vaccine is to be purchased and administered.'"

2. Amend the title of Senate File 147 by striking all after the word "Act" and inserting in lieu thereof the following: "to amend chapter one hundred sixty-six (166), Code 1950, relating to hog cholera serum and virus and the manufacture, sale and use of such products."

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

#### AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

#### SENATE CONCURRENT RESOLUTION 12

By Dailey, Lord and Bateson

*Whereas*, the Supreme Court of the United States has recently held that the activities of a private contractor performing services for the Atomic Energy Commission are to be treated as activities of the Atomic Energy Commission itself for the purpose of securing immunity from state and local taxes;

*Now, Therefore, Be It Resolved by the Senate, the House Concurring:* That the legislature of the State of Iowa respectfully memorialize the Congress of the United States to amend the atomic energy act so as to eliminate therefrom any language which may be interpreted as providing for the extension of tax exemption to private contractors with the Atomic Energy Commission or to the vendors of such contractors, contrary to the well-established principles of intergovernment relations which have assured to the states and their political subdivisions full power to impose nondiscriminatory taxation upon private persons who deal with the government; and,

*Be It Further Resolved:* That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from Iowa in the Congress of the United States.

### SENATE CONCURRENT RESOLUTION 13

#### 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: Carroll A. Lane, postage for Senate postmaster, office postage, keys and telephone expense (Senate).....\$ 66.03  
 Addressograph-Multigraph Corporation, repairs (Senate)..... 2.36  
 Des Moines Rubber Stamp Works, three rubber stamps (Senate).... 3.50  
 Koch Brothers, 12 steel wastebaskets (Senate)..... 16.20  
 Office Machine Supply Company, service on five typewriters (Senate) ..... 10.00  
 Radio Trade Supply Co., microphone (Senate)..... 50.40  
 Storey Sound Recording Company, rental on Soundscriber to February 6 (Senate)..... 30.00  
 Storey Kenworthy Company, 50 wallets (Senate)..... 16.13  
 Western Union, telegraph service (Senate)..... 1.25  
 Adolph Feiler Studio, portraits and framing (Senate)..... 183.00  
 A. C. Gustafson, postage for House postmaster and office postage (House) ..... 89.16  
 Burroughs Adding Machine Co., cleaning and oiling adding machine (House) ..... 4.00  
 Des Moines Rubber Stamp Works, badges for doorkeepers, pages, porters, matrons, etc. (House)..... 129.00  
 Office Machine Supply Company, cleaning and adjusting 56 typewriters (House) ..... 112.00  
 Standard Glass & Paint Co., glass for voting booth (House)..... 2.01  
 Lillian Leffert, assisting in opening days (House)..... 150.00  
 Edith Wasson McElroy, reporting and transcribing Governor Beardsley's speech (Senate and House)..... 8.00  
 Des Moines Clean Towel Service, aprons and towels for multigraph room (Senate and House)..... 4.58

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.

#### APPOINTMENT OF EMPLOYEE

Senator Whitehead announced the appointment of Cora Hoon of Polk County as file clerk of the Senate.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Stuart of Lucas, 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 130.

W. C. STUART, *Chairman Senate Committee.*

JOHN A. WALKER, *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 130.

#### BILL SIGNED BY THE GOVERNOR

A communication was received announcing that, on February 16, the Governor had approved the following bill:

Senate File 32, relating to actions against nonresidents.

#### ASSIGNMENT OF BILLS

President Elthon announced the assignment of the following bills to committee:

- S. F. 68 Appropriations (Under Senate Rule 21)
- S. F. 221 Appropriations
- S. F. 222 Public lands and buildings
- S. F. 223 Board of control
- S. F. 225 Judiciary 2
- S. F. 226 Judiciary 2
- S. F. 227 Judiciary 1

#### REPORTS OF COMMITTEES

Senator Hedin submitted the following report:

MR. PRESIDENT: Your committee on public lands and buildings, to which was referred **House File 35**, 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 Des Moines, now included in and forming a part of the city of Des Moines, Polk County, Iowa, 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 Bateson submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred **House File 60**, a bill for an act relating to fees of the clerk of the district court in settlement of estates, 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 judiciary 1, to which was referred **House File 101**, a bill for an act relating to compensation of petit jurors, 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 judiciary 1, to which was referred **House File 130**, a bill for an act 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, 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 Byers submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred **Senate File 108**, 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, 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 108 by striking all after the enacting clause and inserting in lieu thereof the following: "Any lot or lots of less than ten (10) acres, within the city limits of any city or town shall, until improved by the completion of a dwelling or any other building unit constructed thereon or until the expiration of a period of five years from the recording of the plat in which it is located, or until sold by the owner

plating the same, whichever first occurs, be assessed at not in excess of that proportion of the value of the entire tract as last assessed before being platted, that its area bears to the area of the entire tract so platted."

Further amend the title to Senate File 108 by striking all after the word "Act" and inserting in lieu thereof the following: "relating to the assessment for taxation of lots of less than ten (10) acres within a city or town, which are included in and part of a subdivision or plat within said city or town."

FRANK C. BYERS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred **House File 42**, a bill for an act relating to the lien on real estate of judgments of district courts of this state and circuit and district courts of the United States, 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 Walter submitted the following report:

MR. PRESIDENT: Your committee on military affairs, to which was referred **Senate File 68**, a bill for an act to create a state civil defense agency in the executive branch; providing for a director as head thereof and defining the powers and duties of the governor and director; providing emergency powers for the governor, begs leave to report it has had the same under consideration and recommends the same **do pass**.

W. ELDON WALTER, *Chairman.*

Ordered passed on file.

#### AMENDMENTS FILED

- 1 Amend the committee amendment to Senate File 30 as
- 2 follows:
- 3 Strike the words "imitation ice cream" wherever they
- 4 appear in lines 71 through and including 81 and substitute
- 5 in lieu thereof the words "sub-standard frozen dessert".
- 6 Strike the word "imitation" wherever it appears in
- 7 lines 82 through and including 91, and substitute in lieu
- 8 thereof the word "sub-standard".
- 9 Strike the word "five" in line 73 and insert in lieu
- 10 thereof the words "five point one (5.1)" and strike the
- 11 word "ten" in line 74 and insert in lieu thereof the words
- 12 "nine point nine (9.9)".
- 13 Strike the word "two" in line 84 and insert in lieu
- 14 thereof the words "one point nine (1.9)".

CARL T. ANDERSON.

- 1 Amend Senate File 174, section 2, line 3, by
- 2 inserting after the word "inspected" the words "both ante

3 mortem and post-mortem”.

4 Further amend Senate File 174, section 4, line 3, by  
5 inserting after the word “inspected” the words “both ante  
6 mortem and post-mortem”.

GEORGE L. SCOTT.

1 Amend Senate File 191 by adding the following new  
2 sections:

3 Sec. 2. Section two hundred ninety-eight point  
4 eleven (298.11), Code 1950, is hereby amended by striking  
5 from line four (4) the words “school tax, together with  
6 the”.

7 Sec. 3. Section two hundred ninety-eight point  
8 eleven (298.11), Code 1950, is hereby amended by adding  
9 the following after the period (.) following the word  
10 “preceding” in line sixteen (16): “The school tax as  
11 provided in section two hundred ninety-eight point ten (298.10),  
12 Code 1950, shall be apportioned among the several  
13 corporations therein in proportion to the number of  
14 persons in average daily attendance, including the  
15 average number for whom they pay tuition as shown by  
16 the report of the county superintendent filed with him  
17 for the year immediately preceding.”

R. R. BATESON.

1 Amend Senate File 219 by striking all after  
2 the enacting clause and inserting in lieu thereof the  
3 following:

4 Section 1. Section five hundred fifteen point one  
5 hundred nine (515.109), Code 1950, is hereby amended by  
6 adding after the word “policies” in line two (2) thereof  
7 the following: “, applications, agreements relating to  
8 policies or the payments of premiums thereof, endorsements”.

ELMER K. BEKMAN.

1 Amend Senate Joint Resolution 1 by adding at the  
2 end of section three (3) the following: “The committee  
3 created by this resolution is authorized to accept, in  
4 lieu of any part or all said appropriation from the  
5 general fund, any moneys which may be made available  
6 for said awards by the Iowa Centennial Memorial Foundation  
7 and any other moneys said foundation may make available  
8 for the purposes of this resolution.”

R. R. BATESON.

1 1. Amend House File 65 by inserting a colon (:) after the word  
2 “following”

2 in line 3.

3 2. Further amend House File 65 by striking after the word “two”  
4 in line

4 3 the following: “(2).”

- 5 3. Further amend House File 65 by striking after the word "three"  
in  
6 line 4 the following: "(3)".
- 7 4. Further amend House File 65 by striking after the word "five" in  
8 line 7 the following: "(5)."
- 9 5. Further amend House File 65 by striking after the word "seven"  
10 in line 8 the following: "(7)."
- 11 of line 8.

W. C. STUART.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 17, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend Walter Scheuerman, pastor of the Central Methodist Church, Oskaloosa, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Bellman from residents of Clarke County in opposition to proposed legislation relating to the creation of the Iowa Public Service Commission.

By Senator Colburn from residents of Cass County favoring proposed legislation relating to liability and property damage insurance of state employees.

By Senator Heideman from residents of Webster County favoring proposed legislation relating to the reorganization of the State Department of Health and to sick leave for school employees.

By Senator Heideman from residents of Webster County in opposition to proposed legislation relating to school district reorganization.

By Senator Lord from residents of Louisa County favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance.

By Senator Lucas from residents of Story and Tama Counties favoring proposed legislation relating to liability and property damage insurance of state employees.

By Senator Molison from residents of Monroe County favoring proposed legislation relating to certification of teachers.

By Senator O'Malley from residents of Polk County favoring proposed legislation relating to establishing a department of public instruction; a minimum foundation program for schools; higher standards of teacher certification; and adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance.

By Senator O'Malley from residents of Polk County favoring proposed legislation relating to liability and property damage insurance of state employees.

By Senator Stuart of Lucas from residents of Lucas County favoring proposed legislation relating to the establishing of a department of public instruction.

By Senator Walter from residents of Marshall County favoring proposed legislation relating to class "C" beer permits.

#### INTRODUCTION OF BILLS

Senate File 232, by Senator Bateson, a bill for an act to amend section six hundred seventy point five (670.5), Code 1950, relating to the appointment of guardian for applicant upon applicant's own petition.

Read first and second times, and passed on file.

Senate File 233, by Senator Stuart of Lucas (Beck), a bill for an act to amend section two hundred forty-nine point twenty (249.20), Code 1950, relating to the selling of property of persons receiving old age assistance.

Read first and second times, and passed on file.

Senate File 234, by Senator Nolan, 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 235, by Senator Nolan, a bill for an act to amend chapter one hundred forty-one (141), Code 1950, relating to disposal of dead bodies and to make specific provisions for the consent required for autopsies.

Read first and second times, and passed on file.

Senate File 236, by Senators Prentis, Byers, Lord, Boothby and Lynes, 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 passed on file.

Senate File 237, by Senators Hart, Whitehead, Schoening and Berg, a bill for an act relating to the making of payments of insurance benefits of hospitalization insurance policies to persons insured under such policies and to hospitals furnishing service to such insured persons.

Read first and second times, and passed on file.

Senate File 238, by Senator Johnson (Abel), a bill for an act to amend chapter three hundred seventy-eight (378), Code 1950, relating to the power of cities and towns to receive devises and bequests for the use of free libraries; and for providing for enlarging the class of persons eligible to be members of the board of library trustees.

Read first and second times, and passed on file.

Senate File 239, by Senators Knudson, Zastrow, O'Malley, Whitehead, Johnson and Watson of O'Brien, 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 district of Clear Lake in Cerro Gordo County and making an appropriation in the amount of five hundred thousand dollars (\$500,000) from the general fund of the State of Iowa for the purposes stated in this act.

Read first and second times, and passed on file.

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

#### HOUSE CONCURRENT RESOLUTION 10

*Whereas*, both houses of the legislature see fit to open their day's work with prayer, and it is unseemly that they should work during the time in which is commemorated the passion and death of the Lord to whom they dedicate their daily efforts;

*Whereas*, many members will absent themselves from the legislative halls during that time to attend services in their respective churches;

*Therefore, Be It Resolved by the House, the Senate Concurring*: That a special recess be held on Good Friday afternoon, April 3, 1953, 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.

## THIRD READING OF BILLS

On motion of Senator Anderson, Senate File 30, a bill for an act to amend section one hundred ninety point one (190.1), Code 1950, relating to the regulation of the manufacture and sale of ice milk, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

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

## EXECUTIVE SESSION

The Senate, in executive session, confirmed the following appointments:

Mrs. Emmett Hannan of Pottawattamie County, as a member of the State Conservation Commission for the unexpired portion of the term ending June 30, 1955.

Elmer W. Hertel, Ph.D., of Bremer County, as a member of the Board of Examiners in the Basic Sciences for the unexpired portion of the term ending June 30, 1957.

Frank Means of Crawford County, as Labor Commissioner for the unexpired portion of the term ending June 30, 1953, and for the regular term ending June 30, 1955.

Floyd S. Pearson of Winneshiek County, as a member of the State Conservation Commission for the unexpired portion of the term ending June 30, 1957.

Willard F. Russell of Tama County, as Industrial Commissioner for the unexpired portion of the term ending June 30, 1955.

The Senate arose from executive session and resumed regular session.

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

## AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

## APPOINTMENT OF SENATOR MILLER

President Elthon announced the appointment of Senator Leon N. Miller to the committee on cities and towns.

The Senate resumed consideration of Senate File 30.

Senator Lynes asked and received unanimous consent that action on Senate File 30 back to the adoption of the committee report be expunged from the record.

## PRESENTATION OF VISITORS

Senator Washburn asked and received unanimous consent to present to the Senate thirty-one students of the Coburg High School who were present in the balcony with their superintendent, Aubrey Russell.

## 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-fifth General Assembly be as follows:

The rules of the Senate for the Fifty-fourth General Assembly shall be adopted as the rules of the Senate for the Fifty-fifth General Assembly except as hereinafter repealed, altered, amended or substituted.

Rule 20 of the printed rules of the Senate for the Fifty-fourth General Assembly is amended as follows: Strike all of Rule 20 and insert in lieu thereof the following: "Upon the second reading of an individual bill or joint resolution or concurrent resolution proposing an amendment to the Constitution of the United States of America, the President shall refer the bill to an appropriate standing committee, unless otherwise ordered by the Senate. If the bill is a committee bill the President may place the same on the calendar, after its second reading or, if not germane to the title of the committee presenting same he may assign it, on his own motion, or at the direction of a majority of the Senate, to some committee deemed appropriate for further study and report. If ordered by the Senate to be considered by the committee of the whole the Senate shall fix the day for its consideration. If the bill or joint resolution or concurrent resolution proposing an amendment to the Constitution of the United States of America be ordered to be engrossed, it shall be in order for its third reading at any time thereafter. No bill or joint resolution or concurrent resolution proposing an amendemnt to the Constitution of the United States of America shall be committed or amended until it shall have been twice read."

Rule 22 of the printed rules of the Senate for the Fifty-fourth General Assembly is amended as follows: In line 2 thereof strike therefrom the numerals and letters "23rd" and insert in lieu thereof the numerals and letters "26th".

Further amend said rule by striking in line 6 thereof the numerals and letters "23rd" and inserting in lieu thereof the numerals and letters "26th".

Further amend said rule by striking therefrom in lines 10, 11, 12, 13 and 14 the words "Compensation of Public Officers and Employees Committee, Labor Committee, Governmental Affairs Committee and Tax Revision Committee".

Further amend said rule by striking therefrom in line 12 the comma (,) after the word Committee and inserting in lieu thereof the word "and".

Rule 37 of the printed rules of the Senate for the Fifty-fourth General Assembly is amended as follows: Strike therefrom in line 2 thereof the

numerals and letters "23rd" and insert in lieu thereof the numerals and letters "27th".

STANLEY L. HART, *Chairman*.  
RALPH W. ZASTROW.  
FRANK C. BYERS.  
CHARLES S. VAN EATON.  
DEVERE WATSON.

## 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-fifth General Assembly, having met jointly, begs 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-fourth General Assembly be adopted as the joint rules of the Senate and House of the Fifty-fifth General Assembly except as hereinafter repealed, altered, amended or substituted:

Rule 15 of the joint rules of the Senate and House of the Fifty-fourth General Assembly is amended by striking all of said rule and inserting in lieu thereof the following:

"When bills are introduced in both houses containing identically the same text, they shall be called companion bills. Each house shall designate the bill's author or authors in the usual way followed in parentheses by the name or names of the author or authors introducing the companion bill in the other house. When a bill has been introduced in one house and a companion bill is to be introduced in the other house, the bill first introduced shall be printed in full and complete form and the companion bill, as introduced in the house, shall be printed only to and including the enacting clause thereof, and following the enacting clause there shall be printed an additional statement as follows: 'This bill is an identical and companion bill to Senate (House) File \_\_\_\_\_. For printed text see that bill.'

"All proposed bills to be introduced in either house must be checked by the respective law clerks for subject matter to determine whether there has been an identical bill previously introduced in the other house. If a member seeks to introduce an identical bill to one which he knows has been previously introduced in the other house, he must ascertain the number under which that bill has been introduced and have that number noted on his bill by the proper official. At least one legislative day should intervene between the first introduction of a bill and the introduction of an identical or companion bill in the other house. Any other instructions pursuant to carrying out the provisions of this rule shall be issued by the Secretary of the Senate and the Chief Clerk of the House of Representatives."

Respectfully submitted,  
STANLEY L. HART, *Chairman*,  
On the Part of the Senate.  
VERN LISLE, *Chairman*,  
On the Part of the House.

## BILL SENT TO THE GOVERNOR

Senator Stuart of Lucas, from the committee on enrolled bills, submitted the following report:

**MR. PRESIDENT:** Your committee on enrolled bills respectfully reports that it has, on this 17th day of February, 1953, sent to the Governor for his approval: Senate File 130.

W. C. STUART, *Chairman Senate Committee.*

Passed on file.

## PROOF OF PUBLICATION

Published copy of House File 309 and verified proof of publication of said bill in the Richland Clarion on February 5, 1953, was filed with the Secretary of the Senate prior to the time said bill was placed on passage.

CARROLL A. LANE,  
*Secretary of the Senate.*

## REPORTS OF COMMITTEES

Senator Watson of O'Brien submitted the following report:

**MR. PRESIDENT:** Your committee on highways, to which was referred **House File 165**, a bill for an act to amend section fourteen (14), chapter one hundred three (103), Acts of the Fifty-fourth General Assembly, relating to the condemning of land for highway purposes, 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 Dewel submitted the following report:

**MR. PRESIDENT:** Your committee on conservation, to which was referred **Senate File 161**, a bill for an act to amend sections one hundred sixty-one point three (161.3), one hundred sixty-one point five (161.5) and one hundred sixty-one point six (161.6), Code 1950, relative to forest reservations, begs leave to report it has had the same under consideration and recommends the same **do pass.**

DUANE E. DEWEL, *Chairman.*

Ordered passed on file.

Senator Hedin submitted the following report:

**MR. PRESIDENT:** Your committee on public lands and buildings, to which was referred **Senate File 222**, a bill for an act to provide for the re-opening of East Walnut Street through the "Capitol Extension Grounds" from Kasson Street to East Ninth Street and to provide for the permanent improvement of said street by paving, draining, and lighting, 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.

## ASSIGNMENT OF BILLS

President Elthon announced the assignment of the following bills to committee:

- S.J.R. 1 Appropriations (Under Senate Rule 21)
- S. F. 222 Appropriations (Under Senate Rule 21)
- S. F. 232 Judiciary 1
- S. F. 233 Judiciary 1
- S. F. 234 Public health
- S. F. 235 Judiciary 1
- S. F. 236 Governmental affairs
- S. F. 237 Judiciary 2
- S. F. 238 Judiciary 2
- S. F. 239 Appropriations (Under Senate Rule 21)

## AMENDMENTS FILED

- 1 Amend the committee amendment to Senate File 30 as follows:
- 2 1. By striking from lines 16 and 17 the words "in no case
- 3 contain less than two per cent (2%) or more than five per cent (5%)"
- 4 and inserting in lieu thereof the words "contain not less than
- 5 three and one-fourth per cent (3.25%) and not more than six per
- 6 cent (6%)".
- 7 2. Strike the words "imitation ice cream" wherever they
- 8 appear in lines 71 through and including 81 and substitute
- 9 in lieu thereof the words "sub-standard frozen dessert".
- 10 Strike the word "imitation" wherever it appears in
- 11 lines 82 through and including 91 and substitute in lieu
- 12 thereof the word "sub-standard".
- 13 Strike all after the word "shall" in line 73 and substitute
- 14 in lieu thereof the following "be more than six per cent (6%)
- 15 and less than ten per cent (10%)."
- 16 Strike all after the word "shall" in line 84 and substitute
- 17 in lieu thereof the following "be less than three point two five
- 18 per cent (3.25%)."

CARL T. ANDERSON.  
J. KENDALL LYNES,

- 1 Amend Senate File 98, section 2, by striking from
- 2 lines 1 and 2 the following: "shall be prior and
- 3 superior to any landlord's lien or mortgage lien upon
- 4 said crops and".

ERWIN SCHOENING.

- 1 1. Amend Senate File 110 by striking all of the title after
- 2 the word "Act" and inserting in lieu thereof the following:
- 3 "to legalize the transfer of eight hundred dollars (\$800)
- 4 by the board of supervisors of Muscatine County to the
- 5 city of Muscatine.
- 6 WHEREAS, Park Place Addition was annexed to the city of
- 7 Muscatine, Iowa, on December 18, 1951, by order of the District

8 Court of Iowa, in and for Muscatine County, and  
 9 WHEREAS, the Muscatine municipal tax levy for taxes  
 10 collected in 1952 was not assessed against said addition, and  
 11 WHEREAS, the Bloomington Township levy was assessed  
 12 against said annexed property and the tax in the sum of eight  
 13 hundred dollars (\$800) collected by Muscatine County, and  
 14 WHEREAS, the board of supervisors of Muscatine County,  
 15 Iowa, did transfer this eight hundred dollars (\$800), road  
 16 only tax, to the city of Muscatine to be used by the said city  
 17 for road improvement in that certain area, and  
 18 WHEREAS, doubts have arisen concerning the legal validity  
 19 sufficiency of said transfer of eight hundred dollars (\$800)  
 20 by the board of supervisors of Muscatine County to the city of  
 21 Muscatine, and it is deemed advisable to lay said doubts and  
 22 all others that might arise concerning same transfer forever  
 23 at rest; now, therefore,".

24 2. Amend Senate File 110 by striking all after the enacting  
 clause and inserting in lieu thereof the following:

26 "Sec. 1. That the action of the board of supervisors  
 27 of Muscatine County in transferring to the city of Muscatine  
 28 the eight hundred dollars (\$800) collected from the Park  
 29 Place Addition annexed to Muscatine is hereby legalized and  
 30 declared valid.

31 "Sec. 2. This act being deemed of immediate importance  
 32 shall be in full force from and after its publication in The  
 33 Muscatine Journal, a newspaper published at Muscatine, Iowa,  
 34 and the West Liberty Index, a newspaper published at West  
 35 Liberty, Iowa, without expense to the state."

HERMAN B. LORD.

1 Amend Senate File 134 by adding the following:

2 "Sec. 2. This act, being deemed of immediate importance,  
 3 shall be in full force and effect from and after publication in  
 4 the Kossuth County Advance, a newspaper published at Algona,  
 5 Iowa, and in The Perry Daily Chief, a newspaper published at  
 6 Perry, Iowa."

J. G. LUCAS.

1 Amend the title to Senate File 154 by striking the  
 2 period (.) after the word "tax" in the last line  
 3 and adding the following: and to amend section  
 4 four hundred twenty-three point fourteen (423.14),  
 5 relative to the use tax.

6 Further amend Senate File 154 by adding thereto the  
 7 following section:

8 "Sec. 4. Amend section four hundred twenty-three  
 9 point fourteen (423.14), Code 1950, is hereby amended  
 10 as follows:

11 "1. Strike from lines six (6) and seven (7)  
 12 thereof the words 'twentieth day' and insert in lieu  
 13 thereof 'last day'."

GEORGE E. O'MALLEY.

- 1 Amend Senate File 167 by striking all after the enacting
- 2 clause and substituting in lieu thereof the following:
- 3 "Section 1. Section one hundred fifty-nine point fifteen
- 4 (159.15), Code 1950, is hereby amended by inserting after the
- 5 comma (,) in line eight (8) thereof the following:
- 6 "not otherwise available in printed form,'."

J. G. LUCAS.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 18, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend Leland Mann, pastor of the Congregational Church, Grinnell, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Elijah from residents of Cedar County favoring proposed legislation relating to certification of teachers; establishing a department of public instruction; a minimum foundation program for schools; and adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance; and television for schools.

By Senator Grimstead from residents of Winnebago County favoring proposed legislation relating to rebuilding of the Iowa Soldiers' Home at Marshalltown.

By Senator Linnevold from residents of Winneshiek County favoring proposed legislation relating to liability and property damage insurance of state employees.

By Senator Lord from residents of Louisa and Muscatine Counties favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance.

By Senator Lucas from residents of Boone County favoring proposed legislation relating to veterinary research on swine diseases.

By Senator Molison from elective officers of Poweshiek County requesting that they be included in the provisions of the public employees retirement act.

By Senator Oltman from residents of Buena Vista County favoring proposed legislation relating to establishing a department of public instruction and adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance.

By Senator Sayre from residents of Madison County favoring proposed legislation relating to certification of teachers.

## PRESENTATION OF VISITORS

Senator Bellman asked and received unanimous consent to present to the Senate seventy-two members of the junior class of the Indianola High School who were present in the balcony with their instructors, Harry Grange and Arthur Eady.

Senator Utzig asked and received unanimous consent to present to the Senate M. P. Hogan, Democratic National Committeeman; Al Link, Dubuque County Democratic Chairman, and William E. Timmons, assistant county attorney of Dubuque 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 seventh grade class of the West Rural School who were present in the balcony with their instructor, Mrs. Hiller.

## REPORT OF COMMITTEE ON RULES

Senator Hart called up the report of the committee on rules filed and found on pages 326 and 327 of the Senate Journal.

Senator Hart moved the adoption of the report, which motion prevailed, and the report was adopted.

Senator Hart asked and received unanimous consent for a roll call on the adoption of the rules of the Fifty-fifth General Assembly.

Senator Hart asked and received unanimous consent to withdraw his request.

Senator Hart moved that the rules of the Fifty-fourth General Assembly be made the rules of the Fifty-fifth General Assembly, except as repealed, altered, amended or substituted as recommended in the adopted report of the committee on rules, and requested a roll call.

Senator O'Malley moved as a substitute motion that action on the adoption of the rules of the Fifty-fifth General Assembly be deferred for one day, which motion prevailed and the substitution was made.

On motion of Senator O'Malley, the substitute motion was adopted and action was deferred.

## INTRODUCTION OF BILLS

Senate File 240, by Senators Bekman and O'Malley, a bill for an act to amend section five hundred fifteen point eighty-one (515.81), Code 1950, relating to the cancellation of insurance policies.

Read first and second times, and passed on file.

Senate File 241, by Senators Bekman and O'Malley, a bill for an act to amend section five hundred fifteen point one hundred thirty-eight (515.138), Code 1950, relating to standard provisions of fire insurance contracts.

Read first and second times, and passed on file.

Senate File 242, by Senators Washburn, Watson of Pottawattamie and Fishbaugh, a bill for an act to amend chapter four hundred fifty-five (455), Code 1950, relating to levee and drainage districts.

Read first and second times, and passed on file.

Senate File 243, by Senator Knudson, a bill for an act to regulate actions against motor vehicle carriers for loss of or damage to goods and adjustment of claims thereof.

Read first and second times, and passed on file.

Senate File 244, by Senators Nolan, Zastrow, Nesmith, Hedin, Stuart of Lucas and Dewel, a bill for an act authorizing the State of Iowa to become indebted in the amount of three hundred million dollars (\$300,000,000) for the construction of primary highways therein, and providing for an issue and sale of bonds of said state in evidence thereof; providing for the imposition and collection of sufficient motor vehicle fuel taxes and license fees annually for the retirement thereof, and the creating of a special primary road fund as provided by section three hundred eight A point one (308A.1) and section three hundred eight A point two (308A.2), Code 1950, and section eight (8), article seven (VII), of the Constitution of the State of Iowa, to pay the principal and interest on said bonds, and providing for the submission of this act to the people to be voted on at the general election to be held in the year 1954.

Read first and second times, and passed on file.

Senate File 245, by Senator Myrland, a bill for an act to amend section three hundred twenty-one point three hundred ten (321.310), Code 1950, relating to four-wheel trailers.

Read first and second times, and passed on file.

Senate File 246, by Senators Hart, Byers, Bekman and Dailey, a bill for an act to amend chapter one hundred sixty-three (163), Acts of the Fifty-fourth General Assembly, relating to the government of cities and towns under the commission form of government.

Read first and second times, and passed on file.

Senate File 247, by committee on insurance, a bill for an act to amend sections five hundred eight point five (508.5), five hundred eight point nine (508.9) and five hundred eight point ten (508.10), Code 1950, relating to the capital and surplus required for an insurance company or association to do business in the State of Iowa.

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

Senate File 248, by Senator O'Malley, a bill for an act to amend section two hundred thirty-one point nine (231.9), Code 1950, relating to the salaries of the physician and nurses serving under the jurisdiction of the juvenile court.

Read first and second times, and passed on file.

Senate File 249, by committee on judiciary 1, a bill for an act relating to the fixing of the value of property stolen or the face value of a check, draft or written order falsely drawn or uttered, as the same bears on whether the offense be a misdemeanor or a felony, and to amend sections seven hundred nine point two (709.2), seven hundred nine point four (709.4), seven hundred nine point five (709.5), seven hundred twelve point one (712.1) and seven hundred thirteen point three (713.3), Code 1950. ~

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

Senate File 250, by Senator Whitehead, a bill for an act to amend section three hundred ninety-seven point twenty-nine (397.29), Code 1950, relating to the management of public utility plants by boards of trustees.

Read first and second times, and passed on file.

Senate File 251, by Senator Bekman, a bill for an act to amend chapter four hundred twenty-two (422), Code 1950, relating to taxation and financial report of fiduciary of income from estates and trusts and relating to definition and taxation of incomes of nonresidents.

Read first and second times, and passed on file.

#### UNFINISHED BUSINESS

On motion of Senator Lynes, Senate File 30, a bill for an act to amend section one hundred ninety point one (190.1), Code 1950, relating to the regulation of the manufacture and sale of ice milk, was taken up for further consideration.

The following committee amendments were considered:

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

Section 1. Section one hundred ninety point one (190.1), Code 1950, is amended by striking all of subsection thirty-six (36) thereof.

Sec. 2. Section one hundred ninety point one (190.1), Code 1950, is amended by adding the following:

"Ice milk. Ice milk is a pure, clean, frozen or semifrozen product made from a combination of milk products and one or more of the following ingredients: sugar, dextrose, glucose, corn syrup in liquid or dry form, with harmless flavoring or coloring or both, either natural or artificial, and with or without wholesome stabilizer; and in the manufacture of which freezing has been accompanied by agitation of the ingredients. It contains not more than one-half of one per cent (0.5%) by weight of wholesome stabilizer, and shall in no case contain less than two per cent (2%) or more than five per cent (5%) by weight of milk fat; and not less than eleven per cent (11%) by weight of total milk solids. In no case shall any ice milk contain less than one and three-tenths (1.3) pounds of total food solids per gallon or weigh less than four and five-tenths (4.5) pounds per gallon. It shall not contain fats other than milk fat. Every particle of mix shall be pasteurized at temperature of not less than one hundred fifty-five degrees F. for not less than thirty minutes or to a temperature of not less than one hundred seventy-five degrees F. for not less than twenty-five seconds in approved and properly operated equipment. Provided, that nothing contained in this definition shall be construed as barring any other process which has been demonstrated to be equally efficient and is approved by the state department of agriculture. It shall contain not more than fifty thousand bacteria per c.c. in the manufacturer's package.

"Ice milk sold at retail in the manufacturer's package or wrapper shall be labeled on a contrasting background in plain legible eight point type with the words, 'Ice Milk', provided that: When flavored exclusively with fruit it shall be labeled, 'Fruit Ice Milk', preceded by the name of the fruit. When flavored with fruit and fruit juice, or with fruit juice, it

shall be labeled, 'Ice Milk', preceded by the name of the fruit. When bearing the name of a fruit or nut flavor but flavored with artificial flavor, it shall be labeled, 'Ice Milk', preceded by the name of the nut or fruit and followed by the words 'artificially flavored' in the same size type. When flavored with cocoa or chocolate, or cocoa and chocolate syrup, maple syrup, or confections, it shall be labeled, 'Ice Milk', preceded by the name of the product imparting the flavor.

"Notwithstanding any other provision of the Code, ice milk of any flavor may be dispensed into and sold at retail in edible containers subject to the single labeling requirement, that such edible container shall have embossed on the outside thereof the words, 'Ice Milk', in letters not less than five-sixteenths of an inch high.

"Notwithstanding any other provision of the Code, ice milk of any flavor may be dispensed into and sold at retail as a part of malted milks and milk shakes, subject only to the labeling requirement that the sales container, package or wrapper be labeled on a contrasting background in plain legible eight point type with the words, 'Ice Milk'.

"Ice milk shall not be dispensed and sold at retail in any form or manner other than as provided herein, unless it is neither flavored with any of the optional ingredients listed herein, nor colored.

"A sign shall be posted in every retail establishment where ice milk is sold, on a white card not less than twelve by twenty-two inches in dimensions with letters not less than three inches in height and two inches in width containing the words, 'Ice Milk Sold Here'; such a sign shall at all times be within plain view of, and at an easily readable distance from the customer.

"The provisions of section one hundred eighty-nine point eleven (189.11) of the Code shall not be applicable to ice milk.

"Imitation ice cream. The minimum standard for imitation ice cream shall be the same as that of ice milk, except that the milk fat content thereof shall not be less than five per cent, nor more than ten per cent.

"Imitation ice cream shall be sold only in the manufacturer's package or wrapper and shall be labeled on a contrasting background in plain legible eight point type with the words, 'Imitation Ice Cream'.

"The posting provisions as to ice milk shall apply in the case of imitation ice cream, except that the sign to be posted shall contain the words, 'Imitation Ice Cream Sold Here'.

"Imitation ice milk. The minimum standard for imitation ice milk shall be the same as that of ice milk, except that the milk fat content thereof shall not be more than two per cent.

"Imitation ice milk shall be sold only in the manufacturer's package or wrapper and shall be labeled on a contrasting background in plain legible eight point type with the words, 'Imitation Ice Milk'.

"The posting provisions as to ice milk shall apply in the case of imitation ice milk, except that the sign to be posted shall contain the words, 'Imitation Ice Milk Sold Here'."

Senator Lynes asked and received unanimous consent to withdraw the amendment to the committee amendment on Senate File 30, filed by him, and found on page 293 of the Senate Journal.

Senator Anderson asked and received unanimous consent to withdraw the amendment to the committee amendment filed by him on Senate File 30 and found on page 319 of the Senate Journal.

Senator Lynes asked and received unanimous consent to withdraw the amendment to the committee amendment on Senate File 30 filed by Senators Anderson and Lynes and found on page 329 of the Senate Journal.

Senator Lynes offered the following amendment to the committee amendment on Senate File 30, filed by Senators Lynes and Anderson, and moved its adoption:

Amend the committee amendment to Senate File 30 as follows:

1. By striking from lines 16 and 17 the words "in no case contain less than two per cent (2%) or more than five per cent (5%)" and inserting in lieu thereof the words "contain not less than three and one-fourth per cent (3.25%) and not more than six per cent (6%)".

2. Strike the words "imitation ice cream" wherever they appear in lines 71 through and including 81 and substitute in lieu thereof the words "sub-standard frozen dessert".

Strike the word "imitation" wherever it appears in lines 82 through and including 91 and substitute in lieu thereof the words "low fat content".

Strike all after the word "shall" in line 73 and all of line 74 and substitute in lieu thereof the following: "be more than six per cent (6%) and less than ten per cent (10%)."

Strike from line 84 all after the word "shall" and substitute in lieu thereof the following: "be less than three point two five per cent (3.25%)."

The amendment to the amendment was adopted.

On motion of Senator Weichman, the committee amendment as amended 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, 41:

Anderson	Fishbaugh	Myrland	Utzig
Bateson	Grimstead	Nesmith	Van Eaton
Bekman	Heideman	Nolan	Vest
Bellman	Johnson	O'Malley	Walter
Berg	Knudson	Prentis	Washburn
Boothby	Larson	Risk	Watson of
Clark	Linnevoid	Sayre	O'Brien
Colburn	Lord	Schoening	Weichman
Dailey	Lucas	Stewart of	Whitehead
Dewel	Lynes	Mahaska	Zastrow
Elijah	Molison	Stuart of Lucas	

## Nays, 3:

Byers	Watson of
Nelson	Pottawattamie

## Absent or not voting, 6:

Dykhouse	Hedin	Oltman	Scott
Hart	Miller		

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

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

## THIRD READING OF BILLS

On motion of Senator Berg, Senate File 23, a bill for an act relating to the lien on real estate of judgments of district courts of this state and circuit and district courts of the United States, 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 File 42 be substituted for Senate File 23.

On motion of Senator Berg, House File 42, a bill for an act relating to the lien on real estate of judgments of district courts of this state and circuit and district courts of the United States, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Nolan offered the following amendment and moved its adoption:

1. Amend section 1 of House File 42 by striking the word "civil" in line four (4) thereof and inserting the word "judgment".
2. Further amend section 1 by inserting after the word "docket" in line four (4) the following: "and lien index".

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, 49:

Anderson	Berg	Colburn	Elijah
Bateson	Boothby	Dailey	Fishbaugh
Bekman	Byers	Dewel	Grimstead
Bellman	Clark	Dykhouse	Hart

Hedin	Miller	Risk	Walter
Heideman	Molison	Sayre	Washburn
Johnson	Myrland	Schoening	Watson of
Knudson	Nelson	Scott	O'Brien
Larson	Nesmith	Stewart of	Watson of
Linnevold	Nolan	Mahaska	Pottawattamie
Lord	Oltman	Stuart of Lucas	Weichman
Lucas	O'Malley	Utzig	Whitehead
Lynes	Prentis	Van Eaton	Zastrow

Nays, none.

Absent or not voting, 1:

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 Lynes, Senate File 44, a bill for an act relating to the licensing of milk dealers, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

Amend Senate File 44, section 3, subsection 1, by striking the word "place" in line 5 and inserting in lieu thereof the word "store".

Further amend section 3, subsection 2, by striking in line 7 the words "For persons" and inserting in lieu thereof the words "For each store and each vehicle".

Senator Lynes moved that Senate File 44 be re-referred to the committee on ways and means, which motion prevailed and Senate File 44 was re-referred to the committee on ways and means.

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

#### AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

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

#### SENATE CONCURRENT RESOLUTION 12

By Dailey, Lord and Bateson

*Whereas*, the Supreme Court of the United States has recently held that the activities of a private contractor performing services for the Atomic Energy Commission are to be treated as activities of the Atomic Energy Commission itself for the purpose of securing immunity from state and local taxes;

*Now, Therefore, Be It Resolved by the Senate, the House Concurring:* That the legislature of the State of Iowa respectfully memorialize the

Congress of the United States to amend the atomic energy act so as to eliminate therefrom any language which may be interpreted as providing for the extension of tax exemption to private contractors with the Atomic Energy Commission or to the vendors of such contractors, contrary to the well-established principles of intergovernment relations which have assured to the states and their political subdivisions full power to impose nondiscriminatory taxation upon private persons who deal with the government; and,

*Be It Further Resolved:* That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from Iowa in the Congress of the United States.

The motion prevailed and the resolution was adopted.

### THIRD READING OF BILLS

On motion of Senator Colburn, Senate File 89, 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, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Larson offered the following amendment filed by Senators Larson and Colburn:

Amend Senate File 89 by striking from section 1 in line 4 the word "and" and substituting in lieu thereof the word "or".

Senator Larson asked and received unanimous consent to withdraw the amendment filed by Senators Larson and Colburn.

Senator Bateson offered the following amendment and moved its adoption:

Amend Senate File 89 by inserting after the word "land" in line 4 of section 1 the following: ", whether living on the land or not,".

The amendment was adopted.

Senator Dykhuse offered the following amendment and moved its adoption:

Amend Senate File 89 by striking section 2.

The amendment was adopted.

Senator Larson moved that the bill be read a third 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	Fishbaugh	Molison	Stewart of
Bateson	Grimstead	Myrland	Mahaska
Bekman	Hart	Nelson	Stuart of Lucas
Bellman	Hedin	Nesmith	Utzig
Berg	Heideman	Nolan	Van Eaton
Boothby	Johnson	Oltman	Vest
Byers	Knudson	O'Malley	Walter
Clark	Larson	Prentis	Washburn
Colburn	Linnevold	Risk	Watson of
Dailey	Lord	Sayre	O'Brien
Dewel	Lucas	Schoening	Weichman
Dykhouse	Lynes	Scott	Whitehead
Elijah	Miller		Zastrow

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.

On motion of Senator Byers, Senate File 90, a bill for an act to amend, revise and codify sections two hundred thirty point twenty-five (230.25) and two hundred thirty point twenty-six (230.26), Code 1950, relating to the support of the insane and creating a lien on any real estate owned by a person committed to a state hospital for the insane and the spouse of such person for the cost and expenses of the commitment and support of such insane person, and fixing the period of time that such lien shall continue, 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 90 by striking the word "or" in line 6 of section 1 and inserting in lieu thereof "and".

By striking the first word "or" in line 5 of section 2 and inserting in lieu thereof the word "and".

By inserting after the comma (,) in line 6 of section 3 the following: "and the name of the spouse of the person committed,".

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, 36:

Anderson	Dykhouse	Lynes	Stewart of
Bateson	Grimstead	Miller	Mahaska
Bekman	Hart	Myrland	Stuart of Lucas
Bellman	Hedin	Nesmith	Utzig
Berg	Knudson	Nolan	Van Eaton
Boothby	Larson	Oltman	Vest
Byers	Linnevold	O'Malley	Walter
Clark	Lord	Risk	Whitehead
Colburn	Lucas	Sayre	Zastrow
Dailey			

Nays, none.

## Absent or not voting, 14:

Dewel	Molison	Scott	Watson of
Elijah	Nelson	Washburn	Pottawattamie
Fishbaugh	Prentis	Watson of	Weichman
Heideman	Schoening	O'Brien	
Johnson			

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

## BILL SIGNED BY THE GOVERNOR

A communication was received announcing that, on February 18, the Governor had approved the following bill:

Senate File 130, relating to nonresident owners of motor vehicles operated on the highways of this state.

## RESIGNATION OF EMPLOYEE

Senator Hedin announced the resignation of his committee clerk, Gladys Astley.

## -REPORTS OF COMMITTEES

Senator Bekman submitted the following report:

MR. PRESIDENT: Your committee on insurance, to which was referred Senate File 124, 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 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 131, 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.

Senator Bateson submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred **Senate File 187**, a bill for an act relating to corporations not for pecuniary profit, 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 judiciary 1, to which was referred **Senate File 197**, a bill for an act to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of revenue bonds by the city of Cedar Falls, Black Hawk County, Iowa, 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 Byers submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred **Senate File 179**, a bill for an act to amend section four hundred twenty-two point twenty-six (422.26), Code 1950, relative to the lien imposed in favor of the state upon all property and rights to property whether real or personal belonging to the taxpayer, 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 180**, a bill for an act to amend section four hundred fifty point three (450.3), Code 1950, relative to inheritance tax on property held jointly or as tenants in entirety, 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 to amend section six hundred eight point ten (608.10), Code 1950, relative to compensation for jury commissions, 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 204, section 1, by striking the word "ten" in the third line thereof and substituting in lieu thereof the word "eight".

FRANK C. BYERS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred **Senate File 225**, a bill for an act to amend section three hundred fifty-eight A point three (358A.3), Code 1950, relating to the powers of county boards of supervisors relative to county zoning, 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 226**, a bill for an act to amend section one hundred twenty-three point seven (123.7), Code 1950, relating to the appointment of members of the Iowa liquor control commission, 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 64**, a bill for an act to amend section eighty-six point thirty-nine (86.39), Code 1950, relating to attorney fees in compensation cases, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass**:

Amend House File 64 as follows:

Section 4 is amended by striking therefrom lines 10 to 13, inclusive, and inserting in lieu thereof the following: "be punished by a fine not exceeding one hundred dollars (\$100)."

FRANK C. BYERS, *Chairman*.

Ordered passed on file.

Senator Weichman submitted the following report:

MR. PRESIDENT: Your committee on agriculture, to which was referred **Senate File 142**, a bill for an act relating to the eradication of Bang's disease, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass**:

1. Amend Senate File 142, section 3, line 14, by inserting after the word "accompanied" the following: "by an official calthood vaccination certificate of".

2. Further amend Senate File 142, section 3, subsection 6, paragraph b, by striking everything after the period (.) in line 31.

H. E. WEICHMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture, to which was referred **Senate File 143**, a bill for an act relating to the handling and sale of

market milk, 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 agriculture, to which was referred **House File 157**, a bill for an act relating to the Iowa year book of agriculture, 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.

#### ASSIGNMENT OF BILLS

- President Elthon announced the assignment of the following bills to committee:

S. F. 240 Insurance  
 S. F. 241 Insurance  
 S. F. 242 Judiciary 2  
 S. F. 243 Motor vehicles  
 S. F. 244 Highways  
 S. F. 245 Motor vehicles  
 S. F. 246 Cities and towns  
 S. F. 248 Cities and towns  
 S. F. 250 Public utilities  
 S. F. 251 Judiciary 1

#### AMENDMENT FILED

- 1 Amend Senate File 77 by striking the period (.)
- 2 after the word "employees" in line 8 and adding
- 3 thereto the following: ", while within their
- 4 scope of employment."

GEORGE E. O'MALLEY.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 19, 1953.

The Senate met in regular session, President Elthon 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 Bellman from residents of Clarke County favoring proposed legislation relating to equipment of rail track motor cars.

By Senator Lucas from residents of Story County favoring proposed legislation relating to liability and property damage insurance of state employees.

By Senator Schoening from members of the Clinton Business and Professional Women's Club favoring adequate appropriation of funds for handicapped children.

By Senator Washburn from residents of Clarke County favoring proposed legislation relating to equipment of rail track motor cars.

## PRESENTATION OF VISITORS

Senator Bellman asked and received unanimous consent to present to the Senate seventy members of the government class of the Osceola High School who were present in the balcony with their superintendent, Kenneth Kemp, and their instructor, Glen Johnson.

Senator O'Malley asked and received unanimous consent to present to the Senate thirty members of the 6-A class of the Brooks School who were present in the balcony with their instructor, Avis Reynolds.

Senator Nolan asked and received unanimous consent to present to the Senate thirty-one members of the Johnson County Rural Women's Association who were present in the balcony with the county home economist, Mrs. Gladys Meeker.

Senator O'Malley asked and received unanimous consent to present to the Senate sixteen members of the junior and senior government classes of the Alleman High School who were present in the balcony with their instructor, Mrs. Robert Crown.

Senator Dailey asked and received unanimous consent to present to the Senate Honorable W. N. Skourup, a former member of the Senate; and Donald H. Gerdorn, clerk of the district court; Des Moines County, who were present in the Senate chamber.

Senator Nesmith asked and received unanimous consent to present to the Senate forty members of the freshman class of the Monroe Independent School who were present in the balcony with their instructor, Loraine Webber.

Senator Scott asked and received unanimous consent to present to the Senate sixteen members of the junior and senior government classes of the Wadena High School who were present in the balcony.

Senator Berg asked and received unanimous consent to present to the Senate twenty-one members of the junior and senior government classes of the Dike Consolidated School who were present in the balcony with their principal, Mr. Blome.

#### INTRODUCTION OF BILLS

Senate File 252, by Senator Van Eaton, a bill for an act to permit the liquidation of the pension and annuity retirement system of public school teachers as such pension system has been established in accordance with the provisions of section two hundred ninety-four point eight (294.8), Code 1950.

Read first and second times, and passed on file.

Senate File 253, by Senator Byers, a bill for an act to amend sections forty-eight point eleven (48.11), forty-eight point twelve (48.12) and forty-eight point thirteen (48.13), Code 1950, relating to the registration of voters.

Read first and second times, and passed on file.

Senate File 254, by Senators Schoening and Hedin, a bill for an act to amend section ten (10) of chapter one hundred fifty-nine (159), Acts of the Fifty-fourth General Assembly, relating to power of municipal corporations to allocate funds from the mu-

municipal enterprise fund for the purchase and construction of branch libraries.

Read first and second times, and passed on file.

Senate File 255, by Senator Colburn, a bill for an act to amend section three hundred twenty-one point three hundred ninety (321.390), Code 1950, relating to reflector requirements.

Read first and second times, and passed on file.

Senate File 256, by committee on printing, a bill for an act to amend section fifteen point twenty-nine (15.29), Code 1950, relating to special or emergency contracts by the state printing board.

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

Senate File 257, by Senator Bateson, a bill for an act to amend section seventy-eight point two (78.2), Code 1950, relating to the administration of oaths.

Read first and second times, and passed on file.

Senate File 258, by committee on agriculture, a bill for an act to make it unlawful to feed garbage to animals except as regulated by the department of agriculture.

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

Senate File 259, by Senator Oltman, a bill for an act to amend section three hundred twenty-one point three hundred nineteen (321.319), Code 1950, relating to right of way at intersections.

Read first and second times, and passed on file.

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

**SENATE CONCURRENT RESOLUTION 13**  
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:

Carroll A. Lane, postage for Senate postmaster, office postage, keys and telephone expense (Senate).....	\$ 66.03
Addressograph-Multigraph Corporation, repairs (Senate).....	2.36
Des Moines Rubber Stamp Works, three rubber stamps (Senate)....	3.50
Koch Brothers, 12 steel wastebaskets (Senate).....	16.20
Office Machine Supply Company, service on five typewriters (Senate) .....	10.00

Radio Trade Supply Co., microphone (Senate).....	50.40
Storey Sound Recording Company, rental on Soundscriber to February 6 (Senate).....	30.00
Storey Kenworthy Company, 50 wallets (Senate).....	16.13
Western Union, telegraph service (Senate).....	1.25
Adolph Feiler Studio, portraits and framing (Senate).....	183.00
A. C. Gustafson, postage for House postmaster and office postage (House) .....	89.16
Burroughs Adding Machine Co., cleaning and oiling adding machine (House) .....	4.00
Des Moines Rubber Stamp Works, badges for doorkeepers, pages, porters, matrons, etc. (House).....	129.00
Office Machine Supply Company, cleaning and adjusting 56 typewriters (House) .....	112.00
Standard Glass & Paint Co., glass for voting booth (House).....	2.01
Lillian Leffert, assisting in opening days (House).....	150.00
Edith Wasson McElroy, reporting and transcribing Governor Beardsley's speech (Senate and House).....	8.00
Des Moines Clean Towel Service, aprons and towels for multigraph room (Senate and House).....	4.58
The state comptroller is hereby authorized and directed to issue warrants for amounts above listed and to persons and firms to whom such amounts are due.	

The motion prevailed and the resolution was adopted.

Senator Hart called up for further consideration the following report of the committee on rules:

#### 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-fifth General Assembly be as follows:

The rules of the Senate for the Fifty-fourth General Assembly shall be adopted as the rules of the Senate for the Fifty-fifth General Assembly except as hereinafter repealed, altered, amended or substituted.

Rule 20 of the printed rules of the Senate for the Fifty-fourth General Assembly is amended as follows: Strike all of Rule 20 and insert in lieu thereof the following: "Upon the second reading of an individual bill or joint resolution or concurrent resolution proposing an amendment to the Constitution of the United States of America, the President shall refer the bill to an appropriate standing committee, unless otherwise ordered by the Senate. If the bill is a committee bill the President may place the same on the calendar, after its second reading or, if not germane to the title of the committee presenting same he may assign it, on his own motion, or at the direction of a majority of the Senate, to some committee deemed appropriate for further study and report. If ordered by the Senate to be considered by the committee of the whole the Senate shall fix the day for its consideration. If the bill or joint resolution or concurrent resolution proposing an amendment to the Constitution of the United States of America be ordered to be engrossed,

it shall be in order for its third reading at any time thereafter. No bill or joint resolution or concurrent resolution proposing an amendment to the Constitution of the United States of America shall be committed or amended until it shall have been twice read."

Rule 22 of the printed rules of the Senate for the Fifty-fourth General Assembly is amended as follows: In line 2 thereof strike therefrom the numerals and letters "23rd" and insert in lieu thereof the numerals and letters "26th".

Further amend said rule by striking in line 6 thereof the numerals and letters "23rd" and inserting in lieu thereof the numerals and letters "26th".

Further amend said rule by striking therefrom in lines 10, 11, 12, 13 and 14 the words "Compensation of Public Officers and Employees Committee, Labor Committee, Governmental Affairs Committee and Tax Revision Committee".

Further amend said rule by striking therefrom in line 12 the comma (,) after the word Committee and inserting in lieu thereof the word "and".

Rule 37 of the printed rules of the Senate for the Fifty-fourth General Assembly is amended as follows: Strike therefrom in line 2 thereof the numerals and letters "23rd" and insert in lieu thereof the numerals and letters "27th".

STANLEY L. HART, *Chairman*.  
RALPH W. ZASTROW.  
FRANK C. BYERS.  
CHARLES S. VAN EATON.  
DEVERE WATSON.

Senator Hart moved that the vote by which the report of the committee on rules was adopted be reconsidered, which motion prevailed.

Senator Hart offered the following amendment to the report of the committee on rules and moved its adoption:

Amend by striking from lines 35 and 36 the following: "Labor Committee" and "Tax Revision Committee".

The amendment was adopted.

Senator Hart moved the adoption of the report as amended, which motion prevailed and the report was adopted.

Senator Hart moved that the rules of the Fifty-fourth General Assembly be made the rules of the Fifty-fifth General Assembly, except as repealed, altered, amended or substituted as recommended in the adopted report of the committee on rules, and requested a roll call.

On the question "Shall the rules be adopted?" the vote was:

## Ayes, 49:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dewel	Lucas	Schoening	Pottawattamie
Dykhouse	Lynes	Scott	Weichman
Elijah	Miller	Stewart of	Whitehead
Fishbaugh	Molison	Mahaska	Zastrow

## Nays, 1:

Dailey

Absent or not voting, none.

The motion for the adoption of the rules having received a constitutional and two-thirds majority was declared to have been adopted.

## THIRD READING OF BILLS

On motion of Senator Stuart of Lucas, Senate File 114, a bill for an act to amend section seven hundred seventy-five point five (775.5), Code 1950, relating to fees for attorneys appointed by the court, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

## Ayes, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	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 Lucas, Senate File 165, a bill for an act to amend section sixteen point thirteen (16.13), Code 1950, in regard to printing matters furnished to members of the General Assembly, was taken up, and considered.

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

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

Ayes, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevoid	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dvkhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 Lucas, Senate File 166, a bill for an act to amend section sixteen point two (16.2), subsection eleven (11), Code 1950, eliminating the listing of personnel receiving less than six hundred dollars (\$600), and providing for the listing of the total number and salary of such personnel, was taken up, and considered.

Senator Lucas offered the following amendments and moved their adoption:

1. Amend Senate File 166 by inserting before the period (.) in line 6 the words "per year".
2. Amend the title to Senate File 166 by inserting before the comma (,) in line 4 the words "per year".

The amendments were adopted.

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

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

**Ayes, 50:**

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhous	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

**Nays, none.**

**Absent or not voting, none.**

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

On motion of Senator Lucas, Senate File 167, a bill for an act to amend section one hundred fifty-nine point fifteen (159.15), Code 1950, to eliminate duplication of printing, was taken up, and considered.

Senator Lucas offered the following amendment and moved its adoption:

Amend Senate File 167 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Section one hundred fifty-nine point fifteen (159.15), Code 1950, is hereby amended by inserting after the comma (,) in line eight (8) thereof the following:

" 'not otherwise available in printed form,'."

The amendment was adopted.

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

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

**Ayes, 50:**

Anderson	Dailey	Johnson	Myrland
Bateson	Dewel	Knudson	Nelson
Bekman	Dykhous	Larson	Nesmith
Bellman	Elijah	Linnevold	Nolan
Berg	Fishbaugh	Lord	Oltman
Boothby	Grimstead	Lucas	O'Malley
Byers	Hart	Lynes	Prentis
Clark	Hedin	Miller	Risk
Colburn	Heideman	Molison	Sayre

Schoening	Utzig	Watson of	Weichman
Scott	Van Eaton	O'Brien	Whitehead
Stewart of	Vest	Watson of	Zastrow
Mahaska	Walter	Pottawattamie	
Stuart of Lucas	Washburn		

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, House File 65, a bill for an act to amend section six hundred twenty-two point sixty-nine (622.69), Code 1950, relating to witnesses, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Stuart of Lucas offered the following amendment and moved its adoption:

Amend House File 65 by inserting a colon (:) after the word "following" in line 3.

Further amend House File 65 by striking after the word "two" in line 3 the following: "(2)."

Further amend House File 65 by striking after the word "three" in line 4 the following: "(3)."

Further amend House File 65 by striking after the word "five" in line 7 the following: "(5)."

Further amend House File 65 by striking after the word "seven" in line 8 the following: "(7)." and by inserting a period (.) at the end of line 8.

The amendment was adopted.

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

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

Ayes, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 Watson of Pottawattamie, Senate File 1, a bill for an act to repeal sections one hundred ninety-four point one (194.1) to one hundred ninety-four point thirteen (194.13), inclusive, Code 1950, relating to the excise tax of five cents (5¢) per pound upon oleomargarine, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Nolan offered the following amendment, filed by Senators Nolan, Colburn and Molison, and moved its adoption:

Amend Senate File 1 by striking all after the enacting clause and inserting in lieu thereof the following: "Section 1. Insert after the second comma in line five (5) of section one hundred ninety-four point one (194.1), Code 1950, 'except upon uncolored oleomargarine.'"

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 18:

Anderson	Elijah	Molison	Sayre
Bateson	Heideman	Nolan	Scott
Bellman	Johnson	Prentis	Walter
Colburn	Linnevoild	Risk	Zastrow
Dewel	Lynes		

Nays, 30:

Bekman	Hedin	Oltman	Vest
Berg	Knudson	O'Malley	Washburn
Byers	Larson	Schoening	Watson of
Clark	Lord	Stewart of	O'Brien
Dailey	Miller	Mahaska	Watson of
Dykhouse	Myrland	Stuart of Lucas	Pottawattamie
Fishbaugh	Nelson	Utzig	Weichman
Grimstead	Nesmith	Van Eaton	Whitehead
Hart			

Absent or not voting, 2:

Boothby	Lucas
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The amendment 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, 38:

Bekman	Hart	Nolan	Van Eaton
Berg	Hedin	Oltman	Vest
Byers	Heideman	O'Malley	Washburn
Clark	Knudson	Prentis	Watson of
Colburn	Larson	Sayre	O'Brien
Dailey	Lord	Schoening	Watson of
Dewel	Miller	Stewart of	Pottawattamie
Dykhouse	Myrland	Mahaska	Weichman
Elijah	Nelson	Stuart of Lucas	Whitehead
Fishbaugh	Nesmith	Utzig	Zastrow
Grimstead			

Nays, 12:

Anderson	Boothby	Lucas	Risk
Bateson	Johnson	Lynes	Scott
Bellman	Linnevold	Molison	Walter

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.

### MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate File 8, a bill for an act legalizing the transfer of Muscatine flood emergency funds.

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

House File 23, a bill for an act relating to the department of public instruction.

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 secondary roads.

Also: That the House has concurred in Senate amendments to and passed House File 42, a bill for an act relating to liens on real estate.

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

House Concurrent Resolution 13, fixing Thursday, March 19, 1953, as the date for the meeting of the Pioneer Lawmakers Association.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE CONCURRENT RESOLUTION 13

*Whereas*, the Fifty-fifth General Assembly is advised of a meeting of the Pioneer Lawmakers Association to be held in the Historical Building on Thursday, March 19, 1953, 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 Thursday, March 19, 1953, 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 23, a bill for an act to establish a department of public instruction for 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 present board of educational examiners and transfer duties of said board to the board of public instruction; to abolish the present board for vocational education and to designate the board of public instruction as the state board for vocational education; to amend certain sections of the Code 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.

House File 221, 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.

Senator Myrland asked and received unanimous consent that action on Senate File 178 be deferred and that the bill be placed at the bottom of the calendar.

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

## AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

## THIRD READING OF BILLS

Senator Dailey asked and received unanimous consent to take up for consideration House File 3, a bill for an act to amend section two hundred seventy-four point sixteen (274.16), Code 1950, relating to changing boundaries of school districts, with report of committee recommending amendment and passage, was taken up, considered, and the report of committee was adopted.

The following committee amendment was considered:

Amend House File 3 by adding a new section as follows:

"Sec. 2. This act, being deemed of immediate importance, shall take effect and be in full force from and after its passage and publication in the Sac Sun, a newspaper published at Sac City, Iowa, and in the Waterloo Daily Courier, a newspaper published at Waterloo, Iowa."

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, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 Dailey asked and received unanimous consent that House File 3 be immediately messaged to the House, which request was complied with.

On motion of Senator Watson of Pottawattamie, House File 2, a bill for an act to amend section forty-three point twenty-eight (43.28), Code 1950, and to repeal section forty-three point twenty-nine (43.29), Code 1950, relating to the preparation of election ballots, 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, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 Knudson, House File 45, a bill for an act to authorize the board of supervisors of any county to accept a legal title to a new site for use for the "county fair" and to provide for disposition of the old site, 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, 50:

Anderson	Bellman	Byers	Dailey
Bateson	Berg	Clark	Dewel
Bekman	Boothby	Colburn	Dykhouse

Elijah	Lucas	Prentis	Vest
Fishbaugh	Lynes	Risk	Walter
Grimstead	Miller	Sayre	Washburn
Hart	Molison	Schoening	Watson of
Hedin	Myrland	Scott	O'Brien
Heideman	Nelson	Stewart of	Watson of
Johnson	Nesmith	Mahaska	Pottawattamie
Knudson	Nolan	Stuart of Lucas	Weichman
Larson	Oltman	Utzig	Whitehead
Linnevold	O'Malley	Van Eaton	Zastrow
Lord			

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 Molison, House File 47, 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, 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, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 Hedin, Senate File 59, 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, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hedin asked and received unanimous consent that House File 78 be substituted for Senate File 59.

On motion of Senator Hedin, House File 78, a bill for an act to amend sections three hundred thirty-seven point twelve (337.12), six hundred one point one hundred twenty-eight (601.128) and six hundred one point one hundred thirty (601.130), Code 1950, relating to fees of justice, was taken up, and considered.

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, 34:

Bateson	Fishbaugh	Lynes	Stewart of
Bellman	Grimstead	Miller	Mahaska
Berg	Hart	Molison	Stuart of Lucas
Boothby	Hedin	Myrland	Utzig
Byers	Johnson	Nesmith	Vest
Clark	Larson	Nolan	Walter
Dailey	Linnevold	Oltman	Watson of
Dewel	Lord	Risk	O'Brien
Elijah	Lucas	Seott	Weichman

Nays, 7:

Anderson	Heideman	Watson of	Zastrow
Bekman	Sayre	Pottawattamie	
Colburn			

Absent or not voting, 9:

Dykhouse	O'Malley	Schoening	Washburn
Knudson	Prentis	Van Eaton	Whitehead
Nelson			

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

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

On motion of Senator Byers, Senate File 105, a bill for an act to amend section four hundred ten point eighteen (410.18), Code 1950, relating to hospital, nursing and medical expense for members of the police and fire departments, 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, 49:

Anderson	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Utzig
Bekman	Hart	Nelson	Van Eaton
Bellman	Hedin	Nesmith	Vest
Berg	Heideman	Nolan	Walter
Boothby	Johnson	Oltman	Washburn
Byers	Knudson	O'Malley	Watson of
Clark	Larson	Prentis	O'Brien
Colburn	Linnevold	Risk	Watson of
Dailey	Lord	Sayre	Pottawattamie
Dewel	Lucas	Scott	Weichman
Dykhouse	Lynes	Stewart of	Whitehead
Elijah	Miller	Mahaska	Zastrow

Nays, none.

Absent or not voting, 1:

Schoening

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

On motion of Senator Hedin, Senate File 146, a bill for an act to amend section three hundred twenty-one point three hundred twenty-eight (321.328), Code 1950, relating to pedestrian use of streets, 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 146 by striking all of section 1 and inserting in lieu thereof the following:

"Section 1. Amend section three hundred twenty-one point three hundred twenty-eight (321.328), Code 1950, by striking the period at the end of the sentence in line five thereof and adding thereto the following: 'except that cities and towns may restrict such a crossing by ordinance.'"

The amendment was adopted.

Senator Hedin asked and received unanimous consent to withdraw the amendment to Senate File 146, filed by him, and found on page 180 of the Senate Journal.

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, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dyhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 Berg, House File 31, a bill for an act to amend sections three hundred twenty-one point two hundred thirty-six (321.236) and three hundred eighty-nine point thirty-nine (389.39), Code 1950, relating to the powers of local authorities to regulate the use of bicycles, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhous	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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.

### COMMUNICATION FROM THE STATE COMPTROLLER

The following communication was received from the State Comptroller:

#### OFFICE STATE COMPTROLLER

February 19, 1953.

TO THE SECRETARY OF THE SENATE AND CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES:

In accordance with the provisions of chapter 2, Code of Iowa, 1950, there are submitted herewith claims acted upon by the State Appeal Board on February 17, 1953. Each claim bears the recommendation of the board.

Claim of a general nature are numbers 144, 155, 156, 158, 160, 171, 172, 173, 175, 176, 179, 184, 185, 192 to 199, inclusive, 201 to 206, inclusive, 209 to 212, inclusive, 215, 218, 219; also, highway commission claims numbers 14, 15, 70, 89, 118, 119, 121, 122, 129, 140, 146, 147, 156, 157, 168, 178, 190, 192 to 194, inclusive, 197 to 218, inclusive.

GLENN D. SANSFIELD,  
*Chairman, State Appeal Board.*

No.	Name of Claimant and Nature of Claim	Amount of Claim
144	John W. Roby, Vancouver 3, B. C., Canada—Claim for damages to auto of claimant, while passing truck in National Guard convoy.....	\$ 143.46
155	George W. Smith, Jr., Des Moines, Iowa—Claim for personal injuries while an inmate at Anamosa.....	1,020.00
156	George A. Graham, Storm Lake, Iowa—Damages caused to real estate farmed by claimant because of release of excessive water from Storm Lake.....	434.00
158	Overton Funeral Home, Indianola, Iowa—Claim for embalming Lemuel Wright, an old age recipient.....	40.00
160	Edward L. Fletcher, Des Moines, Iowa—Claim for loss of both legs while an inmate of the Iowa State Penitentiary at Fort Madison. Claimant alleges that loss of legs was due to improper treatment and negligent actions on part of persons connected with penitentiary .....	14,000.00
171	Linn County Relief Department, Cedar Rapids, Iowa—Claimant neglected to cash warrant of Mabel Bassett, an old age assistance recipient, until time for cashing said warrant under state law had passed.....	70.50
172	Hopedale School No. 7, Union, Iowa—Claimant was not paid for loss when Citizens Bank of Union, Iowa, was forced to close its doors twenty years ago.....	511.97

No.	Name of Claimant and Nature of Claim	Amount of Claim
173	L. R. Pierce, Morning Sun, Iowa—Claim for funeral services for Wesley Robertson, an old age recipient....	115.50
175	Manning-O'Toole Funeral Home, Sioux City, Iowa—Claim for funeral services for Edgar Griffey, an old age recipient .....	150.00
176	Manning-O'Toole Funeral Home, Sioux City, Iowa—Claim for funeral services for Helen Dawson, an old age recipient .....	150.00
179	Iowa City Public Schools, Iowa City, Iowa—Claim for tuition for children of students and teachers residing in units which are tax free on Iowa City campus .....	36,683.87
184	Independent School District of Ames, Iowa—Claim for tuition for children of students and teachers residing in units which are tax free on the Iowa State College campus .....	51,593.12
185	Huebner Funeral Home, Denison, Iowa—Claim for funeral services for Samuel Steers, an old age assistance recipient .....	150.00
192	Otter Creek Township, R.F.D., Alburnett, Iowa—Claimant purchased fire truck and certain equipment, however, due to oversight the claim for refund was not made within the period of time prescribed by statute .....	198.68
193	Wetmore Funeral Home, Bedford, Iowa—Funeral services for Earl Woodard, an old age recipient. It was discovered that the decedent had a bank account .....	160.50
194	F. R. Sheckler & Sons, Nora Springs, Iowa—Claim for funeral services for Ecklus Louisa Antoine, an old age recipient .....	150.00
195	Chester Hagan, Atkins, Iowa—Truck assigned to Iowa State College and driven by one of its employees backed into claimant's auto.....	10.00
196	Iowa Farm Mutual Insurance Company, Des Moines, Iowa—Damages to auto of claimant's assured when his car was damaged by Iowa State College truck....	52.30
197	Lucas Public School, Lucas, Iowa—Claimant purchased a school bus, and failed to file for a refund within the designated statutory time for sales tax....	73.80
198	Federated Mutual Implement & Hardware Insurance Company, Des Moines, Iowa—Claim for plate glass broken in Oleson Implement Company near Newell, Iowa, when employee of the state failed to properly negotiate a curve because of a blinding snowstorm....	161.34
199	Huebner Funeral Home, Denison, Iowa—Claim for funeral services for Henry W. Miller, an old age recipient .....	150.00

No.	Name of Claimant and Nature of Claim	Amount of Claim
201	Robert W. Lamson, Iowa State College, Ames, Iowa—Damages to claimant's car when it collided with deer near Denison, Iowa.....	224.40
202	Dean Farnsworth, Shenandoah, Iowa—Claim for refund on 1952 automobile license. Original claim for refund was misfiled by treasurer's office .....	9.50
203	Zimmerman Funeral Home, Lovilia, Iowa—Claimant furnished funeral services for Christopher C. Simmons, an old age recipient .....	60.00
204	The Central National Insurance Company, Omaha 2, Nebraska—Damages to car of claimant's assured when backed into by a state truck in a parking lot at the Woodward State Hospital .....	82.39
205	John R. Rhoades, Woodward, Iowa—Deductible item on claimant's automobile insurance. Claimant's car was damaged when backed into by a state truck while parked at the Woodward State Hospital .....	50.00
206	O'Keefe & Towne, Waterloo, Iowa—Claim for funeral services for Joseph Regenold, an old age recipient .....	150.00
209	Marion County, c/o Treasurer, Knoxville, Iowa. Claim for agricultural land credit tax refund for 1947 .....	50.08
210	Kersten Clinic, Fort Dodge, Iowa—Medical fee claim for Patrolman Joe Dixon who was injured when struck by a 1937 Plymouth which had no brakes and a defective windshield. Patrolman Dixon was on duty at said time .....	238.70
211	F. L. Knowles, M.D., Fort Dodge, Iowa—Claim for medical fees for Patrolman Dixon who was injured when struck by a 1937 Plymouth .....	199.63
212	St. Joseph Mercy Hospital, Fort Dodge, Iowa—Claim for hospital bill for Patrolman Joe Dixon who was injured by 1937 Plymouth while on duty .....	341.88
215	Campbell Funeral Home, Batavia, Iowa—Claim for funeral services for Eliza Lewman, an old age recipient .....	150.00
218	Treasurer of Lucas County, Iowa, Chariton, Iowa—Claim for Agricultural Land Credit Tax. Refund for the year 1952 .....	1,104.53
219	Treasurer of Webster County, Fort Dodge, Iowa—Agricultural Land Credit Tax Refund for year 1952..	277.59
Highway Commission Claims		
H-14-53	Donald D. Harvey, Goldfield, Iowa—Damages to car involved in collision with Highway Commission snow removal truck.....	10.00
H-15-53	Iowa Farm Mutual Insurance Co., Des Moines, Iowa—Claim to reimburse insurance company for payment made on collision policy of Donald Harvey due to damage to the Harvey car which was involved in collision with Highway Commission snow removal truck.....	55.98

No.	Name of Claimant and Nature of Claim	Amount of Claim
H-70-53	Keith Lucas, Sperry, Iowa—To reimburse claimant for his expenditures made for repairing his car which was damaged when it was driven into a ditch to avoid a collision.....	146.64
H-89-53	Otto Dettmer, Charles City, Iowa—To reimburse claimant for damages to his car which was involved in a collision with a state owned truck and snow plow .....	40.96
H-118-53	Donald Ruffcorn, Cedar Falls, Iowa—To reimburse claimant for damages to his car which was involved in a collision with a Highway Commission truck and snow plow .....	50.00
H-119-53	Service Fire Insurance Company, St. Paul, Minnesota—To reimburse claimant for their expenditure in connection with their collision insurance policy with Donald F. Huffcorn, whose car was involved in a collision with a Highway Commission truck and snow plow .....	375.00
H-121-53	Snow Bros., Oak Park, Illinois—To reimburse claimant for repairs to their truck which was involved in a collision with a Highway Commission truck and snow plow .....	295.09
H-122-53	Paul Gabrielson, Oelwein, Iowa—To reimburse claimant for repairs to his car which was involved in a collision with a Highway Commission truck and snow plow .....	17.26
H-129-53	Francis H. Taylor, Jr., Keokuk, Iowa—Claim for loss of 1935 Ford coupe which was wrecked in a collision with Highway Commission truck and snow plow....	147.90
H-140-53	LeMars Mutual Insurance Association, LeMars, Iowa—To reimburse insurance company for payment to Clarence Reihmann because of Highway Commission forces alleged spraying of road oil on the Reihmann car .....	18.00
H-146-53	Elmer Seibert, Minburn, Iowa—To reimburse claimant for damages to his car which was involved in a collision with a Highway Commission truck .....	871.95
H-147-53	Mr. and Mrs. Darreld Peterson, Forest City, Iowa—To reimburse claimants for repair to their car and medical expense as a result of a collision with Highway Commission truck and sanding machine.....	295.49
H-156-53	Iowa Farm Mutual Insurance Co., Des Moines Iowa—To reimburse claimant for expenditure for repairs to car owned by Lee Strait which was involved in a collision with a Highway Commission truck .....	389.15
H-157-53	Lee Strait, Milton, Iowa—To reimburse claimant for repairs to his car which was involved in a collision with a Highway Commission truck. (Deductible item on auto insurance.) .....	10.00

No.	Name of Claimant and Nature of Claim	Amount of Claim
H-168-53	George T. Reeves, Ottumwa, Iowa—To reimburse claimant for loss of a heifer that was killed by drinking water from a stream after Highway Commission forces sprayed weed poison near the stream.....	165.00
H-178-53	C. M. Welsh, Wadena, Iowa—To reimburse claimant for repairs to his car which was involved in a collision with a Highway Commission truck and snow plow .....	46.70
H-190-53	John H. Alexander, Gravity, Iowa—To reimburse claimant for repairs to his car which was involved in a collision with a Highway Commission truck.....	389.50
H-192-53	Union Transfer Company, Omaha, Nebraska—To reimburse claimant for loss of its semi-trailer which went through a bridge handrail and into the Boyer River at Woodbine.....	2,500.00
H-193-53	St. Paul Fire & Marine Insurance Co., St. Paul, Minnesota—To reimburse insurance company for expenditure on their retroactive insurance contract with Union Transfer Co. of Omaha, Nebr., whose semi-trailer was carrying a general merchandise cargo which was destroyed when it fell into the Boyer River at Woodbine.....	6,302.93
H-194-53	Agatha Downing, Omaha, Nebraska—To reimburse claimant for repairs to her tractor that was damaged when it went into the Boyer River at Woodbine	6,883.11
H-197-53	Wilbert Klingler, Donnellson, Iowa—To reimburse claimant for loss of cattle on his farm.....	1,730.48
H-198-53	Robert Hart, Cincinnati, Iowa—To reimburse claimant for cost of replacing windshield in his car which was struck with a flying object when it met a Highway Commission truck.....	25.34
H-199-53	Robert L. Seals, Centerville, Iowa—To reimburse claimant for cost of repairs to his truck which was involved in a collision with a Highway Commission truck .....	60.09
H-200-53	State Farm Insurance Companies, Bloomington, Illinois—To reimburse claimant for expenditure on its comprehensive insurance coverage of car owned by H. Donald Schell of Decorah, Iowa, which was damaged by stone chips that were thrown against it by Highway Commission employee.....	26.11
H-201-53	Edward W. Cooley, Des Moines, Iowa—To reimburse claimant for new automobile tire to replace one that was damaged when it struck a protruding reinforcing steel rod .....	17.00
H-202-53	R. E. Sorensen, Council Bluffs, Iowa—To reimburse claimant for repairs to his car which was damaged in a collision with a Highway Commission car.....	132.94
H-203-53	LeRoy Stilwell, Swan, Iowa—To reimburse claimant for repairs to his car which was damaged in a collision with a Highway Commission truck and snow plow .....	31.00

No.	Name of Claimant and Nature of Claim	Amount of Claim
H-204-53	C. J. Stillman, Emmetsburg, Iowa—To reimburse claimant for repairs to his car which was involved in a collision with a Highway Commission car.....	81.38
H-205-53	Ruth Bailey, Toronto, Canada—To reimburse claimant for repairs to her car which was involved in a collision with a Highway Commission truck and oil distributor .....	12.00
H-206-53	Duane K. Broome, Clear Lake, Iowa—To reimburse claimant for replacing windshield in his truck that was broken by snow from a Highway Commission truck and snow plow.....	15.09
H-207-53	Roscoe C. and Mildred Sexauer, Ankeny, Iowa—To reimburse claimants for expenditure in connection with an accident on Primary Road No. 60 where their car was driven off the pavement into a rut which caused it to overturn.....	411.85
H-208-53	American Farmers Mutual Insurance Company, Des Moines, Iowa—To reimburse claimant for expenditure on its property damage insurance contract with R. M. Tutton, who was driving a Highway Commission car that struck the parked car of W. S. Blades....	62.83
H-209-53	Chris Schmidt, Manning, Iowa—To reimburse claimant for repairs to his truck which was involved in a collision with a Highway Commission truck and snow plow .....	50.85
H-210-53	Olson Brothers, Waukee, Iowa—To reimburse claimant for repairs to stock rack on his truck that was damaged by a Highway Commission truck and ice blade .....	26.35
H-211-53	R. L. Dunbar and Nina E. Dunbar, Washington, Iowa—To reimburse claimants for loss of crops by flooding on land bordering the Skunk River.....	1,699.00
H-212-53	Robert Shelangoski, Agent for Dunbar Estate, Washington, Iowa—To reimburse claimant for loss of crops by flooding on land bordering the Skunk River .....	2,128.00
H-213-53	Charles McKnight, Sioux City, Iowa—To reimburse claimant for repairs to his car that struck a steel drainage flume cover.....	12.76
H-214-53	Emil Handel, Dubuque, Iowa—To reimburse claimant for repairs to his car that was damaged by a stone that rolled off a cliff.....	81.64
H-215-53	Carl Fromm, Jr., Burlington, Iowa—To reimburse claimant for repairs to his pickup truck that was involved in a collision with a Highway Commission truck and oil distributor.....	16.54
H-216-53	Iowa Farm Mutual Insurance Company, Des Moines Iowa—To reimburse insurance company for expenditures on collision insurance contract with Charles Shelton whose car was damaged in a collision with a Highway Commission end loader.....	18.50

No.	Name of Claimant and Nature of Claim	Amount of Claim
H-217-53	Charles Shelton, Chariton, Iowa—To reimburse claimant for deductible item on his insurance policy. Claimant's car was involved in a collision with a Highway Commission end loader.....	10.00
H-218-53	George Leibfried, Durango, Iowa—To reimburse claimant for loss of alfalfa which was caused by fire started by Highway Commission forces.....	50.00

#### APPOINTMENT OF COMMITTEE CLERK

Senator Hedin announced the appointment of Frances Stafford as his committee clerk.

#### SENATE FILE 163 RETURNED TO COMMITTEE

Senator Lucas asked and received unanimous consent that Senate File 163 be returned to the committee on printing.

#### ANNOUNCEMENT

Senator Stewart of Mahaska announced that the final date for filing of claims to be considered this session of the legislature was Friday, February 27, 1953.

#### REPORTS OF COMMITTEES

Senator Molison submitted the following report:

**MR. PRESIDENT:** Your committee on schools and educational institutions, to which was referred **Senate File 52**, a bill for an act to amend chapter two hundred sixty (260), Code 1950, relating to the Board of Educational Examiners and certification of teachers, begs leave to report it has had the same under consideration and recommends the same **do pass**.

WILBUUR C. MOLISON, *Chairman*.

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on schools and educational institutions, to which was referred **Senate File 182**, a bill for an act to amend sections two hundred eighty-five point eight (285.8) and three hundred twenty-one point three hundred seventy-six (321.376), Code 1950, relating to school bus transportation and drivers of such busses, begs leave to report it has had the same under consideration and recommends the same **do pass**.

WILBUUR C. MOLISON, *Chairman*.

Ordered passed on file.

Senator Watson of Pottawattamie submitted the following report:

MR. PRESIDENT: Your committee on election reform, to which was referred **House File 5**, a bill for an act relating to election procedure in those cities nominating candidates for municipal office by nonparty political organizations and by petition, 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 Lucas submitted the following report:

MR. PRESIDENT: Your committee on printing, to which was referred **Senate File 194**, a bill for an act to amend section six hundred eighteen point three (618.3), Code 1950, relating to publishing and posting of notices, begs leave to report it has had the same under consideration and recommends the same **do pass**.

J. G. LUCAS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on printing, to which was referred **Senate File 195**, a bill for an act to amend sections four hundred forty-six point nine (446.9) and four hundred forty-six point ten (446.10), Code 1950, relating to publication in connection with tax sale, begs leave to report it has had the same under consideration and recommends the same **do pass**.

J. G. LUCAS, *Chairman*.

Ordered passed on file.

Senator Vest submitted the following report:

MR. PRESIDENT: Your committee on compensation of public officers and employees, to which was referred **House File 120**, a bill for an act to amend section six hundred one point one hundred twenty-nine (601.129), Code 1950, relating to constable's mileage, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ALAN VEST, *Chairman*.

Ordered passed on file.

#### ASSIGNMENT OF BILLS

President Elthon announced the assignment of the following bills to committee:

- S. F. 252 Social security
- S. F. 253 Election reform
- S. F. 254 Cities and towns
- S. F. 255 Motor vehicles
- S. F. 257 Judiciary 1

- S. F. 259 Highways  
H. F. 23 Schools and educational institutions  
H. F. 221 Highways

## AMENDMENTS FILED

- 1 Amend Senate File 178 by striking all after the enacting clause  
2 and substituting in lieu thereof the following:  
3 "Section 1. No privately owned corporation engaged in the  
4 business of selling electrical energy, gas or water, to the public,  
5 nor any telephone or telegraph company, shall make any increase  
6 in its rates or charges without proceeding as herein provided.  
7 "Sec. 2. A petition proposing such increases shall be filed  
8 with the supreme court at least thirty (30) days before the date it  
9 is proposed to make such increase effective showing the alleged  
10 facts requiring such increase, accompanied by a schedule of the  
11 new and the old rates.  
12 "Sec. 3. The chief justice shall thereupon assign three (3)  
13 judges of the district courts to comprise a court to conduct a  
14 hearing upon said petition. Notice of said hearing shall be given  
15 in such manner as the chief justice shall determine at the expense  
16 of said corporation. The hearing shall be held at the county seat  
17 of the county wherein the change sought is to be effective or at  
18 any place designated by the chief justice in the affected area if the  
19 change is to be effective in more than one county.  
20 "Sec. 4. Said hearing shall be open to the public and competent  
21 counsel shall be designated by the court and paid by the state from  
22 the general fund to resist said application. The court shall have  
23 power to subpoena witnesses and do all things necessary to enable  
24 it to make a decision on the merits. At said hearing the rules of  
25 evidence and the rules of procedure for civil actions shall be  
26 applicable.  
27 "Sec. 5. The hearing may be postponed from time to time but  
28 no change in the rates and charges of said corporation shall  
29 be made pending the hearing and the decision thereon. The period  
30 of suspension of change in such rates and charges shall not  
31 extend more than one hundred and twenty (120) days beyond the  
32 time such new rates and charges would otherwise go into effect.  
33 "Sec. 6. On such hearing the court shall establish the new  
34 rates and charges in whole or in part, or others in lieu thereof,  
35 or refuse any change, whichever it shall find to be just and  
36 reasonable. When any change in rates or charges is allowed,  
37 the court shall designate when said new rates or charges shall  
38 be effective. After hearing and decision thereon no new  
39 petition shall be filed within the twelve (12) month period following  
40 said decision. The decision of said court shall be subject to  
41 review by the supreme court on appeals in the manner prescribed  
42 in civil actions."

1 Amend Senate File 178 as follows:

- 2 1. Amend section 57, subsection 1, by  
 3 striking from lines 28, 29 and  
 4 30 the words "shall not be chargeable as part of the  
 5 remainder under subsection two (2) of the section, but".  
 6 2. Amend section 57, subsection 2, by  
 7 striking from lines 36 and 37 the  
 8 words "excluding the total sum necessary to pay the salaries  
 9 of the commissioners but"; and further amend section  
 10 57, subsection 2, by striking all of said  
 11 subsection following the word "law" in line 40 and  
 12 inserting in lieu thereof the following: "the expenditures so  
 13 ascertained shall be paid out of the usual appropriation to the  
 14 public service commission."  
 15 3. Amend section 57 by striking all of subsections  
 16 3 and 4.  
 17 4. Amend section 57, subsection 5, by  
 18 striking from line 122 the words  
 19 "and two (2)".

D. C. NOLAN.

- 1 1. Amend Senate File 181, section 7, by striking  
 2 the word "inidcate" in line 55 and inserting  
 3 in lieu thereof the word "indicate".  
 4 2. Further amend Senate File 181, section 14,  
 5 by striking the period (.) after the word "duplicate" in line  
 6 12 and adding the following: "and shall be  
 7 identical in every respect to the original to include notation  
 8 upon the face thereon of liens or encumbrances disclosed by the  
 9 records of the department. Upon issuance of title the previous  
 10 certificate last issued shall be void."  
 11 3. Further amend Senate File 181, section 15, by  
 12 striking the word "title" in line 3 and inserting  
 13 in lieu thereof the word "titled".  
 14 4. Further amend Senate File 181, section 19, by  
 15 striking all of subsection 2 and substituting therefor  
 16 the following subsection:  
 17 "2. Any foreign registered vehicle purchased or otherwise  
 18 acquired by a dealer for the purpose of resale shall be issued a  
 19 certificate of title thereto by the county treasurer of the  
 20 dealer's residence upon proper application therefor as provided  
 21 in this chapter and upon payment of a fee of seventy-five (75)  
 22 cents and such dealer shall be exempt from the payment of any and  
 23 all registration fees for such vehicle."  
 24 5. Further amend Senate File 181, section 32,  
 25 by striking the period (.) after the word "issued" in line  
 26 5, and adding the following: "or fraudulently obtained."

COMMITTEE ON MOTOR VEHICLES.

- 1 Amend Senate File 209, section 1, line 4,
- 2 by inserting immediately preceding the word "enlarge"
- 3 the following: "improve,".

JOHN P. BERG.

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

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 20, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend Harold A. Anderson, retired pastor of the Presbyterian Church, Manchester, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By the following Senators favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance:

By Senator Dewel from residents of Emmet County.

By Senator Hedin from residents of Scott County.

By Senator Scott from residents of Allamakee County.

## INTRODUCTION OF BILLS

Senate File 260, by Senator O'Malley, a bill for an act to amend section two hundred twenty-eight point nine (228.9), Code 1950, relating to compensation and expenses of commission of insanity.

Read first and second times, and passed on file.

Senate File 261, by Senator 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 262, by Senators Elijah and Lord, a bill for an act to amend chapter four hundred twenty-seven (427), Code 1950, relating to military service exemption.

Read first and second times, and passed on file.

Senate File 263, by committee on motor vehicles, a bill for an act to repeal section three hundred twenty-one point one hundred ninety-four (321.194), Code 1950, pertaining to restricted licenses issued to minors and to enact a substitute therefor.

Read first and second times, and passed on file.

Senate File 264, by committee on motor vehicles, a bill for an act to amend section three hundred twenty-one point one (321.1), subsection forty-three (43), Code 1950, relating to defining the term "chauffeur".

Read first and second times, and passed on file.

Senate File 265, by committee on motor vehicles, a bill for an act to amend section three hundred twenty-one point twenty-one (321.21), Code 1950, relating to motor vehicles and law of road.

Read first and second times, and passed on file.

Senate File 266, by committee on motor vehicles, a bill for an act to amend section three hundred twenty-one A point thirty-two (321A.32), Code 1950, relating to the penalty of operating a motor vehicle while under suspension.

Read first and second times, and passed on file.

Senate File 267, by committee on motor vehicles, a bill for an act to amend chapter three hundred twenty-one A (321A), Code 1950, relating to motor vehicle financial responsibility.

Read first and second times, and passed on file.

Senate File 268, by committee on motor vehicles, a bill for an act to repeal section three hundred twenty-one point one hundred eighty (321.180), Code 1950, relating to instruction permits, and to enact a substitute therefor; and to amend section three hundred twenty-one point one hundred ninety-one (321.191), Code 1950, as amended, pertaining to fees for operator's and chauffeur's licenses.

Read first and second times, and passed on file.

Senate File 269, by Senator Boothby, 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.

Read first and second times, and passed on file.

Senate File 270, by Senator Watson of Pottawattamie, a bill for an act to amend chapter one hundred seventy-four (174), Code 1950, relating to county and district fairs.

Read first and second times, and passed on file.

Senate File 271, by Senator Watson of Pottawattamie, a bill for an act to amend section six hundred two point forty-nine (602.49), Code 1950, relating to the salary of municipal judges.

Read first and second times, and passed on file.

Senate File 272, by Senator Watson of Pottawattamie, a bill for an act to amend chapter seven hundred twenty-five (725), Code 1950, relating to obscenity and indecency.

Read first and second times, and passed on file.

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

#### HOUSE CONCURRENT RESOLUTION 13

*Whereas*, the Fifty-fifth General Assembly is advised of a meeting of the Pioneer Lawmakers Association to be held in the Historical Building on Thursday, March 19, 1953, 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 Thursday, March 19, 1953, at 2:00 p.m., and that the Pioneer Lawmakers be invited to attend and present a program on that date.

The motion prevailed and the resolution was adopted.

Senator Hart called up for consideration the following report:

#### 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-fifth General Assembly, having met jointly, begs 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-fourth General Assembly be adopted as the joint rules of the Senate and House of the Fifty-fifth General Assembly except as hereinafter repealed, altered, amended or substituted:

Rule 15 of the joint rules of the Senate and House of the Fifty-fourth General Assembly is amended by striking all of said rule and inserting in lieu thereof the following:

"When bills are introduced in both houses containing identically the same text, they shall be called companion bills. Each house shall designate the bill's author or authors in the usual way followed in parentheses by the name or names of the author or authors introducing the companion bill in the other house. When a bill has been introduced in one house and a companion bill is to be introduced in the other house, the bill first introduced shall be printed in full and complete form and the companion

bill, as introduced in the house, shall be printed only to and including the enacting clause thereof, and following the enacting clause there shall be printed an additional statement as follows: 'This bill is an identical and companion bill to Senate (House) File ———. For printed text see that bill.'

"All proposed bills to be introduced in either house must be checked by the respective law clerks for subject matter to determine whether there has been an identical bill previously introduced in the other house. If a member seeks to introduce an identical bill to one which he knows has been previously introduced in the other house, he must ascertain the number under which that bill has been introduced and have that number noted on his bill by the proper official. At least one legislative day should intervene between the first introduction of a bill and the introduction of an identical or companion bill in the other house. Any other instructions pursuant to carrying out the provisions of this rule shall be issued by the Secretary of the Senate and the Chief Clerk of the House of Representatives."

Respectfully submitted,  
 STANLEY L. HART, *Chairman*,  
 On the Part of the Senate.  
 VERN LISLE, *Chairman*,  
 On the Part of the House.

Senator Hart moved the adoption of the report, which motion prevailed and the report 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 adopted the report of the joint committee on rules.

Also: That the House has concurred in Senate amendments to and passed House File 3, a bill for an act relating to changing boundaries of school districts.

A. C. GUSTAFSON, *Chief Clerk*.

#### HOUSE AMENDMENTS CONSIDERED

Senator Weichman called up for consideration Senate File 147, a bill for an act to amend section one hundred sixty-six point one (166.1), Code 1950, relating to hog cholera virus and serum, amended by the House, and moved that the Senate concur in the following amendments:

1. Amend Senate File 147 by adding thereto as section 2 the following:  
 "Sec. 2. Chapter one hundred sixty-six (166), Code 1950, is hereby amended by adding thereto the following section: 'None of the provisions of this chapter as contained in sections one hundred sixty-six point sixteen (166.16) to section one hundred sixty-six point twenty-eight (166.28), inclusive, and section one hundred sixty-six point thirty (166.30) to sec-

tion one hundred sixty-six point thirty-three (166.33), inclusive, relative to schools of instruction and permits to purchase and administer virus shall be of any force or effect where either a modified live virus of the non-virulent type or dead virus vaccine is to be purchased and administered."

2. Amend the title of Senate File 147 by striking all after the word "Act" and inserting in lieu thereof the following: "to amend chapter one hundred sixty-six (166), Code 1950, relating to hog cholera serum and virus and the manufacture, sale and use of such products."

The Senate concurred in the House amendments.

Senator Weichman moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

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

Ayes, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

Nays, none.

Absent or not voting, none.

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

Senator 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 JOINT COMMITTEE ON ENROLLED BILLS

Senator Stuart of Lucas, 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 8 and House File 42.

W. C. STUART, *Chairman Senate Committee.*

JOHN A. WALKER, *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 8 and House File 42.

## BILL SENT TO THE GOVERNOR

Senator Stuart of Lucas, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 20th day of February, 1953, sent to the Governor for his approval: Senate File 8.

W. C. STUART, *Chairman.*

Passed on file.

## THIRD READING OF BILLS

On motion of Senator Colburn, Senate File 181, a bill for an act relating to the origination of titles to motor vehicles, trailers and semi-trailers, the issuance and transfer of registration and certificate of title to the same, the recording of liens thereon and to amend and repeal various sections of the Code relating thereto, was taken up, and considered.

Senator Colburn offered the following amendment filed by the committee on motor vehicles:

1. Amend Senate File 181, section 7, by striking the word "inidcate" in line 55 and inserting in lieu thereof the word "indicate".

2. Further amend Senate File 181, section 14, by striking the period (.) after the word "duplicate" in line 12 and adding the following: "and shall be identical in every respect to the original to include notation upon the face thereon of liens or encumbrances disclosed by the records of the department. Upon issuance of title the previous certificate last issued shall be void."

3. Further amend Senate File 181, section 15, by striking the word "title" in line 3 and inserting in lieu thereof the word "titled".

4. Further amend Senate File 181, section 19, by striking all of subsection 2 and substituting therefor the following subsection:

"2. Any foreign registered vehicle purchased or otherwise acquired by a dealer for the purpose of resale shall be issued a certificate of title thereto by the county treasurer of the dealer's residence upon proper application therefor as provided in this chapter and upon payment of a fee of seventy-five (75) cents and such dealer shall be exempt from the payment of any and all registration fees for such vehicle."

5. Further amend Senate File 181, section 32, by striking the period (.) after the word "issued" in line 5 and adding the following: "or fraudulently obtained."

President pro tempore Hart took the chair at 11:15 a.m.

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

### EXECUTIVE SESSION

The Senate, in executive session, confirmed the following appointment:

William Frudeger, of Des Moines County, as a member of the State Conservation Commission for the unexpired portion of the term ending June 30, 1953.

The Senate arose from executive session and resumed regular session, President pro tempore Hart presiding.

The Senate resumed consideration of Senate File 181.

On motion of Senator Vest, the amendment filed by the committee on motor vehicles was adopted.

Senator Vest offered the following amendment and moved its adoption:

Amend Senate File 181, section 21, by inserting in line 20 following the period in said line the following: "The county treasurer shall note upon the certificate of title all liens shown in the application for such certificate of title, upon the payment of a fee of seventy-five cents (75c) for each lien appearing on such application."

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, 45:

Anderson	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Utzig
Bekman	Hart	Nelson	Van Eaton
Bellman	Hedin	Nolan	Vest
Berg	Heideman	Oltman	Washburn
Boothby	Johnson	O'Malley	Watson of
Byers	Knudson	Prentis	O'Brien
Clark	Linnevoold	Risk	Watson of
Colburn	Lord	Schoening	Pottawattamie
Dailey	Lucas	Scott	Weichman
Dewel	Lynes	Stewart of	Whitehead
Dykhouse	Miller	Mahaska	Zastrow

Nays, 1:  
Nesmith

Absent or not voting, 4:

Elijah                      Larson                      Sayre                      Walter

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.

#### ASSIGNMENT OF BILLS

President Elthon announced the assignment of the following bills to committee:

- S. F. 260 Compensation of public officers and employees
- S. F. 261 Board of control
- S. F. 262 Military affairs
- S. F. 263 On calendar
- S. F. 264 On calendar
- S. F. 265 On calendar
- S. F. 266 On calendar
- S. F. 267 On calendar
- S. F. 268 On calendar
- S. F. 269 Judiciary 2
- S. F. 270 Agriculture
- S. F. 271 Compensation of public officers and employees
- S. F. 272 Judiciary 1

On motion of Senator Zastrow, the Senate adjourned until 11:00 a.m., Monday, February 23, 1953.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 23, 1953.

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

Prayer was offered by Reverend C. E. Lookingbill, retired pastor of the Methodist Church, Nevada, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Bateson from residents of Hamilton County favoring proposed legislation relating to civilian defense.

By Senator Dailey from residents of Des Moines County favoring proposed legislation relating to the Board of Educational Examiners and certification of teachers.

By Senator Dykhouse from residents of Osceola County in opposition to proposed legislation relating to taking funds from the Fish and Game Protection Fund.

By Senator Grimstead from residents of Winnebago County in opposition to proposed legislation relating to the licensing of insurance agents.

By Senator Heideman from residents of Webster County favoring proposed legislation relating to the reorganization of the State Department of Public Instruction.

By Senator Molison from residents of Poweshiek County favoring proposed legislation relating to educational television.

By Senator Prentis from residents of Union County favoring proposed legislation relating to hunting on state owned lakes.

By Senator Van Eaton from residents of Woodbury County in opposition to proposed legislation relating to school district reorganization and boundary changes.

By Senator Van Eaton from residents of Woodbury County in opposition to proposed legislation relating to employment of minors,

and favoring proposed legislation relating to children's boarding homes and to a legislative council.

By the following Senators favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance:

By Senator Bellman from residents of Warren County.

By Senator Berg from residents of Black Hawk County.

By Senator Heideman from residents of Webster County.

By Senator Scott from residents of Fayette County.

#### INTRODUCTION OF BILLS

Senate File 273, by Senator Dailey, a bill for an act to amend section six hundred two point twenty-three (602.23), Code 1950, relating to fees of municipal courts.

Read first and second times, and passed on file.

Senate File 274, by Senator Oltman, a bill for an act to amend section five hundred fifteen point eighty-one (515.81), Code 1950, relating to the cancellation of insurance policies by adding a provision requiring an insurance company to state the reason therefor in the event of the cancellation of an automobile liability policy.

Read first and second times, and passed on file.

Senate File 275, by Senator Van Eaton, a bill for an act to amend section three hundred thirty point sixteen (330.16), Code 1950, relating to the enlargement of municipal airports and the issuance of airport bonds.

Read first and second times, and passed on file.

Senate File 276, by Senator Bateson, a bill for an act to amend section six hundred twenty-six point sixty-nine (626.69), Code 1950, relating to preferred labor claims.

Read first and second times, and passed on file.

Senate File 277, by Senator Bateson, a bill for an act to amend section four hundred nine point thirteen (409.13), Code 1950, relating to giving a recorder's certified copy of an abstract recorded the same force and effect as the original abstract.

Read first and second times, and passed on file.

Senate File 278, by Senator Utzig (Schroeder and Frey), 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 279, by Senator Byers, a bill for an act to repeal section two hundred twenty-nine point thirty-three (229.33), Code 1950, relating to hearings to determine the question of sanity of persons committed to state hospital for the insane.

Read first and second times, and passed on file.

Senate File 280, by Senators O'Malley and Whitehead, a bill for an act to amend section four hundred seventy-seven point fifty-one (477.51), Code 1950, relating to semi-monthly payment of wages.

Read first and second times, and passed on file.

Senate File 281, by Senator O'Malley, a bill for an act to provide for the registration and examination of sanitarians employed full time in state and local departments of public health.

Read first and second times, and passed on file.

Senate File 282, by Senators Fishbaugh and Miller, a bill for an act to regulate the strip mining of coal.

Read first and second times, and passed on file.

Senate File 283, by Senator Watson of Pottawattamie, a bill for an act relating to city bridges, viaducts, culverts, underpasses, grade crossing separations, and approaches thereto, and the financing of the cost thereof, including damages arising as the result thereof, by the issuance of bonds and levy of taxes to pay the bonds.

Read first and second times, and passed on file.

Senate File 284, by committee on military affairs, a bill for an act to amend chapter ninety-six (96), Code 1950, relating to the payment of unemployment compensation; to preserve the benefit rights of an individual entering the armed forces of the United States; to provide that such an individual shall not be disqualified for voluntarily leaving his employment to enter such armed forces; to provide that the time spent by such individual in such armed

forces shall be excluded from the individual's base period; to provide that the benefit year of any such individual shall be extended by the time spent in such armed forces.

Read first and second times, and passed on file.

Senate File 285, by Senator Oltman, a bill for an act to amend chapter one hundred forty-seven (147), Code 1950, relating to fees for removal of licenses for the practice of dentistry.

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 Senate Concurrent Resolution 11, 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 Berg of Black Hawk moved that a committee of six be appointed to notify Lewis K. Gough, national commander of The American Legion, Governor William S. Beardsley, Paul Turnquist, national committeeman from Iowa, and Donald E. Johnson, commander of the Iowa Department of The American Legion, that the joint convention was ready to receive them.

Motion prevailed and the President appointed Senators Berg, Walter and Boothby, on the part of the Senate, and Representatives Lucken of Plymouth, Brown of Keokuk and Peters of Webster, on the part of the House.

The committee waited upon Mr. Gough, Governor Beardsley and their official party and escorted them to the Speaker's station.

President Hart presented to the joint convention Donald E. Johnson, who presented National Commander Lewis K. Gough, who addressed the joint convention.

The committee previously appointed came forward and escorted the National Commander and his party from the House chamber.

Burtch of Mitchell 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.

### THIRD READING OF BILLS

On motion of Senator Hedin, Senate File 58, a bill for an act to amend section six hundred one point one hundred twenty-nine (601.129), Code 1950, relating to constable's mileage, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hedin asked and received unanimous consent that House File 120 be substituted for Senate File 58.

On motion of Senator Hedin, House File 120, a bill for an act to amend section six hundred one point one hundred twenty-nine (601.129), Code 1950, relating to constable's mileage, 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, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 Vest, House File 55, 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, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Nolan moved that the bill be read a third 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	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhous	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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, House File 176, a bill for an act to amend chapter eighty-six (86), Acts of the Fifty-fourth General Assembly, relating to screening centers for psychiatric treatment of insane persons, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 50:

Anderson	Berg	Colburn	Elijah
Bateson	Boothby	Dailey	Fishbaugh
Bekman	Byers	Dewel	Grimstead
Bellman	Clark	Dykhous	Hart

Hedin	Molison	Sayre	Walter
Heideman	Myrland	Schoening	Washburn
Johnson	Nelson	Scott	Watson of
Knudson	Nesmith	Stewart of	O'Brien
Larson	Nolan	Mahaska	Watson of
Linnevold	Oltman	Stuart of Lucas	Pottawattamie
Lord	O'Malley	Utzig	Weichman
Lucas	Prentis	Van Eaton	Whitehead
Lynes	Risk	Vest	Zastrow
Miller			

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 Byers, the Senate recessed until 1:15 p.m.

### AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

### THIRD READING OF BILLS

On motion of Senator Oltman, Senate File 47, a bill for an act to amend sections one hundred forty-seven point fourteen (147.14), one hundred forty-seven point nineteen (147.19), one hundred forty-seven point thirty-eight (147.38), one hundred forty-seven point eighty (147.80), one hundred forty-seven point one hundred two (147.102), one hundred forty-eight point three (148.3), and chapter one hundred forty-eight (148), Code 1950, relating to the medical examiners board, providing for an additional two members and increasing the length of the term of office, increasing the renewal fee for the practice of medicine and surgery, enlarging the powers of the board of medical examiners, qualifications of applicants, and providing for temporary and special licenses for the practice of medicine and surgery, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Bekman offered the following amendment and moved its adoption:

Amend Senate File 47 as follows:

1. Amend section 5 of Senate File 47 by striking the following in lines 11 and 12: "the practice of medicine and surgery" and inserting in lieu thereof: "those licensed to practice medicine and surgery by said board".
2. Further amend section 5, Senate File 47, by striking the following in lines 14 and 15: "the provisions relating to the practice of medicine

and surgery" and inserting in lieu thereof: "the laws governing those licensed to practice medicine and surgery by said board".

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, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevoid	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 Knudson, Senate File 185, a bill for an act to amend sections two hundred twenty-two point forty-one (222.41), two hundred twenty-two point forty-nine (222.49) and two hundred twenty-three point fourteen (223.14), Code 1950, relating to the liability for cost of commitment and support and maintenance of patients in the Woodward state hospital and school and Glenwood state school, was taken up, and considered.

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

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

Ayes, 50:

Anderson	Colburn	Hedin	Lynes
Bateson	Dailey	Heideman	Miller
Bekman	Dewel	Johnson	Molison
Bellman	Dykhouse	Knudson	Myrland
Berg	Elijah	Larson	Nelson
Boothby	Fishbaugh	Linnevoid	Nesmith
Byers	Grimstead	Lord	Nolan
Clark	Hart	Lucas	Oltman

O'Malley	Stewart of	Vest	Watson of
Prentiss	Mahaska	Walter	Pottawattamie
Risk	Stuart of Lucas	Washburn	Weichman
Sayre	Utzig	Watson of	Whitehead
Schoening	Van Eaton	O'Brien	Zastrow
Scott			

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 Stuart of Lucas, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate File 147.

W. C. STUART, *Chairman Senate Committee.*

JOHN A. WALKER, *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 147.

#### BILL SIGNED BY THE GOVERNOR

A communication was received announcing that, on February 23, the Governor had approved the following bill:

Senate File 8, relating to the transfer of funds, city of Muscatine, Iowa.

#### REPORTS OF COMMITTEES

Senator Walter submitted the following report:

MR. PRESIDENT: Your committee on military affairs, to which was referred **Senate File 81**, a bill for an act providing for the deduction from gross income of persons taxable under the provisions of chapter four hundred twenty-two point eight (422.8), Code 1950, of the first two thousand dollars (\$2,000) of compensation from the federal government to persons in the armed forces of the United States during the period beginning January 1, 1952, and ending December 31, 1954, and repealing chapter forty-three (43), Acts of the Fifty-first General Assembly, begs leave to report it has had the same under consideration and recommends the same **do pass**.

W. ELDON WALTER, *Chairman.*

Ordered passed on file.

Senator Washburn submitted the following report:

MR. PRESIDENT: Your committee on railroads, to which was referred **Senate File 203**, a bill for an act to amend section seven hundred sixteen point seven (716.7), Code 1950, prohibiting the anchoring of navigation craft to railroad tracks, railroad bridges, signals, switches or other railroad structures, begs leave to report it has had the same under consideration and recommends the same **do pass**.

HENRY W. WASHBURN, *Chairman*.

Ordered passed on file.

Senator Bateson submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred **Senate File 29**, a bill for an act relating to vital statistics, 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 29, section 1, by striking lines 5 and 6 and inserting in lieu thereof the words "except that the answering of any question included therein relating to religious affiliations shall be optional and the questionnaire shall so state."

R. R. BATESON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred **Senate File 107**, a bill for an act relating to inheritance tax and lien book and also to probate dockets, 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 judiciary 1, to which was referred **Senate File 189**, a bill for an act relating to the administration of the poor laws, 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 judiciary 1, to which was referred **Senate File 235**, a bill for an act relating to disposal of dead bodies and to make specific provisions for the consent required for autopsies, 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 judiciary 1, to which was referred **House File 178**, a bill for an act relating to street and sewer improvements in cities and towns, 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 Van Eaton submitted the following report:

MR. PRESIDENT: Your committee on cities and towns, to which was referred **Senate File 109**, a bill for an act to enable cities with special charters which operate under chapter four hundred twenty (420), Code 1950, and which collect rubbish and garbage under a can tax to declare the service a benefit to the property served and in case of nonpayment to assess the cost against the property benefited, 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.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred **Senate File 184**, a bill for an act to amend chapter three hundred eighty-three (383), Code 1950, relating to municipal interstate bridges by adding a new section thereto authorizing the enlargement and reconstruction of such bridges and the issuance of revenue bonds to finance such enlargement and reconstruction, 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.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred **Senate File 190**, a bill for an act to amend sections four hundred twenty point fourteen (420.14) and four hundred twenty point fifteen (420.15), Code 1950, relating to salaries of certain city officials, 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.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred **House File 71**, a bill for an act to amend chapter three hundred fifty-seven (357), Code 1950, relating to benefited water districts, 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.

## ASSIGNMENT OF BILLS

President Elthon announced the assignment of the following bills to committee:

- S. F. 273 Cities and towns
- S. F. 274 Judiciary 1
- S. F. 275 Cities and towns
- S. F. 276 Judiciary 2
- S. F. 277 Judiciary 1
- S. F. 278 Social security
- S. F. 279 Judiciary 2
- S. F. 280 Railroads
- S. F. 281 Public health
- S. F. 282 Mining
- S. F. 283 Cities and towns
- S. F. 284 Social security
- S. F. 285 Public health

## AMENDMENTS FILED

- 1 Amend Senate File 133 by striking section 1
- 2 and inserting in lieu thereof the following:
- 3 "Section 1. Section three hundred twenty-four point two
- 4 (324.2), Code 1950, is hereby amended by adding thereto the
- 5 following: 'To meet the emergency existing in the road use tax
- 6 fund, the license fee of four cents per gallon or fraction of
- 7 a gallon provided for in this section shall be increased to six
- 8 cents per gallon for and during the period ending June 30, 1955,
- 9 and commencing with the date upon which this act becomes effec-
- 10 tive.'"

C. EMORY STEWART.  
 J. G. LUCAS.  
 HERMAN B. LORD.  
 R. W. ZASTROW.  
 JAY C. COLBURN.  
 PHILIP T. HEDIN.  
 JOHN BERG.  
 G. E. WHITEHEAD.  
 WM. LINNEVOLD.

- 1 Amend Senate File 186 by adding a new section
- 2 thereto to be known as section 12.
- 3 Sec. 12. Section two hundred thirty
- 4 point twenty-five (230.25), Code 1950, is
- 5 hereby amended by inserting after the word
- 6 "assistance" in line one (1) the words
- 7 "including costs and expenses of commitment,".

THOMAS J. DAILEY.

1 Amend Senate File 200, section 2, line 4, by  
 2 striking the word "said" and inserting in lieu  
 3 thereof the word "the".

THOMAS J. DAILEY.

1 Amend Senate File 200 by striking in section  
 2 2, line 10 thereof, the words "place of abode"  
 3 and inserting in lieu thereof the word "business".

THOMAS J. DAILEY.

1 Amend Senate File 236 as follows:

2 1. Section 9, line 4, by striking the word "words" and  
 3 inserting in lieu thereof the word "word".

4 Further amend line 4 by striking the word "of".

5 2. Section 49 by adding thereto a new paragraph as  
 6 follows: "Section one hundred forty-seven point seventy-nine  
 7 (147.79) is further amended by striking from lines one (1) and  
 8 two (2) the word 'department' and inserting in lieu thereof the  
 9 words 'secretary of state'."

10 3. Section 50, line 2, by striking the word and figure  
 11 "three (3)" and inserting in lieu thereof the word and figure  
 12 "two (2)".

13 4. Section 55 by striking lines 6, 7 and 8 and inserting  
 14 in lieu thereof the following: "2. Strike from lines three (3)  
 15 and four (4) of subsection four (4) the words 'the pharmacy  
 16 examiners'".

17 5. Section 63 by striking from line 4 the words "board  
 18 of nurse examiners" and inserting in lieu thereof "the board  
 19 of nurse examiners".

X. T. PRENTIS.

1 Amend Senate File 252 by inserting as section 3  
 2 of said bill the following:

3 "Sec. 3. The board of directors of said district shall  
 4 annually, for a period of five years after the effective date  
 5 of the termination of its pension system, at the meeting at  
 6 which it estimates the amount required for the general fund,  
 7 in accordance with the provisions of section two hundred ninety-  
 8 eight point one (298.1), estimate the additional amount if any  
 9 necessary to pay to participants in the pension system who are  
 10 not entitled to receive benefits under such system at the date  
 11 of termination thereof, one-fifth of the amount paid into said  
 12 pension fund by such participants therein, without interest,  
 13 which amount shall be levied by the board of supervisors, in  
 14 accordance with provisions of section two hundred ninety-eight  
 15 point eight (298.8) and, in addition thereto, the board of  
 16 directors of said district shall each year at the meeting at  
 17 which it estimates the amount required for the general fund,  
 18 in accordance with the provisions of section two hundred ninety-  
 19 eight point one (298.1), estimate the additional amount, if any,  
 20 necessary to provide the required annual payments to surviving

21 beneficiaries of said pension system, as defined in section two  
22 hundred ninety-four point twelve (294.12), which amount shall  
23 be levied by the board of supervisors, in accordance with the  
24 provisions of section two hundred ninety-eight point eight  
25 (298.8). Upon the death of the last beneficiary, as defined  
26 in section two hundred ninety-four point twelve (294.12), to  
27 survive, any balance remaining in said fund, including any  
28 undisposed of accumulations, shall be transferred to the general  
29 fund of said school district."

30 Further amend Senate File 252 by renumbering the final  
31 section.

CHARLES S. VAN EATON.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 24, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend Homer Watkins, pastor of the First Christian Church, Sioux City, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Knudson from residents of Cerro Gordo County opposing proposed legislation relating to employment of minors.

By Senator O'Malley from residents of Polk County favoring proposed legislation relating to employment of minors.

By Senator Scott from residents of Lucas County opposing proposed legislation relating to school district reorganization and boundary changes.

By the following Senators favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance.

By Senator Heideman from residents of Webster County.

By Senator O'Malley from residents of Polk County.

By Senator Prentis from residents of Ringgold County.

## INTRODUCTION OF BILLS

Senate File 286, by Senators Nolan, Lord and Hedin, 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 287, by Senators Nolan, Nesmith, O'Malley and Lucas, a bill for an act to amend section seventy-nine point one (79.1), Code 1950, relating to paid vacations of state employees.

Read first and second times, and passed on file.

Senate File 288, by committee on judiciary 1, a bill for an act relating to drive-in theaters, fixing standards therefor, amending sections three hundred sixty-one point one (361.1) and three hundred sixty-one point two (361.2), Code 1950, providing for the issuance of permits to build drive-in theaters by board of supervisors and providing a penalty for the violation of the provisions of this act.

Read first and second times, and passed on file.

Senate File 289, by committee on judiciary 1, a bill for an act relating to the penalty for the third and all subsequent offenses of operating a motor vehicle while intoxicated, and to amend section three hundred twenty-one point two hundred eighty-one (321.281), Code 1950, as amended by the Acts of the Fifty-fourth General Assembly.

Read first and second times, and passed on file.

Senate File 290, by Senators Clark, Zastrow, Anderson, Johnson, Bekman, Utzig, Whitehead, Dewel, Lucas and Dailey (McNeal, et al.), a bill for an act providing an alternative method of taxation of stocks of merchandise of merchants, imposing an excise tax at the rate of one-half of one per cent ( $\frac{1}{2}$  of 1%) upon the net sales of merchandise by merchants, and providing for the assessment and collection of such excise tax.

Read first and second times, and passed on file.

Senate File 291, by Senator Dailey, a bill for an act to amend chapter two hundred fifteen (215), Acts of the Fifty-fourth General Assembly, 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 292, by committee on judiciary 1, a bill for an act authorizing the executive council to sell certain property belonging to the State of Iowa situated in the city of Des Moines, Iowa.

Read first and second times, and passed on file.

Senate File 293, 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 passed on file.

Senate File 294, by Senator Byers, a bill for an act to amend chapter forty-one (41), Code 1950, relating to senatorial districts.

Read first and second times, and passed on file.

Senate File 295, by Senator Watson of O'Brien, a bill for an act to amend sections three hundred sixty-two point eleven (362.11) to three hundred sixty-two point seventeen (362.17), Code 1950, to make same applicable to other municipal corporations than cities and towns.

Read first and second times, and passed on file.

Senate File 296, by Senator Watson of O'Brien, a bill for an act to legalize and validate the proceedings for the organization and establishment of the Iowa great lakes sanitory district, in Dickinson County, Iowa, and declaring said district a duly and legally organized body politic as provided by law, and to legalize and validate all proceedings of the board of trustees of said district had, done, and performed prior to the enactment hereof, including proceedings for the levy of taxes for the operation of the district facilities and for the issuance of bonds and levy of taxes for payment thereof.

Read first and second times, and passed on file.

Senate File 297, by Senator Dewel, a bill for an act to amend section one hundred nine point twenty-two (109.22), Code 1950, relating to field and retriever meets.

Read first and second times, and passed on file.

Senate File 298, by Senator Bateson, a bill for an act to amend section six hundred five point thirteen (605.13), Code 1950, relating to the residence of district judges.

Read first and second times, and passed on file.

Senate File 299, by Senators Anderson, Watson of Pottawattamie, Lynes and Van Eaton (Ramseyer, et al.), a bill for an act to provide for the issuing of franchises by the executive council to private corporations for the location, construction, operation and maintenance of toll highways or turnpikes over and across the State of Iowa to be financed exclusively by private investment, including revenue bonds payable from the toll earnings and other income to be derived from the operation of said toll highways or turnpikes,

and to provide certain exemption from taxation to franchise holders.

Read first and second times, and passed on file.

Senate File 300, by Senator Van Eaton, a bill for an act to amend chapter two hundred ninety-four (294), Code 1950, granting school districts permission to provide for sabbatical leaves of absence of teachers.

Read first and second times, and passed on file.

Senate File 301, by Senator O'Malley, 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 passed on file.

Senate File 302, by Senator Oltman, a bill for an act to repeal section three hundred twenty-one point two hundred eighty-three (381.283), Code 1950, defining reckless driving, and to enact a substitute therefor; and to amend section three hundred twenty-one point two hundred eighty-four (321.284), Code 1950, relating to the punishment for reckless driving.

Read first and second times, and passed on file.

Senate File 303, by Senator Boothby, a bill for an act to amend section one hundred twenty-three point ten (123.10), Code 1950, and fixing the salary of the members of the State Liquor Commission.

Read first and second times, and passed on file.

Senate File 304, by committee on insurance, a bill for an act to amend section five hundred fifteen point one (515.1), Code 1950, relating to the incorporation of insurance companies other than life.

Read first and second times, and passed on file.

Senate File 305, by Senators Dailey and Hedin, a bill for an act to amend section one (1), chapter one hundred eighty-eight (188), Acts of the Fifty-fourth General Assembly, relating to accident and

sickness insurance and known as the Uniform Individual Accident and Sickness Act, effective on the 4th day of July, 1951.

Read first and second times, and passed on file.

Senate File 306, by committee on conservation, a bill for an act to amend section one hundred six point thirteen (106.13), Code 1950, relating to the speed of boats.

Read first and second times, and passed on file.

Senate File 307, by committee on insurance, a bill for an act to amend section five hundred seven point four (507.4), Code 1950, relating to compensation of insurance examiners.

Read first and second times, and passed on file.

Senate File 308, by Senator Hedin, a bill for an act authorizing and empowering the executive council to sell certain lands belonging to the State of Iowa situated in the southeast quarter of section twenty-four, township seventy-eight north, range three east of the fifth principal meridian, Scott County, Iowa.

Read first and second times, and passed on file.

Senate File 309, by Senators Hedin, Weichman, Dykhouse, Bekman, Risk and Watson of Pottawattamie, a bill for an act relating to the qualification and licensing of real estate brokers and salesmen, and to amend sections one hundred seventeen point fifteen (117.15), one hundred seventeen point twenty (117.20), one hundred seventeen point twenty-one (117.21), one hundred seventeen point twenty-two (117.22) and one hundred seventeen point thirty-four (117.34), Code 1950.

Read first and second times, and passed on file.

Senate File 310, by committee on highways, a bill for an act to amend section three hundred twenty-one point two hundred eighty-five (321.285), Code 1950, relating to the control of vehicles in school districts.

Read first and second times, and passed on file.

Senate File 311, by committee on highways, a bill for an act to amend section three hundred twenty-one point three hundred fifty-eight (321.358), Code 1950, relating to the standing and parking of vehicles or other objects on highways.

Read first and second times, and passed on file.

Senate File 312, by Senator Lynes, a bill for an act to return to the department of justice, under the attorney general, all equipment and personnel of the bureau of criminal investigation and identification heretofore transferred to the department of public safety and to this end to amend various sections of the Code 1950 to effectuate the transfer of said bureau of criminal investigation and identification, as it now exists, to the attorney general.

Read first and second times, and passed on file.

#### PRESENTATION OF VISITORS

Senator Bateson asked and received unanimous consent to present to the Senate the officers of the Iowa Association of the Future Farmers of America who were present in the balcony with Hampton T. Hall, state advisor, and Gerald F. Barton, state executive secretary-treasurer.

Senator Dykhouse asked and received unanimous consent to present to the Senate twelve students, members of the girls' basketball team, of the Rock Valley High School who were present in the balcony with their coach, Mrs. L. Roorda, and their superintendent, E. R. Haas.

Senator Miller asked and received unanimous consent to present to the Senate seven students of the Fee Independent School who were present in the balcony with their instructor, Mrs. Dorothy Forgy.

Senator Bateson asked and received unanimous consent to present to the Senate thirty-one members of the eighth grade class of the Radcliffe Public School who were present in the balcony with their superintendent, Hubert L. Moeller.

Senator Clark asked and received unanimous consent to present to the Senate fourteen students, members of the girls' basketball squad of the Mystic High School, who were present in the balcony with their superintendent, Sam Lynn.

#### APPOINTMENT OF SENATOR ZASTROW

President Elthon announced the appointment of Senator Ralph W. Zastrow to the committee on social security.

#### PROOF OF PUBLICATION

Published copy of Senate File 110 and verified proof of publication of said bill in the Muscatine Journal on February 20, 1953, 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.*

## MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House Joint Resolution 4, proposing the naming and adopting of an official tree.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 40, a bill for an act relating to the definition and financial responsibility of accountants.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE AMENDMENT TO SENATE FILE 40

Amend Senate File 40 by striking the period (.) after the word "amount" in line eight (8) of section two (2) and substituting a comma (,) in lieu thereof and adding the following: "and providing at least equal security to the general public as contained in bonds heretofore provided in this chapter."

## HOUSE MESSAGE CONSIDERED

House Joint Resolution 4, a joint resolution proposing the naming and adopting the Red Delicious apple tree as the official tree of the State of Iowa.

Read first and second times, and passed on file.

## HOUSE AMENDMENT CONSIDERED

Senator Watson of Pottawattamie called up for consideration Senate File 40, a bill for an act to amend section one hundred sixteen point six (116.6), Code 1950, and sections one hundred sixteen point eleven (116.11) and one hundred sixteen point eighteen (116.18), Code 1950, relating to the definition and financial responsibility of accountants and providing for a permanent injunction for violations, amended by the House, and moved that the Senate concur in the House amendment.

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 last time now, which motion prevailed, and the bill was read a last time.

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

Ayes, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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.

### THIRD READING OF BILLS

On motion of Senator Lord, Senate File 110, a bill for an act to authorize the transfer of eight hundred dollars (\$800) by the board of supervisors of Muscatine County to the city of Muscatine, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Lord offered the following amendment and moved its adoption:

1. Amend Senate File 110 by striking all of the title after the word "Act" and inserting in lieu thereof the following:

"to legalize the transfer of eight hundred dollars (\$800) by the board of supervisors of Muscatine County to the city of Muscatine.

WHEREAS, Park Place Addition was annexed to the city of Muscatine, Iowa, on December 18, 1951, by order of the District Court of Iowa, in and for Muscatine County, and

WHEREAS, the Muscatine municipal tax levy for taxes collected in 1952 was not assessed against said addition, and

WHEREAS, the Bloomington Township levy was assessed against said annexed property and the tax in the sum of eight hundred dollars (\$800) collected by Muscatine County, and

WHEREAS, the board of supervisors of Muscatine County, Iowa, did transfer this eight hundred dollars (\$800), road only tax, to the city of Muscatine to be used by the said city for road improvement in that certain area, and

WHEREAS, doubts have arisen concerning the legal validity sufficiency of said transfer of eight hundred dollars (\$800) by the board of supervisors of Muscatine County to the city of Muscatine, and it is deemed

advisable to lay said doubts and all others that might arise concerning same transfer forever at rest; now, therefore,".

2. Amend Senate File 110 by striking all after the enacting clause and inserting in lieu thereof the following:

"Sec. 1. That the action of the board of supervisors of Muscatine County in transferring to the city of Muscatine the eight hundred dollars (\$800) collected from the Park Place Addition annexed to Muscatine is hereby legalized and declared valid.

"Sec. 2. This act being deemed of immediate importance shall be in full force from and after its publication in The Muscatine Journal, a newspaper published at Muscatine, Iowa, and the West Liberty Index, a newspaper published at West Liberty, Iowa, without expense to the state."

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	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

Nays, none.

Absent or not voting, none.

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

On motion of Senator Knudson, Senate File 186, a bill for an act relating to the county's liability for and right of recovery of costs and expenses attending the arrest, investigation and hearing for a patient ordered to a screening center by a county commission of insanity; to the personal liability for the support of a patient ordered to a screening center; to the liability of the county of legal settlement or the state for such a patient's support and to right to recover from those personally liable for such support, was taken up, and considered.

Senator Dailey offered the following amendment and moved its adoption:

Amend Senate File 186 by adding a new section thereto to be known as section 12.

Sec. 12. Section two hundred thirty point twenty-five (230.25), Code 1950, is hereby amended by inserting after the word "assistance" in line one (1) the words "including costs and expenses of commitment,".

The amendment was adopted.

Senator Dailey offered the following amendment and moved its adoption:

Amend the title to Senate File 186 by striking the period(.) in line 9 and inserting in lieu thereof the following: "and to expand the insane support lien to include costs and expenses of commitment."

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, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhous	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

Nays, none.

Absent or not voting, none.

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

On motion of Senator Van Eaton, Senate File 188, a bill for an act to repeal section three hundred ninety-eight point twelve (398.12), Code 1950, and to enact a new section in lieu thereof and to amend section three hundred ninety-nine point thirty-two (399.32) and to interpret section three hundred ninety-nine point fourteen (399.14), Code 1950, relating to municipal waterworks in

certain cities, and to validate certain municipal proceedings in relation thereto, 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, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 asked and received unanimous consent that Senate File 188 be immediately messaged to the House, which request was complied with.

On motion of Senator Molison, House File 156, a bill for an act to repeal chapter one hundred ten (110), Acts of the Fifty-third General Assembly, relating to boundary changes of school districts, 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, 50:

Anderson	Colburn	Hedin	Lynes
Bateson	Dailey	Heideman	Miller
Bekman	Dewel	Johnson	Molison
Bellman	Dykhouse	Knudson	Myrland
Berg	Elijah	Larson	Nelson
Boothby	Fishbaugh	Linnevold	Nesmith
Byers	Grimstead	Lord	Nolan
Clark	Hart	Lucas	Oltman

Stuart of Lucas	Scott	Vest	Watson of
O'Malley	Stewart of	Walter	Pottawattamie
Prentiss	Mahaska	Washburn	Weichman
Risk	Utzig	Watson of	Whitehead
Sayre	Van Eaton	O'Brien	Zastrow
Schoening			

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 Oltman, Senate File 7, a bill for an act to amend section two hundred four point twenty-two (204.22), Code 1950, relating to the penalty for the unlawful use of narcotics, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Dailey offered the following amendment:

Amend Senate File 7 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section two hundred four point twenty-two (204.22), Code 1950, is repealed and the following enacted in lieu thereof:

"Penalties:

"1. Any person violating any provision of this chapter, except as otherwise provided, shall upon conviction be fined not more than two thousand dollars and may be imprisoned not less than two or more than five years. For a second offense, or if, in case of a first conviction of violation of any provision of this chapter, the offender shall previously have been convicted of any violation of the laws of the United States or of any other state, territory or district relating to narcotic drugs or marihuana, the offender shall be fined not more than two thousand dollars and be imprisoned not less than five or more than ten years. For a third or subsequent offense, or if the offender shall previously have been convicted two or more times in the aggregate of any violation of the law of the United States or of any other state, territory or district relating to narcotic drugs or marihuana, the offender shall be fined not more than two thousand dollars and be imprisoned not less than ten or more than twenty years.

"2. Any person violating any provision of this chapter, by selling, prescribing, or administering any narcotic drug to a minor shall, upon conviction thereof, be punished by imprisonment in the state penitentiary for not less than five or more than twenty years.

"3. Any person who takes, steals, or carries away any narcotic drugs the property of any person who is duly authorized by law to engage in administering, dispensing, or selling of narcotic drugs shall be guilty of a felony and upon conviction be fined and imprisoned as provided in subsection one of this section for any person violating any other provisions of this chapter.

“4. For violation of the provisions of this chapter the imposition or execution of sentence shall not be suspended and probation or parole shall not be granted until the minimum imprisonment herein provided for the offense shall have been served.”

Senator Dailey offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking the word “may” in line 10 and inserting in lieu thereof the word “shall”.

The amendment to the amendment was adopted.

Senator Knudson moved the previous question on Senate File 7 and the amendment thereto, which motion prevailed.

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

The Senate reconvened, President Elthon presiding.

Senator Dewel asked and received unanimous consent that the record on the adoption of the previous question be expunged.

Senator Dailey offered the following amendment to the amendment and moved its adoption:

Amend the amendment by adding after the word “imprisoned” in lines 10, 17 and 24 the following: “in the state penitentiary”.

The amendment to the amendment was adopted.

On motion of Senator Dailey, the amendment as amended was adopted.

Senator Dailey offered the following amendment and moved its adoption:

Amend Senate File 7 by adding the following new sections:

1. “Section two hundred four point one (204.1), Code 1950, is hereby amended by striking all of subsection fifteen (15) and inserting in lieu thereof the following:

“15. ‘Narcotic drugs’ means coca leaves, opium, cannabis, isonipeaine, amidone, isoamidone, keto-bemidone, and every other substance neither chemically nor physically distinguishable from them or any other drugs to which the federal laws relating to narcotic drugs may now apply.”

2. “Section two hundred four point one (204.1), Code 1950, is hereby amended by adding the following new subsections:

“21. ‘Amidone’ means any substance identified chemically as 4, 4-diphenyl-6-dimethylamino-heptanone-3, or any salt thereof, by whatever trade name designated.

“22. ‘Isoamidone’ means any substance identified chemically as 4, 4-diphenyl-5-methyl-6-dimethylaminohexanone-3, or any salt thereof, by whatever trade name designated.

"23. 'Keto-bemidone' means any substance identified chemically as 4-(3-hydroxyphenyl)-1-methyl-4-piperidyl ethyl ketone hydrochloride, or any salt thereof, by whatever trade name designated."

The amendment was adopted.

Senator Dailey offered the following amendment and moved its adoption:

Amend the title to Senate File 7 by striking all after the word "Act" and inserting in lieu thereof the following: "relating to narcotic drugs; definitions thereof; and providing for increased penalties in relation thereto including theft; and adding penalties for the unlawful sale, prescription, and administration thereof to minors."

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, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

Nays, none.

Absent or not voting, none.

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

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

#### AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Stuart of Lucas, 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 40 and House Files 2, 3, 31, 45, 47, 55, 65, 78, 120 and 176.

W. C. STUART, *Chairman Senate Committee.*

JOHN A. WALKER, *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 40; and House Files 2, 3, 31, 45, 47, 55, 65, 78, 120 and 176.

#### BILLS SENT TO THE GOVERNOR

Senator Stuart of Lucas, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 24th day of February, 1953, sent to the Governor for his approval: Senate Files 40 and 147.

W. C. STUART, *Chairman.*

Passed on file.

#### REPORTS OF COMMITTEES

Senator Molison submitted the following report:

MR. PRESIDENT: Your committee on schools and educational institution, to which was referred **House File 8**, 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 school corporation, begs leave to report it has had the same under consideration and recommends the same **do pass.**

WILBUR C. MOLISON, *Chairman.*

Ordered passed on file.

Senator Nesmith submitted the following report:

MR. PRESIDENT: Your committee on manufacturing, commerce and trade, to which was referred **Senate File 78**, a bill for an act to authorize county boards of supervisors to require the licensing of auctions outside of cities and towns within the state or within any city or town that has not by ordinance licensed the sales of auctioneers and to require the posting of a bond, begs leave to report it has had the same under consideration and **returns the bill without recommendation.**

J. H. NESMITH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on manufacturing, commerce and trade, to which was referred **Senate File 193**, a bill for an act relating to

the size of milk containers, begs leave to report it has had the same under consideration and recommends the same **do pass**.

J. H. NESMITH, *Chairman*.

Ordered passed on file.

Senator Bekman submitted the following report:

MR. PRESIDENT: Your committee on insurance, to which was referred **Senate File 241**, a bill for an act to amend section five hundred fifteen point one hundred thirty-eight (515.138), Code 1950, relating to standard provisions of fire insurance contracts, 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 **House File 57**, 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, 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 Watson of O'Brien submitted the following report:

MR. PRESIDENT: Your committee on highways, to which was referred **Senate Joint Resolution 3**, a joint resolution creating a special committee to make a study of the feasibility, location, construction, means of financing and mode of operation of a turnpike between the eastern and western boundaries of the State of Iowa, begs leave to report it has had the same under consideration and **returns the same without recommendation**.

HARRY E. WATSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways, to which was referred **House File 63**, a bill for an act to amend chapter one hundred twenty-nine (129), Code 1950, Acts of the Fifty-fourth General Assembly, relating to moving of heavy machinery on 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 board of control, to which was referred **Senate File 211**, a bill for an act relating to the commitment and voluntary admission of neglected, dependent and delinquent children to the Iowa Juvenile Home and The Iowa Annie Wittenmyer Home, begs

leave to report it has had the same under consideration and recommends the same **do pass**.

H. M. KNUDSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on board of control, to which was referred **Senate File 223**, a bill for an act to amend section two hundred twenty-seven point fifteen (227.15), Code 1950, relating to county and private hospitals for the insane, begs leave to report it has had the same under consideration and recommends the same **do pass**.

H. M. KNUDSON, *Chairman*.

Ordered passed on file.

Senator Berg submitted the following report:

MR. PRESIDENT: Your committee on ways and means, to which was referred **House File 91**, 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 the rate of tax imposed on income and providing for deductions from the computed tax, begs leave to report it has had the same under consideration and **returns the bill without recommendation**.

JOHN P. BERG, *Chairman*.

Ordered passed on file.

#### BILLS ASSIGNED TO COMMITTEE

President Elthon announced the assignment of the following bills to committee:

S. J. R.	3	Appropriations (Under Senate Rule 21)
S. F.	286	Manufacturing, commerce and trade
S. F.	287	Compensation of public officers and employees
S. F.	288	Calendar
S. F.	289	Calendar
S. F.	290	Ways and means
S. F.	291	Judiciary 1
S. F.	292	Public lands and buildings
S. F.	293	Calendar
S. F.	294	Election reform
S. F.	295	Judiciary 2
S. F.	296	Judiciary 2
S. F.	297	Conservation
S. F.	298	Judiciary 2
S. F.	299	Highways
S. F.	300	Schools and educational institutions

S. F.	301	Social security
S. F.	302	Motor vehicles
S. F.	303	Compensation of public officers and employees
S. F.	304	Calendar
S. F.	305	Insurance
S. F.	306	Calendar
S. F.	307	Calendar
S. F.	308	Public lands and buildings
S. F.	309	Insurance
S. F.	310	Calendar
S. F.	311	Calendar
S. F.	312	Governmental affairs
H. J. R.	4	Agriculture

## AMENDMENT FILED

- 1 Amend Senate File 126 by inserting a period (.)
- 2 following the figure "(17)" and striking the balance of
- 3 the bill.

DEVERE WATSON.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 25, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend Ørville Walker, pastor of the Christian Church, Marshalltown, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Oltman for the day on request of Senator Myrland; Senator Nesmith for the day on request of Senator Myrland; Senator Van Eaton for the day on request of Senator Lynes.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Bateson from residents of Hardin County favoring proposed legislation relating to the minimum foundation program for schools.

By Senator Bateson from residents of Dallas County favoring proposed legislation relating to employment of minors.

By Senator Berg from residents of Black Hawk County favoring proposed legislation relating to class "C" beer permits.

By Senator Grimstead from residents of Mitchell County favoring proposed legislation relating to licensing of auctioneers.

By Senator Molison from residents of Hardin County favoring proposed legislation relating to the minimum foundation program for schools.

By Senator Zastrow from residents of Floyd County favoring proposed legislation relating to rebuilding of the Iowa Soldiers' Home at Marshalltown.

## INTRODUCTION OF BILLS

Senate File 313, by committee on board of control, a bill for an act relating to vacation and sick leave with pay for officers and employees of institutions under the board of control, repealing sec-

tion two hundred eighteen point sixteen (218.16), and amending section two hundred eighteen point seventeen (218.17), Code 1950.

Read first and second times, and passed on file.

Senate File 314, by Senator Watson of O'Brien, a bill for an act to provide for the planning, designation, establishment, use, regulation, alteration, improvement, maintenance, and vacation of controlled-access facilities; the acquisition of lands required therefor; the restriction of intersections and control of approaches; the establishment of local service roads; the prohibition of certain acts thereon and provision for penalties therefor.

Read first and second times, and passed on file.

Senate File 315, by Senators Colburn, Scott and Walker, a bill for an act to amend the law as it appears in chapter ninety-six (96), Code 1950, relating to and providing for unemployment compensation; to fix the amount of benefits to be paid to unemployment seasonal employees; to provide a method for calculating, and the regulations for paying, seasonal employees unemployment compensation benefits; to define seasonal industry, normal seasonal employment and seasonal employee; and to repeal all acts, or parts of acts, in so far as they are inconsistent herewith.

Read first and second times, and passed on file.

Senate File 316, by Senator Lucas, a bill for an act to amend section one hundred fourteen point fourteen (114.14), Code 1950, relating to the requirements for registration as a professional engineer and to the requirements for registration as a land surveyor.

Read first and second times, and passed on file.

Senate File 317, by Senator Watson of Pottawattamie, a bill for an act to amend section eighteen (18) of chapter one hundred fifty-nine (159), Acts of the Fifty-fourth General Assembly, relating to the financing of the costs of damages by reason of the construction of overhead crossings or underpasses as provided in section three hundred eighty-nine point twenty-three (389.23), Code 1950.

Read first and second times, and passed on file.

Senate File 318, by Senators O'Malley and Utzig, a bill for an act to amend section thirteen (13) of chapter one hundred fifty-one (151), Acts of the Fifty-fourth General Assembly, relating to the

acquisition, erection, purchase, or remodeling of municipal buildings.

Read first and second times, and passed on file.

Senate File 319, by Senators O'Malley, Nesmith and Molison, a bill for an act to create an educational television council in and for the State of Iowa so as to authorize and provide for the establishment and operation of an educational television broadcasting system, and to appropriate funds for the aforesaid purposes.

Read first and second times, and passed on file.

Senate File 320, by Senator Byers, a bill for an act to amend section six hundred seventy-nine point five (679.5), Code 1950, relating to arbitrations so as to provide for administering of oaths to witnesses.

Read first and second times, and passed on file.

Senate File 321, by Senators Watson of Pottawattamie and Byers, a bill for an act to amend chapter four hundred ninety (490), Code 1950, relating to pipe lines.

Read first and second times, and passed on file.

Senate File 322, by Senators Stuart of Lucas and Nolan, a bill for an act relating to the compensation of county attorneys in counties having certain populations, and to amend section three hundred forty point nine (340.9), Code 1950, as amended by the Acts of the Fifty-fourth General Assembly.

Read first and second times, and passed on file.

Senate File 323, by Senators Clark, Byers, Hart and Van Eaton, a bill for an act providing for licensing, inspection and regulation of mobile homes and mobile home parks, prescribing the standards and fees, and providing for regulations, enforcement procedure and penalties; to amend section three hundred twenty-one point four hundred fifty-seven (321.457), Code 1950, relating to maximum length of mobile homes; and to amend section three hundred twenty-one point one hundred thirty (321.130), Code 1950, relating to fees in lieu of taxes.

Read first and second times, and passed on file.

Senate File 324, by Senator Colburn, a bill for an act to amend section one hundred sixty-five point seventeen (165.17), Code 1950,

relating to the compensation for inspectors in the eradication of bovine tuberculosis.

Read first and second times, and passed on file.

Senate File 325, by Senator Vest, a bill for an act to amend section fourteen point ten (14.10), Code 1950, relating to the form of publication of the Acts of the General Assembly.

Read first and second times, and passed on file.

Senate File 326, 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 327, by Senator Watson of Pottawattamie, a bill for an act to amend chapter four hundred sixty-two (462), Code 1950, relating to drainage or levee districts under the management of trustees.

Read first and second times, and passed on file.

Senate File 328, by committee on private corporations, a bill for an act to amend section five hundred four point five (504.5), Code 1950, requiring domestic non-profit corporations, with certain exceptions, to file annual reports.

Read first and second times, and passed on file.

Senate File 329, by Senator Dailey, a bill for an act to amend section one hundred twenty-three point twenty-eight (123.28), Code 1950, relating to fees under Iowa liquor control act.

Read first and second times, and passed on file.

Senate File 330, by Senator Nolan, a bill for an act to amend section two hundred seventy-six point thirteen (276.13), Code 1950, relating to the method of voting in the creation of new consolidated school corporations.

Read first and second times, and passed on file.

#### PRESENTATION OF VISITORS

Senator Lucas asked and received unanimous consent to present to the Senate members of the Federated Women's Clubs from

Ogden, Beaver and Grand Junction who were present in the balcony.

Senator Lucas also asked and received unanimous consent to present to the Senate fifty-four students from the Welch Public School of Ames who were present in the balcony with their instructor, Carl Sodergren.

Senator Byers asked and received unanimous consent to present to the Senate the members of the girls' basketball team of the Lisbon Public School who were present in the Senate chamber with Mayor Plattenburg.

Senator Risk asked and received unanimous consent to present to the Senate forty-three members of the government class of the Jesup High School who were present in the balcony with their instructor, Alice Sperry.

Senator Knudson asked and received unanimous consent to present to the Senate five members of the senior class of the Garner High School who were present in the balcony with their superintendent, Mr. Stroh.

Senator Colburn asked and received unanimous consent to present to the Senate twenty students of the Marne Public School who were present in the balcony with their instructor, Opal Gress.

Senator Zastrow asked and received unanimous consent to take up a matter of special interest to our page boys.

#### PRESENTATION OF QUEEN

President Elthon presented Larry Turbot of Lucas County, chairman of the occasion, who announced the selection of Yvonne Chapman and Lois Downing as attendants and Joann Dancer as Queen of the Senate of the Fifty-fifth General Assembly.

The Queen and her attendants were escorted to the rostrum by the pages of the Senate and Larry announced that the crowning of the Queen by the Governor would be the highlight of the legislative ball to be held on Thursday evening, February 26.

President Elthon graciously congratulated Joann on being selected Queen of our Senate.

## THIRD READING OF BILLS

On motion of Senator Lynes, Senate File 45, a bill for an act relating to the licensing of manufacturers of mattresses and comforters and prescribing the license fee, 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, 43:

Anderson	Elijah	Lynes	Stuart of Lucas
Bateson	Grimstead	Miller	Utzig
Bekman	Hart	Molison	Vest
Bellman	Hedin	Myrland	Walter
Berg	Heideman	Nelson	Washburn
Boothby	Johnson	Nolan	Watson of
Byers	Knudson	Prentis	O'Brien
Clark	Larson	Risk	Watson of
Colburn	Linnevoold	Sayre	Pottawattamie
Dailey	Lord	Schoening	Weichman
Dewel	Lucas	Scott	Zastrow
Dykhouse			

Nays, none.

Absent or not voting, 7:

Fishbaugh	Oltman	Stewart of	Van Eaton
Nesmith	O'Malley	Mahaska	Whitehead

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

On motion of Senator Myrland, Senate File 126, a bill for an act to amend sections four hundred sixty-two point twelve (462.12), Code 1950, and four hundred sixty-two point thirteen (462.13), Code 1950, relating to voting for trustees of the drainage districts, 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 126 by inserting a period (.) following the figure "(17)" and striking the balance of the bill.

The amendment was adopted.

Senator Myrland offered the following amendment and moved its adoption:

Amend the title to Senate File 126 by striking all after the word "Act" and inserting in lieu thereof the following: "to amend section four hundred sixty-two point twelve (462.12), Code 1950, relating to voting for trustees of the drainage districts."

The amendment was adopted.

Senator Myrland moved that the bill be read a third 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	Fishbaugh	Miller	Stuart of Lucas
Bateson	Grimstead	Molison	Utzig
Bekman	Hart	Myrland	Vest
Bellman	Hedin	Nelson	Walter
Berg	Heideman	Nolan	Washburn
Boothby	Johnson	O'Malley	Watson of
Byers	Knudson	Prentis	O'Brien
Clark	Larson	Risk	Watson of
Colburn	Linnevoid	Sayre	Pottawattamie
Dailey	Lord	Schoening	Weichman
Dewel	Lucas	Stewart of	Whitehead
Dykhouse	Lynes	Mahaska	Zastrow
Elijah			

Nays, none.

Absent or not voting, 4:

Nesmith	Oltman	Scott	Van Eaton
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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 Byers, Senate File 127, a bill for an act amending section five hundred forty-three point seventeen (543.17), Code 1950, relating to the acceptance of bulk grain for purposes other than storage, 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, 46:

Anderson	Colburn	Hedin	Lynes
Bateson	Dailey	Heideman	Miller
Bekman	Dewel	Johnson	Molison
Bellman	Dykhouse	Knudson	Myrland
Berg	Elijah	Larson	Nelson
Boothby	Fishbaugh	Linnevoid	Nolan
Byers	Grimstead	Lord	O'Malley
Clark	Hart	Lucas	Prentis

Risk	Stuart of Lucas	Watson of	Weichman
Sayre	Utzig	O'Brien	Whitehead
Schoening	Vest	Watson of	Zastrow
Stewart of	Walter	Pottawattamie	
Mahaska	Washburn		

Nays, none.

Absent or not voting, 4:

Nesmith	Oltman	Scott	Van Eaton
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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 Lucas, Senate File 134, a bill for an act to amend section three hundred forty-five point one (345.1), Code 1950, relating to expenditures by county board of supervisors, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Lucas offered the following amendment:

Amend Senate File 134 by adding the following:

"Sec. 2. This act, being deemed of immediate importance, shall be in full force and effect from and after publication in the Kossuth County Advance, a newspaper published at Algona, Iowa, and in The Perry Daily Chief, a newspaper published at Perry, Iowa."

Senator Lucas offered the following amendment to the amendment and moved its adoption:

Amend the amendment by inserting after the word "publication" in line 3 the following: "without expense to the state".

The amendment to the amendment was adopted.

The amendment as amended was adopted.

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

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

Ayes, 43:

Anderson	Fishbaugh	Miller	Stuart of Lucas
Bateson	Grimstead	Molison	Utzig
Bekman	Hart	Myrland	Vest
Bellman	Hedin	Nelson	Walter
Berg	Heideman	Nolan	Washburn
Boothby	Johnson	O'Malley	Watson of
Clark	Knudson	Risk	O'Brien
Colburn	Larson	Sayre	Weichman
Dalley	Linnevold	Schoening	Whitehead
Dewel	Lord	Stewart of	Zastrow
Dykhouse	Lucas	Mahaska	
Elijah	Lynes		

**Nays, 2:**

Prentis                      Watson of  
                                    Pottawattamie

**Absent or not voting, 5:**

Byers                      Oltman                      Scott                      Van Eaton  
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 Molison, Senate File 191, a bill for an act to amend section two hundred ninety-eight point ten (298.10), Code 1950, relating to a general school levy for support of the schools, was taken up, and considered.

Senator Walter moved that Senate File 191 be re-referred to the committee on schools and educational institutions for further study.

Roll call was requested.

On the question "Shall Senate File 191 be re-referred?" the vote was:

**Ayes, 33:**

Anderson	Heideman	Nelson	Utzig
Bellman	Knudson	Nolan	Vest
Clark	Larson	O'Malley	Walter
Colburn	Linnevold	Prentis	Washburn
Dailey	Lucas	Risk	Watson of
Dewel	Lynes	Schoening	O'Brien
Dykhouse	Miller	Stewart of	Weichman
Elijah	Molison	Mahaska	Whitehead
Grimstead	Myrland	Stuart of Lucas	

**Nays, 13:**

Bateson	Byers	Lord	Watson of
Bekman	Hart	Sayre	Pottawattamie
Berg	Hedin	Scott	Zastrow
Boothby	Johnson		

**Absent or not voting, 4:**

Fishbaugh                      Nesmith                      Oltman                      Van Eaton

The motion prevailed and Senate File 191 was re-referred to the committee on schools and educational institutions.

**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 2, a bill for an act relating to imitation butter.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE AMENDMENTS TO SENATE FILE 2

Amend Senate File 2 as follows:

1. Section 1 by adding in line 10 immediately after the period (.) following the word "butter" the following: "The ingredients, percentage of ingredients of oleomargarine or margarine shall be plainly stamped on the package containing the same."
2. Section 3 by striking all of lines 8, 9, 10 and 11.
3. Section 3, line 14, by inserting immediately after the word "pound" the words: "except where sold for household purposes only".
4. Section 3 by striking lines 34, 35 and 36 and substituting in lieu thereof the following: "tint or shade of yellow."
5. By adding to section 3 the following paragraph:  
"Such oleomargarine or margarine shall contain vitamin A in such quantity that the finished oleomargarine or margarine contains not less than fifteen thousand (15,000) United States Pharmacopoeia units of vitamin A per pound, as determined by the method prescribed in the Pharmacopoeia of the United States for the total biological vitamin A activity."
6. Section 4 by striking the word "colored" from lines 11, 12, 19 and 20.
7. Section 4 by striking the following from lines 22, 23 and 24: "bears or is accompanied by labeling identifying it as oleomargarine or margarine, or each separate serving thereof".
8. By adding as a new section following section 3 the following:  
"Sec. 4. Oleomargarine or margarine may be manufactured within the State of Iowa under the provisions of section three (3) of this act, except that it may be manufactured or stored in any shape or form for shipment in interstate commerce only." Also amend by renumbering the remaining sections.
9. Section 6, line 4, by inserting after the word "Administration" the words "or Agency" and by inserting at the end of line 6 of said section the following: "Any standards so established shall not be contrary to or inconsistent with the provisions of section one hundred ninety point one (190.1), subsection two (2), Code 1950, as amended, entitled 'Oleomargarine or margarine'."
10. By striking all of section 9 and renumbering the following section.
11. By adding the following section:  
"Sec. 11. The word 'person' when used in this act shall mean every natural person, firm, co-partnership, association or corporation."
12. Amend the title by striking all after the word "thereof" in line 5 and inserting in lieu thereof the following: "and to fix penalties for the violation thereof."

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

## AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

## ANNOUNCEMENT

Senator Zastrow announced the receipt of the following documents by Lieutenant Governor Elthon and asked and received unanimous consent that they be printed in the Senate Journal:

Original Senate Joint Memorial No. 4

ENROLLED JOINT MEMORIAL NO. 2, SENATE  
THIRTY-SECOND STATE LEGISLATURE OF  
THE STATE OF WYOMING

A JOINT MEMORIAL, memorializing the Congress of the United States of America with reference to the compact commission approach to the solution to the need for greater coordination and integration of development of land and water resources of regional watersheds.

*Whereas*, the people of the State of Wyoming recognize the need for greater coordination and integration of the water development programs of various state and federal agencies operating within regional watersheds than at present prevails, and

*Whereas*, a satisfactory precedent for accomplishing this goal has been established in the Upper Colorado River Basin, wherein the four states involved have each one vote and the federal government one vote, and

*Whereas*, a planning and operating commission set up in this manner provides the necessary coordination and integration of the state and federal agencies and at the same time assures the protection of the rights, laws, customs, powers and sovereignty of the states involved, and

*Whereas*, the Council of State Governments and other groups of public spirited and practical westerners, after exhaustive study, have recommended variations of this solution to the need for greater coordination and integration in regional watershed development;

*Now, Therefore, Be It Resolved by the Senate of the Thirty-second Legislature of the State of Wyoming, the House of Representatives of Such Legislature Concurring*, That the President and Congress of the United States of America be and they are hereby memorialized to diligently and fairly consider the sentiment of the people of the State of Wyoming who favor such planning and operating commissions in broad outline similar to the Upper Colorado River Basin Commission, along the lines recommended by the Council of State Governments for other regional watersheds lying partly in the State of Wyoming, to be set up by compact between the states involved and the federal government.

*Be It Further Resolved*, that certified copies hereof be promptly transmitted to the President and Vice President of the United States, the Speaker of the House of Representatives of said Congress, United States Senator Lester C. Hunt, United States Senator Frank A. Barrett, and Representative in Congress William Henry Harrison, to the Secretary of the Interior, the Commissioner of Reclamation and to the governors

and legislatures of the following states: Arizona, California, Colorado, Idaho, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas Utah and Washington.

DAVID FOOTE, SR.,  
*Speaker of the House.*

F. W. BARTLING,  
*President of the Senate.*

Approved

Feb. 11

C. J. "Doc" ROGERS,  
*Acting Governor*

Original Senate Joint Memorial No. 5

ENROLLED JOINT MEMORIAL NO. 4, SENATE  
THIRTY-SECOND STATE LEGISLATURE  
THE STATE OF WYOMING

A JOINT MEMORIAL, memorializing the Congress of the United States of America with reference to the opposition of the people of the State of Wyoming to any form of Federal, regional or watershed authorities, however disguised, set up either by legislative act or executive order, in which the states involved would have no real voice in administration of the authority.

*Whereas*, any such authority would supersede and nullify existing state laws under which water users have acquired water rights and by which these rights have been protected and administered, and

*Whereas*, existing water rights established under Wyoming state law would be subject to condemnation proceedings under provisions of acts creating such an authority, and

*Whereas*, the citizens of Wyoming would have no voice in the selection of the directors of the authority, who would have unlimited control over the development of their land and water resources, and

*Whereas*, under an authority the only voice permitted the people of the State of Wyoming and their local and state officials would be of an "advisory" nature, and

*Whereas*, such authority legislation would place exclusive jurisdiction over water litigation involving the authority in the federal courts, and

*Whereas*, such an authority would tend to create a federal power monopoly, and

*Whereas*, such authority legislation would to a large extent reduce the states to mere geographical entities, replacing the present powers of local and state governments with a super-state in which the final control is vested in the federal government, and

*Whereas*, such authority legislation would add nothing to the program of development of land and water resources which is not already available through existing state and federal agencies, except better coordination, which would be accomplished through more democratic means;

*Now, Therefore, Be It Resolved by the Senate of the Thirty-second Legislature of the State of Wyoming, the House of Representatives of Such Legislature Concurring*, that the President and Congress of the United States of America be and they are hereby memorialized to consider

against any proposed legislation or executive order setting up any form of federal, regional or watershed authority, however disguised, the strong, unequivocal and unalterable opposition of the people of the State of Wyoming to any such proposition and the determination to resist by every device at their command any such usurpation of the rights, laws, customs, powers, and sovereignty of their local and state governments.

*Be It Further Resolved*, that certified copies hereof be promptly transmitted to the President and Vice President of the United States, the Speaker of the House of Representatives of said Congress, United States Senator Lester C. Hunt, United States Senator Frank A. Barrett, and Representative in Congress William Henry Harrison, to the Secretary of the Interior, the Commissioner of Reclamation and to the governors and legislatures of the following states: Arizona, California, Colorado, Idaho, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas Utah and Washington.

DAVID FOOTE, SR.,  
*Speaker of the House.*

F. W. BARTLING,  
*President of the Senate.*

Approved

Feb. 11

C. J. "DOC" ROGERS,  
*Acting Governor*

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Stuart of Lucas, 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 156.

W. C. STUART, *Chairman Senate Committee.*

JOHN A. WALKER, *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 156.

#### BILL SIGNED BY THE GOVERNOR

A communication was received announcing that, on February 24, the Governor had approved the following bill:

Senate File 147, relating to hog cholera virus and serum.

#### SENATE FILE 164 RE-REFERRED

Senator Lucas asked and received unanimous consent that Senate File 164 be re-referred to the committee on judiciary 1.

## REPORTS OF COMMITTEES

Senator Bateson submitted the following report :

**MR. PRESIDENT:** Your committee on judiciary 1, to which was referred **Senate File 232**, a bill for an act relating to the appointment of guardian for applicant upon applicant's own petition, 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 judiciary 1, to which was referred **Senate File 233**, a bill for an act relating to the selling of property of persons receiving old age assistance, 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 judiciary 1, to which was referred **Senate File 251**, a bill for an act relating to taxation and financial report of fiduciary of income from estates and trusts and relating to definition and taxation of income of nonresidents, 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 judiciary 1, to which was referred **Senate File 257**, a bill for an act relating to the administration of oaths, 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 Bellman submitted the following report :

**MR. PRESIDENT:** Your committee on mines and mining, to which was referred **Senate File 282**, a bill for an act to regulate the strip mining of coal, begs leave to report it has had the same under consideration and **returns the bill without recommendation**.

G. D. BELLMAN, *Chairman*.

Ordered passed on file.

Senator Byers submitted the following report :

**MR. PRESIDENT:** Your committee on judiciary 2, to which was referred **Senate File 150**, a bill for an act to establish a state commission on alcoholism; to provide its powers, duties and organization and to make annual

appropriations for such commission, 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 170**, a bill for an act amending section four hundred twenty-two point forty-seven (422.47), Code 1950, by repealing subsections four (4) through seven (7), inclusive, and amending section four hundred twenty-two point forty-five (422.45), Code 1950, and providing for the exemption from sales and use tax of purchases made by tax certifying and tax levying bodies of the State of Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass**.

FRANK C. BYERS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred **Senate File 183**, a bill for an act to amend section six hundred eighteen point thirteen (618.13), Code 1950, relating to the publication of district court dockets, 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 238**, a bill for an act to amend chapter three hundred seventy-eight (378), Code 1950, relating to the power of cities and towns to receive devises and bequests for the use of free libraries; and for providing for enlarging the class of persons eligible to be members of the board of library trustees, 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 Weichman submitted the following report:

MR. PRESIDENT: Your committee on agriculture, to which was referred **Senate File 75**, a bill for an act relating to authorized uses of inspection fees on commercial feeds, 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 75, section 2, by striking the period following the word "expenditures" in line 19 and adding the following: " , but in no case shall the expenditures for scientific investigation or research be in excess of fifty (50) per cent of the net proceeds collected during the year."

H. E. WEICHMAN, *Chairman*.

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on agriculture, to which was referred **Senate File 174**, a bill for an act relating to inspection of meat intended for human food, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

Amend Senate File 174, section 6, by striking the period from line 3 thereof and adding thereto the following: " , or to frozen food locker plants and branch frozen food locker plants as defined in section one hundred seventy-two point one (172.1) of the Code."

H. E. WEICHMAN, *Chairman.*

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on agriculture, to which was referred **Senate File 205**, a bill for an act relating to the adulteration of foods, 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 agriculture, to which was referred **Senate File 216**, a bill for an act relating to the licensing of baby chick hatcheries, dealers and set-off stations, 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 Prentis submitted the following report:

**MR. PRESIDENT:** Your committee on governmental affairs, to which was referred **Senate File 122**, 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, begs leave to report it has had the same under consideration and **returns the bill without recommendation.**

X. T. PRENTIS, *Chairman.*

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on governmental affairs, to which was referred **Senate File 198**, a bill for an act to repeal certain sections of chapter one hundred seventy (170), Code 1950, relating to fire protection in hotels, 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 236**, 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, begs leave to report it has had the same under consideration and recommends the same **be amended in accordance with the Prentis amendment** filed on February 23 and found on page 396 of the Senate Journal; **and when so amended the bill do pass.**

X. T. PRENTIS, *Chairman.*

Ordered passed on file.

#### ASSIGNMENT OF BILLS

President Elthon announced the assignment of the following bills to committee:

- S. F. 150 Appropriations (Under Senate Rule 21)
- S. F. 313 Calendar
- S. F. 314 Highways
- S. F. 315 Social security
- S. F. 316 Judiciary 1
- S. F. 317 Cities and towns
- S. F. 318 Cities and towns
- S. F. 319 Schools and educational institutions
- S. F. 320 Judiciary 2
- S. F. 321 Public utilities
- S. F. 322 Compensation of public officers and employees
- S. F. 323 Motor vehicles
- S. F. 324 Compensation of public officers and employees
- S. F. 325 Judiciary 2
- S. F. 326 Ways and means
- S. F. 327 Judiciary 2
- S. F. 328 Calendar
- S. F. 329 Judiciary 2
- S. F. 330 Schools and educational institutions

#### AMENDMENTS FILED

- 1 Amend Senate File 54, section 12, line 19, by inserting
- 2 following the word "publication" the words "without
- 3 expense to the state".

LAURENCE M. BOOTHY.

1 Amend Senate File 83 by striking section 2.

J. G. LUCAS.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 26, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend Emerson Miller, pastor of the St. Paul's Lutheran Church, Davenport, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Van Eaton for the day on request of Senator Lynes.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Knudson from residents of Cerro Gordo County in opposition to proposed legislation relating to employment of minors.

By Senator Lucas from residents of Boone and Story Counties favoring proposed legislation relating to liability and property damage insurance of state employees.

By Senator Miller from residents of Marion County favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance.

By Senator Nolan from residents of Johnson County favoring proposed legislation relating to nominations by primary election.

## PRESENTATION OF VISITORS

Senator Zastrow asked and received unanimous consent to present to the Senate the cheer leaders of the Floyd High School girls' basketball team who were present in the Senate chamber accompanied by Mr. Thorson, member of the school board.

Senator Risk asked and received unanimous consent to present to the Senate students of the Grafton Independent High School who were present in the balcony accompanied by Milt Blehm.

Senator Berg asked and received unanimous consent to present to the Senate twenty-eight members of the state and local government class at the State Teachers College accompanied by their in-

structor, Miss Plaehn, and members of the League of Women Voters.

Senator Bellman asked and received unanimous consent to present to the Senate members of the Cumming Independent School who were present in the balcony accompanied by Daniel Miller.

Senator Weichman asked and received unanimous consent to present to the Senate eighty students of the Vinton High School who were present in the balcony.

Senator Weichman also asked and received unanimous consent to present to the Senate thirty-nine students of the Chelsea Independent School, including the members of the Chelsea girls' basketball team, who were present in the balcony with their coach, Mr. Lantz, and Lillian Beresh.

Senator Heideman asked and received unanimous consent to present to the Senate students of the Lytton High School who were present in the balcony accompanied by Ross Davisson.

Senator Scott asked and received unanimous consent to present to the Senate the members of the girls' basketball team of the Maynard High School who were present in the Senate chamber accompanied by their coach, Mr. Tock.

Senator Risk asked and received unanimous consent to present to the Senate students of the Brandon Consolidated School who were present in the Senate chamber accompanied by their instructor, Delbert Humeston.

Senator Lynes on behalf of Senator Van Eaton asked and received unanimous consent to present to the Senate seven students of the Moorhead Public School, members of the girls' basketball team, who were present in the Senate chamber accompanied by Norman Miller.

Senator Utzig asked and received unanimous consent to present to the Senate his friend of long standing, Adolph Bronn, of Chicago, Illinois.

#### INTRODUCTION OF BILLS

Senate File 331, by Senator O'Malley, a bill for an act to amend chapter three hundred fifty-eight (358), Code 1950, as amended by chapter one hundred forty-one (141), Acts of the Fifty-fourth General Assembly, relating to the powers of boards of trustees of

sanitary districts, and authorizing a tax for the purpose of paying administrative, operation and maintenance costs of sanitary districts, and providing for a tax levy for the purpose of payment of interest and principal upon bonds issued by sanitary districts.

Read first and second times, and passed on file.

Senate File 332, by Senator O'Malley, a bill for an act to amend section one (1), chapter sixty-one (61), Acts of the Fifty-fourth General Assembly, relating to increase the allowable weekly unemployment benefit amount.

Read first and second times, and passed on file.

Senate File 333, by Senator O'Malley, a bill for an act to amend section two hundred forty-six point thirty-nine (246.39), Code 1950, relating to reduction of sentence for good behavior and providing further reduction to prisoners taking part in medical research.

Read first and second times, and passed on file.

Senate File 334, by committee on judiciary 1, a bill for an act to amend sections sixteen point twenty-four (16.24), sixteen point twenty-five (16.25) and sixteen point twenty-seven (16.27), Code 1950, relating to the free distribution of the Code and of the acts of each General Assembly.

Read first and second times, and passed on file.

Senate File 335, by committee on judiciary 1, a bill for an act relating to the collection of county hospital accounts for services for which payment is authorized, and to amend section three hundred forty-seven point seventeen (347.17), Code 1950.

Read first and second times, and passed on file.

Senate File 336, by committee on judiciary 1, a bill for an act relating to the regulation and supervision of corporations for pecuniary profit and to amend section four hundred ninety-one point twenty (491.20), Code 1950, as amended by chapter one hundred seventy-nine (179), section three (3), Acts of the Fifty-fourth General Assembly, relating thereto.

Read first and second times, and passed on file.

Senate File 337, by committee on judiciary 1, a bill for an act to amend section one hundred three point sixteen (103.16), Code

1950, relating to rules, regulations, findings and orders made by the state fire marshal and appeals therefrom.

Read first and second times, and passed on file.

Senate File 338, by committee on judiciary 1, a bill for an act to amend section six hundred five point one (605.1), Code 1950, relating to salaries of judges of the district court.

Read first and second times, and passed on file.

Senate File 339, by Senator Schoening (Shaff and Judd), a bill for an act to amend chapter three hundred forty (340), Code 1950, as amended by chapter one hundred sixty-five (165), Acts of the Fifty-fourth General Assembly, relating to compensation of the county auditor and county treasurer.

Read first and second times, and passed on file.

Senate File 340, by Senators Knudson and Berg, a bill for an act to amend section two hundred twenty-seven point sixteen (227.16), Code 1950, relating to state aid to county and private hospitals for insane.

Read first and second times, and passed on file.

Senate File 341, by Senator Knudson, a bill for an act to amend section two hundred ninety-four point eight (294.8), Code 1950, to permit any independent school district which has established a pension and annuity retirement system under said section and which terminates said system after January 1, 1953, to establish a pension and annuity retirement system for the public school teachers of such district without ratification by a vote of the people.

Read first and second times, and passed on file.

Senate File 342, by Senator Dailey, a bill for an act to amend section two hundred forty-six point forty-three (246.43), Code 1950, regarding special reduction of sentence.

Read first and second times, and passed on file.

Senate File 343, by Senators Dykhouse, Nolan and Watson of Pottawattamie, a bill for an act to amend sections one hundred sixty-seven point one (167.1) and one hundred sixty-seven point three (167.3), Code 1950, relating to the use and disposal of dead animals.

Read first and second times, and passed on file.

Senate File 344, by Senator Colburn, a bill for an act to amend chapter one hundred sixty-nine (169), Code 1950, by authorizing injunctive restraint against one practicing veterinary medicine without a license.

Read first and second times, and passed on file.

Senate File 345, by Senator Vest, a bill for an act relating to equitable apportionment of federal estate tax.

Read first and second times, and passed on file.

Senate File 346, by committee on mines and mining, a bill for an act to amend chapter eighty-two (82) relating to mines and state mine inspectors, and to amend sections eighty-two point thirteen (82.13), eighty-two point eighty (82.80), relating to the office of local mine inspectors, sections eighty-two point eighty-one (82.81), eighty-two point ninety (82.90), eighty-two point one hundred two (82.102), eighty-two point one hundred three (82.103), eighty-two point one hundred four (82.104), eighty-two point one hundred twenty-five (82.125), Code 1950, to promote greater safety in mines and to conform with certain requirements of Public Law 552, Laws of the Eighty-second Congress, approved July 16, 1952, to repeal subsections five (5) and six (6) of section eighty-two point one hundred twenty-seven (82.127), Code 1950, which are obsolete, and to amend section eighty-three point one (83.1), Code 1950, relating to mines other than coal mines and to provide greater safety in such mines.

Read first and second times, and passed on file.

Senate File 347, by committee on mines and mining, a bill for an act to amend section eighty-two point fourteen (82.14), Code 1950, to provide authority to the state mine inspector to cooperate with the United States Bureau of Mines, its director, agents and inspectors, in carrying out the provisions of Public Law 552, Laws of the Eighty-second Congress, and to promote cooperation between the state and federal government in promoting safety in coal mines.

Read first and second times, and passed on file.

Senate File 348, by Senator O'Malley, a bill for an act to prohibit discriminatory practices in employment and in membership in labor unions based on 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 violations hereof.

Read first and second times, and passed on file.

Senate File 349, by Senator O'Malley, a bill for an act to amend section three hundred forty-seven point seven (347.7), Code 1950, relating to tax levies for the improvement and maintenance of county tuberculosis hospitals in counties with a population exceeding 135,000.

Read first and second times, and passed on file.

Senate File 350, by Senators Dailey, Byers, O'Malley, Nesmith, Schoening, Oltman, Whitehead, Bekman and Watson of Pottawattamie, a bill for an act to amend sections seven hundred thirty-six A point four (736A.4) and seven hundred thirty-six A point five (736A.5), Code 1950, to provide for union security agreements and contracts between employers and labor unions, and to provide for conditions under which labor organization dues and initiation fees may be deducted from wages by employers and paid to organizations of employees or labor unions.

Read first and second times, and passed on file.

Senate File 351, by Senator Fishbaugh, a bill for an act relating to the rights of persons denied licenses to engage in or conduct professions, trades or businesses regulated under the police power of the state.

Read first and second times, and passed on file.

Senate File 352, by Senator Lord (by request), a bill for an act to amend section three hundred twenty-four point fifty (324.50), Code 1950, relating to motor vehicle fuel tax.

Read first and second times, and passed on file.

Senate File 353, by Senator Fishbaugh, a bill for an act to include, in the amount deductible when listing moneys and credits for taxation, all taxes owed by the taxpayer and to amend section four hundred twenty-nine point four (429.4), Code 1950.

Read first and second times, and passed on file.

Senate File 354, by Senator Watson of Pottawattamie, a bill for an act to amend section two hundred eighty-one point four (281.4),

Code 1950, relating to the powers of boards of directors of school districts.

Read first and second times, and passed on file.

Senate File 355, by Senators Molison, Bateson, Miller, Elijah and Lynes, a bill for an act relating to the method of computing elementary and high school tuition rates and to amend certain sections of the Code relating thereto.

Read first and second times, and passed on file.

Senate File 356, by Senator Lucas, a bill for an act relating to cream grading and to amend certain sections of the Code relating thereto.

Read first and second times, and passed on file.

Senate File 357, by Senators Nesmith, Watson of Pottawattamie, O'Malley, Dailey, Dewel, Utzig, Nolan, Myrland, Anderson, Washburn, Molison, Miller, Grimstead, Oltman and Clark (Bass, et al.), a bill for an act providing for the improvement of the outdoor recreational facilities of Iowa and appropriating funds for that purpose.

Read first and second times, and passed on file.

Senate File 358, by Senators Dailey and Heideman, a bill for an act to amend section three hundred ninety point eight (390.8), Code 1950, relating to parking meters.

Read first and second times, and passed on file.

Senate File 359, by Senators Boothby and Watson of Pottawattamie, a bill for an act relating to the sale of personal property or services under pre-arranged funeral plans and requiring the proceeds thereof to be held in trust for the purposes intended under certain conditions.

Read first and second times, and passed on file.

Senate file 360, by Senator Watson of O'Brien, a bill for an act to establish an Iowa butter commission providing for additional inspection and to levy an excise tax.

Read first and second times, and passed on file.

Senate File 361, by Senators Watson of O'Brien, Lynes, Walter

and Molison, a bill for an act relating to the control and destruction of weeds, and to amend and repeal certain statutes relating thereto.

Read first and second times, and passed on file.

Senate File 362, by Senator Dailey, a bill for an act to amend chapter three hundred sixty-five (365), Code 1950, by adding a new section relating to the powers and duties of the civil service commission.

Read first and second times, and passed on file.

Senate File 363, by Senator Dailey, a bill for an act to amend chapter one hundred sixty-four (164), section seven (7), subsection sixteen (16), Acts of the Fifty-fourth General Assembly, relating to budget for civil service commission.

Read first and second times, and passed on file.

Senate File 364, by Senator Dailey, a bill for an act to amend section three hundred sixty-five point twenty-seven (365.27), Code 1950, relating to attorneys for civil service under cities and towns.

Read first and second times, and passed on file.

Senate File 365, by Senator Dailey, a bill for an act to amend section three hundred sixty-five point two (365.2), Code 1950, relating to civil service salaries.

Read first and second times, and passed on file.

Senate File 366, by Senators Lynes and Risk, a bill for an act to amend section three hundred twenty-one point one hundred seventeen (321.117), relating to fees for hearses.

Read first and second times, and passed on file.

Senate File 367, by Senator Watson of Pottawattamie, a bill for an act to amend sections four hundred seventy-eight point twenty-one (478.21) and four hundred seventy-eight point twenty-three (478.23), Code 1950, relating to railway and highway crossings at grade to provide a method of determining all matters pertaining to grade crossings where controversy arises between the state or political subdivisions thereof and the railroad company, and to repeal section three hundred eighty-nine point forty-one (389.41), Code 1950.

Read first and second times, and passed on file.

## REPORT OF COMMITTEE ON MEMORIAL RESOLUTIONS

Senator Linnevold submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee on memorial resolutions begs leave to report that committees should be appointed to prepare suitable memorial resolutions for the following deceased members of the Senate:

John H. Hager, Allamakee County.

Ernest L. Humbert, Adams and Taylor Counties.

Ai Miller, Dallas and Guthrie Counties.

J. A. Newsome, Lucas and Wayne Counties.

Edward S. Parker, Cherokee, Ida and Plymouth Counties.

George L. Parker, Buchanan and Delaware Counties.

Wm. Schmedika, Hardin County.

A. J. Shaw, Buena Vista, Humboldt and Pocahontas Counties.

WM. LINNEVOLD.

THOMAS C. LARSON.

LEON N. MILLER.

The motion prevailed and the report was adopted.

President Elthon announced the appointment of the following committees:

SENATORS	MEMORIAL RESOLUTION COMMITTEE
John H. Hager	Linnevold Johnson Scott
Ernest L. Humbert	Colburn Watson of Pottawattamie Larson
John M. Lindly	Anderson Nolan Nelson
Ai Miller	Whitehead Sayre Myrland
J. A. Newsome	Prentis Stuart of Lucas Bellman
Edward S. Parker	Vest Boothby Van Eaton
George L. Parker	Berg Risk Weichman
Wm. Schmedika	Bateson Walter Lucas

A. J. Shaw

Oltman  
Watson of O'Brien  
Dewell

## MOTION TO RECONSIDER

Senator Elijah moved to reconsider the vote by which Senate File 191 was re-referred to the committee on schools and educational institutions, on Wednesday, February 25.

The motion prevailed and the Senate reconsidered.

Senator Elijah asked and received unanimous consent that Senate File 191 be placed on the calendar under unfinished business.

## THIRD READING OF BILLS

Senator Weichman asked and received unanimous consent to take up for consideration Senate File 258, a bill for an act to make it unlawful to feed garbage to animals except as regulated by the department of agriculture.

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	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Vest
Bellman	Heideman	Nolan	Walter
Berg	Johnson	Oltman	Washburn
Boothby	Knudson	O'Malley	Watson of
Byers	Larson	Prentis	O'Brien
Clark	Linnevold	Risk	Watson of
Colburn	Lord	Sayre	Pottawattamie
Dailey	Lucas	Schoening	Weichman
Dewel	Lynes	Scott	Whitehead
Dykhouse	Miller	Stewart of	Zastrow
Elijah	Molison	Mahaska	
Fishbaugh			

Nays, none.

Absent or not voting, 1:

Van Eaton

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.

## HOUSE AMENDMENTS CONSIDERED

Senator Watson of Pottawattamie called up for consideration Senate File 2, a bill for an act to amend sections one hundred ninety point one (190.1), one hundred ninety point six (190.6), one hundred ninety-one point two (191.2) and one hundred ninety-one point three (191.3), Code 1950, relating to imitation butter and the sale and labeling thereof, and to repeal section one hundred ninety-two point thirty-two (192.32), Code 1950, relating to the use of imitations of butter in certain state institutions, and the following House amendments:

Amend Senate File 2 as follows:

1. Section 1 by adding in line 10 immediately after the period (.) following the word "butter" the following: "The ingredients, percentage of ingredients of oleomargarine or margarine shall be plainly stamped on the package containing the same."

2. Section 3 by striking all of lines 8, 9, 10 and 11.

3. Section 3, line 14, by inserting immediately after the word "pound" the words: "except where sold for household purposes only".

4. Section 3 by striking lines 34, 35 and 36 and substituting in lieu thereof the following: "tint or shade of yellow."

5. By adding to section 3 the following paragraph:

"Such oleomargarine or margarine shall contain vitamin A in such quantity that the finished oleomargarine or margarine contains not less than fifteen thousand (15,000) United States Pharmacopoeia units of vitamin A per pound, as determined by the method prescribed in the Pharmacopoeia of the United States for the total biological vitamin A activity."

6. Section 4 by striking the word "colored" from lines 11, 12, 19 and 20.

7. Section 4 by striking the following from lines 22, 23 and 24: "bears or is accompanied by labeling identifying it as oleomargarine or margarine, or each separate serving thereof".

8. By adding as a new section following section 3 the following: "Sec. 4. Oleomargarine or margarine may be manufactured within the State of Iowa under the provisions of section three (3) of this act, except that it may be manufactured or stored in any shape or form for shipment in interstate commerce only." Also amend by renumbering the remaining sections.

9. Section 6, line 4, by inserting after the word "Administration" the words "or Agency" and by inserting at the end of line 6 of said section the following: "Any standards so established shall not be contrary to or inconsistent with the provisions of section one hundred ninety point one (190.1), subsection two (2), Code 1950, as amended, entitled 'Oleomargarine or margarine'."

10. By striking all of section 9 and renumbering the following section.

11. By adding the following section:

"Sec. 11. The word 'person' when used in this act shall mean every natural person, firm, co-partnership, association or corporation."

12. Amend the title by striking all after the word "thereof" in line 5 and inserting in lieu thereof the following: "and to fix penalties for the violation thereof."

### CALL OF THE SENATE

President Elthon announced the following call of the Senate:

We, the following Senators, request a call of the Senate on the consideration of the House amendments to Senate File 2:

J. KENDALL LYNES.	DON RISK.
JOHN P. BERG.	ERWIN SCHOENING.
A. J. JOHNSON.	JACOB GRIMSTEAD.
L. M. BOOTHBY.	ARNOLD UTZIG.
WM. LINNEVOLD.	GEORGE L. SCOTT.
H. E. WEICHMAN.	JAY C. COLBURN.
H. M. KNUDSON.	R. W. ZASTROW.
G. D. BELLMAN.	CARL T. ANDERSON.
	DUANE E. DEWEL.

Roll call revealed all members present with the exception of Senator Van Eaton who had previously been excused for the day.

Senator Watson of Pottawattamie asked unanimous consent that Senator Van Eaton be excused from the call of the Senate.

Objection was raised.

Senator Watson of Pottawattamie moved that Senator Van Eaton be excused from the call of the Senate.

On the question "Shall Senator Van Eaton be excused from the call of the Senate?" the vote was:

#### Ayes, 29:

Bateson	Heideman	Nelson	Stuart of Lucas
Bekman	Knudson	Nesmith	Vest
Byers	Larson	Nolan	Walter
Clark	Linnevold	Oltman	Washburn
Colburn	Lord	Prentis	Watson of
Dykhouse	Miller	Sayre	Pottawattamie
Hart	Molison	Stewart of	Whitehead
Hedin	Myrland	Mahaska	

#### Nays, 20:

Anderson	Elijah	Lynes	Utzig
Bellman	Fishbaugh	O'Malley	Watson of
Berg	Grimstead	Risk	O'Brien
Boothby	Johnson	Schoening	Weichman
Dailey	Lucas	Scott	Zastrow
Dewel			

#### Absent or not voting, 1:

Van Eaton

The motion having failed to receive a constitutional and two-thirds majority was declared to have failed to have been adopted.

Senator Lynes moved that consideration of the House amendments to Senate File 2 be made a special order of business for Monday, March 9, 1953, at 11:30 a.m.

Senator Lynes asked and received unanimous consent to withdraw his motion that Senate File 2 be made a special order of business.

Senator Lynes asked and received unanimous consent that action on the consideration of House amendments to Senate File 2 be deferred and that the bill be placed on the calendar under unfinished business to be taken up following the recess.

Senator Lynes asked and received unanimous consent that the call of the Senate on the consideration of the House amendments to Senate File 2 be lifted.

### THIRD READING OF BILLS

Senator Watson of O'Brien asked and received unanimous consent to take up for consideration House File 165, a bill for an act to amend section fourteen (14) of chapter one hundred three (103), Acts of the Fifty-fourth General Assembly, relating to the condemning of land for highway purposes, with report of committee recommending passage.

On motion of Senator Watson of O'Brien, the report of the committee was adopted.

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

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

Ayes, 46:			
Anderson	Hart	Myrland	Stuart of Lucas
Bateson	Hedin	Nelson	Utzig
Bekman	Heideman	Nesmith	Vest
Bellman	Johnson	Nolan	Walter
Berg	Knudson	Oltman	Washburn
Boothby	Larson	O'Malley	Watson of
Byers	Linnevoold	Prentis	O'Brien
Clark	Lord	Risk	Watson of
Colburn	Lucas	Sayre	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Grimstead			
Nays, 3:			
Dailey	Fishbaugh	Schoening	

Absent or not voting, 1:

Van Eaton

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

On motion of Senator Lucas, Senate File 83, 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, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Lucas asked and received unanimous consent to withdraw the amendment filed by Senators Lucas and Lord to Senate File 83 and found on page 144 of the Senate Journal.

Senator Lucas offered the following amendment and moved its adoption:

Amend Senate File 83 by striking section 2.

The amendment was adopted.

Senator Lucas offered the following amendment and moved its adoption:

Amend the title to Senate File 83 by striking all after the word "Act" and inserting in lieu thereof the following: "to amend section five hundred ninety-five point three (595.3), Code 1950, relating to marriages."

The amendment was adopted.

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

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

Ayes, 48:

Anderson	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Nelson	Utzig
Bekman	Hart	Nesmith	Vest
Bellman	Hedin	Nolan	Walter
Berg	Heideman	Oltman	Washburn
Boothby	Johnson	O'Malley	Watson of
Byers	Knudson	Prentis	O'Brien
Clark	Larson	Risk	Watson of
Colburn	Linnevold	Sayre	Pottawattamic
Dailey	Lord	Schoening	Weichman
Dewel	Lucas	Scott	Whitehead
Dykhouse	Lynes	Stewart of	Zastrow
Elijah	Miller	Mahaska	

Nays, none.

Absent or not voting, 2:  
Myrland                      Van Eaton

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended 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 12, memorializing congress to amend the atomic energy act.

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 municipal waterworks in certain cities.

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

House Concurrent Resolution 14, providing for a joint convention of the Fifty-fifth General Assembly, honoring two of its veteran members.

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

House Concurrent Resolution 15, commemorating the twenty-fifth anniversary of the Future Farmers of America.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE CONCURRENT RESOLUTION 14

*Whereas*, the Honorable Arch W. McFarlane, of Black Hawk County, is recognized as the dean of the General Assembly, having served in more sessions and occupied more legislative offices in the General Assembly than any other person in the history of the state, and

*Whereas*, the Honorable Frank C. Byers, of Linn County, has served in more continuous sessions of the General Assembly than any other person in the history of the state,

*Now, Therefore, Be It Resolved by the House, the Senate Concurring:* That a joint session of the House and Senate of the Fifty-fifth General Assembly be held at 11:30 a.m., March 11, 1953, for the purpose of honoring these two veteran legislators.

#### HOUSE CONCURRENT RESOLUTION 15

*Whereas*, the future progress and prosperity of Iowa is dependent to a great degree upon the skills and efforts of those citizens who operate the many farms of the state; and

*Whereas*, the Future Farmers of America organization is composed of boys who are studying vocational agriculture in public secondary schools as preparation for careers in farming; and

*Whereas*, the major purposes of the Future Farmers of America organization are to develop leadership, encourage cooperation, promote good citizenship, teach sound methods of farming and inspire patriotism among the members; and

*Whereas*, Iowa now has 230 active chapters of the organization, with more than 8,669 presently active members and more than 75,000 former members; and

*Whereas*, the members of the Future Farmers of America perform valuable community services and provide important leadership in developing our agricultural economy and in building a better state;

*Now, Therefore, Be It Resolved by the House, the Senate Concurring:* That the week of February 21 be declared Iowa Future Farmers of America Week and all citizens urged to take notice of the many contributions of the Future Farmers of our state and to encourage in every possible way the further growth of this splendid organization for our farm youth.

Senator Watson of O'Brien asked and received unanimous consent to take up for consideration House Concurrent Resolution 15, and moved its adoption.

The motion prevailed and the resolution was adopted.

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

### AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

### THIRD READING OF BILLS

On motion of Senator Hedin, House File 14, a bill for an act to amend section one hundred nine point one hundred seven (109.107), Code 1950, relating to the use of traps or trot lines in the Mississippi and Missouri Rivers, 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, 48:

Anderson	Boothby	Dewel	Hart
Bateson	Byers	Dykhouse	Hedin
Bekman	Clark	Elijah	Heideman
Bellman	Colburn	Fishbaugh	Johnson
Berg	Dailey	Grimstead	Knudson

Linnevold	Nesmith	Scott	Watson-of
Lord	Nolan	Stewart of	O'Brien
Lucas	Oltman	Mahaska	Watson of
Lynes	O'Malley	Stuart of Lucas	Pottawattamie
Miller	Prentis	Utzig	Weichman
Molison	Risk	Vest	Whitehead
Myrland	Sayre	Walter	Zastrow
Nelson	Schoening	Washburn	

Nays, none.

Absent or not voting, 2:

Larson                      Van Eaton

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

On motion of Senator Boothby, Senate File 54, a bill for an act relating to the practice of funeral directing and embalming and to repeal chapter one hundred fifty-six (156), 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.

The following committee amendment was considered:

1. Amend section 1 by striking the word "continued" in line 26.
2. Further amend section 1 by striking from lines 28, 29, 30 and 31 the following: "which has legally operated said funeral home or funeral establishment continuously for a period of six months immediately preceding the effective date of this act".
3. Amend section 4 by striking the word "in" in line 3 and inserting in lieu thereof the word "from".
4. Further amend section 4 by striking from lines 9, 10, 11, 12 and 13 the following: "The application must specify the address at which the applicant proposes to conduct the practice of a funeral director and shall contain such other information as the board may require to determine compliance with the requirements of this chapter."
5. Further amend section 4 by inserting after the word "complete" in line 32 the following: "a minimum of".
6. Further amend section 4 by striking the word "continuous" in line 32.
7. Amend section 5 by striking from lines 6, 7, 8, 9 and 10 the following: "The application must specify the address at which the applicant proposes to conduct the practice of an embalmer and shall contain such other information as the board may require to determine compliance with the requirements of this chapter."
8. Further amend section 5 by inserting after the word "complete" in line 30 the following: "a minimum of".
9. Further amend section 5 by striking the word "continuous" in line 30.
10. Amend section 11 by striking from line 3 the following: "for a period of two years".

11. Further amend section 11 by striking the period at the end of line 4 and inserting in lieu thereof the following: ", provided that".

12. Further amend section 11 by striking from line 6 the following: "during said period".

On motion of Senator Boothby, the committee amendment was adopted.

Senator Whitehead offered the following amendment and moved its adoption:

Amend Senate File 54, subsection 4, section 9, by substituting a comma for the period in line 28 and by adding the following: "or to any contract made in conjunction with the sale of any life insurance policy issued by a life insurance company licensed to transact business in Iowa."

The amendment was adopted.

Senator Boothby offered the following amendment and moved its adoption:

Amend Senate File 54 by striking lines 19, 20, 21 and 22 of section 12 and inserting in lieu thereof the following: "publication in the Cherokee Daily Times, a newspaper published at Cherokee, Iowa, and The Aurelia Sentinel, a newspaper published at Aurelia, Iowa."

The amendment was adopted.

Senator Boothby offered the following amendment and moved its adoption:

Amend Senate File 54, section 12, line 19, by inserting following the word "publication" the words "without expense to the state".

The amendment was adopted.

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

The Chair announced that Senator Van Eaton had left written requests to be recorded as voting on Senate Files 54 and 55. The requests were granted.

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

Ayes, 43:

Anderson	Dailey	Larson	Nelson
Bateson	Dewel	Linnevold	Nesmith
Bekman	Dykhouse	Lord	Nolan
Bellman	Grimstead	Lucas	Oltman
Berg	Hart	Lynes	O'Malley
Boothby	Hedin	Miller	Prentis
Clark	Heideman	Molison	Risk
Colburn	Johnson	Myrland	Sayre

Schoening	Stuart of Lucas	Washburn	Weichman
Scott	Utzig	Watson of	Whitehead
Stewart of Mahaska	Van Eaton	Pottawattamie	Zastrow

Nays, 3:

Elijah	Fishbaugh	Vest
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Absent or not voting, 4:

Byers	Walter	Watson of
Knudson		O'Brien

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

On motion of Senator Boothby, Senate File 55, a bill for an act to amend sections one hundred forty-seven point one (147.1), one hundred forty-seven point two (147.2), one hundred forty-seven point thirteen (147.13), one hundred forty-seven point fifteen (147.15), one hundred forty-seven point eighteen (147.18), one hundred forty-seven point eighty (147.80) and one hundred forty-seven point one hundred one (147.101), Code 1950, relating to the practice of funeral directing and embalming and the license fees thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Boothby moved that the bill be read a third 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	Nelson	Stuart of Lucas
Bateson	Hedin	Nesmith	Utzig
Bekman	Heideman	Nolan	Van Eaton
Bellman	Johnson	Oltman	Vest
Berg	Larson	O'Malley	Walter
Boothby	Linnevold	Prentis	Washburn
Clark	Lord	Risk	Watson of
Colburn	Lucas	Sayre	Pottawattamie
Dailey	Lynes	Schoening	Weichman
Dewel	Miller	Scott	Whitehead
Dykhouse	Molison	Stewart of	Zastrow
Elijah	Myrland	Mahaska	
Grimstead			

Nays, none.

Absent or not voting, 4:

Byers	Knudson	Watson of
Fishbaugh		O'Brien

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

On motion of Senator Nolan, Senate File 79, a bill for an act to authorize and empower all state commissions, departments, boards and agencies and all commissions, departments, boards and agencies of all political subdivisions of the State of Iowa, not otherwise authorized, to purchase and pay for liability and property damage insurance which shall insure against individual personal legal liability of officers and employees of such commissions, departments, boards and agencies while in the performance of their duties, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Nolan moved that the bill be read a third 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	Grimstead	Nelson	Stuart of Lucas
Bateson	Hart	Nesmith	Utzig
Bekman	Hedin	Nolan	Vest
Bellman	Heideman	Oltman	Walter
Berg	Johnson	O'Malley	Washburn
Boothby	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh	Myrland		

Nays, none.

Absent or not voting, 3:

Byers	Knudson	Van Eaton
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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 Berg, Senate File 129, a bill for an act to revert four hundred fifty thousand dollars (\$450,000) from World War II Service Compensation Fund to the general fund of the State of Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

## Ayes, 45:

Anderson	Fishbaugh	Molison	Stewart of
Bateson	Grimstead	Myrland	Mahaska
Bekman	Hart	Nelson	Stuart of Lucas
Bellman	Hedin	Nesmith	Vest
Berg	Heideman	Nolan	Walter
Boothby	Johnson	Oltman	Washburn
Clark	Larson	O'Malley	Watson of
Colburn	Linnevoid	Prentis	Pottawattamie
Dailey	Lord	Risk	Weichman
Dewel	Lucas	Sayre	Whitehead
Dykhouse	Lynes	Schoening	Zastrow
Elijah	Miller	Scott	

Nays, none.

## Absent or not voting, 5:

Byers	Utzig	Watson of
Knudson	Van Eaton	O'Brien

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 19, a bill for an act relating to the designation of communicable diseases among animals.

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 the Iowa Rural Rehabilitation Corporation.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 258, a bill for an act relating to the feeding of garbage to animals.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE AMENDMENTS TO SENATE FILE 19

1. Amend Senate File 19, section 2, by adding after line 31 the following: "No indemnity shall be allowed for infected animals if it is determined by the department of agriculture that such animals have been fed raw garbage."

2. Further amend by adding to Senate File 19 the following section: "Sec. 3. This act, being deemed of immediate importance, shall take effect and be in full force on June 1, 1953, from and after its passage and publication in the Eldora Herald-Ledger, a newspaper published at Eldora, Iowa, and in the Marshalltown Times-Republican, a newspaper published at Marshalltown, Iowa."

## HOUSE AMENDMENT TO SENATE FILE 28

Amend section 4, line 12, by striking the words and figure "two (2)" and inserting in lieu thereof the word and figure "three (3)".

## HOUSE AMENDMENTS TO SENATE FILE 258

1. Amend Senate File 258 by adding thereto the following section:

"Sec. 5. This act, being deemed of immediate importance, shall take effect and be in full force on June 1, 1953, from and after its passage and publication in The Sioux County Capital, a newspaper published at Orange City, Iowa, and in the Estherville Daily News, a newspaper published at Estherville, Iowa."

2. Amend the title to Senate File 258 by changing the period (.) to a comma (,) in line 2 thereof, and adding thereto the following: "to provide for the licensing of garbage processing and penalties for the violation of this act."

## HOUSE AMENDMENTS CONSIDERED

Senator Weichman called up for consideration Senate File 258, a bill for an act to make it unlawful to feed garbage to animals except as regulated by the department of agriculture, amended by the House, and moved that the Senate concur in the House amendments.

The Senate concurred in the House amendments.

Senator Weichman moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

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

Ayes, 45:

Anderson	Fishbaugh	Molison	Stewart of
Bateson	Grimstead	Myrland	Mahaska
Bekman	Hart	Nelson	Stuart of Lucas
Bellman	Hedin	Nesmith	Vest
Berg	Heideman	Nolan	Walter
Boothby	Johnson	Oltman	Washburn
Clark	Larson	O'Malley	Watson of
Colburn	Linnevold	Prentis	Pottawattamie
Dailey	Lord	Risk	Weichman
Dewel	Lucas	Sayre	Whitehead
Dykhouse	Lynes	Schoening	Zastrow
Elijah	Miller	Scott	

Nays, none.

Absent or not voting, 5:

Byers	Utzig	Van Eaton	Watson of
Knudson			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 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.

Senator Lynes called up for consideration Senate File 28, 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, amended by the House, and moved that the Senate concur in the House amendment.

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 last time now, which motion prevailed, and the bill was read a last time.

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

Ayes, 45:

Anderson	Fishbaugh	Molison	Stewart of
Bateson	Grimstead	Myrland	Mahaska
Bekman	Hart	Nelson	Stuart of Lucas
Bellman	Hedin	Nesmith	Vest
Berg	Heideman	Nolan	Walter
Boothby	Johnson	Oltman	Washburn
Clark	Larson	O'Malley	Watson of
Colburn	Linnevoid	Prentis	Pottawattamie
Dailey	Lord	Risk	Weichman
Dewel	Lucas	Sayre	Whitehead
Dykhouse	Lynes	Schoening	Zastrow
Elijah	Miller	Scott	

Nays, none.

Absent or not voting, 5:

Byers	Utzig	Van Eaton	Watson of
Knudson			O'Brien

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

#### SENATE CONCURRENT RESOLUTION 14

By Miller, Vest, Dailey and Clark

*Whereas*, the name of Susan B. Anthony is a name honored throughout the United States for unselfish devotion to the cause of equal rights and women's suffrage; and

*Whereas*, the said Susan B. Anthony did exert a profound and effective influence in the national life of our country in her sponsorship and support of the nineteenth amendment to the United States Constitution; and

*Whereas*, it is fitting and proper that her name and reputation be better known among the citizens of our country;

*Now, Therefore, Be It Resolved by the Senate, the House Concurring:* That the legislature of the State of Iowa respectfully memorialize the Congress of the United States to take official action whereby there shall be designated a special day to be known as Susan B. Anthony Day, which day shall be the 15th day of February, the anniversary of her birth, and that the said Congress shall by appropriate resolution publicly commemorate the life and history of Susan B. Anthony and urge that services and exercises be held throughout the United States expressive of the public sentiment befitting the anniversary of the birth of said Susan B. Anthony.

*Be It Further Resolved:* That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from Iowa in the Congress of the United States.

#### SENATE CONCURRENT RESOLUTION 15

By Fishbaugh and Dewel

A concurrent resolution petitioning for an extension of time for allotted educational television channels to be reserved for noncommercial use.

*Whereas*, the Federal Communications Commission, on April 11, 1952, adopted its final television allocation report for noncommercial educational use, and

*Whereas*, two hundred forty-two channel assignments were made of which Iowa has been assigned six educational channels, and

*Whereas*, the final report provides all of the assignments made "shall not be subject to amendment or petition" until one year thereafter which one-year period expires June 2, 1953, and

*Whereas*, this is interpreted to mean that unless educational stations are established in such channels by said date, the channels may be assigned to other use, and

*Whereas*, to establish such stations at this time would seem to entail an ultimate expenditure by the state of nearly fifty million dollars, and

*Whereas*, an extension of time is deemed necessary to study the project at least as it applies to Iowa.

*Now, Therefore, Be It Resolved by the Senate of the State of Iowa, the House Concurring:* That the Fifty-fifth General Assembly of the State of Iowa respectfully petitions the Federal Communications Commission for a general extension of time during which channels allocated for noncommercial use will continue to be reserved exclusively for such use and that such time be extended to June 2, 1955;

*Be It Further Resolved,* that the General Assembly respectfully petitions the members of the Iowa delegation in Congress to use their influence that a Congressional Resolution be adopted expressing the thought that the aforementioned time should be extended.

*Be It Further Resolved*, that a duly attested copy of this concurrent resolution be sent by the Secretary of the Senate to the Federal Communications Commission and to the Senators and Representatives in Congress from the State of Iowa.

#### BILL SIGNED BY THE GOVERNOR

A communication was received announcing that, on February 25, the Governor had approved the following bill:

Senate File 40, relating to the definition and financial responsibilities of accountants.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Stuart of Lucas, 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 188.

W. C. STUART, *Chairman Senate Committee.*

JOHN A. WALKER, *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 188.

#### BILL SENT TO THE GOVERNOR

Senator Stuart of Lucas, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 26th day of February, 1953, sent to the Governor for his approval: Senate File 188.

W. C. STUART, *Chairman.*

Passed on file.

#### PROOF OF PUBLICATION

Published copy of House File 374 and verified proof of publication of said bill in the Morning Democrat (Davenport) on February 24, 1953, was filed with the Secretary of the Senate prior to the time said bill was placed on passage.

CARROLL A. LANE,  
*Secretary of the Senate.*

#### REPORT OF COMMITTEE

Senator Watson of Pottawattamie submitted the following report:

MR. PRESIDENT: Your committee on election reform, to which was referred **House File 213**, a bill for an act to permit members of the armed forces to vote in primary and general elections and to provide for the amendment of certain sections of the Code 1950, relating to election requirements, 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

- 1 Amend Senate File 201 by adding thereto the following section:
- 2 "This act shall be in force and effect for two years
- 3 from and after July 4, 1953."

W. ELDON WALTER.

- 1 Amend Senate File 210, section 2, line 4, by striking
- 2 the word "by" and inserting in lieu thereof the word "be".

E. K. BEKMAN.

#### SENATE FILE 252

- 1 Amend Senate File 252 by inserting after the period (.)
- 2 in line 23, section 2, the following:
- 3 "Any member of such system as of the date of termination
- 4 thereof may, in lieu of receiving the cash refund of his
- 5 share of the liquidation fund, elect to come under the
- 6 coverage of any new pension and annuity retirement system
- 7 established by the district, to which he is eligible, with
- 8 credits toward future benefits in consideration of his prior
- 9 contributions and length of service, and may direct the
- 10 transfer of the amount payable to him to the assets of the
- 11 new pension and annuity retirement system."

HERMAN M. KNUDSON.

#### EXPLANATION

Of amendment to Senate File 252

- 1 It is the purpose of this amendment to permit a
- 2 teacher who will be entitled to a refund upon liquidation of
- 3 a local system to elect to have his refund transferred to any
- 4 new pension and annuity retirement system which may later be
- 5 established by the district, with credits toward future
- 6 benefits in said new system in consideration of his prior
- 7 contribution and service. It is to be noted that this
- 8 provision is identical in substance with section five (5) of
- 9 Senate File 112 which makes the same provisions for the benefit
- 10 of state employees who are entitled to cash refunds upon
- 11 dissolution of the state system.

By KNUDSON.

1 Amend House File 157 by adding thereto the following  
2 section:  
3 "Sec. 2. Section one hundred seventy-three point two  
4 (173.2), subsection eight (8), Code 1950, is hereby amended by  
5 striking from lines two (2) and three (3) the words "corn and  
6 small grain growers" and inserting in lieu thereof the words  
7 "crop improvement".

8 Further amend House File 157 by striking the period (.)  
9 at the end of line 3 of the title and adding the  
10 following:  
11 " , and section one hundred seventy-three point two (173.2),  
12 Code 1950, relating to the state fair board."

HARRY E. WEICHMAN.

1 Amend House File 130 by adding a new section as  
2 follows:  
3 "Sec. 2. Strike the period (.) after the word  
4 'chapter' in line five (5) of section two hundred  
5 thirty-two point thirty-six (232.36) and add the  
6 following: ', providing, however, that the board  
7 of supervisors in counties having a population of  
8 more than one hundred fifty thousand (150,000) may  
9 annually levy a tax of not to exceed one-half ( $\frac{1}{2}$ )  
10 mill for the above purposes.'"

GEORGE O'MALLEY.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 27, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend J. M. Kennedy, pastor of the First Presbyterian Church, Muscatine, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Van Eaton for the day on request of Senator Lynes; Senator Watson of O'Brien for the day on request of Senator Hedin.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Prentis from residents of Union County favoring proposed legislation relating to rebuilding of the Iowa Soldiers' Home at Marshalltown.

By Senator Van Eaton from residents of Woodbury County opposing proposed legislation relating to secondary roads.

## PRESENTATION OF VISITORS

Senator Grimstead asked and received unanimous consent to present to the Senate the members of the girls' basketball team of Fertile, the hometown of Lieutenant Governor Elthon, who were present in the Senate chamber accompanied by Mrs. Larry Ritter and Mrs. Glen Purcell.

Senator Dewel asked and received unanimous consent to present to the Senate the members of the girls' basketball team of the Grant Township School of Ledyard who were present in the Senate chamber accompanied by their coach, Orville V. Nelson.

Senator Walter asked and received unanimous consent to present to the Senate the members of the junior and senior classes of the Beaman Consolidated School who were present in the balcony accompanied by their superintendent, Arthur Perry.

Senator Vest asked and received unanimous consent to present to the Senate thirty-seven members of the seventh and eighth grade

classes of the Churdan Public School who were present in the balcony accompanied by Mr. Boyd.

Senator Miller asked and received unanimous consent to present to the Senate nine students of the Fairview Polk Township Rural School who were present in the balcony accompanied by Mrs. Garneth Hill.

#### INTRODUCTION OF BILLS

Senate File 368, by committee on claims, a bill for an act to make appropriations to certain named persons in settlement of claims against the State of Iowa.

Read first and second times, and passed on file.

Senate File 369, by committee on claims, a bill for an act to make appropriations to Fern E. Sharp, Elkader, Iowa; Philip T. Hedin, Davenport, Iowa; Stanley L. Hart, Keokuk, Iowa; Morse E. Crosier, Coggon, Iowa; Howard E. Brookings, Oakland, Iowa; G. T. Clark, Knoxville, Iowa.

Read first and second times, and passed on file.

Senate File 370, by committee on military affairs, a bill for an act relating to the assignment of space in buildings on the capitol grounds for military and veterans organizations.

Read first and second times, and passed on file.

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

#### HOUSE CONCURRENT RESOLUTION 14

*Whereas*, the Honorable Arch W. McFarlane, of Black Hawk County, is recognized as the dean of the General Assembly, having served in more sessions and occupied more legislative offices in the General Assembly than any other person in the history of the state, and

*Whereas*, the Honorable Frank C. Byers, of Linn County, has served in more continuous sessions of the General Assembly than any other person in the history of the state,

*Now, Therefore, Be It Resolved by the House, the Senate Concurring:* That a joint session of the House and Senate of the Fifty-fifth General Assembly be held at 11:30 a.m., March 11, 1953, for the purpose of honoring these two veteran legislators.

The motion prevailed and the resolution was unanimously adopted.

## HOUSE AMENDMENTS CONSIDERED

Senator Weichman called up for consideration Senate File 19, a bill for an act to amend sections one hundred sixty-three point two (163.2) and one hundred sixty-three point fifteen (163.15), Code 1950, relating to the designation of communicable diseases among animals, and providing for a program of indemnity in case of condemnation and killing of infected animals, amended by the House, and moved that the Senate concur in the following amendments:

1. Amend Senate File 19, section 2, by adding after line 31 the following: "No indemnity shall be allowed for infected animals if it is determined by the department of agriculture that such animals have been fed raw garbage."

2. Further amend by adding to Senate File 19 the following section: "Sec. 3. This act, being deemed of immediate importance, shall take effect and be in full force on June 1, 1953, from and after its passage and publication in the Eldora Herald-Ledger, a newspaper published at Eldora, Iowa, and in the Marshalltown Times-Republican, a newspaper published at Marshalltown, Iowa."

The Senate concurred in the House amendments.

Senator Weichman moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

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

Ayes, 46:

Anderson	Elijah	Molison	Stewart of
Bateson	Grimstead	Myrland	Mahaska
Bekman	Hart	Nelson	Stuart of Lucas
Bellman	Hedin	Nesmith	Utzig
Berg	Heideman	Nolan	Vest
Boothby	Johnson	Oltman	Walter
Byers	Larson	O'Malley	Washburn
Clark	Linnevold	Prentis	Watson of
Colburn	Lord	Risk	Pottawattamie
Dailey	Lucas	Sayre	Weichman
Dewel	Lynes	Schoening	Whitehead
Dykhouse	Miller	Scott	Zastrow

Nays, none.

Absent or not voting, 4:

Fishbaugh	Van Eaton	Watson of
Knudson		O'Brien

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.

## THIRD READING OF BILLS

On motion of Senator Nolan, Senate File 151, a bill for an act to amend section three hundred twenty-one point fifty-four (321.54), Code 1950, relating to the registration of motor vehicles of nonresident carriers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Nolan moved that the bill be read a third 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	Elijah	Molison	Stewart of
Bateson	Grimstead	Myrland	Mahaska
Bekman	Hart	Nelson	Stuart of Lucas
Bellman	Hedin	Nesmith	Utzig
Berg	Heideman	Nolan	Vest
Boothby	Johnson	Oltman	Walter
Byers	Larson	O'Malley	Washburn
Clark	Linnevold	Prentis	Watson of
Colburn	Lord	Risk	Pottawattamie
Dailey	Lucas	Sayre	Weichman
Dewel	Lynes	Schoening	Whitehead
Dykhous	Miller	Scott	Zastrow

Nays, none.

Absent or not voting, 4:

Fishbaugh	Van Eaton	Watson of
Knudson		O'Brien

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

On motion of Senator Nolan, Senate File 152, a bill for an act to amend section three hundred twenty-five point six (325.6), Code 1950, relating to certificates of convenience and necessity for motor carriers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Nolan moved that the bill be read a third 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	Boothby	Dewel	Hedin
Bateson	Byers	Dykhous	Heideman
Bekman	Clark	Elijah	Johnson
Bellman	Colburn	Grimstead	Larson
Berg	Dailey	Hart	Linnevold

Lord	Nesmith	Schoening	Walter
Lucas	Nolan	Scott	Washburn
Lynes	Oltman	Stewart of	Watson of
Miller	O'Malley	Mahaska	Pottawattamie
Molison	Prentis	Stuart of Lucas	Whitehead
Myrland	Risk	Utzig	Zastrow
Nelson	Sayre	Vest	Weichman

Nays, none.

Absent or not voting, 4:

Fishbaugh	Van Eaton	Watson of
Knudson		O'Brien

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 201, a bill for an act to amend section six hundred five point two (605.2), Code 1950, relating to expenses of supreme court judges, was taken up, and considered.

Senator Walter offered the following amendment:

Amend Senate File 201 by adding thereto the following section:

"This act shall be in force and effect for two years from and after July 4, 1953."

Senator Lynes moved that Senate File 201 be re-referred to the committee on compensation of public officers and employees.

Division was called for.

The motion was lost.

Senator Walter moved that Senate File 201 be laid on the table.

Roll call was requested.

On the question "Shall Senate File 201 be laid on the table?" the vote was:

Ayes, 3:

Clark	Nelson	Walter
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Nays, 41:

Anderson	Hart	Myrland	Stewart of
Bateson	Hedin	Nesmith	Mahaska
Bekman	Heideman	Nolan	Stuart of Lucas
Bellman	Johnson	Oltman	Utzig
Berg	Larson	O'Malley	Vest
Boothby	Linnevold	Prentis	Washburn
Colburn	Lord	Risk	Watson of
Dailey	Lucas	Sayre	Pottawattamie
Dewel	Lynes	Schoening	Weichman
Elijah	Miller	Scott	Whitehead
Grimstead	Molison		Zastrow

Absent or not voting, 6:

Byers	Fishbaugh	Van Eaton	Watson of
Dykhouse	Knudson		O'Brien

The motion to table was lost.

Senator Walter moved the adoption of his amendment.

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 13:

Anderson	Elijah	Molison	Sayre
Boothby	Lord	Nelson	Schoening
Clark	Lynes	Prentis	Walter
Colburn			

Nays, 26:

Bateson	Johnson	Oltman	Vest
Bekman	Larson	O'Malley	Washburn
Dailey	Lucas	Scott	Watson of
Dewel	Miller	Stewart of	Pottawattamie
Grimstead	Myrland	Mahaska	Weichman
Hart	Nesmith	Stuart of Lucas	Whitehead
Heideman	Nolan	Utzig	Zastrow

Absent or not voting, 11:

Bellman	Dykhouse	Knudson	Van Eaton
Berg	Fishbaugh	Linnevold	Watson of
Byers	Hedin	Risk	O'Brien

The amendment was lost.

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

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

Ayes, 32:

Anderson	Hart	Nesmith	Stuart of Lucas
Bateson	Hedin	Nolan	Utzig
Bekman	Heideman	Oltman	Vest
Bellman	Johnson	O'Malley	Watson of
Byers	Linnevold	Risk	Pottawattamie
Dailey	Lord	Scott	Weichman
Dewel	Lucas	Stewart of	Whitehead
Elijah	Miller	Mahaska	Zastrow
Grimstead	Molison		

Nays, 13:

Boothby	Larson	Nelson	Schoening
Clark	Lynes	Prentis	Walter
Colburn	Myrland	Sayre	Washburn
Dykhouse			

Absent or not voting, 5:

Berg	Knudson	Watson of
Fishbaugh	Van Eaton	O'Brien

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 18, 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 increasing the limits without requiring medical examination, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 45:

Anderson	Grimstead	Myrland	Stewart of
Bateson	Hart	Nelson	Mahaska
Bekman	Hedin	Nesmith	Stuart of Lucas
Bellman	Heideman	Nolan	Utzig
Berg	Johnson	Oltman	Vest
Boothby	Larson	O'Malley	Walter
Byers	Linnevold	Prentis	Washburn
Clark	Lord	Risk	Watson of
Colburn	Lucas	Sayre	Pottawattamie
Dailey	Lynes	Schoening	Weichman
Dewel	Miller	Scott	Whitehead
Dykhouse	Molison		Zastrow

Nays, none.

Absent or not voting, 5:

Elijah	Knudson	Watson of
Fishbaugh	Van Eaton	O'Brien

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 215, a bill for an act relating to the presidential electors and to amend sections fifty-four point six (54.6) and fifty-four point eight (54.8), Code 1950, 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, 44:

Anderson	Berg	Dailey	Hart
Bateson	Boothby	Dewel	Hedin
Bekman	Byers	Dykhouse	Heideman
Bellman	Clark	Grimstead	Johnson

Larson	Nelson	Schoening	Walter
Linnevold	Nesmith	Scott	Washburn
Lord	Nolan	Stewart of	Watson of
Lucas	Oltman	Mahaska	Pottawattamie
Lynes	O'Malley	Stuart of Lucas	Weichman
Miller	Prentis	Utzig	Whitehead
Molison	Risk	Vest	Zastrow
Myrland	Sayre		

Nays, none.

Absent or not voting, 6:

Colburn	Fishbaugh	Van Eaton	Watson of
Elijah	Knudson		O'Brien

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 218, a bill for an act to provide for the transfer of funds from "the state sinking fund for public deposits" to the state general fund, 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, 41:

Anderson	Hart	Nelson	Stewart of
Bateson	Hedin	Nesmith	Mahaska
Bekman	Heideman	Nolan	Stuart of Lucas
Bellman	Johnson	Oltman	Utzig
Berg	Larson	O'Malley	Vest
Boothby	Linnevold	Prentis	Walter
Byers	Lord	Risk	Washburn
Clark	Lucas	Sayre	Watson of
Dailey	Lynes	Schoening	Pottawattamie
Dewel	Miller	Scott	Whitehead
Grimstead	Molison		Zastrow

Nays, none.

Absent or not voting, 9:

Colburn	Elijah	Van Eaton	Weichman
Dykhouse	Knudson	Watson of	
Fishbaugh	Myrland	O'Brien	

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 Stuart of Lucas, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 28 and 258 and House Files 14 and 165.

W. C. STUART, *Chairman Senate Committee.*

JOHN A. WALKER, *Chairman House Committee.*

Report adopted.

#### BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate Files 28 and 258 and House Files 14 and 165.

#### BILLS SENT TO THE GOVERNOR

Senator Stuart of Lucas, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 27th day of February, 1953, sent to the Governor for his approval: Senate Files 28 and 258.

W. C. STUART, *Chairman.*

Passed on file.

#### BILL SIGNED BY THE GOVERNOR

A communication was received announcing that, on February 26, the Governor had approved the following bill:

Senate File 188, relating to municipal waterworks.

#### APPOINTMENT OF SIFTING COMMITTEE

In accordance with Senate Rule 37, President Elthon announced the appointment of the following Senators as members of the Sifting committee: Zastrow, chairman; Lynes, ranking member; Bekman, Berg, Dewel, Hart, Myrland, Oltman, Prentis, Watson, O'Brien, Watson of Pottawattamie, Weichman and Miller.

#### REPORT OF COMMITTEE

Senator Hedin submitted the following report:

MR. PRESIDENT: Your committee on public lands and buildings, to which was referred **Senate File 308**, a bill for an act authorizing and empowering the executive council to sell certain lands belonging to the State of Iowa situated in the southeast quarter of section twenty-four, township seventy-eight north, range three east of the fifth principal meridian, Scott County, Iowa, 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.

## AMENDMENT FILED

- 1 Amend Senate File 334 by striking from section 1 all of
- 2 subsection 7 and inserting in lieu thereof the following:
- 3 "7. Strike all of subsection 23."

W. C. STUART of Lucas.

On motion of Senator Zastrow, and in accordance with Senate Concurrent Resolution 6, duly adopted, the Senate adjourned until 11:00 a.m., Monday, March 9, 1953.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 9, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Monsignor A. A. Halbach, Archdiocesan Director of the Bureau of Education, Dubuque, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Bateson from residents of Wright County in opposition to proposed legislation relating to secondary roads.

By Senator Knudson from residents of Cerro Gordo County favoring proposed legislation relating to licensing of auctions outside cities and towns.

By Senator Utzig from residents of Dubuque County in opposition to proposed legislation relating to employment of minors.

By Senator Whitehead from residents of Dallas County favoring proposed legislation relating to triangular packaging of oleomargarine.

By the following Senators in opposition to proposed legislation relating to fraternal beneficial associations:

Senator Bateson from residents of Franklin, Hardin and Wright Counties.

Senator Lord from residents of Muscatine County.

By Senator Washburn from residents of Mills County.

By the following Senators favoring proposed legislation relating to the rebuilding of the Iowa Soldiers' Home at Marshalltown.

By Senator Bateson from residents of Hardin County.

By Senator Prentis from residents of Union County.

By Senator Schoening from residents of Clinton County.

By Senator Whitehead from residents of Audubon County.

By the following Senators in opposition to proposed legislation creating in the office of the secretary of state a division of occupational registration :

By Senator Larson from residents of Adams and Pottawattamie Counties.

By Senator Washburn from residents of Adams County.

By Senator Watson from residents of Pottawattamie County.

By Senator Whitehead from residents of Adams and Pottawattamie Counties.

By the following Senators favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance :

By Senator Bateson from residents of Hamilton, Hardin and Linn Counties.

By Senator Heideman from residents of Calhoun and Webster Counties.

By Senator Lord from residents of Cass and Union Counties.

By Senator Nesmith from residents of Jasper County.

By Senator Prentis from residents of Ringgold County.

By Senator Scott from residents of Allamakee and Fayette Counties.

By Senator Stewart from residents of Mahaska County.

By Senator Watson of Pottawattamie from residents of Pottawattamie County.

#### INTRODUCTION OF BILLS

Senate File 371, by committee on public lands and buildings, a bill for an act to provide for the erecting and equipping of a warehouse on state grounds; to provide for the appointment of a legislative advisory committee and authorize the executive council and legislative advisory committee to designate the location of said building; to authorize the executive council and legislative advisory committee to employ an architect or architects to prepare plans and specifications for said building; and to enter into a contract

or contracts for the erection and equipping of said warehouse; and to provide for the payment thereof.

Read first and second times, and passed on file.

Senate File 372, by committee on military affairs, a bill for an act to authorize the World War II Service Compensation Board to pay World War II Service Compensation to applicants who file applications therefor between January 1, 1951, and June 30, 1953, inclusive, and to make an appropriation therefor.

Read first and second times, and passed on file.

### THIRD READING OF BILLS

On motion of Senator Dewel, Senate File 199, a bill for an act to amend chapter one hundred eight (108), Code 1950, to require certain conservation practices in connection with the construction of artificial lakes on intermittent streams, was taken up, and considered.

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, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 Fishbaugh, House Joint Resolution 3, a joint resolution to authorize the Board of Control of State Institutions to cooperate with the City of Clarinda in the construction,

enlargement, operation and maintenance of a sewage disposal plant and outfall sewer line and system, to serve both the Mental Health Institute, Clarinda, Iowa, and the City of Clarinda, and to pay to said city certain sums therefor, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered:

Amend House Joint Resolution 3 by striking from lines 2 and 3 of section 3 the words "for operation and maintenance" and inserting in lieu thereof the words "the amount of the agreed contribution for services rendered".

The amendment was adopted.

Senator Fishbaugh 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	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

Nays, none.

Absent or not voting, none.

The resolution 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 41, a bill for an act empowering cities and towns located nearby or adjacent to state controlled institutions to enter into agreements with said state institution for construction, operation and maintenance of sewage systems, sewage disposal plants and sewer lines in conjunction and cooperation with said state institution, and to serve the state institution as a customer, whether within or without the corporate limits of said city or town, and to finance the same, with report of

committee recommending passage, was taken up, considered, and the report of the committee 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, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 Weichman, the Senate recessed until 1:00 p.m.

### AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Dewel for the afternoon on account of illness on request of Senator Lucas.

### PRESENTATION OF VISITORS

Senator O'Malley asked and received unanimous consent to present to the Senate sixty students of the educational classes of Drake University who were present in the balcony accompanied by Doctors Bearan and Weakley.

### THIRD READING OF BILLS

On motion of Senator Weichman, Senate File 108, 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, 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 108 by striking all after the enacting clause and inserting in lieu thereof the following: "Any lot or lots of less than ten (10) acres, within the city limits of any city or town shall, until improved by the completion of a dwelling or any other building unit constructed thereon or until the expiration of a period of five years from the recording of the plat in which it is located, or until sold by the owner platting the same, whichever first occurs, be assessed at not in excess of that proportion of the value of the entire tract as last assessed before being platted, that its area bears to the area of the entire tract so platted."

Further amend the title to Senate File 108 by striking all after the word "Act" and inserting in lieu thereof the following: "relating to the assessment for taxation of lots of less than ten (10) acres within a city or town, which are included in and part of a subdivision or plat within said city or town."

Senator Byers 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.

On motion of Senator Bekman, Senate File 224, a bill for an act to amend section five hundred two point twenty-seven (502.27), Code 1950, relating to violations of the Iowa securities law and providing penalties therefor, was taken up, and considered.

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

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

**Ayes, 39:**

Anderson	Fishbaugh	Nesmith	Stuart of Lucas
Bateson	Grimstead	Nolan	Van Eaton
Bekman	Hart	Oltman	Vest
Bellman	Johnson	O'Malley	Walter
Berg	Knudson	Prentis	Washburn
Boothby	Larson	Risk	Watson of
Byers	Lord	Sayre	O'Brien
Colburn	Lucas	Schoening	Watson of
Dailey	Lynes	Scott	Pottawattamie
Dykhouse	Molison	Stewart of	
Elijah	Myrland	Mahaska	

**Nays, 9:**

Hedin	Miller	Utzig	Whitehead
Heideman	Nelson	Weichman	Zastrow
Linnevoold			

Absent or not voting, 2:

Clark Dewel

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 220, a bill for an act to amend chapter one hundred eighty-eight (188), Acts of the Fifty-fourth General Assembly, relating to accident and sickness insurance policies and riders or endorsements that may be attached thereto, 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, 45:

Anderson	Hart	Myrland	Stuart of Lucas
Bateson	Hedin	Nesmith	Utzig
Bekman	Heideman	Nolan	Van Eaton
Bellman	Johnson	Oltman	Vest
Boothby	Knudson	O'Malley	Walter
Byers	Larson	Prentis	Washburn
Colburn	Linnevold	Risk	Watson of
Dailey	Lord	Sayre	O'Brien
Dykhouse	Lucas	Schoening	Watson of
Elijah	Lynes	Scott	Pottawattamie
Fishbaugh	Miller	Stewart of	Whitehead
Grimstead	Molison	Mahaska	Zastrow

Nays, 1:

Weichman

Absent or not voting, 4:

Berg Clark Dewel Nelson

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 228, a bill for an act to amend section four hundred fifty-five point one hundred sixty-two (455.162), Code 1950, relating to the authorization of governing bodies of drainage or levee districts to invest funds, 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, 48:

Anderson	Hart	Nelson	Utzig
Bateson	Hedin	Nesmith	Van Eaton
Bekman	Heideman	Nolan	Vest
Bellman	Johnson	Oltman	Walter
Berg	Knudson	O'Malley	Washburn
Boothby	Larson	Prentis	Watson of
Byers	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dykhouse	Lynes	Scott	Weichman
Elijah	Miller	Stewart of	Whitehead
Fishbaugh	Molison	Mahaska	Zastrow
Grimstead	Myrland	Stuart of Lucas	

Nays, none.

Absent or not voting, 2:

Clark Dewel

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

## COMMUNICATION FROM THE STATE COMPTROLLER

The following communication was received from the State Comptroller:

OFFICE  
STATE COMPTROLLER

March 3, 1953.

TO THE SECRETARY OF THE SENATE AND CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES:

In accordance with the provisions of chapter 25, Code of Iowa, 1950, there are submitted herewith claims acted upon by the State Appeal Board on February 27, 1953. Each claim bears the recommendation of the board.

Claims of a general nature are numbers 150, 207, 208, 214, 216, 217, 220, 225, 226, 227, 229 and 230; also, highway commission claims numbers 81, 82, 101, 102, 184, 185, 191, 195, 196, 219, 220 through 226, 230 through 238.

GLENN D. SANSFIELD,  
*Chairman, State Appeal Board.*

No.	Name of Claimant and Nature of Claim	Amount of Claim
150	Mrs. C. R. Treanor, Des Moines, Iowa—Claim for injuries while walking on sidewalk alongside of amphitheater at Iowa State Fairgrounds.....	\$ 501.16
207	O'Keefe & Towne Funeral Home, Waterloo, Iowa—Claimant furnished funeral services for Catherine Dunnwald, a former old age recipient. Deceased was removed from rolls of old age pensioners in February, 1950 .....	150.00
208	Fry & Holland Funeral Home, Vinton, Iowa—Claimant furnished all funeral services for Clarence E. Spurgeon, an old age recipient.....	150.00

No.	Name of Claimant and Nature of Claim	Amount of Claim
214	Emil Hawkinson, Forest City, Iowa—Claim for 15 acres of corn destroyed on claimant's farm and 100 bushels of corn eaten from open cribs by deer.....	980.00
216	Community Memorial Hospital, Clarion, Iowa—Claim for refund of use tax on purchase of merchandise from an out of state supplier.....	498.23
217	Nodaway Drainage District, Clarinda, Iowa—Claim for drainage assessments against state owned property at Clarinda .....	4,476.41
220	Allamakee County, Waukon, Iowa—Claim for refund of sales tax .....	1,266.95
225	Treasurer of Henry County, Mount Pleasant, Iowa—Claim for agricultural land credit tax refund for the year 1952 .....	82.44
226	Treasurer of Hardin County, Eldora, Iowa—Claim for agricultural land credit tax refund for the year 1952.....	2,358.51
227	McGann Funeral and Ambulance Service, South Bend, Indiana—Claim for funeral services for Laura Helmke, an old age pension recipient.....	150.00
229	Pilot Mound Consolidated School, Pilot Mound, Iowa—Claim for sales tax refund.....	92.43
230	The Columbia Institution for the Deaf, Washington, D. C.—Textbooks and fees at claimant's institution school for the deaf for the school year 1951 and 1952 for Darlene Darrah .....	34.35
Highway Commission Claims		
H-81-53	Iowa Hardware Mutual Insurance Co., Mason City, Iowa—To reimburse claimant for expenditures on auto collision insurance policy of Mrs. Rosepearl Tharp for cost of repairs to 1949 Chevrolet sedan which was damaged in collision with Highway Commission truck .....	273.81
H-82-53	Mrs. Rosepearl Tharp, Des Moines, Iowa—Deductible item on auto collision insurance policy on Chevrolet sedan which was damaged in collision with Highway Commission truck .....	50.00
H-101-53	B. W. Kugler, Oelwein, Iowa—Claim for repairs to claimant's car which was involved in an accident with Highway Commission truck.....	50.00
H-102-53	Motors Insurance Corp., Des Moines, Iowa—To reimburse claimant for expenditures on its collision insurance contract with B. W. Kugler whose car was involved in an accident with a Highway Commission truck .....	619.38
H-184-53	Ray J. Pipke, Milwaukee, Wisconsin—To reimburse claimant for repairs to his auto, alleged medical expense and loss of wages, and payment for purported pain and suffering as a result of collision with Highway Commission truck and snow plow.....	753.69

No.	Name of Claimant and Nature of Claim	Amount of Claim
H-185-53	Phillip Samolinski, Milwaukee, Wisconsin—To reimburse claimant for medical and hospital expense due to personal injuries received in collision with Iowa State Highway Commission snow plow truck, including payment for alleged loss of wages and purported pain and suffering .....	1,187.55
H-191-53	Herman Boyer, Elgin, Iowa—To reimburse claimant for repairs to his truck which was involved in a collision with a Highway Commission truck and snow plow .....	286.82
H-195-53	Yellow Cab Company, Mason City, Iowa—To reimburse claimant for repairs to its car which was involved in collision with a Highway Commission truck and snow plow .....	498.79
H-196-53	National Indemnity Company, Omaha, Nebraska—To reimburse claimant for expenditure on insurance contract with Yellow Cab Co. of Mason City which covered personal injury and workmen's compensation payments to Earl W. Sweet, who was involved in a collision with a Highway Commission truck and snow plow .....	852.38
H-219-53	Thomas P. Lenz, Saint Ansgar, Iowa—To reimburse claimant for his estimated loss of anticipated income from sale of tomatoes because of weed spray drift claimed to have damaged the plants on his farm.....	3,000.00
H-220-53	General Casualty Company, Des Moines, Iowa—To reimburse claimant for expenditures on its collision insurance contract with the Ward Motor Implement Company whose car was in a collision with a Highway Commission truck and snow plow.....	93.56
H-221-53	Ward's Motor Implement, Inc., Scranton, Iowa—Deductible item on collision insurance.....	50.00
H-222-53	H. M. Kauffman, Harlan, Iowa—To reimburse claimant for expense following an accident when he drove his car into a wash-out.....	539.43
H-223-53	Darrell White, Vallejo, California—To reimburse claimant for personal injuries and repairs to his motorcycle which was damaged when the vehicle ran into a hole in the pavement.....	8,251.30
H-224-53	Ralph M. Morgan, Amarillo, Texas—To reimburse claimant for personal injuries and repairs to his motorcycle which was damaged when the vehicle ran into a hole in the pavement.....	4,409.00
H-225-53	Maynard Odden, Mason City, Iowa—To reimburse claimant for repairs to his car which was damaged while avoiding a collision with a Highway Commission truck and snow plow.....	76.57
H-226-53	Russell-Miller Milling Co., Sioux City, Iowa—To reimburse claimant for estimated cost of repairs to their truck and semi-trailer that was involved in a collision with a Highway Commission truck and snow plow .....	301.85

No.	Name of Claimant and Nature of Claim	Amount of Claim
H-230-53	Midwest American Mutual Insurance Co., Des Moines, Iowa—To reimburse claimant for expenditures on its collision insurance contract with Woodrow Brandenburg whose car was involved in a collision with a Highway Commission truck.....	61.05
H-231-53	Woodrow Brandenburg, Creston, Iowa — Deductible item on auto collision policy.....	50.00
H-232-53	Mrs. Wayne Short, Fairfax, Iowa—To reimburse claimant for repairs to her car which was involved in a collision with a Highway Commission truck and snow plow .....	94.23
H-233-53	Robert Musgrove, Unionville, Missouri—To reimburse claimant for repairs to his car which was involved in a collision with a Highway Commission truck .....	254.15
H-234-53	Francis J. Brogan, Chicago, Illinois—To reimburse claimant for repairs to his truck and semi-trailer which were involved in a collision with a Highway Commission truck .....	1,684.22
H-235-53	Forrest D. Blakesley, Mason City, Iowa—To reimburse claimant for repairs to his car which was involved in a collision with a Highway Commission truck and snow plow.....	275.79
H-236-53	Earl Bohl, Sioux City, Iowa—To reimburse claimant for repairs to his car which was involved in a collision with a Highway Commission rotary snow plow..	324.46
H-237-53	Robert J. Murphy, Iowa Falls, Iowa—To reimburse claimant for repairs to his car which was involved in a collision with a Highway Commission motor grader.....	55.35
H-238-53	Gamble-Robinson Company, Minneapolis, Minnesota —To reimburse claimant for repairs to their truck which was involved in a collision with a Highway Commission truck and snow plow.....	85.97

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Stuart of Lucas, 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 19.

W. C. STUART, *Chairman Senate Committee.*

JOHN A. WALKER, *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 19.

## BILL SENT TO THE GOVERNOR

Senator Stuart of Lucas, 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 March, 1953, sent to the Governor for his approval: Senate File 19.

W. C. STUART, *Chairman.*

Passed on file.

## BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that, on February 27, 1953, the Governor had approved the following bills:

Senate File 28, relating to the return of the assets of the Iowa Rural Rehabilitation Corporation now dissolved and providing for the future administration of such assets.

Senate File 258, relating to the regulation of garbage by the department of agriculture.

## RESIGNATION OF EMPLOYEES

Senator Grimstead announced the resignation of his committee clerk, Helyne Lawrence, effective March 9, 1953.

Senator Risk announced the resignation of his committee clerk, Betty O'Brien, effective March 9, 1953.

## APPOINTMENT OF COMMITTEE CLERKS

Senator Grimstead announced the appointment of Dorothy Kelley as his committee clerk.

Senator Risk announced the appointment of Patricia Axline as his committee clerk.

## PROOFS OF PUBLICATION

Published copy of Senate File 296 and verified proof of publication of said bill in the Spirit Lake Beacon on February 26, 1953, 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 348 and verified proof of publication of said bill in the Spirit Lake Beacon on February 26, 1953, was filed with the Secretary of the Senate prior to the time said bill was placed on passage.

Published copy of House File 383 and verified proof of publication of said bill in the Iowa Bystander, Des Moines, Iowa, on February 19, 1953, was filed with the Secretary of the Senate prior to the time said bill was placed on passage.

CARROLL A. LANE,  
*Secretary of the Senate.*

## REPORT OF COMMITTEE

Senator Bateson submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred Senate File 128, a bill for an act relating to the establishment of county supervisor districts, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Senate File 128 by inserting after the semi-colon (;) in line 8 the following: "by striking from line 5 'between 6,000 and 7,000' and inserting in lieu thereof 'six thousand (6,000)'".

R. R. BATESON, *Chairman.*

Ordered passed on file.

## ASSIGNMENT OF BILLS

President Elthon announced the assignment of the following bills to committee:

- S. F. 331 Cities and towns
- S. F. 332 Social security
- S. F. 333 Judiciary 1
- S. F. 334 Printing
- S. F. 335 Calendar
- S. F. 336 Calendar
- S. F. 337 Calendar
- S. F. 338 Compensation of public officers and employees
- S. F. 339 Compensation of public officers and employees
- S. F. 340 Board of control
- S. F. 341 Social security
- S. F. 342 Judiciary 1
- S. F. 343 Agriculture
- S. F. 344 Agriculture
- S. F. 345 Judiciary 1
- S. F. 346 Calendar
- S. F. 347 Calendar
- S. F. 348 Labor
- S. F. 349 Cities and towns
- S. F. 350 Labor
- S. F. 351 Judiciary 1
- S. F. 352 Motor vehicles
- S. F. 353 Judiciary 2
- S. F. 354 Schools and educational institutions
- S. F. 355 Schools and educational institutions
- S. F. 356 Agriculture

- S. F. 357 Appropriations
- S. F. 358 Cities and towns
- S. F. 359 Manufacturing, commerce and trade
- S. F. 360 Agriculture
- S. F. 361 Agriculture
- S. F. 362 Judiciary 2
- S. F. 363 Judiciary 2
- S. F. 364 Judiciary 2
- S. F. 365 Compensation of public officers and employees
- S. F. 366 Motor vehicles
- S. F. 367 Judiciary 2
- S. F. 368 Appropriations
- S. F. 369 Appropriations
- S. F. 370 Calendar
- S. F. 371 Appropriations
- S. F. 372 Appropriations

#### AMENDMENTS FILED

- 1 Amend Senate File 219 by striking all after the
- 2 enacting clause and inserting in lieu thereof the
- 3 following:
- 4 Sec. 1. Section five hundred fifteen point one
- 5 hundred nine (515.109), Code 1950, is hereby amended
- 6 by adding after the word "policies" in line two (2)
- 7 thereof the following; " , and of applications, and
- 8 of agreements for endorsements modifying the provisions
- 9 of policies,".

ELMER K. BEKMAN.

- 1 Amend Senate File 338 by adding a new section as follows:
- 2 "Sec. 2. Section six hundred five point thirteen (605.13),
- 3 Code 1950, is amended by adding at the end thereof the follow-
- 4 ing: 'At the time of his election he shall be not more than
- 5 seventy years of age.'"
- 6 Further amend Senate File 338 by correcting the title to
- 7 read as follows:
- 8 "An act to amend sections six hundred five point one (605.1)
- 9 and six hundred five point thirteen (605.13), Code 1950, relating
- 10 to the salaries and qualifications of district court judges."

C. EMORY STEWART.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 10, 1953.

The Senate met in regular session, President Elthon 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 Fayette County in opposition to proposed legislation relating to employment of minors.

By Senator Colburn from residents of Cass County urging conscientious road legislation.

By Senator Larson from residents of Adams County favoring proposed legislation relating to secondary roads.

By Senator Nolan from residents of Johnson County in opposition to proposed legislation relating to class "C" beer permits.

By Senator Prentis from residents of Ringgold County favoring proposed legislation relating to vacation with pay for county employees.

By Senator Utzig from residents of Dubuque County in opposition to proposed legislation creating in the office of the secretary of state a division of occupational registration.

By Senator Whitehead from residents of Dallas County favoring proposed legislation relating to licensing of auctions outside cities and towns.

By the following Senators favoring proposed legislation relating to the election of county assessors:

By Senator Molison from residents of Poweshiek County.

By Senator Stewart from residents of Mahaska County.

By the following Senators favoring proposed legislation relating to the equipment of rail track motor cars:

By Senator Knudson from residents of Cerro Gordo County.

By Senator Linnevold from residents of Winneshiek County.

By Senator Utzig from residents of Dubuque County.

By the following Senators in opposition to proposed legislation relating to fraternal beneficial associations:

By Senator Hedin from residents of Muscatine County.

By Senator Johnson from residents of Clayton County.

By Senator Larson from residents of Woodbury County.

By Senator Lord from residents of Muscatine County.

By the following Senators favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance:

By Senator Colburn from residents of Cass County.

By Senator Hedin from residents of Scott County.

By Senator Heideman from residents of Calhoun County.

By Senator Utzig from residents of Dubuque County.

By Senator Van Eaton from residents of Woodbury County.

#### INTRODUCTION OF BILLS

Senate File 373, by committee on judiciary 1, a bill for an act to amend section six hundred sixty-three point three (663.3), Code 1950, relating to the allowance of writs of habeas corpus.

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

Senate File 374, by committee on judiciary 1, a bill for an act to amend section six hundred two point forty-nine (602.49), Code 1950, relating to salaries of municipal court judges.

Read first and second times, and passed on file.

Senate File 375, by committee on banks, building and loan, a bill for an act to amend section five hundred forty-one point nine (541.9), Code 1950, relating to instruments payable to bearer.

Read first and second times, and passed on file.

Senate File 376, by committee on board of control, a bill for an act to amend sections two hundred eighteen point fifty-nine (218.59), two hundred eighteen point sixty (218.60) and two hundred eighteen point sixty-three (218.63), Code 1950, relating to the construction, repair and alteration of improvements by the board of control of properties under its direction.

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 thirty members of the sixth grade class of Rice Public School who were present in the balcony with their instructor, Miss Prehm, and their principal, Miss Meneough.

Senator Berg asked and received unanimous consent to present to the Senate twenty-six students of the LaPorte City Public School who were present in the balcony with their principal, G. R. Donoval.

Senator Bellman asked and received unanimous consent to present to the Senate twenty-six members of the American government classes of the Carlisle High School who were present in the balcony with their superintendent, Harold C. Winberg.

Senator Lucas asked and received unanimous consent to present to the Senate the junior and senior members of the government and history classes of the Maxwell High School who were present in the balcony with Mr. Beasley and Mr. Shipman.

Senator Vest asked and received unanimous consent to present to the Senate thirty-four members of the government class of the Lake View High School who were present in the balcony accompanied by Robert Baker.

Senator Anderson asked and received unanimous consent to present to the Senate twenty-three members of the senior government class of the Brighton High School who were present in the balcony with their superintendent, Everett Van DeVoort.

#### UNFINISHED BUSINESS

Senator Watson of Pottawattamie called up for further consideration Senate File 2, a bill for an act to amend sections one hundred ninety point one (190.1), one hundred ninety point six (190.6), one hundred ninety-one point two (191.2) and one hundred ninety-

one point three (191.3), Code 1950, relating to imitation butter and the sale and labeling thereof, and to repeal section one hundred ninety-two point thirty-two (192.32), Code 1950, relating to the use of imitations of butter in certain state institutions, and the following House amendments:

Amend Senate File 2 as follows:

1. Section 1 by adding in line 10 immediately after the period (.) following the word "butter" the following: "The ingredients, percentage of ingredients of oleomargarine or margarine shall be plainly stamped on the package containing the same."

2. Section 3 by striking all of lines 8, 9, 10 and 11.

3. Section 3, line 14, by inserting immediately after the word "pound" the words: "except where sold for household purposes only".

4. Section 3 by striking lines 34, 35 and 36 and substituting in lieu thereof the following: "tint or shade of yellow."

5. By adding to section 3 the following paragraph:

"Such oleomargarine or margarine shall contain vitamin A in such quantity that the finished oleomargarine or margarine contains not less than fifteen thousand (15,000) United States Pharmacopoeia units of vitamin A per pound, as determined by the method prescribed in the Pharmacopoeia of the United States for the total biological vitamin A activity."

6. Section 4 by striking the word "colored" from lines 11, 12, 19 and 20.

7. Section 4 by striking the following from lines 22, 23 and 24: "bears or is accompanied by labeling identifying it as oleomargarine or margarine, or each separate serving thereof".

8. By adding as a new section following section 3 the following: "Sec. 4. Oleomargarine or margarine may be manufactured within the State of Iowa under the provisions of section three (3) of this act, except that it may be manufactured or stored in any shape or form for shipment in interstate commerce only." Also amend by renumbering the remaining sections.

9. Section 6, line 4, by inserting after the word "Administration" the words "or Agency" and by inserting at the end of line 6 of said section the following: "Any standards so established shall not be contrary to or inconsistent with the provisions of section one hundred ninety point one (190.1), subsection two (2), Code 1950, as amended, entitled 'Oleomargarine or margarine'."

10. By striking all of section 9 and renumbering the following section.

11. By adding the following section:

"Sec. 11. The word 'person' when used in this act shall mean every natural person, firm, co-partnership, association or corporation."

12. Amend the title by striking all after the word "thereof" in line 5 and inserting in lieu thereof the following: "and to fix penalties for the violation thereof."

Senator Watson moved that the Senate concur in the House amendments.

Roll call was requested.

Senator Lynes moved the previous question on the motion to concur, which motion prevailed.

Rule 8 was invoked.

On the question "Shall the Senate concur in the House amendments?" the vote was:

Ayes, 18:

Bekman	Hedin	O'Malley	Van Eaton
Byers	Lord	Sayre	Washburn
Clark	Myrland	Stewart of	Watson of
Dailey	Nelson	Mahaska	Pottawattamie
Hart	Nesmith	Stuart of Lucas	Whitehead

Nays, 32:

Anderson	Fishbaugh	Lynes	Scott
Bateson	Grimstead	Miller	Utzig
Bellman	Heideman	Molison	Vest
Berg	Johnson	Nolan	Walter
Boothby	Knudson	Oltman	Watson of
Colburn	Larson	Prentis	O'Brien
Dewel	Linnevold	Risk	Weichman
Dykhouse	Lucas	Schoening	Zastrow
Elijah			

Absent or not voting, none.

The Senate refused to concur in the House amendments.

### THIRD READING OF BILLS

On motion of Senator Byers, Senate File 229, a bill for an act to repeal section eighty-six point two (86.2), Code 1950, relating to the appointment of deputy industrial commissioners, and to enact a new section in lieu thereof, was taken up, and considered.

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

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

Ayes, 42:

Anderson	Clark	Grimstead	Lord
Bateson	Colburn	Hart	Lucas
Bekman	Dailey	Hedin	Lynes
Bellman	Dewel	Heideman	Miller
Berg	Elijah	Johnson	Molison
Byers	Fishbaugh	Linnevold	Myrland

Nesmith	Sayre	Utzig	Watson of
Nolan	Schoening	Van Eaton	Pottawattamie
Oltman	Stewart of	Vest	Weichman
O'Malley	Mahaska	Watson of	Whitehead
Prentis	Stuart of Lucas	O'Brien	Zastrow
Risk			

Nays, 5:

Boothby	Larson	Nelson	Walter
Dykhouse			

Absent or not voting, 3:

Knudson	Scott	Washburn
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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, Senate File 230, a bill for an act relating to merger, consolidation and conversion of national and state banks and trust companies, was taken up, and considered.

Senator Fishbaugh offered the following amendment and moved its adoption:

Amend Senate File 230 by striking lines 3, 4, and 5 of section 14 and inserting in lieu thereof the following: "and after its passage and publication in the Clarinda Herald-Journal, a newspaper published at Clarinda, Iowa, and The Sidney Argus-Herald, a newspaper published at Sidney, 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, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 Fishbaugh, Senate File 231, a bill for an act to amend section five hundred thirty-four point twenty-one (534.21), Code 1950, relating to shares of building and loan associations, was taken up, and considered.

Senator Fishbaugh asked and received unanimous consent that action on Senate File 231 be deferred and that the bill retain its place on the calendar.

On motion of Senator O'Malley, House File 35, 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 Des Moines, Polk County, Iowa, 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, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 Colburn moved that all bills, with the exception of unfinished business, and appropriation committee bills, be placed in the hands of the sifting committee at once.

The motion was lost.

## THIRD READING OF BILLS

On motion of Senator Bateson, House File 60, a bill for an act to amend section six hundred six point fifteen (606.15), subsection twenty-nine (29), Code 1950, relating to fees of the clerk of the district court in settlement of estates, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Lucas of Stuart moved that the bill be read a third 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	Grimstead	Molison	Stewart of
Bateson	Hart	Myrland	Mahaska
Bekman	Hedin	Nelson	Stuart of Lucas
Bellman	Heideman	Nesmith	Utzig
Boothby	Johnson	Nolan	Van Eaton
Byers	Knudson	Oltman	Vest
Clark	Larson	O'Malley	Walter
Colburn	Linnevold	Prentis	Washburn
Dailey	Lord	Risk	Watson of
Dewel	Lucas	Sayre	O'Brien
Dykhouse	Lynes	Schoening	Whitehead
Elijah	Miller	Scott	Zastrow
Fishbaugh			

Nays, 2:

Watson of	Weichman
Pottawattamie	

Absent or not voting, 1:

Berg

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, House File 101, a bill for an act to amend section six hundred seven point five (607.5), Code 1950, relating to compensation of petit jurors, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 50:

Anderson	Bellman	Byers	Dailey
Bateson	Berg	Clark	Dewel
Bekman	Boothby	Colburn	Dykhouse

Elijah	Lucas	Prentis	Vest
Fishbaugh	Lynes	Risk	Walter
Grimstead	Miller	Sayre	Washburn
Hart	Molison	Schoening	Watson of
Hedin	Myrland	Scott	O'Brien
Heideman	Nelson	Stewart of	Watson of
Johnson	Nesmith	Mahaska	Pottawattamie
Knudson	Nolan	Stuart of Lucas	Weichman
Larson	Oltman	Utzig	Whitehead
Linnevold	O'Malley	Van Eaton	Zastrow
Lord			

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 Watson of O'Brien, Senate File 161, a bill for an act to amend section one hundred sixty-one point three (161.3), section one hundred sixty-one point five (161.5) and section one hundred sixty-one point six (161.6), Code 1950, relative to forest reservations, 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, 47:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bekman	Hart	Nelson	Utzig
Bellman	Hedin	Nesmith	Van Eaton
Berg	Heideman	Nolan	Walter
Boothby	Johnson	Oltman	Washburn
Byers	Knudson	O'Malley	Watson of
Clark	Larson	Prentis	O'Brien
Colburn	Linnevold	Risk	Watson of
Dailey	Lord	Sayre	Pottawattamie
Dewel	Lucas	Schoening	Weichman
Dykhouse	Lynes	Scott	Whitehead
Elijah	Miller	Stewart of	
Fishbaugh	Molison	Mahaska	

Nays, 3:

Bateson	Vest	Zastrow
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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, House File 130, 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, 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 House File 130 by adding a new section as follows:

"Sec. 2. Strike the period (.) after the word 'chapter' in line five (5) of section two hundred thirty-two point thirty-six (232.36) and add the following: ', providing, however, that the board of supervisors in counties having a population of more than one hundred fifty thousand (150,000) may annually levy a tax of not to exceed one-half (½) mill for the above purposes.'"

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, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boethby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 Zastrow, the Senate recessed until 1:30 p.m.

#### AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

Senator O'Malley asked and received unanimous consent to reconsider the vote by which House File 130 passed the Senate.

Senator O'Malley asked and received unanimous consent to reconsider the vote by which House File 130 went to its third reading.

Senator O'Malley asked and received unanimous consent to reconsider the vote by which his amendment filed to House File 130 was adopted.

Senator O'Malley asked and received unanimous consent to withdraw the amendment.

Senator O'Malley offered the following amendment and moved its adoption:

Amend House File 130 by inserting in the title after the word "increase" in line 5 the following: "in certain counties".

Further amend House File 130 by striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section two hundred thirty-two point thirty-six (232.36), Code 1950, is hereby amended by striking the period (.) after the word 'chapter' in line five (5) and adding the following: ', providing however that the board of supervisors in counties having a population of more than one hundred fifty thousand (150,000) may annually levy a tax of not to exceed one-half ( $\frac{1}{2}$ ) mill for the above purposes.'"

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, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevoid	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

Nays, none.

Absent or not voting, none.

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

## MESSAGES FROM THE HOUSE

The following messages were received from the House:

**MR. PRESIDENT:** I am directed to inform your honorable body that the House has concurred in Senate amendments to and passed House Joint Resolution 3, relating to the construction of a sewage disposal plant at Clarinda, Iowa.

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

House File 361, a bill for an act authorizing expenditures by state highway commission from the primary road fund.

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 creating the general contingent fund of the state.

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 appropriating funds to the state comptroller from the primary road fund.

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 appropriating funds from the primary road fund to the industrial commissioner.

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 construction of a nursing home at the Iowa Soldiers' Home at Marshalltown, Iowa.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE MESSAGES CONSIDERED

House File 361, a bill for an act authorizing expenditures by state highway commission from the primary road fund for the biennium beginning July 1, 1953, and ending June 30, 1955.

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

House File 362, a bill for an act creating the general contingent fund of the state for the biennium beginning July 1, 1953, and appropriating thereto the sum of one million dollars (\$1,000,000) 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 committee on appropriations.

House File 362, a bill for an act to appropriate funds to the state comptroller from the primary road fund.

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

House File 364, 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 referred to committee on appropriations.

House File 365, a bill for an act to amend section eight (8) of chapter three hundred thirty-two (332), Acts of the Thirty-ninth General Assembly, by adding subsections thereto, directing the bonus board, existing under the terms of said chapter, and the state comptroller to transfer to the state board of control two million dollars (\$2,000,000) from the bonus and disability fund, established under the terms of said section, for the construction and equipment of a nursing home at the Iowa Soldiers' Home at Marshalltown, Iowa, which nursing home and the use thereof shall constitute an additional bonus for the amelioration of the condition of residents of this state, as defined in section four (4) of said chapter, who are suffering from disability, and providing for the reversion of any unexpended balance, and investment of the fund, and providing for the demolition of the present main building.

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

#### BILL SIGNED BY THE GOVERNOR

A communication was received announcing that, on March 9, 1953, the Governor had approved the following bill:

Senate File 19, relating to diseased animals.

#### ADDITIONAL COPIES

Senator Watson of Pottawattamie asked and received unanimous consent to have 600 additional copies of Senate File 236 printed.

#### REPORTS OF COMMITTEES

Senator Molison submitted the following report:

MR. PRESIDENT: Your committee on schools and educational institutions, to which was referred **House File 73**, a bill for an act to amend

section two hundred seventy-nine point forty (279.40), Code 1950, relating to sick leave for school employees, begs leave to report it has had the same under consideration and **returns the bill without recommendation.**

WILBUR C. MOLISON, *Chairman.*

Ordered passed on file.

Senator Van Eaton submitted the following report:

MR. PRESIDENT: Your committee on cities and towns, to which was referred **Senate File 176**, a bill for an act to amend section two (2) of chapter one hundred forty-six (146), Acts of the Fifty-fourth General Assembly relating to general powers of cities and towns, and the mayor-council form of city government, 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.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred **Senate File 209**, a bill for an act to amend section three hundred ninety-four point one (394.1), Code 1950, relating to sewage treatment plants, 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 Berg and found on page 375 of the Senate Journal and when so amended the bill do pass.**

CHARLES S. VAN EATON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns, to which was referred **Senate File 254**, a bill for an act to amend section ten (10) of chapter one hundred fifty-nine (159), Acts of the Fifty-fourth General Assembly relating to power of municipal corporations to allocate funds from the municipal enterprise fund for the purchase and construction of branch libraries, 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.

#### ASSIGNMENT OF BILLS

President Elthon announced the assignment of the following bills to committee:

- S. F. 374 Compensation of public officers and employees
- S. F. 375 Judiciary 1

#### AMENDMENTS FILED

- 1 1. Amend Senate File 108 by striking all after the
- 2 enacting clause and inserting in lieu thereof the
- 3 following: "Any building lot in a newly platted addition
- 4 to a city or town, until improved by completion of a

5 dwelling or building thereon or sold to another party as  
 6 a building lot, shall be assessed at a valuation not in  
 7 excess of that proportion of the assessed value of the  
 8 entire tract from which it was taken and which its area  
 9 bears to the entire area of such original tract."

10 2. Also amend the title to Senate File 108 by striking all after  
 11 the word "Act" and inserting in lieu thereof the following: "relating  
 to the  
 12 assessment for taxation of newly platted building lots in  
 13 cities and towns."

HARRY E. WEICHMAN.

1 Amend Senate File 124 by striking the period (. )  
 2 at the end of line 41 and inserting  
 3 a comma (,) in lieu thereof and by adding the following:  
 4 "or (5) to any lawyer writing fiduciary bonds."

D. C. NOLAN.

1 1. Amend Senate File 124, section 1, by striking all  
 2 after the word "adding" in line 2 to the colon (: ) in line 3  
 3 and substituting in lieu thereof the following: "the following sections  
 4 thereto."

5 2. Further amend Senate File 124 by striking the figures  
 6 "522.5., 522.6., 522.7., 522.8., 522.9., 522.10." in lines 4,  
 7 15, 23, 29, 42 and 52, respectively.

8 3. Further amend Senate File 124, section 1, by striking  
 9 the comma (,) at the end of line 12 and striking all of lines 13  
 10 through 22, inclusive, and substituting in lieu thereof the  
 11 following:

12 "and fitness to act as an agent. Such application  
 13 shall be accompanied by a fee of ten dollars (\$10).

14 "After receipt of such application, it shall  
 15 be the duty of the commissioner to determine by  
 16 appropriate written examination, whether said appli-  
 17 cant possesses mental capacity and knowledge of the  
 18 kind or kinds of insurance business he desires to  
 19 solicit and write, pursuant to standards prescribed  
 20 by the insurance commission, and the commissioner's  
 21 action in such respect may, upon application, be re-  
 22 viewed by the commission."

23 4. Further amend Senate File 124 by striking all of  
 24 section 2.

25 5. Further amend Senate File 124 by adding after  
 26 the comma following the word "baggage" in line thirty-nine  
 27 (39) thereof the following: "(4) to licensed attorneys  
 28 selling bonds authorized or required by law in conjunction  
 29 with court proceedings," and by renumbering the present sub-  
 30 section "(4)" as appearing in line thirty-nine (39) to "(5)".

ELMER K. BEKMAN.

1 Amend Senate File 170 by striking sections  
 2 2, 3, 4, 5 and 6.

3 Amend the title to Senate File 170 by striking all  
4 after the comma (,) following the word "inclusive" in line  
5 3 down to and including the first "and" in line 5.

R. R. BATESON.

1 Amend Senate File 219 by striking all after the  
2 enacting clause and inserting in lieu thereof the  
3 following:  
4 Sec. 1. Section five hundred fifteen point one  
5 hundred nine (515.109), Code 1950, is hereby amended  
6 by adding after the word "policies" in line two (2)  
7 thereof the following: ", and of applications, and  
8 of agreements or endorsements modifying the provisions  
9 of policies,".

ELMER K. BEKMAN.

1 Amend Senate File 328 as follows:  
2 1. By inserting in line four (4) after the word  
3 "organizations" the words "all agricultural fairs":  
4 2. Further amend Senate File 328 by striking all  
5 of line nineteen (19) and inserting after the word  
6 "shall" in line eighteen (18) the following "on  
7 August one of the year in which the report is due,  
8 make an entry on his records of the cancellation of  
9 the corporate existence of said corporation".

L. M. BOOTHBY.  
R. W. ZASTROW.

1 Amend Senate File 338 by adding a new section as follows:  
2 "Sec. 2. Section six hundred five point thirteen (605.13),  
3 Code 1950, is amended by adding at the end thereof the following:  
4 'At the time of his election he shall be not more than seventy  
5 years of age.'  
6 Further amend the title to Senate File 338 by striking  
7 all after the word "Act" and inserting in lieu thereof the  
8 following: "to amend sections six hundred five point one (605.1)  
9 and six hundred five point thirteen (605.13), Code 1950, relating  
10 to the salaries and qualifications of district court judges."

C. EMORY STEWART.

1 Amend House File 221 as follows:  
2 1. Amend section 5 by striking after the period in line 7  
3 all of the remaining section and inserting in lieu thereof  
4 the following: "The budget of the said secondary road funds  
5 shall be filed with the State Highway Commission before  
6 becoming effective."  
7 2. Amend section 12, subsection a. in line 6, by striking  
8 the word and number "sixteen (16)" and inserting in lieu  
9 thereof the word and number "fourteen (14)".

LEON F. MILLER.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 11, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend Roger Braaton, pastor of the Presbyterian Church, Knoxville, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Walter from residents of Marshall County in opposition to proposed legislation creating in the office of the secretary of state a division of occupational registration.

By the following Senators in opposition to proposed legislation relating to fraternal beneficial associations:

By Senator Berg from residents of Black Hawk County.

By Senator Lord from residents of Muscatine County.

By Senator Molison from residents of Poweshiek County.

By Senator Walter from residents of Marshall County.

By the following Senators favoring proposed legislation relating to the equipment of rail track motor cars:

By Senator Johnson from residents of Clayton County.

By Senator Linnevoold from residents of Winneshiek County.

By the following Senators favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance:

By Senator Berg from residents of Black Hawk County.

By Senator Fishbaugh from residents of Page County.

By Senator Heideman from residents of Calhoun County.

By Senator Larson from residents of Adams and Taylor Counties.

By Senator Zastrow from residents of Chickasaw and Floyd Counties.

## INTRODUCTION OF BILL

Senate File 377, by committee on printing, a bill for an act providing for the establishment of a centralized printing department under the control of the state printing board bestowing upon the state printing board powers and duties to effectuate such establishment and to repeal section fifteen point thirty-three (15.33), Code 1950.

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

## PRESENTATION OF VISITORS

Senator Colburn asked and received unanimous consent to present to the Senate the Honorable A. Earl Augustine, a former member of the Senate from Mahaska County, who was present in the Senate chamber.

Senator Oltman asked and received unanimous consent to present to the Senate former Lieutenant Governor William H. Nicholas of Cerro Gordo County, who was present in the Senate chamber.

Senator O'Malley asked and received unanimous consent to present to the Senate thirty-five students of the fifth gradê class of Rice Public School who were present in the balcony with their instructor, Miss Prehm, and their principal, Miss Meneough.

Senator Sayre asked and received unanimous consent to present to the Senate thirty students of the American government class of the Winterset High School who were present in the balcony with their instructor, Charles M. Gaffin.

Senator Hart asked and received unanimous consent to present to the Senate thirty-one students of the American government class of the Fort Madison High School who were present in the balcony with their instructors, Mr. Hutchison and Mr. Peters.

Senator Lucas asked and received unanimous consent to present to the Senate twenty-one members of the junior and senior classes of the Boxholm Consolidated School who were present in the balcony with their superintendent, Earl Bale.

Senator Prentis asked and received unanimous consent to present to the Senate nine students of the Garden Grove High School, members of the student council, who were present in the balcony with their superintendent, C. E. Faust.

Senator Hedin asked and received unanimous consent to present to the Senate the Honorable Frank D. Martin of Scott County, a former member of the Senate, who was 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 insists on its amendments to Senate File 2, a bill for an act relating to imitation butter and the sale and labeling thereof, and requests a conference, and the Speaker of the House has appointed as such conference committee on the part of the House: Representatives Nelson of Jasper, Schroeder of Scott, Strawman of Jones and Smith of Dickinson.

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

Senate Concurrent Resolution 13, providing for the payment of legislative expense.

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

House Concurrent Resolution 16, providing for a joint convention of both houses on March 24, 1953, to hear an address by the Honorable Charles E. Halleck.

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

House Concurrent Resolution 18, providing for one member of each house to attend the atomic bomb detonation at Las Vegas, Nevada, on or about March 17, 1953.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE CONCURRENT RESOLUTION 16

*Whereas*, the Honorable Charles A. Halleck, majority leader of the House of Representatives, U. S. Congress, will be in Des Moines, Iowa, on March 24, 1953;

*Therefore, Be It Resolved by the House, the Senate Concurring:* That an invitation be extended to the Honorable Charles A. Halleck to address a joint convention of both houses at 9:45 a.m. on March 24, 1953.

#### HOUSE CONCURRENT RESOLUTION 18

*Whereas*, the federal government has scheduled an atomic bomb detonation on the proving grounds at Las Vegas, Nevada, on or about the 17th day of March, 1953, and

*Whereas*, such a detonation is designed, among other purposes, as a test to show the effects of the explosion upon buildings and structures, and

*Whereas*, prior to the detonation, those in attendance will be given briefings concerning the test and its effects, and

*Whereas*, admission to the detonation is limited in number and the State of Iowa has been invited to have two (2) representatives present, and

*Whereas*, there is before the Fifty-fifth (55th) General Assembly a civil defense bill, including therein an appropriation, and

*Whereas*, the information respecting the atomic bomb and the effects of a detonation thereof will be of value to the General Assembly in its consideration of the foregoing bill;

*Therefore, Be It Resolved by the House, the Senate Concurring*, that the President of the Senate shall appoint one Senator and the Speaker of the House one Representative to attend the atomic test operations at Las Vegas, Nevada, at the time stated, in their official capacity.

*Be It Further Resolved*, that the foregoing appointees shall, upon return, make due report to the General Assembly and to each house thereof of the detonation and briefings held in connection therewith, its effects upon structures and buildings, and such other pertinent information as may be secured.

Senator Walter asked and received unanimous consent to take up for further consideration House Concurrent Resolution 18.

Senator Walter asked and received unanimous consent that action on House Concurrent Resolution 18 be deferred.

#### UNFINISHED BUSINESS

On motion of Senator Weichman, Senate File 108, 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, was taken up for further consideration.

Senator Weichman offered the following amendment:

1. Amend Senate File 108 by striking all after the enacting clause and inserting in lieu thereof the following: "Section 1. Any building lot in a newly platted addition to a city or town, until improved by completion of a dwelling or building thereon or sold to another party as a building lot, shall be assessed at a valuation not in excess of that proportion of the assessed value of the entire tract from which it was taken and which its area bears to the entire area of such original tract."

2. Also amend the title to Senate File 108 by striking all after the word "Act" and inserting in lieu thereof the following: "relating to the assessment for taxation of newly platted building lots in cities and towns."

Senator Weichman asked and received unanimous consent that action on Senate File 108 be deferred.

#### THIRD READING OF BILLS

On motion of Senator Bekman, Senate File 219, a bill for an act to amend section five hundred fifteen point one hundred nine

(515.109), Code 1950, relating to approval of insurance forms, was taken up, and considered.

Senator Bekman asked and received unanimous consent to withdraw the amendments to Senate File 219 filed by him and found on pages 320 and 484 of the Senate Journal.

Senator Bekman offered the following amendment and moved its adoption :

Amend Senate File 219 by striking all after the enacting clause and inserting in lieu thereof the following :

Section 1. Section five hundred fifteen point one hundred nine (515.09), Code 1950, is hereby amended by adding after the word "policies" in line two (2) thereof the following: ", and of applications, and of agreements or endorsements modifying the provisions of policies,".

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	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	LinnevoId	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 Fishbaugh asked and received unanimous consent that action on Senate File 231 be deferred and that the bill be placed on the calendar under unfinished business.

On motion of Senator Bekman, Senate File 131, 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 com-

panies and associations, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Grimstead asked and received unanimous consent that action on Senate File 131 be deferred and that the bill retain its place on the calendar under unfinished business.

On motion of Senator Lynes, Senate File 142, a bill for an act to amend chapter one hundred sixty-four (164), section one hundred sixty-four point five (164.5), and repeal section one hundred sixty-four point eleven (164.11), Code 1950, relating to the eradication of Bang's disease, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered :

1. Amend Senate File 142, section 3, line 14, by inserting after the word "accompanied" the following: "by an official calfhooed vaccination certificate of".

2. Further amend Senate File 142, section 3, subsection 6, paragraph b, by striking everything after the period (.) in line 31.

#### COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint session, in accordance with House Concurrent Resolution 14, duly adopted, for the purpose of honoring our distinguished member, Senator Byers, and the Honorable Arch W. McFarlane of the House.

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 Elthon presiding.

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

Senator Berg moved that a committee of four be appointed to escort the Honorable Arch McFarlane and the Honorable Frank C. Byers to the Speaker's station.

Motion prevailed, and the Speaker appointed as such committee Senator Berg and Senator Weichman on the part of the Senate and Representatives Novak of Linn and Miller of Black Hawk on the part of the House.

The committee appointed escorted the Honorable Arch McFarlane and the Honorable Frank C. Byers to the Speaker's station.

McNeal of Wright addressed the joint convention on behalf of the Honorable Arch McFarlane as follows:

MR. PRESIDENT, MR. SPEAKER, MEMBERS OF THIS JOINT SESSION:

I am indeed honored that I have been extended the privilege of speaking a few words on behalf of this legislature with respect to two very fine men.

I wish to confine my remarks to the Honorable Arch McFarlane, the senior gentleman from Black Hawk County.

It is entirely fitting and proper that we gather here today to make this contribution and to pay this honor, but in a larger sense I believe we honor ourselves in the foresightedness which we have used in paying tribute to these gentlemen at the peaks of their careers.

We are not, however, the very first to recognize the ability of the Honorable Arch McFarlane. I call to your attention some remarks made by James B. Weaver on January 13, 1919. I quote:

"I have known Arch McFarlane for years and I here give you my conviction upon my honor that Arch W. McFarlane will bring to the Speaker's chair, not only a remarkable capacity as the presiding officer, but better than that, a determination that we shall have no factions here and that every man in the House shall have just consideration and best of all a hunger and a pride to serve every sweet and fine hope and purpose in the hearts of Iowans today."

What better word of tribute could we use here today than these words expressed near the beginning of Arch W. McFarlane's career?

During his forty years of service to the State of Iowa, as a legislator and as a presiding officer of the House and of the Senate, Arch McFarlane concerned himself with many important bits of legislation. Not only did he concern himself with legislation, but as a presiding officer, he had certain guide posts which he always followed. First of all, he extended to all a fair and just hearing. He believed in the greatest good for the greatest number, with a profound protection of the rights of minorities, most of all, and especially he believed that stewardship of public office is a serious and sacred trust. His legislative activities were broad . . . in the field of roads, in the field of taxation, in the field of schools, and in 4-H Club promotion.

One of his greatest examples of work, I believe, was the interest and work he extended to make certain that free text books were available in all our schools.

Arch McFarlane was not always a winner, but he was satisfied to build slowly and securely on a firm foundation of bona fide public

opinion. In my estimation, and I am certain the estimation of this House, Arch McFarlane personified a statement made by the late Reverend Peter Marshall, chaplain of the United States Senate, when he said it is better to lose in a cause which shall ultimately succeed than succeed in a cause which shall ultimately fail.

We, the members of this session, are proud to serve with Arch McFarlane, and the State of Iowa is grateful for your past service, and the service which you shall still, in the future, extend to this great and proud state.

We congratulate Honorable Arch McFarlane, and as a token of our high esteem, we present to you this basket of flowers in recognition of the splendid service that you have rendered the state and the deep affection in which you are held by all of your co-legislators.

Senator Lynes of Bremer addressed the joint convention on behalf of Senator Byers as follows:

MR. PRESIDENT, MR. SPEAKER, MEMBERS OF THE JOINT CONVENTION:

Today we pause in our daily routine as legislators to extend honor to one of our colleagues. It's a privilege to say a few words about my very dear friend, the Senator from Linn.

Some years ago, when I became a member of the Iowa General Assembly, he was one of the first members to give me friendly assistance in the many problems which confront a naive and backward country boy just elected to serve for the first time in the Iowa General Assembly.

The distinguished Senator from Linn was then in the prime of his long and illustrious career as a legislator. Frank Byers was never too busy to spend a little time with the many difficulties which confronted me. He has on occasion even prepared an amendment for me, and after preparing it, refused to support it, although he could have reduced his labors by advising me against filing it!

There has never been an occasion, in the fourteen years I have served with him, that Frank Byers has failed to give me the help I have sought. Any improvement in my work throughout the years must be credited to the sage and friendly suggestions which came my way from the distinguished Senator from Linn.

Here is a man who has given many, many years of his life to service in the State of Iowa—fruitful years for that great state.

Frank Byers came from humble beginnings in an urban area, although raised in rural surroundings. He has not confined his efforts to the city and its concerns alone, he has been a leader in forming state policies, in forming school policies, roads, taxation, from the productive farm lands to the teeming industrial centers.

The State of Iowa and the policies of this state certainly show the effects of his efforts, so it is fitting that at this time we take this occasion to honor one who is a legislator's legislator.

I am sure that it is the wish of all of us that the future of Frank Byers will be as bright as his past and that he may long live to enjoy his family, his friends and his colleagues.

Tate of Cerro Gordo addressed the joint convention on behalf of the Honorable Arch McFarlane as follows:

MR. PRESIDENT, MR. SPEAKER, MEMBERS OF THE GENERAL ASSEMBLY,  
LADIES AND GENTLEMEN:

I count today one of the high spots in my rather checkered career—that of saying a few words for your friend and my friend, Arch W. McFarlane, who has for more than a generation been connected with the legislature of the State of Iowa.

Arch McFarlane is a great humanitarian, he is a builder. He is first a builder of Arch McFarlane, who built a character so high, so good, so strong, that much of it has rubbed off on those who daily associate with him.

The impact of the deeds of Arch McFarlane on the lives of others, on the county of Black Hawk, on the city of Waterloo, upon the State of Iowa and the nation, can never be measured in any amount, but that impact can only be measured in his influence on mankind.

He walks the streets of Waterloo, Iowa, and he can call more people by name, perhaps, than any other individual. He can talk and walk with kings and presidents, but he never loses the common touch. He is a man among men . . . looked up to, honored and respected.

We in the House who know him, know he has reached out helping hands in every way it is possible for him to do it. Never has he been critical, he has always been helpful . . . helpful in making suggestions, in drawing bills, in drafting amendments, in advice . . . helpful to every individual who sits at his feet for more.

He never criticizes . . . he encourages. To his co-workers he is generous with time, and that vast storehouse of knowledge laid away is always open. His service to others is above his service to himself. He has been a warden in the Episcopal Church in his town, and he works at his job of being a Christian. He is associated with all the branches of community service, a member of the Elks, Moose, Rotary Club, past supreme councillor of the United Commercial Travelers, the highest office possible to obtain in that organization, most of the Masonic bodies, the Blue Lodge, Royal Arch. He has shown great proficiency in the past, and with the exception of three sessions, has been in legislature since 1914 . . . twenty-two sessions in these halls. He has been a builder and his house has not been built on shifting sands, but upon a firm and rock foundation.

I know he has future years to give to the state and nation . . . they will be good years.

I know when he is called by his Maker to that home above, that house that is not made by hands, that his Maker can say to him:

“Well done, my good and faithful servant, well done.”

I think the life of Arch McFarlane can be epitomized in this poem by an unknown author:

To each is given a bag of tools,  
A shapeless mass, and a book of rules,  
And each must fashion ere life is flown  
A stumbling block or a stepping stone.

Now isn't it strange, that princes and kings,  
And clowns that caper in saw dust rings—  
And just common folks like Arch and me,  
Are builders for eternity?

Best of luck to you, Arch W. McFarlane!

- Senator Hart addressed the joint convention on behalf of Senator Byers as follows:

**MR. PRESIDENT, MR. SPEAKER, MEMBERS OF THE JOINT CONVENTION, AND GUESTS:**

Today, we are gathered here to do honor to two of our colleagues.

Frank Crockett Byers, my friend, my colleague and the illustrious dean of the Senate, who is known to all of you, has been representing Linn County in the Iowa legislature since 1928. He has a continuous service record of a quarter of a century.

He started out modestly as a member of the House of Representatives, having been elected to that body in 1928 and to which he was re-elected in 1930. After two sessions in the House, like so many members of the Senate, he decided to graduate to the Senate and, accordingly, became a candidate from Linn County. They have returned this eminent gentleman to the Senate every four years since then and that started back in 1932.

When Frank Crockett Byers concludes his present term he will have served continuously in the Iowa legislature for twenty-eight years.

Although he lives on a farm located just on the outskirts of Marion, he maintains offices in Cedar Rapids and is generally known in Cedar Rapids as well as here in the halls of the legislature as a city attorney and a corporation counsel.

Now where do these illustrious statesmen come from? You have guessed it. Frank Crockett Byers had a most humble beginning. He was born in a little town in Hardin County, Alden by name. The son of a harness maker, he and his family lived upstairs over the harness shop, and because of this, he was, of course, closely associated with his father's work. He spent much time in the shop as a boy and, of course, when he was old enough, he started to work with his father. As his father's helper his work consisted mostly of repairing old harness. In Alden they tell the story that when the Byers boy went off to Grinnell College to register as a freshman, he didn't know there were any parts of a harness but a breeching and a crupper.

After attending Grinnell College for a year, he transferred to the University of Iowa where, in due course, he graduated with a degree in law. Unlike so many and indicative of the genius possessed by young Byers, with his degree and having passed the bar examination, it was found that he was not old enough to start the practice of law, but had to wait until he reached the age of twenty-one before he could become licensed. As an attorney-at-law he started the practice of law in Cedar Rapids in 1905. Soon thereafter he was selected to serve as deputy city attorney, deputy county attorney and was a long time member of the Cedar Rapids Board of Education.

He was married to Miss Myra Lyon of Iowa City in 1909. They have three children, two sons and a daughter, and several grandchildren.

During his long tenure here in the legislature, I can think of no one who has contributed more to Iowa statutes, under which we are living and which truly affect every citizen in the State of Iowa, than Senator Byers. He has given unstintingly and most willingly of his time for every cause during these many years. He has been elected three times President pro tempore of the Senate, to indicate the esteem in which he is held by his colleagues.

Senator Byers has served as chairman of or on every important Senate committee, including several interim committees between sessions.

It will be remembered by many people that in those early years of his service, the road problem was a great and serious one, as it is today. Previous to the record now being established by Senator Byers, the former Dean of the Senate was the Honorable D. Kimberly, the Senator from Scott. Early in his career Senator Byers in collaboration with Senator Kimberly introduced a bill in the legislature that provided that canopies be built over Iowa highways, the thinking being, this feature would keep us out of the mud and would do the job with less expense and with more satisfactory results than paving. I mention this to indicate the far-reaching imagination of this man who has given so much of his life for the betterment of and enactment of good laws.

Frank Crockett Byers is a member of numerous social and fraternal organizations and is a member of the Episcopal Church.

So in conclusion, may I say that we, who through the years have had the pleasure of serving with Senator Byers, feel that what knowledge of good law making we may have acquired has been due to the generosity and unselfishness of this devoted public servant. He has made an imprint on the present day statutes of Iowa that will survive many generations.

May I extend on behalf of the members of this Fifty-fifth General Assembly, our heartiest wishes that the future will hold in store for Senator Byers much more of the many accomplishments and fine things, and the full measure of happiness that he has enjoyed through the years and up to this time. This floral bouquet has been placed at his desk from which I speak to you. It is addressed to Senator Frank Crockett Byers and the card merely says "from admiring friends."

It gives me extreme pleasure to join with, and on behalf of, those friends—and they are legion—to present to the illustrious and distinguished Senator from Linn this basket of flowers, this beautiful tribute from "admiring friends."

The page will please come to the desk to present the flowers to Frank C. Byers and so with these posies, best wishes Senator, from all of us always.

**Mensing of Cedar** moved that the following resolution be adopted.

*Whereas*, in this contemporary day of turbulency, mobility and velocity, a record of constancy and duration of noble service is a distinction worthy of veneration and respectful acclaim, and

*Whereas*, the Honorable Arch W. McFarlane of Black Hawk County with forty years of eminent service and the Honorable Senator Frank C. Byers of Linn County with twenty-four years of continuous distinguished service in the legislature of the State of Iowa have attained not only outstanding records of devotion to the welfare of the State of Iowa, but have also, by such participation, surpassed all former records of service in the number of years served, and

*Whereas*, the House and Senate of the Fifty-fifth General Assembly of Iowa have met in joint session assembled on this 11th day of March, 1953, to pay tribute to the extraordinary record of service of the Honorable Arch W. McFarlane and the Honorable Senator Frank C. Byers,

*Therefore, Be It Resolved*, that the joint session of the House and Senate of the Fifty-fifth General Assembly formally register its sentiment of salutation to the Honorable Arch W. McFarlane and the Honorable Senator Frank C. Byers and its token of esteem of their meritorious services, by the adoption of these resolutions, and

*Be It Further Resolved*, that as a permanent memento, an engrossed copy of these resolutions be presented to each of the honorees, and that a copy of such resolutions and the remarks of the speakers be printed in the Journals of the House and Senate of the Fifty-fifth General Assembly of the State of Iowa.

The resolution was adopted unanimously by a standing vote of the joint convention.

President Elthon presented to the joint convention the Honorable Arch McFarlane who offered the following address:

MR. PRESIDENT, MR. SPEAKER, MEMBERS OF THE JOINT CONVENTION, AND FRIENDS:

This is a very happy occasion so far as I am personally concerned, and I know so far as Senator Byers is concerned. It is made possible only by the people that have stayed with me all these years from my home community. I want to take this opportunity of thanking all those that have continuously supported me since I was first a candidate in 1914.

I want to publicly say to them that I appreciate their cooperation and their friendship, and their support, all of these years. To me, this is a momentous occasion. In all the years that I have been here, nothing has transpired of a similar nature—recognizing a long service.

During this long period of service, I have undoubtedly made mistakes. I have probably gone on record thirty or forty thousand times. If I have during the course of these services done any harm to any community, to any group, or to any individual, I want to now publicly apologize, and say that I am sorry. That is not the intention of any member of the legislature, however, if during this long service, I have brought happiness and joy to a community or a group or to any individual, that in itself is the satisfaction of a long period of service.

There are four members of the General Assembly at the present time with whose fathers I served. I served with the father of Representative Mooty, Representative Parker, Representative Shaff and Representative

Falvey, and I want to say that these four men have been brought to my attention today because of the services they rendered to the great State of Iowa, and because they have furnished sons to follow in their footsteps.

Everyone of them was an outstanding member of the legislature, and I am glad I had the privilege of serving with these men, and now have an opportunity to serve with their sons.

On behalf of both myself and Senator Byers, I want to say that I appreciate this gathering today. It is a tremendous thing so far as I am concerned. In 1917 I stood right on this station. I had just been elected Speaker pro tempore of the House at that time, and today, almost forty years later, you are recognizing that long period of service. I appreciate it, and I want you to know that I shall do as I have in the past. I shall try to be fair and square and honest with everyone and in every dealing I have with every member of the legislature, and endeavor to continue, as I have in the past, to make Iowa the great state it is.

Again, I thank you very kindly.

President Elthon presented to the joint convention the Honorable Frank C. Byers, who delivered the following address:

MR. PRESIDENT, MR. SPEAKER, AND MEMBERS OF THE JOINT CONVENTION OF THE LEGISLATURE OF THE FIFTY-FIFTH GENERAL ASSEMBLY:

There should have been an article in the paper today that no flowers were requested at the last rites! Too late now . . .

I originally came to the House of Representatives of the State of Iowa. Among those who greeted me was Gustafson, who is still the Chief Clerk. I spent two sessions in the House and that is where I got my training which I have taken to the Senate, and let me say, you can get more training in the House than you can in the Senate. It's more exciting in the House. They know all the different ways to kill a bill other than voting against it on final passage. They are very respectful over there in the Senate, of each other, which sometimes results in measures being long drawn out.

I have never taken myself too seriously as a member of this General Assembly. I have never had any great political ambitions, no ambitions particularly to be anything more than a good member of the legislature of Iowa. That is as far as I want to go, but I do want to be a credit to my community that I represent, and I have been trying to do it for the quarter of a century that they have been kind enough to return me to the legislature. They don't all agree with me, but enough of them agree so as to send me back each four years.

When I came to the legislature, the State of Iowa was prosperous, and it continued to be prosperous for a couple of years or so, but you will remember in the early thirties, the whole country, including the State of Iowa, went into a depression, and things were different than they were when I first came as a member of the legislature.

We had bank failures and receiverships, we had to pass emergency laws. We passed a bank holiday bill. We passed moratorium laws, against foreclosures of farm mortgage loans. We had all those kind of things to contend with at that time. Thinking back over twenty-five years,

it seems to me that during that period of time, we had to consider a large volume of legislation that didn't just affect this group or that group . . . this business or that business . . . but affected the entire State of Iowa, such as our bank holiday law and the moratoriums at the beginning of my career.

Then during the same period of time we created the tax commission; the 18th Amendment was repealed and we created the liquor control commission. We had to pass all the laws that regulate beer and liquor, and we keep at it every two years. Every two years we have the same stuff to go over and again we probably never will get it perfect. We passed the income tax, both personal and corporate, the use tax, the sales tax, and those are the things now that support the State of Iowa, and we don't have any tax on real or personal property.

We have our state aid for schools which we didn't have before. Aid to the schools to the cities and towns and the rural areas. All of this is to me important legislation. It is legislation that affects all the people of Iowa. And there are so many others I can think of . . . old age assistance . . . law giving homestead credit, something new, too, and many, many others I could speak about.

There is another subject you might be interested in . . . the great part I played in the oleomargarine question. In '31 when I was a member of the House, we had the oleomargarine question up on the matter of the taxation of same and some legislation on the regulation, and I took occasion to look in the Journal of the House, to check up exactly the great part I took on oleomargarine, and I found on that bill in 1931, that there were ninety-four votes "aye" on the passage . . . there were no "nay" votes, and there were fourteen absent or not voting, and Byers' record shows "absent or not voting"

Well, Gentlemen, this has been a great occasion for me. An occasion that I will remember all my life, and I cannot thank you enough for the honors you have bestowed upon my good friend, Arch and me. We will try and go on and do our best to work with you and for the best interest of the State of Iowa.

And so, Mr. President, I want to say again, I thank you very much, and I ask unanimous consent that the reading thus far be considered sufficient.

President Elthon:

It would be an anti-climax for me to add anything to the wonderful words of praise that have been said here today, so I will simply say, God bless you, Frank Byers, and God bless you, Arch McFarlane!

Schwengel of Scott 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 Zastrow, the Senate recessed until 1:30 p.m.

## AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

The Senate resumed consideration of Senate File 142.

Senator Lynes asked and received unanimous consent that action on Senate File 142 be deferred and that the bill be placed on the calendar under unfinished business.

## THIRD READING OF BILLS

On motion of Senator Lynes, Senate File 143, a bill for an act to amend section three (3) of chapter eighty (80), Acts of the Fifty-fourth General Assembly, relating to the handling and sale of market milk, 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 143 by adding the following as section 2.

"Sec. 2. Nothing contained herein relating to said plans of control shall invalidate ordinances or regulations of any municipal corporation, providing for control of Brucellosis by procedures other than the foregoing three plans of control so long as said ordinance or regulation shall embody plans and procedures approved by the United States Bureau of Animal Industry and the Iowa Department of Agriculture."

The amendment was adopted.

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

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

Ayes, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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.

#### SENATE CONCURRENT RESOLUTION 16

By the Committee on Mines and Mining

*Whereas*, the Eighty-second Congress enacted Public Law 552, otherwise known as chapter 877, 2nd Session, S. 1310, and also designated as 66 Statute 692, purporting to be a bill for the prevention of major disasters in mines; and

*Whereas*, said Public Law 552 prohibits after January 16, 1953, the use of black powder in coal mines of states which authorize the use of such explosives, which prohibition will eliminate deep mining in Iowa and in states having like conditions; and

*Whereas*, Public Law 552 provides for pre-shift inspection in shaft mines even though those mines are operated by the method known as longwall mining; and

*Whereas*, it is impossible to examine the face of a longwall mine before the coal is removed from in front of the face; and

*Whereas*, Public Law 552 provides that state laws shall not be superseded by the federal law where the state laws provide greater safety than the federal law; and

*Whereas*, Public Law 552 provides that the Board of Review shall be the final finders of fact; and

*Whereas*, Public Law 552 is another example of the steady accretion of federal power at the expense of the several states:

*Therefore, Be It Resolved by the Senate, the House Concurring*, That the Eighty-third Congress give serious consideration to amending Public Law 552 of the Eighty-second Congress so as to provide that black powder may be used in deep mines in any state in which there is no danger from methane gas, which state specifically authorizes such use; that said Public Law 552 be further amended so as to permit the examination of longwall mines at any time during every working day; that said law be amended to provide that any state law shall prevail which provides equal safety with the federal enactment; that said Public Law 552 be further amended so as to provide that the effect of said law on any state law shall be a matter of law, and the Court shall not be bound by any previous finding of fact;

*Be It Further Resolved*, That attested copies of this concurrent resolution be sent to the presiding officers of the Congress of the United States 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 the legislatures of the states of the United States.

### CONFERENCE COMMITTEE APPOINTED

President Elthon announced the appointment of the following conference committee on the part of the Senate on Senate File 2: Senators Hart, Van Eaton, Zastrow and Johnson.

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

### 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, 1957.

N. P. Black of Dallas County, as Superintendent of Banking for the regular term ending June 30, 1957.

Reuben R. Hargrove of Davis County, as a member of the Iowa Real Estate Commission for the regular term ending June 30, 1957.

Mrs. Mary Huncke of Polk County, as a member of the State Board of Social Welfare for the regular term ending June 30, 1959.

The Senate arose from executive session and resumed regular session.

### REPORTS OF COMMITTEE

Senator Lord submitted the following report:

MR. PRESIDENT: Your committee on social security, to which was referred **Senate File 158**, a bill for an act to amend section eighty-five point twenty-seven (85.27), Code 1950, by adding the word "chiropractical" so as to allow payment for medical services rendered by doctors of chiropraxy to employees under the workmen's compensation act, 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 284**, a bill for an act to amend chapter ninety-six (96), Code 1950, relating to the payment of unemployment compensation; to preserve the benefit rights of an individual entering the armed forces of the United States; to provide that such an individual shall not be disqualified for voluntarily leaving his employment to enter such armed forces; to provide that the time spent by such individual in such armed forces shall be excluded from the individual's base period; to provide that the benefit year of any such individual shall be extended by the time spent in the armed forces, 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

1 Amend the March 10, 1953, amendment by Senator Weichman  
2 to Senate File 108 by striking all of section 1 after the word  
3 "assessed" in line 6 and inserting in lieu thereof the words  
4 "as if it had never been platted."

HARRY E. WEICHMAN.

1 Amend Senate File 131 by striking all after the  
2 enacting clause and inserting in lieu thereof the  
3 following:  
4 Section 1. Section five hundred eleven point eight  
5 (511.8), Code 1950, is amended by striking the period  
6 (.) after the word "cash" in line nineteen (19) thereof  
7 and inserting the following: ", and no company organized  
8 under chapter 508 shall invest from its surplus, in  
9 common stocks, more than an amount equal to five per  
10 cent of its funds."

ELMER K. BEKMAN.

1 1. Amend Senate File 174, line 4, section 4,  
2 after the word "agriculture" by adding the following: "or a  
3 lay inspector under the supervision of a certified veterinarian  
4 or a veterinarian employed by municipality which has an  
5 established inspection system."  
6 2. Further amend Senate File 174 by striking in line 6  
7 of section 4 after the word "department" the following:  
8 "to the designated veterinarian." and substituting in lieu  
9 thereof the following: "of agriculture or by federal stamp  
10 or stamp from a recognized municipal system of inspection."  
11 3. Further amend Senate File 174 by adding in line 2 of  
12 section 6 after the word "to" the following: "state institutions  
13 or to".  
14 4. Further amend Senate File 174 by striking in lines 2  
15 and 3 of section 6 "and sells the carcasses of".  
16 5. Further amend Senate File 174 by adding in line 3 of  
17 section 6 after the word "farm" the following: "for his own  
18 consumption".

CHARLES S. VAN EATON.

1 Amend Senate File 225 by adding the following new  
2 section:  
3 "Sec. 2. Section three hundred fifty-eight A point one  
4 (358A.1), Code 1950, is hereby repealed and the following  
5 enacted in lieu thereof: "The provisions of this chapter  
6 shall apply to all counties, regardless of population, at  
7 the option of the board of supervisors of any county."

HARRY E. WEICHMAN.

1 Amend Senate File 249 by striking all of section  
2 5.

THOMAS J. DAILEY.

1 Amend Senate File 270 as follows:

2 1. Section 1, lines 4 and 5, by

3 striking the words "with a population of over fifty thousand  
4 (50,000) and".

5 2. Section 2, line 3, by striking the

6 word "district" and inserting in lieu thereof the words  
7 "agricultural society".

8 3. Section 2, lines 5 and 6, by

9 striking the words "with a population of over fifty thousand  
10 (50,000) and,".

11 4. Section 2, line 7, by striking the

12 words "two thousand dollars (\$2,000.00)" and inserting in lieu  
13 thereof the words "twenty-two hundred dollars (\$2200)".

DEVERE WATSON.

1 Amend Senate File 346 by striking all of section 10.

COMMITTEE ON MINES AND MINING.

1 Amend House Joint Resolution 11 by adding the following  
2 paragraph to section 2 thereof and to become a part of said  
3 section 2:

4 "The state treasurer shall likewise semiannually

5 distribute a sum of money equal to thirty-three per cent (33%)

6 of the gross amount of sales for permits under said section

7 one hundred twenty-three point twenty-eight (123.28), Code 1950,

8 to the School of Medicine, State University of Iowa, for such

9 medical and biological research as the Board of Education shall

10 determine."

THOMAS J. DAILEY.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 12, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend G. J. Versteeg, pastor of the Presbyterian Church, Cleghorn, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Colburn from residents of Cass County favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance.

By Senator Knudson from residents of Cerro Gordo County favoring proposed legislation relating to the powers of boards of directors of school districts.

By Senator O'Malley from residents of Johnson County in opposition to proposed legislation creating in the office of the secretary of state a division of occupational registration.

By Senator O'Malley from residents of Polk County in opposition to proposed legislation relating to employment of minors.

By Senator O'Malley from residents of Sioux County favoring proposed legislation relating to the qualification of electors.

By Senator Van Eaton from residents of Woodbury County in opposition to proposed legislation relating to the administration of the poor laws.

By Senator Van Eaton from residents of Woodbury County in opposition to proposed legislation relating to imposing a tax of two per cent upon the gross receipts derived from the operation of bowling alleys.

By the following Senators in opposition to proposed legislation relating to fraternal beneficial associations:

By Senator Berg from residents of Grundy County.

By Senator Hart from residents of Lee County.

By Senator Johnson from residents of Clayton County.

By Senator Larson from residents of Adams County.

By Senator Lord from residents of Louisa County.

By Senator Lynes from residents of Butler County.

By Senator Nolan from residents of Iowa County.

By Senator Utzig from residents of Dubuque County.

By Senator Zastrow from residents of Chickasaw County.

#### INTRODUCTION OF BILLS

Senate File 378, by committee on printing, a bill for an act to amend section five hundred fifteen point ninety (515.90), Code 1950, relating to publication of annual reports of insurance companies.

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

Senate File 379, by committee on highways, a bill for an act to amend sections three hundred twenty-four point two (324.2), and three hundred twenty-four point sixty-three (324.63), Code 1950, relating to gas tax and to provide a suitable method of financing primary road construction in Iowa.

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 sixty-eight members of the Young Women's Christian Association of Iowa, representatives from Ames, Des Moines, Dubuque, Cedar Rapids, Washington, Waterloo, Burlington, Ottumwa, Newton and Marshalltown, who were present in the balcony.

Senator Weichman asked and received unanimous consent to present to the Senate forty members of the social studies classes of the Van Horne High School who were present in the balcony accompanied by C. H. Bergman.

Senator Bellman asked and received unanimous consent to present to the Senate twenty members of the Warren County Farm Bureau good citizenship committee who were present in the balcony.

Senator Berg asked and received unanimous consent to present to the Senate the members of the American history class of the Finchford Consolidated High School who were present in the balcony accompanied by their instructors, Mrs. Smith and J. Stoebell.

Senator Dailey, the only Democratic Senator from the First Congressional district, asked and received unanimous consent that Senator Nolan, the Republican Senator representing Johnson County, be granted unanimous consent to present to the Senate thirty members of the Young Democratic Club of the University of Iowa who were present in the balcony accompanied by Dave Koch.

Senator Nelson asked and received unanimous consent to present to the Senate a group of Van Buren County Farm Bureau women who were present in the balcony accompanied by Herb Craig, extension director, and Mrs. Edna Morris, home economist.

Senator O'Malley asked and received unanimous consent to present to the Senate a group of one hundred students from Saint Joseph's Academy who were present in the balcony accompanied by four of their instructors, Sister Mary Norma, Sister Mary Aloysius, Sister Mary St. Luella and Sister Mary Donatus.

Senator O'Malley asked and received unanimous consent to present to the Senate thirty-three members of the junior and senior classes of the Bondurant High School who were present in the balcony with their superintendent, J. M. Kennedy, and their coach, Mr. Rysdom.

Senator Nesmith asked and received unanimous consent to present to the Senate the members of the government class of the Sully High School who were present in the balcony accompanied by Mrs. Weigerhoff.

Senator O'Malley asked and received unanimous consent to present to the Senate thirty members of the community life problems class of Roosevelt High School who were present in the balcony accompanied by Mrs. Troutfetter.

Senator Lynes asked and received unanimous consent that when the Senate recesses at the conclusion of the morning session that it be to reconvene at 3:15 p.m.

Senator Walter called up for consideration the following resolution:

#### HOUSE CONCURRENT RESOLUTION 18

*Whereas*, the federal government has scheduled an atomic bomb detonation on the proving grounds at Las Vegas, Nevada, on or about the 17th day of March, 1953, and

*Whereas*, such a detonation is designed, among other purposes, as a test to show the effects of the explosion upon buildings and structures, and

*Whereas*, prior to the detonation, those in attendance will be given briefings concerning the test and its effects, and

*Whereas*, admission to the detonation is limited in number and the State of Iowa has been invited to have two (2) representatives present, and

*Whereas*, there is before the Fifty-fifth (55th) General Assembly a civil defense bill, including therein an appropriation, and

*Whereas*, the information respecting the atomic bomb and the effects of a detonation thereof will be of value to the General Assembly in its consideration of the foregoing bill;

*Therefore, Be It Resolved by the House, the Senate Concurring*, that the President of the Senate shall appoint one Senator and the Speaker of the House one Representative to attend the atomic test operations at Las Vegas, Nevada, at the time stated, in their official capacity.

*Be It Further Resolved*, that the foregoing appointees shall, upon return, make due report to the General Assembly and to each house thereof of the denotation and briefings held in connection therewith, its effects upon structures and buildings, and such other pertinent information as may be secured.

On motion of Senator Walter, the resolution was adopted.

President Elthon announced the appointment on the part of the Senate of Senator Walter in accordance with the provisions of House Concurrent Resolution 18 duly adopted.

#### UNFINISHED BUSINESS

On motion of Senator Weichman, Senate File 108, 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, was taken up for further consideration.

Senator Weichman also called up the following amendment:

1. Amend Senate File 108 by striking all after the enacting clause and inserting in lieu thereof the following: "Any building lot in a newly platted addition to a city or town, until improved by completion of a dwelling or building thereon or sold to another party as a building lot, shall be assessed at a valuation not in excess of that proportion of the

assessed value of the entire tract from which it was taken and which its area bears to the entire area of such original tract."

2. Also amend the title to Senate File 108 by striking all after the word "Act" and inserting in lieu thereof the following: "relating to the assessment for taxation of newly platted building lots in cities and towns."

Senator Weichman offered the following amendment to the amendment and moved its adoption :

Amend the amendment by striking all of section 1 after the word "assessed" in line 6 and inserting in lieu thereof the words "as if it had never been platted."

The amendment to the amendment was adopted.

Senator Byers asked and received unanimous consent to withdraw the amendment to Senate File 108 filed by the committee on judiciary 2 and found on page 318 of the Senate Journal.

On motion of Senator Weichman, the amendment as amended 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, 45:

Bekman	Hart	Nelson	Utzig
Bellman	Hedin	Nesmith	Van Eaton
Berg	Johnson	Nolan	Vest
Boothby	Knudson	Oltman	Walter
Byers	Larson	O'Malley	Washburn
Clark	Linnevoid	Prentis	Watson of
Colburn	Lord	Risk	O'Brien
Dailey	Lucas	Sayre	Watson of
Dewel	Lynes	Schoening	Pottawattamie
Dykhouse	Miller	Stewart of	Weichman
Elijah	Molison	Mahaska	Whitehead
Grimstead	Myrland	Stuart of Lucas	Zastrow

Nays, 2:

Bateson                      Heideman

Absent or not voting, 3:

Anderson                      Fishbaugh                      Scott

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 Bekman, Senate File 131, 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, was taken up for further consideration.

Senator Bekman offered the following amendment and moved its adoption:

Amend Senate File 131 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section five hundred eleven point eight (511.8), Code 1950, is amended by striking the period (.) after the word "cash" in line nineteen (19) thereof and inserting the following: ", and no company organized under chapter 508 shall invest from its surplus, in common stocks, more than an amount equal to five per cent of its funds."

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	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 Lynes, Senate File 142, a bill for an act to amend chapter one hundred sixty-four (164), section one hundred sixty-four point five (164.5), and repeal section one hundred sixty-four point eleven (164.11); Code 1950, relating to the eradication of Bang's disease, was taken up for further consideration.

Senator Lynes offered the following amendment and moved its adoption:

Amend Senate File 142, section 3, by striking the word and figure "thirty (30)" in lines 6 and 7 and inserting in lieu thereof the word and figure "ninety (90)".

The amendment was adopted.

The following committee amendment was considered:

1. Amend Senate File 142, section 3, line 14, by inserting after the word "accompanied" the following: "by an official calfhood vaccination certificate of".

2. Further amend Senate File 142, section 3, subsection 6, paragraph b, by striking everything after the period (.) in line 31.

Senator Lynes offered the following amendment to the committee amendment and moved its adoption:

Amend the committee amendment to Senate File 142, by striking the word "of" in line 3 and inserting in lieu thereof the word "or".

The amendment to the amendment was adopted.

The amendment as amended 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, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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.

### THIRD READING OF BILLS

On motion of Senator Watson of Pottawattamie, Senate File 179, a bill for an act to amend section four hundred twenty-two point

twenty-six (422.26), Code 1950, relative to the lien imposed in favor of the state upon all property and rights to property whether real or personal belonging to the taxpayer, 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 and Zastrow and moved its adoption:

Amend Senate File 179, section 1, line 4, by striking the word "five" and inserting in lieu thereof the word "ten".

Division was called for.

The amendment 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, 35:

Bekman	Grimstead	Miller	Utzig
Berg	Hart	Myrland	Van Eaton
Boothby	Hedin	Nesmith	Vest
Byers	Heideman	Nolan	Washburn
Clark	Johnson	Oltman	Watson of
Colburn	Knudson	Scott	O'Brien
Dailey	Larson	Stewart of	Watson of
Dewel	Linnevoold	Mahaska	Pottawattamie
Dykhouse	Lord	Stuart of Lucas	Whitehead
Elijah	Lucas		

Nays, 14:

Anderson	Molison	Risk	Walter
Bateson	Nelson	Sayre	Weichman
Fishbaugh	O'Malley	Schoening	Zastrow
Lynes	Prentis		

Absent or not voting, 1:

Bellman

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.

On motion of Senator Washburn, Senate File 187, a bill for an act to amend section five hundred four point one (504.1), Code 1950, relating to corporations not for pecuniary profit, with report

of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Washburn moved that the bill be read a third 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	Fishbaugh	Myrland	Utzig
Bateson	Grimstead	Nelson	Van Eaton
Bekman	Hart	Nesmith	Vest
Bellman	Hedin	Nolan	Walter
Berg	Heideman	Oltman	Washburn
Boothby	Johnson	O'Malley	Watson of
Byers	Knudson	Prentis	O'Brien
Clark	Larson	Risk	Watson of
Colburn	Linnevold	Sayre	Pottawattamie
Dailey	Lord	Schoening	Weichman
Dewel	Lucas	Stewart of	Whitehead
Dykhouse	Lynes	Mahaska	Zastrow
Elijah	Miller	Stuart of Lucas	

Nays, none.

Absent or not voting, 2:

Molison	Scott
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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 Dailey, Senate File 204, a bill for an act to amend section six hundred eight point ten (608.10), Code 1950, relative to compensation for jury commissions, 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 204, section 1, by striking the word "ten" in the third line thereof and substituting in lieu thereof the word "eight".

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, 48:

Anderson	Byers	Dykhouse	Hedin
Bateson	Clark	Elijah	Heideman
Bekman	Colburn	Fishbaugh	Johnson
Bellman	Dailey	Grimstead	Knudson
Berg	Dewel	Hart	Larson

Linnevold	Nesmith	Stewart of	Watson of
Lord	Nolan	Mahaska	O'Brien
Lucas	Oltman	Stuart of Lucas	Watson of
Lynes	O'Malley	Utzig	Pottawattamie
Miller	Prentis	Van Eaton	Weichman
Molison	Risk	Vest	Whitehead
Myrland	Sayre	Walter	Zastrow
Nelson	Schoening	Washburn	

Nays, none.

Absent or not voting, 2:

Boothby            Scott

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 225, a bill for an act to amend section three hundred fifty-eight A point three (358A.3), Code 1950, relating to the powers of county boards of supervisors relative to county zoning, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Byers asked and received unanimous consent that action on Senate File 225 be deferred and that the bill be placed on the calendar under unfinished business.

On motion of Senator Hart, Senate File 226, a bill for an act to amend section one hundred twenty-three point seven (123.7), Code 1950, relating to the appointment of members of the Iowa liquor control commission, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hart offered the following amendment and moved its adoption:

Amend Senate File 226, section 2, by striking lines 3, 4, and 5 and substituting in lieu thereof the following: "and publication in The Cedar Rapids Tribune, a newspaper published at Cedar Rapids, Iowa, and The Donnellson Review, a newspaper published at Donnellson, Iowa."

The amendment was adopted.

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

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

Ayes, 49:

Anderson	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Utzig
Bekman	Hart	Nelson	Van Eaton
Bellman	Hedin	Nesmith	Vest
Berg	Heideman	Nolan	Walter
Boothby	Johnson	Oltman	Washburn
Byers	Knudson	O'Malley	Watson of
Clark	Larson	Prentis	O'Brien
Colburn	LinnevoId	Risk	Watson of
Dailey	Lord	Sayre	Pottawattamie
Dewel	Lucas	Schoening	Weichman
DykhousE	Lynes	Stewart of	Whitehead
Elijah	Miller	Mahaska	Zastrow

Nays, none.

Absent or not voting, 1:

Scott

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

#### SENATE FILE 180 RE-REFERRED

Senator Watson of Pottawattamie moved that Senate File 180 be re-referred to the committee on Judiciary 2.

The motion prevailed and Senate File 180 was re-referred to the committee on Judiciary 2.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

**MR. PRESIDENT:** I am directed to inform your honorable body that the House has concurred in Senate amendments to and passed House File 130, a bill for an act relating to the annual tax which the board of supervisors may levy for the 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 434, a bill for an act relating to capital improvements for the division of radio communication, and making an appropriation therefor.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE MESSAGE CONSIDERED

House File 434, a bill for an act to appropriate from the general fund of the State of Iowa to the department of public safety for the purpose of various capital improvements for the division of radio communication.

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

On motion of Senator Zastrow, the Senate recessed until 3:15 p.m.

### AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Stuart of Lucas, 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 18, 35, 41, 60 and 101; and House Joint Resolution 3.

W. C. STUART, *Chairman Senate Committee.*

JOHN A. WALKER, *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 18, 35, 41, 60 and 101; and House Joint Resolution 3.

#### REPORTS OF COMMITTEES

Senator Myrland submitted the following report:

MR. PRESIDENT: Your committee on public utilities, to which was referred **Senate File 250**, a bill for an act to amend section three hundred ninety-seven point twenty-nine (397.29), Code 1950, relating to the management of public utility plants by boards of trustees, 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.

Also:

MR. PRESIDENT: Your committee on public utilities, to which was referred **Senate File 321**, a bill for an act to amend chapter four hundred ninety (490), Code 1950, relating to pipe lines, 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 Byers submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred **Senate File 125**, a bill for an act to legalize and validate the special elec-

tion and the proceedings authorizing and providing for the issuance, sale and delivery of garage bonds of the city of Storm Lake, 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 **Senate File 212**, a bill for an act to amend section five hundred ninety-nine point five (599.5), Code 1950, relating to disability of minors, 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 237**, a bill for an act relating to the making of payments of insurance benefits of hospitalization insurance policies to persons insured under such policies and to hospitals furnishing service for such insured persons, 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 242**, a bill for an act to amend chapter four hundred fifty-five (455), Code 1950, relating to levee and drainage districts, 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 269**, 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, 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 276**, a bill for an act to amend section six hundred twenty-six point sixty-nine (626.69), Code 1950, relating to preferred labor claims,

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 296**, a bill for an act to legalize and validate the proceedings for the organization and establishment of the Iowa Great Lakes Sanitary District, in Dickinson County, Iowa, and to legalize and validate all proceedings of the board of trustees, including levy of taxes for operation of the district facilities and for the issuance of bonds and levy of taxes for payment 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.

#### AMENDMENTS FILED

- 1 1. Amend Senate File 52, section 1, subsection 1
- 2 thereof in line 6, by striking the word "accredited" and
- 3 inserting in lieu thereof the word "accredited".
- 4 2. Amend section 5, line 9, by striking
- 5 the word "ten" and substituting in lieu thereof the word
- 6 "five" and lines 15 to 17, inclusive,
- 7 by striking the sentence after the word "preparation." and
- 8 inserting in lieu thereof the following: "A certificate
- 9 renewed as a permanent certificate shall be valid throughout
- 10 the lifetime of the holder unless it is revoked for cause
- 11 as provided by law."

R. J. OLTMAN, THOMAS J. DAILEY,  
WILBUR C. MOLISON and G. E. WHITEHEAD.

- 1 Amend Senate File 177 by striking from section 1, line 9, the
- 2 words "not less than".

G. E. WHITEHEAD.

- 1 Amend Senate File 193 by adding in line 5 of section
- 2 1 after the word "one" the following: "-half".

CHARLES S. VAN EATON.

- 1 Amend Senate File 225 by striking all after the enacting
- 2 clause and substituting in lieu thereof the following:
- 3 Section 1. Section three hundred fifty-eight A point three
- 4 (358A.3), Code 1950, is hereby amended by striking all of said
- 5 section after the word "town" in line eighteen (18) and inserting
- 6 in lieu thereof a period (.)

DEVERE WATSON.

- 1 Amend Senate File 379 by adding the following section:
- 2 "Sec. 3. This Act, being deemed of immediate importance,

3 shall take effect and be in full force on July 1, 1953, from  
4 and after its passage and publication in the Spencer Daily  
5 Reporter, a newspaper published at Spencer, Iowa, and in The  
6 Sheldon Mail, a newspaper published at Sheldon, Iowa."

HARRY E. WATSON.

1 Amend House File 221 by striking from section 21, line 10,  
2 the following: "three hundred nine point fifty-eight  
3 (309.58),".

C. EMORY STEWART.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 13, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend L. R. Middents, pastor of the First Presbyterian Church, Paullina, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Colburn for the day on request of Senator Washburn; Senator Walter for the day on request of Senator Knudson; Senator Heideman for the day on request of Senator Knudson.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Hedin from residents of Scott County in opposition to proposed legislation relating to where the use of trot or throw lines is permitted.

By Senator Heideman from residents of Webster County in opposition to proposed legislation relating to the licensing of insurance agents.

By Senator Johnson from residents of Clayton County favoring proposed legislation relating to the rebuilding of the Iowa Soldiers' Home at Marshalltown.

By Senator Van Eaton from residents of Woodbury County in opposition to proposed legislation relating to imposing a tax of two per cent upon the gross receipts derived from the operation of bowling alleys.

By the following Senators in opposition to proposed legislation relating to fraternal beneficial associations:

By Senator Bateson from residents of Hardin County.

By Senator Berg from residents of Black Hawk County.

By Senator Lord from residents of Louisa and Muscatine Counties.

## PRESENTATION OF VISITORS

Senator Miller asked and received unanimous consent to present to the Senate a group of students from the Washington Public School of Marion County who were present in the balcony accompanied by their instructor, Minnie McDonnell.

Senator Elijah asked and received unanimous consent to present to the Senate fifteen members of the Methodist Youth Fellowship accompanied by Reverend Everett R. Major, pastor of the Methodist Church of Anamosa, Iowa.

Senator Miller asked and received unanimous consent to present to the Senate the Honorable Doctor F. M. Roberts from Marion County, a former member of the Senate, who was present in the Senate chamber.

Senator Whitehead asked and received unanimous consent to present to the Senate twenty-two students of the Granger High School who were present in the balcony accompanied by Miss Carter and Mr. Oxenreider.

Senator Knudson asked and received unanimous consent to present to the Senate fifteen students of the Swaledale Consolidated School who were present in the balcony accompanied by Mr. Lantz.

Senator Sayre asked and received unanimous consent to present to the Senate thirty-one members of the junior and senior classes of the Fontanelle High School who were present in the balcony accompanied by their superintendent, Anthony Blankers, R. Wollenhaupt and D. D. Dunlap.

## THIRD READING OF BILLS

On motion of Senator Bekman, Senate File 124, a bill for an act to amend chapter five hundred twenty-two (522), Code 1950, relating to the licensing of insurance agents, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Linnevold moved that Senate File 124 be re-referred to the committee on insurance for further study.

Senator Dewel moved the previous question on the motion, which motion prevailed.

Roll call was requested.

On the question "Shall Senate File 124 be re-referred to the committee on insurance?" the vote was:

**Ayes, 24:**

Anderson	Grimstead	Miller	Vest
Bateson	Johnson	Molison	Washburn
Bellman	Larson	Myrland	Watson of
Dailey	Linnevoid	Nelson	O'Brien
Dewel	Lord	Prentis	Weichman
Elijah	Lynes	Sayre	Zastrow
Fishbaugh			

**Nays, 19:**

Bekman	Hedin	Risk	Stuart of Lucas
Berg	Knudson	Schoening	Van Eaton
Boothby	Lucas	Scott	Watson of
Byers	Nesmith	Stewart of	Pottawattamie
Dykhouse	Nolan	Mahaska	
Hart	Oltman		

**Absent or not voting, 7:**

Clark	Heideman	Utzig	Whitehead
Colburn	O'Malley	Walter	

The motion prevailed and Senate File 124 was re-referred to the committee on insurance.

**UNFINISHED BUSINESS**

On motion of Senator Byers, Senate File 225, a bill for an act to amend section three hundred fifty-eight A point three (358A.3), Code 1950, relating to the powers of county boards of supervisors relative to county zoning, was taken up for further consideration.

Senator Watson of Pottawattamie offered the following amendment and moved its adoption:

Amend Senate File 225 by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Section three hundred fifty-eight A point three (358A.3), Code 1950, is hereby amended by striking all of said section after the word "town" in line eighteen (18) and inserting in lieu thereof a period (.).

The amendment was adopted.

Senator Weichman offered the following amendment and moved its adoption:

Amend Senate File 225 by adding the following new section:

"Sec. 2. Section three hundred fifty-eight A point one (358A.1), Code 1950, is hereby repealed and the following enacted in lieu thereof: 'The provisions of this chapter shall apply to all counties, regardless of population, at the option of the board of supervisors of any county.'"

The amendment was adopted.

Senator Weichman offered the following amendment and moved its adoption:

Amend the title to Senate File 225 by striking all after the word "Act" and substituting in lieu thereof the following: "to amend sections three hundred fifty-eight A point one (358A.1) and three hundred fifty-eight A point three (358A.3), Code 1950, relating to the powers of county boards of supervisors relative to county zoning."

The amendment was adopted.

Senator O'Malley moved that the Senate recess until 1:30 p.m., which motion was lost.

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

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

Ayes, 32:

Anderson	Hedin	Nesmith	Vest
Bateson	Johnson	Nolan	Watson of
Bekman	Knudson	Oltman	O'Brien
Berg	Larson	Sayre	Watson of
Boothby	Linnevold	Stewart of	Pottawattamie
Byers	Lucas	Mahaska	Weichman
Clark	Miller	Stuart of Lucas	Whitehead
Dykhouse	Molison	Utzig	Zastrow
Elijah	Myrland	Van Eaton	

Nays, 7:

Fishbaugh	Lynes	Prentis	Schoening
Lord	O'Malley	Risk	

Absent or not voting, 11:

Bellman	Dewel	Heideman	Walter
Colburn	Grimstead	Nelson	Washburn
Dailey	Hart	Scott	

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

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

#### 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 Representative J. Henry Lucken as a member of the committee to attend the scheduled atomic bomb detona-

tion at Las Vegas, Nevada, in accordance with House Concurrent Resolution 18.

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

House File 44, a bill for an act relating to the payment of sales and use tax.

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

House File 331, a bill for an act relating to expense of inaugural ceremonies.

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

House File 433, a bill for an act providing an appropriation to members of the committee on interstate cooperation.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED

House File 44, a bill for an act relating to the payment of sales and use tax by tax certifying and tax levying bodies and to amend and repeal certain sections of chapters four hundred twenty-two (422) and four hundred twenty-three (423), Code 1950, relating thereto and enact substitutes therefor.

Read first and second times, and passed on file.

House File 331, a bill for an act making appropriation to defray expense of inaugural ceremonies.

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

House File 433, a bill for an act to make appropriations to members of the committee on interstate cooperation, namely: Paul E. McCarville, Raymond R. Gillespie, W. Eldon Walter, Herman B. Lord, James H. Nesmith, John P. Berg, Estate of Edward S. Parker, Fred Schwengel, Carl H. Ringgenberg, Albert Weiss, Glenn E. Robinson, Harry Nielsen, Katheryn C. Metz and R. O. Burrows, Sr.

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

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Stuart of Lucas, 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 130.

W. C. STUART, *Chairman Senate Committee.*

JOHN A. WALKER, *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 130.

#### PROOF OF PUBLICATION

Published copy of Senate File 269 and verified proof of publication of said bill in the Cherokee Courier on February 5, 1953, 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.*

#### ASSIGNMENT OF BILL

President Elthon announced the assignment of the following bill to committee:

H. F. 44 Ways and means

#### AMENDMENTS FILED

- 1 Amend Senate File 29, section 1, line 4,
- 2 by striking the word "prescribed" and inserting in lieu
- 3 thereof the word "prescribe".

HARRY E. WEICHMAN.

- 1 Amend Senate File 109 by striking all of section 2 and
- 2 substituting the following in lieu thereof:
- 3 "Sec. 2. This act being deemed of immediate importance
- 4 shall be in full force and effect from and after its publication
- 5 in The Muscatine Journal and News Tribune, a newspaper published
- 6 at Muscatine, Iowa, and in The Wilton Advocate, a newspaper
- 7 published at Wilton Junction, Iowa, without expense to the state."

HERMAN LORD.

- 1 Amend Senate File 189 as follows:
- 2 1. Insert in line 4 of section 1 after the figures "(252.16),"
- 3 the following: "Code 1950,";
- 4 2. Insert in line 17 of section 1 after the figures
- 5 "(252.16)," the following: "Code 1950,";
- 6 3. Insert in line 22 of section 1 after the figures
- 7 "(252.23)" the following: ", Code 1950";

8 4. Insert in line 25 of section 1 after the figures  
9 "(252.27)," the following: "Code 1950,".

X. T. PRENTIS.

1 Amend Senate File 223 by inserting after the word  
2 "hospital" in line 4 the following: "or other  
3 general hospital".

GEORGE O'MALLEY.

1 Amend Senate File 236 by striking all after the enacting  
2 clause and inserting in lieu thereof the following:  
3 Section 1. Division created. There is hereby created in  
4 the office of the secretary of state a division of occupational  
5 registration for the purpose of furnishing administrative assist-  
6 ance in issuing licenses and permits by the following agencies:  
7 Architectural examiners, accountancy board, state beer permit  
8 board, employment agency commission, engineering examiners, min-  
9 ing department, public safety department, real estate commission,  
10 shorthand reporters examiners, tax commission and watchmakers  
11 examiners.

12 Sec. 2. Duties. The division of occupational registration  
13 under the secretary of state shall perform the following duties  
14 in respect to said licensing agencies.

15 1. Applications. May receive applications for permits,  
16 licenses and certificates and shall transmit same to the proper  
17 agency.

18 2. Licenses. Issue licenses, permits, and certificates, as  
19 ordered by said boards under the seal of the secretary of state.

20 3. Fees. Collect and pay over to the treasurer of state all  
21 fees provided by law for such licenses, permits, certificates, and  
22 examinations received.

23 4. Registers. Maintain registers of all licensees, permittees  
24 and certificate holders.

25 5. Forms. Procure and furnish all forms necessary in  
26 connection with the issuance and renewal or revocation of licenses,  
27 permits, and certificates.

28 6. Certificates. Maintain on hand a supply of certificates,  
29 licenses, and permits with the necessary signatures affixed thereto.

30 Sec. 3. Section one hundred eighteen point six (118.6), Code  
31 1950, is amended by adding after the word "secure" in line three  
32 (3) the words "from the secretary of state upon order".

33 Sec. 4. Section one hundred eighteen point nine (118.9),  
34 Code 1950, is amended by striking from lines seven (7) and eight  
35 (8) the words "issue to him" and inserting in lieu thereof the  
36 words "cause to be issued to him by the secretary of state".

37 Sec. 5. Section one hundred eighteen point eleven (118.11),  
38 Code 1950, is amended by striking from lines four (4) and seven (7)  
39 the words "paid to the board" and inserting in lieu thereof the  
40 words "paid to the secretary of state".

41 Sec. 6. Section one hundred sixteen point twelve (116.12),  
42 Code 1950, is amended by striking from line one (1) the words  
43 "board of accountancy" and inserting in lieu thereof the words  
44 "secretary of state".

45 Further amend said section by adding at the end thereof the  
46 following:

47 "All certificates required by this chapter shall be issued by  
48 the secretary of state upon order of the board of accountancy."

49 Sec. 7. Section one hundred twenty-four point five (124.5),  
50 Code 1950, is amended by striking from line three (3) the word  
51 "issue" and inserting in lieu thereof the words "direct the  
52 secretary of state to issue".

53 Sec. 8. Section ninety-five point three (95.3), Code 1950,  
54 is amended by adding at the end thereof the following:

55 "All licenses required under this chapter shall be issued by  
56 the secretary of state".

57 Sec. 9. Section one hundred fourteen point twelve (114.12),  
58 Code 1950, is amended by inserting after the word "secretary" in  
59 line two (2) the words "of state".

60 Sec. 10. Section one hundred fourteen point seventeen (114.17),  
61 Code 1950, is amended by inserting after the word "shall" in line  
62 four (4) the words "direct the secretary of state to".

63 Sec. 11. Section one hundred fourteen point nineteen (114.19),  
64 Code 1950, is amended by inserting after the word "shall" in line  
65 five (5) the words "direct the secretary of state to".

66 Sec. 12. Section one hundred fourteen point twenty (114.20),  
67 Code 1950, is amended by inserting after the word "shall" in line  
68 thirteen (13) the words "direct the secretary of state to".

69 Sec. 13. Section eighty-two point five (82.5), Code 1950, is  
70 amended by inserting in line six (6) after the word "shall" the  
71 words "direct the secretary of state to".

72 Sec. 14. Section eighty-two point six (82.6), Code 1950, is  
73 amended by inserting in line ten (10) after the second word "shall"  
74 the words "direct the secretary of state to".

75 Sec. 15. Section three hundred twenty-two point five (322.5),  
76 Code 1950, is amended by striking from lines four (4) and six (6)  
77 the word "department" and inserting in lieu thereof the words  
78 "secretary of state".

79 Sec. 16. Section three hundred twenty-two point seven (322.7),  
80 Code 1950, is amended by inserting in line four (4) after the word  
81 "shall" the words "direct the secretary of state to".

82 Sec. 17. Section three hundred twenty-two point eight (322.8),  
83 Code 1950, is amended by inserting in the third line from the end  
84 of said section before the word "issue" the words "direct the  
85 secretary of state to".

86 Sec. 18. Section three hundred twenty-two point twelve (322.12),  
87 Code 1950, is amended by striking from line four (4) the word  
88 "department" and inserting in lieu thereof the words "secretary  
89 of state".

90 Sec. 19. Section one hundred fifteen point three (115.3),  
91 Code 1950, is amended by adding at the end thereof the following:

92 "The board shall direct the secretary of state to issue cer-  
93 tificates to those entitled thereto."

94 Sec. 20. Section four hundred twenty-two point fifty-three  
95 (422.53), Code 1950, is amended by inserting in line three (3) of  
96 subsection three (3) after the word "and" the words "direct the  
97 secretary of state to".

98 Further amend said section by inserting in line five (5) of  
99 subsection seven (7) after the word "shall" the words "direct  
100 the secretary of state to".

101 Sec. 21. Section one hundred twenty point three (120.3),  
102 Code 1950, is amended by inserting in line three (3) of subsection  
103 three (3) after the word "secretary" the words "of state".

104 Sec. 22. Section one hundred twenty point five (120.5), Code  
105 1950, is amended by striking from line five (5) the words "the  
106 board" and inserting in lieu thereof the word "state".

107 Sec. 23. Section one hundred twenty point eight (120.8), Code  
108 1950, is amended as follows:

109 1. Insert in line three (3), of subsection one (1), after  
110 the word "shall" the words "direct the secretary of state to".

111 2. Insert in line nineteen (19), of subsection two (2),  
112 before the word "issue" the words "direct the secretary of state  
113 to".

114 3. Insert in line sixteen (16), of subsection three (3),  
115 after the word "and" the words "direct the secretary of state  
116 to".

117 4. Insert in line four (4), of subsection four (4), after  
118 the word "annually" the words "by the secretary of state".

119 Sec. 24. Section one hundred twenty point nine (120.9), Code  
120 1950, is amended by striking from line five (5) the word "board"  
121 and inserting in lieu thereof the words "secretary of state".

X. T. PRENTIS.

1 Amend Senate File 307 by striking all after the enacting  
2 clause and substituting in lieu thereof the following:

3 "Section 1. Section five hundred seven point four  
4 (507.4), Code 1950, is hereby amended by striking the word  
5 'fifty' from line twenty-three (23) thereof and substituting  
6 in lieu thereof the word 'eighty'."

ELMER K. BEKMAN.

1 Amend Senate File 379 by striking section 2 and inserting in  
2 lieu thereof the following:

3 "Sec. 2. Section three hundred twenty-four point sixty-three  
4 (324.63), Code 1950, is hereby amended by striking all of said  
5 section and substituting in lieu thereof the following:

6 "The net proceeds from the license fees and penalties  
7 collected under the provisions of this chapter shall be credited

8 to the road use tax fund as set out in section 308A.2. This  
 9 special credit shall be for and during a period of three (3) years.'"

X. T. PRENTIS.

G. D. BELLMAN.

LORIN B. SAYRE.

CHARLES W. NELSON.

W. C. STUART.

THOMAS C. LARSON.

HENRY W. WASHBURN.

TED D. CLARK.

EARL C. FISHBAUGH, JR.

GEORGE E. O'MALLEY.

LEON N. MILLER.

ERWIN SCHOENING.

ELMER K. BEKMAN.

W. C. MOLISON.

DEVERE WATSON.

JAY C. COLBURN.

E. C. MYRLAND.

THOMAS J. DAILEY.

HERMAN LORD. and

ARNOLD UTZIG.

1 Amend Senate File 379, section 2, by striking all after the  
 2 word "to" in line 5 and inserting the following: "the primary  
 3 road fund during a period of three (3) years, commencing with the  
 4 date upon which this act becomes effective."

HARRY E. WATSON.

On motion of Senator Zastrow, the Senate adjourned until 11:00  
 a.m., Monday, March 16, 1953.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 16, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend C. E. Custer, pastor of the Methodist Church, Renwick, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Stuart for the day on request of Senator Myrland; Senator Walter for the day on request of Senator Heideman; Senator Bekman for the day on request of Senator Hart.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Bateson from residents of Boone County in opposition to proposed legislation relating to imposing a tax of two per cent upon the gross receipts derived from the operation of bowling alleys.

By Senator Berg from residents of Black Hawk County favoring proposed legislation to provide for equal pay for equal work.

By Senator Dewel from residents of Kossuth County in opposition to proposed legislation relating to establishment of a Public Service Commission.

By Senator Hart from residents of Lee County in opposition to proposed legislation creating in the office of the secretary of state a division of occupational registration.

By Senator Heideman from residents of Webster County favoring proposed legislation relating to reorganization of the State Department of Public Instruction.

By Senator Knudson from residents of Hancock County in opposition to proposed legislation relating to cream grading.

By Senator Knudson from residents of Franklin County favoring proposed legislation relating to union security agreements and contracts.

By Senator Lucas from residents of Boone County favoring proposed legislation relating to establishing an Iowa Recreation Board.

By Senator Miller from residents of Marion County favoring proposed legislation relating to union shop legislation.

By Senator Van Eaton from residents of Woodbury County favoring proposed legislation relating to the enlargement of municipal airports and the issuance of airport bonds.

By the following Senators favoring proposed legislation relating to additional facilities for handicapped children:

By Senator Dykhouse from residents of Sioux County.

By Senator Knudson from residents of Cerro Gordo and Hancock Counties.

By the following Senators in opposition to proposed legislation relating to imposing a tax of two per cent upon the gross receipts derived from the operation of bowling alleys.

By Senator Dewel from residents of Kossuth County.

By Senator Nolan from residents of Johnson County.

By Senator Zastrow from residents of Fremont County.

By the following Senators favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance:

By Senator Fishbaugh from residents of Page County.

By Senator Heideman from residents of Webster County.

By Senator Lucas from residents of Boone County.

By the following Senators in opposition to proposed legislation relating to fraternal beneficial associations:

By Senator Bateson from residents of Wright County.

By Senator Berg from residents of Black Hawk County.

By Senator Elijah from residents of Jackson County.

By Senator Hedin from residents of Scott County.

By Senator Heideman from residents of Webster County.

By Senator Molison from residents of Keokuk County.

By Senator Van Eaton from residents of Woodbury County.

By Senator Walters from residents of Tama County.

By Senator Zastrow from residents of Fremont County.

#### PROOF OF PUBLICATION

Published copy of Senate File 197 and verified proof of publication of said bill in the Cedar Falls Daily Record on March 11, 1953, 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.*

#### MESSAGES FROM 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 21, a bill for an act relating to the sale of certain land in Scott County, Iowa.

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

Senate File 76, a bill for an act providing for exemptions from inheritance tax upon passing of property to societies, institutions, etc.

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

Senate File 100, a bill for an act relating to bonded warehouses for agricultural products.

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

Senate File 110, a bill for an act legalizing the transfer of eight hundred dollars by the board of supervisors of Muscatine County.

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

Senate File 117, a bill for an act relating to county aid.

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

Senate File 129, a bill for an act relating to World War II Service Compensation Fund.

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

Senate File 145, a bill for an act relating to the Iowa year book of agriculture.

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

Senate File 218, a bill for an act providing for transfer of funds from "the state sinking fund for public deposits".

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

House File 43, a bill for an act relating to recording a certificate of dissolution of a corporation.

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

House File 46, a bill for an act relating to management of public utility plants by boards of trustees.

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 general powers of cities and towns and mayor-council form of city government.

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

House File 87, a bill for an act relating to the publication of district court dockets.

Also: 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 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 168, a bill for an act relating to the designation of funds created and maintained by the state fair board.

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

House File 181, a bill for an act relating to changing the name of "State Sanatorium" to "Iowa Tuberculosis Hospital".

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 the legalizing of plats.

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 municipal interstate bridges.

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 legalizing special election authorizing sale of waterworks bonds of Eddyville, Iowa.

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

House File 266, a bill for an act to eliminate duplication of information found in salary book.

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

House File 273, a bill for an act limiting the time in which actions may be brought to recover funds of closed receiverships.

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

House File 274, a bill for an act legalizing special election authorizing school building bonds of Stennett, Montgomery County, Iowa.

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

House File 305, a bill for an act relating to the power of cities and towns to receive devises and bequests for the use of free libraries; etc.

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

House File 309, a bill for an act authorizing sale and delivery of bonds in connection with construction of waterworks by Richland, Iowa.

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

House File 337, a bill for an act relating to the payment of unemployment compensation.

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

House File 341, a bill for an act relating to renewal of articles of incorporation of Paint Creek Farmers Telephone Company of Allamakee County.

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

House File 373, a bill for an act relating to the exchange of certain properties between the city of Des Moines and the State of Iowa.

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

House File 374, a bill for an act relating to school building bonds of the school township of Davenport in Scott County.

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

House File 456, a bill for an act appropriating funds to board of control to cover fire loss at State Penitentiary and Cherokee Mental Health Institute.

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 transferring monies from industry revolving funds at state reformatory at Anamosa to general fund.

A. C. GUSTAFSON, *Chairman.*

#### HOUSE MESSAGES CONSIDERED

House File 43, a bill for an act relating to recording a certificate of dissolution of a corporation and to amend section four hundred ninety-one point twenty-three (491.23), Code 1950.

Read first and second times, and passed on file.

House File 46, a bill for an act to amend section three hundred ninety-seven point twenty-nine (397.29), Code 1950, relating to the management of public utility plants by boards of trustees.

Read first and second times, and passed on file.

House File 83, a bill for an act to amend section two (2) of chapter one hundred forty-six (146), Acts of the Fifty-fourth General Assembly, relating to general powers of cities and towns, and the mayor-council form of city government.

Read first and second times, and passed on file.

House File 87, a bill for an act to amend section six hundred eighteen point thirteen (618.13), Code 1950, relating to the publication of district court dockets.

Read first and second times, and passed on file.

House File 149, 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 168, a bill for an act relating to the designation of funds created and maintained by the state fair board which shall not be construed as prohibited by the provisions of chapter eight (8), Code 1950, and to amend section eight point thirty-two (8.32), Code 1950.

Read first and second times, and passed on file.

House File 181, a bill for an act to amend chapters two hundred fifty-four (254), two hundred sixty-two (262), and two hundred seventy-one (271), Code 1950, to change the name of the "state sanatorium" for treatment of tuberculosis to the "Iowa Tuberculosis Hospital".

Read first and second times, and passed on file.

House File 207, a bill for an act relating to the legalizing of plats filed prior to January 1, 1940, to provide a limitation of actions in regard thereto, and to amend section five hundred ninety-two point three (592.3), Code 1950.

Read first and second times, and passed on file.

House File 232, a bill for an act to amend chapter three hundred eighty-three (383), Code 1950, relating to municipal interstate bridges by adding a new section thereto authorizing the enlargement and reconstruction of such bridges and the issuance of revenue bonds to finance such enlargement and reconstruction.

Read first and second times, and passed on file.

House File 265, 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 general obligation waterworks bonds of the town of Eddyville, Iowa; and the provisions made for taxes for the payment of said bonds; and the proceedings authorizing and providing for the issuance, sale and delivery of waterworks revenue bonds of said town; and the provision made pledging the future net revenues of the municipal waterworks to their payment; and declaring said proceedings and said bonds issued and sold pursuant to said election and proceedings to pay the cost of establishing and constructing a municipal waterworks system for said town to be valid obligations of said town according to their tenor.

Read first and second times, and passed on file.

House File 266, a bill for an act to amend section two hundred seventeen point eleven (217.11), Code 1950, to eliminate necessity of duplicating information found in salary book.

Read first and second times, and passed on file.

House File 273, 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 first day of February, 1953, and making provision for the disposition of such funds.

Read first and second times, and passed on file.

House File 274, 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 Stennett, in the county of Montgomery, 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.

House File 305, a bill for an act to amend chapter three hundred seventy-eight (378), Code 1950, relating to the power of cities and towns to receive devises and bequests for the use of free libraries; and providing for enlarging the class of persons eligible to be members of the board of library trustees.

Read first and second times, and passed on file.

House File 309, a bill for an act to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of bonds in connection with the construction of a water-works by the town of Richland, Keokuk County, Iowa, and the provisions made 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.

House File 337, a bill for an act to amend chapter ninety-six (96), Code 1950, relating to the payment of unemployment compensation; to preserve the benefit rights of an individual entering the armed forces of the United States; to provide that such an individual shall not be disqualified for voluntarily leaving his employment to enter such armed forces; to provide that the time spent by such individual in such armed forces shall be excluded from the individual's base period; to provide that the benefit year of any such individual shall be extended by the time spent in such armed forces.

Read first and second times, and passed on file.

House File 341, a bill for an act to legalize the corporate acts and proceedings in connection with the renewal of corporate existence and the adoption of renewed articles of incorporation of Paint Creek Farmers Telephone Company, of the town of Waterville, county of Allamakee, State of Iowa, and to provide for and legalize the renewal of the charter of said company.

Read first and second times, and passed on file.

House File 373, a bill for an act to confirm exchange of certain properties between the city of Des Moines and the State of Iowa and to authorize conveyance of certain property of the state to the city of Des Moines, Iowa.

Read first and second times, and passed on file.

House File 374, a bill for an act to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of school building bonds of the school township of Davenport, in the county of Scott, State of Iowa, and the provisions made for the payment of said bonds, and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said school township.

Read first and second times, and passed on file.

House File 456, a bill for an act to appropriate funds to the board of control for the repair to buildings and for the restoration and replacement of furniture, fixtures, equipment and other items of institutional property damaged by fire in the auditorium at the State Penitentiary at Fort Madison on January 12, 1953, and in the laundry building at the Cherokee Mental Health Institute on February 9, 1953.

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

House File 457, a bill for an act transferring monies from the industry revolving funds created and established at the state reformatory at Anamosa to the general fund of the state.

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

### THIRD READING OF BILLS

On motion of Senator Berg, Senate File 197, a bill for an act to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of revenue bonds by the city of Cedar Falls, Black Hawk County, Iowa, to defray the cost of constructing improvements to the municipal sewage treatment plant of said city and the provisions made 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 Berg moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

**Ayes, 46:**

Anderson	Hart	Nelson	Utzig
Bateson	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Washburn
Boothby	Knudson	O'Malley	Watson of
Byers	Larson	Preftis	O'Brien
Colburn	Linnevoid	Risk	Watson of
Dailey	Lord	Sayre	Pottawattamie
Dewel	Lucas	Schoening	Weichman
Dykhouse	Lynes	Scott	Whitehead
Elijah	Miller	Stewart of	Zastrow
Fishbaugh	Molison	Mahaska	
Grimstead	Myrland		

Nays, none.

Absent or not voting, 4:

Bekman	Clark	Stuart of Lucas	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 Bateson, Senate File 249, a bill for an act relating to the fixing of the value of property stolen or the face value of a check, draft or written order falsely drawn or uttered, as the same bears on whether the offense be a misdemeanor or a felony, and to amend sections seven hundred nine point two (709.2), seven hundred nine point four (709.4), seven hundred nine point five (709.5), seven hundred twelve point one (712.1) and seven hundred thirteen point three (713.3), Code 1950, was taken up, and considered.

Senator Dailey offered the following amendment and moved its adoption:

Amend Senate File 249 by striking all of section 5.

The amendment was lost.

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	Nelson	Utzig
Bateson	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Washburn
Boothby	Knudson	O'Malley	Watson of
Byers	Larson	Prentis	O'Brien
Colburn	Linnevoid	Risk	Watson of
Dailey	Lord	Sayre	Pottawattamie
Dewel	Lucas	Schoening	Weichman
Dykhouse	Lynes	Scott	Whitehead
Elijah	Miller	Stewart of	Zastrow
Fishbaugh	Molison	Mahaska	
Grimstead	Myrland		

Nays, none.

Absent or not voting, 4:

Bekman                      Clark                      Stuart of Lucas      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 Zastrow, the Senate recessed until 1:00 p.m.

### AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

### THIRD READING OF BILLS

On motion of Senator Weichman, House File 157, a bill for an act to amend section one hundred fifty-nine point ten (159.10), Code 1950, relating to the Iowa yearbook of agriculture, 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 House File 157 by adding thereto the following section:

"Sec. 2. Section one hundred seventy-three point two (173.2), subsection eight (8), Code 1950, is hereby amended by striking from lines two (2) and three (3) the words 'corn and small grain growers' and inserting in lieu thereof the words 'crop improvement'."

Further amend House File 157 by striking the period (.) at the end of line 3 of the title and adding the following:

" , and section one hundred seventy-three point two (173.2), Code 1950, relating to the state fair board."

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, 45:

Anderson	Fishbaugh	Miller	Scott
Bateson	Grimstead	Molison	Stewart of
Bellman	Hart	Myrland	Mahaska
Berg	Hedin	Nelson	Van Eaton
Boothby	Heideman	Nesmith	Washburn
Byers	Johnson	Nolan	Watson of
Clark	Knudson	Oltman	O'Brien
Colburn	Larson	O'Malley	Watson of
Dailey	Linnevold	Prentis	Pottawattamie
Dewel	Lord	Risk	Weichman
Dykhouse	Lucas	Sayre	Whitehead
Elijah	Lynes	Schoening	Zastrow

## PRESENTATION OF VISITORS

Senator Lynes asked and received unanimous consent to present to the Senate nineteen foreign graduate law students who are in the United States under the provisions of the Smith-Mundt Act, students for a period of one year at the University of Chicago, who were present in the balcony.

Senator Dewel on behalf of Senator Lucas asked and received unanimous consent to present to the Senate twenty-eight members of the eighth grade civics class of the Colo Public School who were present in the balcony accompanied by their instructor, R. L. Moore.

Senator Miller asked and received unanimous consent to present to the Senate twenty-four members of the senior American government class of the Pleasantville High School who were present in the balcony accompanied by their principal, Paul E. Bolie.

Senator Lord asked and received unanimous consent to present to the Senate four students of the Muscatine High School, winners of a student Senate project who were present in the balcony accompanied by their instructor, John W. Goudy.

Senator Sayre asked and received unanimous consent to present to the Senate thirty-four members of the junior history class of the Earlham High School who were present in the balcony accompanied by James Hemphill.

Senator Dewel on behalf of Senator Lucas asked and received unanimous consent to present to the Senate the members of the seventh and eighth grade classes of the Milford Township School of Story County who were present in the balcony accompanied by their instructor, Mrs. Jessie Peterson.

Senator Boothby asked and received unanimous consent to present to the Senate twenty-five members of the government class of the Marcus Public School who were present in the balcony accompanied by N. L. Hipple.

## ANNOUNCEMENT

Senator Lynes asked and received unanimous consent that the following appropriation bills now on the Senate Calendar be placed on a special "Appropriation Bill" calendar and that they be taken up for consideration at 10:30 a.m., Friday, March 20, 1953: House

Files 331, 361, 362, 363, 365, 456, 364 and 433; and Senate Files 368, 369, 371 and 372.

Senator Vest called up for further consideration the following resolution, and also the following amendment filed by him to the resolution:

#### SENATE RESOLUTION 2

By Colburn

*Whereas*, the people of this country are suffering under an enormous tax burden, and

*Whereas*, any increase of taxes by the state or its political subdivisions would grievously add to the existing tax burden, and

*Whereas*, there are indications of lower total income for the general fund of the State of Iowa, and

*Whereas*, there is great need for more revenue in the general fund of the State of Iowa, and

*Whereas*, by virtue of the sale of distilled spirits and wines in Iowa through the state store system, distilled spirits and wines are sold in this state at prices substantially under the national retail market, and

*Whereas*, a small increase in the selling price of distilled spirits and wines in this state would not be unfair to the purchasers thereof but would still permit a price advantage not generally enjoyed by residents of other states, and

*Whereas*, such increase would provide a source of revenue which could be used to meet expenses of the state government and obviate the necessity which otherwise would exist of raising existing taxes or levying new taxes, and

*Whereas*, the commission, under the provisions of section one hundred twenty-three point eighteen (123.18), Code 1950, has the power to, "from time to time, as determined by it, fix the prices of the different classes, varieties, or brands of liquor to be sold";

*Now, Therefore, Be It Resolved by the Senate*, That it is the sense of the Senate that the Iowa Liquor Control Commission, in exercising the foregoing power of fixing the price of the different classes, varieties or brands of liquor to be sold, shall now, in addition to the usual and customary factors considered by it in fixing the prices aforesaid, also take into consideration the foregoing described need of the state for increased revenue, and to that end, the Iowa Liquor Control Commission shall make an increase in the price of the foregoing described liquors, when, in its judgment, the interests of the state will be benefited and the interests of the permit holders will not be substantially impaired.

#### AMENDMENT

Amend Senate Resolution 2 by striking all of the same and substituting the following:

*Whereas*, under the management of the Liquor Control Commission, the State of Iowa is engaged in the business of selling liquor at retail, and has a legal monopoly thereof, and

*Whereas*, the matter of the state revenue to meet the requirements of the budget for the ensuing biennium is a problem of serious proportions, *Now, Therefore, Be It Resolved*, That the said Liquor Control Commission be urged to explore the possibility of increasing the retail price of liquor sold in state owned stores in Iowa, and to determine if such increase might be made without adversely affecting the primary purpose of the Liquor Control Act in protecting the welfare, health, peace, morals and safety of the people of the state by prohibiting all traffic in alcoholic liquors, except by the State of Iowa.

On motion of Senator Vest, the amendment to the resolution was adopted.

On motion of Senator Vest, the resolution as amended was adopted.

#### UNFINISHED BUSINESS

On motion of Senator Dewel, Senate File 195, a bill for an act to amend section four hundred forty-six point nine (446.9) and section four hundred forty-six point ten (446.10), Code 1950, relating to publication in connection with tax sale, was taken up for further consideration.

Senator Dewel offered the following amendment and moved its adoption:

Amend Senate File 195 by striking section 1 and renumbering the remaining sections.

2. Amend the title of Senate File 195 by striking from lines 1 and 2 "section four hundred forty-six point nine (446.9), and ".

The amendment was adopted.

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

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

Ayes, 45:

Anderson	Fishbaugh	Nelson	Stuart of Lucas
Bateson	Hart	Nesmith	Utzig
Bekman	Hedin	Nolan	Van Eaton
Bellman	Heldeman	Oltman	Vest
Berg	Johnson	O'Malley	Washburn
Boothby	Knudson	Prentis	Watson of
Byers	Larson	Risk	O'Brien
Clark	Linnevold	Sayre	Watson of
Dailey	Lord	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Myrland	Mahaska	Zastrow

Nays, none.

Absent or not voting, 5:

Colburn	Lucas	Molison	Walter
Grimstead			

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 231, a bill for an act to amend section five hundred thirty-four point twenty-one (534.21), Code 1950, relating to shares of building and loan associations, was taken up for further consideration.

Senator Fishbaugh offered the following amendment and moved its adoption:

Amend Senate File 231, section 1, by striking the word "and" in line 10 and inserting in lieu thereof the following: "but such shares or proceeds shall be subject to the debts of the decedent and the payment of Iowa inheritance tax, if any; provided, however, that six months after the date of the death of the owner".

The amendment was 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	Grimstead	Nelson	Stuart of Lucas
Bekman	Hart	Nesmith	Utzig
Bellman	Hedin	Nolan	Van Eaton
Berg	Heideman	Oltman	Washburn
Boothby	Johnson	O'Malley	Watson of
Byers	Knudson	Prentis	O'Brien
Clark	Larson	Risk	Watson of
Dailey	Linnevold	Sayre	Pottawattamie
Dewel	Lord	Schoening	Weichman
Dykhouse	Lynes	Scott	Whitehead
Elijah	Miller	Stewart of	
Fishbaugh	Myrland	Mahaska	

Nays, 3:

Bateson	Vest	Zastrow
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Absent or not voting, 4:

Colburn	Lucas	Molison	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.

## MESSAGES FROM 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 55, a bill for an act relating to practice of funeral directing and embalming.

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

Senate File 89, a bill for an act relating to election of commissioners in soil conservation districts.

Also: That the House has concurred in Senate amendments to and passed House File 157, a bill for an act relating to the Iowa yearbook of agriculture.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE AMENDMENT TO SENATE FILE 55

Amend Senate File 55, section seven (7), by adding the following to said section: "This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Cherokee Daily Times, a newspaper published in Cherokee, Iowa, and The Aurelia Sentinel, a newspaper published at Aurelia, Iowa."

## HOUSE AMENDMENT CONSIDERED

Senator Boothby called up for consideration Senate File 55, a bill for an act to amend sections one hundred forty-seven point one (147.1), one hundred forty-seven point two (147.2), one hundred forty-seven point thirteen (147.13), one hundred forty-seven point fifteen (147.15), one hundred forty-seven point eighteen (147.18), one hundred forty-seven point eighty (147.80), and one hundred forty-seven point one hundred one (147.101), Code 1950, relating to the practice of funeral directing and embalming and the license fees thereof, amended by the House, and moved that the Senate concur in the House amendment.

The Senate concurred in the House amendment.

Senator Boothby moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

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

Ayes, 44:

Anderson  
Bateson  
Bekman

Bellman  
Berg  
Boothby

Byers  
Clark  
Dailey

Dewel  
Dykhouse  
Elijah

Grimstead	Miller	Sayre	Washburn
Hart	Myrland	Schoening	Watson of
Hedin	Nelson	Scott	O'Brien
Heideman	Nesmith	Stewart of	Watson of
Johnson	Nolan	Mahaska	Pottawattamie
Knudson	Oltman	Stuart of Lucas	Weichman
Larson	O'Malley	Utzig	Whitehead
Lord	Prentis	Van Eaton	Zastrow
Lynes	Risk	Vest	

Nays, none.

Absent or not voting, 6:

Colburn	Linnevold	Molison	Walter
Fishbaugh	Lucas		

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 Miller, Senate File 263, a bill for an act to repeal section three hundred twenty-one point one hundred ninety-four (321.194), Code 1950, pertaining to restricted licenses issued to minors and to enact a substitute therefor, was taken up, and considered.

Senator Miller offered the following amendment and moved its adoption:

Amend Senate File 263 by striking the word "reasonably" in line 9 of section 1.

The amendment was adopted.

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

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

Ayes, 44:

Anderson	Grimstead	Nesmith	Utzig
Bateson	Hedin	Nolan	Van Eaton
Bekman	Heideman	Oltman	Vest
Bellman	Johnson	O'Malley	Washburn
Berg	Knudson	Prentis	Watson of
Boothby	Larson	Risk	O'Brien
Byers	Linnevold	Sayre	Watson of
Dailey	Lord	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Myrland	Mahaska	Zastrow
Fishbaugh	Nelson	Stuart of Lucas	

Nays, none.

Absent or not voting, 6:

Clark	Hart	Molison	Walter
Colburn	Lucas		

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

On motion of Senator Miller, Senate File 264, a bill for an act to amend section three hundred twenty-one point one (321.1), subsection forty-three (43), Code 1950, relating to defining the term "chauffeur", was taken up for consideration.

Senator Lord asked and received unanimous consent that action on Senate File 264 be deferred and that the bill be placed on the calendar under unfinished business.

#### SENATE FILE 265 RE-REFERRED

Senator Bateson asked and received unanimous consent that Senate File 265 be re-referred to the committee on motor vehicles.

On motion of Senator Bateson, Senate File 266, a bill for an act to amend section three hundred twenty-one A point thirty-two (321A.32), Code 1950, relating to the penalty of operating a motor vehicle while under suspension, 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, 44:

Anderson	Fishbaugh	Nelson	Utzig
Bateson	Grimstead	Nesmith	Van Eaton
Bekman	Hart	Nolan	Vest
Bellman	Hedin	Oltman	Washburn
Berg	Heideman	O'Malley	Watson of
Boothby	Johnson	Prentiss	O'Brien
Byers	Knudson	Risk	Watson of
Clark	Larson	Sayre	Pottawattamie
Dailey	Lord	Schoening	Weichman
Dewel	Lynes	Stewart of	Whitehead
Dykhouse	Miller	Mahaska	Zastrow
Elijah	Myrland	Stuart of Lucas	

Nays, none.

Absent or not voting, 6:

Colburn	Lucas	Scott	Walter
Linnevoold	Molison		

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 267, a bill for an act to amend chapter three hundred twenty-one A (321A), Code 1950, relating to motor vehicle financial responsibility, 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:

Anderson	Grimstead	Nelson	Stuart of Lucas
Bateson	Hart	Nesmith	Utzig
Bekman	Hedin	Nolan	Van Eaton
Bellman	Heideman	Oltman	Vest
Berg	Johnson	O'Malley	Washburn
Byers	Knudson	Prentis	Watson of
Clark	Larson	Risk	O'Brien
Dailey	Linnevoid	Sayre	Watson of
Dewel	Lord	Schoening	Pottawattamie
Dykhouse	Lynes	Scott	Weichman
Elijah	Miller	Stewart of	Whitehead
Fishbaugh	Myrland	Mahaska	Zastrow

Nays, none.

Absent or not voting, 5:

Boothby	Lucas	Molison	Walter
Colburn			

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

#### RECONSIDERATION OF SENATE FILE 55

Senator Boothby moved to reconsider the vote by which Senate File 55 as amended by the House and concurred in by the Senate passed the Senate, which motion prevailed.

Senator Boothby moved to reconsider the vote by which Senate File 55 went to its last reading, which motion prevailed.

Senator Boothby moved to reconsider the vote by which the Senate concurred in the House amendment to Senate File 55, which motion prevailed.

Senator Boothby offered the following amendment to the House amendment to Senate File 55, and moved its adoption:

Amend the House amendment to Senate File 55 by striking the following in lines 1 and 2: "section seven (7), by adding the following to said section" and inserting in lieu thereof the following: "by adding a new section as follows".

The amendment to the amendment was adopted.

Senator Boothby moved that the Senate concur in the House amendment to Senate File 55 as amended, which motion prevailed, and the Senate concurred in the House amendment as amended.

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

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

Ayes, 42:

Anderson	Hedin	Nolan	Utzig
Bateson	Heideman	Oltman	Van Eaton
Bekman	Johnson	O'Malley	Vest
Bellman	Knudson	Prentis	Washburn
Berg	Larson	Risk	Watson of
Boothby	Lord	Sayre	O'Brien
Byers	Lynes	Schoening	Watson of
Clark	Miller	Scott	Pottawattamie
Dailey	Myrland	Stewart of	Weichman
Dewel	Nelson	Mahaska	Whitehead
Dykhouse	Nesmith	Stuart of Lucas	Zastrow
Elijah			

Nays, 1:

Fishbaugh

Absent or not voting, 7:

Colburn	Hart	Lucas	Walter
Grimstead	Linnevoild	Molison	

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

The House amendment as amended having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

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

#### AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

#### PRESENTATION OF VISITORS

Senator Whitehead asked and received unanimous consent to present the following district winners of The American Legion oratorical contest who were present in the Senate chamber accompanied by Al Faber, editor of The Iowa Legionnaire:

First District—Gary Froid, Burlington; Second District—William MacLaughlin, Davenport; Third District—DeLaine Proett,

Gladbrook; Fourth District—Charles W. Walk, Mason City; Fifth District—Barry Oberstein, Oskaloosa; Sixth District—James Noah, Perry; Seventh District—Maurice O'Connor, Council Bluffs; Eighth District—Florence Handlos, Carroll; and Ninth District—Bruce Brugman, Rock Rapids.

### THIRD READING OF BILLS

On motion of Senator Bateson, Senate File 268, a bill for an act to repeal section three hundred twenty-one point one hundred eighty (231.180), Code 1950, relating to instruction permits, and to enact a substitute therefor; and to amend section three hundred twenty-one point one hundred ninety-one (321.191), Code 1950, as amended, pertaining to fees for operator's and chauffeur's licenses, 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, 44:

Anderson	Elijah	Nelson	Stuart of Lucas
Bateson	Fishbaugh	Nesmith	Utzig
Bekman	Hart	Nolan	Van Eaton
Bellman	Johnson	Oltman	Vest
Berg	Larson	O'Malley	Washburn
Boothby	Linnevold	Prentis	Watson of
Byers	Lord	Risk	O'Brien
Clark	Lucas	Sayre	Watson of
Colburn	Lynes	Schoening	Pottawattamie
Dailey	Miller	Scott	Whitehead
Dewel	Molison	Stewart of	Zastrow
Dykhouse	Myrland	Mahaska	

Nays, none.

Absent or not voting, 6:

Grimstead	Heideman	Walter	Weichman
Hedin	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 Dailey, Senate File 81, a bill for an act providing for the deduction from gross income of persons taxable under the provisions of chapter four hundred twenty-two point eight (422.8), Code 1950, of the first two thousand dollars (\$2,000) of compensation from the federal government to persons in the armed forces of the United States during the period beginning January 1, 1952, and ending December 31, 1954, and repealing

chapter forty-three (43), Laws of the Fifty-first General Assembly, 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 action on Senate File 81 be deferred and that the bill be placed on the calendar under unfinished business.

On motion of Senator Vest, Senate File 107, a bill for an act repealing section four hundred fifty point thirteen (450.13), Code 1950, relating to inheritance tax and lien book, and amending section six hundred thirty-two point ten (632.10) relating to probate dockets, with report of committee recommending 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 107, section 2, line 4, by striking the word "by" and inserting in lieu thereof the word "for".

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, 43:

Anderson	Fishbaugh	Nesmith	Stuart of Lucas
Bateson	Hart	Nolan	Utzig
Bekman	Hedin	Oltman	Van Eaton
Bellman	Johnson	O'Malley	Vest
Berg	Larson	Prentis	Washburn
Byers	Lord	Risk	Watson of
Clark	Lucas	Sayre	O'Brien
Colburn	Lynes	Schoening	Watson of
Dailey	Miller	Scott	Pottawattamie
Dewel	Molison	Stewart of	Whitehead
Dykhouse	Myrland	Mahaska	Zastrow
Elijah	Nelson		

Nays, none.

Absent or not voting, 7:

Boothby	Heideman	Linnevoold	Weichman
Grimstead	Knudson	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 Lord, Senate File 109, a bill for an act to enable cities with special charters which operate under chapter four hundred twenty (420), Code 1950, and which collect rubbish

and garbage under a can tax to declare the service a benefit to the property served and in case of nonpayment to assess the cost against the property benefited, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Lord offered the following amendment and moved its adoption :

Amend Senate File 109 by striking all of section 2 and substituting the following in lieu thereof :

"Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its publication in The Muscatine Journal and News Tribune, a newspaper published at Muscatine, Iowa, and in The Wilton Advocate, a newspaper published at Wilton Junction, Iowa, without expense to the state."

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, 39 :

Anderson	Hart	Nesmith	Stuart of Lucas
Bekman	Hedin	Nolan	Utzig
Bellman	Heideman	Oltman	Van Eaton
Berg	Johnson	O'Malley	Vest
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Zastrow
Dykhouse	Molison	Stewart of	
Elijah	Myrland	Mahaska	

Nays, 4 :

Bateson	Fishbaugh	Nelson	Washburn
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Absent or not voting, 7 :

Boothby	Knudson	Walter	Whitehead
Grimstead	Miller	Weichman	

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 Prentis, Senate File 189, a bill for an act to amend chapter two hundred fifty-two (252), Code 1950, relating to the administration of the poor laws, with report of committee

recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Prentis asked and received unanimous consent to withdraw the amendment filed by him to Senate File 189 and found on page 540 of the Senate Journal.

Senator O'Malley offered the following amendment and moved its adoption:

Amend Senate File 189 by striking from line 7 in section 1 the words "six months" and inserting in lieu thereof the words "one year".

Further amend Senate File 189 by striking from line 18 in section 1 the words "six months" and inserting in lieu thereof the words "one year".

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, 27:

Bateson	Dewel	Miller	Stewart of
Bekman	Elijah	Nesmith	Mahaska
Bellman	Grimstead	Nolan	Stuart of Lucas
Boothby	Heideman	O'Malley	Utzig
Clark	Knudson	Prentis	Vest
Colburn	Larson	Sayre	Whitehead
Dailey	Lord	Scott	Zastrow

Nays, 19:

Anderson	Hedin	Myrland	Van Eaton
Berg	Johnson	Nelson	Washburn
Byers	Linnevold	Oltman	Watson of
Dykhouse	Lucas	Risk	O'Brien
Fishbaugh	Lynes	Schoening	Weichman

Absent or not voting, 4:

Hart	Molison	Walter	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 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 Zastrow called up the following resolution and moved its adoption:

## HOUSE CONCURRENT RESOLUTION 16

*Whereas*, the Honorable Charles A. Halleck, majority leader of the House of Representatives, U. S. Congress, will be in Des Moines, Iowa, on March 24, 1953;

*Therefore, Be It Resolved by the House, the Senate Concurring: That* an invitation be extended to the Honorable Charles A. Halleck to address a joint convention of both houses at 9:45 o'clock a.m. on March 24, 1953.

The motion prevailed and the resolution was adopted.

## MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 64 failed to pass the Senate.

CARL T. ANDERSON.

## SENATE RESOLUTION 3

By Thomas J. Dailey

*Whereas*, the laws of the State of Iowa require that all license plates for automobiles shall have been applied for and affixed to said automobiles on or before March 15 of each year, and

*Whereas*, on March 17, 1953, the director of the state motor vehicle registration division announced that he was extending the law to April 15 of this year, and

*Whereas*, it is claimed that the lawful date is extended because there is an alleged shortage of license plates in the several counties, and

*Whereas*, the laws of the State of Iowa, chapter 112, section 1, thereof, do state:

"Section 321.34, Code 1950, is hereby amended by inserting after the period (.) following the word 'vehicle' in line seven (7) the following: provided, however, that until December 31, 1953, notwithstanding any other provision of law, the department shall be authorized, whenever deemed necessary within that period, to select and issue to each registrant of a motor vehicle, for use during any registration year ending on or prior to such date, a single registration plate in lieu of two such plates", and

*Whereas*, the said registration plate provision was enacted by the Fifty-fourth General Assembly in the interest of economy and of saving much-needed funds so that these funds would be available for primary and secondary roads instead of being spent for the extra second license plate, and

*Whereas*, thousands of Iowa citizens who desire to obey the license registration law have paid their fees but cannot receive the plates to which they are rightfully entitled, and

*Whereas*, the present fiasco on the shortage of said plates will cause thousands of said citizens inconvenience, loss of time from work, and embarrassment among their fellow-citizens because in the absence of such license plates, the particular vehicles and the owners thereof appear to be delinquent and to be law breakers,

*Now, Therefore, Be It Resolved by the Senate of the Fifty-fifth General Assembly:*

1. Section 1. That the motor vehicle committee of this Senate shall proceed forthwith to conduct a thorough and complete investigation into the causes and reasons for this existing license plate shortage, and further, to inquire of the proper authorities if the intent of the Fifty-fourth General Assembly has been followed by said authorities in the administration of chapter 112, Acts of the Fifty-fourth General Assembly, and further, to make a written report thereon with such recommendations as to future action by this Senate and the proper authorities, to the end that the law-abiding citizens of the State of Iowa shall be caused no further inconvenience, delay or embarrassment in the matter of displaying the current license plate or plates.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

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

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate File 54.

W. C. STUART, *Chairman Senate Committee.*

JOHN WALKER, *Chairman House Committee.*

Report adopted.

#### BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate File 54.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that, on March 17, 1953, the Governor had approved the following bills:

Senate File 21, relating to sale of submerged land to Aluminum Company of America.

Senate File 76, relating to reciprocal exemptions from inheritance tax.

Senate File 100, relating to bonded warehouses for agricultural products.

Senate File 110, relating to the transfer of eight hundred dollars (\$800) to the city of Muscatine.

Senate File 117, relating to county aid.

Senate File 129, relating to reverting four hundred fifty thousand dollars (\$450,000) from World War II Service Compensation Fund to the General Fund of the State of Iowa.

Senate File 145, relating to the Iowa yearbook of agriculture.

Senate File 218, relating to the transfer of funds from the state sinking fund for public deposits to the state general fund.

## ADDITIONAL COPIES

Senator Utzig asked and received unanimous consent to have 600 additional copies of Senate File 370 printed.

## REPORTS OF COMMITTEES

Senator Bekman submitted the following report:

**MR. PRESIDENT:** Your committee on insurance, to which was referred **Senate File 240**, a bill for an act to amend section five hundred fifteen point eighty-one (515.81), Code 1950, relating to the cancellation of insurance policies, 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 Bateson submitted the following report:

**MR. PRESIDENT:** Your committee on judiciary 1, to which was referred **Senate File 375**, a bill for an act relating to instruments payable to bearer, 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 judiciary 1, to which was referred **House File 43**, a bill for an act relating to recording a certificate of dissolution of a corporation, 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 43 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Sectoin four hundred ninety-one point twenty-three (491.23), Code 1950, is hereby amended by adding the following as a new sentence after the period (.) in line 10 thereof: 'Notice thereof shall also be given by the filing in the office of the secretary of state the proof of publication of notice of dissolution and said proof shall be recorded by the secretary of state in the same manner as the recording of amendments, and a recording fee of one dollar (\$1) shall apply thereto, and the secretary of state shall forward said proof of publication to the county recorder of the county wherein the corporation maintains its place of business, there to be recorded in a book kept therefor and a recording fee of one dollar (\$1) shall apply thereto.'"

R. R. BATESON, *Chairman*.

Ordered passed on file.

Senator Weichman submitted the following report:

**MR. PRESIDENT:** Your committee on agriculture, to which was referred **House File 168**, a bill for an act relating to the designation of funds

created and maintained by the state fair board which shall not be construed as prohibited by the provisions of chapter eight (8), Code 1950, and to amend section eight point thirty-two (8.32), 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 agriculture, to which was referred **House File 149**, a bill for an act relating to funds of local warehouse boards, 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.

#### AMENDMENTS FILED

- 1 Amend Senate File 170 by striking all after the enacting clause
- 2 and substituting in lieu thereof the following:
- 3 "Section 1. Section four hundred twenty-two point forty-seven
- 4 (422.47), subsections four (4) through seven (7), Code 1950, are
- 5 hereby repealed.
- 6 "Sec. 2. Section four hundred twenty-two point forty-five
- 7 (422.45), Code 1950, is amended by repealing subsection three (3),
- 8 renumbering the remaining subsections and adding the following
- 9 new subsections:
- 10 "5. The gross receipts of all sales of goods, wares or
- 11 merchandise used for public purpose to any tax certifying or tax
- 12 levying body of the State of Iowa or governmental subdivision
- 13 thereof, except sales of goods, wares or merchandise used by or
- 14 in connection with the operation of any municipally owned public
- 15 utility engaged in selling gas, electricity or heat to the
- 16 general public.
- 17 "The exemption provided by this subsection shall also apply
- 18 to all sales of goods, wares or merchandise used for public
- 19 purposes to any tax certifying or tax levying body of the State
- 20 of Iowa or governmental subdivision thereof which are subject to
- 21 use tax under the provisions of chapter four hundred twenty-three
- 22 (423).
- 23 "6. Any tax certifying or tax levying body of the State of
- 24 Iowa or governmental subdivision thereof may make application to
- 25 the state tax commission for the refund of any sales or use tax
- 26 upon the gross receipts of all sales of goods, wares or
- 27 merchandise to any contractor, used in the fulfillment of any
- 28 written contract and at the completion thereof becomes public
- 29 property, except goods, wares or merchandise used in the
- 30 performance of any contract in connection with the operation of
- 31 any municipally owned public utility engaged in selling gas,
- 32 electricity or heat to the general public.

33 "a. Such contractor shall state under oath, on forms provided  
34 by the state tax commission, the amount of such sales of goods,  
35 wares or merchandise used in the performance of such contract, and  
36 upon which sales or use tax has been paid, and shall file such forms  
37 with the governmental unit which has made any written contract for  
38 performance by said contractor. Such forms shall be filed by the  
39 contractor with the governmental unit before final settlement is  
40 made.

41 "b. Such governmental unit shall, not more than sixty (60)  
42 days after the final settlement has been made, make application  
43 to the state tax commission for any refund of the amount of such  
44 sales or use tax which shall have been paid upon any goods, wares  
45 or merchandise, such application to be made in the manner and  
46 upon forms to be provided by the state tax commission, and the  
47 state tax commission shall forthwith audit such claim and, if  
48 approved, request the comptroller to issue his warrant to such  
49 governmental unit in the amount of such sales or use tax which  
50 has been paid to the State of Iowa under such contract.

51 "c. Any contractor who shall make false report of tax paid  
52 under the provisions of this subsection shall be guilty of a  
53 misdemeanor and in addition thereto shall be liable for the  
54 payment of the tax with penalty and interest thereon."

55 "Sec. 3. Any tax certifying or tax levying body which has paid  
56 taxes prior to the effective date of this act which would have  
57 been refundable under section four hundred twenty-two point  
58 forty-seven (422.47), subsections four (4) through seven (7),  
59 Code 1950, shall be entitled to such accrued refunds in the same  
60 manner and by the same procedure as heretofore provided by said  
61 section and subsections, but all claims for such refunds which  
62 are not certified to the state tax commission within thirty (30)  
63 days after the last day of the quarter ending next subsequent to  
64 the effective date of this act shall be forfeited and forever  
65 barred."

LEON N. MILLER.

1 Amend the amendment to Senate File 191 filed on March 17,  
2 1953, by the committee on schools and educational institutions  
3 as follows:

4 1. Strike from line 11 the words "fifteen mills"  
5 and insert in lieu thereof the words "thirteen mills in cities  
6 and towns and seven mills in rural areas".

7 2. Strike from line 4 the words "fifteen mills"  
8 and insert in lieu thereof the words "thirteen mills in cities  
9 and towns and seven mills in rural areas".

CARL T. ANDERSON.

1 Amend the committee amendment to Senate File 191  
2 as follows:

3 Amend section 7, line 67, by striking the words  
4 "a majority" and inserting in lieu thereof the  
5 words "sixty per cent".

EARL ELIJAH.

1 Amend Senate File 203 by striking all after the enacting  
2 clause and inserting in lieu thereof the following:

3 Section 1. It is hereby declared to be unlawful to anchor  
4 navigation craft to railroad tracks, railroad bridges, railroad  
5 signals, railroad switches, or other railroad structures.  
6 The mooring of navigation craft against railroad embankments  
7 or other railroad structures so as to foul or otherwise  
8 obstruct or interfere with the operation over the railroad  
9 of passenger trains, freight trains, locomotives, or other  
10 self-propelled equipment, is likewise declared to be unlawful.

11 Sec. 2. Any person, co-partnership or corporation,  
12 and the officers, agents, employees, and members of any  
13 co-partnership or corporation who shall violate any of the  
14 provisions of section 1, under circumstances that endanger  
15 the life of any railroad passenger or any railroad employee,  
16 shall be imprisoned in the penitentiary not more than five  
17 (5) years, or be fined not less than \$500 nor more than  
18 \$5,000, or imprisoned in the county jail not more than  
19 one (1) year or by both such fine and imprisonment, at the  
20 discretion of the court.

21 Sec. 3. Any person, co-partnership or corporation, and  
22 the officers, agents, employees, and members of any co-partner-  
23 ship or corporation who shall violate any of the provisions  
24 of section 1 hereof, under circumstances that do not endanger  
25 the life of any railroad passenger or railroad employee,  
26 shall be fined not less than \$100 nor more than \$500  
27 or imprisoned in the county jail not more than thirty (30)  
28 days.

THOMAS J. DAILEY.

1 Amend Senate File 235 by striking the word "orally"  
2 and the comma (,) following the word orally in line  
3 twenty-seven (27) thereof.

D. C. NOLAN.

1 Amend Senate File 264 by striking from line ten the word  
2 "three" and inserting in lieu thereof the word "five".

LEON N. MILLER.

1 Amend Senate File 288 by striking all after the word  
2 "line" in lines 3 and 4 of section 2 and by substituting  
3 in lieu thereof the following: "eleven (11) thereof the follow-  
4 ing: ' , drive-in theatres'."

R. R. BATESON.

1 Amend Senate File 289 by inserting after the figures  
2 "(17)" in line 5 of section 1 thereof the following "of  
3 section three hundred twenty-one point two hundred eighty-  
4 one (321.281)".

R. R. BATESON.

1 Amend Senate File 334 by striking from line 4, section 1, the  
2 following: "75" and inserting in lieu thereof "100".

W. C. STUART.

1 Amend Senate File 346 by adding the following new section:  
2 Sec. 11. Nothing in this chapter shall be construed to  
3 apply to the excavation of materials incident to the manufacture  
4 of clay products, or the production of sand and gravel, or the  
5 quarrying of stone.

J. T. DYKHOUSE.

1 1. Amend committee amendment No. 1 to House File 23  
2 filed March 17, 1953, by striking from line 8 the  
3 words "school district" and inserting in lieu thereof  
4 the words "city in such school district as shown at  
5 the last federal census".

6 2. Further amend said amendment by striking from  
7 line 10 the words "school district" and inserting in  
8 lieu thereof the words "city in such school district".

R. R. BATESON.

1 Amend House File 44 by striking all after section  
2 1 thereof.

R. R. BATESON.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 19, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend G. M. Rosenberger, pastor of the Methodist Church, Denison, 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 Boothby from residents of Plymouth County in opposition to proposed legislation relating to employment of minors.

By Senator Utzig from residents of Dubuque County in opposition to proposed legislation relating to a fifteen mill tax.

By Senator Walter from residents of Marshall County favoring proposed legislation relating to union shop legislation.

By Senator Zastrow from residents of Chickasaw County favoring proposed legislation relating to secondary roads.

By the following Senators in opposition to proposed legislation relating to imposing a tax of two per cent upon the gross receipts derived from the operation of bowling alleys:

By Senator Grimstead from residents of Winnebago County.

By Senator Miller from residents of Marion County.

## PRESENTATION OF VISITORS

Senator Dewel on behalf of Senator Watson of Pottawattamie, asked and received unanimous consent to introduce to the Senate Miss Marjibelle Young, a native of Pottawattamie County and president of Shy Incorporated of New York City. Miss Young

appeared as a guest of the Des Moines Junior Chamber of Commerce.

President Elthon presented Miss Young who addressed the Senate briefly.

Senator Lucas asked and received unanimous consent to present to the Senate nine members of the sophomore class of the Boone High School who were present in the balcony accompanied by Mrs. W. H. Longworth and Mrs. Ralph Jacobson.

Senator O'Malley asked and received unanimous consent to present to the Senate thirty members of the 6A class of Hubbell Public School who were present in the balcony accompanied by Mr. Denny.

Senator O'Malley also asked and received unanimous consent to present to the Senate eighteen members of the ninth grade class of the Amos Hiatt Junior High School who were present in the balcony accompanied by George Hemming.

Senator Berg asked and received unanimous consent to present to the Senate a group of Auxiliary members of Units 273 and 307 U.A.W.-C.I.O. who were present in the balcony with their state president, Wava Voss.

Senator O'Malley asked and received unanimous consent to present to the Senate twenty members of the fifth grade class of the Canary Lake School who were present in the balcony accompanied by their instructor, Mrs. Pike.

Senator Nolan asked and received unanimous consent to present to the Senate eighteen students of the St. John's Lutheran School of Homestead who were present in the balcony accompanied by their principal, Mr. Horn.

Senator Nesmith asked and received unanimous consent to present to the Senate sixty members of the history class of the Monroe Junior High School who were present in the balcony accompanied by Miss Morrow and Mrs. Chandler.

#### INTRODUCTION OF BILLS

Senate File 383, by committee on judiciary 1, a bill for an act relating to an allowance of attorney fees in actions to enforce payment of delinquent alimony or support money.

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

Senate File 384, by committee on agriculture, a bill for an act to amend section four hundred twenty-seven point one (427.1), subsection thirteen (13), Code 1950, providing for the exemption of stocks of honey from taxation.

Read first and second times, and passed on file.

Senate File 385, by committee on judiciary 2, a bill for an act to amend section two hundred forty-seven point two (247.2), Code 1950, relating to Senate approval of members appointed to the board of parole.

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

Senator Bellman called up for consideration the following resolution:

#### SENATE CONCURRENT RESOLUTION 16

By the Committee on Mines and Mining

*Whereas*, the Eighty-second Congress enacted Public Law 552, otherwise known as chapter 877, 2nd Session, S. 1310, and also designated as 66 Statute 692, purporting to be a bill for the prevention of major disasters in mines; and

*Whereas*, said Public Law 552 prohibits after January 16, 1953, the use of black powder in coal mines of states which authorize the use of such explosives, which prohibition will eliminate deep mining in Iowa and in states having like conditions; and

*Whereas*, Public Law 552 provides for pre-shift inspection in shaft mines even though those mines are operated by the method known as longwall mining; and

*Whereas*, it is impossible to examine the face of a longwall mine before the coal is removed from in front of the face; and

*Whereas*, Public Law 552 provides that state laws shall not be superseded by the federal law where the state laws provide greater safety than the federal law; and

*Whereas*, Public Law 552 provides that the Board of Review shall be the final finders of fact; and

*Whereas*, Public Law 552 is another example of the steady accretion of federal power at the expense of the several states:

*Therefore, Be It Resolved by the Senate, the House Concurring, That* the Eighty-third Congress give serious consideration to amending Public Law 552 of the Eighty-second Congress so as to provide that black powder may be used in deep mines in any state in which there is no danger from methane gas, which state specifically authorizes such use; that said Public Law 552 be further amended so as to permit the examination of longwall mines at any time during every working day; that said law be amended to provide that any state law shall prevail which provides equal safety with the federal enactment; that said Public Law 552

be further amended so as to provide that the effect of said law on any state law shall be a matter of law, and the Court shall not be bound by any previous finding of fact;

*Be It Further Resolved*, That attested copies of this concurrent resolution be sent to the presiding officers of the Congress of the United States 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 the legislatures of the states of the United States.

On motion of Senator Bekman, the resolution was adopted.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

**MR. PRESIDENT:** I am directed to inform your honorable body that the House has concurred in the Senate amendment to the House amendment and passed Senate File 55, a bill for an act relating to the practice of funeral directing and embalming and the license fees thereof.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 126, a bill for an act relating to voting for trustees of the drainage districts.

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

House Concurrent Resolution 19, urging the communities of the state to invite into their homes at Thanksgiving, or on some other occasion, foreign students in the colleges of Iowa.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE 126

1. Amend Senate File 126 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section four hundred sixty-two point twelve (462.12), Code 1950, is hereby amended by striking everything after the period in line seventeen (17), and inserting in lieu thereof the following: 'The vote of any landowner of the district may be cast by absent voters ballot as provided in chapter fifty-three (53) of this Code except that the form of the applications for ballots, the voters' affidavit on the envelopes, and the endorsement of the carrier envelope for preserving the ballot shall be substantially in the form provided in sections two (2), three (3), and four (4), below. Application blanks, envelopes and ballots shall be provided by and submitted to the office of the county auditor in which the election is held. The cost of such blanks, envelopes, ballots and postage shall be paid by the district. For the purpose of this chapter all landowners of the district shall be considered qualified voters, regardless of their place of residence.

"Sec. 2. For the purpose of this chapter, applications for ballots shall be made on blanks substantially in the following form:

Application for ballot to be voted at the ..... (Name of District)

District Election on ..... (Date)

State of ..... } ss:  
..... County

I, ..... do solemnly swear that I am a landowner (Applicant) in the ..... district and that I am a duly qualified voter entitled to vote in said election, and that on account of ..... I cannot (business, illness, residence outside of the county, etc.)

be at the polls on election day, and I hereby make application for an official ballot or ballots to be voted by me at such election, and that I will return said ballot or ballots to the officer issuing same before the day of said election.

Signed .....

Date .....

Residence (street number if any) .....

City or Town ..... State .....

Subscribed and sworn to before me this ..... day of ....., A.D. 19.....

"Sec. 3. For the purpose of this chapter, the affidavit on the reverse side of the envelope used for enclosing the marked ballots shall be substantially as follows:

State of ..... } ss:  
..... County

I, ..... do solemnly swear that I am a landowner (Applicant) in the ..... district and that I am a duly qualified voter to vote in the election of trustees of said district and that I shall be prevented from attending the polls on the day of election because of ..... (business, illness, residence outside of the county, etc.)

and that I have marked the enclosed ballot in secret. Signed .....

Subscribed and sworn to before me this ..... day of ....., A.D. 19....., and that I hereby certify that the

affiant exhibited and enclosed the ballot to me unmarked; that he then in my presence and in the presence of no other person and in such manner that I could not see his vote, marked such ballot, enclosed and sealed the same in this envelope; and that the affiant was not solicited or advertised by me for or against any candidate or measure.

.....  
.....  
(Official Title)

"Sec. 4. For the purpose of this chapter, upon receipt of the ballot, the auditor shall at once enclose the same, unopened, together with the application made by the voter in a large carrier envelope, securely seal the same, and endorse thereon over his official signature, the following:

"1. Name of the district in which the voter is a landowner.

"2. Date of the election for which the ballot is cast.

"3. Location of the polling place at which the ballot would be legally and properly cast if voted in person.

"4. Names of the judges of the election of that polling place, and the statement that this envelope contains an absent voter's ballot and must be opened only at the polls on election day while said polls are open.'

"Sec. 5. Section four hundred sixty-two point thirteen (462.13), Code 1950, is hereby amended by striking the section in its entirety.

"Sec. 6. Section four hundred sixty-two point fourteen (462.14), Code 1950, is hereby amended by striking the remainder of the sentence after the word 'person' in line six (6)."

2. Amend the title to Senate File 126 by adding, after the first comma (,) appearing in line two (2) thereof, the following: "four hundred sixty-two point thirteen (462.13) and four hundred sixty-two point fourteen (462.14),".

#### HOUSE CONCURRENT RESOLUTION 19

*Whereas*, the great hopes of mankind for world peace can be realized only when international understanding and good will prevail among all nations; and

*Whereas*, the idea of entertaining foreign students from our colleges in American homes during the Thanksgiving holiday had its inception in the mind of an Osage, Iowa, girl while a student at the State University of Iowa in 1950, the purpose being to further good will and understanding among all people, regardless of race, creed or color; and

*Whereas*, said program, now an annual event at Osage, has proved to be of great worth both to the students and the hosts and has been tremendously effective in forming friendships and establishing mutual understanding; and

*Whereas*, the attention of the nation has been focused upon Iowa for this method of furthering better international relations with similar programs now being adopted in other communities across the nation; and

*Whereas*, the State Department, Washington, D. C. and the University of Iowa have filmed and publicized the program at Osage and given the same world-wide publicity;

*Therefore, Be It Resolved by the House, the Senate Concurring*, That all communities of the State of Iowa be encouraged to invite to their homes as guests at Thanksgiving, or some other vacation period, a group of these foreign students studying in Iowa colleges, so that during their stay in Iowa all of these students from other lands (now numbering approximately 500) may come to know the real meaning of American and Iowa friendship and hospitality.

Senator Knudson asked and received unanimous consent to take

up for consideration House Concurrent Resolution 19 and moved its adoption.

The motion prevailed and the resolution was adopted.

#### UNFINISHED BUSINESS

On motion of Senator Molison, Senate File 191, a bill for an act to amend section two hundred ninety-eight point ten (298.10), Code 1950, relating to a general school levy for support of the schools, was taken up for further consideration.

The following committee amendment was considered:

1. Amend the title to Senate File 191 by striking all after the word "Act" and inserting in lieu thereof the following: "to provide for the assessment and distribution of a school tax by counties not to exceed fifteen mills, for the purpose of equalizing educational opportunity and the school tax burden and to include the amount of the proceeds of such tax in the computation of agricultural land tax credits."

2. Amend Senate File 191 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Any county may levy a uniform tax not to exceed fifteen mills on all the assessable property of each school district located wholly or partially within its borders, provided, however, that as to school districts located partially within the borders of any county the principal attendance center of such district is located within the boundaries of the county.

"Sec. 2. Before such levy shall be made a petition signed by a number of electors of the school districts affected which is equal to ten per cent of the total vote cast for the office of governor in the county which would make the assessment at the last general election shall be filed with the president of the county board of education of such county, asking that an election be called, stating the amount of levy in mills and describing the method of distribution of the proceeds of such tax as required by law.

"Sec. 3. The president of the county board of education upon receipt of such petition shall, within ten days call a meeting of such board which shall examine and determine whether the petition fulfills the requirements of this Act. If the petition is in due order the board shall call an election fixing the time thereof on a day not less than sixty days nor more than ninety days from the date of such board meeting.

"Sec. 4. Notice of such election shall be given by publication within ten days after fixing the date of such election in at least three newspapers published in the county having a general circulation therein, or if there are less than three such newspapers, then in one or more newspaper or newspapers having a general circulation in the county. Such notice of election shall again be published in such newspaper or newspapers publishing the original notice of election once each week for four weeks immediately prior to the week of the election. The notice shall state the date of the election, the hours of opening and closing the polls and their

exact location and the question to be submitted, and shall be in lieu of any other notice, any other statute to the contrary notwithstanding. At such election the ballot shall be prepared and used in substantially the form for submitting special questions at general elections.

"Sec. 5. The county board of education shall cause to be printed the ballots for the election and not later than five days before the election shall deliver to the secretary of each board of directors of the respective school districts affected a sufficient number of ballots for use of the electors in their district.

"The county board shall likewise provide a sufficient number of forms on which the judges and clerks of election in each district shall make returns to the secretary of the board of directors of their school district and upon which such secretaries shall make returns to the county board of education.

"Sec. 6. The ballots cast at such election shall be counted by the judges of election and return thereof shall be made by the judges on the forms provided, to the secretary of the board of directors of the school district within forty-eight hours after closing of the polls. Within five days following the election the secretary of each school district shall make return of the votes cast in such district to the county board of education on the forms provided. The county board shall meet at ten o'clock a.m. on the first Monday following the lapse of five days from the date of said election and shall canvass the vote.

"Sec. 7. If a majority of the qualified voters voting at such election shall vote in favor of levying such a millage the county board of education shall so certify to the county board of supervisors and such levy shall be made annually thereafter until discontinued as provided herein.

"An election for the discontinuance of such a levy shall be made by following the procedure provided for the adoption of the levy.

"Sec. 8. The county auditor shall apportion the amount of such school tax among the several school districts voting thereon in proportion to the number of resident pupils from each district in average daily attendance, including the average number for whom they pay tuition as shown by the report of the county superintendent filed with the county auditor for the year immediately preceding, to the total number of such pupils in attendance in all of such districts.

"The county auditor shall immediately notify the county treasurer of such apportionment and the amount due thereby to each school district, and the county treasurer shall pay out such apportionment moneys in the same manner that he is authorized to pay other school moneys to the treasurers of the several school districts.

"Sec. 9. Section four hundred twenty-six point three (426.3), Code 1950, is hereby amended by inserting after the word 'fund' in line seven (7) thereof the following: 'plus the uniform millage voted by the people'.

"Sec. 10. This Act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Hardin County Index, a newspaper published at Eldora, Iowa, and in The Daily Times, a newspaper published at Davenport, Iowa."

Senator Elijah offered the following amendment to the amendment and moved its adoption:

Amend the committee amendment to Senate File 191 as follows:

Amend section 7, line 67, by striking the words "a majority" and inserting in lieu thereof the words "sixty per cent".

The amendment to the amendment was adopted.

Senator Elijah moved that Senate File 191 be indefinitely postponed.

Roll call was requested.

On the question "Shall Senate File 191 be indefinitely postponed?" the vote was:

Ayes, 7:

Anderson	Dykhouse	Nelson	Weichman
Bellman	Elijah	Washburn	

Nays, 41:

Bateson	Hart	Molison	Stewart of
Bekman	Hedin	Myrland	Mahaska
Berg	Heideman	Nesmith	Stuart of Lucas
Boothby	Johnson	Nolan	Utzig
Byers	Knudson	Oltman	Van Eaton
Clark	Larson	O'Malley	Vest
Colburn	Linnevold	Prentiss	Watson of
Dailey	Lord	Risk	O'Brien
Dewel	Lucas	Sayre	Whitehead
Fishbaugh	Lynes	Schoening	Zastrow
Grimstead	Miller	Scott	

Absent or not voting, 2:

Walter	Watson of
	Pottawattamie

The motion was lost.

Senator Walter moved the previous question on Senate File 191 and all pending amendments.

The motion was lost.

Senator Anderson asked and received unanimous consent to withdraw the amendment filed by him to Senate File 191 and found on page 603 of the Senate Journal.

Senator Bateson moved the adoption of the committee amendment as amended.

Roll call was requested.

Rule 8 was invoked.

On the question "Shall the amendment as amended be adopted?"  
the vote was:

## Ayes, 28:

Bateson	Elijah	Lynes	Sayre
Bekman	Grimstead	Miller	Scott
Berg	Hart	Nelson	Stewart of
Boothby	Hedin	Nesmith	Mahaska
Byers	Heideman	Oltman	Van Eaton
Clark	Johnson	Prentis	Vest
Colburn	Lord	Risk	Zastrow
Dewel			

## Nays, 20:

Anderson	Larson	Nolan	Washburn
Bellman	Linnevold	O'Malley	Watson of
Dailey	Lucas	Schoening	O'Brien
Dykhouse	Molison	Utzig	Weichman
Fishbaugh	Myrland	Walter	Whitehead
Knudson			

## Absent or not voting, 2:

Stuart of Lucas	Watson of Pottawattamie
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The committee amendment as amended was adopted.

Senator Bateson asked and received unanimous consent to withdraw the amendment to Senate File 191 filed by him and found on page 320 of the Senate Journal.

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

Rule 8 was invoked.

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

## Ayes, 22:

Bateson	Dewel	Lynes	Stewart of
Bekman	Elijah	Miller	Mahaska
Berg	Hart	Nesmith	Van Eaton
Boothby	Hedin	Prentis	Vest
Byers	Heideman	Sayre	Zastrow
Clark	Lord	Scott	

## Nays, 26:

Anderson	Johnson	Nelson	Walter
Bellman	Knudson	Nolan	Washburn
Colburn	Larson	Oltman	Watson of
Dailey	Linnevold	O'Malley	O'Brien
Dykhouse	Lucas	Risk	Whitehead
Fishbaugh	Molison	Schoening	Weichman
Grimstead	Myrland	Utzig	

## Absent or not voting, 2:

Stuart of Lucas	Watson of Pottawattamie
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The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Walter 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 Zastrow, the Senate recessed until 1:50 p.m.

### AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

### THIRD READING OF BILLS

Senator Dewel asked and received unanimous consent to take up for consideration Senate File 381, a bill for an act to legalize and validate the actions of the board of supervisors of Kossuth County in allocating to the courthouse building fund, a fund resulting from the sale of bonds authorized by the electors of Kossuth County, interest earned and accumulated upon said fund, and validating and legalizing certain expenditures made by the board of supervisors from such accumulated and earned interest.

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

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

Ayes, 49:

Anderson	Fishbaugh	Molison	Stewart of
Bateson	Grimstead	Myrland	Mahaska
Bekman	Hart	Nelson	Stuart of Lucas
Bellman	Hedin	Nesmith	Utzig
Berg	Heideman	Nolan	Van Eaton
Boothby	Johnson	Oltman	Vest
Byers	Knudson	O'Malley	Walter
Clark	Larson	Prentis	Washburn
Colburn	Linnevoid	Risk	Watson of
Dailey	Lord	Sayre	O'Brien
Dewel	Lucas	Schoening	Weichman
Dykhouse	Lynes	Scott	Whitehead
Elijah	Miller		Zastrow

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 Dewel asked and received unanimous consent that Senate File 381 be immediately messaged to the House, which request was complied with.

#### COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention in accordance with House Concurrent Resolution 13 duly adopted.

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

#### JOINT CONVENTION

In accordance with House Concurrent Resolution 13, duly adopted, the joint convention was called to order, President Elthon of the Senate, presiding.

Senator Byers of Linn moved that a committee of three be appointed to notify the Pioneer Lawmakers that the joint convention was ready to receive them.

Motion prevailed and President Elthon appointed as such committee Goode of Davis and Hanson of Lyon on the part of the House, and Senator Byers of Linn on the part of the Senate.

The committee previously appointed escorted the Pioneer Lawmakers to the House chamber.

President Elthon presented to the joint convention Senator Lord.

On behalf of the Senate, Senator Lord of Muscatine welcomed the Pioneer Lawmakers with the following remarks:

MR. PRESIDENT, MR. SPEAKER, MEMBERS OF THE JOINT CONVENTION, AND PIONEER LAWMAKERS:

It gives me great pleasure to welcome you and to pay our respects to the Pioneer Lawmakers of Iowa on behalf of the Senate. We have several members of the Pioneer Lawmakers who are presently active in the administration of the laws and the making of laws of our state:

His Excellency, Governor William S. Beardsley,

Honorable Leo Elthon, Lieutenant Governor,

Honorable Frank C. Byers, Senator from Linn,

Honorable Arch W. McFarlane, Representative from Black Hawk,

Honorable Dewey E. Goode, Representative from Davis, and

Honorable Art C. Hanson, Representative from Lyon,

are all active in the business of the state while holding their memberships in the distinguished and venerable Pioneer Lawmakers Association.

In view of what has been said and will be said here today, let us take a look into the future of our state and nation as to the problems that will affect our lawmakers of the future.

We look back with pride and appreciation for the good work that has been done in the past. We are ever mindful of how the liberties have been preserved for the citizens of our state and nation, thereby creating a beacon of freedom, the light of which may be seen throughout the world and cherished by free men everywhere. Should that light in America ever be extinguished or even dimmed, mankind throughout the world would suffer a loss from which it would require centuries to recover. Our responsibilities are great!

In the coming years our population will become more dense—thereby the complexity of our society will become greater—which will call for more laws to govern the lives of the individual and greater demands will be made upon government for the solution of problems arising therefrom. Likewise, the individual citizen will endeavor to get rid of many personal problems by turning them over to the state. Many individual citizens are quite willing to exchange their freedom for the illusion of security. They wish to have the government solve their personal perplexing problems, and are quite willing to forego their liberties in exchange. Each time the government takes over the individual's responsibility, the more the individual is dependent upon government, and also becomes less capable of taking care of himself. The end result will be that the light of freedom will be dimmed and finally extinguished in America unless we legislate wisely and well.

In the future, as in the past, lawmakers must resist this trend with judgment and wisdom, weighing well the need of our times, keeping abreast with modern government, yet still preserving the freedom of our people. Lawmaking is and should be an exact science. If the trends of public thinking and public demands are understood by our lawmakers well in advance of their movement, ways and means can be devised to meet these needs and yet preserve free enterprise and individual freedom.

We are pleased to give you this glimpse of the future problems as we see them, and to assure you that we are not unmindful of the pitfalls that lie ahead. We hope that we will justify the heritage that you have given us, and that we may pass on to our posterity a heritage as great.

President Elthon presented to the joint convention Representative Fred Schwengel who gave the following remarks on the part of the House:

It is indeed an honor to have been asked to represent the Fifty-fifth General Assembly on this auspicious occasion, and it is with a spirit of humility as I try humbly to represent you in honor of our distinguished guests today.

It is always good and especially in these times to reflect on the past and to have it *show us* how to chart our course for the future.

It is extremely fitting that we do honor where honor is due. Certainly, too, we who represent our people are honored to have these patriots of

previous days, so important in the past history of our great state, on this occasion.

Looking back on the problems of our state twenty or thirty years ago, you were pioneers in a very real sense—then it was re-charting and adopting new philosophies on tax, reducing the state property tax burden, meeting the challenge of bringing Iowa out of the mud and setting the pattern that they finally gave to the citizens of Iowa that we are still building on today. In instances, you brought order out of chaos: when the financial laws of Iowa needed amending and readjusting in the interest of the people, you brought about financial stability within our society; you saw the need of under-girding a good economy by recognizing, through tax relief, those things that make for stable citizenry, the homestead exemption is the case in point.

In addition to meeting problems like these with forthrightness and conviction, you, as history proves, did all things well in the many other areas of state responsibility—illustrated by the fact that our state is in fine condition financially and it has grown and progressed in every phase of its manifold activities.

You, honored guests, like our forefathers, were devoted to the system best described by a seer who once said: "The objective of a representative form of government is the *cause of the people*. *Of the people* because men are what the holy doctrine teaches, for if it were not so, to sacrifice oneself for others would be extremist folly. Their devotion to this cause has made the patriots and philanthropists of all ages illustrious and their memories the richest inheritance of the human race and set them aside in an area of devotion and admiration for all mankind.

It is a fundamental truth that great men mold and shape the era in which they live—as we reflect on the history of the world, how different it would have been without a Moses; Christ; Alexander the Great, of ancient times; Cromwell; Napoleon, and Disraeli of a later date; and without Adams, Washington, Jefferson, Lincoln and scores of others in panorama of more modern times; and in Iowa without Lucas, Kirkwood, Harlan, Grimes, Cummins, Clarke, Kendall and scores of others, almost all of whom were members of the Iowa General Assembly at one time.

All of this prompts me to call to your attention an appropriate and memorable poem by Lord Byron:

"Tis, thus, the spirit of a single mind  
 Makes that of multitudes take one direction.  
 As roll the waters to the breathing wind  
 Or roams the herd beneath the bull's protection,  
 Or as a little dog will lead the blind  
 Or bell-wether form the flocks' connection,  
 By tinkling sounds of speech when they go forth to vidual  
 Such is the way of great men over little."

Or in the words of an American poet, Edwin Markham, who wrote so glowingly on American tradition and life and people, when he said of Lincoln in that now memorable poem, "Lincoln, the Man." After comparing Lincoln to all the great, fine things of nature and how he represented it, he pointed to his statue in Boston and said: "Here was a man to hold against the world, a man to match the mountains and the

sea," and then he went on to describe him as the great spirit that represented the fundamental laws of man and truth, he said, in effect, when he left, these words: "T'was as a mighty fallen tree and when it fell, it left a lonesome place against the sky."

Honored guests, we have missed you, the state has missed you and we are happy to honor you this day. For it was you who handed us the torch of liberty, and God grant that we may hand it on to our successors as brightly lighted and untarnished as you handed it to us.

Gentlemen, there is no question that I express the hearts and minds of every member of this Assembly when I say to you on this auspicious occasion, welcome.

President Elthon introduced the Honorable Burton O. Sweet, president of the Pioneer Lawmakers, with the following remarks:

It is certainly a pleasure and an honor at this time to introduce to you the Honorable Burton Sweet who is president of the Pioneer Lawmakers, and at this time will appear before you to preside over the rest of the joint meeting.

Honorable Burton Sweet:

MR. PRESIDENT, MR. SPEAKER, AND MEMBERS OF THE FIFTY-FIFTH GENERAL ASSEMBLY OF IOWA; THE PIONEER LAWMAKERS, LADIES AND GENTLEMEN:

At the outset I wish to express to you my profound appreciation for the compliment that has been paid to the Pioneer Lawmakers at this time for the welcome we have received at your hands.

I was elected to the legislature of Iowa as a representative about fifty-four years ago. I served in the Twenty-eighth and Twenty-ninth General Assemblies.

We had in those sessions men of great ability and they made history for the great State of Iowa. As I stand here today, the Twenty-ninth General Assembly rises before me like a dream.

I look to the right, and I see Nate Kendall sitting there. He was a great orator. He was afterwards elected to Congress and afterwards elected as Governor of this great state. •

I look over in the body of the House here and see George Clarke from Dallas County, and remember that he was elected as Governor of this state.

I look to my right in the back part of the room, and I see Gardner Cowles. Shortly after his service in this House, he purchased the Register and Leader as it was known then, and he built up the Register until it has become the greatest newspaper in the State of Iowa . . . yea, in the Mississippi Valley.

I look over here and I see M. L. Temple, a great lawyer, who represented the mining interests of the southern part of the State of Iowa.

In seat No. 10, there sits, in my mind's eye, Mr. Edwards, he was elected as a district judge and served with great distinction.

I look again and I see Thomas Way. I see Senator Cummins, who made a great Senator. And I see others that are familiar to the mind's eye. One of these is Emory English. Emory English at the present time

has charge of the publications of the state historical department and is secretary of the Pioneer Lawmakers. He served in the Twenty-ninth General Assembly with me, and I look again and I see a man by the name of Kerr from Grundy County—he is here today.

I look and I see many others that would be familiar, but time forbids a longer look even though it be in a dream.

I want you to see those men who worked well in a day and a generation that is gone. All that body of men has gone to the great beyond. They sleep in their windowless room at rest, but it matters not where it may be, or among whom they sleep, their going marks the end of an age.

And now I wish to present to you a veteran legislator, a man who has been in this legislature longer than any other man living or dead. A man who was twice Speaker of the House of Representatives and presided over that body with honor to himself and to the great State of Iowa.

He was also elected Lieutenant Governor, and he presided over the Senate with distinction. I want to say to you that he has held that position with honor, with integrity, in all the legislative acts of his life.

Every important piece of legislation that has gone through this legislature in the last forty years has received the imprint of his active mind, and the stamp of his legislative genius.

To you, gentlemen, all of you, I now introduce that prince of parliamentarians, that leader of men, the Honorable Arch W. McFarlane, who will now address you on this occasion.

Mr. Sweet introduced the Honorable Arch W. McFarlane, who addressed the joint convention as follows:

**MR. PRESIDENT, MR. SPEAKER, MEMBERS OF THE JOINT SESSION, PIONEER LAWMAKERS, AND FRIENDS:**

It is with humility and with a very deep sense of feeling that I take this opportunity to publicly express my appreciation to the Pioneer Lawmakers in selecting me as their president for the next two years. I can assure you that this came unsolicited and I feel very grateful for this honor. I shall endeavor to be an active president worthy of this high office.

As I appear before you here today my mind and memory cannot but dwell upon the past. I always feel, when the Pioneer Lawmakers meet, that there are present with us in an almost bodily sense, those other Pioneer Lawmakers who have drunk their cup a round or two before, and one by one crept silently to rest.

A few years ago, when I first became eligible to membership as a Pioneer Lawmaker, it was very hard for me to realize that I was in any sense to be classed as a pioneer. Most of us here have had, at times, much the same feeling. My idea of a pioneer came out of James Fenimore Cooper's "Leatherstocking Tales", and my thoughts of just what kind of people the pioneers were, and how they looked, tended to be derived from Blashfield's masterpiece of "Westward Ho," which we view every day as we near the House and Senate chambers.

Yet most of us here today will be regarded by the people of Iowa fifty years or so in the future as equally pioneers with the earliest men who moved into Iowa.

For Iowa is a young state, even today. There are men here today, such as my almost lifetime friends, Burton Sweet, Emory English and W. G. Kerr, whose span of life is more than three-fourths that of the lifetime of the State of Iowa.

As we look backward today our lifetimes reach back into the days when just about everybody in Iowa was a pioneer, or is so regarded today. And, as we stop to think the matter over a little, we get a better picture of what actually constitutes a pioneer, and the manner of men they were.

The pioneers who came to Iowa in the days before my birth were, as a matter of fact, men and women just like ourselves. Some of them came to Iowa seeking their own future, some also came to leave their pasts behind them. There were more sinners than saints, not all of the men were handsome heroes, and the sturdy women who helped create this state didn't look, very many of them, like the movie stars who now portray them on the films.

And from this sturdy stock there developed the leaders who wrote the Constitution of the State of Iowa, who became the pioneer lawmakers of two and three generations ago, and whose memory we honor today.

I like to think of the General Assembly of the State of Iowa as a training school for leaders of men. From among those who have occupied seats in the House and Senate twenty-one have later become Governors of Iowa.

There was Samuel J. Kirkwood, who showed up in the Iowa State Senate in the guise of a grizzled farmer with seeds in his hair, and proceeded to demonstrate to his astonished colleagues the qualities of greatness which made him our Civil War Governor, and later a United States Senator. There was Tama Jim Wilson, who once occupied the Speaker's chair on this rostrum, who rose to become the greatest leader that American agriculture has produced to date. There was William Larrabee, possibly the best beloved Iowan of his time. There was Albert B. Cummins, the unknown young lawyer who gained his election as an independent, and founded his political career by putting the barbed wire fence trust out of business. There was that great Governor George W. Clarke, who envisioned the Capitol Extension of which we are so proud today, and fought it through until his dream became a reality, and the saloons and brothels disappeared from the State House steps. And there was Nate Kendall, who also sat in the Speaker's chair, perhaps the most eloquent orator who ever sat in this chamber.

I could go on and on with this list of Pioneer Lawmakers of Iowa. I cannot even stop to enumerate the men who have gone from these halls almost directly into the halls of the National House of Representatives. I cannot enumerate, either, the men who have become our district judges and judges of our Supreme Court. And were I to attempt to list the civic honors which have been bestowed upon former members of the Iowa General Assembly by the State of Iowa, or by its counties and cities, or communities, my task would be endless.

It was a former pioneer lawmaker, Senator Anthony McColl, who laid the foundation for most of the activities of our State Board of Control,

and whose work is being so ably carried on today by Henry Burma, who also sat in the Speaker's seat.

We, as Pioneer Lawmakers, have had our part in making Iowa what it is today, along with those who have gone before. The test of our worthiness, and of the unseen Pioneer Lawmakers who are with us in spirit today, if not in body, is to be judged by a standard set up by the Savior of all mankind: "By their works ye shall know them."

Each generation of lawmakers finds its new problems to solve. Each generation of lawmakers becomes pioneers in its own right.

We are perturbed today about what to do about our public schools. But the first Pioneer Lawmakers had to be concerned about having any schools at all. They had the job of creating all of our educational institutions, of founding our great State University, our great State College at Ames, and our Teachers College at Cedar Falls. They had vision and foresight. They were the founders; we, who are here today, have been the builders, and those who follow us must continue to build.

It has been my privilege to have participated in more of the legislative deliberations of Iowa than any other man living or dead. As I look backward to 1915, and hunt up the old Iowa Red Book in which my picture is pretty much of a deadringer for that of my present colleague, Jack Schroeder of Scott County today, I cannot but be sobered by the feeling, I who was considered the bright young man of the Thirty-sixth General Assembly, must at some time pass on my duties to the bright young men of today. I am not saddened, because I feel, as I believe you who are gathered here today also feel, that they will do a better job, perhaps because they will have the opportunity to profit by our mistakes.

Yet the history of the state reveals that it is seldom indeed that the Iowa General Assembly takes backward steps. The laws which are upon our State Books today are the product of the best efforts of four generations of lawmakers. They are the foundation for our free government and our liberties in Iowa. I, as a pioneer lawmaker, am conceited enough to make the statement that we pioneers have done a pretty good job.

We have established, in Iowa, a state and local system of government which, in the very nature of things, has its faults, but which I would not exchange for that of any state in the Union.

Iowa has good government, and the laws we have passed help keep it so. Iowa has good schools, established under the laws we have passed, and our successors will make them better schools.

We have set up a judiciary under which the protection of our laws is guaranteed to all, and whose integrity has never been questioned. We have established protection for our poor, our widows and our orphans. We have safe working conditions for the employees in our industries; we have shown due regard for our problems of sanitation and public health.

I myself have seen our road systems pass from paths into highways, here again we have laid the foundation for things to come.

The General Assembly of Iowa has an enviable record. Its proceedings have never been tainted by a major scandal. It has preserved its independence of thought and action, and has been jealous of its own prerogatives. The most decisive step toward the disintegration of any

democracy, and the loss of the liberty of its people, is a surrender of the powers of the popularly elected assembly to dictators or bosses, whoever they may be.

I remember a session, it was that of the Thirty-seventh General Assembly when we had the most bitter fight over highway legislation that has ever occurred in this chamber, when a member of the House voiced, on the floor of this House, a principle which I believe was inviolate in the minds of our predecessors, and should forever be retained by ourselves and our successors.

The argument revolved over whether or not the State Highway Commission should be deprived of its powers, the offices moved to Des Moines, and our infant policy of building roads upon a state and county basis, instead of haphazard, was at stake.

There was a member of the House at that time from my neighborhood county of Grundy. His name was Bill Mooty, and a son of his sits in this General Assembly.

The battle was a political one, in which the political fortunes of one of the slickest state machines ever put together in the State of Iowa were involved. The lines were closely drawn, in fact, the battle ended in a draw, with fifty-four members of the House on one side and fifty-four on the other.

The Governor of Iowa had called Mr. Mooty "downstairs." Most of you know what that means, and had put the pressure on Mr. Mooty pretty tightly. Mr. Mooty came back to his seat with his hair bristling and took the floor.

"I am a pretty good Irishman," Mooty said, "and I am a pretty mad Irishman. I want to tell the members of this House that no governor is going to tell me how to vote. If he can convince me I am wrong, he has a right to try to convince me, but he isn't going to order me around. I know what kind of roads my people want, and how they want them built, and I am going to vote that way as long as I get a chance to vote."

I am citing this incident to emphasize the point that I am trying to make, as I turn from the record of the past and try to look into the crystal ball for a glance at the future of not only Iowa and its people, but of the United States and every American citizen.

Legislatures do make mistakes. We made one right here in this chamber back in 1945 which we are now doing our best to correct. I might comment that in my opinion that mistake was made because we paid too much attention to what we were told to do and not enough in determining what we ought to do.

But mistakes of representatives and senators elected by the people are seldom selfish mistakes. They arise because even legislators are human beings.

Dictators rise into power through the elimination of governing bodies such as the Iowa General Assembly. Hitler rose to power only after the German Reichstag had been emasculated and then destroyed. The same thing happened in Italy when Mussolini took command, and in Russia. Rumania, China, Bulgaria, Hungary, Poland and Czechoslovakia the rise of communistic power was the direct consequence of the loss of power by the elective representative bodies of those nations.

The mistakes of legislatures and parliaments, as I have indicated, are honest ones, and they are made without intention to deprive people of their liberties.

The mistakes of dictators are often fatal to their peoples, and they are generally irreparable, because once human liberties are lost, they are not regained, in most cases, without the pouring out of human blood.

Our Pioneer Lawmakers survived the era of the Civil War, when the liberties of Americans were threatened. They were unflinching in the emergencies of the first World War, and we didn't back down in the last World War.

The world now confronts, in my mind, a greater menace to human liberties than it has ever faced before. An evil man passed away the other day, and the power of Joe Stalin to do any more evil has been lost. But it was well said by William Shakespeare that "the evil which men do lives after them, the good is oft interred with their bones."

The evils that Stalin and Lenin have created still live, and they menace us. The communistic ideology threatens every representative body in any nation, or in any village, upon the face of the earth. So I urge upon us today, as Pioneer Lawmakers, to oppose, with our dying breaths, if need be, any ideology which directly or indirectly menaces the freedom of legislative bodies anywhere.

It seems that the artists and the educators have discovered that the Pioneer Lawmakers of a century ago didn't do the best job in the world of designing the Great Seal of the State of Iowa. I am not much of an artist, but if they start revamping the Great Seal of the State of Iowa there is one thing I want left strictly alone—by all future Iowa lawmakers. It is the motto upon that State Seal, which I commend to you in closing: "Our liberties we prize and our rights we will maintain."

Senator Hedin of Scott asked and obtained unanimous consent to have the remarks by Representative McFarlane, Senator Lord, Representative Schwengel and the Honorable Burton O. Sweet printed in the Journals.

President Elthon offered the following remarks:

This brings to a close our meeting here this afternoon, and I want to say it surely has been a pleasure for us in the legislature to meet with you Pioneer Lawmakers in joint session, and we wish you the best of luck. We hope you can come back to us, session after session, and we hope that you may have many pleasant days yet to live.

The minutes of the joint convention were read and approved.

Christiansen of Worth moved that the joint convention be now dissolved.

Motion prevailed.

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

## PRESENTATION OF VISITORS

Senator Miller asked and received unanimous consent to present to the Senate the Honorable Joe E. Johnson, of Marion County, a former Speaker of the House of Representatives, who was present in the Senate chamber.

Senator Heideman asked and received unanimous consent to present to the Senate the Honorable Paul Anderson of Webster County, a former member of the Senate, who was present in the Senate chamber.

Senator Anderson addressed the Senate briefly.

## UNFINISHED BUSINESS

On motion of Senator Miller, Senate File 264, a bill for an act to amend section three hundred twenty-one point one (321.1), subsection forty-three (43), Code 1950, relating to defining the term "chauffeur", was taken up for further consideration.

Senator Miller offered the following amendment and moved its adoption:

Amend Senate File 264 by striking from line ten the word "three" and inserting in lieu thereof the word "five".

The amendment was adopted.

Senator Nolan asked and received unanimous consent to withdraw the following amendment filed by him:

Amend Senate File 264 by striking from line 10 the word "three" and inserting in lieu thereof the word "five".

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

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

Ayes, 44:			
Anderson	Hedin	Nelson	Stuart of Lucas
Bateson	Heideman	Nesmith	Utzig
Bekman	Johnson	Nolan	Van Eaton
Bellman	Knudson	Oltman	Vest
Berg	Larson	O'Malley	Walter
Boothby	Linnevold	Prentis	Washburn
Clark	Lord	Risk	Watson of
Dailey	Lucas	Sayre	O'Brien
Dewel	Lynes	Schoening	Weichman
Dykhouse	Miller	Scott	Zastrow
Fishbaugh	Molison	Stewart of	
Grimstead	Myrland	Mahaska	

Nays, none.

Absent or not voting, 6:

Byers	Elijah	Watson of	Whitehead
Colburn	Hart	Pottawattamie	

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

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

On motion of Senator O'Malley, House File 5, a bill for an act relating to election procedure in those cities nominating candidates for municipal office by nonparty political organizations and by petition, was taken up for further consideration.

Senator O'Malley offered the following amendment by Senator O'Malley and Berg and moved its adoption:

Amend House File 5 by striking lines 4 to 7, inclusive, of section 1, and inserting in lieu thereof the following: "Any such city, under one hundred thousand (100,000) population, may by ordinance provide that all candidates for all elective city offices shall be nominated under the provisions of chapter forty-four (44) and chapter forty-five (45), Code 1950. In such event nomination for all such offices by primary shall not be authorized."

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, 45:

Anderson	Hedin	Nelson	Stuart of Lucas
Bateson	Heideman	Nesmith	Utzig
Bekman	Johnson	Nolan	Van Eaton
Bellman	Knudson	Oltman	Vest
Berg	Larson	O'Malley	Walter
Boothby	Linnevold	Prentis	Washburn
Clark	Lord	Risk	Watson of
Colburn	Lucas	Sayre	O'Brien
Dailey	Lynes	Schoening	Weichman
Dewel	Miller	Scott	Whitehead
Fishbaugh	Molison	Stewart of	Zastrow
Grimstead	Myrland	Mahaska	

Nays, none.

Absent or not voting, 5:

Byers	Elijah	Watson of
Dykhouse	Hart	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 Weichman, Senate File 29, a bill for an act to amend section one hundred forty-four point forty (144.40), Code 1950; relating to vital statistics, 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 29, section 1, by striking lines 5 and 6 and inserting in lieu thereof the words "except that the answering of any question included therein relating to religious affiliations shall be optional and the questionnaire shall so state."

The committee amendment was adopted.

Senator Weichman offered the following amendment and moved its adoption:

Amend Senate File 29, section 1, line 4, by striking the word "prescribed" and inserting in lieu thereof the word "prescribe".

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, 45:

Anderson	Grimstead	Molison	Stuart of Lucas
Bateson	Hart	Myrland	Utzig
Bekman	Hedin	Nelson	Van Eaton
Bellman	Heideman	Nesmith	Vest
Berg	Johnson	Nolan	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Weichman
Dailey	Lucas	Schoening	Whitehead
Dewel	Lynes	Stewart of	Zastrow
Fishbaugh	Miller	Mahaska	

Nays, none.

Absent or not voting, 5:

Dykhous	Oltman	Watson of
Elijah	Scott	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 Hedin, Senate File 184, a bill for an act to amend chapter three hundred eighty-three (383), Code 1950, relating to municipal interstate bridges by adding a new section thereto authorizing the enlargement and reconstruction of such

bridges and the issuance of revenue bonds to finance such enlargement and reconstruction, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hedin asked and received unanimous consent that House File 232 be substituted for Senate File 184.

On motion of Senator Hedin, House File 232, a bill for an act to amend chapter three hundred eighty-three (383), Code 1950, relating to municipal interstate bridges by adding a new section thereto authorizing the enlargement and reconstruction of such bridges and the issuance of revenue bonds to finance such enlargement and reconstruction, was taken up, and considered.

Senator Dailey offered the following amendment and moved its adoption:

Amend House File 232 by adding the following after the word "city" in line 4, section 1 thereof, "having a bridge commission, and".

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.

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

Ayes, 44:

Anderson	Hedin	Nelson	Stuart of Lucas
Bateson	Heideman	Nesmith	Utzig
Bekman	Johnson	Nolan	Van Eaton
Bellman	Knudson	Oltman	Vest
Berg	Larson	O'Malley	Walter
Boothby	Linnevold	Prentis	Washburn
Clark	Lord	Risk	Watson of
Colburn	Lucas	Sayre	O'Brien
Dailey	Lynes	Schoening	Weichman
Dewel	Miller	Stewart of	Whitehead
Fishbaugh	Mollison	Mahaska	Zastrow
Grimstead	Myrland		

Nays, none.

Absent or not voting, 6:

Byers	Elijah	Scott	Watson of
Dykhouse	Hart		Pottawattamie

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

Senator Heideman asked and received unanimous consent that House File 232 be immediately messaged to the House, which request was complied with.

On motion of Senator Hedin, Senate File 190, a bill for an act to amend sections four hundred twenty point fourteen (420.14) and four hundred twenty point fifteen (420.15), Code 1950, relating to salaries of certain city officials, 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	Hart	Myrland	Stuart of Lucas
Bateson	Hedin	Nelson	Utzig
Bekman	Heideman	Nesmith	Van Eaton
Bellman	Johnson	Nolan	Vest
Berg	Knudson	Oltman	Walter
Boothby	Larson	O'Malley	Washburn
Byers	Linnevold	Prentis	Watson of
Clark	Lord	Risk	O'Brien
Colburn	Lucas	Sayre	Weichman
Dailey	Lynes	Schoening	Whitehead
Dewel	Miller	Stewart of	Zastrow
Fishbaugh	Molison	Mahaska	
Grimstead			

Nays, none.

Absent or voting, 4:

Dykhouse	Scott	Watson of
Elijah		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 Dailey, Senate File 203, a bill for an act to amend section seven hundred sixteen point seven (716.7), Code 1950, prohibiting the anchoring of navigation craft to railroad tracks, railroad bridges, signals, switches, or other railroad structures; also prohibiting the mooring of navigation craft against railroad embankments or other railroad structures, 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 action on Senate File 203 be deferred and that the bill be placed on the calendar under unfinished business.

On motion of Senator Nolan, Senate File 235, a bill for an act to amend chapter one hundred forty-one (141), Code 1950, relating

to disposal of dead bodies and to make specific provisions for the consent required for autopsies, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Nolan offered the following amendment and moved its adoption:

Amend Senate File 235 by striking the word "orally" and the comma (,) following the word orally in line twenty-seven (27) thereof.

The amendment was adopted.

Senator Nolan moved that the bill be read a third 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	Heideman	Nelson	Stuart of Lucas
Bateson	Johnson	Nesmith	Utzig
Bekman	Knudson	Nolan	Van Eaton
Bellman	Larson	Oltman	Vest
Boothby	Linnevold	O'Malley	Walter
Clark	Lord	Prentis	Washburn
Colburn	Lucas	Risk	Watson of
Dailey	Lynes	Sayre	O'Brien
Dewel	Miller	Schoening	Weichman
Fishbaugh	Molison	Stewart of	Whitehead
Grimstead	Myrland	Mahaska	Zastrow
Hedin			

Nays, none.

Absent or not voting, 7:

Berg	Dykhousé	Hart	Watson of
Byers	Elijah	Scott	Pottawattamic

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, House File 71, a bill for an act to amend chapter three hundred fifty-seven (357), Code 1950, relating to benefited water districts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Knudson asked and received unanimous consent that action on House File 71 be deferred and that the bill be placed on the calendar under unfinished business.

On motion of Senator Bateson, House File 178, a bill for an act amending sections three hundred eighty-nine point three (389.3), three hundred ninety-one point twenty-one (391.21) and three hun-

dred ninety-one point seventy-seven (391.77), Code 1950, relating to street and sewer improvements in cities and towns, with report of committee recommending passage, was taken up, considered, and the report of the committee 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, 44:

Anderson	Hedin	Nelson	Stuart of Lucas
Bateson	Heideman	Nesmith	Utzig
Bekman	Johnson	Nolan	Van Eaton
Bellman	Knudson	Oltman	Vest
Boothby	Larson	O'Malley	Walter
Byers	Linnevold	Prentis	Washburn
Clark	Lord	Risk	Watson of
Colburn	Lucas	Sayre	O'Brien
Dailey	Lynes	Schoening	Weichman
Dewel	Miller	Stewart of	Whitehead
Fishbaugh	Molison	Mahaska	Zastrow
Hart	Myrland		

Nays, none.

Absent or not voting, 6:

Berg	Elijah	Scott	Watson of
Dykhouse	Grimstead		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 Van Eaton, Senate File 183, a bill for an act to amend section six hundred eighteen point thirteen (618.13), Code 1950, relating to the publication of district court dockets, 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 Senate File 183 be deferred and that the bill be placed on the calendar under unfinished business.

On motion of Senator Hart, Senate File 193, a bill for an act to repeal section two hundred ten point fifteen (210.15), Code 1950, and substitute a new section in lieu thereof, relating to the size of milk containers, 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 193 by adding in line 5 of section 1 after the word "one" the following: "-half".

The amendment was adopted.

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

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

Ayes, 45:

Anderson	Hart	Myrland	Stuart of Lucas
Bateson	Hedin	Nelson	Utzig
Bekman	Heideman	Nesmith	Van Eaton
Bellman	Johnson	Nolan	Vest
Boothby	Knudson	Oltman	Walter
Byers	Larson	O'Malley	Washburn
Clark	Linnevold	Prentis	Watson of
Colburn	Lord	Risk	O'Brien
Dailey	Lucas	Sayre	Weichman
Dewel	Lynes	Schoening	Whitehead
Fishbaugh	Miller	Stewart of	Zastrow
Grimstead	Molison	Mahaska	

Nays, none.

Absent or not voting, 5:

Berg	Elijah	Watson of
Dykhouse	Scott	Pottawattamie

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

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Stuart of Lucas, 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 157.

W. C. STUART, *Chairman Senate Committee.*

JOHN A. WALKER, *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 157.

#### BILL SENT TO THE GOVERNOR

Senator Stuart of Lucas, 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, 1953, sent to the Governor for his approval: Senate File 54.

W. C. STUART, *Chairman.*

Passed on file.

## PROOF OF PUBLICATION

Published copy of Senate File 381 and verified proof of publication of said bill in the Kossuth County Advance on March 17, 1953, 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.*

## REPORTS OF COMMITTEES

Senator Byers submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred **Senate File 10**, a bill for an act to legalize the proceedings of the board of supervisors of Washington County in paying for the remodeling of the courtroom in the courthouse from the general county fund, 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 320**, a bill for an act to amend section six hundred seventy-nine point five (679.5), Code 1950, relating to arbitrations so as to provide for administering of oaths of witnesses, 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 327**, a bill for an act to amend chapter four hundred sixty-two (462), Code 1950, relating to drainage or levee districts under the management of trustees, 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 Lucas submitted the following report:

MR. PRESIDENT: Your committee on printing, to which was referred **House File 266**, a bill for an act to amend section two hundred seventeen point eleven (217.11), Code 1950, to eliminate necessity of duplicating information found in salary book, begs leave to report it has had the same under consideration and **recommends the same do pass.**

J. G. LUCAS, *Chairman.*

Ordered passed on file.

Senator Molison submitted the following report:

MR. PRESIDENT: Your committee on schools and educational institutions, to which was referred **Senate File 355**, a bill for an act relating to

the method of computing elementary and high school tuition rates 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**.

WILBUR C. MOLISON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on schools and educational institutions, to which was referred **House File 181**, a bill for an act to amend chapters two hundred fifty-four (254), two hundred sixty-two (262) and two hundred seventy-one (271), Code 1950, to change the name of the "state sanatorium" for treatment of tuberculosis to the "Iowa Tuberculosis Hospital", begs leave to report it has had the same under consideration and recommends the same **do pass**.

WILBUR C. MOLISON, *Chairman*.

Ordered passed on file.

#### AMENDMENTS FILED

- 1 Amend Senate Resolution 3 by adding a new section
- 2 thereto as follows:
- 3 Sec. 2. That all hearings conducted under this
- 4 resolution shall be public hearings and open to all
- 5 interested parties.

THOMAS J. DAILEY.

- 1 Amend Senate File 205 by adding the following new section:
- 2 "Sec. 2. Where any approved artificial sweetening product
- 3 such as saccharine or sulfamate is used by any person in the
- 4 manufacture or sale of any article of food intended for human
- 5 consumption, the container in which any such food or beverage is
- 6 sold or offered for sale to the public shall be clearly, legibly
- 7 and noticeably labeled with the name of the sweetening product used.
- 8 The portion of the store, display counter, shelving, or other
- 9 place where such food or beverage is displayed or offered for
- 10 sale, shall be clearly and plainly identified by an appropriate
- 11 sign reading 'FOR DIETARY PURPOSES'."
- 12 Further amend Senate File 205 by striking from the title
- 13 all after the word "Act" and inserting in lieu thereof the
- 14 following: "relating to the sale of food containing saccharine,
- 15 sulfamate, or other approved sweetening products."

W. C. MOLISON.

- 1 1. Amend Senate File 241 by striking the period (.) at the
- 2 end of the third line of the title and inserting in lieu thereof
- 3 the following: ", and to amend section five hundred fifteen point
- 4 one hundred twelve (515.112), Code 1950, relating to coinsurance
- 5 riders which may become a part of such contracts."
- 6 2. Further amend Senate File 241 by adding at the end

7 ,thereof the following section:  
 8 "Sec. 3. Section five hundred fifteen point one hundred  
 9 twelve (515.112), Code 1950, is hereby amended by adding after  
 10 the word 'to' appearing in line five (5) thereof the words  
 11 'single family'."

ELMER K. BEKMAN.

1 Amend Senate File 306, section 1, line 4, by inserting  
 2 after the word "feet" the words "or more".

DUANE E. DEWEL.

1 Amend Senate File 310 by striking in line 7 of section  
 2 1 the word "sub-paragraph" and inserting in lieu thereof the  
 3 word "subsection".

CHARLES S. VAN EATON.

1 Amend Senate File 370, section two (2), by striking the  
 2 following in line four (4) thereof: "in the buildings on the  
 3 capitol grounds" and inserting in line four (4) after the word  
 4 "space" the following: "in the state historical building".

JOHN P. BERG.

ARNOLD UTZIG.

1 Amend Senate File 371 by striking therefrom in section  
 2 1, line 2, the words "on state grounds".  
 3 Further amend Senate File 371 by striking therefrom all  
 4 of section 2 and inserting in lieu thereof the following:  
 5 "Sec. 2. The executive council and legislative  
 6 advisory committee are authorized and empowered to  
 7 determine and designate the location of said warehouse  
 8 and to purchase the land therefor, if necessary. That  
 9 said executive council and legislative advisory committee  
 10 shall make such investigation and hold such hearings for  
 11 all interested parties at such times and places as the  
 12 executive council shall determine, such hearings to have  
 13 for their primary purpose the determination and selecting  
 14 of the most advantageous site for the construction of a  
 15 warehouse to fulfill the needs and requirements of the  
 16 Iowa Liquor Control Commission and to comply with the  
 17 legislative intent of this act."

18 Further amend Senate File 371 by adding thereto after  
 19 the word "expended" in section 3, line 5, the following:  
 20 "for the purchase of land and".

GEORGE O'MALLEY.

1 Amend House File 73 by striking all after the  
 2 enacting clause and substituting in lieu thereof the  
 3 following:

4 "Section 1. Section two hundred seventy-nine  
 5 point forty (279.40), Code 1950, is hereby amended by

6 striking the words 'a maximum' in line 14 and inserting  
 7 in lieu thereof the words 'to at least a total'.  
 8 Sec. 2. Section two hundred seventy-nine point  
 9 forty (279.40), Code 1950, is further amended by adding  
 10 thereto the following: 'Nothing in this section as  
 11 amended shall be construed as limiting the right of a  
 12 school board to grant more time than the days herein  
 13 specified.'"

R. R. BATESON.

1 Amend House File 361 by adding a new section thereto  
 2 as follows:  
 3 "Sec. 3. No part of any appropriation or authori-  
 4 zation contained herein shall be used to pay the compensation  
 5 of any person appointed to any and every office or position  
 6 whatsoever which may become vacant during the fiscal year  
 7 beginning on July 1, 1953, and during the fiscal year beginning  
 8 on July 1, 1954, provided that this inhibition shall not apply  
 9 "(a) to not to exceed twenty-five per centum of all vacancies;  
 10 "(b) to positions filled from within the department;  
 11 "(c) to offices or positions required by law to be filled  
 12 by specific appointment by the Governor;  
 13 "(d) to personnel engaged in law enforcement.  
 14 "Provided further that when any department or agency herein  
 15 covered in this act shall, as a result of the operation of this  
 16 amendment reduce their employment to a figure not exceeding  
 17 eighty per centum of the total number on their rolls as of  
 18 January 1, 1953, such amendment shall cease to apply and said  
 19 eighty per centum figure shall become a ceiling for employment  
 20 during the fiscal years 1953 and 1954 and if exceeded at any  
 21 time during fiscal years 1953 and 1954, this amendment shall  
 22 again become operative, and provided further that the Chairman  
 23 of the Budget and Financial Control Committee shall require  
 24 each department or agency to submit a written report showing a  
 25 record of compliance with this amendment, beginning on October 1,  
 26 1953, and on the first day of each third month thereafter until  
 27 July 1, 1955."

THOMAS J. DAILEY.  
 GEORGE O'MALLEY.  
 ARNOLD UTZIG.  
 LEON MILLER.

1 Amend House File 365 by adding to section one 1 the following:  
 2 "In the event it is held that the provisions of section one 1,  
 3 providing for the transfer to the State Board of Control of  
 4 two million dollars (\$2,000,000) from the bonus and disability  
 5 fund is held to be illegal, then there shall be transferred to  
 6 the State Board of Control one million nine hundred thousand  
 7 dollars (\$1,900,000) from the thirty million dollar (\$30,000,000)

8 Special Reserve General Revenue Fund of the State of Iowa for  
9 the construction and equipment of a nursing home at the Iowa  
10 Soldiers' Home at Marshalltown."

W. C. STUART of Lucas.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 20, 1953.

The Senate met in regular session, President Elthón presiding.

Prayer was offered by Reverend D. O. Reeverts, pastor of the Trinity Reform Church, Sibley, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Watson of Pottawattamie for the day on request of Senator Dailey.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Bateson from residents of Kossuth and Woodbury Counties in opposition to proposed legislation relating to employment of minors.

By Senator Dykhouse from residents of Sioux County in opposition to proposed legislation relating to the annual registration fee for trucks, tractors or road tractors.

By Senator Heideman from residents of Webster County favoring proposed legislation relating to construction of sanitary facilities at Clear Lake.

By Senator Lord from residents of Muscatine County in opposition to proposed legislation relating to imposing a tax of two per cent upon the gross receipts derived from the operation of bowling alleys.

By Senator Washburn from residents of Mills County in opposition to proposed legislation relating to school district reorganization and boundary changes.

By Senator Washburn from residents of Montgomery County in opposition to proposed legislation creating in the office of the secretary of state a division of occupational registration.

By Senator Whitehead from residents of Dallas County favoring proposed legislation relating to union shop legislation.

## INTRODUCTION OF BILLS

Senate File 386, by committee on judiciary 2, a bill for an act to amend chapter two hundred fifty-five (255), Code 1950, relating to treatment of inmates of the Iowa State Penitentiary and the men's or women's reformatory.

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

Senate File 387, by committee on judiciary 2, a bill for an act to amend section two hundred forty-eight point three (248.3), Code 1950, relating to recommendations by board of parole for pardon.

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

Senate File 388, by committee on motor vehicles, a bill for an act to amend section one (1) of chapter one hundred twenty-eight (128), Acts of the Fifty-fourth General Assembly, relating to the maximum legal weights of any axles or groups of axles or on entire vehicles or combinations of vehicles, and the providing of penalties for violation thereof.

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

## PRESENTATION OF VISITORS

Senator Nesmith asked and received unanimous consent to present to the Senate nine members of the civics class of the Palo Alto No. 4 Public School of Jasper County who were present in the balcony accompanied by Mrs. Della Perry.

Senator Knudson asked and received unanimous consent to present to the Senate six members of the Lincoln No. 7 Public School of Cerro Gordo County who were present in the balcony accompanied by Mrs. Reuben Hall.

Senator Lucas asked and received unanimous consent to present to the Senate sixteen members of the eighth grade class of the McCallsburg Public School who were present in the balcony accompanied by their superintendent, Mr. Fields.

Senator Whitehead asked and received unanimous consent to present to the Senate eighteen members of the political science class of the Dallas Center High School who were present in the balcony accompanied by their instructor, C. Raymond Rutt.

Senator Scott asked and received unanimous consent to present to the Senate a former member who served in the Senate thirty-

three years ago, the Honorable W. H. Scott from Chickasaw County, who was present in the Senate chamber.

Mr. Scott addressed the Senate briefly.

### THIRD READING OF BILLS

On motion of Senator Anderson, Senate File 78, a bill for an act to authorize county boards of supervisors to require the licensing of auctions outside of cities and towns within the state or within any city or town that has not by ordinance licensed the sales of auctioneers and to require the posting of a bond and submission of inventory of goods offered for sale at such auctions, and providing penalties for violation thereof, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Anderson asked and received unanimous consent that action on Senate File 78 be deferred and that the bill be placed on the calendar under unfinished business.

On motion of Senator Lynes, Senate File 211, a bill for an act relating to the commitment and voluntary admission of neglected, dependent and delinquent children to the Iowa Juvenile Home and The Iowa Annie Wittenmyer Home, denying commitment and admission of certain children thereto and to amend a part of and to repeal a part of section two hundred thirty-two point twenty-seven (232.27) and to amend section two hundred forty-four point four (244.4), Code 1950, 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, 45:

Anderson	Fishbaugh	Myrland	Stewart of
Bateson	Grimstead	Nelson	Mahaska
Bekman	Hart	Nesmith	Stuart of Lucas
Bellman	Hedin	Nolan	Utzig
Berg	Heideman	Oltman	Van Eaton
Boothby	Johnson	O'Malley	Walter
Byers	Knudson	Prentis	Washburn
Clark	Larson	Risk	Watson of
Colburn	Linnevold	Sayre	O'Brien
Dailey	Lord	Schoening	Weichman
Dewel	Lynes	Scott	Whitehead
Dykhouse	Miller		Zastrow

Nays, none.

Absent or not voting, 5:

Elijah  
Lucas

Molison  
Vest

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

Senate Concurrent Resolution 16, memorializing the Eighty-third Congress to give serious consideration to the amendment of Public Law 552, eliminating deep mining in Iowa.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 30, a bill for an act relating to the regulation of the manufacture and sale of ice milk.

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 bribes in connection with sports and providing penalties therefor.

Also: That the House has concurred in Senate amendments to and passed House File 232, a bill for an act relating to municipal interstate bridges.

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

House File 327, a bill for an act relating to the maximum length of mobile homes.

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

House File 342, a bill for an act relating to photographing enrolled acts and resolutions of the General Assembly.

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

House Concurrent Resolution 21, providing for payment of legislative expenses.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENTS TO SENATE FILE 30

Amend Senate File 30, section 2, line 44, by inserting immediately after the word "other" the word "labeling".

Further amend section 2, line 50, by inserting immediately after the word "other" the word "labeling".

## HOUSE CONCURRENT RESOLUTION 21

## 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 and miscellaneous (House).....	\$ 42.90
Office Machine Supply Co., clean, oil, adjust 44 typewriters, repairs, etc. (House) .....	53.50
Koch Brothers, office equipment (House).....	74.00
Storey-Kenworthy Co., office equipment (House).....	440.92
Edith McElroy, reporting and transcribing joint hearings (Joint)	35.00
L. C. Smith & Corona Typewriters, Inc., repairs (House).....	5.50
Strauss Lock Co., lock and service (House).....	3.20
Des Moines Clean Towel Service, service for February (Joint)....	5.20
American Lithographing & Printing Co., litho and ruled heads for enrolled bills (House).....	117.88
Davidsons, legal file with lock (House).....	69.60
Remington Rand Service, service on typewriter in law library (Joint) .....	3.35
Des Moines Rubber Stamp Works, rubber stamp (Senate).....	1.25
Robert Hall Clothiers, jackets for pages (Senate).....	118.16
Koch Brothers, office supplies (Senate).....	27.64
Office Equipment Co., erasers (Senate).....	.50
Storey-Kenworthy Co., office supplies (Senate).....	23.90

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 MESSAGES CONSIDERED

House File 199, a bill for an act to prohibit the giving, soliciting and accepting of bribes and other considerations in connection with sports, and providing penalties therefor.

Read first and second times, and referred to committee on judiciary 1.

House File 327, a bill for an act providing for licensing, inspection and regulation of mobile homes and mobile home parks, prescribing the standards and fees, and providing for regulations, enforcement procedure and penalties; to amend section three hundred twenty-one point four hundred fifty-seven (321.457), Code 1950, relating to maximum length of mobile homes; and to amend section three hundred twenty-one point one hundred thirty (321.130), Code 1950, relating to fees in lieu of taxes.

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

House File 342, a bill for an act to provide for the photographing of the enrolled acts and resolutions of the General Assembly and for the keeping of such copies.

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

#### HOUSE AMENDMENT CONSIDERED

Senator Lynes called up for consideration Senate File 30, a bill for an act to amend section one hundred ninety point one (190.1), Code 1950, relating to the regulation of the manufacture and sale of ice milk, amended by the House.

Senator Lynes asked and received unanimous consent that action on Senate File 30 as amended by the House be deferred and that the bill be placed on the calendar under unfinished business.

#### SPECIAL ORDER

The hour of 10:30 a.m. having arrived, the Chair announced the special order for the consideration of the bills on the special appropriation bill calendar.

#### THIRD READING OF BILLS

On motion of Senator Lynes, House File 331, 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 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	Fishbaugh	Molison	Stewart of
Bateson	Grimstead	Myrland	Mahaska
Bekman	Hart	Nelson	Stuart of Lucas
Bellman	Hedin	Nesmith	Utzig
Berg	Heideman	Nolan	Van Eaton
Boothby	Johnson	Oltman	Walter
Byers	Knudson	O'Malley	Washburn
Clark	Larson	Prentis	Watson of
Colburn	Linnevoid	Risk	O'Brien
Dailey	Lord	Sayre	Weichman
Dewel	Lynes	Schoening	Whitehead
Dykhouse	Miller	Scott	Zastrow

Nays, none.

Absent or not voting, 4:

Elijah	Vest	Watson of
Lucas		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 Lynes, House File 361, a bill for an act authorizing expenditures by state highway commission from the primary road fund for the biennium beginning July 1, 1953, and ending June 30, 1955, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Dailey offered the following amendment, filed by Senators Dailey, O'Malley, Utzig and Miller:

Amend House File 361 by adding a new section thereto as follows:

"Sec. 3. No part of any appropriation or authorization contained herein shall be used to pay the compensation of any person appointed to any and every office or position whatsoever which may become vacant during the fiscal year beginning on July 1, 1953, and during the fiscal year beginning on July 1, 1954, provided that this inhibition shall not apply

"(a) to not to exceed twenty-five per centum of all vacancies;

"(b) to positions filled from within the department;

"(c) to offices or positions required by law to be filled by specific appointment by the Governor;

"(d) to personnel engaged in law enforcement.

"Provided further that when any department or agency herein covered in this act shall, as a result of the operation of this amendment reduce their employment to a figure not exceeding eighty per centum of the total number on their rolls as of January 1, 1953, such amendment shall cease to apply and said eighty per centum figure shall become a ceiling for employment during the fiscal years 1953 and 1954 and if exceeded at any time during the fiscal years 1953 and 1954, this amendment shall again become operative, and provided further that the Chairman of the Budget and Financial Control Committee shall require each department or agency to submit a written report showing a record of compliance with this amendment, beginning on October 1, 1953, and on the first day of each third month thereafter until July 1, 1955."

Senator Lynes moved the previous question on the amendment, which motion prevailed.

Senator Dailey moved the adoption of the amendment and requested a roll call.

On the question "Shall the amendment be adopted?" the vote was:

## Ayes, 5:

Dailey	O'Malley	Utzig	Van Eaton
Miller			

## Nays, 39:

Anderson	Hart	Molison	Scott
Bateson	Hedin	Myrland	Stewart of
Bekman	Heideman	Nelson	Mahaska
Boothby	Johnson	Nesmith	Stuart of Lucas
Byers	Knudson	Nolan	Vest
Colburn	Larson	Oltman	Walter
Dewel	Linnevold	Prentis	Watson of
Dykhouse	Lord	Risk	O'Brien
Elijah	Lucas	Sayre	Weichman
Fishbaugh	Lynes	Schoening	Zastrow
Grimstead			

## Absent or not voting, 6:

Bellman	Clark	Watson of	Whitehead
Berg	Washburn	Pottawattamie	

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, 45:

Anderson	Fishbaugh	Molison	Stewart of
Bateson	Grimstead	Myrland	Mahaska
Bekman	Hart	Nelson	Stuart of Lucas
Bellman	Hedin	Nesmith	Van Eaton
Berg	Heideman	Nolan	Vest
Boothby	Johnson	Oltman	Walter
Byers	Knudson	Prentis	Washburn
Clark	Larson	Risk	Watson of
Colburn	Linnevold	Sayre	O'Brien
Dewel	Lord	Schoening	Weichman
Dykhouse	Lucas	Scott	Whitehead
Elijah	Lynes		Zastrow

## Nays, none.

## Absent or not voting, 5:

Dailey	O'Malley	Watson of
Miller	Utzig	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 Lynes, House File 362, a bill for an act creating the general contingent fund of the state for the biennium beginning July 1, 1953, and appropriating thereto the sum of one million dollars (\$1,000,000) 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 passage, was taken up, considered, and the report of the committee adopted.

Senator Prentis offered the following amendment and moved its adoption :

Amend House File 362, section 1, by striking the words and figures "one million dollars (\$1,000,000)" in lines 3 and 4 and inserting in lieu thereof "two million dollars (\$2,000,000)".

Further amend House File 362 by striknig the word "one" in line 3 of the title and inserting in lieu thereof the word "two".

The amendment was adopted.

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

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

Ayes, 48:

Anderson	Fishbaugh	Molison	Stewart of
Bateson	Grimstead	Myrland	Mahaska
Bekman	Hart	Nelson	Stuart of Lucas
Bellman	Hedin	Nesmith	Utzig
Berg	Heideman	Nolan	Van Eaton
Boothby	Johnson	Oltman	Vest
Byers	Knudson	O'Malley	Walter
Clark	Larson	Prentis	Washburn
Colburn	Linnevoid	Risk	Watson of
Dailey	Lord	Sayre	O'Brien
Dewel	Lucas	Schoening	Whitehead
Dykhouse	Lynes	Scott	Zastrow
Elijah	Miller		

Nays, none.

Absent or not voting, 2:

Watson of	Weichman
Pottawattamie	

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 Lynes, House File 363, a bill for an act to appropriate funds to the state comptroller from the primary road fund, 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, 48:

Anderson	Fishbaugh	Molison	Stewart of
Bateson	Grimstead	Myrland	Mahaska
Bekman	Hart	Nelson	Stuart of Lucas
Bellman	Hedin	Nesmith	Utzig
Berg	Heideman	Nolan	Van Eaton
Boothby	Johnson	Oltman	Vest
Byers	Knudson	O'Malley	Walter
Clark	Larson	Prentis	Washburn
Colburn	Linnevold	Risk	Watson of
Dailey	Lord	Sayre	O'Brien
Dewel	Lucas	Schoening	Whitehead
Dykhouse	Lynes	Scott	Zastrow
Elijah	Miller		

Nays, none.

Absent or not voting, 2:

**Watson of**           **Weichman**  
**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 Lynes, House File 456, a bill for an act to appropriate funds to the board of control for the repair to buildings and for the restoration and replacement of furniture, fixtures, equipment and other items of institutional property damaged by fire in the auditorium at the State Penitentiary at Fort Madison on January 12, 1953, and in the laundry building at the Cherokee Mental Health Institute on February 9, 1953, 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, 48:

Anderson	Fishbaugh	Molison	Stewart of
Bateson	Grimstead	Myrland	Mahaska
Bekman	Hart	Nelson	Stuart of Lucas
Bellman	Hedin	Nesmith	Utzig
Berg	Heideman	Nolan	Van Eaton
Boothby	Johnson	Oltman	Vest
Byers	Knudson	O'Malley	Walter
Clark	Larson	Prentis	Washburn
Colburn	Linnevold	Risk	Watson of
Dailey	Lord	Sayre	O'Brien
Dewel	Lucas	Schoening	Whitehead
Dykhouse	Lynes	Scott	Zastrow
Elijah	Miller		

Nays, none.

Absent or not voting, 2:

Watson of Weichman  
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 Lynes, House File 364, 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, 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	Fishbaugh	Molison	Stewart of
Bateson	Grimstead	Myrland	Mahaska
Bekman	Hart	Nelson	Stuart of Lucas
Bellman	Hedin	Nesmith	Utzig
Berg	Heideman	Nolan	Van Eaton
Boothby	Johnson	Oltman	Vest
Byers	Knudson	O'Malley	Walter
Clark	Larson	Prentis	Washburn
Colburn	Linnevold	Risk	Watson of
Dailey	Lord	Sayre	O'Brien
Dewel	Lucas	Schoening	Weichman
Dykhouse	Lynes	Scott	Whitehead
Elijah	Miller		Zastrow

Nays, none.

Absent or not voting, 1:

Watson of  
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 Lynes, House File 433, a bill for an act to make appropriations to members of the committee on interstate cooperation, namely: Paul E. McCarville, Raymond R. Gillespie, W. Eldon Walter, Herman B. Lord, James H. Nesmith, John P. Berg, Estate of Edward S. Parker, Fred Schwengel, Carl H. Ringenberg, Albert Weiss, Glenn E. Robinson, Harry Nielsen, Katheryn C. Metz and R. O. Burrows, Sr., with report of committee recom-

mending 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, 45:**

Anderson	Fishbaugh	Molison	Stewart of
Bateson	Grimstead	Myrland	Mahaska
Bekman	Hart	Nelson	Stuart of Lucas
Bellman	Hedin	Nolan	Utzig
Boothby	Heideman	Oltman	Van Eaton
Byers	Johnson	O'Malley	Vest
Clark	Knudson	Prentis	Washburn
Colburn	Larson	Risk	Watson of
Dailey	Linnevold	Sayre	O'Brien
Dewel	Lucas	Schoening	Weichman
Dykhouse	Lynes	Scott	Whitehead
Elijah	Miller		Zastrow

Nays, none.

**Absent or not voting, 5:**

Berg	Nesmith	Walter	Watson of
Lord			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 Lynes, Senate File 368, a bill for an act to make appropriations to certain named persons in settlement of claims against the State of Iowa, with report of committee without recommendation, 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, 46:**

Anderson	Elijah	Miller	Stewart of
Bateson	Fishbaugh	Myrland	Mahaska
Bekman	Grimstead	Nelson	Stuart of Lucas
Bellman	Hart	Nesmith	Utzig
Berg	Hedin	Nolan	Van Eaton
Boothby	Heideman	Oltman	Vest
Byers	Johnson	O'Malley	Walter
Clark	Knudson	Prentis	Washburn
Colburn	Larson	Risk	Watson of
Dailey	Linnevold	Sayre	O'Brien
Dewel	Lucas	Schoening	Weichman
Dykhouse	Lynes	Scott	Whitehead

Nays, none.

Absent or not voting, 4:

Lord	Molison	Watson of Pottawattamie	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 Lynes, Senate File 369, a bill for an act to make appropriations to Fern E. Sharp, Elkader, Iowa; Philip T. Hedin, Davenport, Iowa; Stanley L. Hart, Keokuk, Iowa; Morse E. Crosier, Coggon, Iowa; Howard E. Brookings, Oakland, Iowa; G. T. Clark, Knoxville, Iowa, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Lynes offered the following amendment and moved its adoption:

Amend Senate File 369, section 8, by striking lines 3, 4, 5 and 6 and substituting in lieu thereof the following: "The Nashua Reporter, a newspaper published at Nashua, Iowa, and the Hampton Chronicle, a newspaper published at Hampton, Iowa."

The amendment was adopted.

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

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

Ayes, 47:

Anderson	Fishbaugh	Myrland	Stuart of Lucas
Bateson	Grimstead	Nelson	Utzig
Bekman	Heideman	Nesmith	Van Eaton
Bellman	Johnson	Nolan	Vest
Berg	Knudson	Oltman	Walter
Boothby	Larson	O'Malley	Washburn
Byers	Linnevold	Prentis	Watson of
Clark	Lord	Risk	O'Brien
Colburn	Lucas	Sayre	Weichman
Dailey	Lynes	Schoening	Whitehead
Dewel	Miller	Scott	Zastrow
Dykhouse	Molison	Stewart of	
Elijah		Mahaska	

Nays, none.

Absent or not voting, 3:

Hart	Hedin	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.

## BILL SIGNED BY THE GOVERNOR

A communication was received announcing that, on March 19, 1953, the Governor had approved the following bill:

Senate File 54, relating to the practice of funeral directing and embalming.

## ASSIGNMENT OF BILLS

President Elthon announced the assignment of the following bills to committee:

S. F. 384 Ways and means

H.C.R. 21 Appropriations (Under Senate Rule 21)

## PROOF OF PUBLICATION

Published copy of House File 479 and verified proof of publication of said bill in the Osage News on March 12, 1953, was filed with the Secretary of the Senate prior to the time said bill was placed on passage.

CARROLL A. LANE,  
*Secretary of the Senate.*

## REPORTS OF COMMITTEE

Senator Colburn submitted the following report:

MR. PRESIDENT: Your committee on motor vehicles, to which was referred **Senate File 72**, a bill for an act to amend chapter three hundred twenty-one (321), Code 1950, relating to automobile registration plates for holders of amateur radio station licenses, 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 motor vehicles, to which was referred **Senate File 366**, a bill for an act to amend section three hundred twenty-one point one hundred seventeen (321.117), Code 1950, relating to fees for hearses, 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

- 1 Amend Senate File 78, section 1, by striking the period
- 2 (.) at the end of line 25 and inserting in lieu thereof
- 3 the following: " , provided, however, that the aggregate

- 4 liability of the surety for all said taxes and causes
- 5 of action shall in no event exceed the sum of such bond."

RALPH W. ZASTROW.

- 1 Amend the O'Malley amendment to Senate File 371
- 2 by inserting the word "public" immediately preceding
- 3 the word "hearings" in line 10 and in line 12.-

THOMAS J. DAILEY.

- 1 Amend Senate File 371 by inserting the following
- 2 after the comma (,) in line 17 of section 1 thereof
- 3 "and chapter 23 as far as applicable".

THOMAS J. DAILEY.

- 1 Amend Senate File 371 by striking all of section 6 and
- 2 substituting in lieu thereof the following:
- 3 "Sec. 6. This act being deemed of immediate importance
- 4 shall become effective upon publication in The Clarksville Star,
- 5 a newspaper published at Clarksville, Iowa, and in the Bremer
- 6 County Independent, a newspaper published at Waverly, Iowa."

J. KENDALL LYNES.

- 1 Amend House File 71 by adding after the word "until" in
- 2 section 1, line eleven (11), the following: "all existing
- 3 obligations against said district have been completely and
- 4 fully discharged and such conveyance".

H. M. KNUDSON.

On motion of Senator Zastrow, the Senate adjourned until 11:00 a.m. Monday, March 23, 1953.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 23, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend A. D. Holtry, pastor of the Methodist Church, Clarence, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Bateson from residents of Emmet County in opposition to proposed legislation relating to employment of minors.

By Senator Hart from residents of Lee County in opposition to proposed legislation creating in the office of the secretary of state a division of occupational registration.

By Senator Knudson from residents of Hancock County favoring proposed legislation relating to the powers of boards of directors of school districts.

By Senator O'Malley from residents of Polk County favoring proposed legislation relating to unemployment compensation.

By Senator O'Malley from residents of Polk County favoring proposed legislation relating to union security agreements.

By Senator Utzig from residents of Dubuque County favoring proposed legislation relating to a permanent memorial room of the Grand Army of the Republic.

By the following Senators favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance:

By Senator Bateson from residents of Hardin County.

By Senator Miller from residents of Marion County.

By the following Senators favoring proposed legislation relating to a state educational network of television stations:

By Senator Anderson from residents of Henry County.

By Senator Watson from residents of Pottawattamie County.

By the following Senators favoring proposed legislation relating to union shop legislation:

By Senator Anderson from residents of Des Moines and Polk Counties.

By Senator Lucas from residents of Boone County.

By Senator Nolan from residents of Johnson County.

#### UNFINISHED BUSINESS

On motion of Senator Knudson, House File 71, a bill for an act to amend chapter three hundred fifty-seven (357), Code 1950, relating to benefited water districts, was taken up for further consideration.

Senator Knudson offered the following amendment and moved its adoption:

Amend House File 71 by adding after the word "until" in section 1, line eleven (11), the following: "all existing obligations against said district have been completely and fully discharged and such conveyance".

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	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Utzig
Bekman	Hart	Nesmith	Van Eaton
Bellman	Hedin	Nolan	Vest
Berg	Heideman	Oltman	Walter
Boothby	Johnson	O'Malley	Washburn
Byers	Knudson	Prentiss	Watson of
Clark	Larson	Risk	O'Brien
Colburn	Linnevoold	Sayre	Weichman
Dailey	Lord	Schoening	Whitehead
Dewel	Lucas	Stewart of	Zastrow
Dykhouse	Lynes	Mahaska	
Elijah	Miller		

Nays, 1:

Watson of  
Pottawattamie

Absent or not voting, 2:

Nelson                      Scott

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

Senator Lynes called up for further consideration Senate File 30, a bill for an act to amend section one hundred ninety point one (190.1), Code 1950, relating to the regulation of the manufacture and sale of ice milk, amended by the House, and moved that the Senate concur in the following House amendments:

Amend Senate File 30, section 2, line 44, by inserting immediately after the word "other" the word "labeling".

Further amend section 2, line 50, by inserting immediately after the word "other" the word "labeling".

The Senate concurred in the House amendments.

Senator Lynes moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

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

Ayes, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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.

### THIRD READING OF BILLS

On motion of Senator Lynes, House File 365, a bill for an act to amend section eight (8) of chapter three hundred thirty-two (332), Acts of the Thirty-ninth General Assembly, by adding subsections thereto, directing the bonus board, existing under the terms of

said chapter, and the state comptroller to transfer to the state board of control two million dollars (\$2,000,000) from the bonus and disability fund, established under the terms of said section, for the construction and equipment of a nursing home at the Iowa Soldiers' Home at Marshalltown, Iowa, which nursing home and the use thereof shall constitute an additional bonus for the amelioration of the condition of residents of this state, as defined in section four (4) of said chapter, who are suffering from disability, and providing for the reversion of any unexpended balance, and investment of the fund, and providing for the demolition of the present main building, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Stuart of Lucas offered the following amendment:

Amend House File 365 by adding to section one (1) the following:

"In the event it is held that the provisions of section one (1), providing for the transfer to the State Board of Control of two million dollars (\$2,000,000) from the bonus and disability fund is held to be illegal, then there shall be transferred to the State Board of Control one million nine hundred thousand dollars (\$1,900,000) from the thirty million dollar (\$30,000,000) Special Reserve General Revenue Fund of the State of Iowa for the construction and equipment of a nursing home at the Iowa Soldiers' Home at Marshalltown."

Senator Weichman raised a point of order for the reason that the House had already considered the subject matter contained in the amendment.

The Chair ruled the point not well taken and the amendment in order.

Senator Stuart of Lucas moved the adoption of the amendment and requested a roll call.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 19:

Bekman	Miller	O'Malley	Utzig
Clark	Myrland	Scott	Walter
Dailey	Nesmith	Stewart of	Watson of
Fishbaugh	Nolan	Mahaska	Pottawattamie
Larson	Oltman	Stuart of Lucas	Zastrow
Lord			

Nays, 30:

Anderson	Berg	Colburn	Elijah
Bateson	Boothby	Dewel	Grimstead
Bellman	Byers	Dykhous	Hedin

Heideman	Lynes	Sayre	Watson of
Johnson	Molison	Schoening	O'Brien
Knudson	Nelson	Van Eaton	Weichman
Linnevold	Prentis	Vest	Whitehead
Lucas	Risk	Washburn	

Absent or not voting, 1:

Hart

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, 49:

Anderson	Grimstead	Myrland	Utzig
Bateson	Hart	Nelson	Van Eaton
Bekman	Hedin	Nesmith	Vest
Bellman	Heideman	Nolan	Walter
Berg	Johnson	Oltman	Washburn
Boothby	Knudson	O'Malley	Watson of
Byers	Larson	Prentis	O'Brien
Clark	Linnevold	Risk	Watson of
Colburn	Lord	Sayre	Pottawattamie
Dailey	Lucas	Schoening	Weichman
Dewel	Lynes	Scott	Whitehead
Dykhouse	Miller	Stewart of	Zastrow
Elijah	Molison	Mahaska	
Fishbaugh			

Nays, 1:

Stuart of Lucas

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

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

#### AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

#### PRESENTATION OF VISITORS

Senator Nelson asked and received unanimous consent to present to the Senate thirty members of the eighth grade class of the Wash-

ington Public School of Fairfield who were present in the balcony accompanied by a group of the parents.

### THIRD READING OF BILLS

On motion of Senator Lynes, Senate File 371, a bill for an act to provide for the erecting and equipping of a warehouse on state grounds; to provide for the appointment of a legislative advisory committee and authorize the executive council and legislative advisory committee to designate the location of said building; to authorize the executive council and legislative advisory committee to employ an architect or architects to prepare plans and specifications for said building; and to enter into a contract or contracts for the erection and equipping of said warehouse; and to provide for the payment thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator O'Malley offered the following amendment:

Amend Senate File 371 by striking therefrom in section 1, line 2, the words "on state grounds".

Further amend Senate File 371 by striking therefrom all of section 2 and inserting in lieu thereof the following:

"Sec. 2. The executive council and legislative advisory committee are authorized and empowered to determine and designate the location of said warehouse and to purchase the land therefor, if necessary. That said executive council and legislative advisory committee shall make such investigation and hold such hearings for all interested parties at such times and places as the executive council shall determine, such hearings to have for their primary purpose the determination and selecting of the most advantageous site for the construction of a warehouse to fulfill the needs and requirements of the Iowa Liquor Control Commission and to comply with the legislative intent of this act."

Further amend Senate File 371 by adding thereto after the word "expended" in section 3, line 5, following: "for the purchase of land and".

Senator Dailey offered the following amendment to the amendment filed by Senator O'Malley:

Amend the amendment by inserting the word "public" immediately preceding the word "hearings" in line 10 and in line 12.

Senator Dewel moved the previous question on the amendment to the amendment, which motion prevailed.

Senator Dailey moved the adoption of the amendment to the amendment and requested a roll call.

On the question "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 13:

Dailey	Knudson	Molison	Utzig
Elijah	Larson	O'Malley	Vest
Fishbaugh	Miller	Schoening	Walter
Heideman			

Nays, 35:

Anderson	Dykhouse	Nelson	Van Eaton
Bateson	Grimstead	Nesmith	Washburn
Bekman	Hart	Nolan	Watson of
Bellman	Hedin	Oltman	O'Brien
Berg	Johnson	Prentis	Watson of
Boothby	Linnevoid	Risk	Pottawattamie
Byers	Lord	Sayre	Weichman
Clark	Lucas	Stewart of	Whitehead
Colburn	Lynes	Mahaska	Zastrow
Dewel	Myrland		

Absent or not voting, 2:

Scott	Stuart of Lucas
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The amendment to the amendment was lost.

Senator O'Malley moved the adoption of his amendment.

The amendment was lost.

Senator Dailey offered the following amendment:

Amend Senate File 371 by inserting the following after the comma (,) in line 17 of section 1 thereof "and chapter 23 as far as applicable".

Senator Dewel moved the previous question on the amendment, which motion prevailed.

Senator Dailey moved the adoption of the amendment and requested a roll call.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 6:

Dailey	Fishbaugh	O'Malley	Utzig
Elijah	Heideman		

Nays, 44:

Anderson	Hart	Nelson	Van Eaton
Bateson	Hedin	Nesmith	Vest
Bekman	Johnson	Nolan	Walter
Bellman	Knudson	Oltman	Washburn
Berg	Larson	Prentis	Watson of
Boothby	Linnevoid	Risk	O'Brien
Byers	Lord	Sayre	Watson of
Clark	Lucas	Schoening	Pottawattamie
Colburn	Lynes	Scott	Weichman
Dewel	Miller	Stewart of	Whitehead
Dykhouse	Molison	Mahaska	Zastrow
Grimstead	Myrland	Stuart of Lucas	

Absent or not voting, none.

The amendment was lost.

Senator Lynes offered the following amendment and moved its adoption :

Amend Senate File 371 by striking all of section 6 and substituting in lieu thereof the following:

"Sec. 6. This act being deemed of immediate importance shall become effective upon publication in The Clarksville Star, a newspaper published at Clarksville, Iowa, and in the Bremer County Independent, a newspaper published at Waverly, Iowa."

The amendment was adopted.

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

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

Ayes, 44:

Anderson	Hart	Nelson	Utzig
Bateson	Hedin	Nesmith	Van Eaton
Bekman	Johnson	Nolan	Vest
Bellman	Knudson	Oltman	Washburn
Berg	Larson	Prentis	Watson of
Boothby	Linnevold	Risk	O'Brien
Byers	Lord	Sayre	Watson of
Clark	Lucas	Schoening	Pottawattamie
Colburn	Lynes	Scott	Weichman
Dewel	Miller	Stewart of	Whitehead
Dykhouse	Molison	Mahaska	Zastrow
Grimstead	Myrland	Stuart of Lucas	

Nays, 6:

Dailey	Fishbaugh	O'Malley	Walter
Elijah	Heideman		

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.

#### EXPLANATION OF VOTE

I voted against Senate File 371 because there is no statutory limitation against construction of the liquor warehouse on state capitol grounds.

GEORGE E. O'MALLEY.

#### EXPLANATION OF VOTE

I voted against Senate File 371 for the following reasons:

a. The legal requirements of chapter 23, 1950 Code, regarding public contracts such as adopting proposed plans and specifications and proposed form of contract to construct this warehouse, fix a time and place

for hearing thereon and give notice thereof by proper publication, to allow objections to be made thereto by interested tax payers, all of these important requirements were stricken from the bill.

b. The requirement that all hearings, if any be held, in connection with the selection and acquisition of a site, should be public hearings, was also stricken from the bill.

c. On page 33 of the Griffenhagen report on the Liquor Control Commission, there is a recommended saving of \$100,000 in transportation costs if this warehouse were constructed in eastern Iowa. It appears from this bill that this warehouse may now be constructed in Polk County and this saving of \$100,000 will be lost.

d. It also appears from this bill that this warehouse could be constructed on the State Capitol grounds. This is contrary to the intent of the capitol extension program of some years ago to clear the area around the Capitol Building of commercial structures.

THOMAS J. DAILEY.

On motion of Senator Lynes, Senate File 372, a bill for an act to authorize the World War II Service Compensation Board to pay World War II Service Compensation to applicants who file applications therefor between January 1, 1951, and June 30, 1953, inclusive, and to make an appropriation therefor, 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, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhous	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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.

## MESSAGES FROM 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 43, a bill for an act relating to minimum butterfat content of milk.

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

Senate File 105, a bill for an act relating to hospital, nursing and medical expense for members of the police and fire departments.

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

Senate File 127, a bill for an act relating to the acceptance of bulk grain for purposes other than storage.

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

Senate File 159, a bill for an act relating to policies of life insurance issued without medical examination.

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

Senate File 161, a bill for an act relating to forest reservations.

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

Senate File 165, a bill for an act relating to printing matters furnished members of the General Assembly.

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

Senate File 187, a bill for an act relating to corporations not for pecuniary profit.

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

House File 26, a bill for an act relating to records of commitment of indigent persons to the University Hospital.

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 establishment of county supervisor districts.

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 providing a chairman of election boards.

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

House File 220, a bill for an act relating to speed of school buses.

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 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 278, a bill for an act relating to computation of agricultural land tax credits.

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

House File 307, a bill for an act relating to power of municipal corporations.

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

House File 383, a bill for an act relating to issuance of water district bonds in Bloomfield Township, Polk County, Iowa.

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 authority provided to state mine inspector.

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

House File 432, a bill for an act relating to Audubon County Memorial Hospital.

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

House File 480, a bill for an act relating to the appropriation for legislative printing.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE 43

Amend Senate File 43 by adding the following section:

"Sec. 2. Section one hundred ninety point one (190.1), Code 1950, is hereby amended by adding thereto the following: 'Standardized milk is milk from which part of the cream has been removed and containing not less than three and twenty-five hundredths per cent (3.25%) of milk fat, and such standardized milk shall be sold in containers stating the fact that it is standardized milk and stating the per cent of milk fat contained therein.'"

#### HOUSE MESSAGES CONSIDERED

House File 26, a bill for an act to amend section two hundred fifty-five point four (255.4), Code 1950, relating to the records of commitment of indigent persons to the University Hospital.

Read first and second times, and passed on file.

House File 159, a bill for an act to amend chapter one hundred thirty-five (135), Acts of the Fifty-fourth General Assembly, relating to the establishment of county supervisor districts.

Read first and second times, and passed on file.

House File 217, a bill for an act to amend section forty-nine point fifteen (49.15), Code 1950, to provide a chairman of election boards.

Read first and second times, and passed on file.

House File 220, a bill for an act to amend section three hundred twenty-one point three hundred seventy-seven (321.377), Code 1950, relating to speed of school buses.

Read first and second times, and passed on file.

House File 238, 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 278, a bill for an act to amend sections four hundred twenty-six point three (426.3), four hundred twenty-six point six (426.6), four hundred twenty-six point seven (426.7) and four hundred twenty-six point eight (426.8), Code 1950, relating to computation of agricultural land tax credits.

Read first and second times, and passed on file.

House File 307, a bill for an act to amend section ten (10) of chapter one hundred fifty-nine (159), Acts of the Fifty-fourth General Assembly, relating to power of municipal corporations to allocate funds from the municipal enterprise fund for the purchase and construction of branch libraries.

Read first and second times, and passed on file.

House File 383, a bill for an act to legalize and validate the election and the proceedings authorizing and providing for the issuance and delivery of the benefited water district bonds of district No. 30, Bloomfield Township, Polk County, Iowa, dated December 30, 1952, and all other districts in Polk County, Iowa, that have heretofore authorized and issued benefited water district bonds.

Read first and second times, and passed on file.

House File 388, a bill for an act to amend section eighty-two point fourteen (82.14), Code 1950, to provide authority to the state mine inspector to cooperate with the United States Bureau of Mines, its director, agents and inspectors, in carrying out the provisions of

Public Law 552, Laws of the Eighty-second Congress, and to promote cooperation between the state and federal government in promoting safety in coal mines.

Read first and second times, and passed on file.

House File 432, a bill for an act to legalize the expenditure of funds heretofore improperly made by the Audubon County Memorial Hospital.

Read first and second times, and passed on file.

House File 480, a bill for an act to amend section two point ten (2.10), Code 1950, relating to the appropriation for legislative printing.

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

#### REPORT

Senator Walter submitted the following report:

As members representing the General Assembly and having been privileged to view the atomic bomb detonation of March 17, 1953, we wish to make this report to this honorable body.

The Nevada Proving Grounds of the Atomic Energy Commission begin about sixty-five miles north of Las Vegas and have an area of about 640 square miles. Within this area is a space of about 200 square miles, roughly about twenty miles north and south, and ten miles east and west, and of mostly fairly level desert land. This area is surrounded by mountains and has only a well constructed black-top highway, built by the Atomic Energy Commission, leading into it from a southerly direction. There are a number of other old mountain trails which have been shut off since this part of the public domain has been taken over by the Atomic Energy Commission. It looks like an ideal site for an atomic testing area. About 42 miles out of Las Vegas to the northwest on the highway to Tonopah is the Indian Springs Air Force Base. The entrance to the proving grounds is about seventeen miles further out on this same highway. A few miles in is the Desert Rock Army Camp where participating troops are stationed, and nearby are the Mercury Springs headquarters of the Atomic Energy Commission. News Nob is located about twenty miles north of the entrance and seven miles south of the 300 foot tower from which the detonation of March 17 took place.

We arrived in Las Vegas about 2:30 a.m., Saturday, March 14. Saturday morning we registered at the Las Vegas City Hall headquarters of the Joint Information Office and received our badges, briefing and other material. Sunday we left Las Vegas at 7:00 a.m. in busses we had been assigned to, and were conducted on a tour of the proving ground area. Among the installations are a series of towers near an elaborate heavily reinforced concrete underground bunker in which are installed various automatic recording devices, some of them so sensitive that the sequence

of various detonation phenomena would be recorded to the millionth fraction of a second. The principal recording installations were located about one mile from the shot tower.

As a part of the experiment, one two-story frame house was located about three-fourths of a mile from the shot tower, and another about one and one-half miles from the tower. These houses were of modern construction completely furnished with household items, and with mannequins representing human beings in various rooms in the dwellings.

More than fifty automobiles of various makes were placed at various distances and angles from about three-fourths of a mile up to two miles from the shot tower.

Trenches and foxholes for the use of participating troops and news observers were located two miles to the south and west of the 300 foot shot tower. Twenty news and radio correspondents were chosen to cover the experiment. Jack Shelley of the Des Moines Radio Station WHO was accorded the distinction of participating as one of three radio newsmen.

On the Sunday tour we were privileged to see some of the latest Air Force aircraft at the Indian Springs Air Base, including the N. A. Tornado, a four engine jet light bomber in the 550 mile an hour class; Boeing B47, six engine jet in the 600 mile an hour class; the new Convair B36 with six piston motors and four jets with a top speed of 435 miles an hour, and others. The Air Force plays an important part in atomic tests and research.

Monday we were briefed by various Army Civil Defense Authorities, Atomic Energy Commission authorities, and Department of Defense Authorities—including Governor Val Peterson who is now the Federal Civil Defense Administration Administrator.

Tuesday we left the City Hall for News Nob at 2:00 a.m. We arrived at News Nob about one hour ahead of the time set for the detonation. We were provided with elastic fitted dark glasses which we were told reduced the light by one hundred times. You have all read better descriptions than we can give you of the activity and excitement on News Nob in preparation for the explosion scheduled to take place at 5:20 a.m. In the cold predawn desert darkness, the whole thing seemed to take on an air of unreality. For ourselves, witnessing an A bomb explosion for the first time and at a distance of seven miles, the experience was as awesome and spectacular as we had anticipated it might be.

Simultaneously with the flash we experienced a short, sharp heat wave and perhaps fifteen to twenty seconds later the shock of the concussion hit us. The re-echoing of the blast finally faded in the distance. It was like something which we had never previously experienced. After the explosion the dust cloud on the desert continued to churn, expand and grow in density for about an hour, after which it started to clear away very gradually. It was about six hours after the explosion before we were taken into the blast area.

Some of the cars at two miles showed no visible damage. Others had the tops caved in to some extent. Some of the two door type had the doors bashed in. We were allowed to go only to a point where the radio-activity gave a reading of 10 r.g. which was about one-fourth of a mile south of the house closest to the explosion. This house had the appear-

ance of having been folded up and pushed into the basement. Some nearby cars appeared to have been burned out. On others the damage was not apparent from this distance. We were told that house number 2 had been damaged to the extent that it would be impractical to repair it.

The present series of tests are being carried out by the Atomic Energy Commission in cooperation with the Department of Defense and Civil Defense Authorities. The Civil Defense Administration hopes to gain useful information from the present series of tests which will be helpful in minimizing the disaster in the event of an atomic bomb attack.

The bomb used was represented as having explosive power equal to 15,000 tons of TNT, while the bombs used on the Japanese cities of Hiroshima and Nagasaki had the power of 20,000 tons of TNT. Quoting from an article from the Civil Defense Administration: "In Hiroshima, 62,000 out of 90,000 buildings were destroyed by blast and 6,000 more damaged beyond repair. The fire storm, a gigantic melded bonfire which swept the rubble after the blast was caused by blasted stoves and short-circuited wires. The fire did at least three times more damage than the initial blast. Although the city was organized and protected against ordinary air raid blast and fire, the A bomb hopelessly tangled and overwhelmed civil defense services. Seventy per cent of the fire-fighting equipment was crushed in firehouse collapses, and three-fourths of the firemen were killed or injured. The city water supply was knocked out, transportation halted by rubble, communications destroyed, medical facilities destroyed or damaged beyond use. In the United States, carefully made estimates on damage allow a better survival percentage for our more soundly constructed buildings, especially as the distance increases from explosion ground zero."

The "R.G." reading we were told means that the average individual would absorb this number of r.g. units per hour, so that with a reading of 10 r.g. one would absorb 50 in 5 hours of exposure, enough to cause illness. An absorption of 400 is considered fatal.

As the chairmen of the military and veterans affairs committees, we feel that we would be remiss in our duties if we did not call attention to the fact that Iowa at the present time has no civil defense law. We realize that civil defense legislation is not a popular subject. We are convinced, however, that as long as an atomic war is a possibility this General Assembly should give serious consideration to the passage of sensible civil defense legislation.

The Department of Defense has calculated that there are 191 probable target areas in the United States in the event of an enemy bombing attack by air. Eight of these, we are told, are in Iowa.

An effective civil defense program calls for planned cooperation on the part of probable target areas with neighboring communities. A well-worked-out program could do much in the way of minimizing disaster in the event of a bombing attack. Being prepared for the worst would help to minimize confusion and panic and could save lives and property.

The real effectiveness of a civil defense program is more dependent on planning for the efficient use of existing facilities, rather than large

appropriations. From discussing this problem with Governor Beardsley at various times, we feel sure that he concurs in this viewpoint.

W. ELDON WALTER.

J. HENRY LUCKEN.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Stuart of Lucas, 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 55, 89 and 181.

W. C. STUART, *Chairman Senate Committee.*

JOHN A. WALKER, *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 55, 89 and 181.

#### BILLS SENT TO THE GOVERNOR

Senator Stuart of Lucas, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 23rd day of March, 1953, sent to the Governor for his approval: Senate Files 55, 89 and 181.

W. C. STUART, *Chairman.*

Passed on file.

#### ASSIGNMENT OF BILLS

President Elthon announced the assignment of the following bills to committee:

- H. F. 26 Judiciary 1
- H. F. 217 Election reform
- H. F. 220 Motor vehicles
- H. F. 238 Judiciary 1
- H. F. 278 Ways and means
- H. F. 307 Cities and towns
- H. F. 383 Judiciary 2

## REPORTS OF COMMITTEES

Senator Byers submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred **House File 265**, 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 general obligation waterworks bonds of the town of Eddyville, 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 Van Eaton submitted the following report:

MR. PRESIDENT: Your committee on cities and towns, to which was referred **Senate File 318**, a bill for an act to amend section thirteen (13) of chapter one hundred fifty-one (151), Acts of the Fifty-fourth General Assembly, relating to the acquisition, erection, purchase or remodeling of municipal buildings, 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 Vest submitted the following report:

MR. PRESIDENT: Your committee on compensation of public officers and employees, to which was referred **Senate File 303**, a bill for an act to amend section one hundred twenty-three point ten (123.10), Code 1950, and fixing the salary of the members of the state liquor commission, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ALAN VEST, *Chairman*.

Ordered passed on file.

Senator Bateson submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred **House File 87**, a bill for an act relating to the publication of district court dockets, 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 judiciary 1, to which was referred **House File 207**, a bill for an act to legalize plats filed prior to January 1, 1940, 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 judiciary 1, to which was referred **House File 373**, a bill for an act to confirm exchange of certain properties between the city of Des Moines and the State of Iowa, 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 judiciary 1, to which was referred **House File 374**, a bill for an act to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of school building bonds of the school township of Davenport, Iowa, 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 appropriations, to which was referred **Senate File 239**, a bill for an act providing for the payment of a portion of the cost of construction of sanitary sewer facilities, at Clear Lake, begs leave to report it has had the same under consideration and **returns the bill without recommendation**.

J. KENDALL LYNES, *Chairman*.

Ordered passed on file.

#### AMENDMENTS FILED

- 1 Amend Senate File 35 by striking all of section 1 and
- 2 inserting in lieu thereof the following:
- 3 "Section 1. There is hereby created as a permanent
- 4 agency a legislative council, hereinafter referred to as the
- 5 council, consisting of eight (8) Senators to be elected by a
- 6 majority of the Senate in such manner as it shall determine,
- 7 and eight (8) Representatives to be elected by a majority of
- 8 the House of Representatives in such manner as it shall determine,
- 9 before the close of the Fifty-fifth General Assembly, and during
- 10 each regular session thereafter. Members of each political
- 11 party elected from the Senate shall, so far as possible, be in
- 12 proportion to the number of Senators from each party in the
- 13 Senate, and members of each political party elected from the
- 14 House shall, so far as possible, be in proportion to the number
- 15 of Representatives from each party in the House. Vacancies in
- 16 the membership shall be filled by appointment by the remaining
- 17 members of the council. The expiration of terms of the membership
- 18 of said council shall be staggered, and in order to achieve that
- 19 purpose the initial election of members of the House shall be

20 four (4) members for four (4) year terms, and initial elections  
 21 by the Senate shall be four (4) members for two (2) year terms  
 22 and four (4) members for four (4) year terms. One may serve on  
 23 the legislative council only while a member of the General  
 24 Assembly. A chairman and a vice chairman shall be selected by  
 25 the members. Subcommittees may be appointed from the membership  
 26 of the council or General Assembly by the chairman. The first  
 27 meeting of the council shall be called by the President of the  
 28 Senate within ten (10) days of each adjournment of a regular  
 29 session of the assembly."

ELMER K. BEKMAN.

1 Amend the House amendment to Senate File 126 by striking the  
 2 following in line 21 of section 3: "and enclosed the" and substituting  
 3 in lieu thereof: "the enclosed".

E. C. MYRLAND.

1 Amend the House amendment to Senate File 126 by striking section  
 2 five (5) thereof and inserting in lieu thereof the following:  
 3 "Sec. 5. Amend section four hundred sixty-two point thirteen  
 4 (462.13), Code 1950, by striking the word 'Any' in line one (1) and  
 5 inserting in lieu thereof the following: 'Except where the provisions  
 6 of section four hundred sixty-two point twelve (462.12) providing  
 7 for vote in proportion to assessment are  
 8 invoked, any' and by striking the word 'votes' in line four (4)  
 8 and substituting in lieu thereof the word 'vote'."

E. C. MYRLAND.

1 Amend Senate File 242, section 7, line 1, by striking the  
 2 word "Section" and inserting in lieu thereof the word "Chapter".  
 3 Further amend Senate File 242, section 8, line 1, by  
 4 striking the word "Section" and inserting in lieu thereof the  
 5 word "Chapter".

HENRY W. WASHBURN.

1 Amend House File 87 by inserting in the title  
 2 thereof before the word ", Code" the following:  
 3 "and section six hundred six point fifteen (606.15)."

D. C. NOLAN.

1 Amend House File 221, section 12, line 8 by  
 2 inserting after the word "is" the word "not".

DUANE E. DEWEL.

On motion of Senator Zastrow, the Senate adjourned until 9:30  
 a.m., Tuesday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 24, 1953.

The Senate met in regular session, President Elthon presiding.  
Prayer was offered by Doctor Frederick J. Weertz, pastor of the St. John's Evangelical Lutheran Church, Des Moines, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Bateson from residents of Plymouth County in opposition to proposed legislation relating to employment of minors.

By Senator Van Eaton from residents of Woodbury County favoring proposed legislation relating to a state educational network of television stations.

By the following Senators favoring proposed legislation relating to union shop legislation:

By Senator Anderson from residents of Des Moines County.

By Senator Dailey from residents of Des Moines County.

By Senator Walter from residents of Marshall County.

By Senator Lord from residents of Muscatine County.

## COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that in accordance with House Concurrent Resolution 16, duly adopted, 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.

Mooty of Grundy moved that a committee of four be appointed to notify the Honorable Charles A. Halleck, Majority Leader of the House of Representatives, Congress of the United States, that the joint convention was ready to receive him.

Motion prevailed and the President appointed Senators Colburn of Shelby and Stewart of Mahaska on the part of the Senate and Representatives Mooty of Grundy and Lisle of Page on the part of the House.

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

President Hart then presented Mr. Halleck, who addressed the joint convention as follows:

**MR. SPEAKER, MR. PRESIDENT AND HONORED MEMBERS OF THE DISTINGUISHED IOWA LEGISLATURE:**

I deeply appreciate the kind words on my behalf and want you to know that I consider it a high privilege to meet with you here today.

The traditional relationship between the folks of Iowa and our people back in Indiana is one of warm understanding. We are friendly neighbors with similar economies, similar problems and similar ways of thinking.

Of course, there is one notable difference that occurs to me at the moment. You have a great reputation for growing tall corn, at least partially deserved.

Out our way we sort of concentrate on growing tall basketball players, and we proved it.

Our boys did all right this year. I just hope your crops turn out as well next fall as our crop did this spring! I trust you'll forgive my enthusiasm, but I happen to be an alumnus of Indiana University, No. 1 team.

One of the real regrets of my life is that I can't claim service in the General Assembly of my own Hoosier State. It is a great source of pride to me, however, that my father served in the Indiana Senate—1909 and 1910.

You know, back home the folks we send down to the legislature face a peculiar problem. They are limited in their deliberations by a constitutional deadline.

We give them just 60 days every two years to prove their statesmanship. Now, what this really means is that they have 59 days and 23 hours to dicker—and one hour to vote!

Some time back, our legislators decided they could squeeze out a few more minutes for horse-trading by installing a push-button voting system.

But they discovered that even this modern aid to over-worked lawmakers didn't completely solve their problem. They never quite make the deadline.

Being typically resourceful Hoosiers, however, they took a tip from television and established their own version of that famous show called "Stop the Clock."

Nothing is impossible in Indiana. We even halt the March of Time. Now if we could just reconcile the annual hassle between proponents of daylight saving and central standard time life would be beautiful.

We're right in the middle of that controversy down in Washington, too, and believe me, if you folks have any ideas on how to keep everybody happy, I'll be glad to take them back with me!

Now that I've mentioned Washington, let me hasten to assure you that I did not consider your gracious invitation to me to come out here as an application from Iowa for a new kind of "federal aid"!

I do not propose to advise you on how you should run the State of Iowa; you know far more about that business than I do.

But it did occur to me that I might make some observations on a subject that has come in for increased discussion down through the years—the subject of relations between federal and state governments.

As you probably have read in the press, President Eisenhower has proposed the creation of a commission on government functions and fiscal resources.

We are already working on the draft of a bill to establish such a commission. In fact I can tell you that it was one of the topics of conversation at our regular Monday morning White House conference yesterday.

The purpose of such a commission would be to determine the proper role of federal government in relation to states and their political subdivisions; to define relations and to allocate proper jurisdiction.

Beyond that, the commission would look into the vast and complex field of intergovernmental fiscal relations, seeking ways to eliminate confusion and duplication wherever they might be found.

The commission would study and investigate the many programs of federal aid to state and local governments. And believe me, there are a lot of them!

Another feature of the commission's assignment would be to determine the justification of the present set-up and, at the same time, try to learn how much justification there might be for other areas of federal activity in which aid is not presently extended.

In other words, this new body would be charged with giving the whole mechanism of federal-state relations a thoroughgoing examination.

We know the problem is big and we know it's complicated. And there's a growing conviction in many quarters that it's an obsolete juggernaut that may get completely out of control unless we're careful.

You wouldn't have to look very far, as a matter of fact, to find a lot of critics who think it's already out of control.

Just about a year ago a Senate subcommittee came up with quite a report on the federal aid picture.

It noted that what started back in 1934 as a modest—and let's say well-meaning—program of aid to really needy states had grown by the end of fiscal 1951 to a vast enterprise involving 65 separate programs for states, local communities and individuals. The cost is now more than four billion dollars annually.

With the exception of a slight drop in 1946, federal payments to state and local governments have increased every year since 1937. The total edged up a little higher last year, too.

Such payments now amount to somewhat more than ten per cent of all state and local expenditures.

Meanwhile, what has been happening to you, to your counties and to your communities? Have these programs of federal aid proved a boon? Or must we conclude that the federal government has simply encroached more and more on the areas of taxation that are available to you.

With an ever larger bite being taken out of the wage-earner's pay envelope to finance these far-flung projects, you people back here face an increasingly serious crisis in meeting your own budgetary requirements.

The net result is that you aren't gaining ground—you are losing it.

As the roots of your revenue are tapped for greater and greater contributions to support the federal operation you have found yourselves forced to turn to Washington for sustenance.

The pattern is the familiar circle—the vicious circle—that sees the state calling for help, and the federal government draining off state resources to provide that help. Dependency is thereby aggravated and the circle tightens into a noose which constricts freedom and strangles sovereignty.

It's not just a matter of financial embarrassment. You are finding yourselves saddled with federal restrictions and controls which too often frustrate the best use of the funds you receive.

For no matter how well-intentioned the federal government may be in its determination to see that money received in the form of grants is wisely spent, Washington is too far removed from the scene to be infallible.

Add to this danger the now-recognized peril of federal administrators who demonstrate a hunger for power and the menace to self-government is obvious.

Certainly the time has come when we must ask ourselves, in all sincerity, just how far we can go in this business of federal aid and still maintain the effectiveness of state government.

We must ask our ourselves, it seems to me, how big we can safely let this apparatus develop without destroying the system of government we so painstakingly established some 170 odd years ago.

Maybe it's already too big. Maybe it's beyond control. I don't happen to think so.

But I have watched its development with growing alarm during my time in the Congress. Certainly I think we can agree here today that it's burdened now with a lot of gadgets and appendages that weren't a part of the original blueprint.

But the upkeep is getting terrific.

The original model was an emergency vehicle designed ostensibly to help carry states that couldn't furnish essential service to the people without help from Washington.

I have no quarrel with the principle that a nation can be no stronger than the welfare standard of a whole people.

But I have always believed that we are treading on extremely dangerous ground when we shift too many responsibilities from smaller to bigger units of government.

It is that shifting of responsibility which constitutes the drift toward

centralization—a drift which must be abhorrent to any people dedicated to the theory of self-rule.

Let's be perfectly frank; in the past two decades we have seen too much evidence of defaulting on the home front and too many people in high federal office eager to capitalize on this situation by drawing more and more power unto themselves.

There has been too much willingness to take local troubles to Washington with the result that an attitude has grown up among us which saps our traditional self-reliance.

Why, I had a letter just the other day from a friend of mine that contained two requests.

The first request was that we cut taxes down in Washington.

The second was that I do what I could to see that the federal government help a local group finance a ditch-digging project!

Well, now, folks, those two requests are just simply incompatible.

And the implication frightens me a little. I'm afraid it is going to take some pretty conscientious self-discipline to get a lot of folks back to the old-fashioned idea that there are many things we simply ought to do for ourselves.

On the other hand, I am heartened by evidence that more and more of our people are beginning to see the fallacy of the proposition that big government is the answer to all our problems.

I think there is an awakening to the evils of centralized power. Citizens in even greater numbers are beginning to realize that the price tag is too often far more than such service is worth.

My own state of Indiana came to that conclusion back in 1947, when the General Assembly passed a resolution which gained wide recognition and a lot of applause over the country.

The resolution said this:

"Indiana needs no guardian and intends to have none. We Hoosiers—like the people of our sister states—were fooled for quite a spell with the magician's trick that a dollar taxed out of our pockets and sent to Washington, will be bigger when it comes back to us.

"We have taken a good look at said dollar. We find that it lost weight in its journey to Washington and back.

"The political brokerage of the bureaucrats has been deducted. We have decided that there is no such thing as "federal" aid. We know that there is no wealth to tax that is not already within the boundaries of the 48 states.

"We have grown up. We serve notice that we will resist Washington, D. C., adopting us.

"Thereby, be it resolved:

"That we respectfully petition our Congressmen and Senators to vote to fetch our county courthouse and city halls back from Pennsylvania Avenue. We want government to come home."

Now let me say something: That wasn't just a ringing—but empty—declaration. Those Hoosiers weren't fooling.

And when Oscar Ewing, the Federal Security Administrator, threatened two years ago to withhold some \$20,000,000 from Indiana because the state wouldn't comply with his interpretation of federal law, the boys back in Indiana told him to go jump in the lake and risked their twenty

million. Of course, some of us felt the money belonged to Indiana, and we fought for it.

Well, Indiana won its point and got its money, too, but not until after we had had quite a go-round in the Congress. It happened to be my job to get an amendment through the House. I will never forget the help I received from the Governors' Conference.

Our position was absolutely right and just—but the resistance was terrific.

But I want to emphasize that the cost in dollars alone is not the only factor which deserves consideration in a discussion of federal aid and the growth of centralized government.

There is also a heavy cost in freedom.

With every transfer of responsibility from Des Moines or Indianapolis to Washington, there is a corresponding transfer of authority.

That should never be forgotten.

Federal aid without federal control is an illusion.

The very principle of responsible government demands that control be exercised over public spending—and I don't care who is doing the spending.

Any unit of government which spends public money must feel an obligation to see that such funds are spent wisely, if we are going to have responsible government.

Blank check grants are an invitation to waste and extravagance whether the money involved is federal, state or local.

Simple honesty compels us to admit that it's always easier to spend money somebody else provides than it is to spend our own.

And by the same token we are never as careful of how we spend it if we aren't answerable to anyone for its misuse.

Of course, the basic fallacy that has crept into too much thinking—and I'm not so sure it hasn't been encouraged by those who want more big government rather than less—is that the billions of dollars involved are somehow generated in Washington.

I'll tell you what we have been generating in Washington—we have been generating deficits.

We have now run up a charge account of roughly a quarter of a trillion dollars.

And I needn't remind you that it's going to be tough to pay it off.

Which reminds me of a little story I heard a while back. It seems a grade-school teacher was attempting to impress upon her class of youngsters the importance of avoiding bad habits.

"What is it," she inquired, "that is so easy to get into and so hard to get out of?"

After a moment of reflection a little boy raised his hand.

"All right, Richard," said the teacher. "Suppose you tell us."

"That's easy," said the boy, "bed."

Well, I think we'll all agree that "debt" would be an appropriate answer, too.

I know very well that you people here in the Iowa legislature feel a sense of trusteeship for public funds when you go about the business of appropriations.

It is your obligation to be frugal with every taxpayer's dollar that

comes to the Iowa treasury. It is your responsibility to do everything you can to insure that such dollars are spent as wisely as possible. And you do your best to meet that responsibility.

Well, I feel the same sense of trusteeship when I am called upon to pass judgment on the expenditure of money which comes to the federal treasury. I am answerable to the people of my district for the decisions I make just as you are answerable to your people for your actions.

The mechanics of federal aid, however, complicate this matter of accountability.

Look at it this way:

If I am to participate in the spending of billions of dollars through grants to states and local communities—over whose sovereign legislatures and administrations I have no control—am I to be held accountable for the manner in which these billions are spent?

And, yet, is it possible that as a federal official I owe no responsibility whatsoever to the taxpayers of America for the expenditure of these funds—which came from them in the first place?

And if I am not to be held accountable, what happens to our time-honored principle that public office is a public trust?

At the same time—and here is the basic dilemma of federal aid—how can big government in Washington know what is best for Iowa, for Indiana, for Des Moines, for Indianapolis—for all the rest of the forty-eight states and the thousands of communities, big and little, throughout the land?

It can't, of course.

It seems to me time we asked ourselves whether the Congress knows better than you do, here in Iowa, how you should spend money on your state programs, just as you must ask yourselves whether you know better than your communities how they should conduct their local affairs.

An honest answer to that question forces us to the conclusion that in the interest of truly responsible and efficient government, the process of collecting and spending public money should be kept as close to the taxpayer as we can possibly keep it.

Unfortunately, we have been moving in just the opposite direction. With the development of federal aid programs we have shifted an ever-increasing portion of the power to tax and spend from local hands to federal hands.

We have, in the process, fostered the growth of government by remote control.

It is time we reversed that trend.

It is time we got the obligation of collecting money and the privilege and responsibility of spending it closer to home.

It is time we restored a lot of these prerogatives of the peoples' business to the smallest unit of government capable of handling the job.

If I understand President Eisenhower's proposal correctly, and I believe I do, the establishment of this new commission to examine the whole area of federal-state relationships will be a significant step in the direction of decentralization.

Of course, as we move toward less big government and more local control—as we shift these authorities from Pennsylvania Avenue to Main

Street, state and local units must be quick to fill whatever vacuums may be created.

There will be protests—you can count on that.

The advocates of big government—of paternalism—of the “Washington-over-all” school of thought, will be alert to capitalize on any dissatisfactions they can arouse.

They won't hesitate to take advantage of every little maladjustment which may arise.

They can be counted on to scream that “the needs of the people are not being met”—whether those needs are real or imagined, legitimate or manufactured.

But, my friends, the job has got to be done.

The alternative is a smothering federal bureaucracy and the end of personal freedom.

We have got to return more government to the people—where it belongs.

The road back isn't going to be an easy one.

And it isn't going to be dramatic.

No great headlines resulted from President Eisenhower's proposal that a new commission be established to study this business of federal-state relationship.

And yet, if through the efforts of such a group we can come up with a clearer picture of what needs to be done, the contribution to the history of a people dedicated to self-government may well be one of the major achievements of this new administration.

I can say, for the Congress, that we stand ready to do everything possible to promote an orderly restoration of authority and privileges to state and local governments.

And, if it becomes clear that the Congress can, in some measure, speed the process of decentralization I would not hesitate to encourage action even before the commission has completed its studies.

I know my home state of Indiana is ready and willing to shoulder its full share of responsibility to its own Hoosier citizens. I am confident you people in the Iowa legislature feel the same way.

With cooperation we can and will get the job done—to the everlasting benefit of the system which has brought America to eminence as the great bastion of freedom, strength, and material well-being among all the nations of the world.

The committee previously appointed escorted the Honorable Charles A. Halleck from the House chamber.

Palmer of Lee asked and obtained unanimous consent that the remarks made by the Honorable Mr. Halleck be printed in the House Journal.

Senator Myrland of Monona moved that the joint convention be now dissolved.

Motion prevailed.

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

Senator Bateson moved that the remarks of the Honorable Charles A. Halleck be printed in the Senate Journal, which motion prevailed.

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

### EXECUTIVE SESSION

The Senate in executive session confirmed the following appointments:

C. E. Godfrey of Monroe County as a member of the Board of Parole for the regular term ending July 1, 1959.

Robert Lappen of Polk County as a member of the Board of Control for the regular term ending July 1, 1959.

The Senate arose from executive session and resumed regular session.

### PRESENTATION OF VISITORS

Senator Bellman asked and received unanimous consent to present to the Senate eighteen members of the seventh grade class of the Norwalk Consolidated School who were present in the balcony accompanied by H. Pauline Henkle.

Senator Vest asked and received unanimous consent to present to the Senate fifty students of the Carroll County rural schools who were present in the balcony accompanied by the county superintendent, B. G. Halverson.

Senator Bellman asked and received unanimous consent to present to the Senate thirty members of the eighth grade government class of the Carlisle Public School who were present in the balcony accompanied by Frances Cole.

Senator Whitehead asked and received unanimous consent to present to the Senate fourteen members of the homemakers group of Guthrie County who were present in the Senate chamber, together with their president, Mrs. Robert Deal.

Senator Lucas asked and received unanimous consent to present to the Senate thirty-four members of the junior and senior classes of the Colo High School who were present in the balcony accompanied by their superintendent, W. P. Truesdell.

Senator Grimstead asked and received unanimous consent to present to the Senate fifteen women of Winnebago County, members of

the "Get-Out-the-Vote" committee for 1952, who were present in the balcony accompanied by Mrs. Grover Stover, chairman of the Winnebago County Farm Bureau women.

Senator Lucas asked and received unanimous consent to present to the Senate twenty-eight members of the eighth grade civics class of the Madrid High School who were present in the balcony accompanied by their principal, Richard Swim, and their instructor, Vera Anderson.

Senator Zastrow asked and received unanimous consent to present to the Senate a group of members of the Floyd County Farm Bureau who were present in the Senate chamber.

Senator Byers asked and received unanimous consent to present to the Senate the Honorable David McCreery, a former member of the House of Representatives, and also a former member of the State Board of Control, who was present in the Senate chamber.

#### INTRODUCTION OF BILLS

Senate File 389, by committee on cities and towns, a bill for an act to amend chapter one hundred forty-eight (148), Acts of the Fifty-fourth General Assembly, relating to the ordinances of municipal corporations.

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

Senate File 390, by committee on cities and towns, a bill for an act relating to the authorization and issuance of bonds or other evidences of indebtedness by cities and towns.

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

Senate File 391, by committee on cities and towns, a bill for an act authorizing the issuance of bonds by cities and towns to defray the cost of equipping the fire and police departments.

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

Senate File 392, by committee on cities and towns, a bill for an act authorizing the issuance of bonds by cities and towns to defray the cost of acquiring and improving land for cemetery purposes.

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

Senate File 393, by committee on cities and towns, a bill for an

act to amend chapter thirty-seven (37), Code 1950, relating to Liberty Memorial Bonds.

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

Senate File 394, by committee on cities and towns, a bill for an act to repeal sections four hundred eight point ten (408.10) to four hundred eight point fourteen (408.14), inclusive, and section four hundred eight point sixteen (408.16), Code 1950, as amended, and to add a new section to chapter four hundred eight (408), Code 1950, relating to the issuance of municipal bonds.

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

Senate File 395, by committee on cities and towns, a bill for an act to amend section three hundred eighty-one point one (381.1), and to repeal sections three hundred eighty-one point three (381.3), three hundred eighty-one point four (381.4), three hundred eighty-one point seven (381.7) and four hundred sixteen point one hundred one (416.101), Code 1950, and to repeal chapter one hundred sixty-two (162), Acts of the Fifty-fourth General Assembly, relating to city bridges, viaducts, culverts, underpasses, grade crossing separations, and approaches thereto, and the financing of the cost thereof, including damages arising as a result thereof, by the issuance of bonds and the levy of taxes to pay the bonds.

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

Senate File 396, by committee on cities and towns, a bill for an act to repeal sections three hundred thirty point seven (330.7), three hundred thirty point eight (330.8) and three hundred thirty point sixteen (330.16), and to amend chapter three hundred thirty (330), Code 1950, relating to the issuance of bonds and the levying of taxes by municipalities to pay the cost of the establishment, acquisition, equipment and improvement of municipal airports and for the enlargement and improvement of municipal airports already established.

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

Senate File 397, by committee on cities and towns, a bill for an act to amend chapter three hundred ninety (390), Code 1950, relating to municipal parking lots, to provide for the issuance of bonds and the levy of taxes to pay the same for the purpose of acquiring land and erecting and improving parking lot facilities, and to amend section three hundred ninety point one (390.1), Code 1950,

to include the power to erect and improve buildings for parking lot facilities.

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

Senate File 398, by committee on cities and towns, a bill for an act relating to the issuance by municipalities of bonds and the levy of taxes therefor, to pay the cost of the acquisition and improvement of city and town parks, and to repeal sections three hundred seventy point seven (370.7), three hundred seventy point eight (370.8), three hundred seventy point nine (370.9), three hundred seventy point fifteen (370.15), three hundred seventy point sixteen (370.16), three hundred seventy point seventeen (370.17), three hundred seventy point eighteen (370.18) and three hundred seventy point nineteen (370.19), Code 1950.

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

Senate File 399, by committee on cities and towns, a bill for an act to amend section three hundred eighty-four point three (384.3), Code 1950, relating to the issuance of municipal bonds for dock purposes.

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

Senate File 400, by committee on cities and towns, a bill for an act to amend sections three (3), four (4), five (5), seven (7), ten (10), eleven (11), twelve (12), thirteen (13), eighteen (18) and twenty-five (25) of chapter one hundred fifty-nine (159), Acts of the Fifty-fourth General Assembly, relating to taxation and other sources of municipal revenue.

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

Senate File 401, by committee on cities and towns, a bill for an act to amend chapter one hundred fifty-one (151), Acts of the Fifty-fourth General Assembly, by adding thereto a new section making all laws pertaining to municipal corporations in general applicable to municipal corporations organized and operating under the commission form of government or the council-manager form of government.

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

Senate File 402, by committee on cities and towns, a bill for an act to amend chapter twenty-four (24), Code 1950, relating to local budgets and to provide for amendment of budget estimates.

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

Senate File 403, by committee on cities and towns, a bill for an act to amend section three hundred ninety-four point one (394.1), Code 1950, relating to self-liquidating improvements of cities and towns and sanitary sewer districts.

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

Senate File 404, by committee on cities and towns, a bill for an act to amend section three hundred ninety-six point twenty-two (396.22), Code 1950, as amended, relating to the issuance of bonds for sewers, sewer outlets and purifying plants.

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

Senate File 405, by committee on cities and towns, a bill for an act to amend chapter one hundred fifty-six (156), Acts of the Fifty-fourth General Assembly, relating to special assessment of public improvements in municipal corporations.

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

Senate File 406, by committee on cities and towns, a bill for an act to amend chapter one hundred sixty-four (164), Acts of the Fifty-fourth General Assembly, relating to the council-manager form of municipal government by popular election.

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

Senate File 407, by committee on cities and towns, a bill for an act relating to the use of funds received by municipal corporations from the road use tax fund and to amend section thirty-one (31) of chapter one hundred fifty-nine (159), Acts of the Fifty-fourth General Assembly, relating thereto.

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

Senate File 408, by committee on cities and towns, a bill for an act to amend chapter three hundred ninety-one (391), Code 1950, relating to street improvements, sewers and special assessments.

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

Senate File 409, by committee on cities and towns, a bill for an act to provide for the appointment of a mayor pro tempore in cities and towns.

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

Senate File 410, by committee on cities and towns, a bill for an act to amend chapter one hundred sixty-three (163), Acts of the Fifty-fourth General Assembly, relating to the government of cities and towns under the commission form of government.

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

Senate File 411, by committee on cities and towns, a bill for an act to amend section three hundred ninety point eight (390.8), Code 1950, relating to use of revenue from parking meters.

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

Senate File 412, by committee on judiciary 1, a bill for an act to authorize the transfer of certain moneys from the Audubon County emergency fund to funds of the Audubon County Memorial Hospital.

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

Senate Joint Resolution 4, by committee on appropriations, a joint resolution to authorize a state board of education to continue to cooperate with the city of Ames in the construction, operation and maintenance of a joint sewage system and disposal plant for the Iowa State College and said city and to make appropriation therefor.

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

Senate File 413, by committee on judiciary 2, a bill for an act respecting the term and the time of election to office of judge of the superior court and to repeal section six hundred three point four (603.4), Code 1950, and enacting a substitute therefor.

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

#### UNFINISHED BUSINESS

On motion of Senator Van Eaton, Senate File 183, a bill for an act to amend section six hundred eighteen point thirteen (618.13), Code 1950, relating to the publication of district court dockets, was taken up for further consideration.

Senator Van Eaton asked and received unanimous consent that House File 87 be substituted for Senate File 183.

On motion of Senator Van Eaton, House File 87, a bill for an act to amend section six hundred eighteen point thirteen (618.13), Code

1950, relating to the publication of district court dockets, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Nolan offered the following amendment and moved its adoption:

Amend the title to House File 87 by striking all after the word "Act" and substituting in lieu thereof the following: "to amend section six hundred eighteen point thirteen (618.13) and section six hundred six point fifteen (606.15), Code 1950, relating to the publication of district court dockets and fees therefor."

The amendment was adopted.

Senator Nolan asked and received unanimous consent to withdraw the amendment to House File 87 filed by him and found on page 672 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	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

Nays, none.

Absent or not voting, none.

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

#### HOUSE AMENDMENT CONSIDERED

Senator Myrland called up for consideration Senate File 126, a bill for an act to amend sections four hundred sixty-two point twelve (462.12), Code 1950, and four hundred sixty-two point thirteen (462.13), Code 1950, relating to voting for trustees of the drainage districts, amended by the House.

Senator Myrland offered the following amendment to the House amendment to Senate File 126, found on pages 609, 610 and 611 of the Senate Journal, and moved its adoption:

Amend the House amendment to Senate File 126 by striking the following in line 21 of section 3: "and enclosed the" and substituting in lieu thereof: "the enclosed".

The amendment to the House amendment was adopted.

Senator Myrland offered the following amendment to the House amendment and moved its adoption:

Amend the House amendment to Senate File 126 by striking section five (5) thereof and inserting in lieu thereof the following:

"Sec. 5. Amend section four hundred sixty-two point thirteen (462.13), Code 1950, by striking the word 'Any' in line one (1) and inserting in lieu thereof the following: 'Except where the provisions of section four hundred sixty-two point twelve (462.12) providing for vote in proportion to assessment are invoked, any' and by striking the word 'votes' in line four (4) and substituting in lieu thereof the word 'vote'."

The amendment to the House amendment was adopted.

On motion of Senator Myrland, the Senate concurred in the House amendment as amended.

Senator Myrland moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

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

Ayes, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 Zastrow, the Senate recessed until 1:15 p. m.

### AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

### UNFINISHED BUSINESS

On motion of Senator Watson of Pottawattamie, Senate File 81, a bill for an act providing for the deduction from gross income of persons taxable under the provisions of chapter four hundred twenty-two point eight (422.8), Code 1950, of the first two thousand dollars (\$2,000) of compensation from the federal government to persons in the armed forces of the United States during the period beginning January 1, 1952, and ending December 31, 1954, and repealing chapter forty-three (43), Laws of the Fifty-fourth General Assembly, was taken up for further consideration.

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	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentiss	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	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.

### THIRD READING OF BILLS

On motion of Senator O'Malley, Senate File 223, a bill for an act to amend section two hundred twenty-seven point fifteen (227.15)

Code 1950, relating to county and private hospitals for the insane, 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 223 by inserting after the word "hospital" in line 4 the following: "or other general hospital".

The amendment was adopted.

Senator O'Malley offered the following amendment and moved its adoption:

Amend the title to Senate File 223 by striking the word "and" in line 2 and all of line 3 and substituting in lieu thereof the following: ", private, and general hospitals for the insane."

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, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

Nays, none.

Absent or not voting, none.

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

On motion of Senator Bekman, Senate File 241, a bill for an act to amend section five hundred fifteen point one hundred thirty-eight (515.138), Code 1950, relating to standard provisions of fire insurance contracts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Bekman offered the following amendment and moved its adoption:

1. Amend Senate File 241 by striking the period (.) at the end of the third line of the title and inserting in lieu thereof the following: "and to amend section five hundred fifteen point one hundred twelve (515.112), Code 1950, relating to coinsurance riders which may become a part of such contracts."

2. Further amend Senate File 241 by adding at the end thereof the following section:

"Sec. 3. Section five hundred fifteen point one hundred twelve (515.112), Code 1950, is hereby amended by adding after the word 'to' appearing in line five (5) thereof the words 'single family'."

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	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhousé	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

Nays, none.

Absent or not voting, none.

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

On motion of Senator Bateson, Senate File 289, a bill for an act relating to the penalty for the third and all subsequent offenses of operating a motor vehicle while intoxicated, and to amend section three hundred twenty-one point two hundred eighty-one (321.281), Code 1950, as amended by the Acts of the Fifty-fourth General Assembly, was taken up, and considered.

Senator Bateson offered the following amendment and moved its adoption:

Amend Senate File 289 by inserting after the figures "(17)" in line

5 of section 1 thereof the following "of section three hundred twenty-one point two hundred eighty-one (321.281)".

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, 49:

Anderson	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Utzig
Bekman	Hart	Nelson	Van Eaton
Bellman	Hedin	Nesmith	Vest
Berg	Heideman	Nolan	Walter
Boothby	Johnson	Oltman	Washburn
Byers	Knudson	O'Malley	Watson of
Clark	Larson	Prentis	O'Brien
Colburn	Linnevold	Risk	Watson of
Dailey	Lord	Sayre	Pottawattamie
Dewel	Lucas	Schoening	Weichman
Dykhouse	Lynes	Stewart of	Whitehead
Elijah	Miller	Mahaska	Zastrow

Nays, none.

Absent or not voting, 1:

Scott

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 293, a bill for an act relating to the payment of expenses incurred under the uniform criminal extradition act, 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, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 Bekman, Senate File 304, a bill for an act to amend section five hundred fifteen point one (515.1), Code 1950, relating to the incorporation of insurance companies other than life, was taken up, and considered.

Senator Bekman asked and received unanimous consent that action on Senate File 304 be deferred and that the bill be placed on the calendar under unfinished business.

On motion of Senator Dewel, Senate File 306, a bill for an act to amend section one hundred six point thirteen (106.13), Code 1950, relating to the speed of boats, was taken up, and considered.

Senator Dewel offered the following amendment and moved its adoption:

Amend Senate File 306, section 1, line 4, by inserting after the word "feet" the words "or more".

The amendment was adopted.

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

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

Ayes, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhousc	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 Bekman, Senate File 307, a bill for an act to amend section five hundred seven point four (507.4), Code 1950, relating to compensation of insurance examiners, was taken up, and considered.

Senator Bekman offered the following amendment and moved its adoption:

Amend Senate File 307 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Section five hundred seven point four (507.4), Code 1950, is hereby amended by striking the word 'fifty' from line twenty-three (23) thereof and substituting in lieu thereof the word 'eighty'."

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	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Utzig
Bekman	Hart	Nelson	Van Eaton
Bellman	Hedin	Nesmith	Vest
Berg	Heideman	Nolan	Walter
Boothby	Johnson	Oltman	Washburn
Byers	Knudson	O'Malley	Watson of
Clark	Larson	Prentis	O'Brien
Colburn	Linnevoold	Risk	Watson of
Dailey	Lord	Sayre	Pottawattamie
Dewel	Lucas	Schoening	Weichman
Dykhouse	Lynes	Stewart of	Whitehead
Elijah	Miller	Mahaska	Zastrow

Nays, none.

Absent or not voting, 1:

Scott

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 288, a bill for an act relating to drive-in theaters, fixing standards therefor, amending sections three hundred sixty-one point one (361.1) and three hundred sixty-one point two (361.2), Code 1950, providing for the issuance of permits to build drive-in theaters by board of supervisors and providing a penalty for the violation of the provisions of this act, was taken up, and considered.

Senator Bateson offered the following amendment and moved its adoption:

Amend Senate File 288 by striking all after the word "line" in lines 3 and 4 of section 2 and by substituting in lieu thereof the following: "eleven (11) thereof the following: ' drive-in theaters'."

The amendment was adopted.

Senator Risk offered the following amendment and moved its adoption:

Amend Senate File 288 by adding thereto a new section as follows: "Sec. 11. The provisions herein contained relative to the construction of drive-in theaters shall not apply to any drive-in theater in operation or under construction at the time of the effective date of this act.

The amendment was adopted.

Senator Nolan moved that the bill be read a third 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	Grimstead	Nelson	Utzig
Bateson	Hart	Nesmith	Van Eaton
Bekman	Hedin	Nolan	Vest
Bellman	Heideman	Oltman	Walter
Berg	Johnson	O'Malley	Washburn
Boothby	Knudson	Prentis	Watson of
Byers	Larson	Risk	O'Brien
Clark	Linnevold	Sayre	Watson of
Colburn	Lord	Schoening	Pottawattamie
Dailey	Lucas	Stewart of	Weichman
Dewel	Lynes	Mahaska	Whitehead
Dykhouse	Miller	Stuart of Lucas	Zastrow
Elijah	Myrland		

Nays, none.

Absent or not voting, 3:

Fishbaugh	Molison	Scott
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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 O'Brien, Senate File 310, a bill for an act to amend section three hundred twenty-one point two hundred eighty-five (321.285), Code 1950, relating to the control of vehicles in school districts, was taken up, and considered.

Senator Van Eaton offered the following amendment and moved its adoption:

Amend Senate File 310 by striking in line 7 of section 1 the word "sub-paragraph" and inserting in lieu thereof the word "subsection".

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, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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.

#### MESSAGES FROM 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 18, a bill for an act relating to an open season and license for game birds and animals, by including deer.

Also: That the House has concurred in Senate amendments to and passed House File 5, a bill for an act relating to election procedure.

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

House Joint Resolution 10, relating to sessions of the General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENTS TO SENATE FILE 18

Amend Senate File 18 as follows:

1. Amend the title to Senate File 18 by striking all after the word "Act" and substituting in lieu thereof the following: "to amend chapters one hundred nine (109) and one hundred ten (110), Code 1950, relating to an open season on wild animals and fish, and providing for licensing thereof."

2. Amend Senate File 18 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Section one hundred nine point thirty-eight (109.38), Code 1950, is hereby amended by adding thereto the following:

"1. The commission may upon its own motion and after an investigation, alter, limit, or restrict the methods or means employed and the instruments or equipment used in taking deer, raccoon or rough fish, if the investigation reveals that such action would be desirable or beneficial in promoting the interests of conservation, or the commission may, after an investigation when it is found there is imminent danger of loss of fish through natural causes, authorize the taking of fish by such means as they may deem advisable to salvage such imperiled fish populations.

"2. If following an investigation the commission finds that the number of hunters licensed to take deer should be limited or further regulated they may, by their own motion, conduct a drawing or so regulate as to accomplish that purpose, except that owners or tenants of land shall be permitted to hunt deer on land owned or leased by them notwithstanding but subject to all other laws and regulations.'

"Sec. 2. Section one hundred nine point forty-eight (109.48), Code 1950, is hereby amended by adding to the table at the end of the section and under the appropriate headings, the following:

Kind of animal and locality	open season	bag limit	possession limit
'DEER—Entire state	September 1 to March 1	1	1'

"Sec. 3. Section one hundred nine point eighty-seven (109.87), Code 1950, is hereby amended by striking that part of line five (5) following the word 'except' and all of line six (6) and that part of line seven (7) preceding the comma (,) and inserting in lieu thereof the following: 'during the open season as set by the commission under authority of section one hundred nine point thirty-nine (109.39) and embraced within the dates between September 1 and March 1 both dates inclusive, specified for each variety and each locality, respectively'.

"Sec. 4. Section one hundred nine point eighty-seven (109.87), Code 1950, is further amended by striking the words and numbers 'November 10 to January 10' from subsections one (1) to eight (8), inclusive, and inserting in lieu thereof in subsections one (1), two (2), four (4), five (5), six (6), seven (7) and eight (8), the words and numbers 'September 1 to March 1' and in subsection three (3) inserting in lieu thereof the words 'Raccoon continuous open season until July 4, 1955, after which the season shall be from September 1 to March 1'.

"Sec. 5. Section one hundred ten point one (110.1), Code 1950, is hereby amended by adding thereto the following:

'Special Deer Hunting License.

All persons legal residents of the state.....\$25.00.'

"Sec. 6. Section one hundred nine point seventy-six (109.76), Code 1950, is amended by adding thereto the following: 'The spearing of carp or buffalo by persons lawfully permitted to fish shall be lawful from and after May 1 of each year until the ensuing March 1, in any waters in which fishing is permitted.'"

## HOUSE MESSAGE CONSIDERED

House Joint Resolution 10, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the sessions of the General Assembly, and to repeal section two (2), article three (III), of the Constitution of the State of Iowa and proposing a substitute therefor.

Read first and second times, and passed on file.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

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

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files, 5, 178, 232, 331, 361, 363, 364, 433 and 456.

W. C. STUART, *Chairman Senate Committee.*

JOHN A. WALKER, *Chairman House Committee.*

Report adopted.

## BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: House Files 5, 178, 232, 331, 361, 363, 364, 433 and 456.

## BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that, on March 23, 1953, the Governor had approved the following bills:

Senate File 55, relating to the practice of funeral directing and embalming and the license fees thereof.

Senate File 89, relating to election of commissioners in soil conservation districts.

Senate File 181, relating to the origination of titles to motor vehicles, trailers and semi-trailers, the issuance and transfer of registrations and certificate of title to the same, and the recording of liens thereon.

## ASSIGNMENT OF BILL

President Elthon announced the assignment of the following bill to committee:

H.J.R. 10 Governmental affairs

## REPORTS OF COMMITTEES

Senator Nesmith submitted the following report:

MR. PRESIDENT: Your committee on manufacturing, commerce and trade, to which was referred **Senate File 359**, a bill for an act relating to the sale of personal property or services under prearranged funeral plans and requiring the proceeds thereof to be held in trust for the purposes intended under certain conditions, begs leave to report it has had the same under consideration and recommends the same **do pass**.

J. H. NESMITH, *Chairman*.

Ordered passed on file.

Senator Vest submitted the following report:

MR. PRESIDENT: Your committee on compensation of public officers and employees, to which was referred **Senate File 271**, a bill for an act to amend section six hundred two point forty-nine (602.49), Code 1950, relating to the salary of municipal judges, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ALAN VEST, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers and employees, to which was referred **Senate File 287**, a bill for an act to amend section seventy-nine point one (79.1), Code 1950, relating to paid vacations of state employees, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ALAN VEST, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers and employees, to which was referred **Senate File 322**, a bill for an act relating to the compensation of county attorneys in counties having certain populations, and to amend section three hundred forty point nine (340.9), Code 1950, as amended by the Acts of the Fifty-fourth General Assembly, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ALAN VEST, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers and employees, to which was referred **Senate File 324**, a bill for an act to amend section one hundred sixty-five point seventeen (165.17), Code 1950, relating to the compensation for inspectors in the eradication of bovine tuberculosis, 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 324 by striking all of line 3 and the following in line 4: "the following: 'fifteen' and by striking from line".

ALAN VEST, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers and employees, to which was referred **Senate File 374**, a bill for an act to amend section six hundred two point forty-nine (602.49), Code 1950, relating to salaries of municipal court judges, begs leave to report it has had the same under consideration and recommends the same **do pass**.

ALAN VEST, *Chairman.*

Ordered passed on file.

Senator Berg submitted the following report:

MR. PRESIDENT: Your committee on ways and means, to which was referred **Senate File 326**, a bill for an act 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 **do pass**.

JOHN P. BERG, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means, to which was referred **House File 44**, a bill for an act relating to the payment of sales and use tax by tax certifying and tax levying bodies and to amend and repeal certain sections of chapter four hundred twenty-two (422) and chapter four hundred twenty-three (423), 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**.

JOHN P. BERG, *Chairman.*

Ordered passed on file.

#### AMENDMENTS FILED

- 1 Amend the Bekman amendment of March 23, 1953, to Senate
- 2 File 35 by adding to line 19 after the word
- 3 "be" the following: "four (4) members for two (2) year
- 4 terms and".

ELMER K. BEKMAN.

- 1 Amend the Miller amendment to Senate File 170, filed
- 2 March 18, 1953, by striking all after section 1 thereof.

R. R. BATESON.

- 1 Amend Senate File 377 by inserting after the word
- 2 "agencies" in line 6 of section 2 the following:
- 3 "operating such equipment".

J. G. LUCAS.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 25, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend Burton C. Bastuscheck, pastor of the Methodist Church, Keosauqua, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Bekman from twelve residents of Wapello County in opposition to proposed legislation relating to fraternal beneficial associations.

By Senator Bekman from fourteen residents of Wapello County favoring proposed legislation relating to the licensing and regulation of plumbers.

By Senator Bekman from eighty-five residents of Wapello County favoring proposed legislation relating to employment of minors.

By Senator Washburn from one hundred fourteen residents of Mills County in opposition to proposed legislation relating to school district reorganization and boundary changes.

By Senator Zastrow from twenty-two residents of Floyd County favoring proposed legislation relating to a permanent memorial room of the Grand Army of the Republic.

By the following Senators favoring proposed legislation relating to union shop legislation:

By Senator Anderson from residents of Woodbury County.

By Senator Bateson from one hundred fourteen residents of Hamilton County.

By Senator Bekman from fifty-five residents of Wapello County.

By Senator Lucas from twenty residents of Boone and Polk Counties.

By Senator Stewart of Mahaska from ninety-four residents of Mahaska County.

#### PRESENTATION OF VISITORS

Senator Boothby asked and received unanimous consent to present to the Senate seventy-three members of the junior and senior classes in social studies of the Ida Grove High School who were present in the balcony accompanied by their instructor, Mrs. Clara Bekman. Mrs. Bekman is also the director of Hawkeye Girls State, a program of the teaching of government sponsored by the Iowa Department of the American Legion Auxiliary.

Senator Walter asked and received unanimous consent to present to the Senate eight members of the citizenship committee of the Marshall County Women's Farm Bureau who were present in the balcony accompanied by their home economist, Mrs. Greta Bowers.

Senator Molison asked and received unanimous consent to present to the Senate thirty students of the Gibson Consolidated High School who were present in the balcony accompanied by their instructors, Mrs. Manford Moore and Robert Phipps.

Senator Nolan asked and received unanimous consent to present to the Senate thirty-nine members of the senior class of the Marengo High School who were present in the balcony accompanied by their instructors, Frank Dillon and Aline Stavely.

Senator Weichman asked and received unanimous consent to present to the Senate seventy members of the junior class of the Vinton Lincoln High School who were present in the balcony accompanied by their instructors, Elmo Baxter and William Ketchan.

Senator Whitehead asked and received unanimous consent to present to the Senate eighteen members of the seventh and eighth grade civics classes of the Linden Consolidated Junior High School who were present in the balcony accompanied by their instructor, Mrs. Isen Hart and Mrs. Hay.

Senator Lynes asked and received unanimous consent to present to the Senate the senior members of the class in American democracy of the Dumont High School who were present in the balcony accompanied by their instructor, Mr. McNeal, and their superintendent, Mr. Lee.

Senator Heideman asked and received unanimous consent to pre-

sent to the Senate sixteen members of the government class of the Burnside High School who were present in the balcony accompanied by their instructor, Howard Vorland.

Senator Washburn asked and received unanimous consent to present to the Senate thirty-six members of the grade and high school contestants, and also the district winners of the "Get-Out-the-Vote" contest sponsored by the Farm Bureau Federation, who were present in the balcony accompanied by their teachers.

Senator O'Malley asked and received unanimous consent to present to the Senate thirty-four members of the junior and senior classes of the Mitchellville Independent School who were present in the balcony accompanied by their instructor, Leonard Novak.

Senator O'Malley also asked and received unanimous consent to present to the Senate two hundred sixty members of the ninth grade class of the Washington Irving Junior High School who were present in the balconies accompanied by their principal, Victor Mastin.

#### INTRODUCTION OF BILLS

Senate File 414, by committee on compensation of public officers and employees, a bill for an act relating to the salaries of certain elective state officers.

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

Senate File 415, by committee on ways and means, a bill for an act to amend chapter two hundred sixty-two (262), Code 1950, relating to the state board of education.

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

Senate File 416, by committee on ways and means, a bill for an act relating to the tax imposed on the sale of cigarettes and to amend section ninety-eight point six (98.6), Code 1950.

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

#### THIRD READING OF BILLS

On motion of Senator Nolan, Senate File 311, a bill for an act to amend section three hundred twenty-one point three hundred fifty-eight (321.358), Code 1950, relating to the standing and parking of vehicles or other objects on highways, was taken up, and considered.

Senator Nolan offered the following amendment and moved its adoption:

Amend Senate File 311 by inserting after the word "vehicle" in line four of section 1 the words "or other objects".

The amendment was adopted.

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

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

Ayes, 21:

Anderson	Elijah	Lucas	Stuart of Lucas
Bellman	Fishbaugh	Nolan	Walter
Berg	Grimstead	Prentis	Watson of
Boothby	Heideman	Sayre	O'Brien
Dewel	Johnson	Schoening	Whitehead
Dykhouse	Larson		

Nays, 24:

Bateson	Lord	O'Malley	Vest
Byers	Lynes	Risk	Washburn
Clark	Miller	Stewart of	Watson of
Colburn	Molison	Mahaska	Pottawattamie
Dailey	Myrland	Utzig	Weichman
Hart	Nelson	Van Eaton	Zastrow
Linnevold	Oltman		

Absent or not voting, 5:

Bekman	Knudson	Nesmith	Scott
Hedin			

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Molison, House File 8, 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 school corporation, 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, 47:

Anderson	Clark	Fishbaugh	Larson
Bekman	Colburn	Grimstead	Linnevold
Bellman	Dailey	Hart	Lord
Berg	Dewel	Hedin	Lucas
Boothby	Dykhouse	Heideman	Lynes
Byers	Elijah	Johnson	Miller

Molison	Prentis	Stuart of Lucas	Watson of
Myrland	Risk	Utzig	O'Brien
Nelson	Sayre	Van Eaton	Watson of
Nesmith	Schoening	Vest	Pottawattamie
Nolan	Stewart of	Walter	Weichman
Oltman	Mahaska	Washburn	Whitehead
O'Malley			Zastrow

Nays, none.

Absent or not voting, 3:

Bateson	Knudson	Scott
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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 57, 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, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 45:

Anderson	Hedin	Nelson	Utzig
Bateson	Heideman	Nesmith	Van Eaton
Bekman	Johnson	Nolan	Vest
Bellman	Knudson	Oltman	Walter
Berg	Larson	O'Malley	Washburn
Boothby	Linnevold	Prentis	Watson of
Clark	Lord	Risk	O'Brien
Colburn	Lucas	Sayre	Watson of
Dailey	Lynes	Schoening	Pottawattamie
Dewel	Miller	Stewart of	Weichman
Dykhouse	Molison	Mahaska	Whitehead
Elijah	Myrland	Stuart of Lucas	Zastrow

Nays, none.

Absent or not voting, 5:

Byers	Grimstead	Hart	Scott
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 Nelson, House File 63, a bill for and act to amend chapter one hundred twenty-nine (129), Acts of the Fifty-fourth General Assembly, relating to moving of heavy machinery on highways, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Watson of O'Brien asked and received unanimous consent that action on House File 63 be deferred and that the bill be placed on the calendar under unfinished business.

On motion of Senator Berg, House File 91, a bill for an act to amend section four hundred twenty-two point five (422.5), section four hundred twenty-two point twelve (422.12) and section four hundred twenty-two point thirteen (422.13), Code 1950, relating to the rate of tax imposed on income and providing for deductions from the computed tax, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Berg asked and received unanimous consent that action on House File 91 be deferred and that the bill be placed on the calendar under unfinished business.

On motion of Senator Molison, Senate File 75, a bill for an act to amend sections one hundred ninety-eight point eight (198.8) and one hundred ninety-eight point nine (198.9), Code 1950, relating to authorized uses of inspection fees on commercial feeds, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Weichman asked and received unanimous consent to withdraw the amendment to Senate File 75 filed by him and found on page 180 of the Senate Journal.

President pro tempore Hart took the chair at 11:25 a.m.

The following committee amendment was considered:

Amend Senate File 75 by striking the period following the word "expenditures" in line 19 and adding the following: ", but in no case shall the expenditures for scientific investigation or research be in excess of fifty (50) per cent of the net proceeds collected during the year."

Senator Walter moved the previous question on the amendment and the main bill, which motion prevailed.

Senator Weichman moved the adoption of the committee amendment.

Division was called for.

The amendment was adopted.

Senator Molison asked unanimous consent that action on Senate File 75 be temporarily deferred.

Objection was raised.

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

### AFTERNOON SESSION

The Senate reconvened, President pro tempore Hart presiding.

### ANNOUNCEMENT

Senator Scott announced to the members of the Senate the luncheon sponsored by the Farm Bureau Federation and held in the cafeteria of the State Office Building, in honor of the district winners of the essay contest "Why Parents Should Vote," and asked and received unanimous consent that the following, one of the winning essays, be printed in the Senate Journal:

#### "WHY PARENTS SHOULD VOTE"

As I walk down the Main Street in my small town, on a Sunday morning, I am constantly reminded of the importance of democratic government in our lives.

Several people exchange cheery "Good Mornings" as they meet. Four denominations hold church services for their congregations on Sunday.

On the corner two men are discussing the weather, the crops, and eventually politics. They belong to two parties and are presenting their views on the present political issues.

One of my neighbors turns the corner dressed in a new spring outfit. She is carrying the Sunday paper which blazes forth "Steel Workers Strike!" in big black letters.

A sign-board in front of the post office announces a businessmen's meeting on Monday evening. The local "peace-officer" greets me with a smile as he passes. His black holster seems strangely comforting, yet foreign to this tranquil morning.

These friends, these events may seem quite common-place to most of us. But they surely represent our freedom in many forms: press, speech, religion, the right to bear arms, assemblage, freedom from want, from domination. . . . These freedoms create and protect this Sunday morning. That's why I'm sure my parents should and will vote—to preserve these rights for all the Sunday mornings of the future.

NANCY KNEELAND,

Postville, Allamakee—District I High School.

Senator Lynes asked and received unanimous consent that action on Senate File 75 be temporarily deferred.

### THIRD READING OF BILLS

On motion of Senator Berg, Senate File 122, 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, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Berg asked and received unanimous consent that action on Senate File 122 be deferred and that the bill be placed on the calendar under unfinished business.

On motion of Senator Miller, Senate File 170, a bill for an act amending section four hundred twenty-two point forty-seven (422.47), Code 1950, by repealing subsections four (4) through seven (7), inclusive, and amending section four hundred twenty-two point forty-five (422.45), Code 1950, and providing for the exemption from sales and use tax of purchases made by tax certifying and tax levying bodies of the State of Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Miller asked and received unanimous consent that action on Senate File 170 be deferred and that the bill be placed on the calendar under unfinished business.

On motion of Senator Scott, Senate File 174, a bill for an act relating to inspection of meat intended for human food, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Scott offered the following amendment and moved its adoption:

Amend Senate File 174, section 2, line 3, by inserting after the word "inspected" the words "both ante mortem and post-mortem".

Further amend Senate File 174, section 4, line 3, by inserting after the word "inspected" the words "both ante mortem and post-mortem".

The amendment was adopted.

The following committee amendment was considered:

Amend Senate File 174, section 6, by striking the period from line 3 thereof and adding thereto the following: " , or to frozen food locker plants and branch frozen food locker plants as defined in section one hundred seventy-two point one (172.1), Code 1950."

Senator Scott asked and received unanimous consent that action on Senate File 174 be deferred and that the bill be placed on the calendar under unfinished business.

The Senate resumed consideration of Senate File 75.

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, 22:

Anderson	Johnson	Nolan	Watson of
Berg	Larson	O'Malley	O'Brien
Boothby	Lucas	Scott	Weichman
Elijah	Lynes	Van Eaton	Whitehead
Grimstead	Miller	Vest	Zastrow
Heideman	Molison	Walter	

Nays, 26:

Bateson	Fishbaugh	Nelson	Stewart of
Bekman	Hart	Nesmith	Mahaska
Bellman	Hedin	Oltman	Stuart of Lucas
Byers	Knudson	Prentis	Utzig
Colburn	Linnevold	Risk	Washburn
Dewel	Lord	Sayre	Watson of
Dykhouse	Myrland	Schoening	Pottawattamie

Absent or not voting, 2:

Clark	Dailey
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The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Prentis 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.

President Elthon took the chair at 2:15 p.m.

On motion of Senator Prentis, Senate File 198, a bill for an act to repeal certain sections of chapter one hundred seventy (170), Code 1950, relating to fire protection in hotels, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Prentis asked and received unanimous consent that action on Senate File 198 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 amended and passed the following bill in which the concurrence of the House was asked:

. Senate File 371, a bill for an act providing for erecting and equipping a warehouse on state grounds.

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

Senate File 381, a bill for an act relating to the sale of bonds in Kosuth County.

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 issuance of school building bonds in Paullina School District, O'Brien County.

Also: That the House has concurred in Senate amendments to House amendments to and passed Senate File 126, a bill for an act relating to voting for trustees of the drainage districts.

Also: That the House has concurred in Senate amendments to and passed House File 71, a bill for an act relating to benefited water districts.

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

House Concurrent Resolution 20, creating an investigating committee to investigate irregularities on part of conservation commission of Iowa.

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 railway and highway crossings at grade.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENTS TO SENATE FILE 371

Amend Senate File 371 as follows:

1. Section 1, line 2, by striking the words "on state grounds".
2. Further amend by striking all of section 2 and inserting in lieu thereof the following:

"Sec. 2. The executive council and legislative advisory committee are hereby authorized and empowered to designate the location of said warehouse and to conduct such investigations as the executive council deems necessary to accomplish same."

3. Amend the title by striking from line 2 the words "on state grounds".

#### HOUSE CONCURRENT RESOLUTION 20

A concurrent resolution creating an investigating committee to investigate alleged irregularities on the part of the conservation commission of the State of Iowa, said committee is to report its findings to the Fifty-fifth General Assembly.

*Whereas*, criticism has been made by the auditor's office of the administration and operation of the Iowa conservation commission, and

*Whereas*, the people of Iowa have, in the past, had the utmost confidence and faith in the Iowa conservation commission and the officers charged with the administration of said department, and

*Whereas*, there exists doubts in the minds of some of the people of the State of Iowa as to whether or not the Iowa conservation commission is being administered efficiently and impartially, and it is believed that the public demands that a legislative investigation be had,

*Now, Therefore, Be It Resolved by the House, the Senate Concurring:* That an investigating committee be appointed by the Speaker of the House and the President of the Senate, consisting of three (3) members of the House and three (3) members of the Senate, whose duty it shall be to investigate the administration of the Iowa conservation commission, and the official acts of the individual members of said commission, the director, and any of the employees thereof or any other people, and all of the acts and things done by said commission, its members, the director, and its employees, and make a written report of its findings, together with its recommendations to the Fifty-fifth General Assembly of the State of Iowa.

*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 conservation commission, individual members thereof, the director, 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 investigations, 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 from any place within the State of Iowa, and to compel the attendance of witnesses at any place within the State of Iowa where said committee may deem it advisable to hold hearings; that 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 manner provided by the laws of the State of Iowa, 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 with the Secretary of the Senate, the same to be made a matter of public record, and

*Be It Further Resolved:* That all hearings, investigations, examinations of witnesses or records of whatever kind or character pursuant to this resolution shall be by public or open hearing, and

*Be It Further Resolved:* That the compensation and expenses of the employees, the cost of office supplies, and other expenses of the committee incurred in the performance of the duties herein imposed, and the cost of printing the committee's report, not exceeding two thousand dollars (\$2,000) in total amount, is hereby authorized and the appropriations committee is hereby directed to include such amount in the general legislative expenditure bill. The chairman of the committee shall certify the expenses of the committee as herein provided to the state comptroller who shall issue warrants for the same from funds hereafter appropriated.

## HOUSE MESSAGES CONSIDERED

House File 150, a bill for an act to amend sections four hundred seventy-eight point twenty-one (478.21) and four hundred seventy-eight point twenty-three (478.23), Code 1950, relating to railway and highway crossings at grade to provide a method of determining all matters pertaining to grade crossings where controversy arises between the state or political subdivisions thereof and the railroad company, and to amend section three hundred eighty-nine point forty-one (389.41), Code 1950.

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

House File 483, a bill for an act to legalize and validate the special election and the proceedings authorizing and providing for the issuance of school building bonds of the Independent school district of Paullina, in the county of O'Brien, State of Iowa, and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said school district.

Read first and second times, and referred to committee on judiciary 1.

## MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 311 failed to pass the Senate.

RALPH W. ZASTROW.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

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

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 30, 105, 127, 159, 161, 165 and 187; and House File 365.

W. C. STUART, *Chairman Senate Committee.*

JOHN A. WALKER, *Chairman House Committee.*

Report adopted.

## BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate Files 30, 105, 127, 161, 165, 159 and 187, and House File 365.

## BILLS SENT TO THE GOVERNOR

Senator Stuart of Lucas, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 25th day of March, 1953, sent to the Governor for his approval: Senate Files 30, 105, 127, 159, 161, 165 and 187.

W. C. STUART, *Chairman*.

Passed on file.

## REPORTS OF COMMITTEES

Senator Colburn submitted the following report:

MR. PRESIDENT: Your committee on motor vehicles, to which was referred **Senate File 245**, a bill for an act to amend section three hundred twenty-one point three hundred ten (321.310), Code 1950, relating to four-wheel trailers, 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 Bateson submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1, to which was referred **House File 483**, a bill for an act to legalize proceedings authorizing and providing for the issuance of school building bonds of Independent School District of Paullina, Iowa, 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 judiciary 1, to which was referred **Senate File 227**, a bill for an act to establish an Iowa Recreation Board, 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 227 by inserting in section 1, line 24, after the word "compensation" the following: "except that they shall be reimbursed for their actual and".

R. R. BATESON, *Chairman*.

Ordered passed on file.

## AMENDMENTS FILED

- 1 Amend Senate File 174 by adding a new section as follows:
- 2 "Sec. 8. This act shall not be applicable where meat in-
- 3 spection is provided by any city acting through its local board
- 4 of health."

CHARLES S. VAN EATON.

- 1 Amend Senate File 174 by striking all of section 7.

HERMAN KNUDSON.

1 Amend Senate File 174, section 6, by striking the period from  
2 line 3 thereof and adding thereto the following: " , or to  
3 frozen food locker plants and branch frozen food locker plants  
4 including those which slaughter or sell carcasses of animals or  
5 portions thereof for human foods".

W. C. STUART.

1 1. Amend Senate File 205 by inserting in line 1, section 1,  
2 after the word "three" the following: "(190.3)".  
3 2. Further amend Senate File 205 by inserting a comma ( , )  
4 after the word "saccharine" in line 3, section 1.

WILBUR C. MOLISON.

1 Amend Senate File 245 as follows:  
2 1. Section 1, line 3, by striking the word and figure  
3 "nine (9)" and inserting in lieu thereof the word and  
4 figure "eight (8)".  
5 2. Section 1, line 11, by adding after the word  
6 "length" the following: " , height".

JAY C. COLBURN.

1 Amend Senate File 275 as follows:  
2 1. By inserting after the word "election." in line thirteen  
3 (13) the following: "The procedure provided in chapter 407 shall  
4 be applicable to special elections held under this section except  
5 that no petition shall be required."  
6 2. By adding the following section: "Sec. 2. This act  
7 being deemed of immediate importance shall be in full force and  
8 effect upon publication in the Daily Reporter, a newspaper published  
9 at Sioux City, Iowa, and in The Anthon Herald, a newspaper pub-  
10 at Anthon, Iowa." lished

CHARLES S. VAN EATON.

1 Amend the title to Senate File 389, line one, by inserting  
2 after the word "amend" the following: "and to repeal certain  
3 sections of".

CHARLES S. VAN EATON.

1 Amend Senate File 396 by adding thereto the following:  
2 "Sec. 5. This act being deemed of immediate importance shall  
3 be in full force and effect from and after its publication in  
4 the Daily Reporter, a newspaper published at Sioux City, Iowa,  
5 and in The Anthon Herald, a newspaper published at Anthon,  
6 Iowa."

CHARLES S. VAN EATON.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 26, 1953.

The Senate met in regular session, President Elthon presiding. Prayer was offered by Reverend Tom Moore King, pastor of the First Methodist Church, Diagonal, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Anderson from four hundred fifty-three residents of Des Moines and Lee Counties favoring proposed legislation relating to union shop legislation.

By Senator Johnson from one hundred eleven residents of Clayton County favoring proposed legislation relating to licensing of auctions outside of cities and towns.

By Senator O'Malley from thirty-seven residents of Polk County favoring proposed legislation relating to a state educational network of television stations.

By Senator O'Malley from the following residents: one of Lucas, one of Greene, twenty-nine of Boone, nine of Warren, eight of Marion, eleven of Story, fourteen of Dallas, two of Adair, nine of Jasper, and two hundred twelve of Polk, favoring proposed legislation relating to union shop legislation.

## PRESENTATION OF VISITORS

Senator O'Malley asked and received unanimous consent to present to the Senate twenty-seven members of the Babbitt Public School who were present in the balcony accompanied by Mrs. Nell Gillam.

Senator Oltman asked and received unanimous consent to present to the Senate the members of the junior and senior classes of the Renwick High School who were present in the balcony accompanied by their superintendent, W. P. Wittmer, their coach, Darwin Stover, and their instructor, Arthur Olson.

Senator Myrland asked and received unanimous consent to present to the Senate fourteen members of the St. Paul's Lutheran

School of Ute who were present in the balcony accompanied by Harold Ehlers.

Senator Weichman asked and received unanimous consent to present to the Senate twenty-three members of the American history class of the Newhall Public School who were present in the balcony accompanied by their superintendent, Mr. Messerli, and a number of the parents.

Senator Weichman also asked and received unanimous consent to present to the Senate thirty members of the senior class of the Belle Plaine High School, whose trip was sponsored by the Lions Club, who were present in the balcony accompanied by their principal, Tyn Dankle.

Senator Prentis asked and received unanimous consent to present to the Senate fourteen students of the Delphos Consolidated School who were present in the balcony accompanied by their superintendent, Willis Fogle, and John Nolan.

Senator Heideman asked and received unanimous consent to present to the Senate fifteen members of the social studies class of the Gowrie Consolidated School who were present in the balcony accompanied by Mrs. Swanson.

Senator Fishbaugh on behalf of Senator O'Malley asked and received unanimous consent to present to the Senate six members of the social science class of Drake University who were present in the balcony accompanied by James Ganschow.

Senator Whitehead asked and received unanimous consent to present to the Senate twenty-three members of the government class of the Waukee High School who were present in the balcony accompanied by Vincent J. Meyer.

#### INTRODUCTION OF BILLS

Senate File 417, by committee on governmental affairs, a bill for an act relating to repairs, rebuilding or restoration of state buildings or property and to amend sections nineteen point seven (19.7) and nineteen point eighteen (19.18), Code 1950.

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

Senate File 418, by committee on judiciary 1, a bill for an act

for disposing of unclaimed property and to repeal certain sections of the Code in conflict therewith.

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

### THIRD READING OF BILLS

On motion of Senator Myrland, Senate File 178, a bill for an act to provide for the creation in the State of Iowa of the Iowa Public Service Commission; to define public utilities and provide for the regulation thereof; to provide for the appointment or election of members of such public service commission; to provide for the organization of such commission by its members and the appointment of employees thereof; to define the powers, duties, and jurisdiction of such commission; to include in said jurisdiction full regulatory authority over all public utilities both publicly and privately owned; to provide for operation of public utilities generally under indeterminate permits rather than under term franchises authorized by local ordinances or elections; to prescribe the procedure of the commission; to provide for enforcement and appeal from orders of such public service commission; to fix and prescribe penalties for the violation of any of the provisions of this act; to provide for the transfer to the Iowa public service commission of all proceedings pending before the Iowa state commerce commission; to abolish the Iowa state commerce commission; to abolish the office of commerce counsel and to create the office of Iowa public service commission general counsel; to transfer authority pertaining to constructing, maintaining, and operating hydroelectric plants from the executive council of the State of Iowa to the Iowa public service commission; to provide for the filing of rate schedules with the commission and to enforce adherence to such schedules; to prohibit discrimination, preference, or advantage in the rendering of public utility service; to provide for regulation of all public utilities, rates, and services by the Iowa public service commission; to provide a method of effecting changes in rates or the establishment of a sliding scale of rates for public utility service under the supervision of the commission; to provide for the connection and consolidation of public utility properties, facilities, and services; to provide for exercise of the power of eminent domain by public utility operators; to exclude the provisions of this act from application to commerce with foreign nations or to interstate commerce; to provide for regulation by the Iowa public service commission of the issuance of stock, bonds, and other securities and

evidences of indebtedness by all public utilities; to provide for court reviews of commission orders in relation to the same; to provide penalties for failures to comply with the laws or commission orders concerning issuance of said securities; to provide authority for the public service commission to assess costs to all utilities which are parties to proceedings before it not to exceed four-fifths of one per cent of their respective gross revenues and to assess all utilities for its support funds in amounts not exceeding one-fifth of one per cent of their respective gross revenues; to declare the legislative intent that all parts of this act be constitutional exclusive of those parts of the act which may hereafter be held to be unconstitutional; and to repeal all laws or parts of laws which are inconsistent with the provisions of this act, or to amend such laws or parts of laws to make them consistent with the provisions of this act, was taken up, and considered.

Senator Myrland moved that Senate File 178 be re-referred to the committee on public utilities, and requested a roll call.

On the question "Shall Senate File 178 be re-referred?" the vote was:

Ayes, 40:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hedin	Nelson	Van Eaton
Bekman	Heideman	Nesmith	Vest
Bellman	Johnson	Nolan	Walter
Berg	Knudson	Oltman	Washburn
Boothby	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Weichman
Dewel	Lucas	Schoening	Whitehead
Dykhouse	Lynes	Stewart of	
Elijah	Molison	Mahaska	

Nays, 9:

Byers	Hart	Utzig	Zastrow
Dailey	Miller	Watson of	
Fishbaugh	O'Malley	Pottawattamie	

Absent or not voting, 1:

Scott

The motion prevailed and Senate File 178 was re-referred to the committee on public utilities.

Senator Whitehead moved that effective Monday, March 30, all bills on the calendar or any bills placed on the calendar after March 30, with the exception of unfinished business, appropriation bills and bills by the committee on claims, be placed in the hands of the sifting committee for re-arrangement.

Senator Bateson moved to amend the motion to read as follows: "All bills on the calendar upon adjournment Friday, March 27, or any bills placed on the calendar after said date, with the exception of unfinished business, appropriation bills and bills by the committee on claims, be placed in the hands of the sifting committee for re-arrangement.

The amendment to the motion was adopted, and the motion as amended prevailed.

#### SPECIAL ORDER

Senator Van Eaton asked and received unanimous consent that the bills filed by the committee on cities and towns, Senate Files 389 up to and including 411, be set up as a special calendar and made a special order of business for Tuesday, March 31, 1953, at 10:30 a.m.

#### UNFINISHED BUSINESS

On motion of Senator Watson of O'Brien, House File 63, a bill for an act to amend chapter one hundred twenty-nine (129), Acts of the Fifty-fourth General Assembly, relating to moving of heavy machinery on highways, was taken up for further consideration.

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, 49:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhous	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow

Nays, 1:

Fishbaugh

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 Prentis, Senate File 198, a bill for an act to repeal certain sections of chapter one hundred seventy (170), Code 1950, relating to fire protection in hotels, was taken up for further consideration.

Senator Prentis moved that Senate File 198 be re-referred to the committee on governmental affairs, which motion prevailed, and Senate File 198 was re-referred.

On motion of Senator Scott, Senate File 174, a bill for an act relating to inspection of meat intended for human food, was taken up for further consideration.

Senator Scott asked and received unanimous consent that Senate File 174 be re-referred to the committee on agriculture.

#### RECONSIDERATION OF SENATE FILE 311

Senator Zastrow called up for consideration his motion, filed March 25, to reconsider the vote by which Senate File 311 failed to pass the Senate, and moved its adoption.

The motion prevailed.

Senator Nolan moved to reconsider the vote by which Senate File 311, a bill for an act to amend section three hundred twenty-one point three hundred fifty-eight (321.358), Code 1950, relating to the standing and parking of vehicles or other objects on highways, went to its third reading, which motion prevailed.

Senator Nolan offered the following amendment and moved its adoption:

Amend Senate File 311 by striking all after the word "road" in line 8 and inserting a period (.) in lieu thereof.

The amendment was adopted.

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

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

Ayes, 34:

Anderson  
Bateson  
Bekman  
Bellman  
Berg  
Boothby  
Colburn  
Dailey  
Dewel

Dykhouse  
Fishbaugh  
Grimstead  
Hedin  
Heideman  
Johnson  
Knudson  
Larson  
LinnevoId

Lucas  
Molison  
Myrland  
Nesmith  
Nolan  
Oltman  
O'Malley  
Prentis  
Risk

Sayre  
Stewart of  
Mahaska  
Stuart of Lucas  
Utzig  
Washburn  
Watson of  
O'Brien  
Weichman

Nays, 14:

Byers	Lord	Scott	Watson of
Clark	Lynes	Van Eaton	Pottawattamie
Elijah	Nelson	Vest	Zastrow
Hart	Schoening	Walter	

Absent or not voting, 2:

Miller	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.

#### EXPLANATION OF VOTE

I changed my vote from "Nay" to "Aye" on the reconsideration of Senate File 311 because the second part of this bill relating to parking within fifteen (15) feet of the edge of the highway, a part to which I objected, was removed by amendment.

THOMAS J. DAILEY.

#### THIRD READING OF BILLS

On motion of Senator Molison, Senate File 205, a bill for an act relating to the adulteration of foods, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Molison offered the following amendment and moved its adoption:

Amend Senate File 205 by adding the following new section:

"Sec. 2. Where any approved artificial sweetening product such as saccharine or sulfamate is used by any person in the manufacture or sale of any article of food intended for human consumption, the container in which any such food or beverage is sold or offered for sale to the public shall be clearly, legibly and noticeably labeled with the name of the sweetening product used. The portion of the store, display counter, shelving, or other place where such food or beverage is displayed or offered for sale, shall be clearly and plainly identified by an appropriate sign reading 'FOR DIETARY PURPOSES'."

Further amend Senate File 205 by striking from the title all after the word "Act" and inserting in lieu thereof the following: "relating to the sale of food containing saccharine, sulfamate, or other approved sweetening products."

The amendment was adopted.

Senator Molison offered the following amendment:

1. Amend Senate File 205 by inserting in line 1, section 1, after the word "three" the following: "(190.3)".
2. Further amend Senate File 205 by inserting a comma (,) after the word "saccharine" in line 3, section 1.

Senator Molison asked and received unanimous consent to withdraw division 2 of the amendment.

On motion of Senator Molison, division 1 of the amendment was 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, 48:

Anderson	Fishbaugh	Myrland	Utzig
Bateson	Grimstead	Nelson	Van Eaton
Bekman	Hart	Nesmith	Vest
Bellman	Hedin	Nolan	Walter
Berg	Heideman	Oltman	Washburn
Boothby	Johnson	O'Malley	Watson of
Byers	Knudson	Prentis	O'Brien
Clark	Larson	Risk	Watson of
Colburn	Linnevoid	Schoening	Pottawattamie
Dailey	Lord	Scott	Weichman
Dewel	Lucas	Stewart of	Whitehead
Dykhouse	Lynes	Mahaska	Zastrow
Elijah	Molison	Stuart of Lucas	

Nays, none.

Absent or not voting, 2:

Miller	Sayre
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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 Nelson, Senate File 216, a bill for an act relating to the licensing of baby chick hatcheries, dealers and set-off stations, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

Rule 8 was invoked.

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

Ayes, 34:

Anderson	Hart	Nolan	Van Eaton
Bateson	Hedin	Prentis	Vest
Bekman	Heideman	Risk	Washburn
Colburn	Larson	Schoening	Watson of
Dailey	Linnevoid	Scott	O'Brien
Dewel	Lucas	Stewart of	Watson of
Dykhouse	Lynes	Mahaska	Pottawattamie
Elijah	Molison	Stuart of Lucas	Weichman
Fishbaugh	Nelson	Utzig	Zastrow
Grimstead			

Nays, 3:

Myrland                    Nesmith                    Oltman

Absent or not voting, 13:

Bellman	Clark	Lord	Sayre
Berg	Johnson	Miller	Walter
Boothby	Knudson	O'Malley	Whitehead
Byers			

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, the Senate recessed until 1:15 p.m.

### AFTERNOON SESSION

The Senate reconvened, President Elthon 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 155, a bill for an act relating to the Military Code of Iowa.

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

House File 62, a bill for an act relating to speed restrictions on public highways.

A. C. GUSTAFSON, *Chief Clerk.*

### HOUSE AMENDMENT TO SENATE FILE 155

Amend Senate File 155, section 29, line 3, by inserting the following after the comma (,) at the end of the line: "incurred in line of duty,".

### HOUSE MESSAGE CONSIDERED

House File 62, 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 public highways.

Read first and second times, and referred to the committee on highways.

### THIRD READING OF BILLS

On motion of Senator Bateson, Senate File 232, a bill for an act to amend section six hundred seventy point five (670.5), Code 1950, relating to the appointment of guardian for applicant upon ap-

plicant's own petition, 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, 39:

Anderson	Grimstead	Nelson	Stuart of Lucas
Bateson	Hedin	Nolan	Utzig
Bekman	Heideman	Oltman	Vest
Bellman	Knudson	O'Malley	Walter
Berg	Larson	Risk	Watson of
Boothby	Linnevold	Sayre	O'Brien
Clark	Lucas	Schoening	Watson of
Colburn	Lynes	Scott	Pottawattamie
Dewel	Miller	Stewart of	Weichman
Dykhouse	Molison	Mahaska	Whitehead
Fishbaugh	Myrland		

Nays, 3:

Byers	Prentis	Washburn
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Absent or not voting, 8:

Dailey	Hart	Lord	Van Eaton
Elijah	Johnson	Nesmith	Zastrow

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

#### HOUSE AMENDMENTS CONSIDERED

Senator Lynes called up for consideration Senate File 371, a bill for an act to provide for the erecting and equipping of a warehouse on state grounds; to provide for the appointment of a legislative advisory committee and authorize the executive council and legislative advisory committee to designate the location of said building; to authorize the executive council and legislative advisory committee to employ an architect or architects to prepare plans and specifications for said building; and to enter into a contract or contracts for the erection and equipping of said warehouse; and to provide for the payment thereof, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 371 as follows:

1. Section 1, line 2, by striking the words "on state grounds".

2. Further amend by striking all of section 2 and inserting in lieu thereof the following:

"Sec. 2. The executive council and legislative advisory committee are hereby authorized and empowered to designate the location of said ware-

house and to conduct such investigations as the executive council deems necessary to accomplish same."

3. Amend the title by striking from line 2 the words "on state grounds".

The Senate concurred in the House amendments.

Senator Lynes moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

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

Ayes, 36:

Anderson	Grimstead	Nelson	Stewart of
Bateson	Hedin	Nolan	Mahaska
Bekman	Knudson	Oltman	Stuart of Lucas
Bellman	Larson	O'Malley	Utzig
Berg	Linnevold	Prentis	Washburn
Boothby	Lucas	Risk	Watson of
Clark	Lynes	Sayre	O'Brien
Colburn	Miller	Schoening	Weichman
Dewel	Molison	Scott	Whitehead
Dykhouse	Myrland		

Nays, 6:

Dalley	Fishbaugh	Walter	Watson of
Elijah	Heideman		Pottawattamie

Absent or not voting, 8:

Byers	Johnson	Nesmith	Vest
Hart	Lord	Van Eaton	Zastrow

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

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

Senator Berg called up for consideration Senate File 155, a bill for an act to repeal chapter twenty-nine (29), Code 1950 (Military Code of Iowa), and to enact a substitute therefor, amended by the House, and moved that the Senate concur in the House amendments to Senate File 155.

The Senate concurred in the House amendments.

Senator Berg moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

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

Ayes, 44:

Anderson	Elijah	Molison	Stewart of
Bateson	Fishbaugh	Myrland	Mahaska
Bekman	Grimstead	Nelson	Stuart of Lucas
Bellman	Hedin	Nesmith	Utzig
Berg	Heideman	Nolan	Walter
Boothby	Knudson	Oltman	Washburn
Byers	Larson	O'Malley	Watson of
Clark	Linnevold	Prentiss	O'Brien
Colburn	Lord	Risk	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller		Whitehead

Nays, none.

Absent or not voting, 6:

Hart	Sayre	Vest	Zastrow
Johnson	Van Eaton		

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

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

#### UNFINISHED BUSINESS

On motion of Senator Miller, Senate File 170, a bill for an act amending section four hundred twenty-two point forty-seven (422.47), Code 1950, by repealing subsections four (4) through seven (7), inclusive, and amending section four hundred twenty-two point forty-five (422.45), Code 1950, and providing for the exemption from sales and use tax of purchases made by tax certifying and tax levying bodies of the State of Iowa, was taken up for further consideration.

Senator Miller asked unanimous consent that House File 44 be substituted for Senate File 170.

Objection was raised.

Senator Miller moved that House File 44 be substituted for Senate File 170.

Senator Byers raised a point of order that the motion was out of order for the reason that the bills were not companion bills.

The Chair ruled that the subject matter of the bills being the same, the point was not well taken, but further stated that in order

to make the substitution by taking up the bill out of order on the calendar, the motion would require a two-thirds majority.

Roll call was requested.

On the question "Shall House File 44 be taken up for consideration?" the vote was:

Ayes, 39:

Bekman	Heideman	Nolan	Stuart of Lucas
Bellman	Knudson	Oltman	Utzig
Byers	Larson	O'Malley	Walter
Clark	Linnevold	Prentis	Washburn
Colburn	Lord	Risk	Watson of
Dailey	Lucas	Sayre	O'Brien
Dewel	Lynes	Schoening	Watson of
Elijah	Miller	Scott	Pottawattamie
Fishbaugh	Molison	Stewart of	Weichman
Grimstead	Myrland	Mahaska	Whitehead
Hedin	Nelson		

Nays, 3:

Bateson	Berg	Boothby
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Absent or not voting, 8:

Anderson	Hart	Nesmith	Vest
Dykhouse	Johnson	Van Eaton	Zastrow

The motion having received a constitutional and two-thirds majority prevailed.

On motion of Senator Miller, House File 44, a bill for an act relating to the payment of sales and use tax by certifying and tax levying bodies and to amend and repeal certain sections of chapters four hundred twenty-two (422) and four hundred twenty-three (423), Code 1950, relating thereto and enact substitutes 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 action on House File 44 be deferred and that the bill be placed on the calendar under unfinished business.

On motion of Senator Stuart of Lucas, Senate File 233, a bill for an act to amend section two hundred forty-nine point twenty (249.20), Code 1950, relating to the selling of property of persons receiving old age assistance, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 46:

Anderson	Fishbaugh	Nelson	Stuart of Lucas
Bateson	Grimstead	Nesmith	Utzig
Bekman	Hedin	Nolan	Vest
Bellman	Heideman	Oltman	Walter
Berg	Knudson	O'Malley	Washburn
Boothby	Larson	Prentis	Watson of
Byers	Linnevold	Risk	O'Brien
Clark	Lord	Sayre	Watson of
Colburn	Lucas	Schoening	Pottawattamie
Dailey	Lynes	Scott	Weichman
Dewel	Miller	Stewart of	Whitehead
Dykhouse	Molison	Mahaska	
Elijah	Myrland		

Nays, none.

Absent or not voting, 4:

Hart	Johnson	Van Eaton	Zastrow
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The bill having received a constitutional majority was declared to have passed the Senate and the was title agreed to.

On motion of Senator Prentis, Senate File 236, 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, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Prentis called up the amendment to Senate File 236 filed by him and found on pages 541, 542 and 543 of the Senate Journal.

Senator Byers took the chair at 2:35 p.m.

Senator Prentis asked and received unanimous consent to withdraw the committee amendment to Senate File 236, filed in accordance with the committee report, and found on page 432 of the Senate Journal; and a like amendment to Senate File 236 filed by him and found on page 396 of the Senate Journal.

Senator O'Malley offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking from line 7 of section 1 the following: "accountancy board,".

Further amend the amendment to Senate File 236 by striking all of section 6.

The amendment to the amendment was adopted.

Senator Prentis asked unanimous consent that action on Senate File 236 be deferred and that the bill be placed on the calendar under unfinished business.

Objection was raised.

Senator Dykhouse moved that the Senate adjourn until 10:00 a.m., Friday, which motion was lost.

Senator Walter moved the previous question on the amendment as amended and the main bill, which motion prevailed.

On motion of Senator Prentis, the amendment as amended 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, 15:**

Bateson	Fishbaugh	Prentis	Washburn
Bellman	Heideman	Schoening	Watson of
Byers	Knudson	Stewart of	Pottawattamie
Colburn	Lynes	Mahaska	
Dykhouse	Nelson		

**Nays, 27:**

Anderson	Elijah	Molison	Utzig
Bekman	Grimstead	Myrland	Van Eaton
Berg	Hedin	Nolan	Walter
Boothby	Johnson	Oltman	Watson of
Clark	Larson	O'Malley	O'Brien
Dailey	Linnevoid	Risk	Weichman
Dewel	Miller	Stuart of Lucas	Zastrow

**Absent or not voting, 8:**

Hart	Lucas	Sayre	Vest
Lord	Nesmith	Scott	Whitehead

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

**REPORT OF JOINT COMMITTEE ON ENROLLED BILLS**

Senator Stuart of Lucas, 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 126 and 381.

W. C. STUART, *Chairman Senate Committee.*

JOHN A. WALKER, *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 126 and 381.

#### BILLS SENT TO THE GOVERNOR

Senator Stuart of Lucas, 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, 1953, sent to the Governor for his approval: Senate Files 126 and 381.

W. C. STUART, *Chairman.*

Passed on file.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 26, 1953, the Governor had approved the following bills:

Senate File 30, relating to the regulation of the manufacture and sale of ice milk.

Senate File 105, relating to hospital, nursing and medical expense for members of the police and fire departments.

Senate File 127, relating to the acceptance of bulk grain for purposes other than storage.

Senate File 159, relating to policies of life insurance issued without medical examination and the incontestable period applying thereto.

Senate File 161, relating to forest reservations.

Senate File 165, relating to printed matters furnished to members of the General Assembly.

Senate File 187, relating to corporations not for pecuniary profit.

#### ASSIGNMENT OF BILL

President Elthon announced the assignment of the following bill to committee:

H.C.R. 20 Appropriations (Under Senate Rule 21)

## REPORT OF COMMITTEE

Senator Molison submitted the following report:

MR. PRESIDENT: Your committee on schools and educational institutions, to which was referred **House File 9**, a bill for an act to amend sections two hundred ninety-seven point seven (297.7) and two hundred ninety-seven point eight (297.8), Code 1950, relating to the limitation on cost of repairs to school buildings, begs leave to report it has had the same under consideration and recommends the same **do pass**.

W. C. MOLISON, *Chairman*.

Ordered passed on file.

## AMENDMENT FILED

1 Amend Senate File 328 as follows: Insert after the comma  
2 (,) following the word "churches" in section 1, line 4, the  
3 words "fraternal lodges or associations, athletic associations,  
4 trade associations, professional associations, labor organiza-  
5 tion, rodeos, centennial celebration associations, tournament  
6 associations, festival associations or societies, game and wild-  
7 life conservation associations, historical societies, golf or  
8 country clubs."

DEVERE WATSON.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 27, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Doctor C. Raymond Reed, pastor of the Methodist Church, Washington, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lord for the day on request of Senator Bellman; Senator Weichman for the day on request of Senator Washburn; Senator Nesmith for the day on request of Senator Myrland.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Heideman from sixty-five residents of Webster County in opposition to proposed legislation relating to employment of minors.

By Senator O'Malley from forty-two residents of Polk County favoring proposed legislation relating to the reorganization of the State Department of Public Instruction and the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance.

By Senator Scott from thirty residents of Allamakee County favoring proposed legislation relating to increasing Iowa gas tax one cent per gallon.

By Senator Van Eaton from twenty-eight residents of Woodbury County in opposition to proposed legislation relating to a permanent memorial room of the Grand Army of the Republic.

By Senator Van Eaton from ten residents of Plymouth County favoring proposed legislation relating to county libraries.

By Senator Zastrow from twenty-one residents of Floyd County in opposition to proposed legislation relating to fraternal beneficial associations.

By Senator Zastrow from twenty-seven residents of Floyd Coun-

ty favoring proposed legislation to provide for equal pay for equal work.

By the following Senators favoring proposed legislation relating to union shop legislation :

By Senator Anderson from twenty-five residents of Linn County.

By Senator Dewel from one hundred fifty-two residents of Emmet and Palo Alto Counties.

By Senator Bekman from one thousand six hundred sixteen residents of Wapello County.

By Senator Hedin from two hundred ninety-seven residents of Scott County.

By Senator Heideman from eighteen residents of Webster County.

#### INTRODUCTION OF BILL

Senate File 419, by committee on schools and educational institutions, a bill for an act to amend, revise, and codify chapters two hundred seventy-five (275) and two hundred seventy-six (276), Code 1950, relating to school district reorganization and boundary changes, to repeal certain sections of the Code 1950 relating thereto and to amend certain sections of the Code 1950 relating thereto.

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

#### PRESENTATION OF VISITORS

Senator Colburn asked and received unanimous consent to present to the Senate the Honorable Ed S. White of Shelby County, a former member of the Senate, who was present in the Senate chamber.

Senator Knudson asked and received unanimous consent to present to the Senate thirty members of the senior class of the Franklin Consolidated School of Latimer who were present in the balcony accompanied by their superintendent, Mr. Hackbarth.

Senator Molison asked and received unanimous consent to present to the Senate twelve members of the government class of the Malcom High School who were present in the balcony accompanied by Dean Aschim.

Senator Miller asked and received unanimous consent to present

to the Senate twelve members of the American history class of the Tracy High School who were present in the balcony accompanied by J. Stanley.

Senator Berg asked and received unanimous consent to present to the Senate eighteen students of the Orange Township Consolidated School, Black Hawk County, who were present in the balcony accompanied by their instructor, Harold Hain.

Senator Washburn asked and received unanimous consent to present to the Senate twenty members of the eighth grade class of the Stanton Public School who were present in the balcony accompanied by their instructor, Mrs. Janet Nimrod.

Senator Vest asked and received unanimous consent to present to the Senate fifteen members of the seventh and eighth grade classes of the Immanuel Lutheran School of Lidderdale who were present in the balcony accompanied by the principal, A. L. Daenzer, Reverend N. A. Hannemann, Ervin Subbert and Clarence Wenck.

#### HOUSE FILE 307 RETURNED TO THE SECRETARY

Senator Van Eaton asked and received unanimous consent that House File 307, which was referred to the committee on cities and towns, be returned to the Secretary.

#### THIRD READING OF BILLS

On motion of Senator Johnson, Senate File 238, a bill for an act to amend chapter three hundred seventy-eight (378), Code 1950, relating to the power of cities and towns to receive devises and bequests for the use of free libraries; and for providing for enlarging the class of persons eligible to be members of the board of library trustees, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Johnson asked and received unanimous consent that - House File 305 be submitted for Senate File 238.

On motion of Senator Johnson, House File 305, a bill for an act to amend chapter three hundred seventy-eight (378), Code 1950, relating to the power of cities and towns to receive devises and bequests for the use of free libraries; and providing for enlarging the class of persons eligible to be members of the board of library trustees, was taken up, and considered.

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

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

Ayes, 47:

Anderson	Fishbaugh	Myrland	Stuart of Lucas
Bateson	Grimstead	Nelson	Utzig
Bekman	Hart	Nolan	Van Eaton
Bellman	Hedin	Oltman	Vest
Berg	Heideman	O'Malley	Walter
Boothby	Johnson	Prentis	Washburn
Byers	Knudson	Risk	Watson of
Clark	Larson	Sayre	O'Brien
Colburn	Linnevold	Schoening	Watson of
Dailey	Lucas	Scott	Pottawattamie
Dewel	Lynes	Stewart of	Whitehead
Dykhouse	Miller	Mahaska	Zastrow
Elijah	Molison		

Nays, none.

Absent or not voting, 3:

Lord	Nesmith	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, Senate File 251, a bill for an act to amend chapter four hundred twenty-two (422), Code 1950, relating to taxation and financial report of fiduciary of income from estates and trusts and relating to definition and taxation of incomes of nonresidents, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Bekman asked and received unanimous consent that action on Senate File 251 be deferred and that the bill be placed on the calendar under unfinished business.

On motion of Senator Bateson, Senate File 257, a bill for an act to amend section seventy-eight point two (78.2), Code 1950, relating to the administration of oaths, 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:

Anderson	Bekman	Berg	Byers
Bateson	Bellman	Boothby	Clark

Colburn	Knudson	O'Malley	Van Eaton
Dailey	Larson	Prentis	Vest
Dewel	Linnevold	Risk	Walter
Dykhouse	Lucas	Sayre	Washburn
Elijah	Lynes	Schoening	Watson of
Fishbaugh	Miller	Scott	O'Brien
Grimstead	Molison	Stewart of	Watson of
Hart	Myrland	Mahaska	Pottawattamie
Hedin	Nelson	Stuart of Lucas	Whitehead
Heideman	Nolan	Utzig	Zastrow
Johnson	Oltman		

Nays, none.

Absent or not voting, 3:

Lord	Nesmith	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 Fishbaugh, Senate File 282, a bill for an act to regulate the strip mining of coal, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Fishbaugh asked and received unanimous consent that action on Senate File 282 be deferred and that the bill be placed on the calendar under unfinished business.

On motion of Senator Knudson, Senate File 313, a bill for an act relating to vacation and sick leave with pay for officers and employees of institutions under the board of control, repealing section two hundred eighteen point sixteen (218.16), and amending section two hundred eighteen point seventeen (218.17), Code 1950, was taken up, and considered.

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	Fishbaugh	Myrland	Stuart of Lucas
Bateson	Grimstead	Nelson	Utzig
Bekman	Hart	Nolan	Van Eaton
Bellman	Hedin	Oltman	Vest
Berg	Heideman	O'Malley	Walter
Boothby	Johnson	Prentis	Washburn
Byers	Knudson	Risk	Watson of
Clark	Larson	Sayre	O'Brien
Colburn	Linnevold	Schoening	Watson of
Dailey	Lucas	Scott	Pottawattamie
Dewel	Lynes	Stewart of	Whitehead
Dykhouse	Miller	Mahaska	Zastrow
Elijah	Molison		

Nays, none.

Absent or not voting, 3:

Lord Nesmith 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 Hedin, Senate File 308, a bill for an act authorizing and empowering the executive council to sell certain lands belonging to the State of Iowa situated in the southeast quarter of section twenty-four, township seventy-eight north, range three east of the fifth principal meridian, Scott County, Iowa, with report of committee recommending passage, was taken up, and 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	Fishbaugh	Myrland	Stuart of Lucas
Bateson	Grimstead	Nelson	Utzig
Bekman	Hart	Nolan	Van Eaton
Bellman	Hedin	Oltman	Vest
Berg	Heideman	O'Malley	Walter
Boothby	Johnson	Prentis	Washburn
Byers	Knudson	Risk	Watson of
Clark	Larson	Sayre	O'Brien
Colburn	Linnevold	Schoening	Watson of
Dailey	Lucas	Scott	Pottawattamie
Dewel	Lynes	Stewart of	Whitehead
Dykhouse	Miller	Mahaska	Zastrow
Elijah	Molison		

Nays, none.

Absent or not voting, 3:

Lord Nesmith 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 Walter, Senate File 370, a bill for an act relating to the assignment of space in buildings on the capitol grounds for military and veterans organizations, was taken up, and considered.

Senator Walter asked and received unanimous consent that action on Senate File 370 be deferred and that the bill be placed on the calendar under unfinished business.

On motion of Senator Vest, Senate File 128, a bill for an act to

amend chapter one hundred thirty-five (135), Acts of the Fifty-fourth General Assembly, relating to the establishment of county supervisor districts, 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 159 be substituted for Senate File 128.

On motion of Senator Vest, House File 159, a bill for an act to amend chapter one hundred thirty-five (135), Acts of the Fifty-fourth General Assembly, relating to the establishment of county supervisor districts, 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, 41:

Anderson	Fishbaugh	Myrland	Stuart of Lucas
Bateson	Grimstead	Nelson	Van Eaton
Bekman	Hart	Nolan	Vest
Bellman	Hedin	Oltman	Washburn
Berg	Heideman	Prentis	Watson of
Boothby	Johnson	Risk	O'Brien
Byers	Knudson	Sayre	Watson of
Clark	Linnevold	Schoening	Pottawattamie
Colburn	Lucas	Scott	Whitehead
Dewel	Lynes	Stewart of	Zastrow
Dykhouse	Molison	Mahaska	
Elijah			

Nays, none.

Absent or not voting, 9:

Dailey	Miller	O'Malley	Walter
Larson	Nesmith	Utzig	Weichman
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 Bateson, Senate File 335, a bill for an act relating to the collection of county hospital accounts for services for which payment is authorized, and to amend section three hundred forty-seven point seventeen (347.17), Code 1950, was taken up, and considered.

Senator O'Malley offered the following amendment, and moved its adoption:

Amend Senate File 335 by striking the word "shall" in line 6 of section 1 and inserting in lieu thereof the word "may".

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	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Utzig
Bekman	Hart	Nelson	Van Eaton
Bellman	Hedin	Nolan	Vest
Berg	Heideman	Oltman	Walter
Boothby	Johnson	O'Malley	Washburn
Byers	Knudson	Prentis	Watson of
Clark	Larson	Risk	O'Brien
Colburn	Linnevold	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Stewart of	Whitehead
Dykhouse	Miller	Mahaska	Zastrow
Elijah			

Nays, none.

Absent or not voting, 4:

Lord	Nesmith	Scott	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 Bateson, Senate File 336, a bill for an act relating to the regulation and supervision of corporations for pecuniary profit and to amend section four hundred ninety-one point twenty (491.20), Code 1950, as amended by chapter one hundred seventy-nine (179), section three (3), Acts of the Fifty-fourth General Assembly, relating thereto, was taken up, and considered.

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

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

Ayes, 46:

Anderson	Fishbaugh	Myrland	Stuart of Lucas
Bateson	Grimstead	Nelson	Utzig
Bekman	Hart	Nolan	Van Eaton
Bellman	Hedin	Oltman	Vest
Berg	Heideman	O'Malley	Walter
Boothby	Johnson	Prentis	Washburn
Byers	Knudson	Risk	Watson of
Clark	Linnevold	Sayre	O'Brien
Colburn	Lucas	Schoening	Watson of
Dailey	Lynes	Scott	Pottawattamie
Dewel	Miller	Stewart of	Whitehead
Dykhouse	Molison	Mahaska	Zastrow
Elijah			

Nays, none.

Absent or not voting, 4:

Larson                      Lord                      Nesmith                      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 Pottawattamie, House File 213, a bill for an act to permit members of the armed forces to vote in primary and general elections and to provide for the amendment of certain sections of the Code 1950, relating to election requirements, 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 House File 213 as follows:

1. By inserting in line 1 of section 4 after the word "seventy-three" the following: "(43.73)".

2. By inserting in line 7 of section 7 after the word "all" the following: "of the remainder of said section."

3. By striking from lines 2 and 3 of section 9 the following: "five (5) all after the word 'than'" and substituting in lieu thereof the following: "three (3) of subsection 1 after the word 'than' all of the remainder of subsection 1 and all of subsection 2".

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, 44:

Anderson	Elijah	Myrland	Stuart of Lucas
Bateson	Fishbaugh	Nelson	Utzig
Bekman	Grimstead	Nolan	Van Eaton
Bellman	Hart	Oltman	Walter
Berg	Hedin	O'Malley	Washburn
Boothby	Heideman	Prentis	Watson of
Byers	Johnson	Risk	O'Brien
Clark	Knudson	Sayre	Watson of
Colburn	Lucas	Schoening	Pottawattamie
Dailey	Lynes	Scott	Whitehead
Dewel	Miller	Stewart of	Zastrow
Dykhouse	Molison	Mahaska	

Nays, none.

Absent or not voting, 6:

Larson                      Lord                      Vest                      Weichman  
Linnevoold                      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 Bateson, Senate File 337, a bill for an act to amend section one hundred three point sixteen (103.16), Code 1950, relating to rules, regulations, findings and orders made by the state fire marshal and appeals therefrom, 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, 42:

Anderson	Fishbaugh	Nelson	Utzig
Bateson	Grimstead	Nolan	Van Eaton
Bekman	Hedin	Oltman	Vest
Bellman	Johnson	O'Malley	Walter
Berg	Knudson	Prentis	Washburn
Boothby	Linnevold	Risk	Watson of
Clark	Lucas	Sayre	O'Brien
Colburn	Lynes	Scott	Watson of
Dailey	Miller	Stewart of	Pottawattamie
Dewel	Molison	Mahaska	Whitehead
Dykhouse	Myrland	Stuart of Lucas	Zastrow
Elijah			

Nays, none.

Absent or not voting, 8:

Byers	Heideman	Lord	Schoening
Hart	Larson	Nesmith	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 Bellman, Senate File 346, a bill for an act to amend chapter eighty-two (82) relating to mines and state mine inspectors, and to amend sections eighty-two point thirteen (82.13), eighty-two point eighty (82.80), relating to the office of local mine inspectors, sections eighty-two point eighty-one (82.81), eighty-two point ninety (82.90), eighty-two point one hundred two (82.102), eighty-two point one hundred three (82.103), eighty-two point one hundred four (82.104), eighty-two point one hundred twenty-five (82.125), Code 1950, to promote greater safety in mines and to conform with certain requirements of Public Law 552, Laws of the Eighty-second Congress, approved July 16, 1952, to repeal subsections five (5) and six (6) of section eighty-two point one hundred twenty-seven (82.127), Code 1950, which are obsolete, and to amend section eighty-three point one (83.1), Code 1950, relating to mines other than coal mines and to provide greater safety in such mines, was taken up, and considered.

Senator Bellman asked and received unanimous consent that action on Senate File 346 be deferred and that the bill be placed on the calendar under unfinished business.

On motion of Senator Bellman, Senate File 347, a bill for an act to amend section eighty-two point fourteen (82.14), Code 1950, to provide authority to the state mine inspector to cooperate with the United States Bureau of Mines, its director, agents and inspectors, in carrying out the provisions of Public Law 552, Laws of the Eighty-second Congress, and to promote cooperation between the state and federal government in promoting safety in coal mines, was taken up, and considered.

Senator Bellman asked and received unanimous consent that House File 388 be substituted for Senate File 347.

On motion of Senator Bellman, House File 388, a bill for an act to amend section eighty-two point fourteen (82.14), Code 1950, to provide authority to the state mine inspector to cooperate with the United States Bureau of Mines, its director, agents and inspectors, in carrying out the provisions of Public Law 552, Laws of the Eighty-second Congress, and to promote cooperation between the state and federal government in promoting safety in coal mines, was taken up, and considered.

Senator Bellman moved that the bill be read a third 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	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Van Eaton
Bekman	Hedin	Nolan	Walter
Bellman	Johnson	Oltman	Washburn
Berg	Knudson	O'Malley	Watson of
Boothby	Larson	Prentis	O'Brien
Clark	Linnevold	Risk	Watson of
Colburn	Lucas	Sayre	Pottawattamie
Dailey	Lynes	Schoening	Whitehead
Dewel	Miller	Stewart of	Zastrow
Dykhouse	Molison	Mahaska	
Elijah			

Nays, none.

Absent or not voting, 9:

Byers	Lord	Scott	Vest
Fishbaugh	Nesmith	Utzig	Weichman
Heideman			

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

On motion of Senator Hedin, Senate File 176, a bill for an act to amend section two (2) of chapter one hundred forty-six (146), Acts of the Fifty-fourth General Assembly, relating to general powers of cities and towns, and the mayor-council form of city government, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hedin asked and received unanimous consent that House File 83 be substituted for Senate File 176.

On motion of Senator Hedin, House File 83, a bill for an act to amend section two (2) of chapter one hundred forty-six (146), Acts of the Fifty-fourth General Assembly, relating to general powers of cities and towns, and the mayor-council form of city government, was taken up, and considered.

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, 43:

Anderson	Fishbaugh	Myrland	Stuart of Lucas
Bateson	Grimstead	Nelson	Van Eaton
Bekman	Hart	Nolan	Vest
Bellman	Hedin	Oltman	Walter
Berg	Johnson	O'Malley	Washburn
Boothby	Knudson	Prentis	Watson of
Clark	Larson	Risk	O'Brien
Colburn	Linnevold	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Stewart of	Whitehead
Dykhouse	Miller	Mahaska	Zastrow
Elijah	Molison		

Nays, none.

Absent or not voting, 7:

Byers	Lord	Scott	Weichman
Heideman	Nesmith	Utzig	

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

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

**MR. PRESIDENT:** I am directed to inform your honorable body that the House has concurred in Senate amendments to and passed House File 87, a bill for an act relating to publication of district court dockets.

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

House File 328, a bill for an act relating to construction, repair and

large group of mankind that cherishes the ideology of freedom, enterprise and incentive for the individual citizen, and

*Whereas*, such recognition is shared by the large majority of the citizens of the United States of America, and

*Whereas*, the State of Iowa has unflinching and unflinching devotion to the principles as expounded and exemplified by its distinguished native son, the Honorable Herbert Hoover, and

*Whereas*, the town and community of his nativity, West Branch, Iowa, is formulating plans for the special observance of the eightieth birthday of the Honorable Herbert Hoover on the 4th day of August, 1954, and

*Whereas*, the presence of the honored Herbert Hoover at such observance will serve to add value and moment to such program and bring lustre, honor, and prestige to the great State of Iowa.

*Now, Therefore, Be It Resolved by the House, the Senate Concurring*, That a sincere and cordial invitation be extended to the eminent son of Iowa, Herbert Hoover, to honor the state of his birth by his presence in the State of Iowa at the eightieth birthday anniversary celebration, to be held at West Branch, Iowa, on August 10, 1954, and

*Be It Further Resolved*, That a committee consisting of four members of the House and four members of the Senate be appointed by the Speaker of the House and the President of the Senate, respectively, to carry out the purpose of this resolution.

The motion prevailed, and the resolution was adopted.

### THIRD READING OF BILLS

On motion of Senator Berg, Senate File 209, a bill for an act to amend section three hundred ninety-four point one (394.1), Code 1950, relating to sewage treatment plants, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Berg offered the following amendment and moved its adoption:

Amend Senate File 209, section 1, line 4, by inserting immediately preceding the word "enlarge" the following: "improve,".

The amendment was adopted.

Senator Van Eaton asked and received unanimous consent to withdraw the committee amendment to Senate File 209, which committee amendment was the same as the amendment filed by Senator Berg and adopted by the Senate.

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

improvements by the board of control of properties under its direction.

Read first and second times, and referred to committee on board of control.

House File 431, a bill for an act to authorize the transfer of certain moneys from the Audubon County emergency fund to funds of the Audubon County Memorial Hospital.

Read first and second times, and passed on file.

COMMUNICATION FROM THE STATE COMPTROLLER

The following communication was received from the State Comptroller:

OFFICE  
STATE COMPTROLLER

March 27, 1953.

TO THE SECRETARY OF THE SENATE AND CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES:

In accordance with the provisions of chapter 25, Code of Iowa, 1950, there are submitted herewith claims acted upon by the State Appeal Board on March 25, 1953. Each claim bears the recommendation of the board.

Claims of a general nature are numbers 92, 94, 95, 95A, 106, 106A, 107, 137, 174, 177, 177A, 186, 191, 200, 213, 221 through 224, 228, 231 through 241, 243 and 244; also, highway commission claims numbers 227, 228, 229, 239, 240 through 256.

GLENN D. SANSFIELD,  
*Chairman, State Appeal Board.*

No.	Name of Claimant and Nature of Claim	Amount of Claim
92	Fred Fredericks, Marion, Iowa—Deductible portion of claimant's insurance policy. See No. 91.....	\$ 10.00
94	Oren Phipps, Farragut, Iowa—Deductible portion of claimant's insurance policy. See No. 93 .....	10.00
95	Ralph and Mildred Bennett, c/o John Stone, 700 Walnut Bldg., Des Moines, Iowa—Claim for damages because of death of claimant's daughter at Woodward State Hospital .....	5,000.00
95A	Estate of Carol Jean Bennett, c/o John H. Stone, 700 Walnut Bldg., Des Moines, Iowa—Claim for damages because of death of Carol Jean Bennett .....	5,000.00
106	Dean L. and Billy J. Husted, c/o Don Swanson, 400 Capital City Bank Bldg., Des Moines, Iowa—Claim for damages because of death of claimant's daughter at Woodward State Hospital .....	5,000.00

Absent or not voting, 1:

Clark

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

On motion of Senator Boothby, Senate File 269, 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, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Boothby moved that the bill be read a third 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	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Colburn	Linnevold	Risk	O'Brien
Dailey	Lord	Sayre	Watson of
Dewel	Lucas	Schoening	Pottawattamie
Dykhouse	Lynes	Scott	Weichman
Elijah	Miller	Stewart of	Whitehead
Fishbaugh	Molison	Mahaska	Zastrow

Nays, none.

Absent or not voting, 1:

Clark

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

On motion of Senator Bateson, Senate File 380, a bill for an act to legalize the expenditure of funds heretofore improperly made by the Audubon County Memorial Hospital, was taken up, and considered.

Senator Bateson asked and received unanimous consent that House File 432 be substituted for Senate File 380.

On motion of Senator Bateson, House File 432, a bill for an act to legalize the expenditure of funds heretofore improperly made

by the Audubon County Memorial Hospital, 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, 47:

Anderson	Grimstead	Nelson	Utzig
Bateson	Hart	Nesmith	Van Eaton
Bekman	Hedin	Nolan	Vest
Bellman	Heideman	Oltman	Walter
Berg	Johnson	O'Malley	Washburn
Boothby	Knudson	Prentis	Watson of
Byers	Larson	Risk	O'Brien
Colburn	Linnevold	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh	Myrland		

Nays, none.

Absent or not voting, 3:

Clark	Lord	Stuart of Lucas
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

#### HOUSE AMENDMENTS CONSIDERED

Senator Dykhouse called up for consideration Senate File 18, a bill for an act to amend sections one hundred nine (109) and one hundred ten point one (110.1), Code 1950, relating to an open season and license for game birds and animals by including deer, amended by the House, and offered the following amendments to the House amendments found on pages 696 and 697 of the Senate Journal:

1. Amend the House amendment to Senate File 18, found on pages 696 and 697 of the Senate Journal, by striking all of section 4 and substituting in lieu thereof the following:

"Sec. 4. Section one hundred nine point eighty-seven (109.87), Code 1950, is further amended by striking the words and numbers 'November 10 to January 10' from subsections one (1) to eight (8), inclusive, and inserting in lieu thereof the words and numbers 'September 1 to March 1'."

2. Further amend the House amendment to Senate File 18 by striking the following in line 4 of section 5 "25.00" and substituting in lieu thereof "15.00".

3. Further amend the House amendment to Senate File 18 by striking all of section 6.

On motion of Senator Dykhouse, the amendments to the amendments were adopted.

The Senate concurred in the House amendments as amended.

Senator Dykhouse moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

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

Ayes, 35:

Anderson	Dykhouse	Miller	Stuart of Lucas
Bateson	Elijah	Molison	Utzig
Bellman	Grimstead	Myrland	Van Eaton
Berg	Hart	Nesmith	Walter
Boothby	Hedin	Oltman	Washburn
Byers	Heideman	O'Malley	Watson of
Colburn	Larson	Risk	O'Brien
Dailey	Lucas	Sayre	Whitehead
Dewel	Lynes	Schoening	Zastrow

Nays, 7:

Fishbaugh	Nolan	Stewart of	Vest
Nelson	Prentis	Mahaska	Watson of
			Pottawattamie

Absent or not voting, 8:

Bekman	Johnson	Linnevold	Scott
Clark	Knudson	Lord	Weichman

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

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

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate File 143, a bill for an act relating to the handling and sale of market milk.

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

Senate File 195, a bill for an act relating to publication in connection with tax sale.

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

Senate File 197, a bill for an act relating to issuance of revenue bonds by city of Cedar Falls, Black Hawk County, Iowa.

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 national and state banks and trust companies.

Also: That the House has concurred in Senate amendments to and passed House File 213, a bill for an act relating to election requirements.

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

House Joint Resolution 12, relating to representation in the Senate and House of Representatives.

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 auctions.

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 mileage for inheritance tax appraisers.

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

House File 251, a bill for an act relating to the ordinances of municipal corporations.

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

House File 368, a bill for an act relating to mines other than coal mines.

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

House File 442, a bill for an act relating to the authorization and issuance of bonds or other evidences of indebtedness by cities and towns.

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

House File 443, a bill for an act relating to the issuance of bonds by cities and towns to defray cost of equipping fire and police departments.

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

House File 444, a bill for an act relating to issuance of bonds by cities and towns to defray cost of acquiring and improving land for cemetery purposes.

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

House File 445, a bill for an act relating to liberty memorial bonds.

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

House File 446, a bill for an act relating to the issuance of municipal bonds.

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

House File 447, a bill for an act relating to city bridges.

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

House File 448, a bill for an act relating to the issuance of bonds for municipal airports.

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 the issuance of bonds by municipalities for city and town parks.

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

House File 451, a bill for an act relating to the issuance of municipal bonds for dock purposes.

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

House File 452, a bill for an act relating to taxation and other sources of municipal revenue.

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 general powers of municipal corporations.

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 local budgets and to provide for amendment of budget estimates.

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

House File 460, a bill for an act relating to self-liquidating improvements of cities and towns and sanitary sewer districts.

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

House File 461, a bill for an act relating to the issuance of bonds for sewers, sewer outlets and purifying plants.

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

House File 462, a bill for an act 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 Senate is asked:

House File 463, a bill for an act relating to the council-manager form of municipal government by popular election.

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

House File 464, a bill for an act relating to the use of funds received by municipal corporations from the road use tax fund.

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

House File 465, a bill for an act relating to street improvements, sewers and special assessments.

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

House File 466, a bill for an act relating to the appointment of a mayor pro tempore in cities and towns.

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

House File 467, a bill for an act relating to the government of cities and towns under the commission form of government.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENTS TO SENATE FILE 143

Amend Senate File 143 as follows:

1. Amend section 1 by striking the first 6 lines thereof and substituting in lieu thereof the following:

"Section 1. Section three (3) of chapter eighty (80), Acts of the Fifty-fourth (54th) General Assembly, is hereby amended by striking from lines forty-five (45) and forty-six (46) the words: 'procedures approved by them for the control of Brucellosis' and inserting in lieu thereof the following: 'three following plans of control:'."

2. Further amend section one (1) by striking from lines twenty-five (25), twenty-six (26) and twenty-seven (27) the following: "To sell Grade A pasteurized milk, the herd must be composed entirely of official vaccinates." and inserting in lieu thereof the following: "The herd must be composed entirely of official vaccinates."

#### HOUSE MESSAGES CONSIDERED

House Joint Resolution 12, a joint resolution proposing to repeal sections six (6), thirty-four (34), thirty-five (35), and thirty-six (36) of article three (III) legislative department of the Constitution of the State of Iowa, and to adopt substitutes for sections six (6), thirty-four (34) and thirty-five (35) thereof, relating to representation in the Senate and House of Representatives and to the classification of Senators.

Read first and second times, and passed on file.

House File 27, a bill for an act to require a license for the sale by auction of new merchandise at places outside of cities and towns, or within any city or town that has not by ordinance provided for licensing of auction sales under the provisions of sections three hundred sixty-eight point six (368.6), Code 1950, and providing for the filing of application for such license, the filing of a bond and submission of inventory, fixing the amount of license fee and providing for the payment thereof, and the issuing of license by the board of supervisors, and requiring a report of sale and providing penalties for violation thereof.

Read first and second times, and passed on file.

House File 216, a bill for an act to amend section four hundred fifty point twenty-six (450.26), Code 1950, relating to mileage for inheritance tax appraisers.

Read first and second times, and passed on file.

House File 251, a bill for an act to amend and to repeal certain sections of chapter one hundred forty-eight (148), Acts of the Fifty-fourth General Assembly, relating to the ordinance of municipal corporations.

Read first and second times, and passed on file.

House File 368, a bill for an act to amend chapter eighty-two (82) relating to mines and state mine inspectors, and to amend sections eighty-two point thirteen (82.13), eighty-two point eighty (82.80), relating to the office of local mine inspectors, section eighty-two point eighty-one (82.81), eighty-two point ninety (82.90), eighty-two point one hundred two (82.102), eighty-two point one hundred three (82.103), eighty-two point one hundred four (82.104), eighty-two point one hundred twenty-five (82.125), Code 1950, to promote greater safety in mines and to conform with certain requirements of Public Law 552, Laws of the Eighty-second Congress, approved July 16, 1952, to repeal subsections five (5) and six (6) of section eighty-two point one hundred twenty-seven (82.127), Code 1950, which are obsolete, relating to mines other than coal mines and to provide greater safety in such mines.

Read first and second times, and passed on file.

House File 442, a bill for an act relating to the authorization and issuance of bonds or other evidences of indebtedness by cities and towns.

Read first and second times, and passed on file.

House File 443, a bill for an act authorizing the issuance of bonds by cities and towns to defray the cost of equipping the fire and police departments.

Read first and second times, and passed on file.

House File 444, a bill for an act authorizing the issuance of bonds by cities and towns to defray the cost of acquiring and improving land for cemetery purposes.

Read first and second times, and passed on file.

House File 445, a bill for an act to amend chapter thirty-seven (37), Code 1950, relating to liberty memorial bonds.

Read first and second times, and passed on file.

House File 446, a bill for an act to repeal sections four hundred eight point ten (408.10) to four hundred eight point fourteen (408.14), inclusive, and section four hundred eight point sixteen (408.16), Code 1950, as amended and to add a new section to chapter four hundred eight (408), Code 1950, relating to the issuance of municipal bonds.

Read first and second times, and passed on filed.

House File 447, a bill for an act to amend section three hundred eighty-one point one (381.1), and to repeal sections three hundred eighty-one point three (381.3), three hundred eighty-one point four (381.4), three hundred eighty-one point seven (381.7) and four hundred sixteen point one hundred one (416.101), Code 1950, and to repeal chapter one hundred sixty-two (162), Acts of the Fifty-fourth General Assembly, relating to city bridges, viaducts, culverts, underpasses, grade crossing separations, and approaches thereto, and the financing of the cost thereof, including damages arising as a result thereof, by the issuance of bonds and the levy of taxes to pay the bonds.

Read first and second times, and passed on file.

House File 448, a bill for an act to repeal sections three hundred thirty point seven (330.7), three hundred thirty point eight (330.8) and three hundred thirty point sixteen (330.16), and to amend chapter three hundred thirty (330), Code 1950, relating to the issuance of bonds and the levying of taxes by municipalities to pay the cost of the establishment, acquisition, equipment and improvement of municipal airports and for the enlargement and improvement of municipal airports already established.

Read first and second times, and passed on file.

House File 450, a bill for an act relating to the issuance by municipalities of bonds and the levy of taxes therefor, to pay the cost of the acquisition and improvement of city and town parks, and to repeal sections three hundred seventy point seven (370.7), three hundred seventy point eight (370.8), three hundred seventy point nine (370.9), three hundred seventy point fifteen (370.15), three hundred seventy point sixteen (370.16), three hundred seventy

point seventeen (370.17), three hundred seventy point eighteen (370.18) and three hundred seventy point nineteen (370.19), Code 1950.

Read first and second times, and passed on file.

House File 451, a bill for an act to amend section three hundred eighty-four point three (384.3), Code 1950, relating to the issuance of municipal bonds for dock purposes.

Read first and second times, and passed on file.

House File 452, a bill for an act to amend sections three (3), four (4), five (5), seven (7), ten (10), eleven (11), twelve (12), thirteen (13), eighteen (18) and twenty-five (25) of chapter one hundred fifty-nine (159), Acts of the Fifty-fourth General Assembly, relating to taxation and other sources of municipal revenue.

Read first and second times, and passed on file.

House File 453, a bill for an act to amend chapter one hundred fifty-one (151), Acts of the Fifty-fourth General Assembly, relating to the general powers of municipal corporations, and by adding thereto a new section making all laws pertaining to municipal corporations in general applicable to municipal corporations organized and operating under the commission form of government or the council-manager form of government.

Read first and second times, and passed on file.

House File 459, a bill for an act to amend chapter twenty-four (24), Code 1950, relating to local budgets and to provide for amendment of budget estimates.

Read first and second times, and passed on file.

House File 460, a bill for an act to amend section three hundred ninety-four point one (394.1), Code 1950, relating to self-liquidating improvements of cities and towns and sanitary sewer district.

Read first and second times, and passed on file.

House File 461, a bill for an act to amend section three hundred ninety-six point twenty-two (396.22), Code 1950, as amended, relating to the issuance of bonds for sewers, sewer outlets and purifying plants.

Read first and second times, and passed on file.

House File 462, a bill for an act to amend chapter one hundred fifty-six (156), Acts of the Fifty-fourth General Assembly, relating to special assessment of public improvements in municipal corporations.

Read first and second times, and passed on file.

House File 463, a bill for an act to amend chapter one hundred sixty-four (164), Acts of the Fifty-fourth General Assembly, relating to the council-manager form of municipal government by popular election.

Read first and second times, and passed on file.

House File 464, a bill for an act relating to the use of funds received by municipal corporations from the road use tax fund and to amend section thirty-one (31) of chapter one hundred fifty-nine (159), Acts of the Fifty-fourth General Assembly, relating thereto.

Read first and second times, and passed on file.

House File 465, a bill for an act to amend chapter three hundred ninety-one (391), Code 1950, relating to street improvements, sewers, and special assessments.

Read first and second times, and passed on file.

House File 466, a bill for an act to provide for the appointment of a mayor pro tempore in cities and towns.

Read first and second times, and passed on file.

House File 467, a bill for an act to amend chapter one hundred sixty-three (163), Acts of the Fifty-fourth General Assembly, relating to the government of cities and towns, under the commission form of government.

Read first and second times, and passed on file.

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

#### AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

#### UNFINISHED BUSINESS

On motion of Senator Whitehead, Senate File 78, a bill for an act to authorize county boards of supervisors to require the licensing

of auctions outside of cities and towns within the state or within any city or town that has not by ordinance licensed the sales of auctioneers and to require the posting of a bond and submission of inventory of goods offered for sale at such auctions, and providing penalties for violation thereof, was taken up for further consideration.

Senator Whitehead asked and received unanimous consent that House File 27 be substituted for Senate File 78.

On motion of Senator Whitehead, House File 27, a bill for an act to require a license for the sale by auction of new merchandise at places outside of cities and towns, or within any city or town that has not by ordinance provided for licensing of auction sales under the provisions of section three hundred sixty-eight point six (368.6), Code 1950, and providing for the filing of application for such license, the filing of a bond and submission of inventory, fixing the amount of license fee and providing for the payment thereof, and the issuing of license by the board of supervisors, and requiring a report of sale and providing penalties for violation thereof, 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, 40:

Anderson	Grimstead	Nelson	Stuart of Lucas
Bateson	Heideman	Nesmith	Utzig
Bellman	Johnson	Nolan	Walter
Berg	Knudson	Oltman	Washburn
Boothby	Larson	O'Malley	Watson of
Byers	Lord	Prentis	O'Brien
Clark	Lucas	Sayre	Weichman
Dailey	Lynes	Schoening	Whitehead
Dewel	Miller	Scott	Zastrow
Dykhouse	Molison	Stewart of	
Elijah	Myrland	Mahaska	

Nays, 2:

Vest	Watson of Pottawattamie
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Absent or not voting, 8:

Bekman	Fishbaugh	Hedin	Risk
Colburn	Hart	Linnevoold	Van Eaton

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

Senator Whitehead moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Miller, House File 44, a bill for an act relating to the payment of sales and use tax by tax certifying bodies and to amend and repeal certain sections of chapters four hundred twenty-two (422) and four hundred twenty-three (423), Code 1950, relating thereto and enact substitutes therefor, was taken up, and considered.

Senator Bateson offered the following amendment and moved its adoption:

Amend House File 44 by striking all after section 1 thereof.

Senator Elijah raised a point of order for the reason that the amendment was out of order in that the amendment was not germane to the main bill.

Senator Miller asked and received unanimous consent that action on House File 44 be temporarily deferred.

#### SENATE FILE 122 RE-REFERRED

Senator Berg asked and received unanimous consent that Senate File 122 be re-referred to the committee on governmental affairs.

#### ADDITIONAL COPIES

Senator Dailey asked and received unanimous consent to have 600 additional copies of Senate File 418 printed.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Stuart of Lucas, 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 83, 87, 159, 305 and 388.

W. C. STUART, *Chairman Senate Committee.*  
JOHN A. WALKER, *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 83, 87, 159, 305 and 388.

## BILL SIGNED BY THE GOVERNOR

A communication was received announcing that, on March 30, 1953, the Governor had approved the following bill:

Senate File 371, relating to liquor warehouse.

REPORT OF FIRST CONFERENCE COMMITTEE  
ON SENATE FILE 2

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

We, the undersigned members of the conference committee appointed for the consideration of Senate File 2, a bill for an act to amend sections one hundred ninety point one (190.1), one hundred ninety point six (190.6), one hundred ninety-one point two (191.2), and one hundred ninety-one point three (191.3), Code 1950, relating to imitation butter and the sale and labeling thereof, and to repeal section one hundred ninety-two point thirty-two (192.32), Code 1950, relating to the use of imitations of butter in certain state institutions, begs leave to report that your conference committee is unable to agree and therefore requests the appointment of a second conference committee.

STANLEY L. HART.

CHARLES S. VAN EATON.

RALPH W. ZASTROW.

A. J. JOHNSON.

On the Part of the Senate.

GLADYS S. NELSON.

JACK SCHROEDER.

CLIFFORD STRAWMAN.

ROY J. SMITH.

On the Part of the House.

## ASSIGNMENT OF BILLS

President Elthon announced the assignment of the following bills to committee:

H.J.R. 12 Election reform

H.F. 216 Compensation of public officers and employees

## PROOF OF PUBLICATION

Published copy of House File 483 and verified proof of publication of said bill in the Paullina Times on March 26, 1953, was filed with the Secretary of the Senate prior to the time said bill was placed on passage.

CARROLL A. LANE,  
*Secretary of the Senate.*

## REPORTS OF COMMITTEES

Senator Fishbaugh submitted the following report:

MR. PRESIDENT: Your committee on banks, building and loan, to which was referred **House File 236**, a bill for an act to amend section five hundred forty-one point nine (541.9), Code 1950, relating to instruments payable to bearer, 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 banks, building and loan, to which was referred **House File 273**, 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 first day of February, 1953, and making provision for the disposition of such funds, 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 Byers submitted the following report :

MR. PRESIDENT: Your committee on judiciary 2, to which was referred **Senate File 154**, a bill for an act to amend section four hundred twenty-two point fifty-one (422.51), section four hundred twenty-two point fifty-two (422.52), section four hundred twenty-three point thirteen, (423.13), Code 1950, relative to the retail sales 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 **House File 341**, a bill for an act to legalize the corporate acts and proceedings in connection with the renewal of corporate existence and the adoption of renewed articles of incorporation of Paint Creek Farmers Telephone Company, of the town of Waterville, county of Allamakee, 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.

Also :

MR. PRESIDENT: Your committee on judiciary 2, to which was referred **Senate File 367**, a bill for an act to amend sections four hundred seventy-eight point twenty-one (478.21) and four hundred seventy-eight point twenty-three (478.23), Code 1950, relating to railway and highway crossings at grade to provide a method of determining all matters pertaining to grade crossings where controversy arises between the state or political subdivisions thereof and the railroad company, and to repeal section three hundred eighty-nine point forty-one (389.41), 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 Bateson submitted the following report :

MR. PRESIDENT: Your committee on judiciary 1, to which was referred **Senate File 345**, a bill for an act relating to equitable apportionment of

federal estate tax, 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 judiciary 1, to which was referred **House File 238**, a bill for an act relating to securities and investments of trust funds, 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 appropriations, to which was referred **Senate File 68**, a bill for an act to create a state civil defense agency in the executive branch; providing for a director as head thereof and defining the powers and duties of the Governor and director; providing emergency powers for the Governor, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and returns the bill without further recommendation**:

Amend Senate File 68, section 27, line 4, by striking the words and figures "one hundred thousand dollars (\$100,000)" and substituting in lieu thereof the words and figures "fifty thousand dollars (\$50,000)".

J. KENDALL LYNES, *Chairman*.

Ordered passed on file.

#### AMENDMENTS FILED

- 1 Amend House File 73 by striking the word "to" from
- 2 line 4 of section 1.

W. L. MOLISON.

- 1 Amend House File 442, section 7, line 3,
- 2 by striking the following: "or sewers" and adding in lieu
- 3 thereof the following: "sewers or sewage treatment works".

GEORGE E. O'MALLEY.

- 1 Amend House File 448, section 2, line 9,
- 2 by striking the word "and" before the word "improving"
- 3 and adding after the word "improving" the words "and enlarging".

CHARLES S. VAN EATON.

- 1 Amend House File 450 by striking the word "shall" in
- 2 line 5 of section 3 and inserting in lieu thereof the
- 3 word "may".

HERMAN B. LORD.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 31, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend Francis Harper, pastor of the Reorganized Church of the Latter Day Saints, Woodbine, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Heideman from four hundred sixty-one residents of Webster County favoring proposed legislation relating to permissive union shop legislation.

By Senator Lord from six hundred eighty-six residents of Calhoun, Cerro Gordo, Clay, Dickinson, Emmet, Franklin, Hamilton, Hancock, Humboldt, Kossuth, Palo Alto, Pocahontas, Webster, Winnebago, Worth and Wright Counties; and from twenty-five residents of Allamakee County favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance.

By Senator Lynes from sixteen residents of Black Hawk and Bremer Counties favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance.

By Senator Oltman from nineteen residents of Pocahontas County favoring proposed legislation relating to educational television for the State of Iowa.

By Senator O'Malley from three hundred seventy-one residents of Polk County favoring proposed legislation creating an Iowa public employees' retirement system, and favoring proposed legislation to establish a department of public instruction for the State of Iowa as originally introduced.

## PRESENTATION OF VISITORS

Senator Colburn asked and received unanimous consent to present to the Senate the Honorable Nelson G. Kraschel of Shelby County, former Governor of the State of Iowa, who was present in the Senate chamber.

Senator Nolan asked and received unanimous consent to present to the Senate seventy-five members of the junior and senior classes of the University High School of Iowa City who were present in the balcony accompanied by their instructors, John H. Haefner and Dean Crawford.

Senator Myrland asked and received unanimous consent to present to the Senate seventeen members of the senior class of the Persia High School who were present in the balcony accompanied by their superintendent, A. R. Fenton, Reverend Otto and Mr. and Mrs. Fred Zacharias.

Senator Whitehead asked and received unanimous consent to present to the Senate eleven members of the Dallas County Farm Bureau women who were present in the Senate chamber accompanied by Mrs. Pollock.

Senator Weichman asked and received unanimous consent to present to the Senate thirty members of the senior class and twenty-one members of the junior class of the Dysart High School who were present in the balcony accompanied by their principal, Alice Decker, and Walter Leo.

Senator Zastrow asked and received unanimous consent to present to the Senate the Honorable Robert D. Blue of Wright County, former Governor of Iowa, who was present in the Senate chamber.

Senator Sayre asked and received unanimous consent to present to the Senate eighty members of the eighth grade class of the Winterset Junior High School who were present in the balcony accompanied by their principal, Charlton W. Callison, their superintendent, D. Lillard, and their instructors, Mrs. Tice, Miss Jones and Mr. Cable; also, Mrs. Webster and Mrs. Lillard.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

**MR. PRESIDENT:** I am directed to inform your honorable body that the House has adopted the report of the first conference committee on Senate File 2, a bill for an act relating to imitation butter, and the Speaker has appointed as members of the second conference committee on the part of the House of Representatives: Mallonee of Audubon, Abel of Clayton, Schwengel of Scott and McNeal of Wright.

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

House Concurrent Resolution 22, relating to a committee for interstate cooperation.

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

House File 129, a bill for an act relating to civil service commission.

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 the eradication of Bang's disease.

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

House File 246, a bill for an act relating to bonds of county officers and their deputies.

A. C. GUSTAFSON, *Chief Clerk.*

### HOUSE CONCURRENT RESOLUTION 22

By Schwengel, Robinson, Ringgenberg,  
Nelson of Jasper, Weiss and Burrows

*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 members so appointed by the House and Senate shall meet and elect their own chairman who shall be the chairman of the Iowa delegation to the Council of State Governments and be designated as chairman of the Iowa committee for interstate cooperation.

### HOUSE AMENDMENTS TO SENATE FILE 142

Amend Senate File 142 as follows:

1. Amend section 3, line 5, by inserting the word "female" after the word "any".

2. Further amend section 3, line 11, by adding after the period "(.)" following the word "certificates" the following: "Animals which have been vaccinated by the owner thereof, and which are accompanied by an affidavit of said owner stating the date and place of vaccination and

clearly identifying said animal, as provided in chapter one hundred sixty-four point one (164.1), Code 1950."

3. Further amend section (3) by adding a new paragraph as follows:

"c. Female cattle of any age in which the origin of shipment is from an area declared brucellosis free by its respective state department of agriculture or by the United States department of agriculture."

4. Add to Senate File 142 the following new section:

"Sec. 4. The provisions of this bill shall not go into effect until July 4, 1954."

#### HOUSE MESSAGES CONSIDERED

House File 129, a bill for an act to amend section three hundred sixty-five point three (365.3), Code 1950, relating to civil service commission in cities having a population less than eight thousand, and providing for abandonment thereof by vote of the people.

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

House File 246, 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 county officers and their deputies.

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

Senator Hart called up the following report and moved its adoption:

#### REPORT OF FIRST CONFERENCE COMMITTEE ON SENATE FILE 2

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

We, the undersigned members of the conference committee appointed for the consideration of Senate File 2, a bill for an act to amend sections one hundred ninety point one (190.1), one hundred ninety point six (190.6), one hundred ninety-one point two (191.2), and one hundred ninety-one point three (191.3), Code 1950, relating to imitation butter and the sale and labeling thereof, and to repeal section one hundred ninety-two point thirty-two (192.32), Code 1950, relating to the use of imitations of butter in certain state institutions, begs leave to report that your conference committee is unable to agree and therefore requests the appointment of a second conference committee.

STANLEY L. HART.

CHARLES S. VAN EATON.

RALPH W. ZASTROW.

A. J. JOHNSON.

On the Part of the Senate.

GLADYS S. NELSON.

JACK SCHROEDER.

CLIFFORD STRAWMAN.

ROY J. SMITH.

On the Part of the House.

The motion prevailed and the report was adopted.

## SPECIAL ORDER

The hour of 10:30 a.m., having arrived, President Elthon announced the special order for the consideration of bills on the special calendar by the committee on cities and towns.

## THIRD READING OF BILLS

On motion of Senator Van Eaton, Senate File 389, a bill for an act to amend chapter one hundred forty-eight (148), Acts of the Fifty-fourth General Assembly, relating to the ordinances of municipal corporations, was taken up, and considered.

Senator Van Eaton asked and received unanimous consent that House File 251 be substituted for Senate File 389.

On motion of Senator Watson of Pottawattamie, House File 251, a bill for an act to amend and to repeal certain sections of chapter one hundred forty-eight (148), Acts of the Fifty-fourth General Assembly, relating to the ordinance of municipal corporations, 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	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Colburn	Linnevold	Risk	O'Brien
Dailey	Lord	Sayre	Watson of
Dewel	Lucas	Schoening	Pottawattamie
Dykhouse	Lynes	Scott	Weichman
Elijah	Miller	Stewart of	Whitehead
Fishbaugh	Molison	Mahaska	Zastrow

Nays, none.

Absent or not voting, 1:

Clark

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

On motion of Senator Van Eaton, Senate File 390, a bill for an act relating to the authorization and issuance of bonds or other

evidences of indebtedness by cities and towns, was taken up, and considered.

Senator Van Eaton asked and received unanimous consent that House File 442 be substituted for Senate File 390.

On motion of Senator Hart, House File 442, a bill for an act relating to the authorization and issuance of bonds or other evidences of indebtedness by cities and towns, was taken up, and considered.

Senator O'Malley offered the following amendment and moved its adoption:

Amend House File 442, section 7, line 3, by striking the following: "or sewers" and adding in lieu thereof the following: "sewers or sewage treatment works".

The amendment was adopted.

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

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

Ayes, 45:

Anderson	Hart	Nelson	Stuart of Lucas
Bateson	Hedin	Nesmith	Utzig
Bekman	Johnson	Nolan	Van Eaton
Bellman	Knudson	Oltman	Vest
Berg	Larson	O'Malley	Walter
Boothby	Linnevoid	Prentis	Washburn
Byers	Lord	Risk	Watson of
Colburn	Lucas	Sayre	O'Brien
Dailey	Lynes	Schoening	Watson of
Dewel	Miller	Scott	Pottawattamie
Dykhouse	Molison	Stewart of	Whitehead
Elijah	Myrland	Mahaska	Zastrow

Nays, 2:

Fishbaugh      Heideman

Absent or not voting, 3:

Clark              Grimstead              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 Van Eaton, Senate File 391, a bill for an act authorizing the issuance of bonds by cities and towns to defray the cost of equipping the fire and police departments, was taken up, and considered.

Senator Van Eaton asked and received unanimous consent that House File 443 be substituted for Senate File 391.

On motion of Senator Miller, House File 443, a bill for an act authorizing the issuance of bonds by cities and towns to defray the cost of equipping the fire and police departments, was taken up, and considered.

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

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

Ayes, 48:

Anderson	Hart	Nelson	Utzig
Bateson	Hedin	Nesmith	Van Eaton
Bekman	Heideman	Nolan	Vest
Bellman	Johnson	Oltman	Walter
Berg	Knudson	O'Malley	Washburn
Boothby	Larson	Prentis	Watson of
Byers	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Fishbaugh	Molison	Mahaska	Zastrow
Grimstead	Myrland	Stuart of Lucas	

Nays, none.

Absent or not voting, 2:

Clark                      Elijah

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, the Senate recessed until 1:15 p.m.

#### AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

The Senate resumed consideration of the bills under the special order.

On motion of Senator Van Eaton, Senate File 392, a bill for an act authorizing the issuance of bonds by cities and towns to defray the cost of acquiring and improving land for cemetery purposes, was taken up, and considered.

Senator Van Eaton asked and received unanimous consent that House File 444 be substituted for Senate File 392.

On motion of Senator Miller, House File 444, a bill for an act authorizing the issuance of bonds by cities and towns to defray the

cost of acquiring and improving land for cemetery purposes, was taken up, and considered.

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

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

Ayes, 47:

Anderson	Grimstead	Nesmith	Utzig
Bateson	Hart	Nolan	Van Eaton
Bekman	Hedin	Oltman	Vest
Bellman	Heideman	O'Malley	Walter
Berg	Johnson	Prentis	Washburn
Boothby	Knudson	Risk	Watson of
Byers	Larson	Sayre	O'Brien
Colburn	Linnevoid	Schoening	Watson of
Dailey	Lucas	Scott	Pottawattamie
Dewel	Lynes	Stewart of	Weichman
Dykhouse	Miller	Mahaska	Whitehead
Elijah	Myrland	Stuart of Lucas	Zastrow
Fishbaugh	Nelson		

Nays, none.

Absent or not voting, 3:

Clark	Lord	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.

On motion of Senator Van Eaton, Senate File 393, a bill for an act to amend chapter thirty-seven (37), Code 1950, relating to liberty memorial bonds, was taken up, and considered.

Senator Van Eaton asked and received unanimous consent that House File 445 be substituted for Senate File 393.

On motion of Senator Miller, House File 445, a bill for an act to amend chapter thirty-seven (37), Code 1950, relating to liberty memorial bonds, was taken up, and considered.

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

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

Ayes, 48:

Anderson	Dailey	Hedin	Molison
Bateson	Dewel	Heideman	Myrland
Bekman	Dykhouse	Johnson	Nelson
Bellman	Elijah	Knudson	Nesmith
Berg	Fishbaugh	Larson	Nolan
Boothby	Grimstead	Linnevoid	Oltman
Byers	Hart	Lucas	O'Malley
Colburn	Miller	Lynes	Prentis

Risk	Stewart of	Vest	Watson of
Sayre	Mahaska	Walter	Pottawattamie
Schoening	Stuart of Lucas	Washburn	Weichman
Scott	Utzig	Watson of	Whitehead
	Van Eaton	O'Brien	Zastrow

Nays, none.

Absent or not voting, 2:

Clark	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 Van Eaton, Senate File 394, a bill for an act to repeal sections four hundred eight point ten (408.10) to four hundred eight point fourteen (408.14), inclusive, and section four hundred eight point sixteen (408.16), Code 1950, as amended, and to add a new section to chapter four hundred eight (408), Code 1950, relating to the issuance of municipal bonds, was taken up, and considered.

Senator Van Eaton asked and received unanimous consent that House File 446 be substituted for Senate File 394.

On motion of Senator Dykhouse, House File 446, a bill for an act to repeal sections four hundred eight point ten (408.10) to four hundred eight point fourteen (408.14), inclusive, and section four hundred eight point sixteen (408.16), Code 1950, as amended and to add a new section to chapter four hundred eight (408), Code 1950, relating to the issuance of municipal bonds, 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, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 395, a bill for an act to amend section three hundred eighty-one point one (381.1), and to repeal sections three hundred eighty-one point three (381.3), three hundred eighty-one point four (381.4), three hundred eighty-one point seven (381.7) and four hundred sixteen point one hundred one (416.101), Code 1950, and to repeal chapter one hundred sixty-two (162), Acts of the Fifty-fourth General Assembly, relating to city bridges, viaducts, culverts, underpasses, grade crossings separations, and approaches thereto, and the financing of the cost thereof, including damages arising as a result thereof, by the issuance of bonds and the levy of taxes to pay the bonds, was taken up, and considered.

Senator Van Eaton asked and received unanimous consent that House File 447 be substituted for Senate File 395.

On motion of Senator O'Malley, House File 447, a bill for an act to amend section three hundred eighty-one point one (381.1), and to repeal sections three hundred eighty-one point three (381.3), three hundred eighty-one point four (381.4), three hundred eighty-one point seven (381.7) and four hundred sixteen point one hundred one (416.101), Code 1950, and to repeal chapter one hundred sixty-two (162), Acts of the Fifty-fourth General Assembly, relating to city bridges, viaducts, culverts, underpasses, grade crossing separations, and approaches thereto, and the financing of the cost thereof, including damages arising as a result thereof, by the issuance of bonds and the levy of taxes to pay the bonds, 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, 50:

Anderson	Clark	Grimstead	Linnevold
Bateson	Colburn	Hart	Lord
Bekman	Dailey	Hedin	Lucas
Bellman	Dewel	Heideman	Lynes
Berg	Dykhouse	Johnson	Miller
Boothby	Elijah	Knudson	Molison
Byers	Fishbaugh	Larson	Myrland

Nelson	Risk	Stuart of Lucas	Watson of
Nesmith	Sayre	Utzig	O'Brien
Nolan	Schoening	Van Eaton	Watson of
Oltman	Scott	Vest	Pottawattamie
O'Malley	Stewart of	Walter	Weichman
Prentis	Mahaska	Washburn	Whitehead
			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 398, a bill for an act relating to the issuance by municipalities of bonds and the levy of taxes therefor, to pay the cost of the acquisition and improvement of city and town parks, and to repeal sections three hundred seventy point seven (370.7), three hundred seventy point eight (370.8), three hundred seventy point nine (370.9), three hundred seventy point fifteen (370.15), three hundred seventy point sixteen (370.16), three hundred seventy point seventeen (370.17), three hundred seventy point eighteen (370.18) and three hundred seventy point nineteen (370.19), Code 1950, was taken up, and considered.

Senator Van Eaton asked and received unanimous consent that House File 450 be substituted for Senate File 398.

On motion of Senator O'Malley, House File 450, a bill for an act relating to the issuance by municipalities of bonds and the levy of taxes therefor, to pay the cost of the acquisition and improvement of city and town parks, and to repeal sections three hundred seventy point seven (370.7), three hundred seventy point eight (370.8), three hundred seventy point nine (370.9), three hundred seventy point fifteen (370.15), three hundred seventy point sixteen (370.16), three hundred seventy point seventeen (370.17), three hundred seventy point eighteen (370.18) and three hundred seventy point nineteen (370.19), Code 1950, was taken up, and considered.

Senator Lord offered the following amendment and moved its adoption:

Amend House File 450 by striking the word "shall" in line 5 of section 3 and inserting in lieu thereof the word "may".

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	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Fishbaugh	Molison	Mahaska	Zastrow

Nays, none.

Absent or not voting, 1:

Elijah

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 399, a bill for an act to amend section three hundred eighty-four point three (384.3), Code 1950, relating to the issuance of municipal bonds for dock purposes, was taken up, and considered.

Senator Van Eaton asked and received unanimous consent that House File 451 be substituted for Senate File 399.

On motion of Senator Myrland, House File 451, a bill for an act to amend section three hundred eighty-four point three (384.3), Code 1950, relating to the issuance of municipal bonds for dock purposes, was taken up, and considered.

Senator Myrland moved that the bill be read a third 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	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Zastrow
Elijah	Molison	Mahaska	
Fishbaugh			

Nays, 1:  
Whitehead

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 400, a bill for an act to amend sections three (3), four (4), five (5), seven (7), ten (10), eleven (11), twelve (12), thirteen (13), eighteen (18) and twenty-five (25) of chapter one hundred fifty-nine (159), Acts of the Fifty-fourth General Assembly, relating to taxation and other sources of municipal revenue, was taken up, and considered.

Senator Van Eaton asked and received unanimous consent that House File 452 be substituted for Senate File 400.

On motion of Senator Berg, House File 452, a bill for an act to amend sections three (3), four (4), five (5), seven (7), ten (10), eleven (11), twelve (12), thirteen (13), eighteen (18) and twenty-five (25) of chapter one hundred fifty-nine (159), Acts of the Fifty-fourth General Assembly, relating to taxation and other sources of municipal revenue, was taken up, and considered.

Senator Van Eaton offered the following amendment and moved its adoption:

1. Amend the title to House File 452 by adding after the word "revenue" the following: "and to authorize the issuance of bonds for dump ground purposes".

2. Further amend House File 452, section nine (9), by striking the period (.) at the end of line four (4) and substituting a comma (,) therefor and by adding thereto the following: "and by adding thereto the following: 'cities and towns are hereby authorized to contract indebtedness and to issue general obligation bonds to provide funds to pay the cost of acquiring land for dump ground purposes. Taxes for the payment of said bonds shall be levied in accordance with chapter seventy-six (76) of the Code of Iowa, 1950, and said bonds shall be payable through the debt service fund in not more than twenty (20) years and bear interest at a rate not exceeding five per cent (5%) per annum, and shall be of such form as the city or town council shall by resolution provide. The indebtedness incurred for the purpose herein provided in this act shall not be considered an indebtedness incurred for general or ordinary purposes.'"

The amendment was adopted.

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

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

Ayes, 48:

Anderson	Grimstead	Nelson	Utzig
Bateson	Hart	Nesmith	Van Eaton
Bekman	Hedin	Nolan	Vest
Bellman	Heideman	Oltman	Walter
Berg	Johnson	O'Malley	Washburn
Boothby	Knudson	Prentis	Watson of
Byers	Larson	Risk	O'Brien
Clark	Linnevold	Sayre	Watson of
Colburn	Lord	Schoening	Pottawattamie
Dailey	Lucas	Scott	Weichman
Dewel	Lynes	Stewart of	Whitehead
Dykhouse	Miller	Mahaska	Zastrow
Elijah	Myrland	Stuart of Lucas	

Nays, none.

Absent or not voting, 2:

Fishbaugh            Molison

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 401, a bill for an act to amend chapter one hundred fifty-one (151), Acts of the Fifty-fourth General Assembly, by adding thereto a new section making all laws pertaining to municipal corporations in general applicable to municipal corporations organized and operating under the commission form of government or the council-manager form of government, was taken up, and considered.

Senator Van Eaton asked and received unanimous consent that House File 453 be substituted for Senate File 401.

On motion of Senator Bateson, House File 453, a bill for an act to amend chapter one hundred fifty-one (151), Acts of the Fifty-fourth General Assembly, relating to the general powers of municipal corporations, and by adding thereto a new section making all laws pertaining to municipal corporations in general applicable to municipal corporations organized and operating under the commission form of government or the council-manager form of government, was taken up, and considered.

Senator Bateson offered the following amendment and moved its adoption:

Amend House File 453 by striking from section 6 line 4 the word "exceeding" and substituting in lieu thereof the words "to exceed".

The amendment was adopted.

Senator Dailey offered the following amendments:

Amend House File 453 as follows:

1. By inserting the words "and police matrons" following the word "policeman" in line four (4) of section two (2) thereof.

2. By adding a new section to be known as section 8 and renumbering the subsequent sections:

Sec. 8. Chapter one hundred fifty-one (151), Acts of the Fifty-fourth General Assembly, is hereby amended by striking the period in line four (4) of section eleven (11) thereof, after the word "chief" and adding the following "and police matrons, if appointed, shall receive not less in any case than the minimum salary paid to a policeman in the city in which they are appointed."

On motion of Senator Dailey, division 1 of the amendment was adopted.

Senator Dailey moved the adoption of division 2 of the amendment and requested a roll call.

Rule 8 was invoked.

On the question "Shall division 2 of the amendment be adopted?" the vote was:

Ayes, 23:

Bateson	Fishbaugh	Molison	Utzig
Bekman	Grimstead	Nesmith	Washburn
Bellman	Hedin	Nolan	Watson of
Boothby	Heideman	O'Malley	Pottawattamie
Clark	Larson	Stewart of	Weichman
Dailey	Miller	Mahaska	Zastrow
Elijah			

Nays, 26:

Anderson	Johnson	Nelson	Stuart of Lucas
Berg	Knudson	Oltman	Van Eaton
Byers	Linnevold	Prentis	Walter
Colburn	Lord	Risk	Watson of
Dewel	Lucas	Sayre	O'Brien
Dykhouse	Lynes	Schoening	Whitehead
Hart	Myrland	Scott	

Absent or not voting, 1:

Vest

Division 2 of the amendment was lost.

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	Berg	Colburn	Elijah
Bateson	Boothby	Dailey	Fishbaugh
Bekman	Byers	Dewel	Grimstead
Bellman	Clark	Dykhouse	Hart

Hedin	Miller	Risk	Walter
Heideman	Molison	Sayre	Washburn
Johnson	Myrland	Schoening	Watson of
Knudson	Nelson	Scott	O'Brien
Larson	Nesmith	Stewart of	Watson of
Linnevold	Nolan	Mahaska	Pottawattamie
Lord	Oltman	Stuart of Lucas	Weichman
Lucas	O'Malley	Utzig	Whitehead
Lynes	Prentis	Van Eaton	Zastrow

Nays, none.

Absent or not voting, 1:

Vest

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 Van Eaton, Senate File 396, a bill for an act to repeal sections three hundred thirty point seven (330.7), three hundred thirty point eight (330.8) and three hundred thirty point sixteen (330.16), and to amend chapter three hundred thirty (330), Code 1950, relating to the issuance of bonds and the levying of taxes by municipalities to pay the cost of the establishment, acquisition, equipment and improvement of municipal airports and for the enlargement and improvement of municipal airports already established, was taken up, and considered.

Senator Van Eaton asked and received unanimous consent that House File 448 be substituted for Senate File 396.

On motion of Senator Dykhouse, House File 448, a bill for an act to repeal sections three hundred thirty point seven (330.7), three hundred thirty point eight (330.8) and three hundred thirty point sixteen (330.16), and to amend chapter three hundred thirty (330), Code 1950, relating to the issuance of bonds and the levying of taxes by municipalities to pay the cost of the establishment, acquisition, equipment and improvement of municipal airports and for the enlargement and improvement of municipal airports already established, was taken up, and considered.

Senator Nolan offered the following amendment:

Amend House File 448, section 2, line 7, by inserting after the comma (,) the following: "But subject to the provisions of House File 442, of the Fifty-fifth General Assembly of Iowa."

Senator Dewel raised a point of order for the reason that the

subject matter of the amendment was not germane, and also that the amendment was improper.

The Chair ruled that the amendment was germane, but that it was improper.

Senator Van Eaton offered the following amendment and moved its adoption:

Amend House File 448, section 2, line 9, by striking the word "and" before the word "improving" and adding after the word "improving" the words "and enlarging".

The amendment was adopted.

Senator Nolan offered the following amendment and moved its adoption:

Amend House File 448 by striking the period in section 2, line 9, and inserting in lieu thereof the following: "provided, however, that if at any time before the date fixed for taking action for the issuance of such bonds a petition is filed with the clerk or recorder of the municipality signed by qualified electors of the city or town equal in number to two per cent (2%) of those who voted for the office of governor at the last preceding general election as shown by the election registers or poll lists, asking that the question of issuing such bonds be submitted to the legal voters of the municipality, the governing body thereof shall either by resolution declare the proposal to issue the bonds to have been abandoned or shall call a special election to vote upon the question of issuing the bonds.

The amendment was adopted.

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

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

Ayes, 47:

Anderson	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Utzig
Bekman	Hart	Nelson	Van Eaton
Bellman	Hedin	Nesmith	Walter
Berg	Heideman	Nolan	Washburn
Boothby	Johnson	Oltman	Watson of
Byers	Knudson	O'Malley	O'Brien
Clark	Larson	Sayre	Watson of
Colburn	Linnevoold	Schoening	Pottawattamie
Dailey	Lord	Scott	Weichman
Dewel	Lucas	Stewart of	Whitehead
Dykhouse	Lynes	Mahaska	Zastrow
Elijah	Miller		

Nays, none.

Absent or not voting, 3:  
 Prentis Risk Vest

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

#### ANNOUNCEMENTS

President Elthon announced the appointment of the following Senators on the part of the Senate under the provisions of House Concurrent Resolution 23 relating to the birthday anniversary celebration of the Honorable Herbert Hoover: Senators Elijah, Nolan, Lord and Colburn.

#### APPOINTMENT OF SECOND CONFERENCE COMMITTEE ON SENATE FILE 2

President Elthon announced the appointment of the following Senators on a second conference committee on the part of the Senate on Senate File 2: Senators Byers, Whitehead, Risk and Prentis.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 7, a bill for an act relating to the sale, lease or other disposition of property belonging to a school district.

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

House File 222, a bill for an act relating to maximum length of certain vehicles.

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 legalizing the proceedings for the organization and establishment of the Iowa Great Lakes Sanitary District.  
 A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED

House File 7, a bill for an act to amend section two hundred seventy-eight point one (278.1), Code 1950, and to amend chapter two hundred ninety-seven (297), Code 1950, relating to the sale, lease, or other disposition of property belonging to a school district.

Read first and second times, and referred to committee on schools and educational institutions.

House File 222, a bill for an act to amend section three hundred

twenty-one point four hundred fifty-seven (321.457), Code 1950, relating to maximum length of certain vehicles.

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

House File 348, a bill for an act to legalize and validate the proceedings for the organization and establishment of the Iowa Great Lakes Sanitary District, in Dickinson County, Iowa, and declaring said district a duly and legally organized body politic as provided by law, and to legalize and validate all proceedings of the board of trustees of said district for the levy of taxes for the operation of the district facilities and for the issuance of bonds and levy of taxes for payment thereof.

Read first and second times, and passed on file.

#### COMMUNICATION FROM THE STATE COMPTROLLER

The following communication was received from the office of the State Comptroller:

#### OFFICE STATE COMPTROLLER

March 30, 1953.

TO THE SECRETARY OF THE SENATE AND CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES:

In accordance with the provisions of chapter 25, Code of Iowa, 1950, there are submitted herewith claims acted upon by the State Appeal Board on March 30, 1953. Each claim bears the recommendation of the board.

Claims of a general nature are numbers 115 through 118 and 245.

GLENN D. SANSFIELD, *Chairman,*  
*State Appeal Board.*

No.	Name of Claimant and Nature of Claim	Amount of Claim
115	Vernita Adams, R.F.D., Elliott, Iowa—Damages claimed because of collision with car driven by Herman Heise, a state employee.....	Unspecified
116	Dean DeVoss, R.F.D., Elliott, Iowa—Claimant was riding in Adams car and was slightly injured in the accident with Herman Heise, a state employee. See No. 115 .....	Unspecified
117	Ralph DeVoss, R.F.D., Elliott, Iowa—Claimant was a passenger in the Adams car which was involved in a collision with Herman Heise, an employee of the state. Claim for personal injuries. See No. 115.....	Unspecified
118	Lynn Adams, R.F.D., Elliott, Iowa—Claim for damages. Claimant was driver of car involved in accident with Herman Heise, a state employee. See No. 115.....	Unspecified
245	Sioux County, Orange City, Iowa—Claim for refund of use tax.....	\$ 38.00

## REPORTS OF COMMITTEES

Senator Walter submitted the following report:

MR. PRESIDENT: Your committee on military affairs, to which was referred **Senate File 69**, 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, begs leave to report it has had the same under consideration and recommends the same **do pass**.

W. ELDON WALTER, *Chairman*.

Ordered passed on file.

Senator Knudson submitted the following report:

MR. PRESIDENT: Your committee on board of control, to which was referred **Senate File 340**, a bill for an act to amend section two hundred twenty-seven point sixteen (227.16), Code 1950, relating to state aid to county and private hospitals for insane, 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 411 by adding a new section as follows:
- 2 Sec. 2. Section three hundred ninety point twelve
- 3 (390.12) by adding after the word purpose in line twenty (20)
- 4 the following: "for which the street fund may be used".

CHARLES S. VAN EATON.

- 1 Amend House File 463 by adding a new section to read
- 2 as follows:
- 3 1. "Cities and towns operating under the council-
- 4 manager form by ordinance shall have a council composed of five
- 5 councilmen at large, elected by the entire electorate. Cities
- 6 operating under the council-manager form by ordinance may have
- 7 a council composed of five councilmen at large, or may have
- 8 a council composed of two councilmen at large, and one council-
- 9 man from each ward; but if any city embraces within its limits
- 10 the whole or part of two or more townships, two of which parts
- 11 contain one thousand or more electors, only one councilman at
- 12 large shall be chosen from any one township."
- 13 2. Amend the title by adding thereto the following:
- 14 "and cities and towns operating under a council manager form
- 15 by ordinance."

RALPH W. ZASTROW.  
J. G. LUCAS.

- 1 Amend House File 465 by striking all of section 4.

GEORGE O'MALLEY.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 1, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend Lester Hall, pastor of the Methodist Church, Osceola, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Elijah from twenty-one residents of Cedar County favoring proposed legislation relating to increasing Iowa gas tax one cent per gallon and favoring a three hundred million dollar bond issue.

By Senator O'Malley from sixty-eight residents of Polk County favoring proposed legislation relating to a retirement system for state employees and favoring proposed legislation to establish a department of public instruction for the State of Iowa as originally introduced.

By the following Senators favoring proposed legislation relating to permissive union shop legislation:

By Senator Heideman from sixty-nine residents of Webster County.

By Senator O'Malley from seventeen residents of Polk County.

By the following Senators favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance:

By Senator O'Malley from nine residents of Polk County.

By Senator Scott from twenty-five residents of Allamakee County.

By Senator Van Eaton from one hundred fifty-four residents of Woodbury County.

By Senator Weichman from nineteen residents of Tama County.

## PRESENTATION OF VISITORS

Senator Lucas asked and received unanimous consent to present to the Senate thirty-four members of the junior and senior government classes of the Gilbert High School who were present in the balcony accompanied by their instructor, Mrs. H. C. Nichol.

Senator Lucas also asked and received unanimous consent to present to the Senate thirty-four students of the Milford Township Consolidated School of Story County who were present in the balcony accompanied by four of the instructors, Messrs. Hanswirth, Brott, Beasmore and Sandell.

Senator Whitehead asked and received unanimous consent to present to the Senate thirty-six members of the classes in government, civics and law of the Dexter High School who were present in the balcony accompanied by their principal, D. W. See, and their instructor, Miss King.

Senator Colburn asked and received unanimous consent to present to the Senate two members of the junior class and two members of the senior class of the Atlantic High School who were present in the Senate chamber accompanied by Tom Caffney and Lester Kluever.

## INTRODUCTION OF BILLS

Senate File 421, by committee on judiciary 1, a bill for an act to amend section two hundred ninety-six point one (296.1), Code 1950, relating to additions to the purposes for which school corporations may become indebted.

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

Senate File 422, 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 423, by committee on claims, a bill for an act to make appropriations to certain persons in settlement of claims for refunds for motor licenses.

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

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

HOUSE CONCURRENT RESOLUTION 22

By Schwengel, Robinson, Ringgenberg,  
Nelson of Jasper, Weiss and Burrows

*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 members so appointed by the House and Senate shall meet and elect their own chairman who shall be the chairman of the Iowa delegation to the Council of State Governments and be designated as chairman of the Iowa committee for interstate cooperation.

The motion prevailed and the resolution was adopted.

UNFINISHED BUSINESS

On motion of Senator Bellman, Senate File 346, a bill for an act to amend chapter eighty-two (82) relating to mines and state mine inspectors, and to amend sections eighty-two point thirteen (82.13), eighty-two point eighty (82.80), relating to the office of local mine inspectors, sections eighty-two point eighty-one (82.81), eighty-two point ninety (82.90), eighty-two point one hundred two (82.102), eighty-two point one hundred three (82.103), eighty-two point one hundred four (82.104), eighty-two point one hundred twenty-five (82.125), Code 1950, to promote greater safety in mines and to conform with certain requirements of Public Law 552, Laws of the Eighty-second Congress, approved July 16, 1952, to repeal subsections five (5) and six (6) of section eighty-two point one hundred twenty-seven (82.127), Code 1950, which are obsolete, and to amend section eighty-three point one (83.1), Code 1950,

relating to mines other than coal mines and to provide greater safety in such mines, was taken up for further consideration.

Senator Bellman asked and received unanimous consent that House File 368 be substituted for Senate File 346.

On motion of Senator Bellman, House File 368, a bill for an act to amend chapter eighty-two (82) relating to mines and state mine inspectors, and to amend sections eighty-two point thirteen (82.13), eighty-two point eighty (82.80), relating to the office of local mine inspectors, sections eighty-two point eighty-one (82.81), eighty-two point ninety (82.90), eighty-two point one hundred two (82.102), eighty-two point one hundred three (82.103), eighty-two point one hundred four (82.104), eighty-two point one hundred twenty-five (82.125), Code 1950, to promote greater safety in mines and to conform with certain requirements of Public Law 552, Laws of the Eighty-second Congress, approved July 16, 1952, to repeal subsections five (5) and six (6) of section eighty-two point one hundred twenty-seven (82.127), Code 1950, which are obsolete, relating to mines other than coal mines and to provide greater safety in such mines, 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	Fishbaugh	Molison	Stewart of
Bateson	Grimstead	Myrland	Mahaska
Bekman	Hart	Nelson	Stuart of Lucas
Bellman	Hedin	Nesmith	Utzig
Berg	Heideman	Nolan	Van Eaton
Boothby	Johnson	Oltman	Vest
Byers	Knudson	O'Malley	Walter
Clark	Larson	Prentis	Washburn
Colburn	Linnevold	Risk	Watson of
Dailey	Lord	Sayre	O'Brien
Dewel	Lucas	Schoening	Weichman
Dykhouse	Lynes	Scott	Whitehead
Elijah	Miller		Zastrow

Nays, 1:  
Watson of  
  Pottawattamie

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 Senate resumed consideration of the bills under the special order.

## THIRD READING OF BILLS

On motion of Senator Van Eaton, Senate File 402, a bill for an act to amend chapter twenty-four (24), Code 1950, relating to local budgets and to provide for amendment of budget estimates, was taken up, and considered, and the report of the committee adopted.

Senator Van Eaton asked and received unanimous consent that House File 459 be substituted for Senate File 402.

On motion of Senator Van Eaton, House File 459, a bill for an act to amend chapter twenty-four (24), Code 1950, relating to local budgets and to provide for amendment of budget estimates, 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	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Nesmith	Utzig
Bekman	Hart	Nolan	Van Eaton
Bellman	Heidin	Oltman	Vest
Berg	Heideman	O'Malley	Walter
Boothby	Johnson	Prentis	Washburn
Byers	Knudson	Risk	Watson of
Clark	Larson	Sayre	O'Brien
Colburn	Linnevold	Schoening	Watson of
Dailey	Lord	Scott	Pottawattamie
Dewel	Lucas	Stewart of	Whitehead
Dykhouse	Lynes	Mahaska	Zastrow
Elijah	Miller		

Nays, 1:

Weichman

Absent or not voting, 2:

Myrland            Nelson

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 403, a bill for an act to amend section three hundred ninety-four point one (394.1), Code 1950, relating to self-liquidating improvements of cities and towns and sanitary sewer districts, was taken up, and considered.

Senator Van Eaton asked and received unanimous consent that House File 460 be substituted for Senate File 403.

On motion of Senator Van Eaton, House File 460, a bill for an act to amend section three hundred ninety-four point one (394.1), Code 1950, relating to self-liquidating improvements of cities and towns and sanitary sewer districts, was taken up, and considered.

Senator Nelson moved that the bill be read a third 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	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 404, a bill for an act to amend section three hundred ninety-six point twenty-two (396.22), Code 1950, as amended, relating to the issuance of bonds for sewers, sewer outlets and purifying plants, was taken up, and considered.

Senator Van Eaton asked and received unanimous consent that House File 461 be substituted for Senate File 404.

On motion of Senator Lucas, House File 461, a bill for an act to amend section three hundred ninety-six point twenty-two (396.22), Code 1950, as amended, relating to the issuance of bonds for sewers, sewer outlets and purifying plants, was taken up, and considered.

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

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

Ayes, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 405, a bill for an act to amend chapter one hundred fifty-six (156), Acts of the Fifty-fourth General Assembly, relating to special assessment of public improvements in municipal corporations, was taken up, and considered.

Senator Van Eaton asked and received unanimous consent that House File 462 be substituted for Senate File 405.

On motion of Senator Fishbaugh, House File 462, a bill for an act to amend chapter one hundred fifty-six (156), Acts of the Fifty-fourth General Assembly, relating to special assessment of public improvements in municipal corporations, was taken up, and considered.

Senator Watson of Pottawattamie offered the following amendment and moved its adoption:

Amend House File 462 as follows:

Strike the word "records" in line 5 of section 1 and insert in lieu thereof the words "transfer books".

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, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 407, a bill for an act relating to the use of funds received by municipal corporations from the road use tax fund and to amend section thirty-one (31) of chapter one hundred fifty-nine (159), Acts of the Fifty-fourth General Assembly, relating thereto, was taken up, and considered.

Senator Van Eaton asked and received unanimous consent that House File 464 be substituted for Senate File 407.

On motion of Senator Johnson, House File 464, a bill for an act relating to the use of funds received by municipal corporations from the road use tax fund and to amend section thirty-one (31) of chapter one hundred fifty-nine (159), Acts of the Fifty-fourth General Assembly, relating thereto, was taken up, and considered.

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

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

Ayes, 50:

Anderson	Dailey	Johnson	Myrland
Bateson	Dewel	Knudson	Nelson
Bekman	Dykhouse	Larson	Nesmith
Bellman	Elijah	Linnevold	Nolan
Berg	Fishbaugh	Lord	Oltman
Boothby	Grimstead	Lucas	O'Malley
Byers	Hart	Lynes	Prentis
Clark	Hedin	Miller	Risk
Colburn	Heideman	Molison	Sayre

Schoening	Stuart of Lucas	Walter	Watson of
Scott	Utzig	Washburn	Pottawattamie
Stewart of	Van Eaton	Watson of	Weichman
Mahaska	Vest	O'Brien	Whitehead
			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 408, a bill for an act to amend chapter three hundred ninety-one (391), Code 1950, relating to street improvements, sewers and special assessments, was taken up, and considered.

Senator Van Eaton asked and received unanimous consent that House File 465 be substituted for Senate File 408.

On motion of Senator O'Malley, House File 465, a bill for an act to amend chapter three hundred ninety-one (391), Code 1950, relating to street improvements, sewers, and special assessments, was taken up, and considered.

Senator O'Malley offered the following amendment and moved its adoption :

Amend House File 465 by striking all of section 4.

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, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Eyers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 409, a bill for an act to provide for the appointment of a mayor pro tempore in cities and towns, was taken up, and considered.

Senator Van Eaton asked and received unanimous consent that House File 466 be substituted for Senate File 409.

On motion of Senator Bekman, House File 466, a bill for an act to provide for the appointment of a mayor pro tempore in cities and towns, 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, 50:

Anderson	Grimstead	Myrland	Stuart or Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 410, a bill for an act to amend chapter one hundred sixty-three (163), Acts of the Fifty-fourth General Assembly, relating to the government of cities and towns under the commission form of government, was taken up, and considered.

Senator Van Eaton asked and received unanimous consent that House File 467 be substituted for Senate File 410.

On motion of Senator Bekman, House File 467, a bill for an act to amend chapter one hundred sixty-three (163), Acts of the Fifty-fourth General Assembly, relating to the government of cities and towns, under the commission form of government, 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, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oitman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 Utzig, Senate File 411, a bill for an act to amend section three hundred ninety point eight (390.8), Code 1950, relating to use of revenue from parking meters, was taken up, and considered.

Senator Van Eaton offered the following amendment and moved its adoption:

Amend Senate File 411 by adding a new section as follows:

Sec. 2. Section three hundred ninety point twelve (390.12) by adding after the word purpose in line twenty (20) the following: "for which the street fund may be used".

The amendment was lost.

Senator Utzig moved that the bill be read a third 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:

Bateson	Colburn	Hedin	Lucas
Bekman	Dailey	Heideman	Lynes
Bellman	Dykhouse	Johnson	Miller
Berg	Elijah	Knudson	Molison
Boothby	Fishbaugh	Larson	Myrland
Byers	Grimstead	Linnevold	Nelson
Clark	Hart	Lord	Nesmith

Oltman	Schoening	Utzig	Washburn
O'Malley	Scott	Van Eaton	Weichman
Prentiss	Stewart of	Vest	Whitehead
Risk	Mahaska	Walter	Zastrow
Sayre	Stuart of Lucas		

Nays, 3:

Dewel	Nolan	Watson of Pottawattamie
-------	-------	----------------------------

Absent or not voting, 2:

Anderson	Watson of O'Brien
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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 passed the following bill in which the concurrence of the House was asked:

Senate File 79, a bill for an act relating to liability and property damage insurance.

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 exemptions of earnings of head of a family.

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 the inspection of weights and measures.

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 method of computing school tuition rates.

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 sale of livestock.

Also: That, at the request of Representative Hendrix of Muscatine County, the Speaker appointed Representative Hoover of Ringgold County to replace him on the committee provided in House Concurrent Resolution 23, extending an invitation to former President Hoover to visit Iowa upon the occasion of his birthday.

Also: That the House has concurred in Senate amendments No. 1 and No. 2 and refused to concur in Senate amendment No. 3 to House amendments to Senate File 18, a bill for an act relating to an open season and license for game birds and animals including deer.

Also: That the House has concurred in Senate amendments to and passed House File 442, a bill for an act relating to the authorization and issuance of bonds or other evidences of indebtedness by cities and towns.

Also: That the House has concurred in Senate amendments to and passed House File 452, a bill for an act relating to taxation and other sources of municipal revenue.

A. C. GUSTAFSON, *Chief Clerk.*

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

The Senate arose from executive session and resumed regular session.

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

### AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

### THIRD READING OF BILLS

On motion of Senator Van Eaton, Senate File 406, a bill for an act to amend chapter one hundred sixty-four (164), Acts of the Fifty-fourth General Assembly, relating to the council-manager form of municipal government by popular election, was taken up, and considered.

Senator Van Eaton asked and received unanimous consent that House File 463 be substituted for Senate File 406.

On motion of Senator Van Eaton, House File 463, a bill for an act to amend chapter one hundred sixty-four (164), Acts of the Fifty-fourth General Assembly, relating to the council-manager form of municipal government by popular election, was taken up, and considered.

Senator Zastrow asked and received unanimous consent to withdraw the amendment to House File 463 filed by Senators Zastrow and Lucas and found on page 792 of the Senate Journal.

Senator Prentis offered the following amendment and moved its adoption:

Amend House File 463 by striking therefrom all of section 4.

The amendment was adopted.

Senator Zastrow offered the following amendment by Senators Zastrow and Lucas and moved its adoption:

Amend House File 463 by adding new sections as follows:

1. Sec. 4. Section one (1), chapter one hundred forty-six (146), Acts of the Fifty-fourth General Assembly, be and is hereby amended by striking from line two (2) thereof the words "city manager by ordinance".

2. Sec. 5. Section one (1), chapter one hundred forty-five (145), Acts of the Fifty-fourth General Assembly, be and is hereby amended by striking from line five (5) thereof the words "council manager form by ordinance".

3. Amend the title of House File 463 by striking the word "chapter" in line 1 thereof and inserting in lieu thereof the following: "Chapters one hundred forty-five (145), one hundred forty-six (146) and". Further amend the title by striking the period (.) at the end thereof and inserting in lieu thereof the following: ", and relating to general powers of cities and towns governments, and to mayor-council form of city government."

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.

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

Ayes, 47:

Anderson	Fishbaugh	Nelson	Stuart of Lucas
Bateson	Hedin	Nesmith	Utzig
Bekman	Heideman	Nolan	Van Eaton
Bellman	Johnson	Oltman	Vest
Berg	Knudson	O'Malley	Walter
Boothby	Larson	Prentis	Washburn
Byers	Linnevold	Risk	Watson of
Clark	Lord	Sayre	O'Brien
Colburn	Lucas	Schoening	Watson of
Dailey	Lynes	Scott	Pottawattamie
Dewel	Miller	Stewart of	Whitehead
Dykhouse	Molison	Mahaska	Zastrow
Elijah	Myrland		

Nays, none.

Absent or not voting, 3:

Grimstead	Hart	Weichman
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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 Van Eaton asked and received unanimous consent that action on Senate File 397 be deferred and that the bill be placed on the calendar under unfinished business.

Senator Van Eaton, on behalf of the committee on cities and towns, expressed his appreciation for the excellent cooperation of the members of the Senate in the passage of the bills pertaining to the municipalities of the state.

## HOUSE AMENDMENTS CONSIDERED

Senator Dykhouse called up for further consideration Senate File 18, a bill for an act to amend sections one hundred nine (109) and one hundred ten point one (110.1), Code of 1950, relating to an open season and license for game birds and animals by including deer, and moved that the Senate insist on its amendment No. 3 to the House amendment to Senate File 18, which motion prevailed.

## THIRD READING OF BILLS

On motion of Senator Anderson, Senate File 10, a bill for an act to legalize the proceedings of the Board of Supervisors of Washington County in paying for the remodeling of the courtroom in the courthouse from the general county fund, with report of committee without recommendation, 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	Fishbaugh	Myrland	Stuart of Lucas
Bateson	Grimstead	Nelson	Utzig
Bekman	Hart	Nesmith	Van Eaton
Bellman	Hedin	Nolan	Vest
Berg	Heideman	O'Malley	Walter
Boothby	Knudson	Prentis	Washburn
Byers	Larson	Risk	Watson of
Clark	Linnevold	Sayre	O'Brien
Colburn	Lord	Schoening	Watson of
Dailey	Lucas	Scott	Pottawattamie
Dewel	Lynes	Stewart of	Whitehead
Dykhouse	Miller	Mahaska	Zastrow
Johnson	Molison		

Nays, none.

Absent or not voting, 3:

Elijah	Oltman	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.

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.

On motion of Senator Bateson, Senate File 412, a bill for an act to authorize the transfer of certain moneys from the Audubon County emergency fund to funds of the Audubon County Memorial Hospital, was taken up, and considered.

Senator Bateson asked and received unanimous consent that House File 431 be substituted for Senate File 412.

On motion of Senator Bateson, House File 431, a bill for an act to authorize the transfer of certain moneys from the Audubon County emergency fund to funds of the Audubon County Memorial Hospital, 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, 44:

Anderson	Elijah	Nelson	Utzig
Bateson	Fishbaugh	Nesmith	Van Eaton
Bekman	Grimstead	Nolan	Vest
Bellman	Hart	O'Malley	Walter
Berg	Hedin	Prentis	Washburn
Boothby	Heideman	Risk	Watson of
Byers	Knudson	Sayre	O'Brien
Clark	Linnevold	Schoening	Watson of
Colburn	Lord	Scott	Pottawattamie
Dailey	Lucas	Stewart of	Whitehead
Dewel	Miller	Mahaska	Zastrow
Dykhouse	Molison	Stuart of Lucas	

Nays, none.

Absent or not voting, 6:

Johnson	Lynes	Oltman	Weichman
Larson	Myrland		

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

On motion of Senator Schoening, Senate File 254, a bill for an act to amend section ten (10) of chapter one hundred fifty-nine (159), Acts of the Fifty-fourth General Assembly, relating to power of municipal corporations to allocate funds from the municipal enterprise fund for the purchase and construction of branch libraries, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Schoening asked and received unanimous consent that House File 307 be substituted for Senate File 254.

On motion of Senator Schoening, House File 307, a bill for an act to amend section ten (10) of chapter one hundred fifty-nine (159), Acts of the Fifty-fourth General Assembly, relating to power of municipal corporations to allocate funds from the municipal enterprise fund for the purchase and construction of branch libraries, was taken up, and considered.

Senator Schoening moved that the bill be read a third 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	Fishbaugh	Nelson	Stuart of Lucas
Bateson	Grimstead	Nesmith	Utzig
Bekman	Hart	Nolan	Van Eaton
Bellman	Hedin	Oltman	Vest
Berg	Heideman	O'Malley	Walter
Boothby	Larson	Prentis	Washburn
Byers	Linnevold	Risk	Watson of
Clark	Lord	Sayre	O'Brien
Colburn	Lucas	Schoening	Watson of
Dailey	Lynes	Scott	Pottawattamie
Dewel	Miller	Stewart of	Whitehead
Dykhouse	Molison	Mahaska	Zastrow
Elijah	Myrland		

Nays, none.

Absent or not voting, 3:

Johnson	Knudson	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 Bateson, Senate File 292, a bill for an act authorizing the executive council to sell certain property belonging to the State of Iowa situated in the city of Des Moines, Iowa, 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, 48:

Anderson	Fishbaugh	Myrland	Stuart of Lucas
Bateson	Grimstead	Nelson	Utzig
Bekman	Hart	Nesmith	Van Eaton
Bellman	Hedin	Nolan	Vest
Berg	Heideman	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Whitehead
Dykhouse	Miller	Stewart of	Zastrow
Elijah	Molison	Mahaska	

Nays, none.

Absent or not voting, 2:

Johnson	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.

## MESSAGES FROM 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 471, a bill for an act relating to termination of World War II Service Compensation Board.

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

House File 479, a bill for an act relating to municipal waterworks at Osage, Iowa.

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 the appropriation of funds for the operation of institutions under board of control.

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

House File 486, a bill for an act relating to transfer of funds to the board of control capital improvement fund.

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

House File 487, a bill for an act relating to appropriation of funds for certain capital improvements for institutions under board of control.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE MESSAGES CONSIDERED

House File 123, a bill for an act to amend section six hundred twenty-seven point ten (627.10), Code 1950, relating to exemptions of earnings of head of a family and providing for a ten per cent (10%) garnishment for debts.

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

House File 137, a bill for an act to amend section two hundred fifteen point two (215.2), section two hundred fifteen point three (215.3), section two hundred fifteen point four (215.4), and chapter two hundred-fifteen (215), Code 1950, relating to the inspection of weights and measures.

Read first and second times, and passed on file.

House File 458, a bill for an act to amend sections two hundred seventy-nine point eighteen (279.18), two hundred eighty-two point twenty (282.20) and two hundred eighty-two point twenty-four

(282.24), Code 1950, relating to the method of computing school tuition fees.

Read first and second times, and passed on file.

House File 471, a bill for an act terminating the World War II service compensation board and to transfer all meetings, records and business pertaining to the said board to the office of the state auditor beginning July 5, 1953, and to amend certain sections of the Code 1950 relating thereto.

Read first and second times, and passed on file.

House File 474, a bill for an act to amend section two hundred eleven point one (211.1), Code 1950, relating to sale of livestock and records regarding sale.

Read first and second times, and passed on file.

House File 479, a bill for an act to legalize and validate the proceedings taken by the city council of the city of Osage, Iowa, authorizing and providing for the construction of extensions and improvements to the municipal waterworks and the issuance and delivery of fifty-seven thousand dollars (\$57,000) waterworks revenue bonds.

Read first and second times, and passed on file.

House File 485, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1953, and ending June 30, 1955, to the board of control for salaries, support, maintenance, repairs, replacements, alterations or equipment of institutions under said board of control.

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

House File 486, a bill for an act transferring all unallocated balances of the appropriation made by chapter three (3), Acts of the Fifty-first General Assembly, to the state board of control, including all subsequent transfers made thereto, to the board of control capital improvement fund created by chapter three (3), Acts of the Fifty-third General Assembly.

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

House File 487, a bill for an act to appropriate funds for certain

capital improvements for institutions under the board of control, including construction of new buildings, repairs, improvements, replacements or alterations, and providing for the joint control of the expenditure thereof by the board of control and the budget and financial control committee.

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

#### SENATE RESOLUTION 4

##### By Committee on Printing

*Whereas*, the Senate printing committee has had under consideration and study the cost of state printing, and

*Whereas*, the report of the budget and financial control committee, which is set out on page G-374 in the Iowa state budget book of 1953 to 1955, reported costs of state printing appear to have more than doubled in the past eight years, and

*Whereas*, a study should be made of the state printing costs, with the idea of working out some economies;

*Now, Therefore, Be It Resolved by the Senate:* That the budget and financial control committee make a further study of state printing costs, and report its findings to the Fifty-sixth General Assembly.

#### CONFERENCE COMMITTEE APPOINTED

President Elthon announced the appointment of the following conference committee on the part of the Senate on Senate File 18: Senators Dykhouse, Nelson, Nolan and Watson of Pottawattamie.

#### ASSIGNMENT OF BILLS

President Elthon announced the assignment of the following bills to committee:

- H. F. 137 Agriculture
- H. F. 471 Military affairs
- H. F. 474 Agriculture
- H. F. 479 Judiciary 1

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Stuart of Lucas, 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 155, 195, 197 and 230.

W. C. STUART, *Chairman Senate Committee.*

JOHN A. WALKER, *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 155, 195, 197 and 230.

#### BILLS SENT TO THE GOVERNOR

Senator Stuart of Lucas, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 1st day of April, 1953, sent to the Governor for his approval: Senate Files 155, 195, 197 and 230.

W. C. STUART, *Chairman.*

Passed on file.

#### REPORTS OF COMMITTEES

Senator Knudson submitted the following report:

MR. PRESIDENT: Your committee on board of control, to which was referred **House File 328**, a bill for an act to amend sections two hundred eighteen point fifty-nine (218.59), two hundred eighteen point sixty (218.60) and two hundred eighteen point sixty-three (218.63), Code 1950, relating to the construction, repair and alteration of improvements by the board of control of properties under its direction, 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.

Senator Lord submitted the following report:

MR. PRESIDENT: Your committee on social security, to which was referred **Senate File 116**, a bill for an act to amend section two hundred forty-one point one (241.1) and section two hundred forty-one point two (241.2), Code 1950, relating to eligibility for assistance to the needy blind, begs leave to report it has had the same under consideration and recommends the same **be indefinitely postponed**.

HERMAN B. LORD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on social security, to which was referred **Senate File 341**, a bill for an act to amend section two hundred

ninety-four point eight (294.8), Code 1950, to permit any independent school district which has established a pension and annuity retirement system under said section and which terminates said system after January 1, 1953, to establish a pension and annuity retirement system for the public school teachers of such district without ratification by a vote of the people, 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.

#### AMENDMENT FILED

- 1 Amend Senate File 331 by striking in section 1, lines
- 2 5 to 12, inclusive, and inserting in lieu thereof the
- 3 following: "After the final acceptance of the work by
- 4 the board of trustees, the engineer shall complete the
- 5 final assessment, which shall be made on all property
- 6 within the lateral district, whether abutting or not,
- 7 for an amount approximately ten per cent (10%) greater
- 8 than the total cost of the project."

GEORGE E. O'MALLEY.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 2, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend Gerben Van Putten, pastor of the Presbyterian Church, Grundy Center, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Prentis for the day on request of Senator Fishbaugh; Senator Risk for the day on request of Senator Fishbaugh.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Bateson from forty-three residents of Cerro Gordo and Sioux Counties in opposition to proposed legislation relating to employment of minors.

By Senator Heideman from one hundred eleven residents of Webster County in favor of proposed legislation relating to workmen's compensation.

By Senator Linnevold from one hundred ninety-one residents of Allamakee, Howard and Winneshiek Counties favoring proposed legislation relating to Iowa fish and game laws.

By Senator Lord from two hundred thirty residents of Henry County in opposition to proposed legislation relating to fraternal beneficial associations.

By the following Senators favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance:

By Senator Bateson from sixty-four residents of Hamilton County.

By Senator Johnson from eighteen residents of Clayton County.

By Senator Lord from six hundred sixty-nine residents of Adair, Adams, Clarke, Decatur, Montgomery, Page, Ringgold, Taylor and Union Counties.

By Senator Miller from thirty-seven residents of Marion County.

By Senator Van Eaton from three hundred twenty-three residents of Woodbury County.

By Senator Weichman from forty-three residents of Tama County.

#### RESOLUTION

The following resolution was received and presented by Lieutenant Governor Elthon:

*Whereas*, the city of Des Moines has almost doubled in population in the past 30 years, and

*Whereas*, with this population increase the downtown business section, both east and west side, has expanded in all directions, creating a terrific problem requiring many traffic and street changes, and

*Whereas*, the city of Des Moines has already spent many thousands of dollars to expedite these changes and will, out of necessity, be called upon to continue this program, and

*Whereas*, we will need the cooperation of the State of Iowa to complete the one-way traffic plan on East Walnut Street,

*So Therefore, Be It Resolved*, That we, the city council, ask the cooperation of both the members of the House and Senate in vacating that portion of East Walnut Street which blocks through traffic from the State Office Building and the State House to downtown Des Moines, a bill for which has already been filed, Senate File 222, which we feel is fair to all parties concerned.

ALLAN W. DENNY, *Mayor*.

A. B. CHAMBERS, *Council Member*.

RUBY HOLTON, *Council Member*.

RAY MILLS, *Council Member, (Absent)*

#### PRESENTATION OF VISITORS

Senator Dailey asked and received unanimous consent to present to the Senate three Des Moines County boys, Utt and Dale Ferguson, students of the Burlington High School, and James Dailey, a student of the Burlington Catholic High School, representatives of the Des Moines County safety program attending the Iowa Safety Congress, who were present in the Senate chamber.

Senator Stewart of Mahaska asked and received unanimous consent to present to the Senate eleven students of the Buckeye Rural School who were present in the balcony accompanied by their instructor, Beulah Hays.

Senator Nesmith asked and received unanimous consent to present to the Senate thirty-six students of the Prairie City Public School who were present in the balcony accompanied by Mr. Andrews.

Senator Utzig asked and received unanimous consent to present to the Senate the Honorable Hugh Callahan, mayor pro tempore of the city of Dubuque, and Clarence Weler, chief of police, who were present in the Senate chamber.

#### INTRODUCTION OF BILLS

Senate File 424, by committee on ways and means, a bill for an act relating to the amount of millage credit to be allowed for homestead tax credit and to amend section four hundred twenty-five point one (425.1), Code 1950.

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

Senate File 425, by committee on ways and means, a bill for an act to amend section four hundred twenty-three point four (423.4), Code 1950, by striking out subsection two (2) thereof and enacting a substitute therefor, relating to the exemption of use tax on transactions which the state may not tax under federal law, or under the provisions of the state Constitution of Iowa.

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

#### UNFINISHED BUSINESS

On motion of Senator Miller, House File 44, a bill for an act relating to the payment of sales and use tax by tax certifying and tax levying bodies and to amend and repeal certain sections of chapters four hundred twenty-two (422) and four hundred twenty-three (423), Code 1950, relating thereto and enact substitutes therefor, was taken up for further consideration.

Senator Elijah called up his point of order raised on the amendment filed by Senator Bateson to House File 44, and found on page 769 of the Senate Journal.

The Chair ruled that according to the provisions of Roberts Rules of Order revised, under which the Senate operates, the amendment was improper and therefore out of order.

Senator Bateson asked unanimous consent that action on House File 44 be temporarily deferred. Objection was raised.

Senator Bateson moved that action on House File 44 be temporarily deferred.

Roll call was requested.

On the question "Shall action on House File 44 be deferred?" the vote was:

## Ayes, 26:

Bateson	Fishbaugh	Lynes	Van Eaton
Berg	Hart	Myrland	Vest
Byers	Johnson	Nesmith	Walter
Clark	Knudson	Nolan	Watson of
Colburn	Larson	Schoening	O'Brien
Dewel	Lord	Scott	Zastrow
Dykhouse	Lucas	Stuart of Lucas	

## Nays, 21:

Anderson	Hedin	Oltman	Washburn
Bellman	Heideman	O'Malley	Watson of
Boothby	Linnevold	Sayre	Pottawattamie
Dailey	Miller	Stewart of	Weichman
Elijah	Molison	Mahaska	Whitehead
Grimstead	Nelson	Utzig	

## Absent or not voting, 3:

Bekman	Prentiss	Risk
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The motion prevailed and action on House File 44 was deferred.

## THIRD READING OF BILLS

On motion of Senator Watson of O'Brien, Senate File 296, a bill for an act to legalize and validate the proceedings for the organization and establishment of the Iowa great lakes sanitary district, in Dickinson County, Iowa, and declaring said district a duly and legally organized body politic as provided by law, and to legalize and validate all proceedings of the board of trustees of said district had, done, and performed prior to the enactment hereof, including proceedings for the levy of taxes for the operation of the district facilities and for the issuance of bonds and levy of taxes for payment thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Watson of O'Brien asked and received unanimous consent that House File 348 be substituted for Senate File 296.

On motion of Senator Watson of O'Brien, House File 348, a bill for an act to legalize and validate the proceedings for the organization and establishment of the Iowa Great Lakes Sanitary District, in Dickinson County, Iowa, and declaring said district a duly and legally organized body politic as provided by law, and to legalize and validate all proceedings of the board of trustees of said district for the levy of taxes for the operation of the district facilities and for the issuance of bonds and levy of taxes for payment thereof, was taken up, and considered.

Senator Zastrow offered the following amendment and moved its adoption:

Amend House File 348 by adding a new section after section 1 and re-numbering the following section:

"Sec. 2. Nothing in this act shall affect any pending litigation."

Division was called for.

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.

Rule 8 was invoked.

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

Ayes, 29:

Anderson	Hart	Nesmith	Walter
Berg	Hedin	Nolan	Washburn
Boothby	Knudson	Oltman	Watson of
Clark	Larson	O'Malley	O'Brien
Colburn	Lord	Scott	Watson of
Dewel	Lynes	Stuart of Lucas	Pottawattamie
Dykhouse	Myrland	Utzig	Whitehead
Grimstead	Nelson	Van Eaton	

Nays, 18:

Bateson	Fishbaugh	Miller	Stewart of
Bellman	Heideman	Molison	Mahaska
Byers	Johnson	Sayre	Vest
Dailey	Linnevold	Schoening	Weichman
Elijah	Lucas		Zastrow

Absent or not voting, 3:

Bekman	Prentis	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 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

In explanation of my negative vote on House File 348, I point out that in my opinion, in view of the known fact that litigation is now pending with reference to the subject matter of the bill, its provisions are a clear invasion of the authority of the judiciary, and violate the spirit of the principle of separation of powers which is the foundation of our form of government.

ALAN VEST.

On motion of Senator Myrland, Senate File 245, a bill for an act to amend section three hundred twenty-one point three hundred ten (321.310), Code 1950, relating to four-wheel trailers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Colburn asked and received unanimous consent to withdraw the amendment to Senate File 245 filed by him and found on page 714 of the Senate Journal.

Senator Colburn offered the following amendment and moved its adoption:

Amend Senate File 245 as follows:

1. Section 1, line 3, by striking the word and figure "nine (9)" and inserting in lieu thereof the word and figure "eight (8)".
2. Section 1, lines 11 and 12, by adding after the word "length" the following: ", height".

The amendment was adopted.

Senator Myrland moved that the bill be read a third 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	Grimstead	Myrland	Utzig
Bateson	Hart	Nelson	Van Eaton
Bekman	Hedin	Nesmith	Vest
Bellman	Heideman	Nolan	Walter
Berg	Johnson	Oltman	Washburn
Boothby	Knudson	O'Malley	Watson of
Byers	Larson	Sayre	O'Brien
Clark	Linnevold	Schoening	Watson of
Colburn	Lord	Scott	Pottawattamie
Dailey	Lucas	Stewart of	Weichman
Dewel	Lynes	Mahaska	Whitehead
Dykhouse	Miller	Stuart of Lucas	Zastrow
Elijah	Molison		

Nays, none.

Absent or not voting, 3:

Fishbaugh	Prentis	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.

On motion of Senator Hart, Senate File 413, a bill for an act respecting the term and the time of election to office of judge of the superior court and to repeal section six hundred three point four (603.4), Code 1950, and enacting a substitute therefor, 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, 48:**

Anderson	Fishbaugh	Molison	Utzig
Bateson	Grimstead	Myrland	Van Eaton
Bekman	Hart	Nelson	Vest
Bellman	Hedin	Nesmith	Walter
Berg	Heideman	Nolan	Washburn
Boothby	Johnson	Oltman	Watson of
Byers	Knudson	O'Malley	O'Brien
Clark	Larson	Sayre	Watson of
Colburn	Linnevold	Schoening	Pottawattamie
Dailey	Lord	Scott	Weichman
Dewel	Lucas	Stewart of	Whitehead
Dykhouse	Lynes	Mahaska	Zastrow
Elijah	Miller	Stuart of Lucas	

Nays, none.

Absent or not voting, 2:

Prentis 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 321, a bill for an act to amend chapter four hundred ninety (490), Code 1950, relating to pipe lines, 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, 47:**

Anderson	Grimstead	Myrland	Utzig
Bekman	Hart	Nelson	Van Eaton
Bellman	Hedin	Nesmith	Vest
Berg	Heideman	Nolan	Walter
Boothby	Johnson	Oltman	Washburn
Byers	Knudson	O'Malley	Watson of
Clark	Larson	Sayre	O'Brien
Colburn	Linnevold	Schoening	Watson of
Dailey	Lord	Scott	Pottawattamie
Dewel	Lucas	Stewart of	Weichman
Dykhouse	Lynes	Mahaska	Whitehead
Elijah	Miller	Stuart of Lucas	Zastrow
Fishbaugh	Molison		

Nays, none.

Absent or not voting, 3:  
 Bateson                      Prentiss                      Risk

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 125, a bill for an act providing for issuance of garage bonds by city of Storm Lake, Iowa.

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 authorization of governing bodies of drainage or levee districts to invest funds.

Also: That the Speaker has appointed as members of the legislative advisory committee on the part of the House, as provided in Senate File 371, a bill for an act providing for the erection and equipping of a warehouse on state grounds, Representatives Putney of Tama, Cornick of Henry and Watson of Warren.

Also: That the Speaker of the House has appointed as the conference committee on the part of the House on Senate File 18, a bill for an act relating to the open season and license for game birds and animals: Representatives Klemesrud of Winnebago, Voigtmann of Iowa, Nicholson of Taylor and Huisman of Osceola.

A. C. GUSTAFSON, *Chief Clerk.*

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

#### AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

#### THIRD READING OF BILLS

On motion of Senator O'Malley, Senate File 240, a bill for an act to amend section five hundred fifteen point eighty-one (515.81), Code 1950, relating to the cancellation of insurance policies, 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

action on Senate File 240 be deferred and that the bill be placed on the calendar under unfinished business.

On motion of Senator Lucas, Senate File 377, a bill for an act providing for the establishment of a centralized printing department under the control of the state printing board bestowing upon the state printing board powers and duties to effectuate such establishment and to repeal section fifteen point thirty-three (15.33), Code 1950, was taken up, and considered.

Senator Lucas asked and received unanimous consent that action on Senate File 377 be deferred and that the bill be placed on the calendar under unfinished business.

On motion of Senator Hart, House File 265, 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 general obligation waterworks bonds of the town of Eddyville, Iowa; and the provisions made for taxes for the payment of said bonds; and the proceedings authorizing and providing for the issuance, sale and delivery of waterworks revenue bonds of said town; and the provision made pledging the future net revenues of the municipal waterworks to their payment; and declaring said proceedings and said bonds issued and sold pursuant to said election and proceedings to pay the cost of establishing and constructing a municipal waterworks system for said town to be valid obligations of said town according to their tenor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 47:

Anderson	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Utzig
Bekman	Hart	Nelson	Van Eaton
Bellman	Hedin	Nesmith	Walter
Berg	Heideman	Nolan	Washburn
Boothby	Johnson	Oltman	Watson of
Byers	Knudson	O'Malley	O'Brien
Clark	Larson	Sayre	Watson of
Colburn	Linnevoold	Schoening	Pottawattamie
Dailey	Lord	Scott	Weichman
Dewel	Lucas	Stewart of	Whitehead
Dykhouse	Lynes	Mahaska	Zastrow
Elijah	Miller		

Nays, none.

Absent or not voting, 3:

Prentis                      Risk                      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 Hedin, House File 374, a bill for an act to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of school building bonds of the school township of Davenport, in the county of Scott, State of Iowa, and the provisions made for the payment of said bonds, and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said school township, 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	Fishbaugh	Molison	Utzig
Bateson	Grimstead	Myrland	Van Eaton
Bekman	Hart	Nesmith	Vest
Bellman	Hedin	Nolan	Walter
Berg	Heideman	Oltman	Washburn
Boothby	Johnson	O'Malley	Watson of
Byers	Knudson	Sayre	O'Brien
Clark	Larson	Schoening	Watson of
Colburn	Linnevold	Scott	Pottawattamie
Dailey	Lord	Stewart of	Weichman
Dewel	Lucas	Mahaska	Whitehead
Dykhouse	Lynes	Stuart of Lucas	Zastrow
Elijah	Miller		

Nays, none.

Absent or not voting, 3:

Nelson                      Prentis                      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 O'Brien, House File 483, a bill for an act to legalize and validate the special election and the proceedings authorizing and providing for the issuance of school building bonds of the Independent school district of Paullina, in the county of O'Brien, State of Iowa, and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said

school district, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator 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	Fishbaugh	Molison	Utzig
Bateson	Grimstead	Myrland	Van Eaton
Bekman	Hart	Nelson	Vest
Bellman	Hedin	Nesmith	Walter
Berg	Heideman	Nolan	Washburn
Boothby	Johnson	Oltman	Watson of
Byers	Knudson	O'Malley	O'Brien
Clark	Larson	Sayre	Watson of
Colburn	Linnevold	Schoening	Pottawattamie
Dailey	Lord	Scott	Weichman
Dewel	Lucas	Stewart of	Whitehead
Dykhous	Lynes	Mahaska	Zastrow
Elijah	Miller	Stuart of Lucas	

Nays, none.

Absent or not voting, 2:

Prentis 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 Weichman, House File 149, 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, 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, 48:

Anderson	Fishbaugh	Molison	Utzig
Bateson	Grimstead	Myrland	Van Eaton
Bekman	Hart	Nelson	Vest
Bellman	Hedin	Nesmith	Walter
Berg	Heideman	Nolan	Washburn
Boothby	Johnson	Oltman	Watson of
Byers	Knudson	O'Malley	O'Brien
Clark	Larson	Sayre	Watson of
Colburn	Linnevold	Schoening	Pottawattamie
Dailey	Lord	Scott	Weichman
Dewel	Lucas	Stewart of	Whitehead
Dykhous	Lynes	Mahaska	Zastrow
Elijah	Miller	Stuart of Lucas	

Nays, none.

Absent or not voting, 2:

Prentis 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, House File 207, a bill for an act relating to the legalizing of plats filed prior to January 1, 1940, to provide a limitation of actions in regard thereto, and to amend section five hundred ninety-two point three (592.3), Code 1950, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 46:

Anderson	Grimstead	Molison	Utzig
Bateson	Hart	Myrland	Van Eaton
Bekman	Hedin	Nesmith	Vest
Bellman	Heideman	Nolan	Walter
Berg	Johnson	Oltman	Washburn
Boothby	Knudson	O'Malley	Watson of
Byers	Larson	Sayre	O'Brien
Clark	Linnevold	Schoening	Watson of
Colburn	Lord	Scott	Pottawattamie
Dailey	Lucas	Stewart of	Weichman
Dewel	Lynes	Mahaska	Whitehead
Dykhouse	Miller	Stuart of Lucas	Zastrow
Elijah			

Nays, 1:

Fishbaugh

Absent or not voting, 3:

Nelson Prentis 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 Berg, House File 43, a bill for an act relating to recording a certificate of dissolution of a corporation and to amend section four hundred ninety-one point twenty-three (491.23), Code 1950, 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 43 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Section four hundred ninety-one point twenty-three (491.23), Code 1950, is hereby amended by adding the following as a new sentence after the period (.) in line 10 thereof: 'Notice thereof shall also be given by the filing in the office of the secretary of state the proof of publication of notice of dissolution and said proof shall be recorded by the secretary of state in the same manner as the recording of amendments, and a recording fee of one dollar (\$1) shall apply thereto, and the secretary of state shall forward said proof of publication to the county recorder of the county wherein the corporation maintains its place of business, there to be recorded in a book kept therefor and a recording fee of one dollar (\$1) shall apply thereto.'"

The amendment was adopted.

Senator Dailey offered the following amendment and moved its adoption:

Amend the title to House File 43 by striking all after the word "Act" and substituting in lieu thereof the following: "relating to recording the proof of publication of notice of dissolution of a corporation with the secretary of state and with the county recorder and to amend section four hundred ninety-one point twenty-three (491.23), Code 1950."

The amendment was adopted.

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

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

Ayes, 46:

Anderson	Fishbaugh	Molison	Utzig
Bateson	Grimstead	Myrland	Van Eaton
Bekman	Hart	Nesmith	Vest
Bellman	Hedin	Nolan	Walter
Berg	Heideman	Oltman	Washburn
Boothby	Johnson	O'Malley	Watson of
Byers	Larson	Sayre	O'Brien
Clark	Linnevold	Schoening	Watson of
Colburn	Lord	Scott	Pottawattamie
Dailey	Lucas	Stewart of	Weichman
Dewel	Lynes	Mahaska	Whitehead
Dykhouse	Miller	Stuart of Lucas	Zastrow
Elijah			

Nays, none.

Absent or not voting, 4:

Knudson	Nelson	Prentis	Risk
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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 Weichman, Senate File 388, a bill for an act to amend section one (1) of chapter one hundred twenty-eight

(128), Acts of the Fifty-fourth General Assembly, relating to the maximum legal weights of any axles or groups or axles or on entire vehicles or combinations of vehicles, and the providing of penalties for violation thereof, was taken up, and considered.

Senator Weichman offered the following amendment and moved its adoption:

1. Amend Senate File 388, section 1, line 20, by striking the word "not".
2. Further amend Senate File 388, section 1, line 21, by inserting a period (.) after the word "section" and striking the remainder of said section.

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, 44:

Anderson	Grimstead	Myrland	Van Eaton
Bateson	Hart	Nesmith	Vest
Bekman	Hedin	Nolan	Walter
Bellman	Heideman	Oltman	Washburn
Berg	Johnson	O'Malley	Watson of
Boothby	Knudson	Sayre	O'Brien
Colburn	Larson	Schoening	Watson of
Dailey	Linnevoid	Scott	Pottawattamie
Dewel	Lord	Stewart of	Weichman
Dykhouse	Lucas	Mahaska	Whitehead
Elijah	Lynes	Stuart of Lucas	Zastrow
Fishbaugh	Molison	Utzig	

Nays, none.

Absent or not voting, 6:

Byers	Miller	Prentis	Risk
Clark	Nelson		

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 327, a bill for an act to amend chapter four hundred sixty-two (462), Code 1950, relating to drainage or levee districts under the management of 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, 46:

Anderson	Fishbaugh	Molison	Utzig
Bateson	Grimstead	Myrland	Van Eaton
Bekman	Hart	Nesmith	Vest
Bellman	Hedin	Nolan	Walter
Berg	Heideman	Oltman	Washburn
Boothby	Johnson	O'Malley	Watson of
Byers	Knudson	Sayre	O'Brien
Clark	Larson	Schoening	Watson of
Colburn	Linnevold	Scott	Pottawattamie
Dailey	Lord	Stewart of	Weichman
Dewel	Lucas	Mahaska	Whitehead
Dykhouse	Lynes	Stuart of Lucas	Zastrow
Elijah			

Nays, none.

Absent or not voting, 4:

Miller	Nelson	Prentis	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.

On motion of Senator Hart, Senate File 237, a bill for an act relating to the making of payments of insurance benefits of hospitalization insurance policies to persons insured under such policies and to hospitals furnishing service to such insured persons, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 46:

Anderson	Fishbaugh	Molison	Utzig
Bateson	Grimstead	Myrland	Van Eaton
Bekman	Hart	Nesmith	Vest
Bellman	Hedin	Nolan	Walter
Berg	Heideman	Oltman	Washburn
Boothby	Johnson	O'Malley	Watson of
Byers	Knudson	Sayre	O'Brien
Clark	Larson	Schoening	Watson of
Colburn	Linnevold	Scott	Pottawattamie
Dailey	Lord	Stewart of	Weichman
Dewel	Lucas	Mahaska	Whitehead
Dykhouse	Lynes	Stuart of Lucas	Zastrow
Elijah			

Nays, none.

Absent or not voting, 4:

Miller

Nelson

Prentis

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 Nolan, Senate File 234, 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, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Nolan offered the following amendment and moved its adoption:

Amend Senate File 234 by striking all of section three (3) thereof and inserting in lieu thereof the following:

"Sec. 3. Section one hundred forty-two point one (142.1), Code 1950, is hereby amended by striking the following in lines nineteen (19), twenty (20), and twenty-one (21), ' , but the number so distributed shall be in proportion to the number of students matriculated at each college or school', and further amended by inserting after the word 'schools' in line seventeen (17) thereof the following: 'according to their needs for teaching anatomy'."

The amendment was adopted.

Senator Nolan offered the following amendment and moved its adoption:

Amend Senate File 234 by striking from line 3 of section 4 the following: "eight (8)" and substitute in lieu thereof the following: "seven (7)".

The amendment was adopted.

Senator Fishbaugh asked and received unanimous consent that action on Senate File 234 be deferred and that the bill be placed on the calendar under unfinished business.

On motion of Senator Walter, Senate File 284, a bill for an act to amend chapter ninety-six (96), Code 1950, relating to the payment of unemployment compensation; to preserve the benefit rights of an individual entering the armed forces of the United States; to provide that such an individual shall not be disqualified for voluntarily leaving his employment to enter such armed forces; to provide that the time spent by such individual in such armed forces shall be excluded from the individual's base period; to provide that the benefit year of any such individual shall be extended by the

time spent in such armed forces, 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 File 337 be substituted for Senate File 284.

On motion of Senator Berg, House File 337, a bill for an act to amend chapter ninety-six (96), Code 1950, relating to the payment of unemployment compensation; to preserve the benefit rights of an individual entering the armed forces of the United States; to provide that such an individual shall not be disqualified for voluntary leaving his employment to enter such armed forces; to provide that the time spent by such individual in such armed forces shall be excluded from the individual's base period; to provide that the benefit year of any such individual shall be extended by the time spent in such armed forces, was taken up, and considered.

#### SENATE RESOLUTION 5

By O'Malley

*Whereas*, the security of thousands of farmers, especially livestock farmers, is threatened by continued high, rigid operating costs and falling farm prices, and

*Whereas*, this not only endangers the very existence of farm families, the jobs and living standards of workers, the prosperity of small independent business, but our entire national and state economy, and

*Whereas*, President Eisenhower told farmers:

"I firmly believe that agriculture is entitled to a full share of the national income—a fair share is not merely 90 per cent of parity—but full parity," and

*Whereas*, the latest report on farm prices and estimates for 1953 indicate net farm income probably lower in buying power than in any year since 1942,

*Therefore, Be It Resolved by the Senate of the Fifty-fifth General Assembly*, That the Eighty-fourth session of the Congress take action immediately to assure full parity to family farmers.

*Be It Further Resolved*, That the Secretary of the Senate is hereby directed to forward copies of this resolution to the President of the United States Senate, the Speaker of the House of Representatives, and to each member of the Iowa delegation in the Congress of the United States.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Stuart of Lucas, 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 79 and House Files 27, 213, 251, 432, 443, 444, 445, 446 and 447.

W. C. STUART, *Chairman Senate Committee.*

JOHN A. WALKER, *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 79 and House Files 27, 213, 251, 432, 443, 444, 445, 446 and 447.

## BILLS SENT TO THE GOVERNOR

Senator Stuart of Lucas, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 2nd day of April, 1953, sent to the Governor for his approval Senate File 79.

W. C. STUART, *Chairman.*

Passed on file.

## BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that, on April 2, 1953, the Governor had approved the following bills:

Senate File 155, an act to repeal chapter twenty-nine (29), Code 1950 (Military Code of Iowa), and to enact a substitute therefor.

Senate File 195, relating to publication in connection with tax sale.

Senate File 197, relating to the issuance, sale and delivery of revenue bonds by the city of Cedar Falls, Black Hawk County, Iowa.

Senate File 230, relating to merger, consolidation, and conversion of national and state banks and trust companies.

## AMENDMENTS FILED

- 1 Amend Senate File 234 as follows:
- 2 1. Strike all of section 2 thereof.
- 3 2. Strike from section 4, lines 2 and 3, the following:
- 4 "striking the words 'or friend' from line eight (8) of said
- 5 section and by".
- 6 3. Strike from section 5, lines 2 and 3, the following:

7 "striking the words 'or friend' from line four (4) and from  
8 line five (5) of said section, and by".

EARL C. FISHBAUGH, JR.

1 Amend House File 337 by striking all of section 4 and substituting  
2 in lieu thereof the following:

3 "Sec. 4. Whenever an employee is separated from his  
4 employment for the purpose of joining the armed forces of the  
5 United States, the employee shall notify the employer in writing  
6 of his acceptance and date of reporting for service and the employer  
7 shall, within fifteen (15) days after said notice from the employee,  
8 notify the Iowa employment security commission of such separation  
9 and date of termination of wages on a form furnished by the  
10 commission."

JOHN P. BERG.

1 Amend the title to House File 337 by striking the period  
2 following the word "forces" in the last line of the title and  
3 inserting the following: ", and to provide notices."

JOHN P. BERG.

1 Amend Senate File 377 as follows:

2 1. Insert in line four (4) of section two (2) after the  
3 word "machinery" the following: ", except departments where  
4 such machines are used for preparation of monthly financial and  
5 operating statements and form letters,".

6 2. Insert in line seven (7) of section two (2) after the  
7 word "shall" the following: ", unless excepted as above provided,".

8 3. Insert at the end of line twenty-five (25) of section  
9 three (3) before the period the following: "other than official  
10 documents and books and publications authorized by chapter 14".

CHARLES VAN EATON.

On motion of Senator Zastrow, the Senate adjourned until 9:00  
a.m., Friday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 3, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend W. H. Slack, retired pastor of the Methodist Church, Muscatine, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

On the request of Senator Berg, all Senators not present were excused for the day.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Heideman from eighty residents of Webster County favoring proposed legislation relating to unemployment compensation.

By Senator Lord from seventy-eight residents of Muscatine County in opposition to proposed legislation relating to fraternal beneficial associations.

By the following Senators favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance:

By Senator Bateson from residents of Webster County.

By Senator Lord from ten residents of Kossuth County.

By Senator Lord from twenty-one residents of Jefferson County.

By Senator Lord from twenty-four residents of Madison County.

By Senator Sayre from fourteen residents of Madison County.

By Senator Van Eaton from one hundred sixty-five residents of Woodbury County.

By Senator Zastrow from twenty-one residents of Chickasaw and Floyd Counties.

## PRESENTATION OF VISITORS

Senator Stuart of Lucas asked and received unanimous consent to present to the Senate the Honorable Karl M. LeCompte, Fourth District Congressman, who was present in the Senate chamber.

Senator O'Malley asked and received unanimous consent to present to the Senate fourteen members of Brownie Troop No. 216 who were present in the balcony accompanied by their leader, Mrs. Frank Fisher, and Mrs. Richard Hanson, their assistant leader.

## UNFINISHED BUSINESS

On motion of Senator Berg, House File 337, a bill for an act to amend chapter ninety-six (96), Code 1950, relating to the payment of unemployment compensation; to preserve the benefit rights of an individual entering the armed forces of the United States; to provide that such an individual shall not be disqualified for voluntarily leaving his employment to enter such armed forces; to provide that the time spent by such individual in such armed forces shall be excluded from the individual's base period; to provide that the benefit year of any such individual shall be extended by the time spent in such armed forces, was taken up for further consideration.

Senator Berg offered the following amendments and moved their adoption:

Amend House File 337 by striking all of section 4 and substituting in lieu thereof the following:

"Sec. 4. Whenever an employee is separated from his employment for the purpose of joining the armed forces of the United States, the employee shall notify the employer in writing of his acceptance and date of reporting for service and the employer shall, within fifteen (15) days after said notice from the employee, notify the Iowa employment security commission of such separation and date of termination of wages on a form furnished by the commission."

Amend the title to House File 337 by striking the period following the word "forces" in the last line of the title and inserting the following: ", and to provide notices."

The amendments were adopted.

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

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

Ayes, 35:

Bateson  
Bekman

Bellman  
Berg

Boothby  
Byers

Clark  
Colburn

Dailey	Larson	Prentis	Walter
Dewel	Lord	Risk	Watson of
Dykhouse	Lucas	Sayre	O'Brien
Elijah	Molison	Stewart of	Watson of
Hart	Myrland	Mahaska	Pottawattamie
Heideman	Nolan	Stuart of Lucas	Whitehead
Johnson	Oltman	Van Eaton	Zastrow
Knudson	O'Malley		

Nays, none.

Absent or not voting, 15:

Anderson	Linnevoid	Nesmith	Vest
Fishbaugh	Lynes	Schoening	Washburn
Grimstead	Miller	Scott	Weichman
Hedin	Nelson	Utzig	

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 Stuart of Lucas, Senate File 326, 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, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 37:

Bateson	Dykhouse	Molison	Stuart of Lucas
Bekman	Elijah	Myrland	Van Eaton
Bellman	Fishbaugh	Nolan	Walter
Berg	Hart	Oltman	Watson of
Boothby	Heideman	O'Malley	O'Brien
Byers	Johnson	Prentis	Watson of
Clark	Knudson	Risk	Pottawattamie
Colburn	Larson	Sayre	Weichman
Dailey	Lord	Stewart of	Whitehead
Dewel	Lucas	Mahaska	Zastrow

Nays, none.

Absent or not voting, 13:

Anderson	Lynes	Nesmith	Utzig
Grimstead	Miller	Schoening	Vest
Hedin	Nelson	Scott	Washburn
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 Prentis, Senate File 417, a bill for an act relating to repairs, rebuilding or restoration of state buildings or property and to amend sections nineteen point seven (19.7) and nineteen point eighteen (19.18), Code 1950, was taken up, and considered.

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, 37:

Bateson	Dykhouse	Molison	Stuart of Lucas
Bekman	Elijah	Myrland	Van Eaton
Bellman	Fishbaugh	Nolan	Walter
Berg	Hart	Oltman	Watson of
Boothby	Heideman	O'Malley	O'Brien
Byers	Johnson	Prentis	Watson of
Clark	Knudson	Risk	Pottawattamie
Colburn	Larson	Sayre	Weichman
Dailey	Lord	Stewart of	Whitehead
Dewel	Lucas	Mahaska	Zastrow

Nays, none.

Absent or not voting, 13:

Anderson	Lynes	Nesmith	Utzig
Grimstead	Miller	Schoening	Vest
Hedin	Nelson	Scott	Washburn
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 Molison, Senate File 355, a bill for an act relating to the method of computing elementary and high school tuition rates 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 Molison asked and received unanimous consent that House File 458 be substituted for Senate File 355.

On motion of Senator Molison, House File 458, a bill for an act to amend sections two hundred seventy-nine point eighteen (279.18), two hundred eighty-two point twenty (282.20) and two hundred eighty-two point twenty-four (282.24), Code 1950, relating to the method of computing school tuition fees, was taken up, and considered.

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, 37:

Bateson	Dykhouse	Molison	Stuart of Lucas
Bekman	Elijah	Myrland	Van Eaton
Bellman	Fishbaugh	Nolan	Walter
Berg	Hart	Oltman	Watson of
Boothby	Heideman	O'Malley	O'Brien
Byers	Johnson	Prentis	Watson of
Clark	Knudson	Risk	Pottawattamie
Colburn	Larson	Sayre	Weichman
Dailey	Lord	Stewart of	Whitehead
Dewel	Lucas	Mahaska	Zastrow

Nays, none.

Absent or not voting, 13:

Anderson	Lynes	Nesmith	Utzig
Grimstead	Miller	Schoening	Vest
Hedin	Nelson	Scott	Washburn
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 Boothby, Senate File 359, a bill for an act relating to the sale of personal property or services under pre-arranged funeral plans and requiring the proceeds thereof to be held in trust for the purposes intended under certain conditions, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Boothby asked and received unanimous consent that action on Senate File 359 be deferred and that the bill be placed on the calendar under unfinished business.

On motion of Senator Hart, House File 341, a bill for an act to legalize the corporate acts and proceedings in connection with the renewal of corporate existence and the adoption of renewed articles of incorporation of Paint Creek Farmers Telephone Company, of the town of Waterville, county of Allamakee, State of Iowa, and to provide for and legalize the renewal of the charter of said company, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hart asked and received unanimous consent that action on House File 341 be deferred and that the bill be placed on the calendar under unfinished business.

On motion of Senator Myrland, Senate File 420, a bill for an act to legalize and validate the proceedings taken by the town council

of the town of Mapleton, Iowa, authorizing and providing for extensions and improvements to its municipal electric light and power plant, the calling for and receiving bids, and the award of contract for the construction thereof, and making provision to defray the cost thereof solely and only out of the net revenues of said public utility, was taken up, and considered.

Senator Myrland asked and received unanimous consent that action on Senate File 420 be deferred and that the bill be placed on the calendar under unfinished business.

On motion of Senator Elijah, House File 273, 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 first day of February, 1953, and making provision for the disposition of such funds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 34:

Bekman	Hart	Nolan	Van Eaton
Bellman	Heideman	Oltman	Walter
Berg	Johnson	O'Malley	Watson of
Boothby	Knudson	Prentis	O'Brien
Clark	Larson	Risk	Watson of
Colburn	Lord	Sayre	Pottawattamie
Dailey	Lucas	Stewart of	Weichman
Dewel	Molison	Mahaska	Whitehead
Dykhouse	Myrland	Stuart of Lucas	Zastrow
Elijah			

Nays, none.

Absent or not voting, 16:

Anderson	Grimstead	Miller	Scott
Bateson	Hedin	Nelson	Utzig
Byers	Linnevoid	Nesmith	Vest
Fishbaugh	Lynes	Schoening	Washburn

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

On motion of Senator Weichman, House File 168, a bill for an act relating to the designation of funds created and maintained by the state fair board which shall not be construed as prohibited by the provisions of chapter eight (8), Code 1950, and to amend section

eight point thirty-two (8.32), Code 1950, 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, 34:

Bateson	Elijah	Nolan	Van Eaton
Bekman	Hart	Oltman	Walter
Bellman	Heideman	O'Malley	Watson of
Berg	Johnson	Prentis	O'Brien
Boothby	Larson	Risk	Watson of
Byers	Lord	Sayre	Pottawattamie
Clark	Lucas	Stewart of	Weichman
Colburn	Molison	Mahaska	Whitehead
Dewel	Myrland	Stuart of Lucas	Zastrow
Dykhouse			

Nays, 2:

Dailey                      Fishbaugh

Absent or not voting, 14:

Anderson	Linnevoid	Nesmith	Utzig
Grimstead	Lynes	Schoening	Vest
Hedin	Miller	Scott	Washburn
Knudson	Nelson		

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 294, a bill for an act to amend chapter forty-one (41), Code 1950, relating to senatorial districts, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Weichman moved that action on Senaté File 294 be deferred, which motion was lost.

Senator Byers offered the following amendment and moved its adoption:

Amend Senate File 294 by striking from line 2 of section 2 the word "senator" and inserting in lieu thereof the word "senators" and also by inserting after the word "forty-fifth" the following "and thirty-eighth (38th)" and by striking out the word "district" in said line 2 of section 2 and inserting in lieu thereof the word "districts". Further amend section 2 by striking out the words and figures "thirty-eighth (38th)" in line 4 and further amend by striking out the words and figures "thirty-eight (38)" in line 8 of section 2.

The amendment was adopted.

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

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

Ayes, 33:

Bateson	Dykhouse	Lucas	Stuart of Lucas
Bekman	Elijah	Myrland	Van Eaton
Bellman	Fishbaugh	Nolan	Walter
Berg	Hart	Oltman	Watson of
Boothby	Heideman	O'Malley	O'Brien
Byers	Johnson	Prentis	Watson of
Clark	Knudson	Sayre	Pottawattamie
Colburn	Larson	Stewart of	Zastrow
Dailey	Lord	Mahaska	
Dewel			

Nays, 1:

Weichman

Absent or not voting, 16:

Anderson	Lynes	Nesmith	Utzig
Grimstead	Miller	Risk	Vest
Hedin	Molison	Schoening	Washburn
Linnevold	Nelson	Scott	Whitehead

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

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

On motion of Senator Van Eaton, Senate File 252, a bill for an act to permit the liquidation of the pension and annuity retirement system of public school teachers as such pension system has been established in accordance with the provisions of section two hundred ninety-four point eight (294.8), Code 1950, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Van Eaton asked and received unanimous consent that action on Senate File 252 be deferred and that the bill be placed on the calendar under unfinished business.

#### ANNOUNCEMENT

Senator Zastrow announced the receipt of the following document by Lieutenant Governor Elthon and asked and received unanimous consent that it be printed in the Senate Journal:

STATE OF SOUTH DAKOTA  
PIERRE  
THIRTY-THIRD LEGISLATIVE SESSION  
January 6, 1953, through March 6, 1953

SENATE JOINT RESOLUTION No. 4

A joint resolution applying for a convention to propose an amendment to the Constitution of the United States to provide an additional independent mode of proposing amendments to the constitution by the sovereign states their inherent power to amend the constitution.

*Be It Resolved by the Senate of the State of South Dakota, the House of Representatives Jointly Concurring:*

That the legislature of the State of South Dakota hereby respectfully makes application to the Congress of the United States to call a convention for proposing an amendment to Article V of the Constitution of the United States so that Article V of the Constitution of the United States shall read as follows:

ARTICLE V—AMENDMENTS

“The Congress, whenever two thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two thirds of the several states, shall call a convention for proposing amendments, or, whenever two thirds of each house of the legislature of any state shall deem it necessary, amendments to this Constitution may be proposed to the several states by any state, which, by whatever mode proposed, when ratified by the legislatures of three fourths of the several states, shall be valid, to all intents and purposes, as part of this Constitution; Provided, that no state, without its consent, shall be deprived of its equal suffrage in the Senate.”

or such other form of amendment to Article V as such convention may deem appropriate to provide a clear, simple mode of proposing amendments by the several states, as an additional independent mode of proposing amendments, and to safeguard the inherent power of the sovereign states to amend the Constitution:

That the Congress hereby is requested to call said convention to convene at Constitution Hall, Independence Square, in the City of Philadelphia, in the Sovereign State of Pennsylvania, in honor of the nation's founders and for invocation, and from there to adjourn to more convenient accommodations within said city for the holding of said convention as the convention may determine, at the hour of 10:00 o'clock, a.m., on the first Monday of the first December following transmission to the Senate and the House of Representatives of the Congress of applications therefor by the legislatures of two thirds of the several states;

That the several states shall have equal suffrage at said convention and be entitled to one seated delegate and such alternate delegates thereat as the legislatures of the several states shall choose, and in the event any of

the several states fail to choose a delegate or alternate then the highest officer of its legislature or the President of its Senate, if none be higher, shall be the delegate, and the next highest officer of its legislature or the Speaker of its House of Representatives, if none be higher, shall be the alternate of such state at said convention, who shall be certified to said convention by the Secretary of the State of the respective several states;

That said convention shall be limited and restricted specifically to the proposal of such amendment, the choosing of officers and staff and adoption of rules of procedure for the conduct of said convention, the determination of any issues respecting the seating of delegates thereat, and adjournment from day to day and place to place within said city as may be convenient and sine die, and said convention shall not be held for any other purpose nor have any other power;

That a printed record shall be made of the proceedings at said convention and that copies thereof, certified by the chief clerk of said convention, shall be transmitted to the Senate and the House of Representatives of the Congress, the Department of State of the United States, and to the Secretary of State of each of the several states;

*Be It Further Resolved*, That the Congress hereby is requested to provide as the mode of ratification that said amendment shall be valid to all intents and purposes as part of the Constitution of the United States when ratified by the legislatures of three fourths of the several states;

*Be It Further Resolved*, That the Secretary of State hereby is directed to transmit copies of this Resolution to the Senate and the House of Representatives of the Congress and to the Department of State of the United States and to each Senator and Representative in the Congress from this state, as soon as practicable after July 15, 1953; and

*Be It Further Resolved*, That the President of the Senate hereby is directed to transmit copies of this resolution to the President of the Senate and the Speaker of the House of Representatives of the legislatures of the several states, forthwith upon its adoption.

Adopted by the Senate, February 20, 1953, concurred in by the House of Representatives, March 5, 1953.

REX A. TERRY,  
*Lieutenant Governor,*  
*President of the Senate.*

Attest:

NIELS P. JENSEN,  
*Secretary of the Senate.*

Official:

GERALDINE OSTROOT,  
*Secretary of State.*

#### PROOF OF PUBLICATION

Published copy of Senate File 420 and verified proof of publication of said bill in the Mapleton Press on April 2, 1953, 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.*

## REPORT OF COMMITTEE

Senator Dewel submitted the following report:

MR. PRESIDENT: Your committee on conservation, to which was referred **Senate File 297**, a bill for an act relating to field and retriever meets, begs leave to report it has had the same under consideration and recommends the same **do pass**.

DUANE E. DEWEL, *Chairman*.

Ordered passed on file.

## AMENDMENTS FILED

- 1 Amend House File 44 by striking all of section 3.  
R. R. BATESON.
- 1 Amend House File 44 by striking subsection 5 of section 2.  
R. R. BATESON.
- 1 Amend House File 44 by striking subsection 6 of section 2.  
R. R. BATESON.

On motion of Senator Zastrow, and in accordance with House Concurrent Resolution 10, duly adopted, the Senate adjourned until 11:00 a.m., Monday, April 6, 1953.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 6, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend Lawrence Garrott, pastor of the Methodist Church, Van Wert, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Utzig for the day on request of Senator Grimstead; Senator Miller for the day on request of Senator Whitehead; Senator Larson for the morning on request of Senator Boothby; Senator Walter for the day on request of Senator Knudson.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Molison from twenty-five residents of Appanoose, Decatur, Keokuk, Monroe, Union and Wayne Counties urging increased appropriations for the secondary road fund.

By Senator Van Eaton from twenty residents of Woodbury County favoring proposed legislation relating to a permanent memorial room of the Grand Army of the Republic.

By the following Senators favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance:

By Senator Colburn from forty-nine residents of Cass County.

By Senator Dewel from thirty-seven residents of Emmet, Kosuth and Palo Alto Counties.

By Senator Elijah from twenty-eight residents of Cedar County.

By Senator Nelson from eighty-seven residents of Jefferson County.

By Senator Scott from fifty-two residents of Allamakee County.

By Senator Watson from one hundred four residents of Pottawattamie County.

By Senator Weichman from twenty residents of Tama County.

By Senator Zastrow from seventy-eight residents of Floyd County.

#### PRESENTATION OF VISITORS

Senator Weichman asked and received unanimous consent to present to the Senate eighteen members of the senior class of the Keystone High School who were present in the balcony accompanied by their instructor, Miss Rose Wimmer.

Senator Lucas asked and received unanimous consent to present to the Senate twenty-six members of the Girl Scout Troop No. 10 of Lincoln School of Boone, Iowa, who were present in the balcony accompanied by their leaders, Mesdames Alvin Enslow, K. McGurren, D. Swanson and M. Ashbaugh.

Senator Knudson on behalf of Senator Walter asked and received unanimous consent to present to the Senate forty members of the junior and senior classes of the Green Mountain High School who were present in the balcony accompanied by Marshall McCunniff.

Senator Oltman asked and received unanimous consent to present to the Senate five members of the senior class of the Storm Lake High School who were present in the Senate chamber.

Senator Bateson asked and received unanimous consent to present to the Senate ten members of Post 302, Explorer Scouts of Clarion, who were present in the balcony accompanied by their advisors, Robert L. Blecker and Glenn Bordwell.

#### INTRODUCTION OF BILLS

Senate File 426, by committee on conservation, a bill for an act to amend chapter one hundred seven (107), Code 1950, to permit the conservation commission to provide uniforms and other equipment for their officers.

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

Senate File 427, by committee on conservation, a bill for an act to amend chapter sixty-six (66), Acts of the Fifty-fourth General Assembly, relating to the compensation of state conservation officers.

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

## UNFINISHED BUSINESS

On motion of Senator Hart, House File 341, a bill for an act to legalize the corporate acts and proceedings in connection with the renewal of corporate existence and the adoption of renewed articles of incorporation of Paint Creek Farmers Telephone Company, of the town of Waterville, county of Allamakee, State of Iowa, and to provide for and legalize the renewal of the charter of said company, was taken up for further consideration.

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, 44:

Anderson	Fishbaugh	Myrland	Stewart of
Bateson	Grimstead	Nelson	Mahaska
Bekman	Hart	Nesmith	Stuart of Lucas
Bellman	Hedin	Nolan	Van Eaton
Berg	Heideman	Oltman	Vest
Boothby	Johnson	O'Malley	Watson of
Byers	Knudson	Prentis	O'Brien
Colburn	Linnevoed	Risk	Watson of
Dailey	Lord	Sayre	Pottawattamie
Dewel	Lucas	Schoening	Weichman
Dykhouse	Lynes	Scott	Whitehead
Elijah	Molison		Zastrow

Nays, none.

Absent or not voting, 6:

Clark	Miller	Walter	Washburn
Larson	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 Myrland, Senate File 420, a bill for an act to legalize and validate the proceedings taken by the town council of the town of Mapleton, Iowa, authorizing and providing for extensions and improvements to its municipal electric light and power plant, the calling for and receiving bids, and the award of contract for the construction thereof, and making provision to defray the cost thereof solely and only out of the net revenues of said public utility, was taken up for further consideration.

Senator Myrland moved that the bill be read a third 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	Fishbaugh	Myrland	Stewart of
Bateson	Grimstead	Nelson	Mahaska
Bekman	Hart	Nesmith	Stuart of Lucas
Bellman	Hedin	Nolan	Van Eaton
Berg	Heideman	Oltman	Vest
Boothby	Johnson	O'Malley	Watson of
Byers	Knudson	Prentis	O'Brien
Colburn	Linnevold	Risk	Watson of
Dailey	Lord	Sayre	Pottawattamie
Dewel	Lucas	Schoening	Weichman
Dykhouse	Lynes	Scott	Whitehead
Elijah	Molison		Zastrow

Nays, none.

Absent or not voting, 6:

Clark	Miller	Walter	Washburn
Larson	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 Lucas, Senate File 377, a bill for an act providing for the establishment of a centralized printing department under the control of the state printing board bestowing upon the state printing board powers and duties to effectuate such establishment and to repeal section fifteen point thirty-three (15.33), Code 1950, was taken up for further consideration.

Senator Lucas offered the following amendment and moved its adoption:

Amend Senate File 377 by inserting after the word "agencies" in line 6 of section 2 the following: "operating such equipment".

The amendment was adopted.

Senator Lucas offered the following amendment and moved its adoption:

Amend Senate File 377 by inserting in line 1 of section 7 after the word "stock" the following words "to be used in their Des Moines offices".

The amendment was adopted.

Senator Van Eaton offered the following amendment and moved its adoption:

Amend Senate File 377 as follows:

1. Insert in line 4 of section 2 after the word "machinery" the following: " , except departments where such machines are used for preparation of monthly financial and operating statements and form letters,".

2. Insert in line 7 of section 2 after the word "shall" the following: " , unless excepted as above provided,".

3. Insert at the end of line 25 of section 3 before the period the following: "other than official documents and books and publications authorized by chapter 14".

The amendment was lost.

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

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

Ayes, 43:

Anderson	Fishbaugh	Myrland	Stewart of
Bateson	Grimstead	Nelson	Mahaska
Bekman	Hart	Nesmith	Stuart of Lucas
Bellman	Hedin	Nolan	Van Eaton
Berg	Heideman	Oltman	Vest
Boothby	Johnson	O'Malley	Watson of
Byers	Knudson	Prentis	O'Brien
Colburn	Linnevold	Risk	Watson of
Dailey	Lord	Sayre	Pottawattamie
Dewel	Lucas	Schoening	Whitehead
Dykhouse	Lynes	Scott	Zastrow
Elijah	Molison		

Nays, none.

Absent or not voting, 7:

Clark	Miller	Walter	Weichman
Larson	Utzig	Washburn	

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

#### BILLS SENT TO SIFTING COMMITTEE

Senator Lynes moved that all bills be sent to the sifting committee with the exception of Senate and House appropriations, claims and ways and means committee bills; and House Files 138, 139 and 140 and Senate Files 252 and 341.

On motion of Senator O'Malley, the Senate recessed until the fall of the gavel.

#### REPORTS OF COMMITTEES

Senator Colburn submitted the following report:

**MR. PRESIDENT:** Your committee on motor vehicles, to which was referred **House File 220**, a bill for an act to amend section three hundred twenty-one point three hundred seventy-seven (321.377), Code 1950, relating to speed of school busses, 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 220 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Amend section three hundred twenty-one point three hundred seventy-seven (321.377), Code 1950, by striking from line three (3) the word and figure 'thirty-five (35)' and inserting in lieu thereof the word and figure 'forty-five (45)'."

"Sec. 2. Amend section three hundred twenty-one point three hundred seventy-six (321.376), Code 1950, by striking the comma (,) in line four (4) and substituting a period (.) in lieu thereof. Further amend said section by striking the remaining lines, 4, 5 and 6."

2. Amend the title to House File 220 by striking all after the word "Act" and inserting in lieu thereof the following: "to amend sections three hundred twenty-one point three hundred seventy-six (321.376) and three hundred twenty-one point three hundred seventy-seven (321.377), Code 1950, relating to school bus transportation, drivers of such busses and the rate of speed of such busses."

JAY C. COLBURN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on motor vehicles, to which was referred **House File 222**, a bill for an act to amend section three hundred twenty-one point four hundred fifty-seven (321.457), Code 1950, relating to maximum length of certain vehicles, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

Amend House File 222, by inserting following the comma (,) in line 15 of said bill the following: "at which time, a member of the state Highway Patrol shall be notified prior to the operation of such vehicle,".

JAY C. COLBURN, *Chairman.*

Ordered passed on file.

Senator Lynes submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred **Senate File 222**, a bill for an act to provide for the re-opening of East Walnut Street through the "Capitol Extension Grounds" from Kasson Street to East Ninth Street and to provide for the permanent improvement of said street by paving, draining and lighting, 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 222, section 3, line 3, by striking the word "thirty" and inserting in lieu thereof the word "fifteen".

J. KENDALL LYNES, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **Senate File 422**, a bill for an act to make 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 **returns the bill without recommendation.**

J. KENDALL LYNES, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **Senate File 423**, a bill for an act to make appropriations to certain persons in settlement of claims for refunds for motor licenses, begs leave to report it has had the same under consideration and **returns the bill without recommendation.**

J. KENDALL LYNES, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 138**, a bill for an act to provide coverage for Iowa public employees under the Federal Social Security Act; to prescribe duties of Iowa employment security commission; imposing taxes upon public employees and employers to cover cost of coverage, and authorizing levy of tax by public employers to provide funds thereunder, 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 appropriations, to which was referred **House File 457**, a bill for an act transferring monies from the industry revolving funds created and established 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.**

J. KENDALL LYNES, *Chairman.*

Ordered passed on file.

#### AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

The Senate resumed consideration of the motion by Senator Lynes relating to bills sent to the sifting committee.

Senator Fishbaugh offered the following amendment to the motion by Senator Lynes and moved its adoption:

Amend the motion by adding thereto the following: "and all unfinished business."

Senator Dewel moved as a substitute motion that all bills with the exception of appropriations committee bills be sent to the sifting committee.

Roll call was requested.

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

Ayes, 30:

Anderson	Dykhouse	Lynes	Stuart of Lucas
Bateson	Hart	Molison	Washburn
Bekman	Hedin	Myrland	Watson of
Bellman	Johnson	Nesmith	O'Brien
Berg	Knudson	Nolan	Watson of
Byers	Linnevold	Oltman	Pottawattamie
Colburn	Lord	Schoening	Weichman
Dewel	Lucas	Scott	Zastrow

Nays, 14:

Boothby	Fishbaugh	Nelson	Stewart of
Clark	Grimstead	O'Malley	Mahaska
Dailey	Heideman	Sayre	Van Eaton
Elijah	Larson		Vest

Absent or not voting, 6:

Miller	Risk	Walter	Whitehead
Prentis	Utzig		

The motion prevailed and the substitution was made.

Senator Elijah moved to amend the motion by adding thereto the following:

"House File 44."

The amendment was lost.

Senator Fishbaugh offered the following amendment and moved its adoption:

Amend the motion by adding thereto the following: Senate File 282.

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 17:

Anderson	Elijah	Larson	O'Malley
Bellman	Fishbaugh	Lucas	Schoening
Boothby	Grimstead	Lynes	Scott
Clark	Heideman	Oltman	Weichman
Dailey			

## Nays, 26:

Bateson	Johnson	Nesmith	Vest
Bekman	Knudson	Nolan	Washburn
Berg	Linnevold	Sayre	Watson of
Byers	Lord	Stewart of	O'Brien
Colburn	Molison	Mahaska	Watson of
Dewel	Myrland	Stuart of Lucas	Pottawattamie
Dykhouse	Nelson	Van Eaton	Zastrow
Hart			

## Absent or not voting, 7:

Hedin	Prentis	Utzig	Whitehead
Miller	Risk	Walter	

The amendment was lost.

Senator O'Malley offered the following amendment and moved its adoption:

Amend the motion by adding thereto the following: "At the end of the legislative day, Tuesday, April 7, 1953."

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

## Ayes, 18:

Anderson	Fishbaugh	Linnevold	Sayre
Bellman	Grimstead	Lord	Stuart of Lucas
Clark	Hedin	Molison	Vest
Dailey	Heideman	O'Malley	Weichman
Elijah	Knudson		

## Nays, 25:

Bateson	Hart	Nesmith	Washburn
Bekman	Johnson	Nolan	Watson of
Berg	Larson	Oltman	O'Brien
Boothby	Lucas	Schoening	Watson of
Byers	Lynes	Scott	Pottawattamie
Colburn	Myrland	Stewart of	Zastrow
Dewel	Nelson	Mahaska	
Dykhouse			

## Absent or not voting, 7:

Miller	Risk	Van Eaton	Weichman
Prentis	Utzig	Walter	

The amendment was lost.

Senator Dykhouse moved the previous question on the motion, which motion prevailed.

Senator Dewel moved the adoption of the motion and requested a roll call.

On the question "Shall the motion be adopted?" the vote was:

## Ayes, 38:

Anderson	Hart	Myrland	Stuart of Lucas
Bateson	Hedin	Nelson	Van Eaton
Bekman	Johnson	Nesmith	Vest
Bellman	Knudson	Nolan	Washburn
Berg	Larson	Oltman	Watson of
Boothby	Linnevold	Sayre	O'Brien
Byers	Lord	Schoening	Watson of
Clark	Lucas	Scott	Pottawattamie
Colburn	Lynes	Stewart of	Weichman
Dewel	Molison	Mahaska	Zastrow
Dykhouse			

## Nays, 6:

Dailey	Fishbaugh	Heideman	O'Malley
Elijah	Grimstead		

## Absent or not voting, 6:

Miller	Risk	Walter	Whitehead
Prentis	Utzig		

The motion was adopted and all bills with the exception of appropriations committee bills were sent to the sifting committee.

## EXPLANATION OF VOTE

Article III, section 10, of the Iowa Constitution, states "that every member of the General Assembly shall have the liberty to dissent from or protest against any act or resolution which he may think injurious to the public, . . . and have the reasons for his dissent entered on the journals." I vote "no" on the motion to refer all bills to the sifting committee because I think such action is injurious to the public for the following reasons:

1. The legislative authority of this state vested by our Constitution in fifty (50) Senators is now surrendered to only thirteen (13) members; the remaining thirty-seven (37) Senators cannot exercise the legislative authority given each of them by the citizens of their respective districts, but must stand by and await whatever bills the remaining thirteen (13) Senators decide should be considered. The legislative process is no longer free and open.

2. It takes twenty-six (26) votes, a constitutional majority, to pass a bill but it takes thirty-four (34) votes, a two-thirds majority, to get a bill from the sifting committee. This is in violation of the principles of free American government, in my opinion, to require a vote greater to consider a bill than the State constitution requires to pass it.

3. A handful of committee members, possibly two or three, can block by a "no" vote, any bill from receiving further consideration by this body. Such an autocratic procedure, in my opinion, flouts the sound principles of the American rule by majority, the bulwark of our constitutional system.

4. For eighty-two years the General Assembly has followed such a procedure. It is time for a change. Other states, Michigan and Nebraska for example, have modernized their Rules of Procedure to permit all bills to be considered before adjournment.

It is vigorously urged that the Institute of Public Affairs, State University of Iowa, undertake a study of the Rules of Procedure of the General Assembly, and particularly that ancient mariner called the "sifting committee", to the end that our Rules of Procedure shall be speedy, efficient and in keeping with a free and truly representative government.

The foregoing statement shall not in any particular be construed to be critical of the distinguished members of this body who serve upon the rules and the sifting committees. It is intended to be critical of that institution or system known as the "sifting committee", and to call the attention of the citizens of our state to the urgent need for a change in that procedure.

THOMAS J. DAILEY.

#### INTRODUCTION OF BILL

Senate File 428, by committee on ways and means, a bill for an act imposing a tax of two per cent (2%) upon the gross receipts derived from the operation of bowling alleys, repealing paragraph two (2) of section four hundred twenty-two point forty-three (422.43), Code 1950, and to enact a substitute therefor.

Read first and second times, and referred to sifting committee.

Senator Lynes asked and received unanimous consent that in accordance with Senate Concurrent Resolution 17, duly adopted, Robert Towne of the firm of Bowles, Andrews and Towne, of Richmond, Virginia, be requested to appear before the committee on appropriations 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 concurred in Senate amendments to and passed House File 448, a bill for an act relating to issuance of bonds for municipal airports already established.

Also: That the House has concurred in Senate amendments to and passed House File 450, a bill for an act relating to the issuance of bonds for acquisition and improvement of city and town parks.

Also: That the House has concurred in Senate amendments to and passed House File 453, a bill for an act relating to the general powers of municipal corporations.

Also: That the House has concurred in Senate amendments to and passed House File 462, a bill for an act relating to special assessment of public improvements in municipal corporations.

Also: That the House has concurred in Senate amendments to and passed House File 463, a bill for an act relating to the council-manager form of municipal government.

Also: That the House has concurred in Senate amendments to and passed House File 465, a bill for an act relating to street improvements, sewers, and special assessments.

A. C. GUSTAFSON, *Chief Clerk.*

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Stuart of Lucas, 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 149, 207, 307, 368, 431, 442, 451, 452, 459, 460, 461, 464, 466 and 467.

W. C. STUART, *Chairman Senate Committee.*

JOHN A. WALKER, *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 149, 207, 307, 368, 431, 442, 451, 452, 459, 460, 461, 464, 466 and 467.

#### BILL SIGNED BY THE GOVERNOR

A communication was received announcing that, on April 3, 1953, the Governor had approved the following bill:

Senate File 79, relating to liability and property damage insurance of state employees.

#### 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. 334	S. F. 367	S. F. 320
S. F. 242	S. F. 252	H. F. 123
H. F. 373	S. F. 397	H. F. 46
S. F. 366	S. F. 385	H. F. 236

RALPH W. ZASTROW, *Chairman.*

#### PROOF OF PUBLICATION

Published copy of House File 501 and verified proof of publication of said bill in the Daily Times of Davenport on March 13, 1953, was filed with the Secretary of the Senate prior to the time said bill was placed on passage.

CARROLL A. LANE,  
*Secretary of the Senate.*

## AMENDMENT FILED

- 1 Amend Senate File 379 by striking the comma from line
- 2 6 of section 2 and inserting after the word "only" in
- 3 said line the following:
- 4 "to be expended first on the unpaved primary roads connecting
- 5 cities and towns with paved or hard-surfaced highways and after
- 6 such primary roads are hard-surfaced then".
- 7 Further amend Senate File 379 by striking from the
- 8 title the words "gas tax" and inserting in lieu thereof the words
- 9 "the motor vehicle fuel license fees".

HARRY E. WEICHMAN, *Chairman.*

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 7, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend G. W. Ukena, pastor of the Bethel Presbyterian Church, West Union, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Larson for the morning on request of Senator Lucas.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Miller from fifty-three residents of Marion County favoring proposed legislation relating to exemptions of earnings of head of a family and providing for a ten per cent garnishment for debts.

By Senator O'Malley from fifty-eight residents of Polk County favoring proposed legislation creating an Iowa public employees' retirement system as originally introduced.

By Senator O'Malley from thirty-two residents of Polk County favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance and favoring proposed legislation relating to paid vacations of state employees.

By Senator Washburn from twenty-nine residents of Montgomery County in opposition to proposed legislation relating to school district reorganization and boundary changes.

By the following Senators favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance:

By Senator Colburn from twenty-one residents of Cass County.

By Senator Elijah from twenty-four residents of Cedar County.

By Senator Lord from twenty-eight residents of Emmet and Worth Counties.

## PRESENTATION OF VISITORS

Senator Whitehead asked and received unanimous consent to present to the Senate twenty-three members of the contemporary problems class of the Redfield High School who were present in the balcony accompanied by their superintendent, Oren Brinkley.

Senator Zastrow asked and received unanimous consent to present to the Senate thirty-three members of the senior class of the Nashua High School who were present in the balcony accompanied by Miss Wick and George Roberts.

Senator Miller asked and received unanimous consent to present to the Senate four pupils of the North Flager School of Marion County who were present in the balcony accompanied by their instructor, Mrs. Helen Adair.

Senator Lynes asked and received unanimous consent to present to the Senate twenty-three members of the senior class of the New Hartford High School who were present in the balcony accompanied by their principal, W. M. Tellifson.

## INTRODUCTION OF BILL

Senate File 429, by committee on manufacturing, commerce and trade, a bill for an act relating to gift enterprises and providing remedy for violation of section five hundred fifty-three point sixteen (553.16), Code 1950.

Read first and second times, and referred to sifting committee.

## THIRD READING OF BILLS

On motion of Senator Lynes, Senate Joint Resolution 4, a joint resolution to authorize a state board of education to continue to cooperate with the city of Ames in the construction, operation and maintenance of a joint sewage system and disposal plant for the Iowa State College and said city and to make appropriation therefor, was taken up, and considered.

Senator Lucas offered the following amendment and moved its adoption:

Amend the title to Senate Joint Resolution 4 by striking the second word "a" in line 1 and substituting in lieu thereof the word "the".

The amendment was adopted.

Senator Molison moved that the resolution be read a third time

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

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

Ayes, 47:

Anderson	Fishbaugh	Myrland	Stuart of Lucas
Bateson	Grimstead	Nelson	Van Eaton
Bekman	Hart	Nesmith	Vest
Bellman	Hedin	Nolan	Walter
Berg	Heideman	Oltman	Washburn
Boothby	Johnson	O'Malley	Watson of
Byers	Knudson	Risk	O'Brien
Clark	Linnevold	Sayre	Watson of
Colburn	Lord	Schoening	Pottawattamie
Dailey	Lucas	Scott	Weichman
Dewel	Lynes	Stewart of	Whitehead
Dykhouse	Miller	Mahaska	Zastrow
Elijah	Molison		

Nays, none.

Absent or not voting, 3:

Larson	Prentis	Utzig
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The resolution having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

On motion of Senator Lynes, House File 457, a bill for an act transferring monies from the industry revolving funds created and established at the state reformatory at Anamosa to the general fund of the 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, 47:

Anderson	Fishbaugh	Myrland	Stuart of Lucas
Bateson	Grimstead	Nelson	Van Eaton
Bekman	Hart	Nesmith	Vest
Bellman	Hedin	Nolan	Walter
Berg	Heideman	Oltman	Washburn
Boothby	Johnson	O'Malley	Watson of
Byers	Knudson	Risk	O'Brien
Clark	Linnevold	Sayre	Watson of
Colburn	Lord	Schoening	Pottawattamie
Dailey	Lucas	Scott	Weichman
Dewel	Lynes	Stewart of	Whitehead
Dykhouse	Miller	Mahaska	Zastrow
Elijah	Molison		

Nays, none.

Absent or not voting, 3:

Larson

Prentiss

Utzig

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

Senator Stuart of Lucas asked and received unanimous consent to take up for consideration Senate File 334, a bill for an act to amend sections sixteen point twenty-four (16.24), sixteen point twenty-five (16.25) and sixteen point twenty-seven (16.27), Code 1950, relating to the free distribution of the Code and of the acts of each General Assembly, with report of committee recommending passage, and the report of the committee was adopted.

Senator Stuart offered the following amendment and moved its adoption:

Amend Senate File 334 by striking from section 1 all of subsection 7 and inserting in lieu thereof the following:

"7. Strike all of subsection 23."

The amendment was adopted.

Senator Stuart offered the following amendment and moved its adoption:

Amend Senate File 334 by striking from line 4, section 1, the following: "75" and inserting in lieu thereof "100".

The amendment was adopted.

Senator Stuart offered the following amendment and moved its adoption:

Amend the title to Senate File 334 by striking the following in line 3 "twenty-seven (16.27)" and inserting in lieu thereof "twenty-eight (16.28)".

The amendment was adopted.

Senator Stuart moved that the bill be read a third 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	Johnson	Nelson
Bateson	Dewel	Knudson	Nesmith
Bekman	Dykhouse	Linnevold	Nolan
Bellman	Elijah	Lord	Oltman
Berg	Fishbaugh	Lucas	O'Malley
Boothby	Grimstead	Lynes	Risk
Byers	Hart	Miller	Sayre
Clark	Hedin	Molison	Schoening
Colburn	Heideman	Myrland	Scott

Stewart of Mahaska	Vest Walter	Watson of O'Brien	Weichman Whitehead
Stuart of Lucas	Washburn	Watson of Pottawattamie	Zastrow
Van Eaton			

Nays, none.

Absent or not voting, 3:

Larson	Prentis	Utzig
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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 Washburn asked and received unanimous consent to take up for consideration Senate File 242, a bill for an act to amend chapter four hundred fifty-five (455), Code 1950, relating to levee and drainage districts, with report of committee recommending passage, and the report of the committee was adopted.

Senator Washburn offered the following amendment and moved its adoption:

Amend Senate File 242, section 7, line 1, by striking the word "Section" and inserting in lieu thereof the word "Chapter".

Further amend Senate File 242, section 8, line 1, by striking the word "Section" and inserting in lieu thereof the word "Chapter".

The amendment was adopted.

Senator Washburn moved that the bill be read a third 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	Fishbaugh	Myrland	Stuart of Lucas
Bateson	Grimstead	Nelson	Van Eaton
Bekman	Hart	Nesmith	Vest
Bellman	Hedin	Nolan	Walter
Berg	Heideman	Oltman	Washburn
Boothby	Johnson	O'Malley	Watson of
Byers	Knudson	Risk	O'Brien
Clark	Linnevold	Sayre	Watson of
Colburn	Lord	Schoening	Pottawattamie
Dailey	Lucas	Scott	Weichman
Dewel	Lynes	Stewart of	Whitehead
Dykhouse	Miller	Mahaska	Zastrow
Elijah	Molison		

Nays, none.

Absent or not voting, 3.

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

Senator O'Malley asked and received unanimous consent to take up for consideration House File 373, a bill for an act to confirm exchange of certain properties between the city of Des Moines and the State of Iowa and to authorize conveyance of certain property of the state to the city of Des Moines, Iowa, with report of committee recommending passage, and the report of the committee 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, 47:

Anderson	Fishbaugh	Myrland	Stuart of Lucas
Bateson	Grimstead	Nelson	Van Eaton
Bekman	Hart	Nesmith	Vest
Bellman	Hedin	Nolan	Walter
Berg	Heideman	Oltman	Washburn
Boothby	Johnson	O'Malley	Watson of
Byers	Knudson	Risk	O'Brien
Clark	Linnevold	Sayre	Watson of
Colburn	Lord	Schoening	Pottawattamie
Dailey	Lucas	Scott	Weichman
Dewel	Lynes	Stewart of	Whitehead
Dykhouse	Miller	Mahaska	Zastrow
Elijah	Molison		

Nays, none.

Absent or not voting, 3:

Larson	Prentis	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 asked and received unanimous consent to take up for consideration Senate File 366, a bill for an act to amend section three hundred twenty-one point one hundred seventeen (321.117), relating to fees for hearses, with report of committee recommending passage, and 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, 47:

Anderson	Berg	Colburn	Elijah
Bateson	Boothby	Dailey	Fishbaugh
Bekman	Byers	Dewel	Grimstead
Bellman	Clark	Dykhouse	Hart

Hedin	Molison	Schoening	Washburn
Heideman	Myrland	Scott	Watson of
Johnson	Nelson	Stewart of	O'Brien
Knudson	Nesmith	Mahaska	Watson of
Linnevold	Nolan	Stuart of Lucas	Pottawattamie
Lord	Oltman	Van Eaton	Weichman
Lucas	O'Malley	Vest	Whitehead
Lynes	Risk	Walter	Zastrow
Miller	Sayre		

Nays, none.

Absent or not voting, 3:

Larson                      Prentiss                      Utzig

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 367, a bill for an act to amend sections four hundred seventy-eight point twenty-one (478.21) and four hundred seventy-eight point twenty-three (478.23), Code 1950, relating to railway and highway crossings at grade to provide a method of determining all matters pertaining to grade crossings where controversy arises between the state or political subdivisions thereof and the railroad company, and to repeal section three hundred eighty-nine point forty-one (389.41), Code 1950, with report of committee recommending passage, and the report of the committee was adopted.

Senator Hart asked and received unanimous consent that the rules be suspended and that House File 150 be substituted for Senate File 367.

On motion of Senator Watson of Pottawattamie, House File 150, a bill for an act to amend sections four hundred seventy-eight point twenty-one (478.21) and four hundred seventy-eight point twenty-three (478.23), Code 1950, relating to railway and highway crossings at grade to provide a method of determining all matters pertaining to grade crossings where controversy arises between the state or political subdivisions thereof and the railroad company, and to amend section three hundred eighty-nine point forty-one (389.41), Code 1950, was taken up, and considered.

Senator Watson of Pottawattamie asked and received unanimous consent that action on House File 150 be deferred and that the bill be placed on the calendar under unfinished business.

Senator Van Eaton asked and received unanimous consent to take up for consideration Senate File 252, a bill for an act to per-

mit the liquidation of the pension and annuity retirement system of public school teachers as such pension system has been established in accordance with the provisions of section two hundred ninety-four point eight (294.8), Code 1950.

Senator Van Eaton offered the following amendment and moved its adoption:

Amend Senate File 252 by inserting as section 3 of said bill the following:

"Sec. 3. The board of directors of said district shall annually, for a period of five years after the effective date of the termination of its pension system, at the meeting at which it estimates the amount required for the general fund, in accordance with the provisions of section two hundred ninety-eight point one (298.1), estimate the additional amount if any necessary to pay to participants in the pension system who are not entitled to receive benefits under such system at the date of termination thereof, one-fifth of the amount paid into said pension fund by such participants therein, without interest, which amount shall be levied by the board of supervisors, in accordance with the provisions of section two hundred ninety-eight point eight (298.8) and, in addition thereto, the board of directors of said district shall each year at the meeting at which it estimates the amount required for the general fund, in accordance with the provisions of section two hundred ninety-eight point one (298.1), estimate the additional amount, if any, necessary to provide the required annual payments to surviving beneficiaries of said pension system, as defined in section two hundred ninety-four point twelve (294.12), which amount shall be levied by the board of supervisors, in accordance with the provisions of section two hundred ninety-eight point eight (298.8). Upon the death of the last beneficiary, as defined in section two hundred ninety-four point twelve (294.12), to survive, any balance remaining in said fund, including any undisposed of accumulations, shall be transferred to the general fund of said school district."

Further amend Senate File 252 by renumbering the final section.

The amendment was adopted.

Senator Knudson offered the following amendment and moved its adoption:

Amend Senate File 252 by inserting after the period (.) in line 23, section 2, the following:

"Any member of such system as of the date of termination thereof may, in lieu of receiving the cash refund of his share of the liquidation fund, elect to come under the coverage of any new pension and annuity retirement system established by the district, to which he is eligible, with credits toward future benefits in consideration of his prior contributions and length of service, and may direct the transfer of the amount payable to him to the assets of the new pension and annuity retirement system."

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, 40:

Anderson	Hart	Nelson	Stuart of Lucas
Bateson	Hedin	Nesmith	Van Eaton
Bekman	Heideman	Nolan	Vest
Bellman	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Clark	Linnevold	Sayre	Watson of
Colburn	Lord	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Grimstead	Myrland		

Nays, 1:

Fishbaugh

Absent or not voting, 9:

Berg	Larson	Risk	Watson of
Byers	Lucas	Utzig	O'Brien
Dailey	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 Zastrow, the Senate recessed until 1:30 p.m.

### AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

### REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar:

H. F. 138	S. F. 419
H. F. 139	S. F. 222
H. F. 140	H. F. 471
H. F. 274	H. F. 44
H. F. 23	S. F. 387

RALPH W. ZASTROW, *Chairman.*

### ASSIGNMENT OF BILL TO COMMITTEE

President Elthon announced the assignment of the following bill to committee under Senate Rule 23:

H. F. 140 Appropriations

Senator Lord asked unanimous consent that House Files 139, 138 and 140 be made a special order of business for Thursday, April 9, 1953, at 10:30 a.m.

Objection was raised.

Senator Lord moved that House Files 139, 138 and 140 be made a special order of business for Thursday, April 9, 1953, at 10:30 a.m., and requested a roll call.

Senator Bateson raised a point of order for the reason that making House Files 139, 138 and 140 a special order of business would automatically withdraw House File 140 from the committee on appropriations, which procedure would require a two-thirds vote of members of the Senate.

The Chair ruled the point well taken.

Senator Lord, in view of assurance that House File 140 would be reported out by the committee on appropriations, asked and received unanimous consent to withdraw his request for a special order of 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 229, a bill for an act relating to school district reorganization.

Also: That the House has concurred in Senate amendments to and passed House File 337, a bill for an act relating to the payment of unemployment compensation.

Also: That the House has amended the Senate amendment, concurred in said amendment as amended, and passed House File 362, a bill for an act creating the general contingent fund 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 411, a bill for an act relating to the use of revenue from parking meters.

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 providing for an appropriation to the department of public instruction 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 495, a bill for an act providing for an appropriation to the

department of public instruction for use as a revolving fund for the veterans administration and school lunch program.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE AMENDMENT TO  
HOUSE FILE 362

Amend the Senate amendment to House File 362 by adding to the said amendment the following:

"Upon the request of the adjutant general, the budget and financial control committee is authorized to provide from the general contingent fund such funds as the said committee deems necessary and in the best interest of the state for the acquisition, construction, expansion, rehabilitation and conversion of facilities for the administration and training of units of the Iowa National Guard and the Iowa State Guard, in accordance with the provisions of Public No. 783 Eighty-first Congress."

HOUSE AMENDMENT TO SENATE FILE 411

Amend Senate File 411 by adding a new section as follows:

"Sec. 2. Section three hundred ninety point twelve (390.12) by adding after the word "purpose" in line twenty (20) the following: 'for which the street fund may be used where reasonable parking privileges have been provided.'"

Further amend the title to Senate File 411 by striking all after the word "Act" and inserting in lieu thereof the following: "to amend section three hundred ninety point eight (390.8) and three hundred ninety point twelve (390.12), Code 1950, relating to use of revenue from parking meters."

HOUSE MESSAGES CONSIDERED

House File 229, a bill for an act to amend, revise, and codify chapters two hundred seventy-five (275) and two hundred seventy-six (276), Code 1950, relating to school district reorganization and boundary changes, to repeal certain sections of the Code 1950, relating thereto and to amend certain sections of the Code 1950, relating thereto.

Read first and second times, and referred to the sifting committee.

House File 494, 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 referred to committee on appropriations.

House File 495, a bill for an act 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.

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

### CONFERENCE COMMITTEE REPORT ON SENATE FILE 18

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 Senate on Senate File 18, a bill for an act to amend chapters 109 and 110, Code 1950, relating to an open season on wild animals and fish and providing for licensing thereof, recommend that Senate File 18 be amended as follows:

Strike section 6 and insert in lieu thereof:

"Sec. 6. Section 109.76, Code 1950, is amended by adding thereto the following: the spearing of carp or buffalo by persons lawfully permitted to fish shall be lawful from the 1st day of May to and including the 31st day of October, each year, between the hours of sunrise and sunset thereof and at such other times and at such places as the commission may determine necessary to carry out the purposes of section 1, paragraph 1 hereof."

J. T. DYKHOUSE.

DEVERE WATSON.

CHARLES W. NELSON.

D. C. NOLAN.

THEO. KLEMESRUD.

FRED VOIGTMANN.

ROBERT HUISMAN.

KIRK R. NICHOLSON.

On the Part of the Senate.

On the Part of the House.

### REPORT OF CONFERENCE COMMITTEE ON SENATE FILE 2

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 Senate and the House on Senate File 2, a bill for an act to amend sections one hundred ninety point one (190.1), one hundred ninety point six (190.6), one hundred ninety-one point two (191.2), and one hundred ninety-one point three (191.3), Code 1950, relating to imitation butter and the sale and labeling thereof, and to repeal section one hundred ninety-two point thirty-two (192.32), Code 1950, relating to the use of imitations of butter in certain state institutions, beg leave to report and make the following recommendations:

That Senate File 2 be made to read as follows:

Section 1. Section one hundred ninety point one (190.1), Code 1950, is amended by striking the entire subsection two (2), thereof, entitled "Imitation butter" and inserting in lieu thereof the following:

"2. Oleo, oleomargarine or margarine includes all substances, mixtures and compounds known as oleo, oleomargarine or margarine, or all substances, mixtures and compounds which have a consistence similar to

that of butter and which contain any edible oils or fats other than milk fat if made in imitation or semblance of butter."

Sec. 2. Section one hundred ninety point six (190.6), Code 1950, is hereby amended by striking from line one (1) thereof, the words "imitation butter or".

Said section is further amended by striking from line three (3) thereof, the word "product" and inserting in lieu thereof the word "cheese".

Said section is hereby further amended by striking from line six (6), the words "butter or".

Sec. 3. Section one hundred ninety-one point two (191.2), Code 1950, is amended by striking therefrom the entire subsection three (3) thereof, entitled "Imitation butter", and inserting in lieu thereof the following:

"3. No person shall sell or offer for sale, colored oleo, oleomargarine or margarine unless—

such oleo, oleomargarine or margarine is packaged;

the net weight of the contents of any package sold in a retail establishment is one pound or less;

there appears on the label of the package the word 'oleo', 'oleomargarine' or 'margarine' in type or lettering at least as large as any other type or lettering on such label, and a full and accurate statement of all the ingredients contained in such oleo, oleomargarine or margarine; and

each part of the contents of the package is contained in a wrapper which bears the word 'oleo', 'oleomargarine' or 'margarine' in type or lettering not smaller than 20-point type.

There shall be four readily legible imprints made by the manufacturer of the word 'oleo' on the product equally distributed on one of the greater sides of each one-quarter pound, one-half pound, or pound.

For the purpose of this chapter the term 'oleo', 'oleomargarine' or 'margarine' includes all substances, mixtures and compounds known as oleo, oleomargarine or margarine, and all substances, mixtures and compounds which have a consistence similar to that of butter and which contain any edible oils or fats other than milk fat if made in imitation or semblance of butter. For the purposes of this chapter colored oleo, oleomargarine or margarine is oleo, oleomargarine or margarine to which any color has been added.

Whenever coloring of any kind has been added it shall be clearly stated on both inside wrapper and the outside package. The ingredients of oleo, oleomargarine or margarine shall be listed on both the inside wrapper and outside package in the order of the amounts of ingredients in the package.

Such oleo, oleomargarine or margarine shall contain vitamin A in such quantity that the finished oleo, oleomargarine or margarine contains not less than fifteen thousand (15,000) United States Pharmacopoeia units of vitamin A per pound, as determined by the method prescribed in the Pharmacopoeia of the United States for the total biological vitamin A activity.

Each one pound package of oleo, oleomargarine or margarine shall be approximately four and three-quarter inches by four and three-quarter inches in its greater dimensions commonly known as the "Eastern pack".

Oleo, oleomargarine, or margarine may be manufactured within the State of Iowa under the provisions of this section except that it may be

manufactured or stored in any shape or form for shipment in interstate commerce only."

Sec. 4. Section one hundred ninety-one point three (191.3), Code 1950, is amended by striking from line four (4) thereof the words "butter or".

Said section is hereby further amended by striking from line six (6) thereof the word "each".

Said section is hereby further amended by striking from lines twelve (12) to fourteen (14) thereof, inclusive, the following sentence: "The blank after the word 'imitation' in the above form shall be filled with the name of the product imitated" and by inserting in lieu thereof the following: "No person shall possess in a form ready for serving colored oleo, oleomargarine or margarine at a public eating place unless a notice that oleo, oleomargarine or margarine is served is displayed prominently and conspicuously in such place and in such manner as to render it likely to be read and understood by the ordinary individual being served in such eating place or is printed or is otherwise set forth on the menu in type or lettering not smaller than that normally used to designate the serving of other food items. No person shall serve colored oleo, oleomargarine or margarine at a public eating place, whether or not any charge is made therefor, unless each separate serving bears or is accompanied by labeling identifying it as oleo, oleomargarine or margarine, or each separate serving thereof is triangular in shape."

Sec. 5. Section one hundred ninety-two point thirty-two (192.32), Code 1950, as amended, is hereby repealed.

Sec. 6. The word "person" as used in chapters 190, 191, and 192 of the Code shall mean every natural person, firm, copartnership, association or corporation.

Sec. 7. No person, by himself, or agent, shall, by any means whatever, directly or indirectly, advertise or represent by statement, printing, writing, circular, poster, design, device, grade designation, advertisement, symbol, sound, or any combination thereof, that oleo, oleomargarine or margarine, or any brand of oleo, oleomargarine or margarine, is a dairy product for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase for consumption of oleo, oleomargarine or margarine, or any brand thereof. Whoever shall violate this provision shall be deemed guilty of a misdemeanor.

Sec. 8. The department of agriculture may prescribe and establish standards for oleo, oleomargarine or margarine manufactured or sold in this state and may adopt the standards set up by now existing regulations of the Federal Security Administration or Agency as found in 1949, Code of Federal Regulations, Title 21, Part 45, Section 45.0, or any amendments thereto. Any standards so established shall not be contrary to or inconsistent with the provisions of section one hundred ninety point one (190.1), subsection two (2), Code 1950, as amended, entitled 'Oleo, oleomargarine or margarine'.

Sec. 9. The provisions of this Act are hereby made a part of Title 10, Code 1950. It shall be the duty of the secretary of agriculture and his agents to enforce this chapter and of the county attorneys and of

the attorney general of the state to co-operate with him in the enforcement of this chapter.

Sec. 10. Penalty. Any person violating any provision of section one hundred ninety-one point three (191.3) of the Code shall upon conviction or plea of guilty be punished, for the first offense by a fine of one hundred (100) dollars; for the second offense by a fine of three hundred (300) dollars; for the third offense by a fine of five hundred (500) dollars and the suspension for one year of all licenses issued by the State of Iowa for the public eating place in which said violation occurred.

Sec. 11. If any of the provisions of this Act shall be held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions of this Act, and to these ends the provisions of this Act are declared to be severable.

That the title to Senate File 2 be made to read as follows:

An Act to amend certain sections of the Code 1950 relating to imitation butter, oleo, oleomargarine and margarine and the manufacturing, processing, selling and labeling thereof, and to repeal section one hundred ninety-two point thirty-two (192.32), Code 1950, as amended, relating to the use of imitations of butter in certain state institutions and to provide for penalties for violations.

Respectfully submitted,

FRANK C. BYERS.  
G. E. WHITEHEAD.  
X. T. PRENTIS.  
DON RISK.

L. DEE MALLONEE.  
FRED SCHWENGEL.  
CLARK H. MCNEAL.  
L. W. ABEL.

On the Part of the Senate.

On the Part of the House.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Stuart of Lucas, 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 125 and 228; and House Files 168, 265, 348, 374, 448, 450, 453, 462, 463, 465 and 483.

W. C. STUART, *Chairman Senate Committee.*

JOHN A. WALKER, *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 125 and 228; and House Files 168, 265, 348, 374, 448, 450, 453, 462, 463, 465 and 483.

## BILLS SENT TO THE GOVERNOR

Senator Stuart of Lucas, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 7th day of April, 1953, sent to the Governor for his approval: Senate Files 125 and 228.

W. C. STUART, *Chairman.*

Passed on file.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 8, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend Charles Mosher, pastor of the Baptist Church, Indianola, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Anderson from one hundred sixty-nine residents of Des Moines County favoring proposed legislation relating to permissive union shop legislation.

By Senator Dewel from fifty residents of Henry County favoring proposed legislation relating to further improvement of Geode Park.

By Senator Schoening from seventy-five residents of Clinton County favoring proposed legislation relating to permissive union shop legislation.

By the following Senators favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance:

By Senator Bateson from sixty-one residents of Hamilton County.

By Senator Golburn from one hundred nine residents of Cass, Cerro Gordo, Linn and Wright Counties.

By Senator Dewel from nineteen residents of Palo Alto County.

By Senator Linnevold from ninety-four residents of Howard and Winneshiek Counties.

By Senator Lord from eighty residents of Dubuque County.

By Senator Scott from thirty-four residents of Linn County.

## PRESENTATION OF VISITORS

Senator Weichman asked and received unanimous consent to present to the Senate sixty members of the science class of the

Belle Plaine Junior High School who were present in the balcony accompanied by Mrs. Feddersen and Mr. Richmond.

Senator Lucas asked and received unanimous consent to present to the Senate members of the American government and the United States history classes of the Huxley High School who were present in the balcony accompanied by their instructors, Mr. McDonald and Mr. Haberkamp.

Senator Larson asked and received unanimous consent to present to the Senate seventeen members of the junior and senior classes in American history of the Blockton High School who were present in the balcony accompanied by their instructor, S. V. Kirschner, and their superintendent, E. E. Riehn; also, eighteen members of the W. S. C. S., Methodist Church of Blockton.

Senator Berg asked and received unanimous consent to present to the Senate twenty-six students of the College High School of Cedar Falls who were present in the balcony accompanied by their instructors, Miss Kasiske and Mr. Andrews.

Senator Weichman asked and received unanimous consent to present to the Senate twelve members of the Tama County Farm Bureau Women's Federation who were present in the balcony accompanied by the Tama County extension home economist, Mina Olin.

Senator Whitehead asked and received unanimous consent to present to the Senate fourteen members of the Seeley No. 8 Rural School who were present in the balcony accompanied by Mrs. Erwen Langaard.

Senator O'Malley asked and received unanimous consent to present to the Senate fourteen members of the Des Moines Council of American Legion Auxiliaries. Mrs. Darlene Clancy of Highland Park Unit No. 374 is president and Edna Gillespie of Argonne Unit No. 60, Assistant Secretary and Journal Clerk of the Senate, is legislative chairman.

Senator Nolan asked and received unanimous consent to present to the Senate the Honorable Forest Evashevski, football coach of the State University of Iowa, who was present in the Senate chamber.

#### INTRODUCTION OF BILLS

Senate File 430, by committee on ways and means, a bill for an

act to provide for municipally owned and operated city transit systems.

Read first and second times, and referred to the sifting committee.

Senate File 431, by committee on highways, a bill for an act to amend section three hundred twenty-one point four hundred sixty-three (321.463), Code 1950, relating to maximum gross weights for highway vehicles.

Read first and second times, and referred to the sifting committee.

#### UNFINISHED BUSINESS

On motion of Senator Watson of Pottawattamie, House File 150, a bill for an act to amend sections four hundred seventy-eight point twenty-one (478.21) and four hundred seventy-eight point twenty-three (478.23), Code 1950, relating to railway and highway crossings at grade to provide a method of determining all matters pertaining to grade crossings where controversy arises between the state or political subdivisions thereof and the railroad company, and to amend section three hundred eighty-nine point forty-one (389.41), Code 1950, was taken up for further consideration.

Senator O'Malley offered the following amendment and moved its adoption:

Amend House File 150 by striking in section 3 the following: ", and shall equitably apportion the cost thereof".

Further amend House File 150, section 3, by inserting after the comma (,) after the word "necessity" the word "and".

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 25:

Bateson	Grimstead	Nesmith	Stuart of Lucas
Bekman	Heideman	Nolan	Utzig
Bellman	Larson	O'Malley	Walter
Boothby	Linnevold	Sayre	Weichman
Dailey	Lord	Schoening	Whitehead
Elijah	Miller	Scott	Zastrow
Fishbaugh			

Nays, 12:

Colburn	Johnson	Nelson	Washburn
Dewel	Lynes	Oltman	Watson of
Dykhouse	Myrland	Van Eaton	Pottawattamie
Hart			

Absent or not voting, 13:

Anderson	Hedin	Prentis	Vest
Berg	Knudson	Risk	Watson of
Byers	Lucas	Stewart of	O'Brien
Clark	Molison	Mahaska	

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, 44:

Anderson	Fishbaugh	Miller	Stuart of Lucas
Bateson	Grimstead	Myrland	Utzig
Bekman	Hart	Nelson	Van Eaton
Bellman	Hedin	Nesmith	Walter
Boothby	Heideman	Nolan	Washburn
Byers	Johnson	Oltman	Watson of
Clark	Knudson	O'Malley	Pottawattamie
Colburn	Larson	Sayre	Weichman
Dailey	Linnevoold	Schoening	Whitehead
Dewel	Lord	Scott	Zastrow
Dykhouse	Lucas	Stewart of	
Elijah	Lynes	Mahaska	

Nays, none.

Absent or not voting, 6:

Berg	Prentis	Vest	Watson of
Molison	Risk		O'Brien

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

#### HOUSE AMENDMENT CONSIDERED

Senator Van Eaton called up for consideration Senate File 411, a bill for an act to amend section three hundred ninety point eight (390.8), Code 1950, relating to use of revenue from parking meters, and the following House amendment:

Amend Senate File 411 by adding a new section as follows:

"Sec. 2. Section three hundred ninety point twelve (390.12) by adding after the word "purpose" in line twenty (20) the following: 'for which the street fund may be used where reasonable parking privileges have been provided.'"

Further amend the title to Senate File 411 by striking all after the word "Act" and inserting in lieu thereof the following: "to amend section three hundred ninety point eight (390.8) and three hundred ninety point twelve (390.12), Code 1950, relating to use of revenue from parking meters."

Senator O'Malley offered the following amendment and moved its adoption:

Amend the House amendment to Senate File 411, as printed on page 868 of the Senate Journal, in line 3 of section 2, by inserting after the word "reasonable" the word "off-street".

The amendment to the House amendment was adopted.

On motion of Senator Van Eaton, the Senate concurred in the House amendment as amended.

Senator Van Eaton moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

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

Ayes, 42:			
Anderson	Elijah	Miller	Stewart of
Bateson	Fishbaugh	Myrland	Mahaska
Bekman	Grimstead	Nelson	Stuart of Lucas
Bellman	Hart	Nesmith	Utzig
Boothby	Hedin	Nolan	Van Eaton
Byers	Heideman	Oltman	Vest
Clark	Larson	O'Malley	Walter
Colburn	Linnevold	Sayre	Washburn
Dailey	Lord	Schoening	Weichman
Dewel	Lucas	Scott	Whitehead
Dykhouse	Lynes		Zastrow

Nays, 1:  
Watson of  
Pottawattamie

Absent or not voting, 7:			
Berg	Knudson	Prentis	Watson of
Johnson	Molison	Risk	O'Brien

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 Van Eaton, Senate File 397, a bill for an act to amend chapter three hundred ninety (390), Code 1950, relating to municipal parking lots, to provide for the issuance of bonds and the levy of taxes to pay the same for the purpose of acquiring land and erecting and improving parking lot facilities, and to amend section three hundred ninety point one (390.1), Code 1950, to include the power to erect and improve buildings for parking, 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, 45:

Anderson	Elijah	Miller	Stuart of Lucas
Bateson	Fishbaugh	Myrland	Utzig
Bekman	Grimstead	Nelson	Van Eaton
Bellman	Hart	Nesmith	Vest
Berg	Hedin	Nolan	Walter
Boothby	Heideman	Oltman	Washburn
Byers	Johnson	O'Malley	Watson of
Clark	Larson	Sayre	Pottawattamie
Colburn	Linnevold	Schoening	Weichman
Dailey	Lord	Scott	Whitehead
Dewel	Lucas	Stewart of	Zastrow
Dykhouse	Lynes	Mahaska	

Nays, none.

Absent or not voting, 5:

Knudson	Prentis	Watson of
Molison	Risk	O'Brien

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 385, a bill for an act to amend section two hundred forty-seven point two (247.2), Code 1950, relating to Senate approval of members appointed to the board of parole, was taken up, and considered.

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

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

Ayes, 45:

Anderson	Elijah	Molison	Stuart of Lucas
Bateson	Fishbaugh	Myrland	Utzig
Bekman	Grimstead	Nelson	Van Eaton
Bellman	Hart	Nesmith	Walter
Berg	Hedin	Nolan	Washburn
Boothby	Heideman	Oltman	Watson of
Byers	Larson	O'Malley	O'Brien
Clark	Linnevold	Sayre	Watson of
Colburn	Lord	Schoening	Pottawattamie
Dailey	Lucas	Scott	Weichman
Dewel	Lynes	Stewart of	Whitehead
Dykhouse	Miller	Mahaska	Zastrow

Nays, none.

Absent or not voting, 5:

Johnson	Prentis	Risk	Vest
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 Byers, Senate File 320, a bill for an act to amend section six hundred seventy-nine point five (679.5), Code 1950, relating to arbitrations so as to provide for administering of oaths to witnesses, 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 320 by striking section 2.

The amendment was adopted.

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

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

Ayes, 46:

Anderson	Fishbaugh	Myrland	Utzig
Bateson	Hart	Nelson	Van Eaton
Bekman	Hedin	Nesmith	Vest
Bellman	Heideman	Nolan	Walter
Berg	Johnson	Oltman	Washburn
Boothby	Larson	O'Malley	Watson of
Byers	Linnevold	Sayre	O'Brien
Clark	Lord	Schoening	Watson of
Colburn	Lucas	Scott	Pottawattamie
Dailey	Lynes	Stewart of	Weichman
Dewel	Miller	Mahaska	Whitehead
Dykhouse	Molison	Stuart of Lucas	Zastrow
Elijah			

Nays, none.

Absent or not voting, 4:

Grimstead	Knudson	Prentis	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.

On motion of Senator Whitehead, House File 46, a bill for an act to amend section three hundred ninety-seven point twenty-nine (397.29), Code 1950, relating to the management of public utility plants by boards of trustees, 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	Bellman	Byers	Dailey
Bateson	Berg	Clark	Dewel
Bekman	Boothby	Colburn	Dykhouse

Elijah	Lucas	O'Malley	Walter
Fishbaugh	Lynes	Sayre	Washburn
Grimstead	Miller	Scott	Watson of
Hart	Molison	Stewart of	O'Brien
Heideman	Myrland	Mahaska	Watson of
Johnson	Nelson	Stuart of Lucas	Pottawattamie
Knudson	Nesmith	Utzig	Weichman
Larson	Nolan	Van Eaton	Whitehead
Linnevold	Oltman	Vest	Zastrow
Lord			

Nays, none.

Absent or not voting, 4:

Hedin	Prentis	Risk	Schoening
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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 236, a bill for an act to amend section five hundred forty-one point nine (541.9), Code 1950, relating to instruments payable to bearer, with report of committee recommending passage, was taken up, considered, and the report of the committee 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, 46:

Anderson	Fishbaugh	Miller	Stuart of Lucas
Bateson	Grimstead	Molison	Utzig
Bekman	Hart	Myrland	Van Eaton
Bellman	Hedin	Nesmith	Vest
Berg	Heideman	Nolan	Walter
Boothby	Johnson	Oltman	Washburn
Byers	Knudson	O'Malley	Watson of
Clark	Larson	Sayre	O'Brien
Colburn	Linnevold	Schoening	Watson of
Dailey	Lord	Scott	Pottawattamie
Dewel	Lucas	Stewart of	Whitehead
Dykhouse	Lynes	Mahaska	Zastrow
Elijah			

Nays, none.

Absent or not voting, 4:

Nelson	Prentis	Risk	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.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House has adopted the conference committee report and the amendments recommended therein on Senate File 18, a bill for an act relating to the open seasons and license for game birds and animals.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 70, a bill for an act relating to the disposal of dead bodies.

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

Senate File 109, a bill for an act relating to collection of rubbish and garbage.

Also: That the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate File 182, a bill for an act relating to school bus transportation.

Also: That the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate File 204, a bill for an act relating to compensation for jury commissions.

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

Senate File 308, a bill for an act relating to the sale of certain lands in Scott County.

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

House File 185, a bill for an act relating to the use of established party designations by candidates nominated by nonparty organizations or by petition.

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

House File 496, a bill for an act providing an appropriation to 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 497, a bill for an act providing for an appropriation to the department of public instruction to general state aid for school districts.

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

House File 499, a bill for an act legalizing the issuance of garage bonds of the city of Grundy Center, Iowa.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENTS TO SENATE FILE 70

Amend Senate File 70 as follows:

1. Section 1, line 5, by adding before the period “(.)” at the end of the line the following: “, or in case of cremation, the name of the person to whom the ashes are delivered”.

2. Section 2 by striking lines 4 and 5 and inserting in lieu thereof the following:

"(4). The name and location of the cemetery where interment of the body is to be made, or in case of cremation, the name of the person to whom the ashes are to be delivered."

#### HOUSE MESSAGES CONSIDERED

House File 185, a bill for an act to amend section forty-three point one hundred twenty-one (43.121), Code 1950, relating to the use of established party designations by candidates nominated by nonparty organizations or by petition.

Read first and second times, and referred to the sifting committee.

House File 496, 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 supplemental aid to certain school districts of the state, and to amend chapter two hundred eighty-six (286), Code 1950.

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

House File 497, a bill for an act to appropriate twenty-six million dollars (\$26,000,000) 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 referred to committee on appropriations.

House File 499, 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 garage bonds of the city of Grundy Center, Iowa, and the provisions made for the levy of taxes for the payment of said bonds and interest thereon and declaring said bonds issued and sold pursuant to said proceedings to be enforceable obligations of said city.

Read first and second times, and referred to the sifting committee.

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

#### AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

President pro tempore Hart took the chair at 4:30 p.m.

Senator Lynes asked and received unanimous consent that upon convening Thursday, April 9, 1953, the Senate resolve itself into a committee of the whole for the purpose of discussing House Files 139 and 140. The bills to be presented and proposed amendments discussed. Following the discussion and when the committee of the whole arises, House File 140 to be re-referred to the 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 131, a bill for an act relating to the investment of funds of life insurance companies and associations.

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

Senate File 211, a bill for an act relating to commitment and voluntary admission of neglected, dependent and delinquent children to the Iowa Juvenile Home and The Iowa Annie Wittenmyer Home.

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 county, private and general hospitals for the insane.

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

Senate File 231, a bill for an act relating to shares of building and loan associations.

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

Senate File 313, a bill for an act relating to vacation and sick leave with pay for employees of state institutions.

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

Senate File 321, a bill for an act relating to pipe lines.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 326, a bill for an act relating to tax levied for repair, furnishing and care of township buildings.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 366, a bill for an act relating to fees for hearses.

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

House File 72, a bill for an act relating to the compensation of police matrons.

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

House File 162, a bill for an act relating to county libraries.

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 the compensation of special policemen at polling places.

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 the reserve components of the armed forces.

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

House File 308, a bill for an act relating to the copying and preserving by miniature photographic process of the records of county officers.

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 relating to sale of personal property or services under prearranged funeral plans.

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 relating to publication of annual reports of insurance companies.

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

House File 469, a bill for an act relating to the use of municipal enterprises fund by municipal corporations for private cemeteries not within the limits of any city or town.

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 loans made on real estate by building and loan associations.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE 326

Amend Senate File 326, line 4, by inserting after the word "with" the following "at least".

#### HOUSE AMENDMENT TO SENATE FILE 366

Amend the title to Senate File 366 by adding the following after the comma (,) in line 2 thereof: "Code 1950,".

#### HOUSE MESSAGES CONSIDERED

House File 72, a bill for an act to amend chapter three hundred sixty-three (363), Code 1950, relating to the compensation of police matrons.

Read first and second times, and referred to the sifting committee.

House File 162, 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 referred to the sifting committee.

House File 183, a bill for an act relating to the compensation of special policemen at polling places and to amend section forty-nine point one hundred seventeen (49.117), Code 1950.

Read first and second times, and referred to the sifting committee.

House File 262, 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.

Read first and second times, and referred to the sifting committee.

House File 308, a bill for an act relating to the copying and preserving by miniature photographic process of the records, reports and other papers of county officers and for disposal of the originals.

Read first and second times, and referred to the sifting committee.

House File 378, a bill for an act relating to the sale of personal property or services under prearranged funeral plans and requiring the proceeds thereof to be held in trust for the purposes intended under certain conditions, and providing penalties for the violation thereof.

Read first and second times, and referred to the sifting committee.

House File 441, a bill for an act to amend section five hundred fifteen point ninety (515.90), Code 1950, relating to publication of annual reports of insurance companies.

Read first and second times, and referred to the sifting committee.

House File 469, a bill for an act to amend chapter one hundred fifty-nine (159), Acts of the Fifty-fourth General Assembly, to permit municipal corporations to use municipal enterprises fund for private cemeteries not within the limits of any city or town.

Read first and second times, and referred to the sifting committee.

House File 478, a bill for an act to amend section five hundred thirty-four point thirty-two (534.32), Code 1950, relating to loans made on real estate by building and loan associations.

Read first and second times, and referred to the sifting committee.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that, on April 7, 1953, the Governor had approved the following bills:

Senate File 125, relating to issuance, sale and delivery of garage bonds of the City of Storm Lake, Iowa.

Senate File 228, relating to the authorization of governing bodies of drainage or levee districts to invest funds.

#### AMENDMENTS FILED

1 Amend Senate File 415 by striking all after the period in  
2 line 6 and inserting in lieu thereof the following: "Such  
3 payments shall be made from funds of the respective institutions  
4 other than state appropriations."

J. G. LUCAS.

1 Amend Senate File 429 by adding thereto the following:  
2 "Sec. 7. This act being deemed of immediate importance  
3 shall be in full force and effect from and after its  
4 publication in the Daily Reporter, a newspaper published at  
5 Sioux City, Iowa, and in The Merville Record, a newspaper  
6 published at Merville, Iowa."

CHARLES S. VAN EATON.

1 1. Amend the title to House File 23 by inserting after the  
2 word "Code" in lines 14 and 15 the following: "1950,"  
3 2. Amend House File 23, section 5, subsection 1, by striking  
4 from line 23 the word "June" and inserting in lieu thereof the  
5 word "July".  
6 3. Amend House File 23, section 10, subsection 6, by striking  
7 the period at the end of line 40 and adding the following: "and  
8 for the acceptance of surplus commodities for distribution when  
9 made available by any government agency."  
10 4. Amend House File 23, section 10, subsection 8, by striking  
11 the period at the end of line 51 and adding the following: "and  
12 publish and distribute such studies, surveys and recommendations  
13 relating to improvement of public education as they may deem  
14 important."  
15 5. Amend House File 23, section 11, by striking from line 2  
16 the word and figure "April 1" and inserting in lieu  
17 thereof the word and figure "January 1". Further amend by  
18 striking from lines 2 and 3 the words "with the approval of

19 two-thirds of the members of the Senate in executive session,"

20 6. Amend House File 23 by adding the following as section 42:

21 "Sec. 42. Amend chapter ninety-four (94), Acts of the  
22 Fifty-fourth General Assembly, by striking from section two (2),  
23 line six (6), the word "department" and inserting in lieu thereof  
24 the word "board".

25 Further amend by renumbering the remaining sections.

W. C. MOLISON.

1 Amend House File 471 by striking from section 1 thereof the  
2 following: "After July 4, 1953, none of said funds may be used  
3 for administrative purposes other than expense in connection with  
4 clerk proceedings."

5 Also, amend House File 471 by adding thereto the following  
6 new section: "Sec. 15. The state auditor is hereby vested  
7 with authority to perform any acts required of the World War II  
8 Service Compensation Board in carrying out the provisions of  
9 section 2 of chapter 54, Acts of the Fifty-fourth General Assembly."

W. ELDON WALTER.

JOHN P. BERG.

L. M. BOOTHBY.

R. J. OLTMAN.

1 Amend the House amendment to Senate File 142 found  
2 on page 775 of the Senate Journal of March 31, 1953, by  
3 striking all of section 2 of the amendment.

THOMAS J. DAILEY.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 9, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend N. R. Olphin, pastor of the Corinthian Baptist Church, Des Moines, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Elijah for the day on request of Senator Lord.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Berg from forty-seven residents of Black Hawk County favoring proposed legislation relating to construction of sanitary facilities at Clear Lake.

By Senator Nolan from forty-seven residents of Iowa and Poweshiek Counties favoring proposed legislation relating to a three hundred million dollar state bond issue to be retired by road use tax.

By Senator Utzig from ten residents of Dubuque County in opposition to proposed legislation relating to fraternal beneficial associations.

By Senator Van Eaton from one hundred eighty residents of Woodbury County in favor of proposed legislation relating to workmen's compensation.

By the following Senators favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance:

By Senator Bellman from thirty-two residents of Warren County.

By Senator Berg from sixteen residents of Black Hawk County.

By Senator Nelson from ten residents of Jefferson County.

By Senator O'Malley from one thousand fifty-nine residents of Polk County.

By Senator Sayre from seventeen residents of Madison County.

By Senator Watson from twenty-eight residents of Pottawattamie County.

By Senator Risk from twenty-three residents of Buchanan County.

By Senators Knudson, Van Eaton and Weichman from twenty-eight residents of Jasper County favoring proposed legislation relating to an annual primary road construction program and favoring increasing Iowa gas tax two cents per gallon.

#### PRESENTATION OF VISITORS

Senator O'Malley asked and received unanimous consent to present to the Senate sixty members of the government class of the Franklin Junior High School who were present in the balcony accompanied by M. W. Warrior and W. D. Kennedy.

Senator Vest asked and received unanimous consent to present to the Senate thirty-seven members of the Clio Club of Carroll and the Carroll County Council of Republican Women's Club who were present in the balcony accompanied by Mrs. L. M. Gnam and Mrs. Robert Wright.

Senator LinnevoId asked and received unanimous consent to present to the Senate ninety-seven rural members of eighth grade classes of Winneshiek County who were present in the balcony accompanied by six of their instructors and Miss Jarla Clauson, Winneshiek County elementary supervisor.

Senator LinnevoId asked and received unanimous consent to present to the Senate twenty-eight senior members of the sociology and civics classes of the Cresco High School who were present in the balcony accompanied by the athletic coach, Gordon Matson.

Senator Molison asked and received unanimous consent to present to the Senate twenty members of the political science class in American state government of Grinnell College who were present in the balcony accompanied by Professor Gilmore.

Senator Whitehead asked and received unanimous consent to present to the Senate sixty members of the junior and senior classes

of the Adel High School who were present in the balcony accompanied by their principal, W. Bly.

Senator O'Malley asked and received unanimous consent to present to the Senate ten members of the Girls' Scout Troop 244 of St. Augustin's School who were present in the balcony accompanied by their leaders, Miss Reardon and Mrs. Walker.

#### ANNOUNCEMENT

Senator Lynes announced that all of the members of the second conference committee on Senate File 2 were present and that Senator Byers, chairman of the committee, was ready to take up for consideration the report of the committee. Senator Lynes further stated that he would withdraw his request that the Senate resolve itself into a committee of the whole for the discussion on House Files 139 and 140 until action on Senate File 2 was completed.

#### REPORT OF SECOND CONFERENCE COMMITTEE ON SENATE FILE 2 ADOPTED

Senator Byers called up for consideration the report of the second conference committee on Senate File 2 filed and found on pages 869 to 872, inclusive, of the Senate Journal.

Senator Byers moved the adoption of the committee report and requested a roll call.

On the question "Shall the report of the second conference committee on Senate File 2 be adopted?" the vote was:

#### Ayes, 40:

Anderson	Hart	Nesmith	Van Eaton
Bateson	Heidin	Nolan	Vest
Bekman	Heideman	O'Malley	Walter
Berg	Knudson	Prentis	Washburn
Boothby	Larson	Risk	Watson of
Byers	Linnevold	Sayre	O'Brien
Clark	Lord	Schoening	Watson of
Colburn	Lucas	Stewart of	Pottawattamie
Dailey	Miller	Mahaska	Weichman
Dewel	Molison	Stuart of Lucas	Whitehead
Dykhouse	Nelson	Utzig	

#### Nays, 8:

Fishbaugh	Johnson	Myrland	Scott
Grimstead	Lynes	Oltman	Zastrow

#### Absent or not voting, 2:

Bellman	Elijah
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The motion prevailed and the report was adopted.

Senator Byers moved that Senate File 2, a bill for an act to amend sections one hundred ninety point one (190.1), one hundred ninety point six (190.6), one hundred ninety-one point two (191.2) and one hundred ninety-one point three (191.3), Code 1950, relating to imitation butter and the sale and labeling thereof, and to repeal section one hundred ninety-two point thirty-two (192.32), Code 1950, relating to the use of imitations of butter in certain state institutions, be amended as follows:

Amend Senate File 2 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section one hundred ninety point one (190.1), Code 1950, is amended by striking the entire subsection two (2), thereof, entitled "Imitation butter" and inserting in lieu thereof the following:

"2. Oleo, oleomargarine or margarine includes all substances, mixtures and compounds known as oleo, oleomargarine or margarine, or all substances, mixtures and compounds which have a consistence similar to that of butter and which contain any edible oils or fats other than milk fat if made in imitation or semblance of butter."

Sec. 2. Section one hundred ninety point six (190.6), Code 1950, is hereby amended by striking from line one (1) thereof, the words "imitation butter or".

Said section is further amended by striking from line three (3) thereof, the word "product" and inserting in lieu thereof the word "cheese".

Said section is hereby further amended by striking from line six (6), the words "butter or".

Sec. 3. Section one hundred ninety-one point two (191.2), Code 1950, is amended by striking therefrom the entire subsection three (3) thereof, entitled "Imitation butter", and inserting in lieu thereof the following:

"3. No person shall sell or offer for sale, colored oleo, oleomargarine or margarine unless—

such oleo, oleomargarine or margarine is packaged;  
the net weight of the contents of any package sold in a retail establishment is one pound or less;

there appears on the label of the package the word 'oleo', 'oleomargarine' or 'margarine' in type or lettering at least as large as any other type or lettering on such label, and a full and accurate statement of all the ingredients contained in such oleo, oleomargarine or margarine; and

each part of the contents of the package is contained in a wrapper which bears the word 'oleo', 'oleomargarine' or 'margarine' in type or lettering not smaller than 20-point type.

There shall be four readily legible imprints made by the manufacturer of the word 'oleo' on the product equally distributed on one of the greater sides of each one-quarter pound, one-half pound, or pound.

For the purpose of this chapter the term 'oleo', 'oleomargarine' or 'margarine' includes all substances, mixtures and compounds known as oleo, oleomargarine or margarine, and all substances, mixtures and compounds which have a consistence similar to that of butter and which contain any edible oils or fats other than milk fat if made in imitation or

semblance of butter. For the purposes of this chapter colored oleo, oleomargarine or margarine is oleo, oleomargarine or margarine to which any color has been added.

Whenever coloring of any kind has been added it shall be clearly stated on both inside wrapper and the outside package. The ingredients of oleo, oleomargarine or margarine shall be listed on both the inside wrapper and outside package in the order of the amounts of ingredients in the package.

Such oleo, oleomargarine or margarine shall contain vitamin A in such quantity that the finished oleo, oleomargarine or margarine contains not less than fifteen thousand (15,000) United States Pharmacopoeia units of vitamin A per pound, as determined by the method prescribed in the Pharmacopoeia of the United States for the total biological vitamin A activity.

Each one pound package of oleo, oleomargarine or margarine shall be approximately four and three-quarter inches by four and three-quarter inches in its greater dimensions commonly known as the "Eastern pack".

Oleo, oleomargarine, or margarine may be manufactured within the State of Iowa under the provisions of this section except that it may be manufactured or stored in any shape or form for shipment in interstate commerce only."

Sec. 4. Section one hundred ninety-one point three (191.3), Code 1950, is amended by striking from line four (4) thereof the words "butter or".

Said section is hereby further amended by striking from line six (6) thereof the word "each".

Said section is hereby further amended by striking from lines twelve (12) to fourteen (14) thereof, inclusive, the following sentence: "The blank after the word 'imitation' in the above form shall be filled with the name of the product imitated" and by inserting in lieu thereof the following: "No person shall possess in a form ready for serving colored oleo, oleomargarine or margarine at a public eating place unless a notice that oleo, oleomargarine or margarine is served is displayed prominently and conspicuously in such place and in such manner as to render it likely to be read and understood by the ordinary individual being served in such eating place or is printed or is otherwise set forth on the menu in type or lettering not smaller than that normally used to designate the serving of other food items. No person shall serve colored oleo, oleomargarine or margarine at a public eating place, whether or not any charge is made therefor, unless each separate serving bears or is accompanied by labeling identifying it as oleo, oleomargarine or margarine, or each separate serving thereof is triangular in shape."

Sec. 5. Section one hundred ninety-two point thirty-two (192.32), Code 1950, as amended, is hereby repealed.

Sec. 6. The word "person" as used in chapters 190, 191, and 192 of the Code shall mean every natural person, firm, copartnership, association or corporation.

Sec. 7. No person, by himself, or agent, shall, by any means whatever, directly or indirectly, advertise or represent by statement, printing, writing, circular, poster, design, device, grade designation, advertisement, symbol, sound, or any combination thereof, that oleo, oleomar-

garine or margarine, or any brand of oleo, oleomargarine or margarine, is a dairy product for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase for consumption of oleo, oleomargarine or margarine, or any brand thereof. Whoever shall violate this provision shall be deemed guilty of a misdemeanor.

Sec. 8. The department of agriculture may prescribe and establish standards for oleo, oleomargarine or margarine manufactured or sold in this state and may adopt the standards set up by now existing regulations of the Federal Security Administration or Agency as found in 1949, Code of Federal Regulations, Title 21, Part 45, Section 45.0, or any amendments thereto. Any standards so established shall not be contrary to or inconsistent with the provisions of section one hundred ninety point one (190.1), subsection two (2), Code 1950, as amended, entitled 'Oleo, oleomargarine or margarine'.

Sec. 9. The provisions of this Act are hereby made a part of Title 10, Code 1950. It shall be the duty of the secretary of agriculture and his agents to enforce this chapter and of the county attorneys and of the attorney general of the state to co-operate with him in the enforcement of this chapter.

Sec. 10. Penalty. Any person violating any provision of section one hundred ninety-one point three (191.3) of the Code shall upon conviction or plea of guilty be punished, for the first offense by a fine of one hundred (100) dollars; for the second offense by a fine of three hundred (300) dollars; for the third offense by a fine of five hundred (500) dollars and the suspension for one year of all licenses issued by the State of Iowa for the public eating place in which said violation occurred.

Sec. 11. If any of the provisions of this Act shall be held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions of this Act, and to these ends the provisions of this Act are declared to be severable.

The motion prevailed and the amendments were adopted.

Senator Byers moved that the title to Senate File 2 be amended by striking all after the word "Act" and inserting in lieu thereof the following:

"to amend certain sections of the Code 1950 relating to imitation butter, oleo, oleomargarine and margarine and the manufacturing, processing, selling and labeling thereof, and to repeal section one hundred ninety-two point thirty-two (192.32), Code 1950, as amended, relating to the use of imitations of butter in certain state institutions and to provide for penalties for violations."

The motion prevailed and the amendment was adopted.

Senator Watson of Pottawattamie moved that Senate File 2 as amended by the conference committee report be read a last time now, which motion prevailed, and the bill was read a last time.

On the question "Shall the bill as amended by the conference committee report pass?" the vote was:

Ayes, 40:

Anderson	Hedin	Nesmith	Van Eaton
Bateson	Heideman	Nolan	Vest
Bekman	Knudson	O'Malley	Walter
Berg	Larson	Prentis	Washburn
Boothby	Linnevold	Risk	Watson of
Byers	Lord	Sayre	O'Brien
Clark	Lucas	Schoening	Watson of
Colburn	Miller	Stewart of	Pottawattamie
Dailey	Molison	Mahaska	Weichman
Dykhouse	Myrland	Stuart of Lucas	Whitehead
Hart	Nelson	Utzig	

Nays, 9:

Bellman	Grimstead	Lynes	Scott
Dewel	Johnson	Oltman	Zastrow
Fishbaugh			

Absent or not voting, 1:  
Elijah

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

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

Senator Byers asked and received unanimous consent that Senate File 2 be immediately messaged to the House, which request was complied with.

#### EXPLANATION OF VOTE

It is my judgment that the conference committee report on Senate File 2 is a complete victory for the oleo interests. The outside of Iowa interests have developed a pressure both unreasonable and very far reaching in its possible damaging effects to the great State of Iowa. It is difficult for legislators to stand against such pressures.

J. KENDALL LYNES.

#### EXPLANATION OF VOTE

This is to explain my reasons for voting "nay" on the oleo-butter conference committee report:

It provides that "there shall be four readily legible imprints made by the manufacturer of the word 'oleo' on the product equally distributed on one of the greater sides".

The principal objection to this provision is that it would require every margarine manufacturer now using Morpac machinery of Lynch Manufacturing Corporation, which we are informed represents approximately

90 per cent of the margarine industry, to install a new line of printing and packaging machinery for Iowa production.

Assuming that Iowa consumption of colored oleomargarine would amount to twenty million pounds annually it could be produced by four machines, but for all the manufacturers selling in Iowa it would mean that between twenty and twenty-five machines would have to be installed because the Morpack machine could not be adapted for use in marking the one quarter pound print in the manner required by the Iowa conference committee bill.

Even if a stencil could be inserted in the Morpack machine which would imprint the word 'oleo' on the margarine in the process of packaging, the imprint would be lost as soon as the margarine was wrapped and packaged, so that it would not be legible when the package reached the consumer.

If there is any logic in the suggestion of the conference committee, we must assume that the requirement that 'oleo' be imprinted on the margarine itself is designed to protect the consumer from the possibility of having margarine pawned off for butter. Since the imprint would not be legible when it reached the consumer there could not possibly be any such protection to the consumer even assuming that it were necessary.

If the proposed law could be complied with by the manufacturer simply by making the imprint even if it did not remain on the margarine at the time of consumption it would serve no useful purpose and would simply increase the cost of margarine to the people of Iowa. On the other hand, if the proposed law were construed as being violated by a manufacturer if the imprint were not legible when the margarine reached the consumer even though the imprint was made at the time of manufacture, the manufacturer would be in the position of being incapable of complying with the law and could not afford to manufacture or ship margarine into the State of Iowa. Thus, no matter how the provision is construed, it is impractical and illogical.

The legislatures of forty-five states have permitted the sale of colored margarine without feeling it necessary to provide the housewives of their states with this type of protection. We believe that the women of Iowa are just as intelligent as the women of any of these forty-five states.

E. C. MYRLAND.

#### EXPLANATION OF VOTE

Senate File 2, in its basic essentials, proposed to give to the margarine interests the right to use the yellow color of butter, which is a natural property of butter in its ideal state. In my opinion that yellow color is, morally and ethically, the right and property of the dairy industry, and the General Assembly has no more right to take this property from this group than we would have to take other classes of property from other citizens. While color alone is not patentable, our state has, for more than fifty years, recognized the ethical claim that butter has to the exclusive use of its own color, and has prevented imitation products from trading on an essential quality of the genuine.

Consumers and merchants have requested that they be permitted to

buy yellow margarine; a vast campaign of propaganda from the margarine interests, aided and abetted editorially and in news columns by most of the press, has attempted to refute and rebut the claim of right that butter has to its own natural color. So great has been the pressure and demand, as expressed by a Mr. Fagerburg, of the Chicago oleo interests, to "give the housewife what she wants," that consideration of whether it is right or wrong has been lost and forgotten.

It is my opinion that margarine should be permitted to be sold and manufactured with the color of butter *only* if it is required to be in some shape or form which is readily identifiable at all times. I attach little importance to the fact that the name is to be imprinted on the package—of course we can all read. It is identification of the product after it is *out of the container* that is important. No product should object to being judged solely on its own merits; it should be proud to be sold and used for what it is, and should not attempt, by subtle imitation and deception, to pass itself off for the genuine.

I commend the efforts of the conference committee to arrive at a settlement and compromise of the dispute; I particularly appreciate the efforts of those members who represented the "butter" side of the question, because I know against what odds of pressure and propaganda they struggled. But, in my estimation, the report of the conference committee does not obtain for the dairy industry of Iowa that positive identification of the imitation product, margarine, which is essential if we are to be fair with thousands and thousands of farmers and dairy people in our state. Whatever hurts agriculture hurts Iowa—and surely it is a cruel blow to agriculture to strip from a natural product one of its essential properties, and give it to a rival imitation product. Because I feel that the report of the conference committee does not adequately protect the dairy industry of Iowa, and because I believe the bill will harm our agriculture, and thereby our state, I voted against the adoption of the report of the conference committee and against the bill in final passage.

EARL C. FISHBAUGH, JR.

#### COMMITTEE OF THE WHOLE

Senator Lynes moved that the Senate resolve itself into a committee of the whole for the purpose of discussing House Files 139 and 140, which motion prevailed.

On motion of Senator Zastrow, the committee of the whole arose and the Senate resumed regular session, President pro tempore Hart presiding.

Senator Dailey moved that the services of Mr. Towne be made available to the members of the Senate on Friday, April 10, 1953, and at such future times as when House Files 138, 139 and 140 shall be under consideration by the Senate, 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 conference committee report and the amendments recommended therein and passed Senate File 2, a bill for an act relating to imitation butter.

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

Senate File 7, a bill for an act relating to narcotic drugs.

Also: That the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate File 29, a bill for an act relating to vital statistics.

Also: That the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate File 233, a bill for an act relating to selling of property of persons receiving old age assistance.

Also: That the House has concurred in Senate amendments to House amendments and passed Senate File 411, a bill for an act relating to use of revenue from parking meters.

Also: That the House has concurred in Senate amendments to and passed House File 150, a bill for an act relating to railway and highway crossings at grade.

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

House File 28, a bill for an act relating to motor vehicle financial responsibility.

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

House File 112, a bill for an act relating to attorney fees paid in criminal cases.

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

House File 144, a bill for an act relating to permanent registration.

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

House File 180, a bill for an act relating to the issuance of township bonds and tax levy therefor.

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 payments for medical services under the workmen's compensation act.

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

House File 247, a bill for an act relating to certification of budgets for bond issues.

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 operation of a motor vehicle without being licensed.

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

House File 385, a bill for an act relating to powers of corporations not for pecuniary profit.

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

House File 400, a bill for an act relating to fire alarm and detection systems in boarding homes.

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 disqualification for benefits for unemployment compensation.

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

House File 502, a bill for an act providing for an appropriation to the department of public instruction for specified school aid.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED

House File 28, a bill for an act to amend chapter three hundred twenty-one A (321A), Code 1950, relating to motor vehicle financial responsibility to provide that whenever any person shall loan money on a motor vehicle or obtain a lien for any unpaid purchase price of a motor vehicle, and the transaction does not include liability insurance coverage which will protect the borrower or vendee under the Iowa financial responsibility act, a statement of that fact shall be contained in the instrument evidencing the transaction, and providing a penalty for violation of same.

Read first and second times, and referred to the sifting committee.

House File 112, a bill for an act to amend section seven hundred seventy-five point five (775.5), Code 1950, relating to attorney fees paid from the county treasury in criminal cases.

Read first and second times, and referred to the sifting committee.

House File 144, a bill for an act to amend sections forty-eight point four (48.4), 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.

House File 180, a bill for an act to amend sections three hundred fifty-nine point forty-three (359.43) and three hundred fifty-nine point forty-four (359.44), Code 1950, relating to the issuance of township bonds and tax levy therefor.

Read first and second times, and referred to the sifting committee.

House File 190, a bill for an act to amend section eighty-five point twenty-seven (85.27), Code 1950, and chapter fifty-nine (59), Acts of the Fifty-fourth General Assembly, by adding the word "chiroprical" so as to allow payment for medical services rendered by doctors of chiropody to employees under the workmen's compensation act.

Read first and second times, and referred to the sifting committee.

House File 247, 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), 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 1 in the year for which tax is to be assessed.

Read first and second times, and referred to the sifting committee.

House File 350, a bill for an act to amend section three hundred twenty-one A point seventeen (321A.17), Code 1950, in reference to operating a motor vehicle without being licensed.

Read first and second times, and referred to the sifting committee.

House File 385, a bill for an act to amend section five hundred four point two (504.2), Code 1950, relating to the powers of corporations not for pecuniary profit.

Read first and second times, and referred to the sifting committee.

House File 400, a bill for an act relating to fire alarm signal and detection systems in private boarding homes for aged and infirm persons and children's boarding homes.

Read first and second times, and referred to the sifting committee.

House File 489, a bill for an act to amend section ninety-six point five (96.5), Code 1950, relating to disqualification for benefits for unemployment compensation.

Read first and second times, and referred to the sifting committee.

House File 502, a bill for an act to make an appropriation from the general fund of the State of Iowa to the department of public instruction for specified school aid and to the Board of Vocational Education as provided in chapter two hundred fifty-eight (258), Code 1950.

Read first and second times, and referred to the appropriations committee.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Stuart of Lucas, 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, 131, 223, 231, 308 and 313, and House Files 43, 46, 236, 273, 337, 341, 373, 457 and 458.

W. C. STUART, *Chairman Senate Committee.*

JOHN A. WALKER, *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, 131, 223, 231, 308 and 313; and House Files 43, 46, 236, 273, 337, 341, 373, 457 and 458.

#### BILLS SENT TO THE GOVERNOR

Senator Stuart of Lucas, 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, 1953, sent to the Governor for his approval: Senate Files 109, 131, 223, 231, 308 and 313.

W. C. STUART, *Chairman.*

Passed on file.

#### COMMUNICATION FROM THE STATE COMPTROLLER

The following communication was received from the office of the State Comptroller:

#### OFFICE STATE COMPTROLLER

April 9, 1953.

TO THE SECRETARY OF THE SENATE AND CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES:

In accordance with the provisions of chapter 25, Code of Iowa, 1950, there is filed with Earl Shostrom, attorney for claims, claims acted upon by the State Appeal Board on April 9, 1953. Each claims bears the recommendation of the board.

Claims of a general nature are numbers 246 and 247.

GLENN D. SARFIELD,  
*Chairman, State Appeal Board.*

No.	Name of Claimant and Nature of Claim	Amount of Claim
246	Members of Toll Road Study Committee—Claim for expenses as members of toll road study committee (filed with Shostrom).....	\$ 2,428.76
247	Grundy County Memorial Hospital, Grundy Center, Iowa—Claim for refund of sales tax (filed with Shostrom) .....	2,172.28

#### AMENDMENTS FILED

- 1 Amend House File 229 as follows:
- 2 1. Amend section 4 by striking from line 2
- 3 "section two (2)" and substituting in lieu thereof "sections
- 4 one (1) and two (2)".
- 5 2. Amend section 11 by striking from line 5
- 6 "fourteen (14) to twenty-five (25)" and substituting in lieu
- 7 thereof "twelve (12) to twenty-three (23)".
- 8 3. Amend section 13 by striking from line
- 9 11 "sixteen (16)" and substitute in lieu thereof "fourteen (14)".
- 10 4. Amend section 16 by striking from line 9
- 11 "nineteen (19)" and substituting in lieu thereof "seventeen (17)".
- 12 Further amend section 16 by striking from line
- 13 13 "seventeen (17)" and substituting in lieu thereof
- 14 "fifteen (15)".
- 15 Further amend section 16 by striking from line

- 16 16 "ten (10)" and substituting in lieu thereof "eight  
17 (8)".
- 18 5. Amend section 17 by striking from line  
19 11 "seventeen (17) or eighteen (18)" and substituting in lieu  
20 thereof "fifteen (15) or sixteen (16)".
- 21 6. Amend section 24 by striking from line  
22 3 "twelve (12) and substituting in lieu thereof "ten (10)".  
23 Further amend section 24 by striking from line  
24 4 "thirteen (13) to twenty-five (25)" and substituting in  
25 lieu thereof "eleven (11) to twenty-three (23)".
- 26 7. Amend section 25 by striking from line  
27 3 "thirteen (13) to twenty-five (25)" and substituting in  
28 lieu thereof "eleven (11) to twenty-three (23)".  
29 Further amend section 25 by striking from  
30 line 16 "twelve (12)" and substituting in lieu thereof  
31 "ten (10)".
- 32 Further amend section 25 by striking from  
33 line 21 "twelve (12)" and substituting in lieu thereof  
34 "ten (10)".
- 35 8. Amend section 28 by striking from line  
36 7 "thirty-one (31) to thirty-three (33)" and substituting  
37 in lieu thereof "twenty-nine (29) to thirty-one (31)".

COMMITTEE ON SCHOOLS AND  
EDUCATIONAL INSTITUTIONS.

1 Amend House File 229 as follows:

- 2 1. Amend section 20 by inserting a period after  
3 the word "separately" in line 5 and striking the remainder  
4 of the section through the period in line 14.
- 5 2. Amend section 23 by striking the sentence  
6 beginning with the word "If" in line 4 and substituting  
7 in lieu thereof the following: "If sixty per cent of the votes  
8 cast by the eligible electors in each of the respective  
9 territories are in favor of the proposition, a new school  
10 corporation shall be organized."
- 11 3. Amend section 32, subsection 3  
12 by inserting after the word "grounds" in line 12, the  
13 words "or superintendent's or teacher's house or houses,".

COMMITTEE ON SCHOOLS AND  
EDUCATIONAL INSTITUTIONS.

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

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 10, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Miss Mabel I. Elthon, missionary to Nicaragua under the Central American Mission, Fertile, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Larson from two hundred forty residents of Ringgold and Taylor Counties opposing proposed legislation relating to fraternal beneficial associations.

By Senator Larson from twenty-two residents of Taylor County favoring the following proposed legislation relating to: payment of sales and use tax by tax certifying and levying bodies; election requirements; bonds of deputy state officer and county officers, and requiring the certification of budgets.

By Senator Watson of Pottawattamie from twenty-two residents of Pottawattamie County in opposition to proposed legislation relating to employment of minors.

By Senators Elijah, Grimstead, Lucas and Molison from twenty-eight residents of Jasper County favoring proposed legislation relating to an annual primary road construction program and favoring increasing Iowa gas tax two cents per gallon.

By the following Senators favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance:

By Senator Anderson from twenty-seven residents of Henry County.

By Senator Bateson from twenty-two residents of Hamilton County.

By Senator Colburn from eighty-eight residents of Cass and Linn Counties.

By Senator Dewel from seventy-two residents of Linn County.

By Senator Dykhouse from thirty-nine residents of Sioux County.

By Senator Larson from twenty-two residents of Taylor County.

By Senator Lord from fifty-seven residents of Clinton and Kosuth Counties.

By Senator Lucas from one hundred fifty-two residents of Story County.

By Senator Lynes from one hundred forty-four residents of Linn and Webster Counties.

By Senator Molison from thirteen residents of Clinton County.

By Senator O'Malley from forty-five residents of Polk County.

By Senator Prentis from two hundred sixty-six residents of Decatur, Linn, Ringgold and Union Counties.

By Senator Schoening from forty-six residents of Clinton County.

By Senator Scott from forty-two residents of Fayette County.

By Senator Weichman from one hundred one residents of Linn and Tama Counties.

By Senator Utzig a resolution adopted by the Parent Teacher Association Council of the Independent School District of Dubuque, Iowa, urging the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance.

#### PRESENTATION OF VISITORS

Senator Lucas asked and received unanimous consent to present to the Senate P. A. Olson and Art Olson, newspapermen from Story City, Iowa, who were present in the Senate chamber.

Senator Boothby asked and received unanimous consent to present to the Senate eight members of the eighth grade rural graduating class of Ida Grove who were present in the balcony accompanied by the county superintendent of schools, R. J. McNelly.

Senator Oltman asked and received unanimous consent to present to the Senate the Honorable J. Oliver Landsness, a former member of the House of Representatives from Buena Vista County, who was present in the Senate chamber.

Senator Miller asked and received unanimous consent to present to the Senate forty members of the government class of the Lovilia High School who were present in the balcony accompanied by their principal, T. J. Barnes.

#### INTRODUCTION OF BILLS

Senate File 432, by committee on appropriations, a bill for an act to appropriate from the reserve funds now in the general fund of the state for the institutions under the control of the state board of education.

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

Senate File 433, by committee on appropriations, a bill for an act to appropriate from the reserve funds now in the general fund of the state for the institutions under the control of the state board of education.

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

Senate File 434, by committee on highways, a bill for an act providing for the creation of a special committee to make a study of the feasibility, location, construction, means of financing and mode of operation of a toll road or roads in the State of Iowa, and to make recommendations to the Governor, prescribing the authority of such committee and making appropriations for expenses, and for the construction, maintenance, repair and operation of toll road projects; creating the Iowa toll road authority and defining its powers and duties; granting it power to acquire necessary real and personal property and to exercise the power of condemnation; providing for financing the construction of such projects by the issuance of revenue bonds of the authority, payable solely from the revenues and funds provided for such payment; providing that no liability or debt of the state shall be incurred in the exercise of any such powers; providing for the collection of tolls and other revenues to pay such bonds and the interest thereon and the cost of construction, maintenance, repair and operation of such projects; exempting from taxes and assessments such toll road projects and such bonds and the interest therefrom; making such bonds eligible for certain investments; prescribing the powers and duties of the authority in connection with the foregoing and the rights and remedies of the holders of bonds issued under the provisions of this act; authorizing the issuance of revenue refunding bonds; and pro-

viding for the operation and supervision of the projects after the retirement of such bonds.

Read first and second times, and referred to the sifting committee.

#### SENATE CONCURRENT RESOLUTION 14 ADOPTED

Senator Miller called up the following resolution:

#### SENATE CONCURRENT RESOLUTION 14

By Miller, Vest, Dailey and Clark

*Whereas*, the name of Susan B. Anthony is a name honored throughout the United States for unselfish devotion to the cause of equal rights and women's suffrage; and

*Whereas*, the said Susan B. Anthony did exert a profound and effective influence in the national life of our country in her sponsorship and support of the nineteenth amendment to the United States Constitution; and

*Whereas*, it is fitting and proper that her name and reputation be better known among the citizens of our country;

*Now, Therefore, Be It Resolved by the Senate, the House Concurring:* That the legislature of the State of Iowa respectfully memorialize the Congress of the United States to take official action whereby there shall be designated a special day to be known as Susan B. Anthony Day, which day shall be the 15th day of February, the anniversary of her birth, and that the said Congress shall by appropriate resolution publicly commemorate the life and history of Susan B. Anthony and urge that services and exercises be held throughout the United States expressive of the public sentiment befitting the anniversary of the birth of said Susan B. Anthony.

*Be It Further Resolved:* That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from Iowa in the Congress of the United States.

On motion of Senator Vest, the resolution was adopted.

#### CONFERENCE COMMITTEE REPORT ADOPTED ON SENATE FILE 18

Senator Dykhouse called up the following report of the conference committee on Senate File 18 and moved its adoption:

#### CONFERENCE COMMITTEE REPORT ON SENATE FILE 18

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 Senate on Senate File 18, a bill for an act to amend chapters 109 and 110, Code 1950, relating

to an open season on wild animals and fish and providing for licensing thereof, recommended that Senate File 18 be amended as follows:

Strike section 6 and insert in lieu thereof:

"Sec. 6. Section 109.76, Code 1950, is amended by adding thereto the following: the spearing of carp or buffalo by persons lawfully permitted to fish shall be lawful from the 1st day of May to and including the 31st day of October, each year, between the hours of sunrise and sunset thereof and at such other times and at such places as the commission may determine necessary to carry out the purposes of section 1, paragraph 1 hereof."

J. T. DYKHOUSE.

DEVERE WATSON.

CHARLES W. NELSON.

D. C. NOLAN.

THEO. KLEMESRUD.

FRED VOIGTMANN.

ROBERT HUISMAN.

KIRK R. NICHOLSON.

On the Part of the Senate.

On the Part of the House.

The motion prevailed and the report was adopted.

On motion of Senator Dykhouse, the amendments contained in the report were adopted.

Senator Dykhouse moved that the bill as amended by the conference committee report be read a last time now, which motion prevailed, and the bill was read a last time.

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

Ayes, 46:

Anderson	Grimstead	Molison	Stuart of Lucas
Bateson	Hart	Myrland	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Weichman
Dailey	Lucas	Schoening	Whitehead
Dewel	Lynes	Stewart of	Zastrow
Dykhouse	Miller	Mahaska	
Elijah			

Nays, 1:

Fishbaugh

Absent or not voting, 3:

Nelson

Scott

Watson of  
Pottawattamie

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

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

SENATE RESOLUTION 4

By Committee on Printing

*Whereas*, the Senate printing committee has had under consideration and study the cost of state printing, and

*Whereas*, the report of the budget and financial control committee, which is set out on page G-374 in the Iowa state budget book of 1953 to 1955, reported costs of state printing appear to have more than doubled in the past eight years, and

*Whereas*, a study should be made of the state printing costs, with the idea of working out some economies;

*Now, Therefore, Be It Resolved by the Senate:* That the budget and financial control committee make a further study of state printing costs, and report its findings to the Fifty-sixth General Assembly.

The motion prevailed and the resolution was adopted.

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

House Concurrent Resolution 25, requesting the return of House File 43 from the office of the Governor for correction.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 25

*Be It Resolved by the House, the Senate Concurring,* That the Governor be requested to return House File 43, a bill for an act relating to recording the proof of publication of notice of dissolution of a corporation, for the purpose of making a correction therein.

Senator Bateson called up for consideration House Concurrent Resolution 25 and moved its adoption.

The motion prevailed and the resolution was adopted.

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

AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

## SPECIAL ORDER

Senator Lord asked and received unanimous consent that House Files 139, 138 and 140 be made a special order of business for Tuesday, April 14, 1953, 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 reconsidered the vote by which it concurred in Senate amendments to and passed House File 43, a bill for an act relating to recording the proof of publication of notice of dissolution of a corporation, and has amended the Senate amendments to said bill and concurred therein as amended, and again passed House File 43.

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

House File 507, a bill for an act providing for an appropriation to the state fair board.

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

House File 508, a bill for an act providing for an appropriation to 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 509, a bill for an act providing an appropriation to the state comptroller from the motor vehicle fuel tax fund.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE AMENDMENT  
TO HOUSE FILE 43

Amend the Senate amendment to House File 43 by changing the figure "10" in line five (5) thereof to the figure "11".

## HOUSE MESSAGES CONSIDERED

House File 507, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1953, and ending June 30, 1955, 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 508, 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 seven hundred thousand dollars (\$700,000) 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 committee on appropriations.

House File 509, 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 committee on appropriations.

#### RECONSIDERATION OF HOUSE FILE 43

On motion of Senator Bateson, House File 43, a bill for an act relating to recording a certificate of dissolution of a corporation and to amend section four hundred ninety-one point twenty-three (491.23), Code 1950, was taken up for further consideration.

Senator Bateson asked and received unanimous consent to reconsider the vote by which House File 43 passed the Senate.

Senator Bateson asked and received unanimous consent to reconsider the vote by which House File 43 went to its third reading.

#### HOUSE AMENDMENT CONSIDERED

Senator Bateson moved that the Senate concur in the following House amendment to the Senate amendment to House File 43:

Amend the Senate amendment to House File 43 by changing the figure "10" in line 5 thereof to the figure "11".

The Senate concurred in the House amendment.

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

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

#### Ayes, 45:

Anderson	Fishbaugh	Myrland	Stuart of Lucas
Bateson	Grimstead	Nelson	Utzig
Bekman	Hart	Nesmith	Van Eaton
Bellman	Hedin	Nolan	Vest
Berg	Johnson	Oltman	Walter
Byers	Knudson	O'Malley	Washburn
Clark	Larson	Prentis	Watson of
Colburn	Lord	Sayre	O'Brien
Dailey	Lucas	Schoening	Watson of
Dewel	Lynes	Scott	Pottawattamie
Dykhouse	Miller	Stewart of	Weichman
Elijah	Molison	Mahaska	Zastrow

Nays, none.

Absent or not voting, 5:

Boothby	Linnevold	Risk	Whitehead
Heideman			

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 Molison, House File 123, a bill for an act to amend section six hundred twenty-seven point ten (627.10), Code 1950, relating to exemptions of earnings of head of a family and providing for a ten per cent (10%) garnishment for debts, was taken up, and considered.

Senator Nolan moved that House File 123 be re-referred to the committee on judiciary 2.

Senator Weichman raised a point of order that the motion was out of order for the reason that House File 123 together with all bills in committees had been turned over to the sifting committee.

The Chair ruled the point not well taken.

The motion to re-refer House File 123 to the committee on judiciary 2 was lost.

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, 29:

Bekman	Grimstead	Molison	Van Eaton
Bellman	Hart	Myrland	Vest
Berg	Hedin	Nelson	Walter
Clark	Johnson	Nesmith	Washburn
Colburn	Knudson	Sayre	Watson of
Dewel	Lord	Scott	Pottawattamie
Dykhouse	Lucas	Stewart of	Weichman
Elijah	Miller	Mahaska	

Nays, 13:

Anderson	Lynes	Prentis	Watson of
Bateson	Nolan	Schoening	O'Brien
Fishbaugh	Oltman	Utzig	Zastrow
Larson	O'Malley		

Absent or not voting, 8:

Boothby	Dailey	Linnevold	Stuart of Lucas
Byers	Heideman	Risk	Whitehead

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

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

On motion of Senator Washburn, House File 274, 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 Stennett, in the county of Montgomery, State of Iowa, and declaring said bonds issued and sold pursuant to said proceedings to be enforceable obligations of said school district, was taken up, and considered.

Senator Washburn moved that the bill be read a third 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
Bateson	Hedin	Nolan	Vest
Bekman	Johnson	Oltman	Walter
Bellman	Knudson	O'Malley	Washburn
Berg	Larson	Prentis	Watson of
Clark	Lord	Sayre	O'Brien
Colburn	Lucas	Schoening	Watson of
Dewel	Lynes	Scott	Pottawattamie
Dykhouse	Miller	Stewart of	Weichman
Elijah	Molison	Mahaska	Whitehead
Fishbaugh	Myrland	Stuart of Lucas	Zastrow
Grimstead	Nelson	Utzig	

Nays, none.

Absent or not voting, 6:

Boothby	Dailey	Linnevoold	Risk
Byers	Heideman		

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

On motion of Senator Berg, House File 471, a bill for an act terminating the World War II service compensation board and to transfer all meetings, records and business pertaining to the said board to the office of the state auditor beginning July 5, 1953, and to amend certain sections of the Code 1950 relating thereto, was taken up, and considered.

Senator Berg offered the following amendment by Senators Walter, Berg, Boothby and Oltman and moved its adoption:

Amend House File 471 by striking from section 1 thereof the following: "After July 4, 1953, none of said funds may be used for administrative purposes other than expenses in connection with court proceedings."

Also, amend House File 471 by adding thereto the following new section: "Sec. 15. The state auditor is hereby vested with authority to perform any acts required of the World War II service compensation board in carrying out the provisions of section 2 of chapter 54, Acts of the Fifty-fourth General Assembly."

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, 42:

Bateson	Johnson	Nolan	Van Eaton
Bekman	Knudson	Oltman	Vest
Bellman	Larson	O'Malley	Walter
Berg	Lord	Prentis	Washburn
Clark	Lucas	Sayre	Watson of
Colburn	Lynes	Schoening	O'Brien
Dewel	Miller	Scott	Watson of
Dykhouse	Molison	Stewart of	Pottawattamie
Elijah	Myrland	Mahaska	Weichman
Fishbaugh	Nelson	Stuart of Lucas	Whitehead
Hart	Nesmith	Utzig	Zastrow
Hedin			

Nays, none.

Absent or not voting, 8:

Anderson	Byers	Grimstead	Linnevoold
Boothby	Dailey	Heideman	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 Bekman, Senate File 387, a bill for an act to amend section two hundred forty-eight point three (248.3), Code 1950, relating to recommendations by board of parole for pardon, was taken up, and considered.

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

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

Ayes, 38:

Bateson	Berg	Dewel	Fishbaugh
Bekman	Clark	Dykhouse	Hart
Bellman	Colburn	Elijah	Hedin

Johnson	Myrland	Scott	Washburn
Knudson	Nelson	Stewart of	Watson of
Larson	Nolan	Mahaska	O'Brien
Lord	Oltman	Stuart of Lucas	Watson of
Lucas	O'Malley	Utzig	Pottawattamie
Lynes	Prentis	Van Eaton	Weichman
Miller	Sayre	Walter	Zastrow
Molison			

Nays, none.

Absent or not voting, 12:

Anderson	Dailey	Linnevold	Schoening
Boothby	Grimstead	Nesmith	Vest
Byers	Heideman	Risk	Whitehead

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 151, a bill for an act relating to the registration of motor vehicles of non-resident carriers.

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

Senate File 152, a bill for an act relating to certificates of convenience and necessity for motor carriers.

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

Senate File 242, a bill for an act relating to levee and drainage districts.

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

Senate File 252, a bill for an act relating to the liquidation of the pension and annuity retirement system of public school teachers.

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

Senate File 263, a bill for an act relating to restricted licenses for minors.

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 deductions from individual income tax.

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

House File 182, a bill for an act relating to fraudulent claims for employment security.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE MESSAGES CONSIDERED

House File 161, a bill for an act to amend section four hundred twenty-two point twelve (422.12), Code 1950, relating to deductions from computed individual income tax as to the marital condition and dependencies.

Read first and second times, and referred to the sifting committee.

House File 182, a bill for an act to amend section ninety-six point five (96.5), Code 1950, pertaining to disqualifications for the receipt of employment security benefits and to provide an administrative penalty for fraudulent claims for benefits.

Read first and second times, and referred to the sifting committee.

## SENATE CONCURRENT RESOLUTION 18

By Elijah and Prentis

A resolution directing the board of control not to serve oleomargarine in state institutions that have children under the age of sixteen (16).

*Whereas*, many of the institutions in the State of Iowa have children under the age of sixteen (16), and

*Whereas*, there is some basis for reasonable doubt as to the relative nutritional value of oleomargarine as compared to butter,

*Now, Therefore, Be It Resolved by the Senate, the House Concurring:* That the board of control is hereby directed to not use as a food oleomargarine in any state institution under the management of the board, where there are any inmates of sixteen (16) or less years of age.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

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

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 211, 321 and 411.

W. C. STUART, *Chairman Senate Committee.*

JOHN A. WALKER, *Chairman House Committee.*

Report adopted.

## BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate Files 211, 321 and 411.

## BILLS SENT TO THE GOVERNOR

Senator Stuart of Lucas, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 10th day of April, 1953, sent to the Governor for his approval: Senate Files 211, 321 and 411.

W. C. STUART, *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. 469	H. F. 26	H. F. 28
H. F. 499	S. F. 68	H. F. 479
H. F. 183	S. F. 69	S. F. 379
H. F. 383	H. F. 378	S. F. 244
H. F. 308	H. F. 221	S. F. 309
H. F. 190		

RALPH W. ZASTROW, *Chairman.*

## BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that, on April 10, 1953, the Governor had approved the following bills:

Senate File 109, relating to the collection of garbage under a can tax.

Senate File 131, relating to the investment of funds of life insurance companies and associations.

Senate File 211, relating to commitment and voluntary admission of neglected, dependent and delinquent children to the Iowa Juvenile Home and The Iowa Annie Wittenmyer Home.

Senate File 223, relating to county and private hospitals for the insane.

Senate File 231, relating to shares of building and loan associations.

Senate File 308, relating to the sale of certain land formerly used in connection with The Iowa Annie Wittenmyer Home at Davenport, Iowa.

Senate File 313, relating to vacation and sick leave with pay for the officers and employees of institutions under the board of control.

Senate File 321, relating to pipe lines.

Senate File 411, relating to use of revenue from parking meters.

## REPORT OF COMMITTEE

Senator Lynes submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 140**, a bill for an act creating Iowa public employees' retirement system and the retirement fund in connection therewith; creating an advisory investment board; imposing a tax on employers and

employees for payment of benefits thereunder; and prescribing duties of employment security commission, and making appropriation thereunder, begs leave to report it has had the same under consideration and **recommends that the bill be amended as follows and returns the bill without recommendation:**

1. Amend House File 140 by striking everything after the word "Act" in the title and inserting in lieu thereof the following: "authorizing the establishing of investment pension trusts for the purpose of assisting in the retirement plans of Iowa public employees, and providing for the organization, operation and control thereof; authorizing the withholding of three per cent (3%) of the taxable wages paid to public employees who are members of any such investment pension trust, and providing for the imposition of a tax upon public employers equal to three per cent (3%) of all the wages paid by the employer to employees who are members of any such investment pension trust, the proceeds of such withholding and tax to be used for investment in such investment pension trusts; making an appropriation to the Iowa Commissioner of Insurance of twenty-five thousand dollars (\$25,000) from the general fund of the State of Iowa, or so much thereof as may be necessary for the purpose of assisting in the organization of investment pension trusts for public employees in the State of Iowa."

2. Further amend House File 140 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. The purpose of this chapter is to promote economy and efficiency in the public service by providing an orderly means whereby employees who because superannuated may, without hardship or prejudice, be replaced by more capable employees, and to that end providing a retirement system which will provide for the payment of annuities to public employees, thereby enabling the employees to care for themselves in retirement, and which by its provisions will improve public employment within the state, reduce excessive personnel turnover and offer suitable attraction to high-grade men and women to enter public service in the state.

Sec. 2. Any number of persons not less than five (5), residents of the state, may become incorporated as an investment pension trust under the general incorporation laws of this state upon compliance with the provisions of this chapter.

Sec. 3. The purpose of such corporations shall be to aid in providing security for its members by furnishing means for the diversification of investment of contributions of employers and employees, by providing benefits based upon such contributions and valuation and yield of the investment thereof, and dependent upon the continuance of human life, all without profit to the corporation.

Sec. 4. The affairs of any such corporation hereby formed shall be managed by a board of directors.

Sec. 5. Such corporations shall have the power

a. to acquire property by any legal means, including by gift, devise or bequest; to hold and dispose of the same, and to invest, re-invest, accumulate, deal with, take action with respect to, and expend the property and income of said corporation in such manner as the directors shall

deem best, without any obligation to segregate contributions or the investment thereof, of any contributors or participants, and

b. to provide retirement benefits and withdrawal equities for employees and beneficiaries, based upon contributions made by or on behalf of such employees and their beneficiaries, and the valuation and yield of the investment thereof, with such participation rights and on such other terms and conditions as said corporation may from time to time adopt, and in general to do and perform all things necessary and appropriate to a corporation created for the purpose of providing such benefits for employees and their beneficiaries.

Sec. 6. The articles of incorporation shall contain so far as applicable the information required in section four hundred ninety-one point five (491.5), Code 1950, together with the following:

1. Provisions for the determination of retirement and other benefits.
2. Provisions for withdrawal of equities from such fund.
3. Provisions for continuing participation after leaving employment.
4. Any other provisions for the management and disposition of the property and income and regulation of the affairs of the corporation which may be deemed expedient.

Such articles and by-laws and any amendments thereto shall not take effect until duly authenticated copies thereof have been filed with the Iowa Commissioner of Insurance and certified by him as being lawful and equitable.

Sec. 7. The corporation hereby formed

- a. shall be and shall have the status of a non-profit corporation; and
- b. shall be subject to the applicable provisions of chapters five hundred five (505), five hundred six (506) and five hundred seven (507), Code 1950, relating to insurance companies, in effect at the time of taking effect of this act, and any amendments thereof not inconsistent with the provisions of this act, but said corporations and their activities shall be exempt from all other provisions, requirements and limitations of said law relating to insurance companies, and any amendments thereto, except as the legislature may hereafter otherwise provide.

Sec. 8. Such corporations shall not

- a. issue any certificates or contracts providing for the payment of predetermined dollar benefits, nor
- b. invest in any common stocks or shares which at the time of such investment are not registered on a national securities exchange as provided in an act of congress of the United States entitled "The Securities Exchange Act of 1934", as amended.

Sec. 9. Said corporations shall neither issue nor deliver any certificate or contract providing for the payment of any benefit or any rider or endorsement thereto, until a copy of the form thereof has been filed with the Iowa Commissioner of Insurance and formally approved by him as not being unfair, unjust, inequitable, or prejudicial to the interest of any participating person, and the commissioner shall have the power to revoke such approval for such cause.

Sec. 10. No money or other benefit provided or rendered by any corporation hereby formed, nor any rights or interests of any participating person in any benefit provided by said corporation or of any

beneficiary of such person, shall be subject to assignment or pledge, or be liable to attachment, garnishment or other process, or to be seized, taken, appropriated, or applied by any legal or equitable process or operation of law to pay any debt or liability of any such person or beneficiary.

Sec. 11. No director, officer, member or employee of any corporation hereby formed shall receive any pecuniary profit from the operations thereof other than reasonable compensation for services rendered, reimbursement for expenses incurred in its service, or benefits received as a proper recipient of its retirement benefits, and withdrawal equities; nor shall any director, officer, member or employee at any time have any personal interest in any property or assets of said corporation; nor shall any director or member, in the absence of fraud or bad faith, be personally liable for the debts, obligations or liabilities of the corporation.

Sec. 12. Each such investment pension trust shall, annually or at such other times as required, make a report to the Insurance Commissioner of Iowa, setting out a complete list of all of its assets, its receipts and disbursements during such period, the terms and conditions for disbursing such funds and such other information as may be required by said commissioner.

Sec. 13. Upon request of any of its employees, the State of Iowa or any of its subdivisions shall withhold a sum equivalent to three per cent (3%) of the wages of such employee, and shall pay the same, together with a like amount from the funds of said employer to such investment pension trust as hereinbefore defined, as may be designated by such employee. "Subdivisions of the State of Iowa" shall include counties, municipalities, public school districts therein and all departments and instrumentalities thereof. "Employee" shall for the purpose of this chapter include elected officials.

Sec. 14. The State of Iowa and each political subdivision is hereby authorized and directed to levy a tax sufficient to meet its obligations under the provisions of this chapter.

Sec. 15. There is hereby appropriated to the Iowa Commissioner of Insurance, from funds not otherwise appropriated, the sum of twenty-five thousand dollars (\$25,000), or so much thereof as may be required, for the purpose of assisting in the organization of investment pension trust for public employees in the State of Iowa."

J. KENDALL LYNES, *Chairman.*

Ordered passed on file.

#### AMENDMENTS FILED

- 1 1. Amend Senate File 222 by striking from
- 2 section 2 lines 2 and 3
- 3 the words "state highway commission" and
- 4 insert in lieu thereof the words "Des Moines
- 5 city council".
- 6 2. Further amend section 2 by strik-
- 7 ing all of said section following the
- 8 period "." in line ten (10) and insert in

9 lieu thereof the following: "After approval  
10 by the executive council, said council may  
11 authorize such improvement and change as is  
12 authorized by its plans and specifications  
13 to be made by the Des Moines city council.  
14 Any such change or alteration provided by  
15 the specifications approved by the executive  
16 council shall be at no expense of the State  
17 of Iowa either as to construction or main-  
18 tenance."

19 3. Further amend Senate File 222 by striking  
20 sections 3, 4 and 5.

J. T. DYKHOUSE.

1 Amend House File 23 by striking all after the enacting clause  
2 and inserting in lieu thereof the following:

3 Section 1. Section forty-three point two (43.2), Code 1950,  
4 is amended by inserting after the word "courts" in line five (5)  
5 the words "and superintendent of public instruction".

6 Further amend said section by adding at the end thereof the  
7 following: "Nominations for superintendent of public instruction  
8 shall be made by political parties in state convention."

9 Sec. 2. Section forty-three point one hundred nine (43.109),  
10 Code 1950, is amended by adding the following as subsection four  
11 (4) and renumbering the remaining subsections:

12 "4. When a nomination is required for the office of superin-  
13 tendent of public instruction."

14 Sec. 3. Section forty-three point one hundred ten (43.110),  
15 Code 1950, is amended by adding after the word "papers" in the  
16 last line the following: "and except nomination of a candidate  
17 for the office of superintendent of public instruction".

18 Further amend said House File 23 by striking from the title  
19 all after the word "Act" and inserting in lieu thereof the follow-  
20 ing: "relating to the department of public instruction and nomina-  
21 tions for the superintendent of said department and to amend certain  
22 sections of the Code 1950 relating thereto."

EARL C. FISHBAUGH, JR.

1 Amend House File 140 by inserting in section 42, line  
2 8, after the word "if" the following: "after making  
3 said election".

GEORGE E. O'MALLEY.

On motion of Senator Zastrow, the Senate adjourned until 11:00  
a.m., Monday, April 13, 1953.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 13, 1953

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend Fred Voigtmann, pastor of the Lutheran Church, Luzerne, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Bateson from fifty residents of Woodbury County in opposition to proposed legislation relating to employment of minors.

By the following Senators favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance:

By Senator Colburn from sixty-one residents of Cass County.

By Senator Lord from fifty-one residents of Clinton and Webster Counties.

By Senator Lucas from nineteen residents of Story County.

By Senator Risk from sixty-four residents of Buchanan County.

By Senator Schoening from fifty-four residents of Clinton County.

By Senator Watson of Pottawattamie County from eighteen residents of Pottawattamie County.

By Senator Zastrow from thirty-nine residents of Floyd County.

By Senator Lucas a resolution adopted by the board of directors of the Independent School District of Ames, Iowa, urging the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance.

## PRESENTATION OF VISITORS

Senator Weichman asked and received unanimous consent to present to the Senate the Honorable Richard V. Leo of Tama

County, a former member of the Senate, also a past President pro tempore of the Senate who was present in the Senate chamber.

Senator Walter asked and received unanimous consent to present to the Senate fourteen members of the junior and senior classes of the Ferguson Consolidated School who were present in the balcony accompanied by their superintendent, Glenn McCoy.

#### SPECIAL ORDER

Senator Berg asked and received unanimous consent that Senate Files 68 and 69 be made a special order of business for Wednesday, April 15, 1953, at 10:30 a.m.

#### INTRODUCTION OF BILLS

Senate File 435, by committee on judiciary 1, a bill for an act to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of fire department equipment bonds by the city of Burlington, 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 referred to the sifting committee.

Senate File 436, by committee on judiciary 1, a bill for an act to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of "Bridge Revenue Bonds, 1953 Series" by the city of Burlington, Iowa, to pay the cost of repairing the existing municipally owned toll bridge extending across the Mississippi River from said city and the provisions made for the payment of said bonds and declaring said proceedings and the bonds issued pursuant thereto legally sufficient and enforceable.

Read first and second times, and referred to the sifting committee.

Senate File 437, by committee on claims, a bill for an act to direct and authorize payment to certain persons in settlement of claims arising out of administration of the conservation commission.

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

Senate File 438, by committee on claims, a bill for an act to make appropriations to the members of the study committee of public utilities, namely: George O'Malley, Frank Byers, DeVere Watson, Fred Schwengel, Dwight Meyer, J. E. Hansen, E. J. Van Nostrand, Clarence Updegraff and Samuel Stevens.

Read first and second times, and referred to the appropriations committee.

Senate File 439, by committee on claims, a bill for an act to make appropriations to members of toll road study committee, namely: John Ruan, H. J. Morgan, Glenn G. Cooper, Harry E. Watson, Francis L. Kerr, Carroll L. Brown, Charles S. Van Eaton, Louis J. Kehoe, Harry J. Wilford, Karl E. Madden and F. W. Parrott.

Read first and second times, and referred to the appropriations committee.

Senate File 440, by committee on claims, a bill for an act to make appropriation to James Shaver on settlement of claim against the State of Iowa.

Read first and second times, and referred to the appropriations committee.

Senate File 441, by committee on claims, a bill for an act to make appropriations to the Armand Company on account of real estate lease.

Read first and second times, and referred to the appropriations committee.

Senate File 442, by committee on judiciary 2, a bill for an act to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of 1952 sewer bonds by the city of Creston, 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 referred to the sifting committee.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House has passed the following bill in which the concurrence of the House was asked:

Senate File 266, a bill for an act relating to operating motor vehicles while under suspension.

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

Senate File 267, a bill for an act relating to motor vehicle financial responsibility.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 268, a bill for an act relating to instruction permits, and fees for operator's and chauffeur's licenses.

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

Senate Concurrent Resolution 14, providing that the legislature of the State of Iowa respectfully memorialize the Congress of the United States to take official action whereby there shall be designated a special day to be known as Susan B. Anthony Day.

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 Fifty-fifth General Assembly to adjourn sine die at twelve o'clock noon, April 21, 1953.

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

House File 102, a bill for an act relating to accidental disability benefit and accidental death benefit for policemen and firemen.

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

House File 164, a bill for an act relating to the Iowa Employment Security Commission.

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

House File 298, a bill for an act providing for electors of the county to allocate taxes.

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

House File 317, a bill for an act relating to reflector requirements and directional signals on vehicles.

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 traffic on one-way streets.

Also: That the House has concurred in Senate amendments to and passed House File 471, a bill for an act relating to termination of World War II Service Compensation Board.

## HOUSE CONCURRENT RESOLUTION 24

*Be It Resolved by the House, the Senate Concurring, That the Fifty-fifth General Assembly adjourn sine die at twelve o'clock noon, April 21, 1953.*

## HOUSE AMENDMENT TO SENATE FILE 268

Amend Senate File 268, section 1, line 18, by inserting between the word "valid" and the word "only" the following: "until his sixteenth birthday and shall entitle such permittee to drive a motor vehicle upon the highways".

## HOUSE MESSAGES CONSIDERED

House File 102, a bill for an act to amend section four hundred eleven point six (411.6), Code 1950, relating to accidental disability benefit and accidental death benefit for policemen and firemen.

Read first and second times, and referred to the sifting committee.

House File 164, a bill for an act to amend section ninety-six point eleven (96.11), Code 1950, pertaining to the administration, powers, rules and personnel of the Iowa employment security commission to provide a penalty for an employer's failure to file timely reports as required by the Iowa employment security law and the rules and regulations promulgated by the Iowa employment security commission.

Read first and second times, and referred to the sifting committee.

House File 298, a bill for an act authorizing the electors of the county to allocate taxes voted for carrying out a proposition adopted and afterwards rescinded to another purpose and to amend sections three hundred forty-five point twelve (345.12), three hundred forty-five point thirteen (345.13), and three hundred forty-five point fourteen (345.14), Code 1950.

Read first and second times, and referred to the sifting committee.

House File 317, a bill for an act to amend section three hundred twenty-one point three hundred ninety (321.390) and to repeal section three hundred twenty-one point three hundred seventeen

(321.317), Code 1950, relating to reflector requirements and directional signals on vehicles.

Read first and second times, and referred to the sifting committee.

House File 418, a bill for an act to amend section three hundred twenty-one point two hundred ninety-seven (321.297), Code 1950, relating to traffic on one-way streets.

Read first and second times, and referred to the sifting committee.

#### HOUSE AMENDMENTS CONSIDERED

Senator Bateson called up for consideration Senate File 268, a bill for an act to repeal section three hundred twenty-one point one hundred eighty (321.180), Code 1950, relating to instruction permits, and to enact a substitute therefor; and to amend section three hundred twenty-one point one hundred ninety-one (321.191), Code 1950, as amended, pertaining to fees for operator's and chauffeur's licenses, amended by the House, and moved that the Senate concur in the House amendment.

The Senate concurred in the House amendment.

Senator Bateson moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

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

Ayes, 49:

Anderson	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Utzig
Bekman	Hart	Nesmith	Van Eaton
Bellman	Hedin	Nolan	Vest
Berg	Heideman	Oltman	Walter
Boothby	Johnson	O'Malley	Washburn
Byers	Knudson	Prentis	Watson of
Clark	Larson	Risk	O'Brien
Colburn	Linnevold	Sayre	Watson of
Dailey	Lord	Schoening	Pottawattamie
Dewel	Lucas	Scott	Weichman
Dykhouse	Lynes	Stewart of	Whitehead
Elijah	Miller	Mahaska	Zastrow

Nays, none.

Absent or not voting, 1:

Nelson

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

## SENATE CONCURRENT RESOLUTION 18

Senator Elijah called up the following resolution :

## SENATE CONCURRENT RESOLUTION 18

By Elijah and Prentis

A resolution directing the board of control not to serve oleomargarine in state institutions that have children under the age of sixteen (16).

*Whereas*, many of the institutions in the State of Iowa have children under the age of sixteen (16), and

*Whereas*, there is some basis for reasonable doubt as to the relative nutritional value of oleomargarine as compared to butter,

*Now, Therefore, Be It Resolved by the Senate, the House Concurring:* That the board of control is hereby directed to not use as a food oleomargarine in any state institution under the management of the board, where there are any inmates of sixteen (16) or less years of age.

Senator Elijah moved the adoption of the resolution and requested a roll call.

On the question "Shall the resolution be adopted?" the vote was:

## Ayes, 15:

Anderson	Elijah	Molison	Scott
Bellman	Fishbaugh	Oltman	Weichman
Boothby	Grimstead	Prentis	Zastrow
Dewel	Lucas	Risk	

## Nays, 28:

Bateson	Hedin	Nolan	Utzig
Bekman	Johnson	O'Malley	Van Eaton
Berg	Knudson	Sayre	Walter
Byers	Larson	Schoening	Washburn
Colburn	Linnevold	Stewart of	Watson of
Dailey	Miller	Mahaska	Pottawattamie
Dykhouse	Myrland	Stuart of Lucas	Whitehead
Hart	Nelson		

## Absent or not voting, 7:

Clark	Lord	Nesmith	Watson of
Heideman	Lynes	Vest	O'Brien

The resolution having failed to receive a constitutional majority was declared to have failed to pass the Senate.

## THIRD READING OF BILLS

On motion of Senator Molison, House File 23, a bill for an act to establish a department of public instruction for 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 present board of educational examiners and transfer duties of said board to the board of public instruction; to abolish the present board for vocational education and to designate the board of public instruction as the state board for vocational education; to amend certain sections of the Code relating thereto, and to repeal certain sections of said Code to effect the general purposes of this act, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Whitehead moved that House File 23 be re-referred to the committee on election reform.

Division was called for.

The motion was lost.

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

#### AFTERNOON SESSION

The Senate reconvened, President Elthon 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 House was asked:

Senate File 83, a bill for an act relating to marriages.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 134, a bill for an act relating to expenditures by county board of supervisors.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 190, a bill for an act relating to salaries of certain city officials.

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 appointment of guardians.

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 emergency pipeline equipment.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 397, a bill for an act relating to municipal parking lots.

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 retail sales tax permits.

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 ordinary disability retirement for policeman and firemen.

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 the use of aircraft on inland lakes of the state.

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

House File 338, a bill for an act limiting the civil liability to persons riding in aircraft.

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

House File 468, a bill for an act relating to the condemnation of private property for public improvements.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENTS TO SENATE FILE 134

Amend Senate File 134 as follows:

By adding a new section after section 1 as follows:

"Sec. 2. Section three hundred forty-five point three (345.3), Code 1950, is hereby amended by striking the words, 'sixty-five thousand or over' in line three (3) and inserting in lieu thereof the words, 'forty thousand or over, with a county seat having a population of more than five thousand,'"

2. By renumbering the following section.

3. Amend the title to Senate File 134 by striking all after the word "amend" in line 1 and inserting in lieu thereof the following: "sections three hundred forty-five point one (345.1) and three hundred forty-five point three (345.3)."

#### HOUSE AMENDMENT TO SENATE FILE 190

Amend Senate File 190, section 1, line 4, by striking the word "fifteen" and inserting in lieu thereof the word "twelve".

## HOUSE AMENDMENT TO SENATE FILE 397

Amend Senate File 397 by striking section 2 and inserting in lieu thereof the following:

"Sec. 2. Cities and towns when authorized by an election, to establish off-street parking facilities as provided in section three hundred ninety point one (390.1), Code 1950, are hereby authorized to contract indebtedness and to issue general obligation bonds to provide funds to pay the cost of acquiring and improving real estate for off-street parking areas, including the erection or improvement of buildings thereon. Said election shall be conducted as provided for in chapter four hundred seven (407), Code 1950."

## HOUSE MESSAGES CONSIDERED

House File 90, a bill for an act repealing subsection seven (7) of section four hundred twenty-two point fifty-three (422.53), Code 1950, and amending subsection one (1) of section four hundred twenty-two point fifty-three (422.53), Code 1950, relating to retail sales tax permits.

Read first and second times, and referred to the sifting committee.

House File 117, a bill for an act to amend section four hundred eleven point six (411.6), Code 1950, relating to ordinary disability retirement for policemen and firemen.

Read first and second times, and referred to the sifting committee.

House File 313, a bill for an act to amend section one hundred six point fifteen (106.15), Code 1950, relating to the use of aircraft on the inland lakes of the state.

Read first and second times, and referred to the sifting committee.

House File 338, a bill for an act to limit the civil liability to persons riding in aircraft without payment for the ride or transportation.

Read first and second times, and referred to the sifting committee.

House File 468, a bill for an act to amend section four hundred seventy-two point twenty-six (472.26), Code 1950, relating to the condemnation of private property for public improvements.

Read first and second times, and referred to the sifting committee.

## THIRD READING OF BILLS

The Senate resumed consideration of House File 23.

The following committee amendment was considered:

## COMMITTEE AMENDMENT 2

1. Amend House File 23 by striking from line 13 of section 3 the words "the Senate in executive session" and substituting in lieu thereof the words "the other board members".

2. Amend House File 23, section 11, by striking from line 2 the words "April 1" and substituting in lieu thereof "January 1" and further amend by striking all after the word "thereafter" in line 2 and substituting in lieu thereof a period (.).

3. Amend House File 23, section 17, by striking subsection 4 and renumbering the remaining subsections.

4. Amend House File 23, section 18, subsection 1, by striking from lines 9 and 10 the words "as he may deem advisable or".

5. Further amend House File 23, section 18, subsection 6, by striking the word "and" in line 27 and by placing a period (.) after the word "laws" in line 28 and striking the balance of subsection 6.

6. Further amend House File 23, section 18, by striking in line 38 in subsection 8 the words "in his discretion or".

7. Further amend House File 23, section 18, subsection 9, by striking in lines 47 and 48 the words "or in which, in his discretion,".

8. Further amend House File 23, section 18, by striking subsections 13, 18 and 24.

9. Further amend House File 23, section 18, subsection 14, by inserting in line 89 following the semi-colon (;) the words "subject to the approval of the board".

10. Amend House File 23, section 20, by striking all of said section following the period (.) in line 10.

11. Amend House File 23, section 22, line 1, by striking the words "shall appoint" and substituting in lieu thereof the words "may appoint not more than".

12. Further amend House File 23, section 22, line 3, by striking the period (.) following the word "board" and inserting in lieu thereof the following: " , whose duties shall be directed by the superintendent of public instruction."

13. Amend House File 23, section 24, line 3, by striking the words and figures "twelve thousand dollars (\$12,000.00)" and inserting in lieu thereof "ten thousand dollars (\$10,000.00)".

14. Further amend House File 23, section 24, line 4, by striking the word "two" and inserting in lieu thereof "assistant or".

15. Amend House File 23, section 26, subsection 2, by striking all of lines 9, 10, 11 and 12, and inserting in lieu thereof "The state superintendent shall with the approval of the state board direct the work of such personnel as may be necessary to carry out the provisions of this chapter."

Senator Molison asked and received unanimous consent to withdraw division 2 of the committee amendment.

Senator Lynes moved the adoption of division 1 of the committee amendment.

The amendment was lost.

On motion of Senator Lynes, divisions 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 of the committee amendment were adopted.

The following committee amendment was considered:

#### COMMITTEE AMENDMENT 1

Amend House File 23 by striking from section five (5) all after the period in line eleven (11) to and including the period in line twenty-one (21) and inserting in lieu thereof the following: "The number of delegates to be elected by each such board of a consolidated or independent district maintaining a four-year high school and having a city of five thousand or more population shall be as follows:

1. In the event the population of the school district is twenty thousand or less one delegate shall be elected.

2. In the event the population of the school district is over twenty thousand one delegate shall be elected for each twenty thousand of population or major fraction thereof.

The number of delegates to be elected by each county board of education shall be determined as follows:

1. When the population of any county is twenty-two thousand five hundred or less the county board shall elect one delegate unless there is no independent or consolidated school district within the county maintaining a four-year high school and containing a city having a population of at least five thousand in which event the county board shall elect two delegates.

2. If the population of the county is in excess of twenty-two thousand five hundred the county board shall elect two delegates."

Senator Bateson offered the following amendment to committee amendment 1, and moved its adoption:

1. Amend committee amendment No. 1 to House File 23 by striking from line 8 the words "school district" and inserting in lieu thereof the words "city in such school district as shown at the last federal census".

2. Further amend said amendment by striking from line 10 the words "school district" and inserting in lieu thereof the words "city in such school district".

The amendment to the committee amendment was adopted.

On motion of Senator Molison, the committee amendment as amended was adopted.

Senator Molison offered the following amendment:

1. Amend the title to House File 23 by inserting after the word "Code" in lines 14 and 15 the following: "1950,".

2. Amend House File 23, section 5, subsection 1, by striking from line 23 the word "June" and inserting in lieu thereof the word "July".

3. Amend House File 23, section 10, subsection 6, by striking the period at the end of line 40 and adding the following: "and for the acceptance of surplus commodities for distribution when made available by any government agency."

4. Amend House File 23, section 10, subsection 8, by striking the period at the end of line 51 and adding the following: "and publish and distribute such studies, survey and recommendations relating to improvement of public education as they may deem important."

5. Amend House File 23, section 11, by striking from line 2 the word and figure "April 1" and inserting in lieu thereof the word and figure "January 1". Further amend by striking from lines 2 and 3 the words "with the approval of two-thirds of the members of the Senate in executive session,".

6. Amend House File 23 by adding the following as section 42:

"Sec. 42. Amend chapter ninety-four (94), Acts of the Fifty-fourth General Assembly, by striking from section two (2), line six (6), the word "department" and inserting in lieu thereof the word "board".

Further amend by renumbering the sections.

On motion of Senator Molison, the first part of division 5 of the amendment was adopted.

Senator Molison moved the adoption of the second part of division 5 of the amendment.

The amendment was lost.

On motion of Senator Molison, division 3 of the amendment was adopted.

Senator Molison asked and received unanimous consent to withdraw division 4 of the amendment.

On motion of Senator Molison, division 6 of the amendment was adopted.

On motion of Senator Molison, divisions 1 and 2 of the amendment were adopted.

Senator Fishbaugh offered the following amendment and moved its adoption:

Amend House File 23, section 6, by striking all after the word "duties" in line 3 and inserting in lieu thereof a period (.).

The amendment was adopted.

Senator Fishbaugh offered the following amendment and moved its adoption:

Amend House File 23 by striking sections 3, 4 and 5 and inserting in lieu thereof the following; and renumbering the remaining sections:

"Sec. 3. The terms of members of the state board shall be for six

years, beginning the second secular day in January following appointment. The state is divided into state board of instruction districts, the boundaries of which shall be coterminous with the eight Congressional districts as they existed on January 1, 1953, and there shall be one member of the board appointed by the governor from each of such districts. One member of the board shall be appointed by the governor from the electors of the state at large. No more than five members of the board shall be members of the same political party. Nominations for membership by the governor shall be subject to confirmation by two-thirds of the Senate in executive session.

"At the first regular meeting of the board after the effective date of this Act the terms of the first appointed members shall be determined by lot; three for two-year terms, three for four-year terms and two for six-year terms. At the first meeting of the board in each even-numbered year the board shall elect a president and a vice president who shall serve for two years.

"Sec. 4. The members of the board shall qualify by taking the regular oath of office prescribed by law for state officers. Vacancies occurring on the state board shall be filled by appointment by the governor for the unexpired portion of the term."

Roll call was requested.

Rule 8 was invoked.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 21:

Byers	Hart	Nolan	Utzig
Colburn	Linnevold	Prentis	Washburn
Dailey	Lord	Schoening	Weichman
Dewel	Lucas	Scott	Whitehead
Dykhouse	Myrland	Stewart of	
Fishbaugh	Nelson	Mahaska	

Nays, 28:

Anderson	Grimstead	Molison	Van Eaton
Bateson	Hedin	Nesmith	Vest
Bekman	Heideman	Oltman	Watson of
Bellman	Johnson	O'Malley	O'Brien
Berg	Knudson	Risk	Watson of
Boothby	Larson	Sayre	Pottawattamie
Clark	Lynes	Stuart of Lucas	Zastrow
Elijah	Miller		

Absent or not voting, 1:

Walter

The amendment was lost.

Senator Fishbaugh offered the following amendment and moved its adoption:

Amend House File 23 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section forty-three point two (43.2), Code 1950, is amended

by inserting after the word "courts" in line five (5) the words "and superintendent of public instruction".

Further amend said section by adding at the end thereof the following: "Nominations for superintendent of public instruction shall be made by political parties in state convention."

Sec. 2. Section forty-three point one hundred nine (43.109), Code 1950, is amended by adding the following as subsection four (4) and renumbering the remaining subsections:

"4. When a nomination is required for the office of superintendent of public instruction."

Sec. 3. Section forty-three point one hundred ten (43.110), Code 1950, is amended by adding after the word "papers" in the last line the following: "and except nomination of a candidate for the office of superintendent of public instruction".

Further amend said House File 23 by striking from the title all after the word "Act" and inserting in lieu thereof the following: "relating to the department of public instruction and nominations for the superintendent of said department and to amend certain sections of the Code relating thereto."

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 5:

Fishbaugh	Nolan	Stewart of
Myrland	Prentis	Mahaska

Nays, 38:

Anderson	Grimstead	Molison	Utzig
Bateson	Hart	Nelson	Van Eaton
Bekman	Hedin	Nesmith	Vest
Bellman	Heideman	Oltman	Washburn
Berg	Johnson	O'Malley	Watson of
Boothby	Knudson	Risk	O'Brien
Colburn	Larson	Sayre	Watson of
Dailey	Lord	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Elijah	Miller	Stuart of Lucas	Zastrow

Absent or not voting, 7:

Byers	Dykhouse	Lucas	Whitehead
Clark	Linnevold	Walter	

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, 31:

Anderson	Bellman	Dailey	Grimstead
Bateson	Berg	Dewel	Hart
Bekman	Boothby	Elijah	Hedin

Heideman	Nesmith	Schoening	Watson of
Knudson	Oltman	Stuart of Lucas	Pottawattamie
Larson	O'Malley	Van Eaton	Weichman
Lord	Risk	Vest	Zastrow
Lynes	Sayre	Watson of	
Molison		O'Brien	

## Nays, 19:

Byers	Linnevold	Nolan	Utzig
Clark	Lucas	Prentis	Walter
Colburn	Miller	Scott	Washburn
Dykhous	Myrland	Stewart of	Whitehead
Fishbaugh	Nelson	Mahaska	
Johnson			

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 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.

## EXPLANATION OF VOTE

In voting "aye" on House File 23, I have done so with the understanding as was stated without objection in the course of the debate thereon, that federal funds directly available to local districts under U. S. Public Laws No. 815 and 872 or any related federal statute of similar nature are expressly excluded from the provisions of section 10, subsection 6, of this bill.

THOMAS J. DAILEY.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

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

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 2, 7, 18, 151 and 152; and House Files 43, 123, 150 and 274.

W. C. STUART, *Chairman Senate Committee.*

JOHN A. WALKER, *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, 7, 18, 151 and 152; and House Files 43, 123, 150 and 274.

## REPORTS OF COMMITTEE

Senator Lynes submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House Concurrent Resolution 21**, relative to certain expenditures, and authorization for payment of same, 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 appropriations, to which was referred **House File 494**, 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, 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 appropriations, to which was referred **House File 495**, a bill for an act 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, 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 appropriations, to which was referred **House File 496**, a bill for an act to appropriate from the general fund of the State of Iowa seven million dollars (\$7,000,000) to the department of public instruction for supplemental aid to certain school districts of the state, and to amend chapter two hundred eighty-six (286), 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**:

1. Amend House File 496, section 1, line 4, by striking the word "three" and inserting in lieu thereof the word "two" and by striking in line 5 the figures "\$3,000,000" and inserting in lieu thereof the figures "\$2,000,000").

2. Amend the title to House File 496, line 2, by striking the words and figures "six million dollars (\$6,000,000)" and inserting in lieu thereof the words and figures "four million dollars (\$4,000,000)".

J. KENDALL LYNES, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 497**, 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, 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 497, section 1, line 4, by striking the words and figures "thirteen million dollars (\$13,000,000)" and inserting in lieu thereof the words and figures "twelve million dollars (\$12,000,000)".

2. Amend the title to House File 497, line 1, by striking the words and figures "twenty-six million dollars (\$26,000,000.00)" and inserting in lieu thereof the words and figures "twenty-four million dollars (\$24,000,000)".

3. Amend section 1 of House File 497 by striking the period (.) at the end thereof and adding the following: ", provided, however, that no school district shall receive financial aid under the provisions of said Code chapter in the event a school tax levy for the general fund of at least ten (10) mills was not made in such district for the preceding year."

J. KENDALL LYNES, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 502**, a bill for an act to make an appropriation from the general fund of the State of Iowa to the department of public instruction for specified school aid, 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 502 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. There is hereby appropriated from the general fund of the State of Iowa to the department of public instruction for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, the sum of six hundred forty-seven thousand five hundred dollars (\$647,500), or so much thereof as may be necessary, to be used in the following manner:

Aid to handicapped children (special education), as provided in chapter two hundred eighty-one (281), Code 1950.....	\$526,000.00
Normal Institute .....	49,500.00
Mining camp school emergency.....	27,000.00
Mining camp schools state aid.....	45,000.00
<b>Total .....</b>	<b>\$647,500.00</b>

2. Amend the title to House File 502 by striking all after the word "Act" and inserting in lieu thereof the following: "to make an appropri-

ation from the general fund of the State of Iowa to the department of public instruction for specified school aids."

J. KENDALL LYNES, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 507**, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1953, and ending June 30, 1955, 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.**

J. KENDALL LYNES, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 508**, a bill for an act to appropriate from the general fund of the State of Iowa to the soil conservation committee the sum of \$700,000 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 **be amended as follows; and when so amended the bill do pass:**

1. Amend House File 508, section 1, lines 3 and 4, by striking the words and figures "three hundred fifty thousand dollars (\$350,000.00)" and inserting in lieu thereof the words and figures "four hundred thousand dollars (\$400,000)".
2. Amend House File 508, section 1, by striking line 18 and inserting in lieu thereof the following "hundred fifty thousand dollars (\$350,000)."
3. Amend the title to House File 508 in line 2 by striking the word "seven" and inserting in lieu thereof the word "eight" and by striking in line 3 the figures "(\$700,000.00)" and inserting in lieu thereof the figures "(\$800,000)".

J. KENDALL LYNES, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 509**, 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.**

J. KENDALL LYNES, *Chairman.*

Ordered passed on file.

## AMENDMENTS FILED

1 Amend Senate File 68 by striking from line 4 of section 27  
 2 the words and figures "one hundred thousand dollars (\$100,000)"  
 3 and inserting in lieu thereof the words and figures "fifty thousand  
 4 dollars (\$50,000)".

DUANE E. DEWEL.

1 1. Amend House File 139, section 1, by striking subsection  
 2 "c" and inserting in lieu thereof the following: "Any person  
 3 continuing in employment of the State of Iowa, or any of its sub-  
 4 divisions, or entering such employment, after the effective date  
 5 of this act, shall be deemed to have elected to receive a refund  
 6 of his contributions in lieu of any other benefits under chapter  
 7 ninety-seven (97), Code 1950, as amended, the filing of any ap-  
 8 plication or claim for retirement or other benefits not withstand-  
 9 ing."

10 2. Further amend section 1 by striking subsection "d" and  
 11 substituting in lieu thereof the following: "Any person who is  
 12 "fully insured" under subsection six (6) of section ninety-seven  
 13 point forty-five (97.45), as amended, Code 1950, who has not  
 14 claimed a refund of his contributions under this act, may, upon  
 15 reaching the age of sixty-five (65) years, obtain retirement or  
 16 other benefits under chapter ninety-seven (97), if such person is,  
 17 prior to the effective date of this act, or within five (5) years  
 18 thereafter, either physically or mentally, permanently disabled  
 19 to the extent that he is unable to be gainfully employed. Provided,  
 20 that such benefits shall be reduced by the amount of federal social  
 21 security benefits, if any, received by such person.

22 3. Further amend section 1, by striking subsection "e".

23 4. Further amend section 2, subsection 4, by striking all  
 24 after the comma (,) in line 69, all of line 70, and the words  
 25 "prior record" in line 71; and by inserting a comma (,) in lieu  
 26 of the period in line 73 and adding the following: "reduced by  
 27 the amount of any benefits received by such employee, beneficiary  
 28 or estate."

29 5. Further amend section 2 by striking all of subsection 5.

30 6. Further amend section 2, subsection 6, line 91, by sub-  
 31 stituting a period (.) for the comma (,) after the word "repealed"  
 32 and striking the remainder of said subsection 6.

33 7. Further amend by adding the following new section to be  
 34 known as section 4.

35 Sec. 4. There is hereby appropriated as a standing appropria-  
 tion  
 36 from the general fund of the state to said Iowa Old Age and Sur-  
 37 vivors liquidation fund, such amount as may be necessary to  
 38 augment said fund to make the payments provided for herein."

39 8. Further amend by renumbering the remaining section.

ALAN VEST.

1 1. Amend House File 139 by adding to section 1 the following:  
 2 "The amount of each benefit becoming due and payable on  
 3 or after the effective date of this act shall be increased by such  
 4 amount as results from the addition of ten dollars per month to  
 5 the amount of the primary insurance benefit on which each such  
 6 benefit is based. Any benefit becoming due and payable based  
 7 on prior employment, on or after the effective date of this act to  
 8 any individual under the provisions of the second paragraph,  
 9 section  
 ninety-seven point thirteen (97.13), Code of Iowa, 1950, shall be  
 increased by the addition of  
 10 ten dollars (\$10.00) per month to such benefit."

11 2. Amend House File 139 by adding the following new section  
 12 thereto:

13 "As used in this act, unless clearly indicated by the context  
 14 to the contrary, all references to employment or service refer to  
 15 employment or service in Iowa public employment."

16 3. Amend House File 139 by striking from section 1 all of  
 17 lines 41, 42 and 43 and insert in lieu thereof the following:  
 18 "and who is as of the effective date of this act, under public  
 19 employment, and also under coverage of a federal civil service  
 20 retirement plan, shall be entitled to receive after reaching  
 21 sixty-five years of age, provided he is no longer in public  
 22 employment, not less than the same".

23 4. Amend House File 139, section 2, line 67, by adding after  
 24 the word "employee" and before the word "who" the following:  
 25 "not in public service as of the date of this act".

HERMAN B. LORD.

1 Amend House File 140 by adding the following new paragraph  
 2 to section 43:

3 "Any person with a record of thirty years as a public  
 4 employee in the State of Iowa prior to July 1, 1947, and  
 5 who is not eligible for prior service credit under other  
 6 provisions of this section, shall be entitled to a credit  
 7 for years of prior service in the determination of the  
 8 retirement allowance payment under any of the provisions  
 9 of this chapter, provided such public employee makes  
 10 application to the Employment Security Commission for  
 11 such credit for prior public service, accompanied by such  
 12 verification of his claim as the commission may require.  
 13 His allowance for prior service credits shall be computed  
 14 in the same manner as otherwise provided in this section,  
 15 but shall not exceed the sum of four hundred fifty dollars  
 16 (\$450) nor be less than three hundred dollars (\$300)  
 17 per annum. Any such person shall be entitled to receive  
 18 retirement allowances contributed as provided by this  
 19 chapter, effective from the date of application to the  
 20 Employment Security Commission, provided such application  
 21 is approved.

GEORGE E. O'MALLEY.

- 1 1. Amend House File 140 by striking from section 43,  
2 lines 26 and 27, the following: "provisions of (c) and (d)"  
3 and inserting in lieu thereof the following: "provisions of  
4 (c) or (d)".
- 5 2. Amend House File 140 by striking from section 45,  
6 line 1, the words "Any member" and inserting in lieu thereof  
7 the words "A member".
- 8 3. Amend House File 140 by striking from section 49,  
9 subsection 2, line 15, "One-third of one per cent ( $\frac{1}{3}\%$ )"  
10 and inserting in lieu thereof the following: "One-half of  
11 one per cent ( $\frac{1}{2}\%$ )".
- 12 4. Further amend House File 140 by striking from section  
13 49, subsection 2, lines 19, 20 and 21, the following: ", or  
14 one-third of one per cent ( $\frac{1}{3}\%$ ) of three thousand dollars  
15 (\$3,000.00), whichever is the lesser,".
- 16 5. Amend House File 140 by striking from section 50,  
17 beginning with the word "The" in line 5, and ending with the  
18 word "period." in line 20, and inserting in lieu thereof the  
19 following: "The amount of each monthly retirement allowance  
20 shall be determined in the same manner as provided in section  
21 forty-nine (49), except that the amount of any monthly  
22 retirement allowance so determined in accordance with subsection  
23 two (2) of section forty-nine (49) shall be reduced on an  
24 actuarial equivalent basis for the period that the retirement  
25 date precedes the first day of the month next following or  
26 coinciding with the date he attains the age of sixty-five (65)."  
27 "If the monthly retirement allowance of any member as  
28 computed under the provisions of section forty-nine (49) or  
29 section fifty (50) shall be less than eight and thirty-three  
30 hundredths dollars (\$8.33) per month, such retirement allowance  
31 shall be payable semi-annually, commencing on the member's  
32 retirement date, equal in amount to the actuarial equivalent  
33 of the monthly retirement allowance otherwise payable."
- 34 6. Amend House File 140 by striking from section 51,  
35 the first sentence therefrom and inserting in lieu thereof  
36 the following: "Each member shall have the right at anytime  
37 prior to his retirement date to elect to have his retirement  
38 allowance payable under the option hereinafter set forth in  
39 this section in lieu of the retirement allowance otherwise  
40 payable to him upon retirement under any of the provisions of  
41 the retirement system."
- 42 7. Amend House File 140 by striking from section 53,  
43 the sentence beginning with the word "No" in line 56, and  
44 ending with the word "employment." in line 60 and inserting  
45 in lieu thereof the following: "No interest shall be credited  
46 on his accumulated contributions nor on his employer's accumu-  
47 lated contributions during the period from the time of his  
48 termination of employment to his resumption of employment."
- 49 8. Further amend House File 140 by striking from section

50 53, line 66, the words "time of his" and inserting in lieu  
51 thereof the words "time his".

52 9. Amend House File 140 by striking from section 54, the  
53 sentence beginning with the word "The" in line 13, and ending  
54 with the word "fund" in line 19, and inserting in lieu thereof  
55 the following: "The unfunded accrued liability at any particular  
56 time shall be the excess, if any, of the present value of  
57 retirement allowances due to prior service, over the sum of  
58 (a) the net total accumulated accrued liability contributions  
59 (after adjustment for retirement allowance payments due to  
60 prior service) and (b) any assets transferred to the retirement  
61 fund in accordance with section fifty-six (56) of this act,  
62 with interest on such sum at the rates of interest earned each  
63 year on the retirement fund."

64 10. Amend House File 140 by striking all of section 65  
65 and inserting in lieu thereof the following:

66 "The right is reserved to the general assembly to alter,  
67 amend, or repeal any provision of this chapter or any appli-  
68 cation thereof to any person, provided, however, that to the  
69 extent of the funds in the retirement system the amount of  
70 benefits which at the time of any such alteration, amendment,  
71 or repeal shall have accrued to any member of the system shall  
72 not be repudiated, provided further however, that the amount  
73 of benefits accrued on account of prior service shall be  
74 adjusted to the extent of any unfunded accrued liability then  
75 outstanding."

76 11. Amend House File 140 by striking from section 54,  
77 lines 3 and 4 and from section 55, lines 4 and 5, the words  
78 "one million seven hundred fifty thousand dollars (\$1,750,000)"  
79 and inserting in lieu thereof the following: "two million seven  
80 hundred thousand dollars (\$2,700,000)".

81 12. Amend House File 140 by striking all of section 67  
82 and inserting in lieu thereof the following:

83 "There is hereby appropriated out of the general fund for  
84 each year of the biennium beginning July 1, 1953, and ending  
85 June 30, 1955, a sum not to exceed one hundred seventy-five  
86 thousand dollars (\$175,000), or so much thereof as may be  
87 necessary to pay the costs of the administration of this act."

88 13. Amend House File 140, section 41, line 34, by  
89 striking "Fifty-fourth" and inserting in lieu thereof "Fifty-  
90 fifth".

91 14. Amend House File 140, section 41, by adding the  
92 following new subsection:

93 "For purposes of this act "interest earned" shall be  
94 determined on the following basis:

- 95 (1) interest earnings shall be on an accrued basis,
- 96 (2) interest earnings shall be gross earnings without any  
97 reduction on account of administrative expenses,
- 98 (3) capital gains and losses, realized or unrealized,  
99 shall not be included, and

100 (4) the interest rate shall be based upon mean invested  
101 assets of the retirement fund."

102 15. Amend House File 140, section 42, lines 7 and 8,  
103 by striking the words 'except that he shall cease to be a member  
104 if he joins" and inserting in lieu thereof the words "and he  
105 shall not join".

106 16. Amend House File 140, section 54, line 10, by striking  
107 the figures "1983" and inserting in lieu thereof "1998".

HERMAN B. LORD.

1 Amend House File 229 by striking from lines 14, 15 and  
2 16 of section 16 the following: "county plans are amended  
3 in which event the decision of the joint county boards may be".

DUANE E. DEWEL.

On motion of Senator Zastrow, the Senate adjourned until 9:30  
a.m., Tuesday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 14, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend Dwight Walker, pastor of the First Christian Church, Oskaloosa, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Boothby from twenty-eight residents of Jasper County favoring proposed legislation relating to an annual primary road construction program and favoring increasing Iowa gas tax two cents per gallon.

By Senator Dailey from nine residents of Jasper County favoring increasing Iowa gas tax two cents per gallon for primary road use.

By Senator Washburn from nine residents of Jasper County favoring increasing Iowa gas tax two cents per gallon for primary road use.

By the following Senators favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance:

By Senator Berg from nine hundred ninety-eight residents of Benton, Black Hawk and Linn Counties.

By Senator Byers from five hundred twenty-six residents of Linn County.

By Senator Lord from nine hundred thirteen residents of Boone, Dallas, Greene, Grundy, Guthrie, Hardin, Jasper, Lucas, Madison, Marion, Marshall, Polk, Poweshiek, Story, Tama, Warren and Wayne Counties.

By Senator Lynes from four hundred thirty residents of Black Hawk and Bremer Counties.

By Senator Prentis from one thousand forty-three residents of Benton, Black Hawk, Butler, Floyd and Linn Counties.

By Senator Scott from six hundred one residents of Black Hawk, Floyd and Linn Counties.

By Senator Weichman from one thousand one hundred forty-three residents of Benton, Black Hawk, Butler, Floyd and Linn Counties.

#### PRESENTATION OF VISITORS

Senator Nesmith asked and received unanimous consent to present to the Senate thirty-four members of the junior and senior classes of the Kellogg High School who were present in the balcony accompanied by their superintendent, R. Vanderstoep.

Senator Vest asked and received unanimous consent to present to the Senate fifty students of the Dana High School who were present in the balcony accompanied by their superintendent, W. R. Ferguson.

Senator Berg asked and received unanimous consent to present to the Senate thirty-seven members of the junior and senior classes of the Hudson High School who were present in the balcony accompanied by their instructor, William Eckstein, and their supervisor, Donald C. Rathe.

Senator O'Malley asked and received unanimous consent to present to the Senate two hundred members of the eight A class of the Washington Irving Junior High School who were present in the balcony accompanied by Victor Mastin.

#### HOUSE AMENDMENT CONSIDERED

Senator Hedin called up for consideration Senate File 190, a bill for an act to amend sections four hundred twenty point fourteen (420.14) and four hundred twenty point fifteen (420.15), Code 1950, relating to salaries of certain city officials, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 190, section 1, line 4, by striking the word "fifteen" and inserting in lieu thereof the word "twelve".

The Senate concurred in the House amendment.

Senator Hedin moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

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

Ayes, 46:

Anderson	Fishbaugh	Miller	Utzig
Bateson	Grimstead	Myrland	Van Eaton
Bekman	Hart	Nelson	Vest
Bellman	Hedin	Nesmith	Walter
Berg	Heideman	Nolan	Washburn
Boothby	Johnson	O'Malley	Watson of
Byers	Knudson	Prentis	O'Brien
Colburn	Larson	Risk	Watson of
Dailey	Linnevold	Sayre	Pottawattamie
Dewel	Lord	Schoening	Weichman
Dykhouse	Lucas	Scott	Whitehead
Elijah	Lynes	Stuart of Lucas	Zastrow

Nays, none.

Absent or not voting, 4:

Clark	Oltman	Stewart of
Molison		Mahaska

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 Molison, Senate File 419, a bill for an act to amend, revise, and codify chapters two hundred seventy-five (275) and two hundred seventy-six (276), Code 1950, relating to school district reorganization and boundary changes, to repeal certain sections of the Code 1950 relating thereto and to amend certain sections of the Code 1950 relating thereto, was taken up, and considered.

Senator Molison asked and received unanimous consent that House File 229 be substituted for Senate File 419.

On motion of Senator Molison, House File 229, a bill for an act to amend, revise, and codify chapters two hundred seventy-five (275) and two hundred seventy six (276), Code 1950, relating to school district reorganization and boundary changes, to repeal certain sections of the Code 1950, relating thereto and to amend certain sections of the Code 1950, relating thereto, was taken up, and considered.

The following committee amendment was considered:

Amend House File 229 as follows:

1. Amend section 4 by striking from line 2 "section two (2)" and substituting in lieu thereof "sections one (1) and two (2)".
2. Amend section 11 by striking from line 5 "fourteen (14) to twenty-

five (25)" and substituting in lieu thereof "twelve (12) to twenty-three (23)".

3. Amend section 13 by striking from line 11 "sixteen (16)" and substitute in lieu thereof "fourteen (14)".

4. Amend section 16 by striking from line 9 "nineteen (19)" and substituting in lieu thereof "seventeen (17)".

Further amend section 16 by striking from line 13 "seventeen (17)" and substituting in lieu thereof "fifteen (15)".

Further amend section 16 by striking from line 16 "ten (10)" and substituting in lieu thereof "eight (8)".

5. Amend section 17 by striking from line 11 "seventeen (17) or eighteen (18)" and substituting in lieu thereof "fifteen (15) or sixteen (16)".

6. Amend section 24 by striking from line 3 "twelve (12)" and substituting in lieu thereof "ten (10)".

Further amend section 24 by striking from line 4 "thirteen (13) to twenty-five (25)" and substituting in lieu thereof "eleven (11) to twenty-three (23)".

7. Amend section 25 by striking from line 3 "thirteen (13) to twenty-five (25)" and substituting in lieu thereof "eleven (11) to twenty-three (23)".

Further amend section 25 by striking from line 16 "twelve (12)" and substituting in lieu thereof "ten (10)".

Further amend section 25 by striking from line 21 "twelve (12)" and substituting in lieu thereof "ten (10)".

8. Amend section 28 by striking from line 7 "thirty-one (31) to thirty-three (33)" and substituting in lieu thereof "twenty-nine (29) to thirty-one (31)".

On motion of Senator Bateson, the committee amendment was adopted.

The following committee amendment was considered:

Amend House File 229 as follows:

1. Amend section 20 by inserting a period after the word "separately" in line 5 and striking the remainder of the section through the period in line 14.

2. Amend section 23 by striking the sentence beginning with the word "If" in line 4 and substituting in lieu thereof the following: "If sixty per cent of the votes cast by the eligible electors in each of the respective territories are in favor of the proposition, a new school corporation shall be organized."

3. Amend section 32, subsection 3, by inserting after the word "grounds" in line 12, the words "or superintendent's or teacher's house or houses,".

Senator Bateson offered the following amendment to the committee amendment and moved its adoption:

Amend the amendment by striking all of division 1 and inserting in lieu thereof the following:

"1. Amend House File 229, section 20, by inserting a comma (,) after

the word 'separately' in line 5 and striking the following in lines 5 and 6: 'in each existing school district affected or portion thereof'. Further amend section 20 by striking all after the period (.) in line 7 and all of lines 8 through 14."

The amendment to the amendment was adopted.

Senator Bateson moved the adoption of division 1 of the committee amendment as amended.

Roll call was requested.

Rule 8 was invoked.

On the question "Shall division 1 of the amendment be adopted?" the vote was:

Ayes, 23:

Bateson	Elijah	Nesmith	Vest
Bekman	Hart	Oltman	Watson of
Berg	Hedin	O'Malley	Pottawattamie
Boothby	Larson	Risk	Weichman
Byers	Miller	Sayre	Whitehead
Dailey	Molison	Stuart of Lucas	Zastrow

Nays, 26:

Anderson	Heideman	Nelson	Utzig
Bellman	Johnson	Nolan	Van Eaton
Clark	Knudson	Prentis	Walter
Colburn	Linnevold	Schoening	Washburn
Dewel	Lucas	Scott	Watson of
Dykhouse	Lynes	Stewart of	O'Brien
Fishbaugh	Myrland	Mahaska	
Grimstead			

Absent or not voting, 1:

Lord

Division 1 of the amendment was lost.

Senator Bateson asked and received unanimous consent to withdraw division 2 of the committee amendment.

Senator Bateson moved the adoption of division 3 of the committee amendment, which motion prevailed, and division 3 of the amendment was adopted.

Senator Bateson offered the following amendment and moved its adoption:

Amend House File 229 by striking section 38 and adding the following new section:

"Sec. 38. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Cedar Falls

Daily Record, a newspaper published at Cedar Falls, Iowa, and in The Grinnell Herald-Register, a newspaper published at Grinnell, Iowa."

The amendment was adopted.

Senator Dewel offered the following amendment:

Amend House File 229 by striking from lines 14, 15 and 16 of section 16 the following: "county plans are amended in which event the decision of the joint county boards may be".

Senator Dewel asked and received unanimous consent to withdraw the amendment.

Senator Dewel offered the following amendment and moved its adoption:

Amend House File 229 by striking the following in line 14 of section 16: "which shall be final".

The amendment was adopted.

Senator Walter offered the following amendment and moved its adoption:

Amend House File 229, section 21, line 3, by striking therefrom the words "more than" and inserting following the word "sections" the words "or more".

The amendment was adopted.

Senator Walter offered the following amendment, filed by Senators Walter and Lucas, and moved its adoption:

Amend House File 229 by striking therefrom all of section 3 and renumbering the remaining sections.

Senator Utzig 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, 19:

Bellman	Grimstead	Prentis	Walter
Boothby	Linnevold	Risk	Washburn
Colburn	Lord	Schoening	Watson of
Dewel	Lucas	Stewart of	O'Brien
Dykhouse	Nelson	Mahaska	Whitehead
Fishbaugh			

Nays, 30:

Anderson	Berg	Dailey	Heideman
Bateson	Byers	Hart	Johnson
Bekman	Clark	Hedin	Knudson

Larson	Nesmith	Scott	Watson of
Lynes	Nolan	Stuart of Lucas	Pottawattamie
Miller	Oltman	Utzig	Weichman
Molison	O'Malley	Van Eaton	Zastrow
Myrland	Sayre	Vest	

Absent or not voting, 1:

Elijah

The amendment was lost.

Senator Nolan offered the following amendment and moved its adoption:

Amend House File 229, section 20, line 6, by striking the words "or portion thereof".

The amendment was adopted.

Senator Fishbaugh offered the following amendment and moved its adoption:

Amend House File 229, section 18, by adding after the comma (,) in line 8 the following: "and in addition thereto, if more than one county is involved, by one publication in a legal newspaper in each county other than that of the first publication,".

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, 49:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Watson of
Byers	Larson	Prentis	O'Brien
Clark	Linnevold	Risk	Watson of
Colburn	Lord	Sayre	Pottawattamie
Dailey	Lucas	Schoening	Weichman
Dewel	Lynes	Scott	Whitehead
Dykhouse	Miller	Stewart of	Zastrow
Elijah	Molison	Mahaska	
Fishbaugh			

Nays, none.

Absent or not voting, 1:

Washburn

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, the Senate recessed until 1:15 p.m.

### AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

### SPECIAL ORDER

The time having arrived, President Elthon announced the special order for the consideration of House Files 139, 138 and 140.

Senator Vest asked and received unanimous consent that House Files 139, 138 and 140 be considered jointly.

Senator Lord, chairman of the study committee on Iowa Old Age and Survivors' Insurance, and also chairman of the Senate committee on social security, presented to the Senate a summary of the findings of the committee.

Senator Zastrow asked and received unanimous consent that the remarks of Senator Lord be printed in the Senate Journal.

### PREAMBLE TO SENATE CONSIDERATION OF HOUSE FILES 138, 139, AND 140

By Lord

Senator Molison has agreed to handle House File 139, having to do with the repeal of the present State Retirement System;

Senator Zastrow has agreed to handle House File 140, having for its purpose setting up appropriations and the creation of a new state annuity plan to be supplemental to the Federal Social Security system;

And I propose to handle House File 138, which is the enabling act and requires very little explaining.

The House, in passing these bills, amended them in several respects, which in two cases had the effect of reducing the benefits to the insured. Without being unmindful of the deference which should be shown to the House for the thought and labor that they have put into this work, we are amending these bills in two respects:

1. To restore the increased benefits of \$10.00 per month to the retired, and
2. To restore the percentage formula for credits for prior service back to  $\frac{1}{2}$  of 1 per cent.

This we are doing in order that you may have the opportunity to consider the original recommendations of the Study Committee, and we do hope that you will see this matter as we have seen it and will come to the same conclusions.

At the outset, would like to say that I hope to explain the problem as viewed by the Iowa Study Committee in such a manner that you will be able to see it in the same light as we viewed it. In this discussion, I hope

to reveal the unfolding of the story as it occurred in its proper perspective. And to show you the basis of our reasoning and the manner in which we arrived at our conclusions.

As you will recall, House Joint Resolution 10, of the Fifty-fourth General Assembly, created the Study Committee for the Iowa Old Age and Survivors' Insurance System, and provided for the appointment of ten members, three from the Senate by the President of the Senate; three from the House by the Speaker of the House; three public members to be appointed by the Governor; and one member from the Employment Security Commission to be selected by that commission.

THIS STUDY COMMITTEE WAS CREATED OUT OF THE DISSATISFACTION OF THE PUBLIC EMPLOYEES. The finding of the actuarial unsoundness of the system was incidental to the study.

By circumstances, implication and direction, the Study Committee was charged with three responsibilities, as follows:

1. To have an examination of the system made and to determine its financial position.
2. To offer remedies for any defects that might be discovered and present the suggestions to the Fifty-fifth General Assembly.
3. To improve and develop good employee relations.

We complied with these instructions as follows:

1. We employed the services of Bowles, Andrews and Towne, actuaries of Richmond, Virginia, after receiving bids from four or five actuarial firms. We believe that we secured as good a firm as is obtainable in the U. S. A.

Their report shows that we have created liabilities in excess of assets in the amount of \$240,826,000, as of the year 1951; that these liabilities have been and are accumulating at the rate of over \$40,000,000 per year; that because of the welfare features and inequities in the present system, the rate should have been 18 per cent on payrolls from the start of the system in 1946, instead of the present rate of 8 per cent.

2. We have submitted for your approval a plan to bring our employees under Federal Social Security; to make refunds to those who have quit; to pay into Federal Social Security for back coverage to 1951 for present employees; to allow full credits for all prior service to present employees; to increase the benefits of those presently retired; and to set up reserves to insure continued retirement payments in exchange for release from the present system. All this at a cost of less than one-third of the present liabilities—and, besides, stopping future deficits.

3. We have designed a new annuity retirement system built upon a sound actuarial foundation, to be supplemental to the Federal Social Security system, with benefits commensurate with reasonable needs of the times and at a reduced dollar cost for retirement value.

4. The repeal of the present retirement system, and the exchange and the substitutions as listed above by members of the study committee, have all been discussed with thousands of covered employees—approximately 10,000 in informal meetings, and over 10,000 in formal meetings held throughout the state.

There has been general approval of these substitutions by the insured and good employee relations have been restored, as attested to by the many communications we have all received on this subject.

## REPORT TO THE SENATE

## THE IDEAL RETIREMENT PROGRAM IS ONE THAT IS CREATED BY THE INDIVIDUAL HIMSELF.

In making an examination of this ideal in practice, we find the following facts:

That there are 47,695 persons on state relief out of the superannuated population of 283,174. 16.8 per cent of persons 65 and over in the State of Iowa are on state relief, at a cost of approximately.....\$33,145,868.98 per year. The above costs are divided about as follows:

\$15,773,185.33—State Funds

16,372,683.65—Federal Funds

and approximately 1,000,000.00—County Funds

making a total of.....\$33,145,868.98 per year—because 16.8 per cent of our superannuated population did not live up to this ideal! Because of this fact, the State of Iowa has by implication guaranteed to every citizen of the State of Iowa an income after reaching the age of 65.

Your Study Committee realizes that in setting up a retirement program that it necessarily must violate the freedom of choice on the part of its citizens; therefore, we examined this problem in that light to see whether or not we could justify this loss of freedom. Since the State of Iowa has by implication guaranteed an income to every citizen in the state after having reached the age of 65, we believe that it is justified in requiring each individual to make direct contributions to his retirement. We likewise believe that the size of the appropriations that are necessary to carry out the state's implication poses a questions that sooner or later must be resolved.

We believe that in the interest of good business and good government that we should set up a policy that by its nature will liquidate this obligation. Therefore, we believe that the answer to this solution is a properly organized retirement system, whereby the employee makes his contribution during his productive years.

We further realize that by instituting a retirement program for the state employees we are not solving the problem in every instance, as only employees working for the state and its subdivisions will be provided for under a state retirement program. However, we are setting up by precept an example of a policy for all employers of the state to follow. If complied with throughout the state, the need for relief appropriations will cease, or diminish to inconsequential size.

We believe that in these bills we are meeting head-on a very vexing problem that has been with us for a long time, and which has the elements of solving the relief problem.

In a further examination of the State Welfare Department records, we find those receiving relief from the state to be as follows:

Largest payment received.....	\$183.00 per month
Smallest payment received.....	5.00 per month
Average payment received.....	56.65 per month

We likewise find that those who have retired under our present Old Age and Survivors' Insurance plan are receiving monthly benefits as follows:

The highest payment.....	\$54.50
The lowest payment.....	10.00
The average payment.....	41.83

Therefore, we believe that in addition to other reasons that those individuals who have made contribution toward their own retirement should at least receive an amount approximating that received by those who are on relief. This, in our opinion, justifies the increase by \$10 per month of the benefits payable to those persons now retired.

In examination of the welfare policy—not in a critical vein, but objectively—wish to point out that this system is designed to reward the indigent and the pauper at the expense of the thrifty. Therefore, we discover that in some cases thrifty individuals are endeavoring to qualify as indigents in order to receive these benefits from the state. That issue, we submit to you, has brought before us the suggestion that we require publication of the relief rolls. This, we insist, does not cure the problem, but only aggravates it. We believe that we should move with the current of human nature, rather than against it.

#### How We Organized the Problem

After our first examination of the problem of making an analysis of the present Iowa Old Age and Survivor's Insurance system, we discovered that it was necessary to have the services of an actuary in order to determine the position of the present plan. The appropriation, as first made by the legislature, was not sufficient to pay for such services; therefore, it was necessary for your study committee to appeal to the budget and financial control committee for additional funds. This request was promptly granted, and we proceeded to accept bids for this work from four or five actuarial firms. Bowles, Andrews and Towne of Richmond, Virginia, was the firm selected as the most suited to this problem. It was discovered too that there were not at that time sufficient records in the Employment Security Commission department on which an actuary could base his computations; therefore, it was necessary for us to have this work brought up to date by engaging through the Employment Security Commission additional services to accomplish this, which service was paid for with funds allocated to your study committee.

The actuarial report which disclosed that the present Iowa system was unsound and that it had accumulated a deficiency of \$240,826,000, determined the necessity for the study committee to develop a method by which it could resolve this problem, with and by the consent of the contracting parties.

We realized that many people, both in and out of the system, would be shocked to learn that such a deficiency had occurred. The question then was—should we have closed meetings whereby we would evolve the policy of this committee in secret and then present our findings to the legislature and permit the full shock and effect to come at that time, or have open meetings for all to see and learn.

Your study committee decided that it was a better policy for the world to know what condition the present system was in so that they might with

us view the problem in the same light, and, by so doing, come to the same conclusions.

The first reaction we had from the covered employees was one of beligerency and bitterness. The second phase of their reaction was one of frustration and bewilderment. Their third reaction was one of complacency and neutrality, and their fourth reaction was one of acceptance and approval. It can be well understood that a system evolved by the State of Iowa for the retirement of her employees should not be unsound, and, therefore, this system needed to be repealed.

To many of the insured, it seemed that the heavens had fallen upon them, and that a retirement which had been promised to them had disappeared, that all their plans and hopes and confidences had been dashed by this revelation. However, as the study committee continued to work on this problem and found certain rights and equities that could and should be preserved to them, the insured began to take on new hope. And as we labored with this question, with assistance from the insured on the one hand and the federal authorities on the other, and with expert guidance to help us, we began to weave a pattern which would solve the problem before us, preserving the rights of the insured and with their consent reducing greatly the obligation of the state.

As we wove this pattern, we examined each fibre of the strand to determine its value and its application to the subject. This pattern was loosely drawn at first, without firm commitments on the part of members of the study committee, reserving final judgment upon completion of our public hearings to learn of the acceptance or rejection or amendment of our proposals.

It was likewise the opinion of this study committee that there was no one more greatly interested in this problem than the insured employee himself. We believed that he should have a hand in helping us to shape this problem, that he should have an understanding of the fibres that went into it, that he should be as familiar as possible with its complications and its implications.

We found that by taking these people into our confidence that they likewise took us into their confidence, with the result that the problem of the state and its insured was being solved in confidence, agreement and harmony. The problems posed before the study committee were not unanimously agreed to by the members at the start of each subject. It was not until a complete and thorough discussion and examination had been made of each subject matter that we reached unanimous decision.

We believed firmly that we were charged with three responsibilities:

1. Making an analysis of the present retirement system and discovering its defects, if any;
2. To make recommendations for the correction of errors, if any;
3. To rebuild good will and good employee relations.

We were well aware that it was because of the unrest of the public employees that birth was given to this study committee.

Moneywise, our recommendations will reduce the net deficiency from \$240,826,000 to less than a third of that amount. Likewise, we have restored good will and good employee relations. That value we consider to be as great as the money saving in these recommendations.

I would like to make some reference to the membership of this study committee. As you know, it consisted of ten members—three appointed by the President of the Senate from the Senate; three appointed by the Speaker of the House from the House; three civilians appointed by the Governor; and one member of the Employment Security Commission, selected by that commission.

The makeup of this committee indicated that most of the economic interests in the state were represented on that committee. For instance, we had representation from organized labor; we had representation from the teachers of the state; we had representation from the merchants of the state; we had representation from the legal profession of the state; we had representation from the insurance industry of the state; we had representation from the jobbers of the state; we had representation from the manufacturers of the state; and every conclusion that we reached in its final acceptance was unanimous!

We believe that when you place that alongside of the good will and the harmonious condition that now exists between this study committee and the public at large, that you will accept our recommendations as being right, proper, and sound, and which this Senate should adopt. The legislative members of this study committee realize that if you accept our recommendations without amendment that the responsibility of this subject rests heavily upon our shoulders, and, likewise, we must remind you that if you amend this report and our recommendations, the responsibility of the results will rest heavily upon your shoulders.

We hope and trust that you will see this problem and its solution in the light that we have seen it, and that your conclusions, like the members of this study committee, and like the conclusions of the covered employees and the public at large, will be joined with us, and that the final conclusion will be unanimous.

Senator Lord asked and received unanimous consent that Mr. Towne be permitted to assist in the consideration of House Files 139, 138 and 140.

Senator Vest explained the contents of his amendment filed to House File 140.

#### COMMITTEE OF THE WHOLE

On motion of Senator Zastrow, the Senate resolved itself into a committee of the whole.

The Senate arose from the committee of the whole and resumed regular session, President pro tempore Hart 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 House was asked:

Senate File 81, a bill for an act relating to compensation from federal government to persons in armed forces.

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 the appointment of deputy industrial commissioners.

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

Senate File 269, a bill for an act legalizing the proceedings of the board of directors of the Independent School District of Cherokee, Iowa.

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

Senate File 306, a bill for an act relating to the speed of boats.

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

Senate File 320, a bill for an act relating to arbitrations so as to provide for administering of oaths to witnesses.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 377, a bill for an act providing for the establishment of a centralized printing department.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 388, a bill for an act relating to the maximum legal weights of axles.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 420, a bill for an act legalizing the proceedings taken by the town council of Mapleton, Iowa.

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

House File 293, a bill for an act relating to county public hospitals.

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

House File 390, a bill for an act relating to the issuance of life, accident and sickness insurance policies to associations.

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 providing for the annexation of unincorporated territory.

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

House File 501, a bill for an act legalizing the proceedings of the board of directors of the school township of LeClaire, in Scott County, Iowa.

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

House File 506, a bill for an act providing for an appropriation to the

social welfare department for the purpose of aid to the blind, aid to dependent children, child welfare fund, emergency relief fund and the old age assistance fund.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE 377

Amend Senate File 377 by adding the following after the word "state" in line 2, section 2, thereof: "located in the city of Des Moines".

#### HOUSE AMENDMENTS TO SENATE FILE 388

Amend Senate File 388 as follows:

1. By adding to line two (2) of the title thereof after the comma following the word "Assembly" the following: "and section three hundred twenty-one point four hundred sixty-three (321.463), Code 1950,".

2. By adding thereto the following new sections:

Sec. 2. Section three hundred twenty-one point four hundred sixty-three (321.463), Code 1950, is hereby amended by striking the period after the word "foot" in line nineteen (19) and adding thereto the following: "or fraction thereof."

Sec. 3. Section three hundred twenty-one point four hundred sixty-three (321.463), Code 1950, is hereby amended by striking the colon after the word "foot" in line twenty-five (25) and adding thereto the following: "or fraction thereof:".

Sec. 4. Section three hundred twenty-one point four hundred sixty-three (321.463), Code 1950, is hereby further amended by striking the schedule of distance and load following line thirty-one (31) and inserting in lieu thereof the following schedule:

4	32,000
5	32,000
6	32,000
7	32,000
8	32,610
9	33,580
10	34,930
11	36,235
12	38,293
13	39,291
14	40,278
15	41,265
16	42,241
17	43,218
18	44,184
19	45,139
20	46,095
21	47,040
22	47,985
23	48,919
24	49,843
25	50,767

26	51,681
27	52,594
28	53,497
29	54,390
30	55,282
31	56,164
32	57,046
33	57,918
34	58,779
35	59,640
36	60,490
37	61,341
38	62,181
39	63,010
40	63,840
41	64,659
42	65,478

#### HOUSE AMENDMENT TO SENATE FILE 420

Amend Senate File 420, section 2, by filling in the blanks with the names of the following newspapers and towns: "The Mapleton Press, Mapleton, Iowa, and the Fort Madison Evening Democrat, Fort Madison, Iowa.

#### PROOFS OF PUBLICATION

Published copy of Senate File 435 and verified proof of publication of said bill in the Burlington Hawk-Eye Gazette on March 25, 1953, 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 436 and verified proof publication of said bill in the Burlington Hawk-Eye Gazette on March 25, 1953, 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 510 and verified proof of publication of said bill in the Burlington Hawk-Eye Gazette on March 27, 1953, was filed with the Secretary of the Senate prior to the time said bill was placed on passage.

CARROLL A. LANE,  
*Secretary of the Senate.*

#### MOTION TO AMEND

MR. PRESIDENT: I move to amend Rule 45 of the Rules of the Senate as follows:

1. Strike all of Rule 45 and insert in lieu thereof the following, to be known as Rule 45:

## "Rule 45"

In all sessions wherein the voting on confirmation of appointments does occur, the procedure shall be as follows:

The Secretary of the Senate shall call the roll as provided by Rule 8 and, when the voting is concluded, the presiding officer shall count the votes and shall announce whether the appointee being considered is confirmed or otherwise, and the roll call thereon entered on the Journal.

No report on confirmation of appointments made by the Governor shall be acted upon until after the expiration of seven days from the date the committee is appointed to make investigation of the appointee. This rule requiring a seven day delay shall not apply during the last seven legislative days of the session.

THOMAS J. DAILEY.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Stuart of Lucas, 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 83, 242, 245, 252, 263, 266, 267 and 268.

W. C. STUART, *Chairman Senate Committee.*

JOHN A. WALKER, *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 83, 242, 245, 252, 263, 266, 267 and 268.

## BILLS SENT TO THE GOVERNOR

Senator Stuart of Lucas, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 14th day of April, 1953, sent to the Governor for his approval: Senate Files 2, 7, 18, 83, 151, 152, 242, 245, 252, 263, 266, 267 and 268.

W. C. STUART, *Chairman.*

Passed on file.

## AMENDMENTS FILED

- 1 Amend the House amendment to Senate File 397 by adding to
- 2 section 2 the following:
- 3 "In cities and towns whenever parking lots shall have been
- 4 authorized or established as provided in section three hundred

5 ninety point one (390.1) in lieu of the tax provided for in  
 6 section three hundred ninety point two (390.2), there may be  
 7 levied a tax not exceeding one-half mill, the proceeds of which  
 8 shall be credited to and known as the "parking lot fund". Such  
 9 fund shall be used only to acquire or improve real estate,  
 10 including the erection or improvement of buildings thereon or for  
 11 any or all said purposes for the parking of vehicles, and  
 12 including the payment of bonds and interest thereon issued in  
 13 anticipation of the collection of such tax. Such fund shall be  
 14 used to meet maturities of such bonds and interest thereon from  
 15 year to year, but only to the extent that after the application  
 16 of all net returns available from the income of said parking  
 17 lots or parking meters, or both, as specified by law, the same  
 18 shall be required to meet such maturing bonds or interest thereon.  
 19 Cities and towns may anticipate the collection of taxes authorized  
 20 in this section and for that purpose may issue certificates or  
 21 bonds with interest coupons. If bonds are issued said bonds shall  
 22 be payable in not more than twenty annual installments and at  
 23 interest not exceeding five per cent per annum, and shall be  
 24 payable at such place and be in such form as the council shall  
 25 designate by resolution or ordinance."

GEORGE E. O'MALLEY.

1 Amend Senate File 438 by adding thereto the following section:  
 2 "Sec. 4. This act being deemed of immediate importance  
 3 shall take effect and be in full force from and after its  
 4 publication in The West Des Moines Express, a newspaper  
 5 published at West Des Moines, Iowa, and in the  
 6 Oskaloosa Daily Herald, a newspaper published at  
 7 Oskaloosa, Iowa."

C. EMORY STEWART.

1 Amend Senate File 439 by adding thereto the following section:  
 2 "Sec. 4. This act being deemed of immediate importance  
 3 shall take effect and be in full force from and after its  
 4 publication in The West Des Moines Express, a newspaper  
 5 published at West Des Moines, Iowa, and in the  
 6 Oskaloosa Daily Herald, a newspaper published at  
 7 Oskaloosa, Iowa."

C. EMORY STEWART.

1 Amend House File 139, section 2, subsection 4, by striking the  
 2 "of seventy-five per cent (75%)" in lines 71 and 72. words

ALAN VEST.

1 Amend the appropriations committee amendment to House File  
 2 140, filed April 10, 1953, by striking section 1 and substituting  
 3 in lieu thereof the following:  
 4 "Section 1. Any number of persons not less than five hundred

5 (500) who are employees of the State of Iowa or any of its politi-  
6 cal subdivisions, may become incorporated as an investment pension  
7 trust under the general incorporation laws of this state upon  
8 compliance with the provisions of this chapter.”

ALAN VEST.

1 Amend House File 221, section 5, by striking all after the  
2 comma (,) in line 9 and inserting in lieu thereof the following:  
3 “and shall be returned to the county board of supervisors as  
4 quickly as possible; but in no event more than forty-five days  
5 after being presented.”

J. T. DYKHOUSE.

On motion of Senator Zastrow, the Senate adjourned until 9:30  
a.m., Wednesday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 15, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend J. D. Gibson, pastor of the United Presbyterian Church, Garner, Iowa.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Anderson from eleven residents of Washington County favoring proposed legislation relating to an annual primary road construction program and favoring increasing Iowa gas tax two cents per gallon.

By Senator Bateson from ninety-one residents of Black Hawk, Johnson, Linn, Mahaska, Polk and Story Counties favoring proposed legislation relating to a statewide educational network.

By Senator Lynes from eleven residents of Fayette County favoring proposed legislation relating to a permanent memorial room of the Grand Army of the Republic.

By Senator Grimstead from nine residents of Jasper County favoring increasing Iowa gas tax two cents per gallon for primary road use.

By the following Senators favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance:

By Senator Bateson from one hundred residents of Boone, Floyd, Story and Polk Counties.

By Senator Lynes from five hundred ninety-six residents of Black Hawk, Butler and Linn Counties.

By Senator O'Malley from two hundred twenty-nine residents of Polk County.

By Senator Schoening from thirty-six residents of Clinton County.

By Senator Watson of Pottawattamie from fifty-eight residents of Pottawattamie County.

By Senator Weichman from eleven residents of Benton and Linn Counties.

#### PRESENTATION OF VISITORS

Senator Berg asked and received unanimous consent to present to the Senate twenty-five members of the junior classes of United States history and government of the Teachers' College High School who were present in the balcony accompanied by their instructors, Mr. Mork, Mr. Barker and Miss Kasiske.

Senator O'Malley asked and received unanimous consent to present to the Senate two hundred pupils of the Des Moines Technical School who were present in the balcony accompanied by their instructors, E. M. Bohlina, J. Farrows and E. Tuomi.

Senator Vest asked and received unanimous consent to present to the Senate twenty members of the senior class of the Scranton High School who were present in the balcony accompanied by Amos Bartlett and Mr. Sandberg.

Senator Elijah asked and received unanimous consent to present to the Senate the members of the junior and senior classes of the West Branch Consolidated School who were present in the balcony accompanied by their superintendent, R. F. Hedemann.

Senator Weichman asked and received unanimous consent to present to the Senate fourteen members of the sixth and eighth grade classes of the St. Paul's Lutheran School of Luzerne who were present in the balcony accompanied by their supervisor, A. F. Winterstein.

Senator Miller asked and received unanimous consent to present to the Senate twelve members of the government class of the Melrose High School who were present in the balcony accompanied by Jack Steinberg.

Senator Linnevold asked and received unanimous consent to present to the Senate forty members of the senior government class of the Cresco High School who were present in the balcony accompanied by their principal, Russell McElhinney.

## INTRODUCTION OF BILLS

Senate File 443, by committee on claims, a bill for an act to make appropriations to the Hopedale School, Linn County Relief Department, Ideal Cash Coal Company, and to authorize and direct payment to Commerce Clearing House.

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

Senate File 444, by committee on claims, a bill for an act to make 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 445, 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 446, by committee on claims, a bill for an act to direct and authorize payments to Iowa City public schools, Iowa City, Iowa, and the independent school district of Ames, Iowa, out of appropriations made to the University of Iowa, and Iowa State College, on account of pupils residing in tax free housing units.

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

## HOUSE MESSAGES CONSIDERED

House File 293, a bill for an act relating to county public hospitals, providing for free care for tuberculous patients in such hospitals, and providing for the pay of indigent patients therein from the county poor fund, and making provision for pay of hospital treatment for indigent persons having legal settlement outside the county, and to amend section three hundred forty-seven point sixteen (347.16), Code 1950.

Read first and second times, and referred to the sifting committee.

House File 390, a bill for an act authorizing the issuance of franchise, life, accident and sickness insurance policies to associations.

Read first and second times, and referred to the sifting committee.

House File 498, a bill for an act to amend chapter one hundred forty-four (144), section seven (7), Acts of the Fifty-fourth General Assembly, providing for the annexation of unincorporated territory.

Read first and second times, and referred to the sifting committee.

House File 501, a bill for an act to legalize and validate the proceedings of the board of directors of the school township of Le Claire, in the county of Scott, State of Iowa, authorizing and providing for the issuance, sale 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 township.

Read first and second times, and referred to the sifting committee.

House File 506, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1953, and ending June 30, 1955, 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, and to repeal sections two hundred forty-nine point forty-four (249.44), two hundred thirty-nine point ten (239.10) and two hundred forty-one point twenty-five (241.25), Code 1950, and enact substitutes in lieu thereof, relating to the confidential nature of certain records pertaining to the recipients under the laws relating to old age assistance, dependent children and aid for the blind; providing for issuance of reports showing disbursements to recipients with public access thereto; prohibiting certain uses of this information and providing penalty for violation thereof.

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

## HOUSE CONCURRENT RESOLUTION 21

On motion of Senator Lynes the following resolution was taken up, considered and the report of the committee recommending passage was adopted:

## HOUSE CONCURRENT RESOLUTION 21

## 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 and miscellaneous (House).....	\$ 42.90
Office Machine Supply Co., clean, oil, adjust 44 typewriters, repairs, etc. (House) .....	53.50
Koch Brothers, office equipment (House).....	74.00
Storey-Kenworthy Co., office equipment (House).....	440.92
Edith McElroy, reporting and transcribing joint hearings (Joint) .....	35.00
L. C. Smith & Corona Typewriters, Inc., repairs (House).....	5.50
Strauss Lock Co., lock and service (House).....	3.20
Des Moines Clean Towel Service, service for February (Joint)....	5.20
American Lithographing & Printing Co., litho and ruled heads for enrolled bills (House) .....	117.88
Davidsons, legal file with lock (House).....	69.60
Remington Rand Service, service on typewriter in law library (Joint) .....	3.35
Des Moines Rubber Stamp Works, rubber stamp (Senate).....	1.25
Robert Hall Clothiers, jackets for pages (Senate).....	118.16
Koch Brothers, office supplies (Senate).....	27.64
Office Equipment Co., erasers (Senate).....	.50
Storey-Kenworthy Co., office supplies (Senate).....	23.90

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 Lynes, the resolution was adopted.

## HOUSE AMENDMENTS CONSIDERED

Senator Myrland called up for consideration Senate File 420, a bill for an act to legalize and validate the proceedings taken by the town council of the town of Mapleton, Iowa, authorizing and providing for extensions and improvements to its municipal electric light and power plant, the calling for and receiving bids, and the award of contract for the construction thereof, and making provision to defray the cost thereof solely and only out of the net revenues of said public utility, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 420, section 2, by filling in the blanks with the

names of the following newspapers and towns: "The Mapleton Press, Mapleton, Iowa, and the Fort Madison Evening Democrat, Fort Madison, Iowa.

The Senate concurred in the House amendment.

Senator Myrland moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

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

Ayes, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 Lucas called up for consideration Senate File 377, a bill for an act providing for the establishment of a centralized printing department under the control of the state printing board bestowing upon the state printing board powers and duties to effectuate such establishment and to repeal section fifteen point thirty-three (15.33), Code 1950, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 377 by adding the following after the word "state" in line 2, section 2, thereof: "located in the city of Des Moines".

The Senate concurred in the House amendment.

Senator Lucas moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

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

Ayes, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 Lucas called up for consideration Senate File 134, a bill for an act to amend section three hundred forty-five point one (345.1), Code 1950, relating to expenditures by county board of supervisors, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 134 as follows:

By adding a new section after section 1 as follows:

"Sec. 2. Section three hundred forty-five point three (345.3), Code 1950, is hereby amended by striking the words, 'sixty-five thousand or over' in line three (3) and inserting in lieu thereof the words, 'forty thousand or over, with a county seat having a population of more than five thousand,'"

2. By renumbering the following section.

3. Amend the title to Senate File 134 by striking all of line 1 following "amend" in line 1 and inserting in lieu thereof the following: "sections three hundred forty-five point one (345.1) and three hundred forty-five point three (345.3),".

The Senate concurred in the House amendments.

Senator Lucas moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

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

Ayes, 50:

Anderson	Bellman	Byers	Dailey
Bateson	Berg	Clark	Dewel
Bekman	Boothby	Colburn	Dykhouse

Elijah	Lucas	Prentis	Vest
Fishbaugh	Lynes	Risk	Walter
Grimstead	Miller	Sayre	Washburn
Hart	Molison	Schoening	Watson of
Hedin	Myrland	Scott	O'Brien
Heideman	Nelson	Stewart of	Watson of
Johnson	Nesmith	Mahaska	Pottawattamie
Knudson	Nolan	Stuart of Lucas	Weichman
Larson	Oltman	Utzig	Whitehead
Linnevoid	O'Malley	Van Eaton	Zastrow
Lord			

Nays, none.

Absent or not voting, none.

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

Senator Vest called up for consideration Senate File 326, 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, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 326, line 4, by inserting after the word "with" the following "at least".

The Senate concurred in the House amendment.

Senator Vest moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

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

Ayes, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevoid	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dalley	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 AMENDMENT TO SENATE AMENDMENT CONSIDERED

Senator Lynes called up for consideration House File 362, a bill for an act creating the general contingent fund of the state for the biennium beginning July 1, 1953, and appropriating thereto the sum of one million dollars (\$1,000,000) 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, further amended by the House, and moved that the Senate concur in the following amendment:

Amend the Senate amendment to House File 362 by adding to the said amendment the following:

"Upon the request of the adjutant general, the budget and financial control committee is authorized to provide from the general contingent fund such funds as the said committee deems necessary and in the best interest of the state for the acquisition, construction, expansion, rehabilitation and conversion of facilities for the administration and training of units of the Iowa National Guard and the Iowa State Guard, in accordance with the provisions of Public No. 783 Eighty-first Congress."

The Senate concurred in the House amendment to the Senate amendment.

Senator Lynes moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

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

Ayes, 48:

Anderson	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Utzig
Bekman	Hart	Nelson	Van Eaton
Bellman	Hedin	Nesmith	Vest
Berg	Heideman	Nolan	Walter
Boothby	Johnson	Oltman	Washburn
Byers	Knudson	O'Malley	Watson of
Clark	Larson	Risk	Pottawattamie
Colburn	Linnevoid	Sayre	Weichman
Dailey	Lord	Schoening	Whitehead
Dewel	Lucas	Scott	Zastrow
Dykhouse	Lynes	Stewart of	
Elijah	Miller	Mahaska	

Nays, none.

Absent or not voting, 2:

Prentis	Watson of
	O'Brien

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

## SPECIAL ORDER

The Chair announced that the Senate would resume discussion of House Files 139, 138 and 140.

## COMMITTEE OF THE WHOLE

On motion of Senator Vest, the Senate resolved itself into a committee of the whole.

The Senate arose from the committee of the whole and resumed regular session.

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

## AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

The Senate resumed discussion of House Files 139, 138 and 140.

Senator Dykhouse asked and received unanimous consent that the rules be suspended and that the Senate take up for consideration House Files 139, 138 and 140.

## THIRD READING OF BILLS

On motion of Senator Lord, House File 139, a bill for an act repealing chapter ninety-seven (97), Code 1950, as amended by the Fifty-fourth General Assembly; providing for the protection of the rights of public employees who were subject to coverage under the provisions of said chapter ninety-seven (97), as amended; authorizing the payment of retroactive federal social security coverage for public employees from funds contributed by the employers and employees under the provisions of said chapter ninety-seven (97), as amended; providing for certain refunds of payments made into the old age and survivors' insurance trust fund by employees; providing for the administration of funds and assets of the Iowa old age and survivors' insurance system by the Iowa employment security commission; providing for the future payment of benefits to which individuals subject to coverage under the provisions of said chapter ninety-seven (97), as amended, are entitled as provided in this act, and creating an Iowa old age and survivors' insurance liquidation fund, was taken up, and considered.

Senator Vest offered the following amendment:

1. Amend House File 139, section 1, by striking subsection "c" and inserting in lieu thereof the following: "Any person continuing in employment of the State of Iowa, or any of its subdivisions, or entering such employment, after the effective date of this act, shall be deemed to have elected to receive a refund of his contributions in lieu of any other benefits under chapter ninety-seven (97), Code 1950, as amended, the filing of any application or claim for retirement or other benefits not withstanding."

2. Further amend section 1 by striking subsection "d" and substituting in lieu thereof the following: "Any person who is 'fully insured' under subsection six (6) of section ninety-seven point forty-five (97.45), as amended, Code 1950, who has not claimed a refund of his contributions under this act, may, upon reaching the age of sixty-five (65) years, obtain retirement or other benefits under chapter ninety-seven (97), if such person is, prior to the effective date of this act, or within five (5) years thereafter, either physically or mentally, permanently disabled to the extent that he is unable to be gainfully employed. Provided, that such benefits shall be reduced by the amount of federal social security benefits, if any, received by such person."

3. Further amend section 1, by striking subsection "e".

4. Further amend section 2, subsection 4, by striking all after the comma (,) in line 69, all of line 70, and the words "prior record" in line 71; and by inserting a comma (,) in lieu of the period in line 73 and adding the following: "reduced by the amount of any benefits received by such employee, beneficiary or estate."

5. Further amend section 2 by striking all of subsection 5.

6. Further amend section 2, subsection 6, line 91, by substituting a period (.) for the comma (,) after the word "repealed" and striking the remainder of said subsection 6.

7. Further amend by adding the following new section to be known as section 4.

"There is hereby appropriated as a standing appropriation from the general fund of the state to said Iowa Old Age and Survivors liquidation fund, such amount as may be necessary to augment said fund to make the payments provided for herein."

8. Further amend by renumbering the remaining section.

Senator Vest offered the following amendments to the amendment:

Amend the amendment by striking the words "subsection 'd' and", by striking in line 11 the words "substituting in lieu thereof the following:" and inserting in lieu thereof the following: "from subsection 'd', line 55, the words 'wife,' 'child, or other dependent' and striking in line 56 the words left employment or'. Further amend said subsection by adding the following:"

Further amend House File 139, section 2, subsection 4, by striking the words "of seventy-five per cent (75%)" in lines 71 and 72.

Senator Van Eaton moved the previous question on the Vest amendments to House File 139, which motion prevailed.

On motion of Senator Vest, the amendment to the amendment was adopted.

Senator Vest moved the adoption of the amendment as amended, and the amendment to section 2, subsection 4.

Roll call was requested.

On the question "Shall the amendments be adopted?" the vote was:

Ayes, 19:

Bateson	Lynes	Schoening	Washburn
Berg	Myrland	Stewart of	Watson of
Colburn	Nelson	Mahaska	O'Brien
Dewel	Nesmith	Vest	Weichman
Dykhouse	Prentis	Walter	Whitehead
Fishbaugh			

Nays, 31:

Anderson	Grimstead	Lord	Sayre
Bekman	Hart	Lucas	Scott
Bellman	Hedin	Miller	Stuart of Lucas
Boothby	Heideman	Molison	Utzig
Byers	Johnson	Nolan	Van Eaton
Clark	Knudson	Oltman	Watson of
Dalley	Larson	O'Malley	Pottawattamie
Elijah	Linnevold	Risk	Zastrow

Absent or not voting, none.

The amendments were lost.

Senator Lord offered the following amendment:

1. Amend House File 139 by adding to section 1 the following:

"The amount of each benefit becoming due and payable on or after the effective date of this act shall be increased by such amount as results from the addition of ten dollars per month to the amount of the primary insurance benefit on which each such benefit is based. Any benefit becoming due and payable based on prior employment, on or after the effective date of this act to any individual under the provisions of the second paragraph, section ninety-seven point thirteen (97.13), Code of Iowa, 1950, shall be increased by the addition of ten dollars (\$10.00) per month to such benefit."

2. Amend House File 139 by adding the following new section thereto:

"As used in this act, unless clearly indicated by the context to the contrary, all references to employment or service refer to employment or service in Iowa public employment."

3. Amend House File 139 by striking from section 1 all of lines 41, 42 and 43 and insert in lieu thereof the following: "and who is as of the effective date of this act, under public employment, and also under coverage of a federal civil service retirement plan, shall be entitled to receive after reaching sixty-five years of age, provided he is no longer in public employment, not less than the same".

4. Amend House File 139, section, 2, line 67, by adding after the word

“employee” and before the word “who” the following: “not in public service as of the date of this act”.

Senator Lord moved the adoption of division 1 of the amendment.

Roll call was requested.

On the question “Shall division 1 of the amendment be adopted?” the vote was:

Ayes, 11:

Bekman	Grimstead	O'Malley	Watson of
Clark	Lord	Sayre	Pottawattamie
Dailey	Molison	Utzig	Zastrow

Nays, 34:

Anderson	Elijah	Myrland	Stewart of
Bateson	Fishbaugh	Nelson	Mahaska
Bellman	Heideman	Nesmith	Stuart of Lucas
Berg	Johnson	Nolan	Vest
Boothby	Knudson	Oltman	Walter
Byers	Larson	Prentis	Washburn
Colburn	Lucas	Risk	Watson of
Dewel	Lynes	Schoening	O'Brien
Dykhouse	Miller	Scott	Weichman

Absent or not voting, 5:

Hart	Linnevoid	Van Eaton	Whitehead
Hedin			

Division 1 of the amendment was lost.

On motion of Senator Lord, divisions 2, 3 and 4 of the amendment were adopted.

President pro tempore Hart took the chair at 4:00 p.m.

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	Fishbaugh	Miller	Stuart of Lucas
Bateson	Grimstead	Myrland	Utzig
Bekman	Hart	Nelson	Van Eaton
Bellman	Hedin	Nesmith	Vest
Berg	Heideman	Nolan	Walter
Boothby	Johnson	Oltman	Washburn
Byers	Knudson	O'Malley	Watson of
Clark	Larson	Prentis	O'Brien
Colburn	Linnevoid	Risk	Watson of
Dailey	Lord	Schoening	Pottawattamie
Dewel	Lucas	Scott	Weichman
Dykhouse	Lynes	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow

Nays, none.

Absent or not voting, 1:

Sayre

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 Lord, House File 138, a bill for an act to provide for the coverage of certain officers and employees of the State of Iowa, of interstate instrumentalities jointly created by the State of Iowa and any other state or states, and of local governments of the State of Iowa, under the Old Age and Survivors' Insurance provisions of Title II of the Federal Social Security Act, as amended; to prescribe the powers and duties of the Iowa employment security commission in respect to such coverage, imposing taxes upon public employees and public employers to cover the cost of said coverage, and authorizing the levy of taxes by public employers to provide funds for the payment of the tax imposed upon public employers, 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.

Rule 8 invoked.

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

Ayes, 39:

Bateson	Fishbaugh	Miller	Stuart of Lucas
Bekman	Grimstead	Molison	Utzig
Bellman	Hart	Myrland	Van Eaton
Berg	Hedin	Nolan	Vest
Boothby	Heideman	Oltman	Walter
Byers	Knudson	O'Malley	Watson of
Colburn	Larson	Prentis	Pottawattamie
Dailey	Lord	Risk	Weichman
Dewel	Lucas	Stewart of	Whitehead
Dykhouse	Lynes	Mahaska	Zastrow
Elijah			

Nays, none.

Absent or not voting, 11:

Anderson	Linnevold	Sayre	Washburn
Clark	Nelson	Schoening	Watson of
Johnson	Nesmith	Scott	O'Brien

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 10, a bill for an act relating to remodeling of courtroom in Washington County.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 47, a bill for an act relating to medical examiners' board.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 71, a bill for an act relating to the operation of cemeteries.

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

Senate File 167, a bill for an act relating to elimination of duplication of printing.

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 appointment of members of the Iowa liquor control commission.

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 relating to fire insurance contracts.

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

Senate File 294, a bill for an act relating to senatorial districts.

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

Senate File 372, a bill for an act relating to World War II Service Compensation Board.

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

Senate File 385, a bill for an act relating to Senate approval of members appointed to the board of parole.

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

Senate File 417, a bill for an act relating to restoration of state buildings.

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

House Joint Resolution 18, relating to rejecting offer for quitclaim deed to land known as Fort Des Moines, Iowa.

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

House File 384, a bill for an act relating to city transit systems.

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

House File 500, a bill for an act relating to veterans' housing.

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

House File 505, a bill for an act relating to voting by the armed forces.

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

House File 513, a bill for an act relating to the manufacture and sale of oleo, oleomargarine, or margarine.

A. C. GUSTAFSON, *Chief Clerk.*

### HOUSE AMENDMENTS TO SENATE FILE 47

Amend Senate File 47 as follows:

1. Section 5 by changing the (,) in line 4 following the word "surgery" to a period (.) and striking the remainder of said section.

2. By inserting as section 6 the following:

"Sec. 6. Section one hundred forty-seven point one hundred three (147.103), Code 1950, is hereby amended by inserting in line three (3) thereof after the word 'for' the words 'medicine and surgery'.

"Further amend said section one hundred forty-seven point one hundred three (147.103), Code 1950, by striking from line nine (9) the words 'in section 147.25' and inserting in lieu thereof the words 'said examining boards in the biennial departmental appropriations'.

"Further amend said section one hundred forty-seven point one hundred three (147.103), Code 1950, by adding a new sentence at the end thereof as follows: 'The commissioner of public health, upon the request of and with the approval of the medical examining board, shall appoint an inspector and incur such other expenses as may be necessary to properly administer and aid in the enforcement of the provisions of the law relating to those licensed to practice medicine and surgery by said board. The amount of compensation for such inspector shall be fixed by the executive council and paid from the same funds as is provided for the clerical assistants. In order to make possible the carrying out of the provisions of this act there is hereby appropriated from the general funds of the state to the state department of health for the use of the medical examining board in addition to the sum provided for in subsection seventeen (17) of section twenty-two (22) of the departmental appropriations bill an additional sum of twelve thousand dollars (\$12,000) for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, provided, however, that after said date the funds for the operation and expenses of the board of medical examiners shall be handled as now provided for by law and included in the departmental appropriation to the state department of health under the budget law as provided for in chapter eight (8), Code 1950.'"

3. By renumbering the remaining sections thereof to correspond with the amendments herein contained, and amend the title by inserting before the period (.) at the end thereof the following: "and to amend section one hundred forty-seven point one hundred three (147.103), Code 1950,

and to make an additional appropriation for the biennium ending June 30, 1955."

#### HOUSE AMENDMENTS TO SENATE FILE 71

Amend Senate File 71 as follows:

1. Section 1 by adding after the word "religious" in line 7 the words "or established fraternal".

2. Section 3, lines 7 through 13, by striking therefrom the following: "The guarantee fund shall be permanently set aside in trust, to be invested in the same manner as is now provided by chapter six hundred eighty-two (682) or chapter five hundred sixty-six (566), Code 1950, for the investment of trust funds, and the income from such fund shall be used for the care and maintenance of the cemetery for which it was established.", and inserting in lieu thereof the following: "The perpetual care and maintenance guarantee fund shall be permanently set aside in trust to be administered under the jurisdiction of the district court of the county wherein the cemetery is located. The district court so having jurisdiction shall have full jurisdiction over the approval of trustees, reports and accounting of trustees, amount of surety bond required, and investment of funds. Only the income from such fund shall be used for the care and maintenance of the cemetery for which it was established."

3. Section 3, line 34, by striking therefrom the words and figures "one hundred thousand dollars (\$100,000.00)" and inserting in lieu thereof the words and figures "fifty thousand dollars (\$50,000)".

4. Section 3, line 37, by striking therefrom the words and figures "five thousand dollars (\$5,000.00)" and inserting in lieu thereof the words and figures "three thousand dollars (\$3,000)".

5. Section 6, lines 1 and 2, by striking therefrom the words "enactment of this bill" and inserting in lieu thereof the words "effective date of this chapter".

6. By adding the following new sections:

"Sec. 12. Nothing in this act contained shall affect the rights of any parties to any pending litigation.

"Sec. 13. No organization subject to the provisions of this chapter nor any person representing it in a sales capacity shall advertise or represent, in connection with the sale or attempted sale of any interment space, that the same is or will be a desirable speculative investment for resale purposes."

#### HOUSE AMENDMENTS TO SENATE FILE 241

Amend Senate File 241 by adding at the end thereof the following section:

"Sec. 4. Section five hundred fifteen point eighty-one (515.81), Code 1950, is hereby amended by striking the period (.) at the end thereof and inserting the following: 'and in the event the initial cash premium, or any part thereof, shall not have been paid, then said policy may be canceled by the insurer by giving said notice to the insured and ten days' notice to the mortgagee, or other person to whom the policy is

made payable, if any, without tendering any part or portion of such premium, anything to the contrary in the policy notwithstanding.' ”

Further amend Senate File 241 by striking the period (.) at the end of the title as amended and inserting in lieu thereof the following: “, and to amend section five hundred fifteen point eighty-one (515.81), Code 1950, relating to the cancellation of insurance policies.”

Senator Watson of Pottawattamie asked and received unanimous consent that House File 513 be placed on the calendar.

#### HOUSE MESSAGES CONSIDERED

House Joint Resolution 18, a joint resolution rejecting the offer for a quitclaim deed without consideration save as contained in Public Law 868, Eighty-first Congress of the United States, to land situated in Polk County, Iowa, and known as Fort Des Moines, Iowa.

Read first and second times, and referred to the sifting committee.

House File 384, a bill for an act to provide for municipally owned and operated city transit systems.

Read first and second times, and referred to the sifting committee.

House File 500, a bill for an act to amend chapter one hundred fifty-one (151), section twenty-two (22), Acts of the Fifty-fourth General Assembly, relating to veterans' housing.

Read first and second times, and referred to the sifting committee.

House File 505, a bill for an act to amend House File 213, Acts of the Fifty-fifth General Assembly, relating to voting by the armed forces.

Read first and second times, and referred to the sifting committee.

House File 513, a bill for an act to amend Senate File 2, Acts of the Fifty-fifth General Assembly, relating to the manufacture and sale of oleo, oleomargarine or margarine.

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

## SENATE CONCURRENT RESOLUTION 19

## By Committee on Claims

*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-fifth 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
Herschel B. Harris R.F.D. 1, Ames, Iowa	4	License Refund	\$20.25
Dr. Walker B. Henderson Oelwein, Iowa	8	Personal Injury	45.00
James Lingren 3919 Urbandale Ave., Des Moines, Iowa	12	Collision	229.00
Jesse D. Griffith 216 D Gilbert St. Palo Alto, Calif.	14	Maintenance	1,400.00
Edmund Froehle New Vienna, Iowa	20	Deer Damage	450.00
Jack Minikus 621 ½ S. Main Council Bluffs, Iowa	22	Collision	56.33
John Taylor Sioux City, Iowa	26	Illegally Held	8,595.00
Jones County Anamosa, Iowa	27	Coroner's Inquest	93.85
Wesley H. Gill Iowa State Penitentiary Fort Madison, Iowa	28	Personal Injury	1,000.00
A. W. Rudnick Ames, Iowa	35	License Refund	10.00
Boone County Community Hospital, 723 W. Fairview St. Albion, Nebraska	37	Hospital Bill	39.75
B. M. Brooks Bouton, Iowa	39	Theft	40.70

Claimant	Claim No.	Nature of Claim	Amount
Walter A. Lair McAllen, Texas	41	Tax Refund	269.79
Russell McNatton Fort Madison, Iowa	46	Personal Injury	Unspecified
Frank Flynn Fort Madison, Iowa	55	Personal Injury	2,000.00
State Farm Ins. Co. Bloomington, Ill.	56	Auto Damage	60.00
Bituminous Casualty Corp. Rock Island, Ill.	59	Personal Injury	23.00
Giles Funeral Home Burlington, Iowa	61	Funeral Bill	100.00
Ralph Mortice Anamosa, Iowa	70	Personal Injury	Unspecified
Dealers Transport Company Chicago, Ill.	75	Collision	387.88
Winkley Artificial Limb Co. Davenport, Iowa	76	Personal Debt	70.00
Elmer J. Daly Fort Madison, Iowa	89	Personal Injury	1,500.00
Estate of Carol Bennett Des Moines, Iowa	95A	Death Claim	5,000.00
B. A. Pollard Boone, Iowa	102	Auto Damage	103.07
George Boess Hawkeye, Iowa	105	Collision	174.70
Estate of Judy Husted Des Moines, Iowa	106A	Death Claim	5,000.00
Louis J. Elbert Doon, Iowa	114	Corn Loss	145.20
J. A. Baughman Bloomfield, Iowa	119	License Refund	15.50
Jessie Kiger Mount Pleasant, Iowa	124	Personal Injury	37.00
Gladys Estes Robertson Mount Pleasant, Iowa	125	Personal Injury	28.00
Bill Abrahamson Chariton, Iowa	127	Collision	282.97
Guy Rominger Bloomfield, Iowa	128	License Refund	8.25
Mrs. L. H. Torrey Springfield, Ill.	129	Dog Death	50.00
Carl Spurgeon Bloomfield, Iowa	135	License Refund	9.00

Claimant	Claim No.	Nature of Claim	Amount
Joseph Threlkeld Des Moines, Iowa	136	Unauthorized Picture	350.00
Mrs. Martha Pingree Des Moines, Iowa	139	Personal Injury	77.95
Mrs. Amelia Kipfer Pontiac, Ill.	140	Personal Injury	25.00
Marjorie Stiles Des Moines, Iowa	142	Vacation Time	?
Mrs. C. R. Treanor Des Moines, Iowa	150	Personal Injury	501.16
Ivan N. Gates West Liberty, Iowa	152	License Refund	10.00
R. E. Newell Waterloo, Iowa	153	Collision	149.11
Harold H. Hessenflow Lincoln, Nebraska	157	Service Compensation	500.00
Overton Funeral Home Indianola, Iowa	158	Funeral Bill	40.00
Edward L. Fletcher Des Moines, Iowa	160	Personal Injuries	14,000.00
Henry Numeyer Alvord, Iowa	165	Chicken Loss	166.25
Fred Thompson Denison, Iowa	167	Collision	17.12
Lewis Askildson Lake Mills, Iowa	178	Corn Loss	150.00
Virgil Lietz and B. L. Caudill Charles City and Alta Vista, Iowa	181	Collision	119.78
Dennis Wilson Anamosa, Iowa	186	Personal Injury	?
Kirchhoff Ice Cream Co., Inc. Maquoketa, Iowa	190	License Refund	280.00
Willard Deming and J. M. Beatty Chariton, Iowa	191	Cattle Loss	1,500.00
Wetmore Funeral Home Bedford, Iowa	193	Funeral Bill	160.50
The Grask Company, Inc. Des Moines, Iowa	200	Tax Refund	1,779.52
Robert W. Lamson Ames, Iowa	201	Collision	224.40
O'Keefe & Towne Funeral Home Waterloo, Iowa	207	Funeral Bill	150.00
Emil Hawkinson Forest City, Iowa	214	Deer Damage	980.00

Claimant	Claim No.	Nature of Claim	Amount
Verne Barker Cambridge, Iowa	232	Personal Injury	Not Specified
Employment Security Commission State of Iowa	234	O.A.B. & Surv. Ins.	28.72
Ina Ross Council Bluffs, Iowa	H-6-53	Personal Injury	100.00
Gloria Anderson Council Bluffs, Iowa	H-7-53	Personal Injury	100.00
Paul Fitzpatrick Churdan, Iowa	H-9-53	Collision	13.56
State Farm Mut. Ins. Co. Bloomington, Ill.	H-10-53	Collision	54.24
LeRoy Olson, Baker Hall, Cedar Falls, Iowa	H-12-53	Collision	84.92
Mrs. Ed Kemmerer Boone, Iowa	H-13-53	Neon Sign Damage	33.00
Marion T. Douglas Fort Dodge, Iowa	H-20-53	Auto Damage	59.53
Mrs. Elsie Frazier Hamburg, Iowa	H-23-53	Personal Injuries	530.00
Petersen's Sheet Metal Works, Denison, Iowa	H-24-53	Damage Concrete Mixer	68.99
Wilbur Carstensen and Donald Segebart, Denison, Iowa	H-25-53	Labor, etc. Expense	60.00
W. D. Roberts, Ainsworth, Iowa	H-27-53	Damaged Tire	139.89
Roy VanPatten What Cheer, Iowa	H-28-53	Flood Damage	400.00
Harry Brown Oskaloosa, Iowa	H-29-53	Auto Damage	32.54
Frederick C. Brenke Jr. Dubuque, Iowa	H-30-53	Auto Damage	83.56
Iowa Farm Mutual Ins. Co. Des Moines, Iowa	H-31-53	Auto Damage	42.05
Wilbert Holtkamp West Point, Iowa	H-32-53	Auto Damage	10.00
Mrs. Aletha Humphreys Sheldon, Iowa	H-33-53	Auto Damage	86.55
Mrs. Betty Graham Oakland, Iowa	H-42-53	Flood Damage	2,823.87
Richard VanVoorst, Sr. LeMars, Iowa	H-43-53	Auto Damage	77.00
Owen W. Darrow Clear Lake, Iowa	H-45-53	Auto Damage & Personal Injuries	1,123.80

Claimant	Claim No.	Nature of Claim	Amount
Geraldine Satrang, M.D. Omaha, Nebr.	H-46-53	Auto Damage & Personal Injuries	4,500.00
Lawrence J. Sams Des Moines, Iowa	H-47-53	Auto Damage	118.79
Maurice Truck Service Maurice, Iowa	H-49-53	Damaged Truck	112.47
P. F. Hockersmith Bloomfield, Iowa	H-50-53	Auto Damage	26.86
American Associated Ins. Companies, Des Moines, Iowa	H-51-53	Collision	70.64
L. G. Hawkins Mason City, Iowa	H-52-53	Auto Damage	50.00
J. E. Blanke 1011 4th St. Minneapolis, Minn.	H-53-53	Auto Damage	78.25
State Farm Mutual Ins. Co. Bloomington, Ill.	H-56-53	Collision	50.72
Alfred Mallie Tripoli, Iowa	H-57-53	Collision	12.68
Hardware Mutual Casualty Co., St. Louis, Mo.	H-58-53	Collision	375.61
Gale W. Fisher Minneapolis, Minn.	H-59-53	Collision	50.00
Mrs. Frank Uriell Garnavillo, Iowa	H-60-53	Collision	204.50
Howard Mayberry Maquoketa, Iowa	H-61-53	Collision	425.00
Mrs. A. R. Rankin Zearing, Iowa	H-63-53	Business Loss	2,000.00
Treasurer of the United States, Washington, D. C.	H-64-53	Collision	206.31
Mrs. James D. Lysaght Des Moines, Iowa	H-66-53	Auto Damage	25.00
P. G. Wilcox Cedar Rapids, Iowa	H-67-53	Auto Damage	10.89
Mrs. Wayne Rhoten Des Moines, Iowa	H-73-53	Auto Damage	24.17
Rudolph Henning Clarksville, Iowa	H-79-53	Collision	306.43
G. A. Freihage Afton, Iowa	H-83-53	Collision	27.21
Iowa National Mutual Ins. Co. Cedar Rapids, Iowa	H-84-53	Collision	220.11
Raymond Skilbred Blairsburg, Iowa	H-85-53	Collision	50.00

Claimant	Claim No.	Nature of Claim	Amount
E. R. Glover Sioux City, Iowa	8-86-53	Auto Damage	77.83
Mrs. Hyldred Reese Clarinda, Iowa	H-87-53	Auto Damage	82.22
O. T. Kulsrud Austin, Minn.	H-88-53	Collision	49.35
Otto Dettmer Charles City, Iowa	H-89-53	Collision	40.96
Nick Degen Mason City, Iowa	H-91-53	Collision	93.57
R. K. Skipworth Cedar Rapids, Iowa	H-97-53	Collision	47.76
Floyd Mertz Harper, Iowa	H-98-53	Collision	288.14
Farmers Mutual Automob- ile Co., Madison, Wisc.	H-100-53	Auto Damage	311.99
John Van Genderen Eddyville, Iowa	H-100A-53	Auto Damage	50.00
Rex L. Brush LeGrand, Iowa	H-103-53	Collision	110.11
Orin Heimdal Joice, Iowa	H-105-53	Collision	513.60
Nathan Petcher Davenport, Iowa	H-106-53	Auto Damage	20.21
Earl Tangeman Dubuque, Iowa	H-109-53	Auto Damage	15.95
Floyd Page Indianola, Iowa	H-110-53	Plant Loss	100.00
Cities Service Oil Co. St. Paul, Minn.	H-114-53	Auto Damage	94.00
Donald F. Ruffcorn Cedar Falls, Iowa	H-118-53	Collision	50.00
Francis H. Taylor, Jr. Keokuk, Iowa	H-129-53	Collision	147.90
LeMars Mutual Ins. Assoc. LeMars, Iowa	H-140-53	Auto Damage	18.00
Carbon Mining & Sales Co. Des Moines, Iowa	H-141-53	Coal Price Increase	292.50
Mr. and Mrs. Darreld Peter- son, Forest City, Iowa	H-147-53	Collision	295.49
Ben Franken Parkersburg, Iowa	H-149-53	Collision	17.81
Gilman Johnson Northwood, Iowa	H-151-53	Tire Damage	102.00
Iowa Farm Mutual Ins. Co. Des Moines, Iowa	H-154-53	Collision	50.89

Claimant	Claim No.	Nature of Claim	Amount
Robert J. Vreughenhil Akron, Iowa	H-155-53	Collision	10.00
George T. Reeves Ottumwa, Iowa	H-168-53	Animal Loss	165.00
Quentin T. Swanson Omaha, Nebr.	H-170-53	Auto Damage	349.54
Emil Kalous Chicago, Ill.	H-172-53	Collision	62.17
Stanley R. Coberly Shellsburg, Iowa	H-174-53	Collision	148.00
Lewis Engeltges Orange City, Iowa	H-176-53	Auto Damage	95.78
O. N. Homan Alton, Iowa	H-177-53	Collision	66.03
M. C. Stoddard Mason City, Iowa	H-183-53	Auto Damage	15.23
Phillip Page Alpha, Iowa	H-186-53	Auto Damage	170.64
Walter C. Northcutt Newton, Iowa	H-187-53	Auto Damage	48.09
Richard Kuiper Hull, Iowa	H-188-53	Collision	70.85
James A. Gillett Ottumwa, Iowa	H-189-53	Collision	85.95
Union Transfer Co. Omaha, Nebr.	H-192-53	Flood Damage	2,500.00
St. Paul Fire and Marine Ins. Co., St. Paul, Minn.	H-193-53	Flood Damage (Cargo Loss)	6,302.93
Agatha Downing Omaha, Nebr.	H-194-53	Flood Damage (Tractor)	5,083.11
Robert Hart Cincinnati, Iowa	H-198-53	Auto Damage	25.34
State Farm Ins. Companies Bloomington, Ill.	H-200-53	Auto Damage	26.11
Edward W. Cooley Des Moines, Iowa	H-201-53	Tire Damage	17.00
Duane K. Broome Clear Lake, Iowa	H-206-53	Auto Damage	15.09
Roscoe and Mildred Sexauer Ankeny, Iowa	H-207-53	Auto Damage	411.85
American Farmers Mut. Ins. Co., Des Moines, Iowa	H-208-53	Auto Damage	62.83
R. L. Dunbar and Nina E. Dunbar, Washington, Iowa	H-211-53	Flood Damage	1,699.00

Claimant	Claim No.	Nature of Claim	Amount
Robert Shelangoski Washington, Iowa	H-212-53	Flood Damage	2,128.00
Charles McKnight Sioux City, Iowa	H-213-53	Auto Damage	12.76
Emil Handel Dubuque, Iowa	H-214-53	Auto Damage	81.64
Thos. P. Lenz St. Ansgar, Iowa	H-219-53	Crop Damage	3,000.00
H. M. Kauffman Harlan, Iowa	H-222-53	Auto Damage	539.43
Darrell White Vallejo, Calif.	H-223-53	Personal Injury & Car Damage	8,251.30
Ralph Morgan Amarillo, Texas	H-224-53	Personal Injury & Car Damage	4,409.00
R. F. and W. B. Fitch, Inc. Oskaloosa, Iowa	H-227-53	Collision	2,111.27
Federated Mutual Ins. Co. Des Moines, Iowa	H-228-53	Personal Injury	1,372.74
Francis J. Brogan Chicago, Ill.	H-234-53	Collision	1,684.22
Earl Bohl Sioux City, Iowa	H-236-53	Auto Damage	324.46
J. M. Foster Ottumwa, Iowa	H-239-53	Collision	338.51
Eldon Wenger Grand Junction, Iowa	H-240-53	Auto Damage	51.78
Laverne H. Sawyer Creston, Iowa	H-244-53	Collision	600.00
Earl Sweet Mason City, Iowa	H-247-53	Collision	2,914.62
J. A. McGuire Cedar Rapids, Iowa	H-251-53	Collision	74.09
Theresa Hart, Admx., Eagle Grove, Iowa	H-253-53	Death Claim	40,000.00
Don Kissinger West Union, Iowa	H-255-53	Collision	49.84

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Stuart of Lucas, 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 81, 190, 229, 306 and 320; and House File 471.

W. C. STUART, *Chairman Senate Committee.*

JOHN A. WALKER, *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 81, 190, 229, 306 and 320; and House File 471.

#### BILLS SENT TO THE GOVERNOR

Senator Stuart of Lucas, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 15th day of April, 1953, sent to the Governor for his approval: Senate Files 81, 190, 229, 306 and 320.

W. C. STUART, *Chairman.*

Passed on file.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that, on April 15, 1953, the Governor had approved the following bills:

Senate File 2, relating to imitation butter and the sale and labeling thereof.

Senate File 7, relating to the penalty for the unlawful use of narcotics.

Senate File 18, relating to an open season and license for game birds and animals by including deer.

Senate File 151, relating to the registration of motor vehicles of non-resident carriers.

Senate File 152, relating to certificates of convenience and necessity for motor carriers.

#### MOTION TO DEFER

MR. PRESIDENT: I move the action on Senate File 388 be deferred.

EARL C. FISHBAUGH, JR.

#### AMENDMENTS FILED

- 1 Amend the amendment to Senate File 379 filed by Prentis
- 2 and others March 16, 1953, by striking from line ten (10) the
- 3 figures "1956" and inserting in lieu thereof the figures
- 4 "1955" and by adding at the end of said line before the period
- 5 the following: "also subject to the same provisions, except

6 distribution thereof, there is hereby imposed an additional  
 7 license fee on motor vehicle fuel of one cent per gallon or frac-  
 8 tion thereof for the period ending June 30, 1955, to be distributed  
 9 solely for primary roads on the basis of need as determined by  
 10 the highway commission".

11 Amend the amendment to the title by striking from line  
 12 thirteen (13) the word "an" and in the same line by striking  
 13 the word "fee" and inserting the word "fees" and striking from  
 14 line fourteen (14) the figures "1956" and inserting the figures  
 15 "1955".

X. T. PRENTIS.  
 A. J. JOHNSON.  
 JOHN P. BERG.  
 W. C. MOLISON.  
 C. T. ANDERSON.  
 THOMAS J. DAILEY.  
 ALAN VEST.  
 ERWIN SCHOENING.  
 HENRY W. WASHBURN.  
 GEORGE L. SCOTT.  
 GEORGE E. O'MALLEY.  
 CHARLES W. NELSON.  
 R. R. BATESON.  
 LORIN B. SAYRE.  
 ARNOLD UTZIG.  
 LEON N. MILLER.  
 EARL ELIJAH.  
 J. G. LUCAS.  
 HERMAN M. KNUDSON.  
 C. EMORY STEWART.  
 FRANK C. BYERS.  
 WILLIAM LINNEVOLD.  
 G. E. WHITEHEAD.  
 PHILIP T. HEDIN.  
 THOMAS C. LARSON.  
 R. W. ZASTROW.  
 E. K. BEKMAN.  
 D. C. NOLAN.  
 R. J. OLTMAN.  
 JAY C. COLBURN.  
 CHAS. S. VAN EATON.  
 HERMAN B. LORD.

- 1 1. Amend Senate File 432, section 6, line 3, by striking the
- 2 word "other".
- 3 2. Further amend Senate File 432 by inserting after the first
- 4 word "the" in line 1 of the title the word "special".
- 5 3. Further amend Senate File 432 by inserting after the first
- 6 word "the" in section 1, line 3, the word "special".
- 7 4. Further amend Senate File 432 by adding a new section as
- 8 section 10 as follows: "Sec. 10. The governor and budget and  
 financial

9 control committee are hereby directed to transfer from the  
10 special reserve fund created by the provisions of chapter  
11 forty-four (44), Acts of the Fifty-third General Assembly, a  
12 sufficient fund to provide for the specific allocations re-  
13 quired to be made by the comptroller under this act."

JOHN P. BERG.

J. KENDALL LYNES.

1 Amend Senate File 433, section 2, line 7, by striking  
2 "Electrical distribution and replacements" and inserting  
3 therein "Boiler generator".

4 2. Further amend section 6, line 3, by striking the word  
5 "other".

6 3. Further amend Senate File 433 by inserting after the  
7 first word "the" in line 1 of the title the word "special".

8 4. Further amend Senate File 433 by inserting after the first  
9 word "the" in section 1, line 3, the word "special".

10 5. Further amend Senate File 433 by adding a new section as  
11 section 10 as follows: "Sec. 10. The governor and budget and  
financial

12 control committee are hereby directed to transfer from the  
13 special reserve fund created by the provisions of chapter  
14 forty-four (44), Acts of the Fifty-third General Assembly, a  
15 sufficient fund to provide for the specific allocations  
16 required to be made by the comptroller under this act."

JOHN P. BERG.

J. KENDALL LYNES.

1 1. Amend House File 140, section 41, line 27, by striking the  
2 following: "Elective public officials." and inserting in lieu thereof  
3 the following: "Members of the General Assembly, elective officials  
4 in positions for which the compensation is on a fee basis, elective  
5 officials of school districts, elective officials of townships, and  
6 elective officials of other political subdivisions who are in part-  
7 time positions."

8 2. Further amend House File 140, section 42, line 3, by adding the  
9 following after the comma (,) therein: "or any publicly elected  
10 official of the state or any of its political subdivisions, other than  
11 members of the General Assembly, elective officials in positions for  
12 which the compensation is on a fee basis, elective officials of school  
13 districts, elective officials of townships, and elective officials of  
14 other political subdivisions who are in part-time positions."

THOMAS J. DAILEY.

1 Amend the appropriations committee amendment to House File  
2 140, filed April 10, 1953, by inserting following the word "employee"  
3 in line 3 of section 13 the following: "not in excess of four thousand  
4 dollars (\$4,000)".

ALAN VEST.

1 1. Amend House File 140, section 41, subsection 10,  
2 line 84, by striking the word and figures "July 1, 1953"  
3 and inserting in lieu thereof the words and figures "after  
4 January 1, 1946".

5 2. Further amend House File 140, section 41, sub-  
6 section 11, line 87, by striking the period "." after the  
7 word "member" and adding the following "after January 1,  
8 1946".

H. E. WEICHMAN.

J. T. DYKHOUSE.

JOHN BERG.

HARRY E. WATSON of O'Brien.

1 Amend House File 140, section 42, line 10, by adding after  
2 the period (.) the following: "However the participation in such  
3 other retirement program shall be voluntary and shall not be a  
4 condition for continuance of employment."

D. C. NOLAN.

1 Amend the Senate appropriations committee amendment to House  
File 502,

2 filed April 13, by adding the following new section:  
3 "Sec. 2. There is hereby appropriated from the  
4 general fund of the State of Iowa to the Board for  
5 Vocational Education for each year of the biennium  
6 beginning July 1, 1953, and ending June 30, 1955, the  
7 sum of one hundred thousand dollars (\$100,000), or  
8 so much thereof as may be necessary to supplement the  
9 permanent fund provided in chapter two hundred fifty-eight  
10 (258), Code 1950, as amended by the Fifty-fourth General  
11 Assembly."

12 Further amend the title to House File 502 by  
13 striking the period (.) at the end of the title and  
14 adding the following: "and to the Board for Vocational  
15 Education as provided in chapter two hundred fifty-eight  
16 (258), Code 1950."

GEORGE E. O'MALLEY.

EARL C. FISHBAUGH, JR.

W. C. MOLISON.

C. T. ANDERSON.

THOMAS J. DAILEY.

1 Amend House File 506 by striking the word "attorney"  
2 in line 2 of section 3 and inserting in lieu  
3 thereof the words "board of social welfare, with the advice  
4 of the county attorney."

5 Further amend House File 506 by adding at the end of  
6 section 3 the following: "The list of those so  
7 certified, together with the advice of the county attorney,  
8 shall be a matter of public record to the same extent and  
9 under the same conditions and with the same penalty for  
10 misuse as provided in section two hundred thirty-nine point  
11 ten (239.10), Code of Iowa, 1950, as amended by this act."

DUANE E. DEWEL.

On motion of Senator Watson of Pottawattamie, the Senate ad-  
journed until 9:30 Thursday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 16, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend F. J. Ackman, pastor of the Methodist Church, Centerville, Iowa.

## PRESENTATION OF VISITORS

Senator O'Malley asked and received unanimous consent to present to the Senate twenty-nine students of the Woodside Public School who were present in the balcony accompanied by their instructor, Belle Turner.

Senator Molison asked and received unanimous consent to present to the Senate thirty-one members of the eighth grade class of the Brooklyn Junior High School who were present in the balcony accompanied by their instructor, Ben Winslow.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Anderson from eight residents of Washington County favoring proposed legislation relating to establishing an Iowa Recreation Board.

By Senator Byers from twelve residents of Marshall County favoring proposed legislation relative to the retail sales tax.

By Senator Lord, a resolution from the Iowa Municipal Finance Officers Association favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance.

By Senator Washburn from twelve residents of Montgomery County favoring proposed legislation relating to bonds of deputy state and county officers.

By Senator Watson of Pottawattamie from thirteen residents of Pottawattamie County favoring proposed legislation relating to taxation of stocks of merchandise of merchants.

By Senator Zastrow from eleven residents of Mills County relating to union security agreements and contracts.

## INTRODUCTION OF BILLS

Senate Joint Resolution 5, by committee on schools and educational institutions, a joint resolution creating a special interim committee to make a study of the questions of educational television for Iowa and to make an appropriation therefor.

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

Senate File 447, by committee on judiciary 1, a bill for an act authorizing a patent to issue to lot twenty-one (21), being the southwest quarter (SW $\frac{1}{4}$ ) of the southwest quarter (SW $\frac{1}{4}$ ) of the northwest quarter (NW $\frac{1}{4}$ ) of section sixteen (16), township seventy-one (71) north, range four (4) west of the fifth (5th) principal meridian, Des Moines County, Iowa.

Read first and second times, and referred to the sifting committee.

## HOUSE AMENDMENTS CONSIDERED

Senator Oltman called up for consideration Senate File 47, a bill for an act to amend sections one hundred forty-seven point fourteen (147.14), one hundred forty-seven point nineteen (147.19), one hundred forty-seven point thirty-eight (147.38), one hundred forty-seven point eighty (147.80), one hundred forty-seven point one hundred two (147.102), one hundred forty-eight point three (148.3), and chapter one hundred forty-eight (148), Code 1950, relating to the medical examiners board, providing for an additional two members and increasing the length of the term of office, increasing the renewal fee for the practice of medicine and surgery, enlarging the powers of the board of medical examiners, qualifications of applicants, and providing for temporary and special licenses for the practice of medicine and surgery, amended by the House; and asked and received unanimous consent that the rules be suspended and that the Senate take up for consideration the following House amendments:

Amend Senate File 47 as follows:

1. Section 5 by changing the (,) in line 4 following the word "surgery" to a period (.) and striking the remainder of said section.

2. By inserting as section 6 the following:

"Sec. 6. Section one hundred forty-seven point one hundred three (147.103), Code 1950, is hereby amended by inserting in line three (3) thereof after the word 'for' the words 'medicine and surgery'.

"Further amend said section one hundred forty-seven point one hundred three (147.103), Code 1950, by striking from line nine (9) the

words 'in section 147.25' and inserting in lieu thereof the words 'said examining boards in the biennial departmental appropriations'.

"Further amend said section one hundred forty-seven point one hundred three (147.103), Code 1950, by adding a new sentence at the end thereof as follows: 'The commissioner of public health, upon the request of and with the approval of the medical examining board, shall appoint an inspector and incur such other expenses as may be necessary to properly administer and aid in the enforcement of the provisions of the law relating to those licensed to practice medicine and surgery by said board. The amount of compensation for such inspector shall be fixed by the executive council and paid from the same funds as is provided for the clerical assistants. In order to make possible the carrying out of the provisions of this act there is hereby appropriated from the general funds of the state to the state department of health for the use of the medical examining board in addition to the sum provided for in subsection seventeen (17) of section twenty-two (22) of the departmental appropriations bill an additional sum of twelve thousand dollars (\$12,000) for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, provided, however, that after said date the funds for the operation and expenses of the board of medical examiners shall be handled as now provided for by law and included in the departmental appropriation to the state department of health under the budget law as provided for in chapter eight (8), Code 1950.'"

3. By renumbering the remaining sections thereof to correspond with the amendments herein contained, and amend the title by inserting before the period (.) at the end thereof the following: "and to amend section one hundred forty-seven point one hundred three (147.103), Code 1950, and to make an additional appropriation for the biennium ending June 30, 1955."

On motion of Senator Oltman, the Senate concurred in the House amendments.

Senator Oltman moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

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

Ayes, 48:

Anderson	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Utzig
Bekman	Hart	Nelson	Van Eaton
Bellman	Hedin	Nesmith	Vest
Berg	Heideman	Nolan	Walter
Boothby	Johnson	Oltman	Washburn
Byers	Knudson	O'Malley	Watson of
Clark	Larson	Prentis	O'Brien
Colburn	Linnevoid	Risk	Watson of
Dailey	Lord	Sayre	Pottawattamie
Dewel	Lucas	Schoening	Whitehead
Dykhouse	Lynes	Scott	Zastrow
Elijah	Miller		

Nays, none.

Absent or not voting, 2:

Stewart of            Weichman  
Mahaska

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

Senator O'Malley called up for consideration Senate File 397, a bill for an act to amend chapter three hundred ninety (390), Code 1950, relating to municipal parking lots, to provide for the issuance of bonds and the levy of taxes to pay the same for the purpose of acquiring land and erecting and improving parking lot facilities, and to amend section three hundred ninety point one (390.1), Code 1950, to include the power to erect and improve buildings for parking lot facilities, and the following House amendment:

Amend Senate File 397 by striking section 2 and inserting in lieu thereof the following:

"Sec. 2. Cities and towns when authorized by an election, to establish off-street parking facilities as provided in section three hundred ninety point one (390.1), Code 1950, are hereby authorized to contract indebtedness and to issue general obligation bonds to provide funds to pay the cost of acquiring and improving real estate for off-street parking areas, including the erection or improvement of buildings thereon. Said election shall be conducted as provided for in chapter four hundred seven (407), Code 1950."

Senator O'Malley offered the following amendment to the House amendment and moved its adoption:

Amend the House amendment to Senate File 397 by adding to section 2 the following:

"In cities and towns whenever parking lots shall have been authorized or established as provided in section three hundred ninety point one (390.1) in lieu of the tax provided for in section three hundred ninety point two (390.2), there may be levied a tax not exceeding one-half mill, the proceeds of which shall be credited to and known as the "parking lot fund". Such fund shall be used only to acquire or improve real estate, including the erection or improvement of buildings thereon or for any or all said purposes for the parking of vehicles, and including the payment of bonds and interest thereon issued in anticipation of the collection of such tax. Such fund shall be used to meet maturities of such bonds and interest thereon from year to year, but only to the extent that after the application of all net returns available from the income of said parking lots or parking meters, or both, as specified by law, the same shall be required to meet such maturing bonds or interest thereon. Cities and towns may anticipate the collection of taxes authorized in this section and for that purpose may issue certificates or bonds with interest coupons. If bonds are issued said bonds shall be payable in not more

than twenty annual installments and at interest not exceeding five per cent per annum, and shall be payable at such place and be in such form as the council shall designate by resolution or ordinance."

The amendment to the amendment was adopted.

On motion of Senator O'Malley, the Senate concurred in the House amendment as amended.

Senator O'Malley moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

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

Ayes, 45:

Anderson	Fishbaugh	Molison	Van Eaton
Bateson	Grimstead	Nelson	Vest
Bekman	Hart	Nesmith	Walter
Bellman	Hedin	Nolan	Washburn
Boothby	Heideman	O'Malley	Watson of
Byers	Johnson	Prentis	O'Brien
Clark	Knudson	Risk	Watson of
Colburn	Larson	Sayre	Pottawattamie
Dailey	Linnevoold	Schoening	Weichman
Dewel	Lucas	Scott	Whitehead
Dykhouse	Lynes	Stuart of Lucas	Zastrow
Elijah	Miller	Utzig	

Nays, none.

Absent or not voting, 5:

Berg	Myrland	Stewart of
Lord	Oltman	Mahaska

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

Senator Lynes called up for consideration Senate File 366, a bill for an act to amend section three hundred twenty-one point one hundred seventeen (321.117), relating to fees for hearses, amended by the House, and moved that the Senate concur in the following amendment:

Amend the title to Senate File 366 by adding the following after the comma (,) in line 2 thereof: "Code 1950,".

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 last time now, which motion prevailed, and the bill was read a last time.

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

Ayes, 47:

Anderson	Grimstead	Myrland	Utzig
Bateson	Hart	Nesmith	Van Eaton
Bekman	Hedin	Nolan	Vest
Bellman	Heideman	O'Malley	Walter
Berg	Johnson	Prentis	Washburn
Boothby	Knudson	Risk	Watson of
Byers	Larson	Sayre	O'Brien
Clark	Linnevoid	Schoening	Watson of
Colburn	Lord	Scott	Pottawattamie
Dailey	Lucas	Stewart of	Weichman
Dewel	Lynes	Mahaska	Whitehead
Dykhouse	Miller	Stuart of Lucas	Zastrow
Elijah	Molison		

Nays, none.

Absent or not voting, 3:

Fishbaugh	Nelson	Oltman
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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 241, a bill for an act to amend section five hundred fifteen point one hundred thirty-eight (515.138), Code 1950, relating to standard provisions of fire insurance contracts, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 241 by adding at the end thereof the following section:

"Sec. 4. Section five hundred fifteen point eight-one (515.81), Code 1950, is hereby amended by striking the period (.) at the end thereof and inserting the following: 'and in the event the initial cash premium, or any part thereof, shall not have been paid, then said policy may be canceled by the insurer by giving said notice to the insured and ten days' notice to the mortgagee, or other person to whom the policy is made payable, if any, without tendering any part or portion of such premium, anything to the contrary in the policy notwithstanding.'"

Further amend Senate File 241 by striking the period (.) at the end of the title as amended and inserting in lieu thereof the following: "and to amend section five hundred fifteen point eighty-one (515.81), Code 1950, relating to the cancellation of insurance policies."

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 last time now, which motion prevailed, and the bill was read a last time.

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

Ayes, 48:

Anderson	Hart	Nelson	Utzig
Bateson	Hedin	Nesmith	Van Eaton
Bekman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Grimstead	Myrland	Stuart of Lucas	

Nays, 1:

Fishbaugh

Absent or not voting, 1:

Bellman

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

Senator Watson of Pottawattamie called up for consideration Senate File 71, a bill for an act relating to the operation of cemeteries in the State of Iowa, and funds for the perpetual care and maintenance thereof, and the sale of burial space therein, and providing penalties for the violation thereof, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 71 as follows:

1. Section 1 by adding after the word "religious" in line 7 the words "or established fraternal".

2. Section 3, lines 7 through 13, by striking therefrom the following: "The guarantee fund shall be permanently set aside in trust, to be invested in the same manner as is now provided by chapter six hundred eighty-two (682) or chapter five hundred sixty-six (566), Code 1950, for the investment of trust funds, and the income from such fund shall be used for the care and maintenance of the cemetery for which it was established.", and inserting in lieu thereof the following: "The perpetual care and maintenance guarantee fund shall be permanently set aside in trust to be administered under the jurisdiction of the district court of the county wherein the cemetery is located. The district court so having jurisdiction shall have full jurisdiction over the approval of trustees, reports and accounting of trustees, amount of surety bond required, and investment of funds. Only the income from such fund shall be used for the care and maintenance of the cemetery for which it was established."

3. Section 3, line 34, by striking therefrom the words and figures "one hundred thousand dollars (\$100,000.00)" and inserting in lieu thereof the words and figures "fifty thousand dollars (\$50,000)".

4. Section 3, line 37, by striking therefrom the words and figures "five

thousand dollars (\$5,000.00)" and inserting in lieu thereof the words and figures "three thousand dollars (\$3,000)".

5. Section 6, lines 1 and 2, by striking therefrom the words "enactment of this bill" and inserting in lieu thereof the words "effective date of this chapter".

6. By adding the following new sections:

"Sec. 12. Nothing in this act contained shall affect the rights of any parties to any pending litigation.

"Sec. 13. No organization subject to the provisions of this chapter nor any person representing it in a sales capacity shall advertise or represent, in connection with the sale or attempted sale of any interment space, that the same is or will be a desirable speculative investment for resale purposes."

The Senate concurred in the House amendments.

Senator Watson moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

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

Ayes, 47:

Anderson	Hart	Nelson	Utzig
Bateson	Hedin	Nesmith	Van Eaton
Bekman	Heideman	Nolan	Vest
Bellman	Johnson	O'Malley	Walter
Berg	Knudson	Prentis	Washburn
Boothby	Larson	Risk	Watson of
Byers	Linnevold	Sayre	O'Brien
Clark	Lord	Schoening	Watson of
Dailey	Lucas	Scott	Pottawattamie
Dewel	Lynes	Stewart of	Weichman
Dykhouse	Miller	Mahaska	Whitehead
Elijah	Molison	Stuart of Lucas	Zastrow
Grimstead	Myrland		

Nays, none.

Absent or not voting, 3:

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

#### SPECIAL ORDER CONTINUED

On motion of Senator Lord, House File 140, a bill for an act creating an Iowa public employees retirement system, providing for the administration of such retirement system by the Iowa employment security commission; creating an Iowa public employees' retirement fund and providing for the investment and expenditure thereof; creating an Iowa advisory investment board and prescribing the appointment and duties thereof; imposing a tax of three

and one-half per cent ( $3\frac{1}{2}\%$ ) of the taxable wages paid to public employees who are members of the retirement system by public employers, the proceeds of such tax to be used for the payment of benefits or refunds provided by this act; providing for the imposition of a tax upon public employers equal to three and one-half per cent ( $3\frac{1}{2}\%$ ) of all the wages paid by the employer to employees who are members of the Iowa public retirement system, the proceeds of such tax to be used for the payment of benefits or refunds provided by this act; prescribing the duties of the Iowa employment security commission in relation to the administration of this act; providing for the payment to employees who are members of this system, or to their beneficiaries, of retirement benefits provided by this act; providing for refunds to Iowa public employees who are members of the system under certain conditions prescribed by this act; making an appropriation of one million seven hundred fifty thousand dollars (\$1,750,000) from the special reserve fund of the State of Iowa for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, or so much thereof as may be necessary, into the retirement fund for the maintenance of the retirement system upon a sound actuarial basis; transferring the assets of the old age and survivors' liquidation fund to the Iowa public employees' retirement fund—all relating to the establishment and administration of the Iowa public employees' retirement system, with report of committee recommending amendment and without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Vest asked and received unanimous consent to withdraw the committee amendment to House File 140 filed by the committee on appropriations and all of the amendments thereto filed by Senator Vest.

Senator Lord called up for consideration the amendment filed by him to House File 140 and found on pages 943, 944 and 945 of the Senate Journal.

Senator Lord offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking divisions 3, 11, 13 and 15.

The amendment to the amendment was adopted.

On motion of Senator Lord, divisions 4, 1, 2, 5, 6, 7, 8, 9 and 10 were adopted.

Senator Lord moved the adoption of division 12, which motion was lost.

On motion of Senator Lord, subsection 2 of division 14 was stricken.

Senator Lord asked and received unanimous consent to renumber the remaining subsections of division 14.

On motion of Senator Lord, division 14 as amended was adopted.

On motion of Senator Lord, division 16 of the amendment was adopted.

Senator O'Malley offered the following amendment and moved its adoption:

Amend House File 140 by inserting in section 42, line 8, after the word "if" the following: "after making said election".

The amendment was adopted.

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

#### AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

#### PRESENTATION OF VISITORS

Senator Walter asked and received unanimous consent to present to the Senate Mr. Elthon K. McQuery, Chicago, Illinois, Assistant Director of the National Council of State Government, who was present in the Senate chamber. Mr. McQuery addressed the Senate briefly.

Senator Utzig asked and received unanimous consent to present to the Senate Wilfred Weber, veteran of World Wars I and II, who was present in the Senate chamber.

Senator Lord asked and received unanimous consent that action on House File 140 be deferred and that the bill retain its place on the calendar.

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

## EXECUTIVE SESSION

The Senate, in executive session, confirmed the following appointments:

George M. Foster of Wapello County, as a member of the State Conservation Commission for the regular term ending June 30, 1959.

Laurence L. Garton of Buena Vista County, as a member of the State Soil Conservation Committee for the regular term ending June 30, 1959.

P. E. Norris of Appanoose County, as a member of the Iowa Aeronautics Commission for the regular term ending June 30, 1959.

J. D. Reynolds of Union County, as a member of the State Conservation Commission for the regular term ending June 30, 1959.

Edmund G. Zimmerer, M.D., of Polk County, as Commissioner of Public Health for the regular term ending June 30, 1957.

The Senate, in executive session, failed to confirm the following appointment:

Russell F. Swift of Shelby County, as a member of the Iowa Liquor Control Commission for the regular term ending July 1, 1959.

The Senate arose from executive session and resumed regular session.

## SPECIAL ORDER

The Chair announced the special order for the consideration of Senate Files 68 and 69.

## THIRD READING OF BILLS

On motion of Senator Berg, Senate File 68, a bill for an act to create a state civil defense agency in the executive branch; providing for a director as head thereof and defining the powers and duties of the governor and director; providing emergency powers for the governor; authorizing mobile support and mutual aid 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 and adopt ordinances relating thereto; authorizing local organizations for civil defense to contract for mutual aid and accept gifts, grants and loans; 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 local defense councils; providing for the rights, privileges and immunities of 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 to carry out the purpose of this act, with reports of committees recommending amendment and passage, was taken up, considered, and the reports of the committees adopted.

The following committee amendment was considered:

Amend Senate File 68, section 27, line 4, by striking the words and figures "one hundred thousand dollars (\$100,000)" and substituting in lieu thereof the words and figures "fifty thousand dollars (\$50,000)".

On motion of Senator Lynes, the committee amendment was adopted.

Senator Dewel asked and received unanimous consent to withdraw the amendment filed by him to Senate File 68 and found on page 941 of the Senate Journal.

Senator Bateson offered the following amendment and moved its adoption:

Amend Senate File 68 by striking from section 13, line 6, the following: "gross negligence" and inserting in lieu thereof the following: "recklessness".

The amendment was adopted.

Senator Bateson offered the following amendment and moved its adoption:

Amend Senate File 68 by striking section 18.

Division was called for.

The amendment was lost.

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

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

Ayes, 43:

Anderson	Hart	Nolan	Utzig
Bateson	Hedin	Oltman	Van Eaton
Bekman	Heideman	O'Malley	Walter
Bellman	Johnson	Prentis	Washburn
Berg	Knudson	Risk	Watson of
Boothby	Larson	Sayre	O'Brien
Clark	Linnevold	Schoening	Watson of
Dailey	Lord	Scott	Pottawattamie
Dewel	Lucas	Stewart of	Weichman
Elijah	Lynes	Mahaska	Whitehead
Fishbaugh	Miller	Stuart of Lucas	Zastrow
Grimstead	Molison		

Nays, 1:

Nelson

Absent or not voting, 6:

Byers	Dykhouse	Nesmith	Vest
Colburn	Myrland		

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

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

On motion of Senator Berg, Senate File 69, 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, with report of committee recommending passage, was taken up, considered, and the report of the committee 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, 45:

Anderson	Hart	Myrland	Stuart of Lucas
Bateson	Hedin	Nesmith	Utzig
Bekman	Heideman	Nolan	Van Eaton
Bellman	Johnson	Oltman	Walter
Berg	Knudson	O'Malley	Washburn
Boothby	Larson	Prentis	Watson of
Colburn	Linnevold	Risk	O'Brien
Dailey	Lord	Sayre	Watson of
Dewel	Lucas	Schoening	Pottawattamie
Elijah	Lynes	Scott	Weichman
Fishbaugh	Miller	Stewart of	Whitehead
Grimstead	Molison	Mahaska	Zastrow

Nays, none.

Absent or not voting, 5:

Byers	Dykhouse	Nelson	Vest
Clark			

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

On motion of Senator Lynes, Senate File 432, a bill for an act to appropriate from the reserve funds now in the general fund of the state for the institutions under the control of the state board of education, was taken up, and considered.

Senator Lynes offered the following amendments filed by Senators Berg and Lynes, and moved their adoption:

1. Amend Senate File 432, section 6, line 3, by striking the word "other".
2. Further amend Senate File 432 by inserting after the first word "the" in line 1 of the title the word "special".
3. Further amend Senate File 432 by inserting after the first word "the" in section 1, line 3, the word "special".
4. Further amend Senate File 432 by adding a new section as section 10 as follows: "The governor and budget and financial control committee are hereby directed to transfer from the special reserve fund created by the provisions of chapter forty-four (44), Acts of the Fifty-third General Assembly, a sufficient fund to provide for the specific allocations required to be made by the comptroller under this act."

The amendments were 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, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevoold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 as amended was agreed to.

On motion of Senator Lynes, Senate File 433, a bill for an act to appropriate from the reserve funds now in the general fund of the state for the institutions under the control of the state board of education, was taken up, and considered.

Senator Lynes offered the following amendments by Senators Berg and Lynes, and moved their adoption:

Amend Senate File 433, section 2, line 7, by striking "Electrical distribution and replacements" and inserting therein "Boiler generator".

2. Further amend section 6, line 3, by striking the word "other".

3. Further amend Senate File 43 by inserting after the first word "the" in line 1 of the title the word "special".

4. Further amend Senate File 433 by inserting after the first word "the" in section 1, line 3, the word "special".

5. Further amend Senate File 433 by adding a new section as section 10 as follows: "The governor and budget and financial control committees are hereby directed to transfer from the special reserve fund created by the provisions of chapter forty-four (44), Acts of the Fifty-third General Assembly, a sufficient fund to provide for the specific allocations required to be made by the comptroller under this act."

The amendments were 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, 50:**

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

**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 as amended was agreed to.

On motion of Senator Lynes, House File 496, 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 supplemental aid to certain school districts of the state, and to amend chapter two hundred eighty-six (286), Code 1950, with re-

port 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 496, section 1, line 4, by striking the word "three" and inserting in lieu thereof the word "two" and by striking in line 5 the figures "\$3,000,000" and inserting in lieu thereof the figures "\$2,000,000").

2. Amend the title to House File 496, line 2, by striking the words and figures "six million dollars (\$6,000,000)" and inserting in lieu thereof the words and figures "four million dollars (\$4,000,000)".

On motion of Senator Lynes the amendment was adopted.

Senator Bateson offered the following amendment:

Amend section 1 of House File 496 by striking the period (.) at the end thereof and adding the following: ", provided, however, that no school district shall receive financial aid under the provisions of said Code chapter for reimbursement for any year in which a school tax levy for the general fund of at least ten (10) mills was not made in such district."

Senator Utzig raised a point of order that the amendment was out of order for the reason that the subject matter of the amendment had previously been rejected.

## SENATE CONCURRENT RESOLUTION 20

By Colburn and Lynes

*Be It Resolved by the Senate, the House 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-fifth 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, any special and during the session of the General Assembly.

*Be It Further Resolved:* That the budget and financial control committee is hereby authorized to direct the executive council in accordance with section 19.25, Code 1950, to sell to the several departments of state all typewriters now belonging to the legislative department at prices considered adequate for the various typing machines. They are hereby further authorized to direct the executive council in accordance with section 19.25, Code 1950, to make suitable arrangements for the rental or purchase of typewriters needed for the convening of the next regular or any special session of the General Assembly.

*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-fifth 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-fifth 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-fifth General Assembly.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Stuart of Lucas, 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 134, 167, 226, 269, 294, 326, 372, 377, 385, 417 and 420.

W. C. STUART, *Chairman Senate Committee.*

JOHN WALKER, *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 134, 167, 226, 269, 294, 326, 372, 377, 385, 417 and 420.

#### BILLS SENT TO THE GOVERNOR

Senator Stuart of Lucas, from the committee on enrolled bills, submitted the following report:

**MR. PRESIDENT:** Your committee on enrolled bills respectfully reports that it has, on this 16th day of April, 1953, sent to the Governor for his

approval, Senate Files 134, 167, 226, 269, 294, 326, 372, 377, 385, 417 and 420.

W. C. STUART, *Chairman.*

Passed on file.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that, on April 16, the Governor had approved the following bills:

Senate File 81, relating to tax deduction from gross income.

Senate File 83, relating to marriages.

Senate File 190, relating to salaries of certain city officials.

Senate File 229, relating to the appointment of deputy industrial commissioners.

Senate File 242, relating to levee and drainage districts.

Senate File 245, relating to four-wheel trailers.

Senate File 252, relating to retirement system of public school teachers.

Senate File 263, relating to restricted licenses issued to minors.

Senate File 266, relating to the penalty of operating a motor vehicle while under suspension.

Senate File 267, relating to motor vehicle financial responsibility.

Senate File 268, relating to fees for operator's and chauffeur's licenses.

Senate File 306, relating to speed of boats.

Senate File 320, relating to arbitrations and providing for administering oaths to witnesses.

#### MESSAGES FROM 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 23, a bill for an act relating to establishing a board of public instruction.

Also: That the House has concurred in Senate amendments to, with the exception of amendment number seven (7), and passed House File 229, a bill for an act relating to school district reorganization.

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

House File 366, a bill for an act relating to the sale of agricultural seeds.

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

House Concurrent Resolution 26, providing for appointment of a commission by the Governor to study racial or religious discrimination in employment in Iowa.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE CONCURRENT RESOLUTION 26

By Cooksey, Nelson of Jasper, Ryan and Parker

*Whereas*, the Constitution of the State of Iowa says: "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, possess-

ing and protecting property, and pursuing and obtaining safety and happiness", and

*Whereas*, surveys taken in the State of Iowa indicate that racial or religious discrimination in employment does exist;

*Now, Therefore, Be It Resolved by the House, the Senate Concurring:* That it shall be the policy of the State of Iowa that no person within its boundaries shall be deprived of the right to work at his chosen occupation for any employer, public or private, because of race, creed, color, national origin or ancestry.

*Be It Further Resolved:* That the Governor is requested to appoint a commission, which shall serve without compensation, to study the extent of such discrimination in Iowa and recommend remedies therefor, for the consideration of the next General Assembly.

#### HOUSE MESSAGE CONSIDERED

House File 366, a bill for an act relating to the sale of agricultural seeds and to amend certain sections of the Code 1950, relating thereto.

Read first and second times, and referred to the sifting committee.

#### REPORTS OF COMMITTEE

Senator Lynes submitted the following report:

**MR. PRESIDENT:** Your committee on appropriations, to which was referred **Senate File 437**, a bill for an act to direct and authorize payment to certain persons in settlement of claims arising out of administration of the conservation commission, begs leave to report it has had the same under consideration and **returns the bill without recommendation.**

J. KENDALL LYNES, *Chairman.*

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on appropriations, to which was referred **Senate File 438**, a bill for an act to make appropriations to the members of the study committee of public utilities, namely: George O'Malley, Frank Byers, DeVere Watson, Fred Schwengel, Dwight Meyer, J. E. Hansen, E. J. Van Nostrand, Clarence Updegraff and Samuel Stevens, begs leave to report it has had the same under consideration and **returns the bill without recommendation.**

J. KENDALL LYNES, *Chairman.*

Ordered passed on file.

Also:

**MR. PRESIDENT:** Your committee on appropriations, to which was referred **Senate File 439**, a bill for an act to make appropriations to members of toll road study committee, namely: John Ruan, H. J. Morgan, **Glean G. Cooper**, Harry E. Watson, Francis L. Kerr, Carroll L. Brown,

Charles S. Van Eaton, Louis J. Kehoe, Harry J. Wilford, Karl E. Madden and F. W. Parrott, begs leave to report it has had the same under consideration and **returns the bill without recommendation.**

J. KENDALL LYNES, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **Senate File 440**, a bill for an act to make appropriation to James Shaver on settlement of claim against the State of Iowa, begs leave to report it has had the same under consideration and **returns the bill without recommendation.**

J. KENDALL LYNES, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **Senate File 441**, a bill for an act to make appropriations to the Armand Company on account of real estate lease, begs leave to report it has had the same under consideration and **returns the bill without recommendation.**

J. KENDALL LYNES, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **Senate File 443**, a bill for an act to make appropriations to the Hopedale School, Linn County Relief Department, Ideal Cash Coal Company, and to authorize and direct payment to Commerce Clearing House, begs leave to report it has had the same under consideration and **returns the bill without recommendation.**

J. KENDALL LYNES, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **Senate File 444**, a bill for an act to make 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 **returns the bill without recommendation.**

J. KENDALL LYNES, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **Senate File 445**, a bill for an act to make appropriations to certain named persons in settlement of damages sustained by them on account of accidents on primary roads or on account of collisions with state highway

equipment, or on account of acts of commission or omission by the state highway commission or its employees, begs leave to report it has had the same under consideration and **returns the bill without recommendation.**

J. KENDALL LYNES, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **Senate File 446**, a bill for an act to direct and authorize payments to Iowa City Public Schools, Iowa City, Iowa, and the Independent School District of Ames, Iowa, out of appropriations made to the University of Iowa and Iowa State College on account of pupils residing in tax free housing units, begs leave to report it has had the same under consideration and **returns the bill without recommendation.**

J. KENDALL LYNES, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 434**, a bill for an act to appropriate from the general fund of the State of Iowa to the department of public safety for the purpose of various capital improvements for the division of radio communication, 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 appropriations, to which was referred **House File 480**, a bill for an act to amend section two point ten (2.10), Code 1950, relating to the appropriation for legislative printing, 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 appropriations, to which was referred **House File 485**, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1953, and ending June 30, 1955, to the board of control for salaries, support, maintenance, repairs, replacements, alterations or equipment of institutions under said board of control, 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 appropriations, to which was referred **House File 486**, a bill for an act transferring all unallocated bal-

ances of the appropriation made by chapter three (3), Acts of the Fifty-first General Assembly, to the state board of control, including all subsequent transfers made thereto, to the board of control capital improvement fund created by chapter three (3), Acts of the Fifty-third General Assembly, 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

- 1 Amend the House amendment to Senate File 388 by striking  
 2 all after the colon in line 3 of said amendment and inserting  
 3 in lieu thereof the following: "and section three hundred  
 4 twenty-one point one hundred twenty-two (321.122), Code, 1950,  
 5 relating to the annual registration fee for trucks, tractors,  
 6 or road tractors drawing or designed to draw a semi-trailer or  
 7 trailer, and fixing the registration fee for certain weight class  
 8 of said vehicles."  
 9 2. By adding thereto the following new section:  
 10 Sec. 2. Section three hundred twenty-one point one hundred  
 11 twenty-two (321.122), Code 1950, is hereby amended by striking  
 12 from subsection one (1) thereof all of said subsection following  
 13 the word "dollars" in line twenty-six (26) thereof and inserting  
 14 in lieu thereof the following:  
 15 "For a combined weight exceeding twelve (12) tons and not  
 16 exceeding thirteen (13) tons, two hundred eighty-five  
 17 dollars (\$285).  
 18 "For a combined gross weight exceeding thirteen (13) tons  
 19 and not exceeding fourteen (14) tons, three hundred thirty-five  
 20 dollars (\$335).  
 21 "For a combined gross weight exceeding fourteen (14) tons  
 22 and not exceeding fifteen (15) tons, three hundred eighty-five  
 23 dollars (\$385).  
 24 "For a combined gross weight exceeding fifteen (15) tons and  
 25 not exceeding sixteen (16) tons, four hundred thirty-five  
 26 dollars (\$435).  
 27 "For a combined gross weight exceeding seventeen (17) tons and  
 28 not exceeding eighteen (18) tons, five hundred thirty-five  
 29 dollars (\$535).  
 30 "For a combined gross weight exceeding eighteen (18) tons  
 31 and not exceeding nineteen (19) tons, five hundred eighty-five  
 32 dollars (\$585).  
 33 "For a combined gross weight exceeding nineteen (19) tons and  
 34 not exceeding twenty (20) tons, six hundred thirty-five  
 35 dollars (\$635).  
 36 "For a combined gross weight exceeding twenty (20) tons and  
 37 not exceeding twenty-one (21) tons, six hundred eighty-five  
 38 dollars (\$685).  
 39 "For a combined gross weight exceeding twenty-one (21) tons  
 40 and not exceeding twenty-two (22) tons, seven hundred thirty-five

41 dollars (\$735).

42 "For a combined gross weight exceeding twenty-two (22) tons and  
43 not exceeding twenty-three (23) tons, seven hundred eighty-five  
44 dollars (\$785).

45 "For a combined gross weight exceeding twenty-three (23) tons  
46 and not exceeding twenty-four (24) tons, eight hundred eighty-five  
47 dollars (\$885).

48 "For a combined gross weight exceeding twenty-four (24) tons  
49 and not exceeding twenty-five (25) tons, nine hundred eighty-five  
50 dollars (\$985).

51 "For a combined gross weight exceeding twenty-five (25) tons  
52 and not exceeding twenty-six (26) tons, one thousand one hundred  
53 ten dollars (\$1,110).

54 "For a combined gross weight exceeding twenty-six (26) tons  
55 and not exceeding twenty-seven (27) tons, one thousand two hundred  
dred

56 thirty-five dollars (\$1,235).

57 "For a combined gross weight exceeding twenty-seven (27) tons  
58 and not exceeding twenty-eight (28) tons, one thousand three  
59 hundred sixty dollars (\$1,360).

60 "For a combined gross weight exceeding twenty-eight (28) tons  
61 and not exceeding twenty-nine (29) tons, one thousand four hundred  
dred

62 eighty-five dollars (\$1,485).

63 "For a combined gross weight exceeding thirty (30) tons;  
64 the fee for a combined gross weight of thirty (30) tons and in  
65 addition thereto, one hundred fifty dollars (\$150) for each  
66 ton over thirty (30) tons."

EARL C. FISHBAUGH, JR.

1 Amend the House amendment to Senate File 388 by  
2 adding to section 4 the following: "It shall be  
3 illegal to operate a truck or motor vehicle with a  
4 gross weight exceeding the maximum legal weight of  
5 sixty-five thousand four hundred seventy-eight  
6 (65,478) pounds which shall include the tolerance,  
7 except that the state highway commission may grant  
8 permits for moving overweight vehicles or objects over  
9 the highway for a distance exceeding twenty-five miles."

H. E. WEICHMAN.

1 Amend section 1 of Senate File 445 by inserting  
2 between claim numbers H-252-53 and H-254-53 on page  
3 seven (7) of the printed bill the following:  
4 "Theresa Hart, Admx., H-253-53 Death Claim \$7,500.00"  
5 Eagle Grove, Iowa.

R. R. BATESON.

1 Amend House File 506 by striking therefrom all of  
2 sections 4, 5 and 6.

GEORGE E. O'MALLEY.  
RALPH W. ZASTROW.

1 Amend Senate Concurrent Resolution 19, found on  
 2 page 983 of the Senate Journal, by striking the period  
 3 (.) at the end of line 18 and inserting in lieu thereof  
 4 the following: ", except as to Theresa Hart, Admx.,  
 5 Eagle Grove, Iowa, H-253-53, Death Claim, \$40,000, which  
 6 is hereby allowed in the sum of \$7,500."

R. R. BATESON.

1 Amend House File 140, section 5, by striking lines 1 to  
 2 15, inclusive, ending with the period following the word "cause".

X. T. PRENTIS.

1 Amend House File 140 by striking all of sections 54 and 55  
 2 and inserting in lieu thereof the following and renumbering the  
 3 remaining sections:

4 "The question shall be submitted to the people of the State  
 5 of Iowa, at a special election, in such manner as this General  
 6 Assembly shall provide, of whether or not the State of Iowa shall  
 7 become indebted and bonds issued in an amount of one hundred and  
 8 five million dollars (\$105,000,000) or so much thereof as may be  
 9 necessary to liquidate the obligations of the State of Iowa as  
 10 they accrue under this act."

X. T. PRENTIS.

FRANK C. BYERS.

GEORGE L. SCOTT.

J. T. DYKHOUSE.

JAY C. COLBURN.

J. KENDALL LYNES.

DON RISK.

ERWIN SCHOENING.

E. C. MYRLAND.

DEVERE WATSON.

A. J. JOHNSON.

DUANE E. DEWEL.

C. EMORY STEWART.

J. H. NESMITH.

D. C. NOLAN.

STANLEY L. HART.

R. R. BATESON.

THOMAS C. LARSON.

L. M. BOOTHBY.

EARL C. FISHBAUGH, JR.

W. ELDON WALTER.

HENRY HEIDEMAN.

G. E. WHITEHEAD.

HENRY W. WASHBURN.

CHARLES W. NELSON.

JACOB GRIMSTEAD.

ALAN VEST.

JOHN P. BERG.

1 Amend House File 507, section 1, by inserting before the  
2 period (.) in line 13 the following: "except that in a county  
3 having more than one agricultural society, each such society  
4 shall receive state aid in such amount as it would be entitled  
5 to if it were the only society in the county".

DEVERE WATSON.

On motion of Senator Zastrow, the Senate adjourned until 9:00  
a.m., Friday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 17, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend D. D. Samuelson, pastor of the First Methodist Church, West Bend, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Nelson for the day on request of Senator Stewart of Mahaska.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Colburn from thirty-nine residents of Cass County in opposition to any increase in Iowa gasoline taxes.

By Senator Zastrow from twelve residents of Dubuque County favoring proposed legislation relating to paid vacations of state employees.

By Senator Zastrow from forty-one residents of Cerro Gordo County favoring proposed legislation relating to disability benefits for policemen and firemen.

## PRESENTATION OF VISITORS

Senator Watson of O'Brien asked and received unanimous consent to present to the Senate four members of the Future Farmers of America from O'Brien County who were present in the Senate chamber accompanied by their leader, Fred Van Loh.

Senator Lynes asked and received unanimous consent to present to the Senate four members of the Future Farmers of America from Bremer County who were present in the balcony accompanied by their leader, W. E. Jeske.

Senator Dewel asked and received unanimous consent to present to the Senate four members of the Future Farmers of America from Emmet County who were present in the balcony accompanied by their leader, Glenn Knapp.

Senator Vest asked and received unanimous consent to present to the Senate five members of the Future Farmers of America from Carroll County who were present in the balcony accompanied by their leader, Rom Aronson.

Senator Whitehead asked and received unanimous consent to present to the Senate five members of the Future Farmers of America from Guthrie County who were present in the Senate chamber accompanied by their leader, Boyd Sharks.

Senator Byers asked and received unanimous consent to present to the Senate two members of the Future Farmers of America from Linn County who were present in the Senate chamber accompanied by their leader, Willard Branch.

Senator Larson asked and received unanimous consent to present to the Senate six members of the Future Farmers of America from Taylor County who were present in the Senate chamber.

Senator Sayre asked and received unanimous consent to present to the Senate twenty-nine members of the tenth grade class of the Adair High School who were present in the balcony accompanied by Charles Touhy.

Senator Stuart of Lucas asked and received unanimous consent to present to the Senate thirty members of the senior class of the Seymour High School who were present in the balcony accompanied by their instructor, Ermil Banning.

Senator Dewel asked and received unanimous consent to present to the Senate five members of the Future Farmers of America from Emmet County who were present in the Senate chamber accompanied by Agricultural Instructor Edwin Thorson; also, three members of the Future Farmers of America from Kossuth County who were present in the Senate chamber.

Senator Scott asked and received unanimous consent to present to the Senate six members of the Future Farmers of America of Allamakee County who were present in the Senate chamber accompanied by their leader, William Steward.

Senator Larson asked and received unanimous consent to present to the Senate five members of the Future Farmers of America from Corning who were present in the Senate chamber accompanied by their leader, Carl Whipple.

Senator Fishbaugh asked and received unanimous consent to present to the Senate five members of the Future Farmers of America from Farragut who were present in the Senate chamber accompanied by their instructor, Harold Penwell.

Senator Berg asked and received unanimous consent to present to the Senate three members of the Future Farmers of America from Grundy County who were present in the Senate chamber accompanied by their leader, Verne Graham.

Senator Colburn asked and received unanimous consent to present to the Senate four members of the Future Farmers of America from Harlan who were present in the Senate chamber accompanied by their leader, W. B. Trevathan.

#### SENATE CONCURRENT RESOLUTION 19 ADOPTED

Senator Stewart of Mahaska called up for consideration Senate Concurrent Resolution 19 filed and found on pages 983 to 990, inclusive, of the Senate Journal.

Senator Bateson offered the following amendment to the resolution:

Amend Senate Concurrent Resolution 19 by striking the period (.) at the end of line 18 and inserting in lieu thereof the following: " , except as to Theresa Hart, Admx., Eagle Grove, Iowa, H-253-53, Death Claim, \$40,000, which is hereby allowed in the sum of \$7,500."

Senator Bateson offered the following amendment to the amendment and moved its adoption:

Amend by striking the following: " , which is hereby allowed in the sum of \$7,500".

The amendment to the amendment was adopted.

Senator Bateson moved the adoption of the amendment as amended.

Division was called for.

The amendment as amended was lost.

On motion of Senator Stewart of Mahaska, the resolution was adopted.

#### SENATE RECEDES FROM ITS AMENDMENT TO SENATE FILE 229

Senator Molison called up for consideration House File 229, a

bill for an act to amend, revise, and codify chapters two hundred seventy-five (275) and two hundred seventy-six (276), Code 1950, relating to school district reorganization and boundary changes, to repeal certain sections of the Code 1950, relating thereto and to amend certain sections of the Code 1950, relating thereto, amended by the Senate, and announced that the House had concurred in the Senate amendments with the exception of amendment number 7.

Senator Molison moved that the Senate recede from its action on amendment number 7, which motion prevailed.

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

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

Ayes, 44:

Anderson	Grimstead	Nesmith	Utzig
Bateson	Hart	Nolan	Van Eaton
Bekman	Hedin	Oltman	Vest
Bellman	Heideman	O'Malley	Walter
Berg	Johnson	Prentis	Washburn
Boothby	Knudson	Risk	Watson of
Clark	Larson	Sayre	O'Brien
Colburn	Linnevold	Schoening	Watson of
Dailey	Lynes	Scott	Pottawattamie
Dewel	Miller	Stewart of	Weichman
Dykhouse	Molison	Mahaska	Whitehead
Elijah	Myrland	Stuart of Lucas	

Nays, none.

Absent or not voting, 6:

Byers	Lord	Nelson	Zastrow
Fishbaugh	Lucas		

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

#### ACTION ON HOUSE FILE 140 DEFERRED

Senator Lord asked and received unanimous consent that action on House File 140 be deferred and that the bill retain its place on the calendar.

#### THIRD READING OF BILLS

The Senate resumed consideration of House File 496, 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 supplemental aid to certain school districts of the state, and to amend chapter two hundred eighty-six (286), Code 1950,

and the point of order raised by Senator Utzig on the amendment to House File 496 filed by Senator Bateson and found on page 1010 of the Senate Journal.

The Chair ruled the point not well taken and that the amendment was in order.

Senator Bateson moved the adoption of the amendment.

Division was called for.

The amendment was adopted.

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

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

Ayes, 49:

Anderson	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Utzig
Bekman	Hart	Nesmith	Van Eaton
Bellman	Hedin	Nolan	Vest
Berg	Heideman	Oltman	Walter
Boothby	Johnson	O'Malley	Washburn
Byers	Knudson	Prentis	Watson of
Clark	Larson	Risk	O'Brien
Colburn	Linnevold	Sayre	Watson of
Dailey	Lord	Schoening	Pottawattamie
Dewel	Lucas	Scott	Weichman
Dykhouse	Lynes	Stewart of	Whitehead
Elijah	Miller	Mahaska	Zastrow

Nays, none.

Absent or not voting, 1:

Nelson

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 Lynes, House File 494, 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, 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	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Utzig
Bekman	Hart	Nesmith	Van Eaton
Bellman	Hedin	Nolan	Vest
Berg	Heideman	Oltman	Walter
Boothby	Johnson	O'Malley	Washburn
Byers	Knudson	Prentis	Watson of
Clark	Larson	Risk	O'Brien
Colburn	Linnevold	Sayre	Watson of
Dailey	Lord	Schoening	Pottawattamie
Dewel	Lucas	Scott	Weichman
Dykhouse	Lynes	Stewart of	Whitehead
Elijah	Miller	Mahaska	Zastrow

Nays, none.

Absent or not voting, 1:

Nelson

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 Lynes, House File 495, a bill for an act 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, 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	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Utzig
Bekman	Hart	Nesmith	Van Eaton
Bellman	Hedin	Nolan	Vest
Berg	Heideman	Oltman	Walter
Boothby	Johnson	O'Malley	Washburn
Byers	Knudson	Prentis	Watson of
Clark	Larson	Risk	O'Brien
Colburn	Linnevold	Sayre	Watson of
Dailey	Lord	Schoening	Pottawattamie
Dewel	Lucas	Scott	Weichman
Dykhouse	Lynes	Stewart of	Whitehead
Elijah	Miller	Mahaska	Zastrow

Nays, none.

Absent or not voting, 1:

Nelson

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

Senator Hart took the chair at 10:20 a.m.

On motion of Senator Lynes, House File 497, a bill for an act to appropriate twenty-six million dollars (\$26,000,000) 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, 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 497, section 1, line 4, by striking the words and figures "thirteen million dollars (\$13,000,000)" and inserting in lieu thereof the words and figures "twelve million dollars (\$12,000,000)".

2. Amend the title to House File 497, line 1, by striking the words and figures "twenty-six million dollars (\$26,000,000.00)" and inserting in lieu thereof the words and figures "twenty-four million dollars (\$24,000,000)".

3. Amend section 1 of House File 497 by striking the period (.) at the end thereof and adding the following: ", provided, however, that no school district shall receive financial aid under the provisions of said Code chapter in the event a school tax levy for the general fund of at least ten (10) mills was not made in such district for the preceding year."

On motion of Senator Lynes, the amendment was adopted.

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

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

Ayes, 49:

Anderson	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Utzig
Bekman	Hart	Nesmith	Van Eaton
Bellman	Hedin	Nolan	Vest
Berg	Heideman	Oltman	Walter
Boothby	Johnson	O'Malley	Washburn
Byers	Knudson	Prentis	Watson of
Clark	Larson	Risk	O'Brien
Colburn	Linnevold	Sayre	Watson of
Dailey	Lord	Schoening	Pottawattamie
Dewel	Lucas	Scott	Weichman
Dykhouse	Lynes	Stewart of	Whitehead
Elijah	Miller	Mahaska	Zastrow

Nays, none.

Absent or not voting, 1:

Nelson

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 Lynes, House File 502, a bill for an act to make an appropriation from the general fund of the State of Iowa to the department of public instruction for specified school aid and to the Board of Vocational Education as provided in chapter two hundred fifty-eight (258), Code 1950, 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 502 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. There is hereby appropriated from the general fund of the State of Iowa to the department of public instruction for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, the sum of six hundred forty-seven thousand five hundred dollars (\$647,500), or so much thereof as may be necessary, to be used in the following manner:

Aid to handicapped children (special education), as provided in chapter two hundred eighty-one (281), Code 1950.....	\$526,000.00
Normal Institute .....	49,500.00
Mining camp school emergency.....	27,000.00
Mining camp schools state aid.....	45,000.00
<b>Total .....</b>	<b>\$647,500.00</b>

2. Amend the title to House File 502 by striking all after the word "Act" and inserting in lieu thereof the following: "to make an appropriation from the general fund of the State of Iowa to the department of public instruction for specified school aids."

Senator Elijah offered the following amendment to the amendment and moved its adoption:

Amend the committee amendment by striking from line 10 the figure "\$526,000.00" and inserting in lieu thereof the figure "\$600,000.00". Further amend the amendment by striking the words and figure "six hundred forty-seven thousand five hundred dollars (\$647,500.00)" wherever they appear and inserting in lieu thereof "seven hundred twenty-one thousand five hundred dollars (\$721,500)".

The amendment to the amendment was lost.

Senator O'Malley offered the following amendment to the committee amendment and moved its adoption:

Amend the committee amendment by adding in line 10, after the figure "1950", the following: ", to include \$30,000 for hearing tests".

The amendment to the amendment was adopted.

Senator O'Malley offered the following amendment filed by Senators O'Malley, Fishbaugh, Molison, Anderson and Dailey:

Amend the committee amendment by adding the following new section:

"Sec. 2. There is hereby appropriated from the general fund of the State of Iowa to the Board for Vocational Education for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, the sum of one hundred thousand dollars (\$100,000), or so much thereof as may be necessary to supplement the permanent fund provided in chapter two hundred fifty-eight (258), Code 1950, as amended by the Fifty-fourth General Assembly."

Further amend the title to House File 502 by striking the period (.) at the end of the title and adding the following: "and to the Board for Vocational Education as provided in chapter two hundred fifty-eight (258), Code 1950."

Senator Dailey moved the adoption of the amendment to the amendment and requested a roll call.

On the question "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 29:

Anderson	Fishbaugh	Lord	Stewart of
Bateson	Grimstead	Lucas	Mahaska
Bekman	Hart	Miller	Stuart of Lucas
Bellman	Hedin	Molison	Utzig
Boothby	Heideman	Myrland	Watson of
Byers	Knudson	Oltman	Pottawattamie
Dailey	Larson	O'Malley	Zastrow
Elijah	Linnevoold	Sayre	

Nays, 16:

Berg	Lynes	Schoening	Washburn
Colburn	Nolan	Scott	Watson of
Dewel	Prentis	Van Eaton	O'Brien
Dykhouse	Risk	Walter	Whitehead
Johnson			

Absent or not voting, 5:

Clark	Nesmith	Vest	Weichman
Nelson			

The motion prevailed and the amendment was adopted.

Senator Lynes moved the adoption of the committee amendment as amended, which motion prevailed, and the committee amendment as amended 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, 49:

Anderson	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Utzig
Bekman	Hart	Nesmith	Van Eaton
Bellman	Hedin	Nolan	Vest
Berg	Heideman	Oltman	Walter
Boothby	Johnson	O'Malley	Washburn
Byers	Knudson	Prentis	Watson of
Clark	Larson	Risk	O'Brien
Colburn	Linnevold	Sayre	Watson of
Dailey	Lord	Schoening	Pottawattamie
Dewel	Lucas	Scott	Weichman
Dykhouse	Lynes	Stewart of	Whitehead
Elijah	Miller	Mahaska	Zastrow

Nays, none.

Absent or not voting, 1:

Nelson

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.

President Elthon took the chair at 11:40.

On motion of Senator Lynes, House File 507, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1953, and ending June 30, 1955, 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 Watson of Pottawattamie offered the following amendment and moved its adoption:

Amend House File 507, section 1, by inserting before the period (.) in line 13 the following: "except that in a county having more than one agricultural society, each such society shall receive state aid in such amount as it would be entitled to if it were the only society in the county".

The amendment was adopted.

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

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

Ayes, 49:

Anderson	Berg	Colburn	Elijah
Bateson	Boothby	Dailey	Fishbaugh
Bekman	Byers	Dewel	Grimstead
Bellman	Clark	Dykhouse	Hart

Hedin	Miller	Sayre	Walter
Heideman	Molison	Schoening	Washburn
Johnson	Myrland	Scott	Watson of
Knudson	Nesmith	Stewart of	O'Brien
Larson	Nolan	Mahaska	Watson of
Linnevold	Oltman	Stuart of Lucas	Pottawattamie
Lord	O'Malley	Utzig	Weichman
Lucas	Prentis	Van Eaton	Whitehead
Lynes	Risk	Vest	Zastrow

Nays, none.

Nelson

Absent or not voting, 1:

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 Zastrow, the Senate resolved itself into executive session.

The Senate arose from executive session and resumed regular session.

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

### AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

### THIRD READING OF BILLS

On motion of Senator Lynes, House File 508, 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 seven hundred thousand dollars (\$700,000) 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 amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered:

1. Amend House File 508, section 1, lines 3 and 4, by striking the words and figures "three hundred fifty thousand dollars (\$350,000.00)" and inserting in lieu thereof the words and figures "four hundred thousand dollars (\$400,000)".

2. Amend House File 508, section 1, by striking line 18 and inserting in lieu thereof the following "hundred fifty thousand dollars (\$350,000)."

3. Amend the title to House File 508 in line 2 by striking the word "seven" and inserting in lieu thereof the word "eight" and by striking

in line 3 the figures (\$700,000.00)" and inserting in lieu thereof the figures "\$800,000)".

On motion of Senator Lynes, the amendment was adopted.

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

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

Ayes, 49:

Anderson	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Utzig
Bekman	Hart	Nesmith	Van Eaton
Bellman	Hedin	Nolan	Vest
Berg	Heideman	Oltman	Walter
Boothby	Johnson	O'Malley	Washburn
Byers	Knudson	Prentis	Watson of
Clark	Larson	Risk	O'Brien
Colburn	Linnevold	Sayre	Watson of
Dailey	Lord	Schoening	Pottawattamie
Dewel	Lucas	Scott	Weichman
Dykhouse	Lynes	Stewart of	Whitehead
Elijah	Miller	Mahaska	Zastrow

Nays, none.

Absent or not voting, 1:

Nelson

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 Lynes, House File 509, 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 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	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Utzig
Bekman	Hart	Nesmith	Van Eaton
Bellman	Hedin	Nolan	Vest
Berg	Heideman	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Johnson	Prentis	Watson of
Clark	Larson	Risk	O'Brien
Colburn	Linnevold	Sayre	Watson of
Dailey	Lord	Schoening	Pottawattamie
Dewel	Lucas	Scott	Weichman
Dykhouse	Lynes	Stewart of	Whitehead
Elijah	Miller	Mahaska	Zastrow

Nays, none.

Absent or not voting, 1:

Nelson

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

Senator Stewart of Mahaska asked and received unanimous consent to take up for consideration Senate File 437, a bill for for an act to direct and authorize payment to certain persons in settlement of claims arising out of administration of the conservation commission, with report of committee without recommendation.

On motion of Senator Lynes, the report of the committee was adopted.

Senator Stewart of Mahaska moved that the bill be read a third 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	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Utzig
Bekman	Hart	Nesmith	Van Eaton
Bellman	Hedin	Nolan	Vest
Berg	Heideman	Oltman	Walter
Boothby	Johnson	O'Malley	Washburn
Byers	Knudson	Prentis	Watson of
Clark	Larson	Risk	O'Brien
Colburn	Linnevold	Sayre	Watson of
Dailey	Lord	Schoening	Pottawattamie
Dewel	Lucas	Scott	Whitehead
Dykhouse	Lynes	Stewart of	Zastrow
Elijah	Miller	Mahaska	

Nays, none.

Absent or not voting, 2:

Nelson                      Weichman

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

Senator Stewart asked and received unanimous consent to take up for consideration Senate File 438, a bill for an act to make appropriations to the members of the study committee of public utilities, namely: George O'Malley, Frank Byers, De Vere Watson, Fred Schwengel, Dwight Meyer, J. E. Hansen, E. J. Van Nostrand, Clarence Updegraff and Samuel Stevens, with report of committee without recommendation.

On motion of Senator Lynes, the report of the committee was adopted.

Senator Stewart of Mahaska offered the following amendment and moved its adoption:

Amend Senate File 438 by adding thereto the following section:

"Sec. 4. This act being deemed of immediate importance shall take effect and be in full force from and after its publication in The West Des Moines Express, a newspaper published at West Des Moines, Iowa, and in the Oskaloosa Daily Herald, a newspaper published at Oskaloosa, Iowa."

The amendment was adopted.

Senator Stewart offered the following amendment and moved its adoption:

Amend the title to Senate File 438 by striking the following in lines 4 and 5: "Clarence Updegraff, and Samuel Stevens." and inserting in lieu thereof: "and Clarence Updegraff."

The amendment was adopted.

Senator Stewart of Mahaska moved that the bill be read a third 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	Fishbaugh	Miller	Stewart of
Bateson	Grimstead	Molison	Mahaska
Bekman	Hart	Myrland	Stuart of Lucas
Bellman	Hedin	Nesmith	Utzig
Berg	Heideman	Nolan	Van Eaton
Boothby	Johnson	Oltman	Vest
Clark	Knudson	Prentis	Walter
Colburn	Larson	Risk	Washburn
Dailey	Linnevoid	Sayre	Watson of
Dewel	Lord	Schoening	O'Brien
Dykhouse	Lucas	Scott	Whitehead
Elijah	Lynes		Zastrow

Nays, none.

Absent or not voting, 5:

Byers	O'Malley	Watson of	Weichman
Nelson		Pottawattamie	

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

Senator Stewart of Mahaska asked and received unanimous consent to take up for consideration Senate File 439, a bill for an act

to make appropriations to members of toll road study committee, namely: John Ruan, H. J. Morgan, Glenn G. Cooper, Harry E. Watson, Francis L. Kerr, Carroll L. Brown, Charles S. Van Eaton, Louis J. Kehoe, Harry J. Wilford, Karl E. Madden and F. W. Parrott, with report of committee without recommendation.

On motion of Senator Lynes, the report of the committee was adopted.

Senator Stewart offered the following amendment and moved its adoption:

Amend Senate File 439 by adding thereto the following section:

"Sec. 4. This act being deemed of immediate importance shall take effect and be in full force from and after its publication in The West Des Moines Express, a newspaper published at West Des Moines, Iowa, and in the Oskaloosa Daily Herald, a newspaper published at Oskaloosa, Iowa."

The amendment was adopted.

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

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

Ayes, 46:

Anderson	Elijah	Lynes	Scott
Bateson	Fishbaugh	Miller	Stewart of
Bekman	Grimstead	Mollison	Mahaska
Bellman	Hart	Myrland	Stuart of Lucas
Berg	Hedin	Nesmith	Utzig
Boothby	Heideman	Nolan	Vest
Byers	Johnson	Oltman	Walter
Clark	Knudson	O'Malley	Washburn
Colburn	Larson	Prentis	Watson of
Dailey	Linnevold	Risk	Pottawattamie
Dewel	Lord	Sayre	Whitehead
Dykhouse	Lucas	Schoening	Zastrow

Nays, none.

Absent or not voting, 4:

Nelson	Van Eaton	Watson of	Weichman
		O'Brien	

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

Senator Stewart of Mahaska asked and received unanimous consent to take up for consideration Senate File 440, a bill for an act to make appropriation to James Shaver on settlement of claim against the State of Iowa, with report of committee without recommendation.

On motion of Senator Lynes, the report of the committee was adopted.

Senator Bateson offered the following amendment and moved its adoption:

Amend Senate File 440, section 2, by inserting in line 4 after the word "balance" the following: "after funeral expenses have been paid".

The amendment was adopted.

Senator Stewart of Mahaska offered the following amendment and moved its adoption:

Amend Senate File 440, section 1, line 5, by inserting after the word "have" the word "against".

The amendment was adopted.

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

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

Ayes, 48:

Anderson	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Utzig
Bekman	Hart	Nesmith	Van Eaton
Bellman	Hedin	Nolan	Vest
Berg	Heideman	Oltman	Walter
Boothby	Johnson	O'Malley	Washburn
Byers	Knudson	Prentis	Watson of
Clark	Larson	Risk	O'Brien
Colburn	Linnevold	Sayre	Watson of
Dailey	Lord	Schoening	Pottawattamie
Dewel	Lucas	Scott	Whitehead
Dykhouse	Lynes	Stewart of	Zastrow
Elijah	Miller	Mahaska	

Nays, none.

Absent or not voting, 2:

Nelson                      Weichman

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

Senator Stewart of Mahaska asked and received unanimous consent to take up for consideration Senate File 441, a bill for an act to make appropriations to the Armand Company on account of real estate lease, with report of committee without recommendation.

On motion of Senator Lynes, the report of the committee was adopted.

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

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

Ayes, 47:

Anderson	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Utzig
Bekman	Hart	Nesmith	Van Eaton
Bellman	Hedin	Nolan	Vest
Berg	Heideman	Oltman	Walter
Boothby	Johnson	Prentis	Washburn
Byers	Knudson	Risk	Watson of
Clark	Larson	Sayre	O'Brien
Colburn	Linnevoid	Schoening	Watson of
Dailey	Lord	Scott	Pottawattamie
Dewel	Lucas	Stewart of	Whitehead
Dykhouse	Lynes	Mahaska	Zastrow
Elijah	Miller		

Nays, none.

Absent or not voting, 3:

Nelson	O'Malley	Weichman
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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 Stewart of Mahaska asked and received unanimous consent to take up for consideration Senate File 443, a bill for an act to make appropriations to the Hopedale School, Linn County Relief Department, Ideal Cash Coal Company, and to authorize and direct payment to Commerce Clearing House, with report of committee without recommendation.

On motion of Senator Lynes, the report of the committee was adopted.

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

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

Ayes, 48:

Anderson	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Utzig
Bekman	Hart	Nesmith	Van Eaton
Bellman	Hedin	Nolan	Vest
Berg	Heideman	Oltman	Walter
Boothby	Johnson	O'Malley	Washburn
Byers	Knudson	Prentis	Watson of
Clark	Larson	Risk	O'Brien
Colburn	Linnevoid	Sayre	Watson of
Dailey	Lord	Schoening	Pottawattamie
Dewel	Lucas	Scott	Whitehead
Dykhouse	Lynes	Stewart of	Zastrow
Elijah	Miller	Mahaska	

Nays, none.

Absent or not voting, 2:

Nelson                      Weichman

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

Senator Miller asked and received unanimous consent to take up for consideration Senate File 444, 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 without recommendation.

On motion of Senator Lynes, the report of the committee was adopted.

Senator Miller offered the following amendment and moved its adoption:

Amend Senate File 444, section 3, line 3, by striking the first comma (,) and inserting in lieu thereof the word "and".

The amendment was adopted.

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

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

Ayes, 48:

Anderson	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Utzig
Bekman	Hart	Nesmith	Van Eaton
Bellman	Hedin	Nolan	Vest
Berg	Heideman	Oltman	Walter
Boothby	Johnson	O'Malley	Washburn
Byers	Knudson	Prentis	Watson of
Clark	Larson	Risk	O'Brien
Colburn	Linnevoid	Sayre	Watson of
Dailey	Lord	Schoening	Pottawattamie
Dewel	Lucas	Scott	Whitehead
Dykhouse	Lynes	Stewart of	Zastrow
Elijah	Miller	Mahaska	

Nays, none.

Absent or not voting, 2:

Nelson                      Weichman

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

Senator Stewart of Mahaska asked and received unanimous consent to take up for consideration Senate File 446, a bill for an act

to direct and authorize payments to Iowa City public schools, Iowa City, Iowa, and the independent school district of Ames, Iowa, out of appropriations made to the University of Iowa, and Iowa State College, on account of pupils residing in tax free housing units, with report of committee without recommendation.

Senator Stewart offered the following amendment and moved its adoption:

Amend Senate File 446 by striking all of section 5.

The amendment was adopted.

Senator Stewart of Mahaska moved that the bill be read a third 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	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Utzig
Bekman	Hart	Nesmith	Van Eaton
Bellman	Hedin	Nolan	Vest
Berg	Heideman	Oltman	Walter
Boothby	Johnson	O'Malley	Washburn
Byers	Knudson	Prentis	Watson of
Clark	Larson	Risk	O'Brien
Colburn	Linnevoid	Sayre	Watson of
Dailey	Lord	Schoening	Pottawattamie
Dewel	Lucas	Scott	Whitehead
Dykhouse	Lynes	Stewart of	Zastrow
Elijah	Miller	Mahaska	

Nays, none.

Absent or not voting, 2:

Nelson                      Weichman

The bill having received a constitutional and two-thirds 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 434, a bill for an act to appropriate from the general fund of the State of Iowa to the department of public safety for the purpose of various capital improvements for the division of radio communication.

On motion of Senator Lynes, the report of committee recommending amendment and 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	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Utzig
Bekman	Hart	Nesmith	Van Eaton
Bellman	Hedin	Nolan	Vest
Berg	Heideman	Oltman	Walter
Boothby	Johnson	O'Malley	Washburn
Byers	Knudson	Prentis	Watson of
Clark	Larson	Risk	O'Brien
Colburn	Linnevoold	Sayre	Watson of
Dailey	Lord	Schoening	Pottawattamie
Dewel	Lucas	Scott	Weichman
Dykhouse	Lynes	Stewart of	Whitehead
Elijah	Miller	Mahaska	Zastrow

Nays, none.

Absent or not voting, 1:

Nelson

The bill having received a constitutional and two-thirds 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 480, a bill for an act to amend section two point ten (2.10), Code 1950, relating to the appropriation for legislative printing.

On motion of Senator Lynes, the 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, 47:

Anderson	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Utzig
Bekman	Hart	Nesmith	Van Eaton
Bellman	Hedin	Nolan	Vest
Berg	Heideman	Oltman	Walter
Boothby	Johnson	O'Malley	Washburn
Byers	Knudson	Prentis	Watson of
Clark	Larson	Risk	O'Brien
Colburn	Linnevoold	Sayre	Watson of
Dailey	Lord	Schoening	Pottawattamie
Dewel	Lucas	Scott	Zastrow
Dykhouse	Lynes	Stewart of	
Elijah	Miller	Mahaska	

Nays, none.

Absent or not voting, 3:

Nelson

Weichman

Whitehead

The bill having received a constitutional and two-thirds 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 485, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1953, and ending June 30, 1955, to the board of control for salaries, support, maintenance, repairs, replacements, alterations or equipment of institutions under said board of control.

On motion of Senator Lynes, the 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, 47:

Anderson	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Utzig
Bekman	Hart	Nesmith	Van Eaton
Bellman	Hedin	Nolan	Vest
Berg	Heideman	Oltman	Walter
Boothby	Johnson	O'Malley	Washburn
Byers	Knudson	Prentis	Watson of
Clark	Larson	Risk	O'Brien
Colburn	Linnevold	Sayre	Watson of
Dailey	Lord	Schoening	Pottawattamie
Dewel	Lucas	Scott	Zastrow
Dykhouse	Lynes	Stewart of	
Elijah	Miller	Mahaska	

Nays, none.

Absent or not voting, 3:

Nelson	Weichman	Whitehead
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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 Lynes asked and received unanimous consent to take up for consideration House File 486, a bill for an act transferring all unallocated balances of the appropriation made by chapter three (3), Acts of the Fifty-first General Assembly, to the state board of control, including all subsequent transfers made thereto, to the board of control capital improvement fund created by chapter three (3), Acts of the Fifty-third General Assembly.

On motion of Senator Lynes, the 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, 46:

Anderson	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Utzig
Bekman	Hart	Nesmith	Van Eaton
Bellman	Hedin	Nolan	Vest
Berg	Heideman	Oltman	Walter
Boothby	Johnson	O'Malley	Washburn
Byers	Knudson	Prentis	Watson of
Clark	Larson	Risk	O'Brien
Colburn	Linnevoed	Sayre	Watson of
Dailey	Lord	Scott	Pottawattamie
Dewel	Lucas	Stewart of	Zastrow
Dykhouse	Lynes	Mahaska	
Elijah	Miller		

Nays, none.

Absent or not voting, 4:

Nelson	Schoening	Weichman	Whitehead
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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 Lynes, Senate File 222, a bill for an act to provide for the reopening of East Walnut Street through the "Capitol Extension Grounds" from Kasson Street to East Ninth Street and to provide for the permanent improvement of said street by paving, draining and lighting, to authorize the state highway commission to make the survey for said improvement and prepare plans and specifications therefor and to authorize the executive council to enter into a contract or contracts for the opening and improvement of said street, and to provide an appropriation therefor, with reports of committees recommending amendment and passage, was taken up, considered, and the reports of the committees adopted.

Senator Dykhouse offered the following amendment and moved its adoption:

1. Amend Senate File 222 by striking from section 2, lines 2 and 3, the words "state highway commission" and insert in lieu thereof the words "Des Moines city council".

2. Further amend section 2 by striking all of said section following the period "." in line ten (10) and insert in lieu thereof the following: "After approval by the executive council, said council may authorize such improvement and change as is authorized by its plans and specifications to be made by the Des Moines city council. Any such change or alteration provided by the specifications approved by the executive council shall be at

no expense of the State of Iowa either as to construction or maintenance."

3. Further amend Senate File 222 by striking sections 3, 4 and 5.

The amendment was lost.

Senator Lynes asked and received unanimous consent to withdraw the committee amendment filed and found on page 850 of the Senate Journal.

Senator Berg offered the following amendment and moved its adoption:

Amend Senate File 222, section 3, line 3 by striking the words and figures "thirty thousand dollars (\$30,000)" and inserting in lieu thereof the following: "not to exceed fifteen thousand dollars (\$15,000)".

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:

Anderson	Grimstead	Molison	Stuart of Lucas
Bateson	Hart	Myrland	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Clark	Larson	Prentis	Watson of
Colburn	Linnevold	Risk	O'Brien
Dailey	Lord	Sayre	Watson of
Dewel	Lucas	Scott	Pottawattamie
Dykhouse	Lynes	Stewart of	Zastrow
Elijah	Miller	Mahaska	
Fishbaugh			

Nays, none.

Absent or not voting, 5:

Byers	Schoening	Weichman	Whitehead
Nelson			

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

Senator Lynes asked and received unanimous consent that Senate File 222 be immediately messaged to the House, which request was complied with.

On motion of Senator Miller, House File 44, a bill for an act relating to the payment of sales and use tax certifying and tax levying bodies and to amend and repeal certain sections of chapters four hundred twenty-two (422) and four hundred twenty-three (423),

Code 1950, relating thereto and enact substitutes therefor, was taken up, and considered.

Senator Miller offered the following amendment and moved its adoption:

Amend House File 44, section 2, subsection c, line 46 by inserting after the word "shall" the word "willfully".

The amendment was adopted.

Senator Bateson offered the following amendment and moved its adoption:

Amend House File 44 by striking section 3.

Division was called for.

The amendment was lost.

Senator Bateson offered the following amendment and moved its adoption:

Amend House File 44 by striking subsection 6 of section 2.

The amendment was lost.

Senator Bateson offered the following amendment and moved its adoption:

Amend House File 44 by striking subsection 5 of section 2.

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

**Ayes, 8:**

Bateson	Dykhouse	Watson of	Zastrow
Boothby	Lynes	O'Brien	
Dewel	Nolan		

**Nays, 26:**

Bekman	Johnson	Molison	Van Eaton
Bellman	Knudson	Oltman	Vest
Clark	Larson	O'Malley	Walter
Colburn	Linnevold	Prentis	Washburn
Elijah	Lord	Sayre	Watson of
Grimstead	Lucas	Stuart of Lucas	Pottawattamie
Hedin	Miller	Utzig	

**Absent or not voting, 16:**

Anderson	Hart	Nesmith	Stewart of
Berg	Heideman	Risk	Mahaska
Byers	Myrland	Schoening	Weichman
Dailey	Nelson	Scott	Whitehead
Fishbaugh			

The amendment was lost.

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

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

Ayes, 36:

Anderson	Hedin	Oltman	Vest
Bekman	Heideman	O'Malley	Walter
Bellman	Johnson	Prentis	Washburn
Boothby	Knudson	Sayre	Watson of
Clark	Larson	Scott	O'Brien
Colburn	Linnevold	Stewart of	Watson of
Dailey	Lord	Mahaska	Pottawattamie
Elijah	Lucas	Stuart of Lucas	Weichman
Fishbaugh	Miller	Utzig	Whitehead
Grimstead	Molison	Van Eaton	

Nays, 4:

Bateson	Lynes	Nolan	Zastrow
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Absent or not voting, 10:

Berg	Dykhouse	Nelson	Risk
Byers	Hart	Nesmith	Schoening
Dewel	Myrland		

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

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

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate Joint Resolution 4, relating to the joint sewage system and disposal plant between Iowa State College and the city of Ames.

Also: That the House has concurred in Senate amendments to House amendments to and passed Senate File 397, a bill for an act relating to municipal parking lots.

Also: That the House has concurred in Senate amendments to and passed House File 139, a bill for an act relating to old age and survivors' insurance.

A. C. GUSTAFSON, *Chief Clerk.*

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Stuart of Lucas, 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 10, 47, 71, 241 and 366.

W. C. STUART, *Chairman Senate Committee.*

JOHN A. WALKER, *Chairman House Committee.*

Report adopted.

#### BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate Files 10, 47, 71, 241 and 366.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that, on April 17, 1953, the Governor had approved the following bills:

Senate File 184, relating to expenditures by county board of supervisors.

Senate File 167, relating to duplication of printing.

Senate File 226, relating to the appointment of members of the Iowa liquor control commission.

Senate File 269, relating to real estate acquired by the Independent School District of Cherokee, Iowa.

Senate File 294, relating to senatorial districts.

Senate File 326, relating to tax levied for repair, furnishing and care of township buildings.

Senate File 372, relating to World War II Service Compensation Board.

Senate File 377, relating to the establishment of a centralized printing department.

Senate File 385, relating to Senate approval of members appointed to the board of parole.

Senate File 417, relating to repairs, rebuilding or restoration of state buildings or property.

Senate File 420, relating to authorizing and providing improvements to the municipal light and power plant at Mapleton, Iowa.

#### PROOFS OF PUBLICATION

Published copy of Senate File 442 and verified proof of publication of said bill in the Creston News Advertiser on April 16, 1953, 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 512 and verified proof of publication of said bill in the Creston News Advertiser on April 16, 1953, was filed with the Secretary of the Senate prior to the time said bill was placed on passage.

CARROLL A. LANE,  
*Secretary of the Senate.*

## ASSIGNMENT OF BILLS

President Elthon announced the assignment of the following bill to committee:

S. F. 434 Appropriations (Under Senate Rule 21)

## REPORT OF THE SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar:

H. F. 217	H. F. 309	S. F. 434
H. F. 500	H. F. 366	H. F. 298
H.J.R. 18	S. F. 442	S. F. 271
H. F. 501	S. F. 447	H. F. 317
H. F. 222	S. F. 373	

RALPH W. ZASTROW, *Chairman.*

## AMENDMENTS FILED

- 1 Amend House File 140 in line 53 of section 41 by striking
- 2 the figure "9." and inserting in lieu thereof the figure "10."
- 3 and renumbering the following subsections.

HERMAN B. LORD.

- 1 Amend section 10 of House File 221 by striking from lines
- 2 5 and 6 "subject to approval by the state highway commission".

LEON N. MILLER.

- 1 Amend House File 378 by striking all after the enacting
- 2 clause and substituting in lieu thereof the following:
- 3 "Section 1. Whenever an agreement is made by any person,
- 4 firm or corporation for the final disposition of a dead human
- 5 body wherein delivery of personal property to be used under a
- 6 pre-arranged funeral plan or the furnishing of professional
- 7 services of a funeral director or embalmer in connection there-
- 8 with, is not immediately required, eighty per cent of the payments
- 9 made for such professional services, and sixty per cent of the
- 10 payments made for such personal property, shall be and remain
- 11 trust funds as provided herein.
- 12 "Sec. 2. Within thirty days after receipt thereof, the
- 13 portion herein designated as trust funds shall be either:
- 14 "1. Deposited in a bank or trust company authorized to
- 15 transact business in this state in the name of the vendor as
- 16 depositor in trust for the designated beneficiary or
- 17 beneficiaries, or
- 18 "2. Deposited under a trust agreement with a bank or trust
- 19 company authorized to transact business in this state.
- 20 "Sec. 3. The trustee may treat the fund as one fund for
- 21 investment purposes, but the amounts credited with respect to

22 each beneficiary and his last known address shall be recorded.  
23 Current expenses of the administration of the trust may be paid  
24 from the income of the trust. Except as provided in this chapter,  
25 only such amounts of income as are in excess of twenty-five  
26 per cent of the total amount of principal on deposit may be  
27 withdrawn by the vendor. Such trust fund shall not be removed  
28 from Iowa.

29 "Sec. 4. Upon mutual cancellation, or in case of default  
30 by the purchaser, on application of the purchaser, or his  
31 representative, made within two years thereafter, there shall  
32 be refunded the amount deposited in trust for his benefit.  
33 Funds not so returned shall not be forfeited to the vendor but  
34 shall be added to the income of the trust.

35 "In all other cases only after performance of the agreement  
36 may the trustee make payment to the vendor of the amount de-  
37 plus a pro rata share of the income.

38 "Sec. 5. Any bank or trust company doing business in this  
39 state and receiving such trust deposits or acting as trustee  
40 shall annually on or before February 1 make a report for the  
41 preceding year to the superintendent of banking, indicating the  
42 name and address of each depositor and beneficiary, the amount so  
43 deposited and the interest paid on such account or the income  
44 from the trust as the case may be.

45 "Sec. 6. Any person, firm, or corporation, or agent thereof,  
46 violating the provisions of sections 1 to 4 inclusive,  
47 shall be guilty of a misdemeanor."

ELMER K. BEKMAN.  
GEORGE E. O'MALLEY.  
EARL C. FISHBAUGH.  
ELDON W. WALTER.

1 Amend the House amendment to Senate File 388 by striking  
2 all of said amendment.

ELMER K. BEKMAN.

On motion of Senator Zastrow, the Senate adjourned until 9:30  
a.m., Saturday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 18, 1953.

The Senate met in regular session, President Elthon presiding.

The Lord's prayer was repeated in unison by the members and employees of the Senate.

## SENATE CONCURRENT RESOLUTION 20 ADOPTED

Senator Colburn called up for consideration the following resolution and moved its adoption:

### SENATE CONCURRENT RESOLUTION 20

By Colburn and Lynes

*Be It Resolved by the Senate, the House 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-fifth 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, any special and during the session of the General Assembly.

*Be It Further Resolved:* That the budget and financial control committee is hereby authorized to direct the executive council in accordance with section 19.25, Code 1950, to sell to the several departments of state all typewriters now belonging to the legislative department at prices considered adequate for the various typing machines. They are hereby further authorized to direct the executive council in accordance with section 19.25, Code 1950, to make suitable arrangements for the rental or purchase of typewriters needed for the convening of the next regular or any special session of the General Assembly.

*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-fifth 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-fifth 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-fifth General Assembly.

The motion prevailed and the resolution was adopted.

#### LEAVE OF ABSENCE

Senator Utzig asked and received unanimous consent that the absent members of the Senate be excused for the day.

#### PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Boothy from sixteen residents of Cherokee County favoring proposed legislation relating to discriminatory practices in employment and in membership in labor unions.

By Senator O'Malley from fifty-one residents of Polk County favoring proposed legislation relating to construction of sanitary facilities at Clear Lake.

By Senator Zastrow from eleven residents of Fremont County favoring proposed legislation relating to union security agreements and contracts.

#### PRESENTATION OF VISITORS

Senator Watson of O'Brien on behalf of Senator Bateson asked and received unanimous consent to present to the Senate thirty-three members of the fifth grade class of the Eldora Consolidated School who were present in the balcony accompanied by their instructor, Mrs. Joyce Maddy.

Senator Miller asked and received unanimous consent to present to the Senate five students from the Union Public School who were present in the Senate chamber accompanied by their instructor, Mrs. Opal DeHeer.

## THIRD READING OF BILLS

On motion of Senator Watson of Pottawattamie, House File 469, a bill for an act to amend chapter one hundred fifty-nine (159), Acts of the Fifty-fourth General Assembly, to permit municipal corporations to use municipal enterprises fund for private cemeteries not within the limits of any city or town, 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.

Senator Zastrow asked and received unanimous consent that the Senators who had left written requests on House File 469 be permitted to have their votes recorded.

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

## Ayes, 39:

Bekman	Fishbaugh	Miller	Van Eaton
Bellman	Hart	Molison	Vest
Berg	Hedin	Nesmith	Walter
Boothby	Heideman	Nolan	Washburn
Byers	Knudson	Oltman	Watson of
Clark	Larson	O'Malley	O'Brien
Colburn	Linnevoold	Prentis	Watson of
Dailey	Lord	Sayre	Pottawattamie
Dewel	Lucas	Stuart of Lucas	Weichman
Dykhouse	Lynes	Utzig	Zastrow
Elijah			

Nays, none.

## Absent or not voting, 11:

Anderson	Johnson	Risk	Stewart of
Bateson	Myrland	Schoening	Mahaska
Grimstead	Nelson	Scott	Whitehead

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

On motion of Senator Berg, House File 183, a bill for an act relating to the compensation of special policemen at polling places and to amend section forty-nine point one hundred seventeen (49.117), Code 1950, was taken up, and considered.

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

Senator Zastrow asked and received unanimous consent that the Senators who had left written requests to be recorded on House File 308 be permitted to have their votes recorded.

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

Ayes, 39:

Bekman	Fishbaugh	Miller	Van Eaton
Bellman	Hart	Molison	Vest
Berg	Hedin	Nesmith	Walter
Boothby	Heideman	Nolan	Washburn
Byers	Knudson	Oltman	Watson of
Clark	Larson	O'Malley	O'Brien
Colburn	Linnevoid	Prentis	Watson of
Dailey	Lord	Sayre	Pottawattamie
Dewel	Lucas	Stuart of Lucas	Weichman
Dykhouse	Lynes	Utzig	Zastrow
Elijah			

Nays, none.

Absent or not voting, 11:

Anderson	Johnson	Risk	Stewart of
Bateson	Myrland	Schoening	Mahaska
Grimstead	Nelson	Scott	Whitehead

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

On motion of Senator Berg, House File 308, a bill for an act relating to the copying and preserving by miniature photographic process of the records, reports and other papers of county officers and for disposal of the originals, was taken up, and considered.

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

Senator Zastrow asked and received unanimous consent that the Senators who had left written requests to be recorded on House File 308 be permitted to have their votes recorded.

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

Ayes, 39:

Bekman	Fishbaugh	Miller	Van Eaton
Bellman	Hart	Molison	Vest
Berg	Hedin	Nesmith	Walter
Boothby	Heideman	Nolan	Washburn
Byers	Knudson	Oltman	Watson of
Clark	Larson	O'Malley	O'Brien
Colburn	Linnevoid	Prentis	Watson of
Dailey	Lord	Sayre	Pottawattamie
Dewel	Lucas	Stuart of Lucas	Weichman
Dykhouse	Lynes	Utzig	Zastrow
Elijah			

Nays, none.

Absent or not voting, 11:

Anderson	Johnson	Risk	Stewart of
Bateson	Myrland	Schoening	Mahaska
Grimstead	Nelson	Scott	Whitehead

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 383, a bill for an act to legalize and validate the election and the proceedings authorizing and providing for the issuance and delivery of the benefited water district bonds of district No. 30, Bloomfield Township, Polk County, Iowa, dated December 30, 1952, and all other districts in Polk County, Iowa, that have heretofore authorized and issued benefited water district bonds, 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.

Senator Zastrow asked and received unanimous consent that the Senators who had left written requests to be recorded on House File 383 be permitted to have their votes recorded.

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

Ayes, 39:

Bekman	Fishbaugh	Miller	Van Eaton
Bellman	Hart	Molison	Vest
Berg	Hedin	Nesmith	Walter
Boothby	Heideman	Nolan	Washburn
Byers	Knudson	Oltman	Watson of
Clark	Larson	O'Malley	O'Brien
Colburn	Linnevold	Prentis	Watson of
Dailey	Lord	Sayre	Pottawattamie
Dewel	Lucas	Stuart of Lucas	Weichman
Dykhouse	Lynes	Utzig	Zastrow
Elijah			

Nays, none.

Absent or not voting, 11:

Anderson	Johnson	Risk	Stewart of
Bateson	Myrland	Schoening	Mahaska
Grimstead	Nelson	Scott	Whitehead

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 190, a bill for an act to amend section eighty-five point twenty-seven (85.27), Code 1950, and chapter fifty-nine (59), Acts of the Fifty-fourth General Assembly, by adding the word "chiroprical" so as to allow payment for medical services rendered by doctors of chiropraxy to employees

under the workmen's compensation act, 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.

Senator Zastrow asked and received unanimous consent that the Senators who had left written requests to be recorded on House File 190 be permitted to have their votes recorded.

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

Ayes, 41:

Anderson	Dykhouse	Lynes	Van Eaton
Bateson	Elijah	Miller	Vest
Bekman	Fishbaugh	Molison	Walter
Bellman	Hart	Nesmith	Washburn
Berg	Hedin	Nolan	Watson of
Boothby	Heideman	Oltman	O'Brien
Byers	Knudson	O'Malley	Watson of
Clark	Larson	Prentis	Pottawattamie
Colburn	Linnevold	Sayre	Weichman
Dailey	Lord	Stuart of Lucas	Zastrow
Dewel	Lucas	Utzig	

Nays, none.

Absent or not voting, 9:

Grimstead	Nelson	Scott	Whitehead
Johnson	Risk	Stewart of	
Myrland	Schoening	Mahaska	

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

On motion of Senator Lucas, House File 26, a bill for an act to amend section two hundred fifty-five point four (255.4), Code 1950, relating to the records of commitment of indigent persons to the University Hospital, was taken up, and considered.

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

Senator Zastrow asked and received unanimous consent that the Senators who had left written requests to be recorded on House File 26 be permitted to have their votes recorded.

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

Ayes, 39:

Bekman	Byers	Dewel	Hart
Bellman	Clark	Dykhouse	Hedin
Berg	Colburn	Elijah	Heideman
Boothby	Dailey	Fishbaugh	Knudson

Larson	Nesmith	Stuart of Lucas	Watson of
Linnevold	Nolan	Utzig	O'Brien
Lord	Oltman	Van Eaton	Watson of
Lucas	O'Malley	Vest	Pottawattamie
Lynes	Prentis	Walter	Weichman
Miller	Sayre	Washburn	Zastrow
Molison			

Nays, none.

Absent or not voting, 11:

Anderson	Johnson	Risk	Stewart of
Bateson	Myrland	Schoening	Mahaska
Grimstead	Nelson	Scott	Whitehead

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, House File 479, a bill for an act to legalize and validate the proceedings taken by the city council of the city of Osage, Iowa, authorizing and providing for the construction of extensions and improvements to the municipal waterworks and the issuance and delivery of fifty-seven thousand dollars (\$57,000) waterworks revenue bonds, was taken up, and considered.

Senator Knudson moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Senator Zastrow asked and received unanimous consent that the Senators who had left written requests to be recorded on House File 479 be permitted to have their votes recorded.

On the question "Shall the bill pass?" the vote was:

Ayes, 40:

Bekman	Fishbaugh	Miller	Van Eaton
Bellman	Grimstead	Molison	Vest
Berg	Hart	Nesmith	Walter
Boothby	Hedin	Nolan	Washburn
Byers	Heideman	Oltman	Watson of
Clark	Knudson	O'Malley	O'Brien
Colburn	Larson	Prentis	Watson of
Dailey	Linnevold	Sayre	Pottawattamie
Dewel	Lord	Stuart of Lucas	Weichman
Dykhouse	Lucas	Utzig	Zastrow
Elijah	Lynes		

Nays, none.

Absent or not voting, 10:

Anderson	Myrland	Schoening	Stewart of
Bateson	Nelson	Scott	Mahaska
Johnson	Risk		Whitehead

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Hedin, Senate File 309, a bill for an act relating to the qualification and licensing of real estate brokers and salesmen, and to amend sections one hundred seventeen point fifteen (117.15), one hundred seventeen point twenty (117.20), one hundred seventeen point twenty-one (117.21), one hundred seventeen point twenty-two (117.22) and one hundred seventeen point thirty-four (117.34), Code 1950, was taken up, and considered.

Senator Hedin moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Senator Zastrow asked and received unanimous consent that the Senators who had left written requests to be recorded on Senate File 309 be permitted to have their votes recorded.

On the question "Shall the bill pass?" the vote was:

Ayes, 39:

Bekman	Fishbaugh	Miller	Van Eaton
Bellman	Hart	Molison	Vest
Ber	Hedin	Nesmith	Walter
Boothby	Heideman	Nolan	Washburn
Byers	Knudson	Oltman	Watson of
Clark	Larson	O'Malley	O'Brien
Colburn	Linnevold	Prentis	Watson of
Dailey	Lord	Sayre	Pottawattamie
Dewel	Lucas	Stuart of Lucas	Weichman
Dykhouse	Lynes	Utzig	Zastrow
Elijah			

Nays, none.

Absent or not voting, 11:

Anderson	Johnson	Risk	Stewart of
Bateson	Myrland	Schoening	Mahaska
Grimstead	Nelson	Scott	Whitehead

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hart asked and received unanimous consent that the Senate take up for consideration House File 217, a bill for an act to amend section forty-nine point fifteen (49.15), Code 1950, to provide a chairman of election boards.

Senator Hart moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Senator Zastrow asked and received unanimous consent that the Senators who had left written requests to be recorded on House File 217 be permitted to have their votes recorded.

On the question "Shall the bill pass?" the vote was:

Ayes, 40:

Bekman	Fishbaugh	Molison	Van Eaton
Bellman	Hart	Nesmith	Vest
Berg	Hedin	Nolan	Walter
Boothby	Heideman	Oltman	Washburn
Byers	Knudson	O'Malley	Watson of
Clark	Larson	Prentis	O'Brien
Colburn	Linnevold	Risk	Watson of
Dailey	Lord	Sayre	Pottawattamie
Dewel	Lucas	Stuart of Lucas	Weichman
Dykhouse	Lynes	Utzig	Zastrow
Elijah	Miller		

Nays, none.

Absent or not voting, 10:

Anderson	Johnson	Schoening	Stewart of
Bateson	Myrland	Scott	Mahaska
Grimstead	Nelson		Whitehead

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 that the Senate take up for consideration House File 501, a bill for an act to legalize and validate the proceedings of the board of directors of the school township of Le Claire, in the county of Scott, State of Iowa, authorizing and providing for the issuance, sale 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 township.

Senator Hedin moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Senator Zastrow asked and received unanimous consent that the Senators who had left written requests to be recorded on House File 501 be permitted to have their votes recorded.

On the question "Shall the bill pass?" the vote was:

Ayes, 39:

Bekman	Fishbaugh	Miller	Van Eaton
Bellman	Hart	Molison	Vest
Berg	Hedin	Nesmith	Walter
Boothby	Heideman	Nolan	Washburn
Byers	Knudson	Oltman	Watson of
Clark	Larson	O'Malley	O'Brien
Colburn	Linnevold	Prentis	Watson of
Dailey	Lord	Sayre	Pottawattamie
Dewel	Lucas	Stuart of Lucas	Weichman
Dykhouse	Lynes	Utzig	Zastrow
Elijah			

Nays, none.

Absent or not voting, 11:

Anderson	Johnson	Risk	Stewart of
Bateson	Myrland	Schoening	Mahaska
Grimstead	Nelson	Scott	Whitehead

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 513, a bill for an act to amend Senate File 2, Acts of the Fifty-fifth General Assembly, relating to the manufacture and sale of oleo, oleomargarine or margarine, 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.

Senator Zastrow asked and received unanimous consent that the Senators who had left written requests to be recorded on House File 513 be permitted to have their votes recorded.

On the question "Shall the bill pass?" the vote was:

Ayes, 36:

Bekman	Hart	Nesmith	Vest
Berg	Hedin	Nolan	Walter
Boothby	Heideman	Oltman	Washburn
Byers	Knudson	O'Malley	Watson of
Clark	Larson	Prentis	O'Brien
Colburn	Linnevold	Sayre	Watson of
Dailey	Lord	Stuart of Lucas	Pottawattamie
Dewel	Lucas	Utzig	Weichman
Dykhouse	Miller	Van Eaton	Zastrow
Elijah	Molison		

Nays, none.

Absent or not voting, 14:

Anderson	Grimstead	Nelson	Stewart of
Bateson	Johnson	Risk	Mahaska
Bellman	Lynes	Schoening	Whitehead
Fishbaugh	Myrland	Scott	

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 that the Senate take up for consideration House File 222, a bill for an act to amend section three hundred twenty-one point four hundred fifty-seven (321.457), Code 1950, relating to maximum length of certain vehicles.

On motion of Senator Colburn, the report of committee recommending amendment and passage, was taken up, considered, and adopted.

The following committee amendment was considered:

Amend House File 222, by inserting following the comma (,) in line 15 of said bill the following: "at which time, a member of the state Highway Patrol shall be notified prior to the operation of such vehicle."

Senator Colburn offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking from line 2 the figure "15" and inserting in lieu thereof the figure "16".

The amendment to the amendment was adopted.

The amendment as amended 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.

Senator Zastrow asked and received unanimous consent that the Senators who had left written requests to be recorded on House File 222 be permitted to have their votes recorded.

On the question "Shall the bill pass?" the vote was:

Ayes, 37:

Bekman	Elijah	Molison	Vest
Bellman	Hart	Nesmith	Walter
Berg	Hedin	Nolan	Washburn
Boothby	Heideman	Oltman	Watson of
Byers	Knudson	O'Malley	O'Brien
Clark	Larson	Prentis	Watson of
Colburn	Linnevold	Sayre	Pottawattamie
Dailey	Lord	Stuart of Lucas	Weichman
Dewel	Lucas	Utzig	Zastrow
Dykhouse	Miller	Van Eaton	

Nays, 1:  
Fishbaugh

Absent or not voting, 12:

Anderson	Lynes	Risk	Stewart of
Bateson	Myrland	Schoening	Mahaska
Grimstead	Nelson	Scott	Whitehead
Johnson			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Molison asked and received unanimous consent to take up for consideration House File 309, a bill for an act to legalize

and validate the proceedings authorizing and providing for the issuance, sale and delivery of bonds in connection with the construction of a waterworks by the town of Richland, Keokuk County, Iowa, and the provisions made for the payment of said bonds, and declaring said bonds issued pursuant to said proceedings to be enforceable obligations of said town.

Senator Molison moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Senator Zastrow asked and received unanimous consent that the Senators who had left written requests to be recorded on House File 309 be permitted to have their votes recorded.

On the question "Shall the bill pass?" the vote was:

Ayes, 39:

Bekman	Fishbaugh	Miller	Van Eaton
Bellman	Hart	Molison	Vest
Berg	Hedin	Nesmith	Walter
Boothby	Heideman	Nolan	Washburn
Byers	Knudson	Oltman	Watson of
Clark	Larson	O'Malley	O'Brien
Colburn	Linnevoold	Prentis	Watson of
Dailey	Lord	Sayre	Pottawattamie
Dewel	Lucas	Stuart of Lucas	Weichman
Dykhouse	Lynes	Utzig	Zastrow
Elijah			

Nays, none.

Absent or not voting, 11:

Anderson	Johnson	Risk	Stewart of
Bateson	Myrland	Schoening	Mahaska
Grimstead	Nelson	Scott	Whitehead

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 for consideration House Joint Resolution 18, a joint resolution rejecting the offer for a quitclaim deed without consideration save as contained in Public Law 868, Eighty-first Congress of the United States, to land situated in Polk County, Iowa, and known as Fort Des Moines, Iowa.

President pro tempore Hart took the chair at 11:25 a.m.

Senator Berg moved that the resolution be read a third time now, which motion prevailed, and the resolution was read a third time.

Senator Zastrow asked and received unanimous consent that the Senators who had left written requests to be recorded on House Joint Resolution 18 be permitted to have their votes recorded.

On the question "Shall the resolution pass?" the vote was:

Ayes, 33:

Bekman	Hedin	Nolan	Walter
Bellman	Heideman	Oltman	Washburn
Berg	Knudson	O'Malley	Watson of
Clark	Larson	Prentis	O'Brien
Colburn	Linnevold	Sayre	Watson of
Dailey	Lucas	Stuart of Lucas	Pottawattamie
Elijah	Miller	Utzig	Weichman
Fishbaugh	Molison	Van Eaton	Zastrow
Hart		Vest	

Nays, 1:  
Boothby

Absent or not voting, 16:

Anderson	Grimstead	Nelson	Scott
Bateson	Johnson	Nesmith	Stewart of
Byers	Lynes	Risk	Mahaska
Dewel	Myrland	Schoening	Whitehead
Dykhouse			

The resolution 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 that the Senate take up for consideration House File 500, a bill for an act to amend chapter one hundred fifty-one (151), section twenty-two (22), Acts of the Fifty-fourth General Assembly, relating to veterans' housing.

Senator Berg moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Senator Zastrow asked and received unanimous consent that the Senators who had left written requests to be recorded on House File 500 be permitted to have their votes recorded.

On the question "Shall the bill pass?" the vote was:

Ayes, 38:

Bekman	Elijah	Miller	Van Eaton
Bellman	Fishbaugh	Molison	Vest
Berg	Hart	Nesmith	Walter
Boothby	Hedin	Nolan	Washburn
Byers	Heideman	Oltman	Watson of
Clark	Knudson	O'Malley	O'Brien
Colburn	Larson	Prentis	Watson of
Dailey	Linnevold	Sayre	Pottawattamie
Dewel	Lord	Stuart of Lucas	Weichman
Dykhouse	Lucas	Utzig	Zastrow

Nays, none.

Absent or not voting, 12:

Anderson	Lynes	Risk	Stewart of
Bateson	Myrland	Schoening	Mahaska
Grimstead	Nelson	Scott	Whitehead
Johnson			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Byers asked and received unanimous consent to take up for consideration Senate File 442, a bill for an act to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of 1952 sewer bonds by the city of Creston, 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.

Senator Prentis moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Senator Zastrow asked and received unanimous consent that the Senators who had left written requests to be recorded on Senate File 442 be permitted to have their votes recorded.

On the question "Shall the bill pass?" the vote was:

Ayes, 38:

Bekman	Elijah	Miller	Van Eaton
Bellman	Fishbaugh	Mclison	Vest
Berg	Hart	Nesmith	Walter
Boothby	Hedin	Nolan	Washburn
Byers	Heideman	Oltman	Watson of
Clark	Knudson	O'Malley	O'Brien
Colburn	Larson	Prentis	Watson of
Dailey	Linnevold	Sayre	Pottawattamie
Dewel	Lord	Stuart of Lucas	Weichman
Dykhouse	Lucas	Utzig	Zastrow

Nays, none.

Absent or not voting, 12:

Anderson	Lynes	Risk	Stewart of
Bateson	Myrland	Schoening	Mahaska
Grimstead	Nelson	Scott	Whitehead
Johnson			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Dailey asked and received unanimous consent to take up for consideration Senate File 447, a bill for an act authorizing a patent to issue to lot twenty-one (21), being the southwest quarter

(SW $\frac{1}{4}$ ) of the southwest quarter (SW $\frac{1}{4}$ ) of the northwest quarter (NW $\frac{1}{4}$ ) of section sixteen (16), township seventy-one (71) north, range four (4) west of the fifth (5th) principal meridian, Des Moines County, Iowa.

Senator Dailey moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Senator Zastrow asked and received unanimous consent that the Senators who had left written requests on Senate File 447 be permitted to have their votes recorded.

On the question "Shall the bill pass?" the vote was:

Ayes, 38:

Bekman	Elijah	Miller	Van Eaton
Bellman	Fishbaugh	Molison	Vest
Berg	Hart	Nesmith	Walter
Boothby	Hedin	Nolan	Washburn
Byers	Heideman	Oltman	Watson of
Clark	Knudson	O'Malley	O'Brien
Colburn	Larson	Prentis	Watson of
Dailey	Linnevold	Sayre	Pottawattamie
Dewel	Lord	Stuart of Lucas	Weichman
Dykhouse	Lucas	Utzig	Zastrow

Nays, none.

Absent or not voting, 12:

Anderson	Lynes	Risk	Stewart of
Bateson	Myrland	Schoening	Mahaska
Grimstead	Nelson	Scott	Whitehead
Johnson			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Vest asked and received unanimous consent to take up for consideration Senate File 373, a bill for an act to amend section six hundred sixty-three point three (663.3), Code 1950, relating to the allowance of writs of habeas corpus.

Senator Vest moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Senator Zastrow asked and received unanimous consent that the Senators who had left written requests on Senate File 373 be permitted to have their votes recorded.

On the question "Shall the bill pass?" the vote was:

Ayes, 38:

Bekman	Elijah	Miller	Van Eaton
Bellman	Fishbaugh	Molison	Vest
Berg	Hart	Nesmith	Walter
Boothby	Hedin	Nolan	Washburn
Byers	Heideman	Oltman	Watson of
Clark	Knudson	O'Malley	O'Brien
Colburn	Larson	Prentis	Watson of
Dailey	Linnevold	Sayre	Pottawattamie
Dewel	Lord	Stuart of Lucas	Weichman
Dykhouse	Lucas	Utzig	Zastrow

Nays, none.

Absent or not voting, 12:

Anderson	Lynes	Risk	Stewart of
Bateson	Myrland	Schoening	Mahaska
Grimstead	Nelson	Scott	Whitehead
Johnson			

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 298, a bill for an act authorizing the electors of the county to allocate taxes voted for carrying out a proposition adopted and afterwards rescinded to another purpose and to amend sections three hundred forty-five point twelve (345.12), three hundred forty-five point thirteen (345.13), and three hundred forty-five point fourteen. (345.14), Code 1950.

Senator Zastrow moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Senator Zastrow asked and received unanimous consent that the Senators who had left written requests on House File 298 be permitted to have their votes recorded.

On the question "Shall the bill pass?" the vote was:

Ayes, 38:

Bekman	Elijah	Miller	Van Eaton
Bellman	Fishbaugh	Molison	Vest
Berg	Hart	Nesmith	Walter
Boothby	Hedin	Nolan	Washburn
Byers	Heideman	Oltman	Watson of
Clark	Knudson	O'Malley	O'Brien
Colburn	Larson	Prentis	Watson of
Dailey	Linnevold	Sayre	Pottawattamie
Dewel	Lord	Stuart of Lucas	Weichman
Dykhouse	Lucas	Utzig	Zastrow

Nays, none.

Absent or not voting, 12:

Anderson	Lynes	Risk	Stewart of
Bateson	Myrland	Schoening	Mahaska
Grimstead	Nelson	Scott	Whitehead
Johnson			

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 271, a bill for an act to amend section six hundred two point forty-nine (602.49), Code 1950, relating to the salary of municipal judges.

On motion of Senator Vest, the report of committee recommending passage was taken up, considered, and 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.

Senator Zastrow asked and received unanimous consent that the Senators who had left written requests on Senate File 271 be permitted to have their votes recorded.

On the question "Shall the bill pass?" the vote was:

Ayes, 38:

Bekman	Elijah	Miller	Van Eaton
Bellman	Fishbaugh	Molison	Vest
Berg	Hart	Nesmith	Walter
Boothby	Hedin	Nolan	Washburn
Byers	Heideman	Oltman	Watson of
Clark	Knudson	O'Malley	O'Brien
Colburn	Larson	Prentis	Watson of
Dailey	Linnevoid	Sayre	Pottawattamie
Dewel	Lord	Stuart of Lucas	Weichman
Dykhouse	Lucas	Utzig	Zastrow

Nays, none.

Absent or not voting, 12:

Anderson	Lynes	Risk	Stewart of
Bateson	Myrland	Schoening	Mahaska
Grimstead	Nelson	Scott	Whitehead
Johnson			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Weichman asked and received unanimous consent to take up for consideration House File 366, a bill for an act relating to the sale of agricultural seeds and to amend certain sections of the Code 1950, relating thereto.

Senator Weichman offered the following amendment and moved its adoption:

Amend House File 366, section 1, subsection 1, line 7, by striking the word "section" and inserting in lieu thereof the following: "subsection".

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.

Senator Zastrow asked and received unanimous consent that the Senators who had left written requests on House File 366 be permitted to have their votes recorded.

On the question "Shall the bill pass?" the vote was:

Ayes, 37:

Bekman	Elijah	Molison	Vest
Bellman	Hart	Nesmith	Walter
Berg	Hedin	Nolan	Washburn
Boothby	Heideman	Oltman	Watson of
Byers	Knudson	O'Malley	O'Brien
Clark	Larson	Prentis	Watson of
Colburn	Linnevoid	Sayre	Pottawattamie
Dailey	Lord	Stuart of Lucas	Weichman
Dewel	Lucas	Utzig	Zastrow
Dykhouse	Miller	Van Eaton	

Nays, none.

Absent or not voting, 13:

Anderson	Johnson	Risk	Stewart of
Bateson	Lynes	Schoening	Mahaska
Fishbaugh	Myrland	Scott	Whitehead
Grimstead	Nelson		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

#### MOTION TO WITHDRAW SENATE FILE 350

MR. PRESIDENT: I, the undersigned, move to withdraw Senate File 350 from the Senate sifting committee and place Senate File 350 on the Senate calendar.

THOMAS J. DAILEY.

#### AMENDMENTS FILED

- 1 Amend Senate File 244 by inserting after the word "easements"
- 2 in line 9 of section 1 the following: "in fee or otherwise".
- 3 Further amend by inserting the following before the comma
- 4 in line 4, section 2: "payable solely out of the Primary

5 Road Fund as provided in sections three hundred eight point A one  
6 (308.A1) and three hundred eight point A two (308.A2), Code  
7 1950".

C. D. NOLAN.

1 Amend House File 140 by striking all after the enacting  
2 clause and inserting in lieu thereof the following:

3 "Section 1. The State of Iowa is hereby authorized to become  
4 indebted in the amount of seventy-five million dollars (\$75,000,000)  
5 and in evidence thereof there shall be issued and sold negotiable  
6 coupon bonds of said state as hereinafter provided, and the  
7 proceeds therefrom shall be paid into the treasury of the State  
8 of Iowa to be expended for the operation and administration of the  
9 'Iowa Public Employees' Retirement System' hereinafter created.

10 "Sec. 2. The treasurer of the state is hereby directed to  
11 cause to be prepared negotiable coupon bonds of this state in the  
12 amount of seventy-five million dollars (\$75,000,000), such bonds to  
13 bear interest at the rate of not to exceed two and one-half per cent  
14 (2½%) per annum which interest shall be paid semi-annually. Such  
15 bonds shall be issued so that said indebtedness shall be payable  
16 in twenty (20) equal annual installments, the last of which shall  
17 be within twenty (20) years from the date of issue, bonds to be  
18 callable in numerical order on six (6) months notice at one  
19 hundred one and one-half per cent (101½%) of the par value. Said  
20 bonds shall be signed by the governor under the great seal of said  
21 state, attested by the secretary of state and countersigned by the  
22 treasurer of state, and the full faith, credit and resources of the  
23 State of Iowa shall be pledged for the payment thereof. The interest  
24 coupons attached to said bonds shall bear the lithographed facsimile  
25 signatures of said officials. The treasurer of state shall sell said  
26 bonds to obtain funds to carry out the provisions of this act, and  
27 to make the payments hereinafter provided. Such bonds shall be  
28 sold at not less than the par value thereof and accrued interest  
29 thereon to the highest and most responsible bidder after advertising  
30 for a period of twenty consecutive days, Sundays excepted, in at  
31 last two daily newspapers printed in the State of Iowa. Adver-  
32 tisements of sale shall recite that the treasurer of state, in  
33 his discretion, may reject any or all bids received and, in  
34 such event, he shall readvertise for bids in the form and manner  
35 above described as many times as in his judgment may be necessary  
36 to effect a satisfactory sale. If any of said bonds are not  
37 presented for payment within ten (10) years after maturity they  
38 shall be barred.

39 "Sec. 3. The proceeds from the sale of said bonds coming to  
40 the treasurer of the state shall be credited by him to the special  
41 fund created in section 12 of this act known as the 'Iowa Public  
42 Employees' Retirement Fund'.

43 "Sec. 4. The bonds issued under the authority of this act  
44 shall be exempt from taxation.

45 "Sec. 5. To provide for the payment of the principal of said

46 bonds so issued and sold and the interest thereon as the same  
47 become due and mature, there is hereby imposed and levied upon  
48 all of the taxable property within the State of Iowa in addition  
49 to all other taxes, a direct annual tax for each of the years  
50 said bonds are outstanding sufficient in amount for the payment  
51 of principal of said bonds as it shall become due, and sufficient  
52 in amount to produce additional sums as may be needed to pay the  
53 interest on said bonds each year for twenty (20) years. The  
54 treasurer of the state shall annually certify to the state tax  
55 commission prior to the time for levy of general state taxes the  
56 amount of money required to be raised to pay the principal and  
57 interest on such bonds maturing in the ensuing year, and said  
58 state tax commission shall annually fix the rate percentum  
59 necessary to be levied and assessed upon the valuation of the  
60 taxable property within this state to produce funds sufficient  
61 to pay the principal of and interest upon such bonds as the same  
62 become payable, and such additional annual direct tax shall be  
63 levied, certified, assessed and collected at the same time and in  
64 the same manner as are taxes for general state purposes.

65 "Sec. 6. A public employees' retirement system is hereby  
66 created and established to be known as the 'Iowa Public Employees'  
67 Retirement System' hereinafter called the 'system'.

68 "Sec. 7. The purpose of this chapter is to promote economy  
69 and efficiency in the public service by providing an orderly  
70 means whereby employees who because superannuated may, without  
71 hardship or prejudice, be replaced by more capable employees,  
72 and to that end providing a retirement system which will provide  
73 for the payment of annuities to public employees, thereby enabling  
74 the employees to care for themselves in retirement, and which by  
75 its provisions will improve public employment within the state,  
76 reduce excessive personnel turnover and offer suitable attraction  
77 to high-grade men and women to enter public service in the state.

78 "Sec. 8. The Iowa employment security commission, hereinafter  
79 called the 'commission', shall be vested with authority to  
80 administer the Iowa public employees' retirement system.

81 "Sec. 9. It shall be the duty of the commission to administer  
82 this chapter; and it shall have power and authority to adopt,  
83 amend, or rescind such rules and regulations, to employ such  
84 persons, make such expenditures, require such reports, make  
85 such investigations, and take such other action as it deems  
86 necessary or suitable to that end. Such rules and regulations  
87 shall be effective upon complying with chapter fifty-one (51),  
88 Acts of the Fifty-fourth General Assembly. Not later than the  
89 fifteenth day of December of each year, the commission shall submit  
90 to the governor a report covering the administration and operation  
91 of this chapter during the preceding fiscal year and shall make  
92 such recommendations for amendments to this chapter as the  
93 commission deems proper. Such report shall include a balance sheet  
94 of the moneys in the Iowa public employees' retirement fund.

95 "Sec. 10. Subject to other provisions of this chapter, the

96 commission is authorized to appoint, fix the compensation, and  
97 prescribe the duties and powers of such officers, accountants,  
98 attorneys, experts, actuaries, and other persons as may be  
99 necessary in the performance of its duties. The commission shall  
100 classify its positions and shall establish salary schedules  
101 and minimum personnel standards for the positions so classified.  
102 All positions shall be filled by persons selected and appointed  
103 on the basis of competency and fitness for the position to be  
104 filled. The commission shall not appoint or employ any person  
105 who is an officer or committee member of any political party  
106 organization or who holds or is a candidate for any elective  
107 public office. The commission shall establish and enforce fair  
108 and reasonable regulations based upon ratings of efficiency and  
109 fitness and for terminations for cause. The commission may  
110 delegate to any such person so appointed such power and authority  
111 as it deems reasonable and proper for the effective administration  
112 of this chapter, and may in its discretion bond any person  
113 handling moneys or signing checks hereunder. The commission  
114 is authorized to enter into arrangements with the federal bureau of  
115 employment security whereby services performed by the commission  
116 and its employees both under this chapter and under the Iowa  
117 employment security chapter shall be equitably apportioned  
118 between the funds provided for the administration of said chapters.  
119 That money spent for rentals, supplies and equipment used by both  
120 agencies shall be equitably apportioned and charged against said  
121 funds.

122 "Sec. 11. The commission may in its discretion destroy or  
123 dispose of such original reports or records as have been properly  
124 recorded or summarized in the permanent records of the commis-  
sion  
125 and are deemed by the commission no longer necessary to the proper  
126 administration of this chapter. Such destruction or disposition  
127 shall be made only by order of the commission and such order shall  
128 be spread on the minutes of the commission. Any moneys received  
129 from the disposition of such records shall be deposited to the  
130 credit of the public employees' retirement fund.

131 "Sec. 12. 1. There is hereby created as a special fund  
132 separate and apart from all other public moneys or funds of this  
133 state, the 'Iowa Public Employees' Retirement Fund', hereafter  
134 called the 'retirement fund'. This fund shall consist of all  
135 moneys collected under this chapter, together with all interest,  
136 dividends and rents thereon, and shall also include all securities  
137 or investment income and other assets acquired by and through the  
138 use of the moneys belonging to this fund and any other moneys that  
139 have been paid into this fund.

140 "2. The treasurer of the State of Iowa is hereby made the  
141 custodian and trustee of this fund and shall administer the  
142 same in accordance with the directions of the commission. It  
143 shall be the duty of the trustee:

144 "(a) To hold said trust funds.

145     “(b) Invest such portion of said trust funds as in the  
146 judgment of the commission are not needed for current payment  
147 of benefits under this chapter in interest-bearing securities  
148 issued by the United States, or interest-bearing bonds issued  
149 by the State of Iowa, or bonds issued by counties, school  
150 districts and/or general obligations or limited levy bonds  
151 issued by municipal corporations in this state as authorized  
152 by law.

153     “(c) Disburse such trust funds upon warrants drawn by the  
154 comptroller pursuant to the order of the commission.

155     “3. All moneys which are paid or deposited into this fund  
156 are hereby appropriated and made available to the commission  
157 to be used only for the purpose herein provided:

158     “(a) To be used by the commission for the payment of  
159 retirement claims for benefits under this chapter, or such other  
160 purposes as may be authorized by the General Assembly.

161     “(b) To be used by the commission to pay refunds provided  
162 for in this chapter.

163     “Sec. 13. A board shall be established to be known as the  
164 ‘Advisory Investment Board of the Iowa Public Employees’  
165 Retirement System’, hereinafter called the ‘board’, whose duties  
166 shall be to advise and confer with the commission in matters  
167 relating to the investment of the trust funds of the Iowa public  
168 employees’ retirement system. The powers of the board shall be  
169 purely advisory and the commission shall not be bound in the  
170 making of any investment by the recommendations of the board.  
171 The board shall consist of five members. Three of the members  
172 shall be appointed by the Governor, one of whom shall be an  
173 executive of a domestic life insurance company, one an executive  
174 of a state or national bank operating within the State of Iowa,  
175 and the third shall be an executive of a major industrial  
176 corporation located within the State of Iowa. The chairman of  
177 the social security committee of the House of Representatives  
178 of the General Assembly and the chairman of the social security  
179 committee of the Senate of the General Assembly shall be  
180 ex-officio members of the board. Members appointed by the  
181 governor shall be paid their actual expenses incurred in  
182 performance of their duties and shall receive in addition thereto  
183 the sum of twenty-five dollars for each day of service not  
184 exceeding forty (40) days per year. Ex-officio members shall  
185 receive their actual expenses incurred in the performance of  
186 their duties. The appointive terms of the members appointed by  
187 the governor shall be for a period of six (6) years dating from  
188 July 1 of the year in which they are appointed, but the  
189 governor shall designate, in the case of the original appointees,  
190 one who shall serve for a period of two (2) years, a second who  
191 shall serve for a period of four (4) years, and a third who shall  
192 serve for a period of six (6) years. In the event of vacancy,  
193 through resignation or any other cause, in the membership of the  
194 board, the governor shall have the power of appointment. Appointees

195 to this board shall be subject to confirmation by a two-thirds vote  
196 of the Senate, but in the event of interim appointments, such  
197 confirmation shall be necessary at the next session of the Senate.

198 "Sec. 14. Taxes unpaid on the date on which they are due and  
199 payable as prescribed by the commission, shall bear interest at  
200 the rate of one-half of one percentum per month from and after  
201 such date until payment plus accrued interest is received by  
202 the commission, provided that the commission may prescribe fair  
203 and reasonable regulations pursuant to which such interest shall  
204 not accrue with respect to taxes required. Interest collected  
205 pursuant to this section shall be paid into the Iowa public  
206 employees' retirement fund.

207 "1. If within thirty days after due notice the employer  
208 defaults in payment of taxes or interest thereon, the amount due  
209 shall be collected by civil action in the name of the commission,  
210 and the employer adjudged in default shall pay the costs of such  
211 action. Civil actions brought under this section to collect  
212 taxes or interest thereon shall be heard by the court at the  
213 earliest possible date and shall be entitled to preference upon  
214 the calendar of the court over all other civil actions.

215 "2. The employer shall pay its tax or contribution from funds  
216 available and is directed to pay same from tax money or from any  
217 other income of the political subdivision.

218 "3. Every political subdivision is hereby authorized and  
219 directed to levy a tax sufficient to meet its obligations under  
220 the provisions of this chapter.

221 "Sec. 15. In any case in which the commission finds the  
222 employer has paid taxes thereon which have been erroneously paid,  
223 and has filed application for an adjustment thereof, the commission  
224 shall make such adjustment, compromise or settlement and make  
such

225 refund of such payments as it finds just and equitable in the  
226 premises. Refunds so made shall be charged to the fund to which  
227 the erroneous collections have been credited and shall be paid to  
228 the claimant without interest. Any claim for such refund shall  
229 be made within three years of date of payment and not thereafter.  
230 For lack of time and cause adjustments, compromises or refunds  
231 may be made by the commission on its own initiative.

232 "Sec. 16. In addition to all other taxes, there is hereby  
233 levied upon each employer, as defined in section 46, and also  
234 upon each employee, as defined in section 46, a tax equal to  
235 three and one-half per cent (3½%) of the wages paid by the  
236 employer to the employee for any service performed after the  
237 effective date of this act while such employee is a member of the  
238 system.

239 "Sec. 17. The employer shall furnish to all employees a  
240 written statement in a form prescribed by the commission suitable  
241 for retention by the employee, showing the wages paid to the  
242 employee after the effective date of this act. Each statement  
243 shall cover a calendar year, or one, two or three quarters, whether

244 or not within the same calendar year, and shall show the name of the  
245 employee, the period covered by the statement, the total amount  
246 of wages paid within such period, and the amount of tax imposed  
247 by this chapter with respect to such wages. Each statement shall  
248 be furnished to the employee not later than thirty days following  
249 the period covered by the statement, except that if the employee  
250 leaves the employ of the employer, this final statement shall be  
251 furnished within thirty days after the last payment of wages is  
252 made to the employee. The employer may, at its option, furnish  
253 such a statement to any employee at the time of each payment of  
254 wages to the employee during any calendar quarter, in lieu of a  
255 statement covering each quarter, and, in such case, the statement  
256 may show the date of payment of wages in lieu of the period covered  
257 by the statement.

259 "Sec. 18. For the purpose of the state income tax, the tax  
260 imposed by this chapter shall not be allowed as a deduction to  
261 the taxpayer in computing his net income for any year in which  
262 such tax is deducted from his wages.

263 "Sec. 19. The taxes deducted from the wages of the  
264 employee by the employer shall be matched by the employer  
265 making the deduction and forwarded to the commission for  
266 recording and deposited with the treasurer of state to the  
267 credit of the Iowa public employees' retirement fund. Such  
268 taxes as deducted by the employer shall be paid in such manner,  
269 at such times and under such conditions, either by copies of  
270 payrolls or other methods necessary or helpful in securing  
271 proper identification of the taxpayer, as may be prescribed by  
272 the commission.

273 "Sec. 20. The commission shall have full power and authority  
274 to make rules and regulations and to establish procedures, not  
275 inconsistent with the provisions of this chapter, which are  
276 necessary or appropriate to carry out such provisions and shall  
277 adopt reasonable and proper rules and regulations to regulate and  
278 provide for the nature and extent of the proofs and evidence and  
279 the method of taking and furnishing the same in order to establish  
280 the right to benefits hereunder.

281 "Sec. 21. The commission is directed to make findings of  
282 fact, and decisions as to the rights of any individual applying  
283 for a payment under this chapter. Whenever requested by any such  
284 individual or by any other person who makes a showing in writing  
285 that his or her rights may be prejudiced by any decision the  
286 commission has rendered, it shall give such applicant and such  
287 other individual reasonable notice and opportunity for a hearing  
288 with respect to such decision, and, if a hearing is held, shall,  
289 on the basis of evidence adduced at the hearing, affirm, modify,  
290 or reverse its findings of fact and such decision. The commission  
291 is further authorized, on its own motion, to hold such hearings and  
292 to conduct such investigations and other proceedings as it may  
293 deem necessary or proper for the administration of this chapter.  
294 In the course of any hearing, investigation, or other proceedings,

295 it may administer oaths and affirmations, examine witnesses, and  
296 receive evidence. Evidence may be received at any hearing before  
297 the commission even though inadmissible under rules of evidence  
298 applicable to court procedure.

299 "Sec. 22. The commission shall establish and maintain records  
300 of the amount of wages paid to each individual subject to coverage  
301 under this act and shall maintain a record of the contribution of  
302 each individual, and also of the contribution made by each employer  
303 in behalf of said individuals and such records shall be the basis  
304 for the compilation of the retirement benefits provided under this  
305 act. Such records shall be evidence for the purpose of proceedings  
306 before the commission or any court of the amounts of such wages  
and

307 the periods in which they were paid, and the absence of an entry  
308 as to an individual's wages in such records for any period shall be  
309 evidence that no wages were paid such individual in such period.

310 "Sec. 23. After the expiration of each calendar year and prior  
311 to July 1 of the succeeding year, the commission shall furnish each  
312 covered individual with a statement of his accumulated credits under  
313 this chapter up to the end of such calendar year. The commission  
313a shall mail such statement to each employer not later than June 30  
314 of the succeeding calendar year. The employer shall distribute such  
315 statements to its employees, and the records of the commission as  
316 shown by said statement as to the wages of such individual for such  
317 year and the periods of payment shall be conclusive for the purpose  
318 of this chapter, except as hereinafter provided.

319 "Sec. 24. If, prior to the expiration of six months following  
320 the delivery of such statement, it is brought to the attention of  
321 the commission that any entry of such wages in such records is  
322 erroneous, or that any item of such wages has been omitted from  
323 the records, the commission may correct such entry or include such  
324 omitted item in its records, as the case may be. Written notice  
325 of any revision of any such entry which is adverse to the interest  
326 of any individual shall be given to such individual in any case  
327 where such individual has previously been notified by the commission  
328 of the amount of wages and of the period of payments shown by such

329 entry. Upon request in writing made prior to the expiration of  
330 six months immediately following the giving of the statement pro-  
vided

331 for in section 23, the commission shall afford any individual, or  
332 after his death shall afford his beneficiary or any other person  
333 so entitled in the judgment of the commission, reasonable notice  
334 and opportunity for hearing with respect to any entry or alleged  
335 omission of wages of such individual in such record, or any revision  
336 of any such entry. If a hearing is held, the commission shall make  
337 findings of fact and a decision based upon the evidence adduced  
338 at such hearing and shall revise its records accordingly. Any  
339 party aggrieved by the decision of the commission under this  
section

340 or section 25 hereof may appeal to the district court in the manner  
341 as provided in section 34 hereof.

342 "Sec. 25. After the expiration of six months, as provided for  
343 in section 24, and no appeal has been taken, the commission shall  
344 revise any entry or include in its record any omitted item of wages  
345 to conform its records with tax or wage reports or portions of tax  
346 reports. Notices shall be given of such conditions and to such  
347 individuals as is provided for revisions under section 24. Upon  
348 request, notice and opportunity for hearing with respect to any  
349 such entry, omission or revision shall be afforded under such  
350 conditions and to such individuals as is provided for in section  
351 24 hereof, but no evidence shall be introduced at any such hearing  
352 except with respect to conformity of such records with such tax  
353 reports.

354 "Sec. 26. Within thirty days after any decision of the commis-  
sion  
355 under sections 24 and 25 hereof, such decision shall be reviewable  
356 by commencing a civil action in the district court of the State of  
357 Iowa as provided in section 34 of this act.

358 "Sec. 27. For the purpose of any hearing, investigation, or  
359 other proceeding authorized or directed under this chapter, or  
360 relative to any other matter within its jurisdiction hereunder,  
361 the commission and/or appeal referee shall have the power to issue  
362 subpoenas requiring the attendance and testimony of witnesses and  
363 the production of any evidence that relates to any matter under  
364 investigation or in question before the commission. Such attendance  
365 of witnesses and production of evidence at the designated place of  
366 such hearing, investigation, or other proceedings may be required  
367 from any political subdivision in the state. Subpoenas of the  
368 commission shall be served by anyone authorized by it (a) by  
369 delivering a copy thereof to the individual named therein, or (b)  
370 by registered mail addressed to such individual at his last dwelling  
371 place or principal place of business. A verified return by the  
372 individual so serving the subpoena setting forth the manner of  
373 service, or, in the case of service by registered mail, the return  
374 post office receipt therefor signed by the individual so served,  
375 shall be proof of service. Witnesses so subpoenaed shall be paid  
376 the same fees and mileage as are paid witnesses in the district  
377 courts of the State of Iowa. In the discharge of the duties imposed  
378 by this chapter, the chairman or an appeal referee and any duly  
379 authorized representative or member of the commission shall have  
380 power to administer oaths and affirmations, take depositions, certify  
381 to official acts, and issue subpoenas to compel the attendance of  
382 witnesses and the production of books, papers, correspondence,  
383 memoranda, and other records deemed necessary as evidence in  
384 connection with the administration of this chapter.

385 "Sec. 28. In case of contumacy by, or refusal to obey a subpoena  
385a duly served upon any person, any district court of the State of Iowa  
386 for the district in which said person charged with contumacy or  
387 refusal to obey is found or resides or transacts business, upon

388 application by the commission, shall have jurisdiction to issue  
389 an order requiring such person to appear and give testimony, or to  
390 appear and produce evidence, or both. Any failure to obey such order  
391 of the court may be punished by said court as contempt thereof.

392 "Sec. 29. No person so subpoenaed or ordered shall be excused  
393 from attending and testifying or from producing books, records,  
394 correspondence, documents, or other evidence on the ground that the  
395 testimony or evidence required of him may tend to incriminate him  
or

396 subject him to a penalty or forfeiture; but no person shall be  
397 prosecuted or subjected to any penalty or forfeiture for, or on  
398 account of, any transaction, matter, or thing concerning which he  
399 is compelled, after having claimed his privilege against self-  
400 incrimination, to testify or produce evidence, except that such person  
401 so testifying shall not be exempt from prosecution and punishment  
402 for perjury committed in so testifying.

403 "Sec. 30. A representative designated by the commission and  
404 hereinafter referred to as a deputy, shall promptly examine applica-  
tions  
405 for retirement benefits and on the basis of facts found by him shall  
406 either determine whether or not such claim is valid and if valid, the  
407 month with respect to which benefits shall commence, the monthly  
408 benefit amount payable, and the maximum duration thereof. The  
409 deputy shall promptly notify the applicant and any other interested  
410 party of the decision and the reasons therefor. Unless the applicant  
411 or other interested party, within thirty calendar days after such  
412 notification was mailed to his last known address, files an appeal  
413 from such decision, to the appeal referee as provided in section 31,  
414 such decision shall be final and benefits shall be paid or denied in  
415 accord therewith.

416 "Sec. 31. Unless such appeal is withdrawn, an appeal referee to  
be  
417 designated by the commission for this purpose, after affording the  
418 parties reasonable opportunity for fair hearing, shall affirm or  
419 modify the findings of fact and decision of the deputy. At said  
420 hearing all of the evidence taken and the proceedings had shall be  
421 taken and fully reported by a certified shorthand reporter. Said  
422 reporter shall promptly transcribe said evidence and proceedings and  
423 certify to same. The said transcript shall then be made available  
424 for use by the commission and by the courts at subsequent appeals,  
425 if any. The parties shall be duly notified of such referee's decision,  
426 together with its reasons therefor, which shall be deemed to be the  
427 final decision of the commission unless, within thirty days after  
428 date of notification or mailing of such decision, further appeal  
429 is initiated pursuant to section 32.

430 "Sec. 32. Anyone aggrieved by the decision of the appeal referee  
431 may, at any time before such appeal referee decision becomes final,  
432 petition the commission for review of such appeal referee's decision.  
433 The commission shall review the record made before the appeal  
referee,

434 but no additional evidence shall be heard. On the basis of such  
435 record the commission shall either affirm, modify, or reverse the  
436 decision of the appeal referee and shall determine the rights of the  
437 appellant on the basis of such record. It shall promptly notify the  
438 appellant and any other interested party by written decision.

439 "Sec. 33. Any decision of the commission in the absence  
440 of an appeal therefrom, as herein provided, shall become final  
441 thirty days after the date of notification or mailing thereof,  
442 and judicial review thereof shall be permitted only after any  
443 party claiming to be aggrieved thereby has exhausted his remedies  
444 before the commission, as provided by this chapter. The  
445 commission shall be deemed to be party to any judicial action  
446 involving any such decision and may be represented in any such  
447 judicial action by any qualified attorney who is a regular  
448 salaried employee of the commission or who has been designated  
449 by the commission for that purpose or, at the commission's  
450 request, by the attorney general.

451 "Sec. 34. At any time prior to such commission decision  
452 becoming final, any party aggrieved thereby may secure judicial  
453 review thereof by commencing an action in the district court  
454 of the county in which the claimant was last employed or resides,  
455 provided that if the claimant does not reside in the State of  
456 Iowa the action shall be brought in the district court of Polk  
457 County, Iowa, against the commission for the review of this  
458 decision, in which action any other parties to the proceeding  
459 before the commission shall be made a defendant. In such action  
460 a petition, which need not be verified but which shall state  
461 the grounds upon which a review is sought, shall be served on  
462 a member of the commission or upon such person as the commission  
463 may designate, and such service shall be deemed completed service  
464 on all parties, but there shall be left with the parties so  
465 served as many copies of the petition as there are defendants,  
466 and the commission shall forthwith mail one such copy to each such  
467 defendant. When service is completed such petition shall be  
468 filed by appellant with the clerk of the district court who  
469 shall docket said cause in the same manner as provided for  
470 other civil actions. The commission shall, within sixty days  
471 after the notice of appeal has been served on the commission,  
472 certify and file with said district court all documents and  
473 papers and a transcript of all testimony taken in the matter,  
474 together with the findings of fact and decision of the  
475 commission therein. With such transcript the commission  
476 shall file its answer. The transcript, as certified and filed  
477 by the commission, shall be the record upon which the appeal  
478 shall be heard, and no additional evidence shall be heard.  
479 In the absence of fraud, any findings of fact by the commission  
480 after notice and hearing, as herein provided, shall be binding  
481 on the court on appeal when supported by substantial and  
482 competent evidence. The commission may also, in its discretion,  
483 certify to such courts, questions of law involving any decision

485 by it. Such actions, and the questions so certified, shall be  
486 heard in a summary manner and shall be given precedence over  
487 all other civil cases except cases arising under the workmen's  
488 compensation law and the employment security law of this state.

489 "Sec. 35. Any order or decision of the commission may be  
490 modified, reversed, or set aside on one or more of the  
491 following grounds and no other:

492 "1. If the commission acted without or in excess of its  
493 power.

494 "2. If the order or decree was procured by fraud.

495 "3. If the facts found by the commission do not support  
496 the order or decree.

497 "4. If there is not sufficient competent evidence in the  
498 record to warrant the making of the order or decision.

499 "Sec. 36. When the district court, on appeal, reverses or  
500 sets aside an order or decision of the commission, it may  
501 remand the case to the commission for further proceedings in  
502 harmony with the holdings of the court, or it may enter the  
503 proper judgment, as the case may be. Such judgment or decree  
504 shall have the same force and effect as if action had been  
505 originally brought and tried in said court.

506 "Sec. 37. An appeal may be taken from any final order,  
507 judgment, or decree of the district court to the supreme  
508 court of Iowa, in the same manner, but not inconsistent with  
509 the provisions of this chapter, as is provided in civil cases.  
510 It shall not be necessary in any judicial proceeding under  
511 this section, to enter exceptions to the rulings of the  
512 commission and no bond shall be required for entering such  
513 appeal. Upon the final determination of such judicial  
514 proceeding the commission shall enter an order in accordance  
515 with such determination. A petition for judicial review shall  
516 not act as a supersedeas or stay unless the commission shall so  
517 order.

518 "Sec. 38. Upon final decision of the commission, or upon  
519 final judgment of any court of competent jurisdiction, that  
520 any person is entitled to any payment or payments under this  
521 chapter, the commission shall certify to the state comptroller  
522 the name and address of the person so entitled to receive such  
523 payment or payments, the amount of such payment or payments,  
524 and the time at which such payment or payments should be made,  
525 and the commission, through the state comptroller, shall make  
526 payment in accordance with the certification of the commission  
527 provided, that where a review of the commission decisions is or  
528 may be sought under section 33, certification of payment may be  
529 withheld pending such review. The state comptroller shall  
530 not be held personally liable for any payment or payments  
531 made in accordance with a certification by the commission.

532 "Sec. 39. When it appears to the commission that the  
533 interest of an applicant entitled to a payment would be served  
534 thereby, certification of payment may be made, regardless of

535 the legal competency or incompetency of the individual entitled  
536 thereto, either for direct payment to such applicant, or for  
537 his use and benefit to a relative or some other person.

538 "Sec. 40. Any payment made under the conditions set  
539 forth in the preceding section, shall be a complete settlement  
540 and satisfaction of any claim, right, or interest in and to such  
541 payment.

542 "Sec. 41. The commission is authorized to delegate to any  
543 member, officer, or employee of the commission designated by  
544 it any of the powers conferred upon it by this act and is  
545 authorized to be represented by its attorneys in any court  
546 in any case or proceeding arising under the provisions of said  
547 act.

548 "Sec. 42. The commission may prescribe rules and regulations  
549 governing the recognition of agents or other persons, other  
550 than attorneys as hereinafter provided, representing claimants  
551 before the commission, and may require of such agents or other  
552 persons, before being recognized as representatives of claimants  
553 that they shall show that they are of good character and in good  
554 repute, possessed of the necessary qualifications to enable  
555 them to render such claimants valuable service, and otherwise  
556 competent to advise and assist such claimants in the presentation  
557 of their cases. An attorney in good standing who is admitted  
558 to practice before the district or supreme court of the state,  
559 shall be entitled to represent claimants before the commission  
560 upon filing with the commission a certificate of his right  
561 to so practice from the presiding judge or clerk of any such  
562 court.

563 "Sec. 43. The commission may, by rule and regulation,  
564 prescribe the maximum fees which may be charged for services  
565 performed in connection with any claim before the commission  
566 under this chapter, and any agreement in violation of such  
567 rules and regulations shall be void. Any person who shall,  
568 with intent to defraud, in any manner wilfully and knowingly  
569 deceive, mislead, or threaten any claimant or prospective  
570 claimant or beneficiary under this chapter by word, circular,  
571 letter or advertisement, or who shall knowingly charge or  
572 collect directly or indirectly any fee in excess of the  
573 maximum fee, or make any agreement directly or indirectly to  
574 charge or collect any fee in excess of the maximum fee,  
575 prescribed by the commission, shall be deemed guilty of a  
576 misdemeanor and, upon conviction thereof, shall for each  
577 offense be punished by a fine not exceeding five hundred  
578 dollars (\$500) or by imprisonment not exceeding one year,  
579 or both.

580 "Sec. 44. The right of any person to any future payment  
581 under this chapter shall not be transferable or assignable, at  
582 law or in equity, and none of the moneys paid or payable or  
583 rights existing under this chapter shall be subject to  
584 execution, levy, attachment, garnishment, or other legal

585 process, or to the operation of any bankruptcy or insolvency  
586 law. These moneys shall also be exempt from taxation, either  
587 as income or as personal property.

588 "Sec. 45. Whoever, for the purpose of causing an increase  
589 in any payment authorized to be made under this chapter, or  
590 for the purpose of causing any payment to be made where no  
591 payment is authorized under this chapter, shall wilfully make  
592 or cause to be made any false statement or representation as  
593 to the amount of any wages paid or received for the period  
594 during which earned or unpaid, knowing it to be false or  
595 whoever makes or causes to be made any false statement of a  
596 material fact knowing it to be false in any application for  
597 and payment under this chapter, or whoever wilfully makes or  
598 causes to be made any false statement, representation,  
599 affidavit, or document in connection with such an application  
600 knowing them to be false, shall be guilty of a misdemeanor  
601 and upon conviction thereof shall be fined not more than  
602 one thousand dollars (\$1,000) or imprisoned for not more  
603 than one year, or both.

604 "Sec. 46. When used in this chapter:

605 "1. For the purpose of this act the term, 'wages', means all  
606 remuneration for employment; including the cash value of re-  
munera-  
607 tion paid in any medium other than cash, but not including the  
608 cash value of remuneration paid in any medium other than cash  
609 necessitated by the convenience of the employer, such amount as  
610 agreed upon by employer and employee and reported to the com-  
mission  
611 by employer shall be conclusive of the value of remuneration in a  
612 medium other than cash; except that such term shall not include—

613 "That part of the remuneration which, after remuneration equal  
614 to four thousand dollars (\$4,000) has been paid to an individual  
615 with respect to employment during any calendar year or any part of  
616 any calendar year after the effective date of this act, is paid  
617 to such individual with respect to such employment.

618 "2. The term, 'employment', means any service performed under  
619 an employer-employee relationship under the provisions of this  
620 chapter.

621 "3. (a) The term, 'employer', means the State of Iowa, the  
622 counties, municipalities and public school districts therein and  
623 all of the political subdivisions thereof and all of their depart-  
624 ments and instrumentalities, all hereinafter called political  
625 subdivisions, as of the effective date of this act.

626 "(b) The term, 'employee', means any individual who is in  
627 employment as defined in this chapter, except

628 "(1) Elective public officials.

629 "(2) Such persons who are members of any other retirement  
630 system in the state which is maintained in whole or in part by the  
631 public contributions other than persons who are covered under the  
632 provisions of chapter ninety-seven (97), Code 1950, as amended by

633 the Fifty-fourth General Assembly on the date of the repeal of  
634 said chapter, under the provisions of House File 139, Acts of the  
635 Fifty-fifth General Assembly.

636 "4. The masculine form of expression shall be deemed to include  
637 the feminine.

638 "5. 'System' means the retirement plan as contained herein or  
639 as duly amended.

640 "6. 'Abolished system' means the Iowa old age and survivors'  
641 insurance system referred to in chapter Ninety-seven (97), Code  
642 1950.

643 "7. 'Contributions' or 'taxes' means the payments to the fund  
644 as provided herein, by the employer and/or by the members,  
645 necessary to provide the benefits of the retirement system.

646 "8. 'Member' means an individual who is a member of the  
647 retirement system created by this chapter.

648 "9. 'Accumulated contributions of a member' means the total  
649 obtained, as of any date, by accumulating each individual  
650 contribution by the member at two per cent (2%) interest,  
651 compounded annually, from the end of the calendar year in which  
652 such contribution was made to the first day of the month of such  
653 date.

654 "10. 'Service' means uninterrupted service under this act by  
655 an employee from the date he last entered employment of the  
656 employer until the date of his employment shall be terminated by  
657 death, retirement, resignation or discharge; provided, however,  
658 the service of any employee shall not be deemed to be interrupted  
659 by:

660 "(a) Service in the armed forces of the United States during  
661 a period of war or national emergency provided the employee was  
662 employed by the employer immediately prior to entry into such  
armed

663 forces, and further provided the employee was released from such  
664 service and returns to employment with the employer within ninety  
665 days of the date on which he shall have the right of release from  
666 such service or within such longer period as may be provided by the  
667 laws of the United States applicable thereto.

668 "(b) Leave of absence or vacation authorized by the employer  
669 for a period not exceeding twelve months.

670 "(c) The termination at the end of the school year of the  
671 contract of employment of an employee who is a teacher in the  
672 public schools of the State of Iowa, provided the employee enters  
673 into a further contract of employment as a teacher in the public  
674 schools of the State of Iowa for the next succeeding school year.

675 "(d) Temporary or seasonal interruptions in service such as  
676 service of school bus drivers, school teachers, instructors at  
677 Iowa State College, the State University of Iowa, or Iowa State  
678 Teachers College, employees in state schools or hospital dormitories  
679 or other positions when the temporary suspension of service does  
680 not terminate the period of employment of the employee.

681 "11. 'Prior service' means any service by an employee rendered

682 at any time prior to the effective date of this act, except any  
683 such service while the employee was a public elected official.

684 "12. 'Years of prior service' means the total of all periods  
685 of prior service of a member. In the determination of such total  
686 years of prior service any fraction of the total in excess of an  
687 integral number of years which is at least six months shall be  
688 deemed to be a complete year and any smaller fraction shall be  
689 disregarded.

690 "13. 'Beneficiary' means the person or persons entitled to  
691 receive any benefits at the death of a member payable under this  
692 act who has or have been designated in writing by the member and  
693 filed with the commission, or if no such designation is in effect  
694 at the time of death of the member or if no person so designated  
695 is living at that time, then the beneficiary shall be the estate of  
696 the member.

697 "14. 'Reserve' means the amount required, as of any date,  
698 under the actuarial assumptions of the retirement system, to  
699 provide benefits under the retirement system based upon contribu-  
700 tions of members and employers as of said date, and credits to  
701 members on account of service prior to the effective date of this  
702 act.

703 "15. 'Actuarial equivalent' means a benefit of equal value when  
704 computed upon the basis of such actuarial tables as are adopted by  
705 the commission.

706 "16. For the purposes of this act 'interest earned' shall be  
707 determined on the following basis:

708 "(1) Interest earnings shall be on an accrued basis.

709 "(2) Capital gains and losses, realized or unrealized, shall not  
710 be included.

711 "(3) The interest rate shall be based upon mean invested assets  
712 of the retirement fund.

713 "Sec. 47. Each employee other than one whose employment  
714 commences after the effective date of this act and who is then past  
715 his sixty-fifth birthday, may at any time after the effective date  
716 of this act elect to become a member effective on the first day of  
717 the month following the month in which such employee makes such  
718 election. He shall continue to be a member so long as he continues  
719 in public employment except that he shall cease to be a member if  
720 after making said election he joins another retirement system in  
721 the state which is maintained in whole or in part by public  
722 contributions or payments.

723 "Sec. 48. Each member in service on July 1, 1953, who made  
724 contributions under the abolished system, and who has not applied  
725 for and qualified for benefit payments under the abolished system,  
726 shall receive credit for years of prior service in the  
727 determination of retirement allowance payments under any of the  
728 provisions of this chapter, provided (a) such member elects to  
729 become a member within ninety (90) days after the effective date  
730 of this act, (b) such member has not made application for a refund  
731 of such part of his contributions under the abolished system as is

732 payable under the provisions of the act repealing chapter ninety-  
733 seven (97), Code 1950, as amended by the Fifty-fourth General  
734 Assembly, and (c) such member gives written authorization within  
735 ninety (90) days after the effective date of this act to the  
736 commission to credit to the retirement fund the amount of his  
737 contribution which would be subject to claim for refund. The  
738 amount so credited shall, after such transfer, be considered as a  
739 contribution to the system made as of July 1, 1953, by the member  
740 and shall be included as such in the determination of the amount  
741 of any accumulated contributions payable under this chapter in the  
742 event of the death prior to retirement or termination of employment  
743 of the member, but shall not be included in the accumulated  
744 contributions of the member in the determination of the amount of  
745 any retirement allowance payable under this chapter. Provided,  
746 however, an employee who was under a contract of employment as a  
747 teacher in the public schools of the State of Iowa at the end of  
748 the school year 1952-1953, or any person covered by the provisions  
749 (c) or (d) of subsection 9, of section 46, shall be considered as the  
750 service on July 1, 1953, if they were members of the abolished  
751 system.

752 "Sec. 49. Each member shall designate on a form to be furnished  
753 by the commission a beneficiary for any death benefits payable  
754 hereunder on the death of such member. Such designation may be  
755 changed from time to time by the member by filing a new design-  
nation  
756 with the commission.

757 "Sec. 50. A member may retire on the first day of any  
758 month coinciding with or following the date he attains the  
759 age of sixty-five upon written notification to the commission,  
760 setting forth at what time the retirement is to become effective,  
761 provided such effective date shall be after his last day of  
762 service. A member shall retire from the employment of the  
763 employer no later than the first day of the month coinciding  
764 with or next following the date he obtains the age of seventy,  
765 except as otherwise provided in section 51 following.

766 "Sec. 51. A member may, on the request of the employer,  
767 remain in the active employ of the employer beyond the date he  
768 attains the age of seventy for such period or periods as the  
769 employer from time to time shall approve. The member shall  
770 retire from the employment of the employer at the end of the  
771 last approved period, on the first day of the month next  
772 following or coinciding with such date.

773 "Sec. 52. A member may retire from the employment of the  
774 employer on the first day of any month coinciding with or next  
775 following the date he attains the age of fifty-five and prior  
776 to the date he attains the age of sixty-five, upon written  
777 notification to the commission, made by the member, setting  
778 forth at what time the retirement is to become effective,  
779 provided that such effective date shall be after his last day  
780 of service, and after the filing of such notice, but shall not

781 be less than thirty days or more than ninety days subsequent  
782 to the filing of such notice.

783 "Sec. 53. Anything in this chapter to the contrary  
784 notwithstanding, should a retired member be at any time in  
785 regular full-time employment after his retirement under any  
786 of the provisions of this chapter, his retirement allowance  
787 payments under this chapter shall cease as long as he remains  
788 in service. Upon any later retirement under any of the  
789 provisions of this chapter such member shall receive a  
790 retirement allowance based upon (a) contributions, if any,  
791 under this chapter, of the member and of his employer on his  
792 behalf due to his service while a members during his period  
793 of reemployment, plus (b) the amount of his retirement allowance  
794 payable prior to his reemployment, increased on an actuarial  
795 basis for the period between his date of reemployment and his  
796 date of later retirement.

797 "Sec. 54. A member shall upon retirement at or after the  
798 date he attains the age of sixty-five receive a monthly  
799 retirement allowance which shall commence on such retirement  
800 date and shall be continued on the first day of each month  
801 thereafter during his lifetime. The amount of each such  
802 monthly retirement allowance shall be determined as the sum of one  
803 (1) and two (2) following:

804 "1. The actuarial equivalent of the total under this chapter  
805 of the contributions of the member and the contributions of his  
806 employer on his behalf due to his service after the effective  
807 date of this act while a member, with interest earned thereon, to  
808 be added at the end of each calendar year, from the end of the  
809 calendar year in which such contribution was made to the  
810 date the retirement allowance is to commence.

811 "2. One-third of one per cent ( $\frac{1}{3}\%$ ) of the monthly rate of  
812 the total wages not in excess of three thousand dollars  
813 (\$3,000) annually received by the member during the twelve  
814 consecutive months of his period of prior service for which such  
815 total wages were at their greatest amount, multiplied by the  
816 years of prior service of the member credited hereunder, if any.

817 "Sec. 55. A member shall upon retirement at age fifty-five  
818 or later, under the provisions of section 52 receive a monthly  
819 retirement allowance which shall commence on the date of such  
820 retirement and shall be continued on the first day of each month  
821 thereafter during his lifetime. The amount of each monthly  
822 retirement allowance shall be determined in the same manner as  
823 provided in section 54, except that the amount of any monthly  
824 retirement allowance so determined in accordance with subsection  
825 2 of section 54 shall be reduced on an actuarial equivalent basis  
826 for the period that the retirement date precedes the first day of  
827 the month next following or coinciding with the date he attains  
828 the age of sixty-five.

829 "If the monthly retirement allowance of any member as computed  
830 under the provisions of sections 54 and 55 shall be less than eight

831 and thirty-three hundredth dollars (\$8.33) per month, such  
832 retirement allowance shall be payable semiannually, commencing  
833 on the member's retirement date, equal in amount to the actuarial  
834 equivalent of the monthly retirement allowance otherwise payable.

835 "Sec. 56. Each member shall have the right at any time prior  
836 to his retirement date to elect to have his retirement allowance  
837 payable under the option hereinafter set forth in this section in  
838 lieu of the retirement allowance otherwise payable to him upon  
839 retirement under any of the provisions of the retirement system.  
840 The amount of any optional retirement allowance shall be the  
841 actuarial equivalent of the amount of such retirement allowance  
842 otherwise payable to him. The member shall make such an election  
843 by written request to the commission and such an election will be  
844 subject to the approval of the commission.

845 "1. A member may elect to receive a decreased retirement  
846 allowance during his lifetime and have such decreased retirement  
847 allowance (or a designated fraction thereof) continued after his  
848 death to another person, called a contingent annuitant, during  
849 the lifetime of the contingent annuitant. In case of such an  
850 election, no death benefits, as might otherwise be provided by  
851 this chapter, will be payable upon the death of either the member  
852 or the contingent annuitant after the member's retirement.

853 "2. The election by a member of the contingent annuitant  
854 of the option stated under subsection 1 of this section shall be  
855 null and void if the member dies prior to retirement.

856 "3. A member who had elected to take the option stated in  
857 subsection 1 of this section may, at any time prior to his  
858 retirement, revoke such an election by written notice to the  
859 commission.

860 "Sec. 57. 1. If a member dies prior to the date his  
861 first retirement allowance is payable under the retirement  
862 system, the accumulated contributions by the member at date  
863 of death will be payable to his beneficiary.

864 "2. If a member dies after the date his first retirement  
865 allowance is payable under the retirement system, the excess,  
866 if any, of the accumulated contributions by the member as  
867 of said date, over the total monthly retirement allowances  
868 received by him under the retirement system will be paid  
869 to his beneficiary unless the retirement allowance is then  
870 being paid in accordance with subsection 1 of section 56.

871 "3. Other than as provided above in subsections 1 and  
872 2 of this section, or section 56, all rights to any benefits  
873 under the retirement system will cease upon the death of  
874 a member.

875 "Sec. 58. All rights to all benefits under the retirement  
876 system will cease upon a member's termination of employment  
877 with the employer prior to his retirement, other than by death,  
878 except as provided hereafter:

879 "1. Upon the termination of employment with the employer  
880 prior to retirement other than by death of a member, the

881 accumulated contributions by the member at the date of such  
882 termination will be paid to such member, except as may be  
883 provided in subsection 2 and subsection 5 of this section

884 "2. If the employment with the employer of a member is  
885 terminated prior to his retirement, other than by death, but  
886 after he has either (a) attained the age of forty-eight and  
887 completed at least eight years of service, or (b) has attained  
888 the age of fifty-five, he shall receive a monthly retirement  
889 allowance commencing on the first day of the month next  
890 following or coinciding with the date he attains the age of  
891 sixty-five, if he is then alive, or, if the member so elects  
892 in accordance with section 50 of this chapter, commencing on  
893 the first day of any month coinciding with or next following  
894 the date he attains the age of fifty-five and prior to the  
895 date he attains the age of sixty-five, and continuing on the  
896 first day of each month thereafter during his lifetime, provided  
897 the member does not receive prior to the date his retirement  
898 allowance is to commence, a refund of his accumulated contributions  
899 under any of the provisions of this chapter. The amount  
900 of each such monthly retirement allowance shall be determined  
901 as provided in either section 54 of this chapter or in section  
902 55 of this chapter, whichever is applicable, but if such  
903 monthly benefit is less than eight and thirty-three hundredths  
904 dollars (\$8.33) per month, it shall be paid semiannually as  
905 provided in section 55.

906 "3. A member who is entitled to the benefits of subsection  
907 2 of this section shall have the right, prior to the commencement  
908 of his retirement allowance, to receive a refund of his accumulated  
909 contributions, and in the event of the death of the member  
910 prior to the commencement of his retirement allowance and  
911 prior to the receipt of any such refund the benefits of subsection  
912 1 of section 56 of this chapter shall be paid.

913 "4. No member shall be entitled to any refund based  
914 upon any credit for prior service as determined under the  
915 provisions of section 48 or for any portion of any contribution  
916 made by an employer unless otherwise provided by this act.

917 "5. Any member whose employment is terminated after he  
918 has accumulated five or more years of employment, either under  
919 the provisions of this act or as a result of prior service  
920 credits, may elect to leave his accumulated contributions in  
921 the retirement fund. A member shall not be considered as  
922 having terminated his employment if he accepts other employment  
923 in the State of Iowa under which he is eligible to membership  
924 in the Iowa public employees' retirement system, within three  
925 (3) months after he has left public employment. In the event  
926 he returns to public employment at any time within five  
927 years after this termination of employment he shall be  
928 entitled to resume membership in the system with the same  
929 credits for prior service and accumulated contributions that  
930 he had earned when his original employment was terminated.

931 No interest shall be credited on his accumulated contributions  
932 nor on his employers' accumulated contributions during the  
933 period from the time of his termination of employment to  
934 his resumption of employment. Any member who has resumed  
935 employment under the provisions of this subsection shall  
936 not be eligible for any second period of absence from membership  
937 as a result of termination of service until he shall have  
938 been employed for a period of five years or more from the  
939 date of resumption of employment. Unless a member terminating  
940 employment elects at the time or prior to the time his employment  
941 is terminated, his accumulated contributions shall be returned  
942 to him. In any case, where a member elects not to receive  
943 his accumulated contributions and does not resume public  
944 service within five years from the date of termination of  
945 employment, his accumulated contributions shall be refunded  
946 to him, at the end of the five years immediately following  
947 his termination of employment, or in the event of his prior  
948 death, to his beneficiary or his estate, but in no case shall  
949 interest be allowed upon his accumulated contributions for  
950 any period he is not an employee.

951 "Any member who elects not to withdraw his accumulated  
952 contributions upon termination of employment may at any time  
953 request the return of his accumulated contributions, but if  
954 he receives such return of contributions he shall be deemed  
955 to have waived all claims for any other benefits from the fund.

956 "Sec. 59. Anything in this chapter to the contrary  
957 notwithstanding, the sum of all the amounts payable by the  
958 State of Iowa into the retirement fund established by this act  
959 shall never exceed the principal amount of the bonds issued  
960 hereunder.

961 "Sec. 60. The assets of the old age and survivors'  
962 liquidation fund, established by House File 139, Acts of  
963 the Fifty-fifth General Assembly, and any future payments  
964 or assets payable to the old age and survivors' liquidation  
965 fund, are hereby transferred to the retirement fund and all  
966 payments hereafter due in accordance with the provisions  
967 of said act shall be paid from the retirement fund, and  
968 the liability for such payments shall be considered as  
969 allowances arising from prior service as provided in this act.

970 "Sec. 61. The commission shall prepare and distribute  
971 to the employees, at the expense of the state and in such a  
972 manner as it shall deem appropriate, information concerning  
973 the retirement system.

974 "Sec. 62. To enable the commission to perform its functions,  
975 the employer shall upon the request of the commission  
976 supply full and timely information to the commission of all  
977 matters relating to the pay of all members, date of birth,  
978 their retirement, death or other cause for termination of  
979 employment, and such other pertinent facts as the commission  
980 may require.

981 "Sec. 63. The commission shall employ an actuary as its  
982 technical advisor. The compensation of the actuary and of  
983 other employees shall be fixed by the commission within the  
984 appropriations made therefor.

985 "Sec. 64. At least once in each two-year period, the  
986 commission shall cause an actuarial investigation to be made  
987 of all experience under the retirement system. Pursuant to  
988 such an investigation, the commission shall, from time to time,  
989 determine upon an actuarial basis the condition of the system  
990 and shall report to the General Assembly its findings and  
991 recommendations. The commission shall adopt from time to time  
992 mortality tables and all other necessary factors for use in all  
993 actuarial calculations required in connection with the  
994 retirement system.

995 "Sec. 65. The commission shall cause an annual valuation  
996 to be made of the assets and liabilities of the retirement  
997 system and shall prepare an annual statement of the amounts  
998 to be contributed by the employer under this chapter, and shall  
999 publish annually such valuation of the assets and liabilities  
1000 and the statement of receipts and disbursements of the retirement  
1001 system.

1002 "Sec. 66. Every employee accepting employment or continuing  
1003 in employment who has elected to become a member shall as long  
1004 as he continues to be a member and has not become a member of  
1005 another retirement system in the state which is maintained in  
1006 whole or in part by public contributions or payments be deemed  
1007 to consent and agree to any deductions from his compensation  
1008 required by this chapter and to all other provisions thereof.

1009 "Sec. 67. Nothing in this act shall be deemed to exclude  
1010 from coverage, under the provisions of this act, any public  
1011 employee who is not, on or as of the effective date of this act,  
1012 a member of another retirement system supported by public funds.  
1013 All such employees upon election and their employers shall be  
1014 required to make contributions as specified as to other public  
1015 employees and employers.

1016 "Sec. 68. None of the laws of this state regulating insurance  
1017 or insurance companies shall apply to the commission or to the  
1018 Iowa public employees' retirement system or any of its funds.

1019 "Sec. 69. The right is reserved to the General Assembly to  
1020 alter, amend, or repeal any provision of this chapter or any  
1021 application thereof to any person, provided, however, that to  
1022 the extent of the funds in the retirement system the amount of  
1023 benefits which at the time of any such alteration, amendment,  
1024 or repeal shall have accrued to any member of the system shall  
1025 not be repudiated, provided further, however, that the amount  
1026 of benefits accrued on account of prior service shall be  
1027 adjusted to the extent of any refunded accrued liability then  
1028 outstanding.

1029 "Sec. 70. Each member of the Iowa employment security  
1030 commission shall be paid for his services, in addition to his

1031 compensation now provided in section 96.10, Code 1950, the sum  
1032 of one thousand dollars (\$1,000) per year, payable monthly,  
1033 to be paid from the funds hereby appropriated for the  
1034 administration of this chapter.

1035 "Sec. 71. Nothing in this act shall be interpreted as  
1036 removing the Iowa Employment Security Commission out from  
under  
1037 the provisions of section eight point five (8.5), Code 1950,  
1038 as amended by chapter forty-five (45), Acts of the Fifty-fourth  
1039 General Assembly.

1040 "Sec. 72. This law, after legal publication shall be submitted  
1041 to the people of this state at the general election to be held  
1042 in November, nineteen hundred fifty-four, and shall not take  
1043 effect unless at such election it shall receive a majority of  
1044 all votes cast for and against it. Separate ballots shall be  
1045 provided for the electors which shall be in substantially the  
1046 following form:

1047 " (Notice to voters: For an affirmative vote upon any  
1048 question submitted upon this ballot, mark a cross in the  
1049 square after the word 'yes'. For a negative vote, make a  
1050 similar mark in the square following the word 'No'.)

1051 " 'Shall the following public measure, being an act of .Yes ( )  
1052 the 55th General Assembly, be adopted and approved?' .No ( )  
1053 (Here insert in full this law).

1054 "Sec. 73. 'This act shall take effect January 1, 1955, after its  
1055 adoption and approval at such election.'

1056 "Further amend House File 140 by striking all after the word  
1057 'ACT' in the title and inserting in lieu thereof the following:

1058 " 'authorizing the State of Iowa to become indebted in the  
1059 amount of seventy-five million dollars (\$75,000,000) and  
1060 providing for the issuance and sale of bonds of said state in  
1061 evidence thereof, to procure funds to aid in the operation of the  
1062 Iowa public employees' retirement system and creating an Iowa  
1063 public employees' retirement system, providing for the  
1064 administration of such retirement system by the Iowa employment  
1065 security commission; creating an Iowa public employees' retire-  
ment  
1066 fund and providing for the investment and expenditure thereof;  
1067 creating an Iowa advisory investment board and prescribing the  
1068 appointment and duties thereof; imposing a tax of three and  
1069 one-half per cent (3½%) of the taxable wages paid to public  
1070 employees who are members of the retirement systm by public  
1071 employers, the proceeds of such tax to be used for the payment  
1072 of benefits or refunds provided by this act; providing for the  
1073 imposition of a tax upon public employers equal to three and  
1074 one-half per cent (3½%) of all the wages paid by the employer to  
1075 employees who are members of the Iowa public retirement system,  
1076 the proceeds of such tax to be used for the payment of benefits  
1077 or refunds provided by this act; prescribing the duties of the  
1078 Iowa employment security commission in relation to the

1079 administration of this act; providing for the payment to  
 1080 employees who are members of this system, or to their bene-  
 ficiaries,  
 1081 of retirement benefits provided by this act; providing for refunds  
 1082 to Iowa employees who are members of the system under  
 1083 certain conditions prescribed by this act; transferring the assets  
 1084 of the old age and survivors' liquidation fund to the Iowa public  
 1085 employees' retirement fund—all relating to the establishment  
 1086 and administration of the Iowa public employees' retirement  
 1087 system.'"

X. T. PRENTIS.  
 FRANK C. BYERS.  
 ALAN VEST.  
 JOHN P. BERG.  
 STANLEY L. HART.  
 L. M. BOOTHBY.  
 GEORGE L. SCOTT.  
 J. T. DYKHOUSE.  
 JAY C. COLBURN.  
 J. KENDALL LYNES.  
 DON RISK.  
 G. E. WHITEHEAD.  
 JACOB GRIMSTEAD.  
 D. C. NOLAN.  
 ERWIN SCHOENING.  
 E. C. MYRLAND.  
 A. J. JOHNSON.  
 DUANE E. DEWEL.  
 C. EMORY STEWART.  
 HENRY W. WASHBURN.  
 R. R. BATESON.  
 THOMAS C. LARSON.  
 EARL C. FISHBAUGH, JR.  
 W. ELDON WALTER.  
 CHARLES W. NELSON.  
 JAMES H. NESMITH.  
 HARRY E. WATSON.

- 1 1. Amend House File 317, section 3, by inserting following
- 2 the words "or by a" in line 5 thereof the following: "mechanical
- 3 or electrical directional".
- 4 2. Further amend House File 317, section 4, by inserting
- 5 following the word "white" in line 2 thereof the following:
- 6 " , yellow or amber".
- 7 3. Further amend House File 317, section 4, by inserting
- 8 following the word "red" in line 3 the following: " , yellow or
- 9 amber".
- 10 4. Further amend House File 317, section 4, by striking
- 11 the word "or in line 8 and inserting in lieu thereof the word
- 12 "and".
- 13 5. Further amend House File 317, by striking all of section

14 5 and inserting in lieu thereof the following: "After the  
15 thirty-first (31st) day of December, 1953, it shall be unlawful  
16 for any person to sell or offer for sale or operate on the  
17 highways of the State of Iowa any vehicle subject to registration  
18 under the provisions of chapter three hundred twenty-one (321),  
19 Code 1950, which has never been registered in this or any other  
20 state prior to January 1, 1954, unless such vehicle is equipped  
21 with a directional signal device of a type approved by the  
22 department and is in compliance with the provisions of section  
23 4 of this act. Motorcycles, motor scooters, bicycles with motor  
24 attached and semi-trailers and trailers less than forty (40)  
25 inches in width are exempt from the provisions of this section.

26 6. Further amend House File 317, section 6, by striking  
27 the word "self-illuminated" in line 5 and inserting in lieu  
28 thereof the following: "self-illuminated".

29 7. Further amend House File 317 by adding the following  
30 new section thereto:

31 "Amend section three hundred twenty-one point four hundred  
32 twenty-two (321.422), Code 1950, by inserting following the word  
33 "lights" in the last line thereof the words, "and directional  
34 signals".

35 8. Amend the title to House File 317 by striking the  
36 word "section" in line one (1) and inserting in lieu thereof  
37 the word "sections".

38 9. Further amend the title to House File 317 by inserting  
39 after the figure "(321.390)" in line 2 thereof the following:  
40 "and three hundred twenty-one point four hundred twenty-two  
41 (321.422)".

JAY C. COLBURN.

1 Amend House File 441 by striking line 4 and inserting in  
2 lieu thereof the following: "ten dollars".

DUANE E. DEWEL.

On motion of Senator Zastrow, the Senate adjourned until 11:00  
a.m., Monday, April 20, 1953.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 20, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend Ernest Worden, pastor of the Christian Church, Creston, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Stewart of Mahaska for the day on request of Senator Dykhouse.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator Heideman from thirty residents of Webster County favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance.

By Senator Lucas from ninety-six residents of Story County favoring proposed legislation relating to construction of sanitary facilities at Clear Lake.

By Senator Schoening from fourteen residents of Clinton County in opposition to legislation increasing the state income tax.

## PRESENTATION OF VISITORS

Senator Weichman asked and received unanimous consent to present to the Senate ten members of the senior class of the Iowa Braille and Sight-Saving School, Vinton, Iowa, who were present in the balcony accompanied by their superintendent, D. W. Overbeay, and their principal, Durwood Hutchinson.

Senator Vest asked and received unanimous consent to present to the Senate seventeen members of the fourth grade class of the Rippey Public School who were present in the balcony accompanied by their instructor, Mrs. Osborn.

## INTRODUCTION OF BILL

Senate File 448, 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, 1953, and ending June 30, 1955, to the board of education for the support, maintenance, repairs, replacements, alterations or equipment of institutions under said board of education.

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 refused to concur in Senate amendments to House File 496, a bill for an act providing for an appropriation to the department of public instruction for supplemental aid to certain school districts of the state.

Also: That the House has refused to concur in Senate amendments to House File 497, a bill for an act providing for an appropriation to the department of public instruction to general state aid for school districts.

Also: That the House has concurred in Senate amendments to and passed House File 502, a bill for an act providing for an appropriation to the department of public instruction for specified school aid.

Also: That the House has refused to concur in Senate amendments to House File 508, a bill for an act providing for an appropriation to the soil conservation committee.

A. C. GUSTAFSON, *Chief Clerk.*

On motion of Senator Zastrow, the Senate recessed until the fall of the gavel.

The Senate reconvened, President pro tempore Hart presiding.

On motion of Senator Byers, the Senate recessed until 2:00 p.m.

## AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

## HOUSE AMENDMENTS CONSIDERED

Senator Weichman called up for consideration Senate File 388, a bill for an act to amend section one (1) of chapter one hundred twenty-eight (128), Acts of the Fifty-fourth General Assembly, relating to the maximum legal weights of any axles or group of axles or on entire vehicles or combinations of vehicles, and the

providing of penalties for violation thereof, amended by the House, and the House amendments found on pages 960 and 961 of the Senate Journal.

Senator Fishbaugh called up the amendment to the House amendment filed by him and found on pages 1016 and 1017 of the Senate Journal.

Senator Fishbaugh offered the following amendment to the amendment and moved its adoption :

Amend the Fishbaugh amendment to the House amendment on Senate File 388, section 2, following line 26, by inserting after the period the following: "For a combined gross weight exceeding sixteen (16) tons and not exceeding seventeen (17) tons, four hundred eighty-five dollars (\$485)."

2. Also amend by striking lines 63, 64, 65 and 66 and inserting in lieu thereof the following:

"For a combined gross weight exceeding twenty-nine (29) tons; the fee for a combined gross weight of twenty-nine (29) tons and in addition thereto, one hundred fifty dollars (\$150) for each ton over twenty-nine (29) tons."

The amendment to the amendment was adopted.

Senator Bekman raised a point of order for the reason that the amendment was not germane to the subject matter of the bill.

The Chair ruled the point not well taken and that the amendment was in order.

Senator Fishbaugh moved the adoption of the amendment as amended and requested a roll call.

Senator Bekman moved as a substitute motion that Senate File 388 and the amendments thereto be re-referred to the committee on highways for further study.

The substitute motion was lost.

Senator Weichman moved the previous question on the amendment as amended, which motion prevailed.

On the question "Shall the amendment as amended be adopted?" the vote was:

Ayes, 9:			
Byers	Larson	Prentis	Watson of
Dewel	Molison	Scott	Pottawattamie
Fishbaugh	Nelson		

## Nays, 33:

Anderson	Dykhouse	Myrland	Utzig
Bateson	Elijah	Nesmith	Van Eaton
Bekman	Grimstead	Nolan	Walter
Bellman	Heideman	Oltman	Washburn
Berg	Johnson	O'Malley	Watson of
Boothby	Linnevold	Sayre	O'Brien
Clark	Lucas	Schoening	Weichman
Colburn	Lynes	Stuart of Lucas	Zastrow
Dailey	Miller		

## Absent or not voting, 8:

Hart	Lord	Stewart of	Vest
Hedin	Risk	Mahaska	Whitehead
Knudson			

The amendment as amended was lost.

Senator Weichman offered the following amendment to the House amendment:

Amend the House amendment to Senate File 388 by adding to section 4 the following: "It shall be illegal to operate a truck or motor vehicle with a gross weight exceeding the maximum legal weight of sixty-five thousand four hundred seventy-eight (65,478) pounds which shall include the tolerance, except that the state highway commission may grant permits for moving overweight vehicles or objects over the highway for a distance exceeding twenty-five miles."

Senator Weichman moved the adoption of the amendment to the House amendment and requested a roll call.

On the question "Shall the amendment to the House amendment be adopted?" the vote was:

## Ayes, 14:

Byers	Linnevold	Prentis	Watson of
Elijah	Lynes	Risk	Pottawattamie
Fishbaugh	Molison	Scott	Weichman
Larson	Myrland	Walter	

## Nays, 28:

Anderson	Dailey	Miller	Stuart of Lucas
Bateson	Dewel	Nelson	Utzig
Bekman	Dykhouse	Nesmith	Van Eaton
Bellman	Grimstead	Nolan	Vest
Berg	Heideman	Oltman	Washburn
Boothby	Johnson	Sayre	Watson of
Clark	Lucas	Schoening	O'Brien
Colburn			

## Absent or not voting, 8:

Hart	Lord	Stewart of	Whitehead
Hedin	O'Malley	Mahaska	Zastrow
Knudson			

The amendment to the amendment was lost.

Senator Bekman asked and received unanimous consent to with-

draw the amendment to the House amendment to Senate File 388 filed by him and found on page 1047 of the Senate Journal.

On motion of Senator Weichman, the Senate concurred in the House amendments.

Senator Weichman moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

On the question "Shall the bill pass?" the vote was:

Ayes, 28:

Anderson	Dewel	Miller	Utzig
Bateson	Dykhouse	Nesmith	Van Eaton
Bekman	Elijah	Nolan	Vest
Bellman	Knudson	Oltman	Walter
Berg	Larson	O'Malley	Washburn
Boothby	Linnevold	Schoening	Watson of
Clark	Lynes	Stuart of Lucas	O'Brien
Colburn			

Nays, 12:

Fishbaugh	Myrland	Scott	Weichman
Grimstead	Nelson	Watson of	Zastrow
Heideman	Prentis	Pottawattamie	
Molison	Sayre		

Absent or not voting, 10:

Byers	Hedin	Lucas	Stewart of
Dailey	Johnson	Risk	Mahaska
Hart	Lord		Whitehead

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.

#### CONFERENCE COMMITTEES APPOINTED

Senator Lynes called up for further consideration House File 496, 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 supplemental aid to certain school districts of the state, and to amend chapter two hundred eighty-six (286), Code 1950, and moved that the Senate insist in its amendment to House File 496, which motion prevailed and the Senate insists on its amendment.

Senator Lynes called up for further consideration House File 497, a bill for an act to appropriate twenty-six million dollars (\$26,-

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, and moved that the Senate insist on its amendment to House File 497, which motion prevailed, and the Senate insists on its amendment.

Senator Lynes called up for further consideration House File 508, 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 seven hundred thousand dollars (\$700,000) to carry on soil conservation work in soil conservation districts as provided in chapter four hundred sixty-seven A (467A), Code 1950, and moved that the Senate insist on its amendment to House File 508, which motion prevailed, and the Senate insists on its amendment.

#### CONFERENCE COMMITTEE ON HOUSE FILE 496

President Elthon announced the appointment of Senators Prentis, Dykhouse, Bateson and Schoening on the part of the Senate on House File 496.

#### CONFERENCE COMMITTEE ON HOUSE FILE 497

President Elthon announced the appointment of Senators Prentis, Dykhouse, Bateson and Schoening on the part of the Senate on House File 497.

#### CONFERENCE COMMITTEE ON HOUSE FILE 508

President Elthon announced the appointment of Senators Mollison, Boothby, Dewel and Elijah on the part of the Senate on House File 508.

#### ACTION ON HOUSE FILE 140 DEFERRED

Senator Zastrow asked and received unanimous consent that action on House File 140 be deferred and that the bill retain its place on the calendar.

#### THIRD READING OF BILLS

On motion of Senator Dykhouse, House File 221, 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, was taken up, and considered.

Senator Miller asked and received unanimous consent to withdraw the amendment filed by him to House File 221 and found on page 500 of the Senate Journal.

Senator Dykhouse offered the following amendment and moved its adoption:

Amend House File 221, section 5, by striking all after the comma (,) in line 9 and inserting in lieu thereof the following: "and shall be returned to the county board of supervisors as quickly as possible; but in no event more than forty-five days after being presented."

The amendment was adopted.

Senator Dykhouse asked and received unanimous consent that action on House File 221 be deferred and that the bill be placed on the calender under unfinished business.

On motion of Senator Watson of Pottawattamie, House File 28, a bill for an act to amend chapter three hundred twenty-one A (321A), Code 1950, relating to motor vehicle financial responsibility to provide that whenever any person shall loan money on a motor vehicle or obtain a lien for any unpaid purchase price of a motor vehicle, and the transaction does not include liability insurance coverage which will protect the borrower or vendee under the Iowa financial responsibility act, a statement of that fact shall be contained in the instrument evidencing the transaction, and providing a penalty for violation of same, was taken up, and considered.

Senator Watson of Pottawattamie offered the following amendment and moved its adoption:

Amend House File 28 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Chapter three hundred twenty-one A (321A), Code 1950, is amended by adding thereto the following:

"Whenever any dealer licensed under chapter 322, Code 1950, sells a motor vehicle at retail and the transaction does not include the sale of liability insurance coverage which will protect the purchaser under the Iowa Motor Vehicle Financial and Safety Responsibility Act the purchase order or invoice evidencing the transaction shall contain a statement in the following form:

" "I understand that liability insurance coverage which would protect me under the Iowa Motor Vehicle Financial and Safety Responsibility

Act IS NOT INCLUDED in my purchase of the herein described motor vehicle. I have received a copy of this statement.

(Purchaser's signature) "

"The seller shall print or stamp said statement on the purchase order or invoice in distinctive color ink and with clearly visible letters. Said statement shall be signed by the purchaser in the space provided therein on or before the date of delivery of the motor vehicle described in the purchase order or invoice and a copy thereof shall be given to the purchaser by the seller."

"Sec. 2. No civil liability shall arise on account of the failure of any person to comply with the provisions of this Act.

"Sec. 3. Any person violating any provisions of this Act shall be deemed guilty of a misdemeanor and shall be punished by a fine not exceeding fifty dollars (\$50)."

2. Amend the title to House File 28, lines 3, 4, and 5 by striking the following: "person shall loan money on a motor vehicle or obtain a lien for any unpaid purchase price of a motor vehicle" and inserting in lieu thereof the following: "licensed motor vehicle dealer shall sell a motor vehicle".

3. Further amend the title to House File 28, line 7, by striking the following: "borrower or vendee" and inserting in lieu thereof the following: "purchaser".

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	Elijah	Molison	Utzig
Bateson	Fishbaugh	Nelson	Van Eaton
Bekman	Grimstead	Nesmith	Walter
Bellman	Hedin	Nolan	Washburn
Berg	Heideman	Oltman	Watson of
Boothby	Johnson	O'Malley	O'Brien
Byers	Knudson	Prentis	Watson of
Clark	Larson	Risk	Pottawattamie
Colburn	Linnevold	Sayre	Weichman
Dailey	Lucas	Schoening	Whithead
Dewel	Lynes	Scott	Zastrow
Dykhouse	Miller	Stuart of Lucas	

Nays, 1:

Vest

Absent or not voting, 4:

Hart	Lord	Myrland	Stewart of Mahaska
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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.

## REPORT OF THE SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar:

H. F. 185	H. F. 498	H. F. 117
H. F. 350	H. F. 441	H. F. 199
H. F. 505	S. F. 270	S. F. 20
H. F. 162	H. F. 390	H. F. 220
H. F. 278	S. F. 427	H. F. 91

RALPH W. ZASTROW, *Chairman.*

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Stuart of Lucas, 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 397 and Senate Joint Resolution 4; also, House Files 23, 138, 229, 362, 434, 480, 486, 494, 495, 509 and House Joint Resolution 18.

W. C. STUART, *Chairman Senate Committee.*

JOHN A. WALKER, *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 397 and Senate Joint Resolution 4; also, House Files 23, 138, 229, 362, 434, 480, 486, 494, 495, 509 and House Joint Resolution 18.

## BILLS SENT TO THE GOVERNOR

Senator Stuart of Lucas, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 20th day of April, 1953, sent to the Governor for his approval: Senate Files 10, 47, 71, 241 and 366.

W. C. STUART, *Chairman.*

Passed on file.

## REPORTS OF COMMITTEE

Senator Lynes submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred **Senate File 434**, a bill for an act providing for the creation of a special committee to make a study of the feasibility, location, construction, means of financing and mode of operation of a toll road or roads in the

State of Iowa, and to make recommendations to the Governor, prescribing the authority of such committee and making appropriation for expenses, 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 appropriations, to which was referred **House File 487**, a bill for an act to appropriate funds for certain capital improvements for institutions under the board of control including construction of new buildings, repair, improvements, replacements or alterations, and providing for the joint control of the expenditure thereof by the board of control, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass**:

Amend House File 487, section 1, by striking from lines 2 and 3 the words and figures "three million seven hundred thousand dollars (\$3,700,000.00)" and inserting in lieu thereof the words and figures "two million dollars (\$2,000,000)".

J. KENDALL LYNES, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 506**, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1953, and ending June 30, 1955, 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**.

J. KENDALL LYNES, *Chairman*.

Ordered passed on file.

## SENATE CONCURRENT RESOLUTION 21

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:

Executive Council, supplies and postage (Senate).....	\$580.04
Executive Council, supplies for multilith room (Senate).....	94.87
International Business Machines Corp., service on typewriter (Senate) .....	13.65
Koch Brothers, ribbons (Senate).....	9.00
Office Machine Supply Company, service on typewriters (Senate)	65.41
Storey Kenworthy Company, gavel, sign and pens (Senate).....	38.69

Storey Sound Recording Company, rental on Soundscribe to March 31 (Senate) .....	106.00
W. Eldon Walter, expenses for trip to Las Vegas (Senate).....	124.30
A. C. Gustafson, postage and miscellaneous expense (House)....	42.50
Dictaphone Corp., 4 months maintenance on machines (House)....	9.46
Des Moines Rubber Stamp Works, rubber stamps (House).....	7.45
Executive Council, supplies (House).....	950.37
International Business Machines Corp., maintenance (House).....	32.00
Des Moines Clean Towel Service, service for March (Joint).....	5.02
Shure Brothers, repair on microphones (House).....	13.37
Walter J. Massey, piano rental for memorial session (House).....	15.00

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.

#### MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 366 passed the Senate.

X. T. PRENTIS.

#### AMENDMENTS FILED

1 Amend Senate File 434, section 28, by striking  
2 from lines 16, 17 and 18 the following: "provided,  
3 that a sufficient number of gas stations may be  
4 authorized to be established in each service area to  
5 permit reasonable competition by private business in the  
6 public interest." and inserting in lieu thereof the  
7 following: "provided that if gasoline service stations  
8 or locations therefor are authorized on any turnpike  
9 then a sufficient number of such stations or locations  
10 shall be established to permit reasonable competition  
11 by private business in the public interest. Any person  
12 having acquired the right to use a gasoline service  
13 station or location therefor upon any turnpike may equip  
14 and operate the same or provide for the operation thereof  
15 by a third person but no person shall have the use of nor  
16 shall the automotive fuel products of any refiner, supplier  
17 or distributor be dispensed through (a) more than 20% of the  
18 service stations along any turnpike nor (b) more than  
19 one service station in the same service area."

HARRY E. WATSON.

D. C. NOLAN.

1 Amend Senate File 445 by adding thereto the following section:  
2 "Sec. 3. This act being deemed of immediate importance  
3 shall take effect and be in full force from and after its  
4 publication in the Fayette County Union, a newspaper  
5 published at West Union, Iowa, and in the Elgin Echo,  
6 a newspaper published at Elgin, Iowa."

GEORGE L. SCOTT.

## (1)

- 1 Further amend House File 140 by striking all of line
- 2 one (1) to line eight (8) and ending with the period
- 3 (.) in line eight (8) thereof of section fifty-four
- 4 (54).

HERMAN LORD.

## (2)

- 1 Amend House File 140 by striking the second comma (,) in
- 2 line 11 of subsection 1 of section
- 3 49 and inserting in lieu thereof the following:
- 4 "not to exceed two per cent (2%) per annum".

HERMAN LORD.

## (3)

- 1 Amend House File 140 by striking from lines 3 and 4 of
- 2 section 42 the following: "may at any time after the effective date
- 3 of this act elect to" and inserting in lieu thereof the word "shall".

HERMAN LORD.

## (4)

- 1 Amend House File 140 by striking the period (.) in line
- 2 ten (10) of section forty-two (42) and adding the following
- 3 thereto:
- 4 "which had been in operation prior to the effective
- 5 date of this act and was subsequently liquidated and may
- 6 have thereafter been reestablished in the manner provided
- 7 by law".

HERMAN LORD.

## (5)

- 1 Amend House File 140 by adding the following as a new sentence
- 2 at the end of section 63:
- 3 "Nothing in this act shall be deemed to prohibit the reestablishment
- 4 of a retirement system supported by public funds which had been in
- 5 operation prior to the effective date of this act and was subsequently
- 6 liquidated, provided such reestablishment shall be had in the manner
- 7 provided by law."

HERMAN LORD.

- 1 Amend House File 378 as follows:

- 2 1. Insert in line 6 of section 1 before the
- 3 word "all" the words "eighty per cent of".

- 4 2. Strike from line 2 of section 2 the words
- 5 "licensed under the banking laws of this state" and insert in
- 6 lieu thereof the words "authorized to transact business in this
- 7 state".

- 8 3. Insert in line 4 of section 2 after the
- 9 word "account" the words "or in one common trust fund under a
- 10 trust agreement".

DEVERE WATSON.  
L. M. BOOTHBY.  
E. K. BEKMAN.

1 Amend House File 378 as follows:

2 1. In line 9 of section 1 insert a period following the  
3 word "paid".

4 2. Strike from lines 9 and 10 of section 1 the words "unless  
5 said funds are sooner released to the person making such payment  
6 by mutual consent of the parties." and insert in lieu thereof  
7 the following: "Provided, however, that the said agreement may  
8 be cancelled at any time at the option of the person making such  
9 payments in which event, said trust funds, together with any  
10 accrued interest thereon, shall be returned to him."

11 3. Add to section 2 the following: "Such trust funds or  
12 trust fund shall be invested only in the classes of securities  
13 authorized by section six hundred eighty-two point twenty-three  
14 (682.23), Code 1950."

ELMER K. BEKMAN.

1 Amend House File 498 by striking paragraph (a) of section 2  
2 thereof and insert in lieu thereof the following: "a. A description  
3 of the perimeter of the entire property proposed to be annexed and  
4 a list of each property owner therein as shown by the plat books  
5 in the office of the county auditor."

PHILIP T. HEDIN.

On motion of Senator Zastrow, the Senate adjourned until 9:00  
a.m., Tuesday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 21, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend Z. F. Pauk, pastor of the Presbyterian Church, Cedar Rapids, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Linnevold for the day on request of Senator Johnson; Senator Stewart of Mahaska for the day on request of Senator Dykhouse.

## PETITIONS AND MEMORIALS

The following petitions were presented and placed on file:

By Senator O'Malley from two hundred twenty-two residents of Polk County urging legislation that will not in any way deprive any employee of any rights he may have paid for in the Iowa Old Age and Survivors' Insurance system.

By Senator Schoening from fourteen residents of Clinton County favoring proposed legislation relating to the rate of tax imposed on income.

## PRESENTATION OF VISITORS

Senator Hart announced the arrival in the Senate chamber of the Honorable Vernon L. Clark, national chairman, U. S. Bond Division, Treasury Department, Washington, D. C., and Miss Mary Pickford, of Hollywood, California; and moved that the President appoint a committee to escort our distinguished guests to the rostrum.

The motion prevailed and President Elthon appointed as such committee Senators Hart, Byers, Zastrow and O'Malley.

President Elthon presented Miss Pickford, America's sweetheart, who spoke in behalf of the War Savings Bond Drive of which she is serving as associate chairman for security.

The committee appointed appeared and escorted the distinguished guests from the chamber.

Senator Nesmith asked and received unanimous consent to present to the Senate sixteen students of the Des Moines Township No. 6 Public School of Prairie City, who were present in the balcony accompanied by their instructor, Mrs. Gertrude Thornton.

Senator O'Malley asked and received unanimous consent to present to the Senate thirty-two members of the 5A and 6A classes of the Windsor Public School who were present in the balcony accompanied by their instructor, Harriet Scanlon.

Senator O'Malley also asked and received unanimous consent to present to the Senate twenty-four members of the 6A class of the Howe Public School who were present in the balcony accompanied by their instructor, Irene O'Connell.

Senator Berg asked and received unanimous consent to present to the Senate the Honorable George M. Faul, a former member of the Senate from Polk County, who was present in the Senate chamber.

#### INTRODUCTION OF BILLS

Senate File 449, by committee on judiciary 2, a bill for an act to legalize the appointments of certain public officials by the Governor of Iowa which have been confirmed by the Senate.

Read first and second times, and referred to the sifting committee.

Senate File 450, by committee on military affairs, a bill for an act to amend section four hundred twenty-seven point three (427.3), Code 1950, relating to military service tax exemption and to grant a \$500 tax exemption to veterans of the Korean action.

Read first and second times, and passed on file.

#### COMMUNICATION

On motion of Senator Zastrow, the following communication was read by the Secretary of the Senate and ordered printed in the Senate Journal:

The Waldorf Astoria Towers,  
New York, New York,  
April 18, 1953.

The Honorable A. L. Mensing,  
Chairman, Joint Committee of Senate and House  
of the State of Iowa General Assembly,  
Des Moines, Iowa.

My dear Mr. Chairman:

I have received the invitation of the Assembly to attend a celebration at West Branch on August 10, 1954.

This invitation is indeed in itself a great honor from my native state. I want the committee and the members of the Assembly to know that I deeply appreciate it.

It is difficult to make such an undertaking at this time. I therefore would like to reply more definitely when we get nearer to that date.

Again may I express my obligation for the honor conveyed by the action of the Assembly.

Yours faithfully,  
HERBERT HOOVER.

### THIRD READING OF BILLS

On motion of Senator Nolan, Senate File 244, a bill for an act authorizing the State of Iowa to become indebted in the amount of three hundred million dollars (\$300,000,000) for the construction of primary highways therein, and providing for an issue and sale of bonds of said state in evidence thereof; providing for the imposition and collection of sufficient motor vehicle fuel taxes and license fees annually for the retirement thereof, and the creating of a special primary road fund as provided by section three hundred eight A point one (308A.1) and section three hundred eight A point two (308A.2), Code 1950, and section eight (8), article seven (VII), of the Constitution of the State of Iowa, to pay the principal and interest on said bonds, and providing for the submission of this act to the people to be voted on at the general election to be held in the year 1954, was taken up, and considered.

Senator Weichman offered the following amendment and moved its adoption:

1. Amend Senate File 244, lines 2 and 3 of section 1, by striking the words and figures "three hundred million dollars (\$300,000,000.00)" and inserting in lieu thereof the words and figures "two hundred million dollars (\$200,000,000)".

2. Further amend Senate File 244, lines 3 and 4 of section 2, by striking the words and figures "three hundred million dollars (\$300,000,000.00)" and inserting in lieu thereof the words and figures "two hundred million dollars (\$200,000,000)".

3. Amend the title to Senate File 244, lines 2 and 3, by striking the words and figures "three hundred million dollars (\$300,000,000.00)" and inserting in lieu thereof the words and figures "two hundred million dollars (\$200,000,000)".

The amendment was lost.

Senator Nolan offered the following amendment and moved its adoption:

Amend Senate File 244 by inserting after the word "easements" in line 9 of section 1 the following: "in fee or otherwise".

Further amend by inserting the following before the comma in line 4, section 2: "payable solely out of the Primary Road Fund as provided in sections three hundred eight point A one (308.A1) and three hundred eight point A two (308.A2), Code 1950".

The amendment was adopted.

Senator Nolan moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

The Chair announced that Senator Stewart of Mahaska had left a request to be recorded on voting on Senate File 244, which request was granted.

On the question "Shall the bill pass?" the vote was:

Ayes, 36:

Anderson	Hedin	O'Malley	Walter
Bekman	Heideman	Prentis	Washburn
Bellman	Johnson	Risk	Watson of
Berg	Larson	Sayre	O'Brien
Byers	Lord	Schoening	Watson of
Clark	Lucas	Scott	Pottawattamie
Colburn	Myrland	Stewart of	Weichman
Dalley	Nesmith	Mahaska	Whitehead
Dewel	Nolan	Stuart of Lucas	Zastrow
Hart	Oltman	Van Eaton	

Nays, 13:

Bateson	Fishbaugh	Lynes	Nelson
Boothby	Grimstead	Miller	Utzig
Dykhouse	Knudson	Molison	Vest
Elijah			

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.

Senator Nolan moved that the 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 Nolan asked and received unanimous consent that Senate File 244 be immediately messaged to the House, which request was complied with.

Senator Lynes asked and received unanimous consent to take up for consideration Senate File 434, a bill for an act providing for the creation of a special committee to make a study of the feasibility, location, construction, means of financing and mode of operation of a toll road or roads in the State of Iowa, and to make recommendations to the Governor, prescribing the authority of such committee and making appropriations for expenses, and for the construction, maintenance, repair and operation of toll road projects; creating the Iowa toll road authority and defining its powers and duties; granting it power to acquire necessary real and personal property and to exercise the power of condemnation; providing for financing the construction of such projects by the issuance of revenue bonds of the authority, payable solely from the revenues and funds provided for such payment; providing that no liability or debt of the state shall be incurred in the exercise of any such powers; providing for the collection of tolls and other revenues to pay such bonds and the interest thereon and the cost of construction, maintenance, repair and operation of such projects; exempting from taxes and assessments such toll road projects and such bonds and the interest therefrom; making such bonds eligible for certain investments; prescribing the powers and duties of the authority in connection with the foregoing and the rights and remedies of the holders of bonds issued under the provisions of this act; authorizing the issuance of revenue refunding bonds; and providing for the operation and supervision of the projects after the retirement of such bonds.

On motion of Senator Lynes, the report of committee recommending passage was taken up, considered, and adopted.

Senator Watson of O'Brien offered the following amendment filed by Senators Watson and Nolan and moved its adoption:

Amend Senate File 434, section 28, by striking from lines 16, 17 and 18 the following: "provided, that a sufficient number of gas stations may be authorized to be established in each service area to permit reasonable competition by private business in the public interest." and inserting in lieu thereof the following: "provided that if gasoline service stations or locations therefor are authorized on any turnpike then a sufficient number

of such stations or locations shall be established to permit reasonable competition by private business in the public interest. Any person having acquired the right to use a gasoline service station or location therefor upon any turnpike may equip and operate the same or provide for the operation thereof by a third person but no person shall have the use of nor shall the automotive fuel products of any refiner, supplier or distributor be dispensed through (a) more than 20% of the service stations along any turnpike nor (b) more than one service station in the same service area."

The amendment was adopted.

Senator Nolan offered the following amendment and moved its adoption:

Amend Senate File 434, section 1, line 5, by striking the figure "3" and inserting in lieu thereof the figure "8".

The amendment was adopted.

Senator Lynes moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 48:

Anderson	Fishbaugh	Myrland	Utzig
Bateson	Grimstead	Nelson	Van Eaton
Bekman	Hart	Nesmith	Vest
Bellman	Hedin	Nolan	Walter
Berg	Heideman	Oltman	Washburn
Boothby	Johnson	O'Malley	Watson of
Byers	Knudson	Prentis	O'Brien
Clark	Larson	Risk	Watson of
Colburn	Lord	Sayre	Pottawattamie
Dailey	Lucas	Schoening	Weichman
Dewel	Lynes	Scott	Whitehead
Dykhouse	Miller	Stuart of Lucas	Zastrow
Elijah	Molison		

Nays, none.

Absent or not voting, 2:

Linnevold	Stewart of
	Mahaska

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 434 be immediately messaged to the House, which request was complied with.

On motion of Senator Colburn, House File 317, a bill for an act to amend section three hundred twenty-one point three hundred ninety (321.390) and to repeal section three hundred twenty-one

point three hundred seventeen (321.317), Code 1950, relating to reflector requirements and directional signals on vehicles, was taken up, and considered.

Senator Colburn offered the following amendments and moved their adoption:

1. Amend House File 317, section 3, by inserting following the words "or by a" in line 5 thereof the following: "mechanical or electrical directional".

2. Further amend House File 317, section 4, by inserting following the word "white" in line 2 thereof the following: ", yellow or amber".

3. Further amend House File 317, section 4, by inserting following the word "red" in line 3 the following: ", yellow or amber".

4. Further amend House File 317, section 4, by striking the word "or" in line 8 and inserting in lieu thereof the word "and".

5. Further amend House File 317, by striking all of section 5 and inserting in lieu thereof the following:

"Sec. 5. After the thirty-first (31st) day of December, 1953, it shall be unlawful for any person to sell or offer for sale or operate on the highways of the State of Iowa any vehicle subject to registration under the provisions of chapter three hundred twenty-one (321), Code 1950, which has never been registered in this or any other state prior to January 1, 1954, unless such vehicle is equipped with a directional signal device of a type approved by the department and is in compliance with the provisions of section 4 of this act. Motorcycles, motor scooters, bicycles with motor attached and semi-trailers and trailers less the forty (40) inches in width are exempt from the provisions of this section.

6. Further amend House File 317, section 6, by striking the word "self-illuminated" in line 5 and inserting in lieu thereof the following: "self-illuminated".

7. Further amend House File 317 by adding the following new section thereto:

"Sec. 7. Amend section three hundred twenty-one point four hundred twenty-two (321.422), Code 1950, by inserting following the word "lights" in the last line thereof the words, "and directional signals".

8. Amend the title to House File 317 by striking the word "section" in line one (1) and inserting in lieu thereof the word "sections".

9. Further amend the title to House File 317 by inserting after the figure "(321.390)" in line 2 thereof the following: "and three hundred twenty-one point four hundred twenty-two (321.422)".

The amendments were adopted.

Senator Colburn moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

The Chair announced that Senator Linnevoold had left a written request to be recorded on voting House File 317, which request was granted.

On the question "Shall the bill pass?" the vote was:

Ayes, 47:

Anderson	Grimstead	Molison	Utzig
Bateson	Hart	Myrland	Van Eaton
Bekman	Hedin	Nelson	Vest
Bellman	Heideman	Nesmith	Walter
Berg	Johnson	Nolan	Washburn
Boothby	Knudson	Oltman	Watson of
Byers	Larson	O'Malley	O'Brien
Clark	Linnevold	Risk	Watson of
Colburn	Lord	Sayre	Pottawattamie
Dailey	Lucas	Schoening	Weichman
Dewel	Lynes	Scott	Whitehead
Dykhouse	Miller	Stuart of Lucas	Zastrow
Elijah			

Nays, 1:

Fishbaugh

Absent or not voting, 2:

Prentis	Stewart of Mahaska
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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 Zastrow, the Senate recessed until the fall of the gavel.

The Senate reconvened, President pro tempore Hart presiding.

On motion of Senator Zastrow, the Senate recessed until 1:30 p.m.

#### AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

#### EXECUTIVE SESSION

On motion of Senator Dewel, the Senate resolved itself into executive session.

The Senate arose from executive session and resumed regular session, President Elthon presiding.

#### HOUSE FILE 366 RECALLED FROM THE HOUSE

Senator Prentis asked and received unanimous consent that House File 366 be recalled from the House for further consideration.

## UNFINISHED BUSINESS

On motion of Senator Zastrow, House File 140, a bill for an act creating an Iowa public employees retirement system, providing for the administration of such retirement system by the Iowa employment security commission; creating an Iowa public employees' retirement fund and providing for the investment and expenditure thereof; creating an Iowa advisory investment board and prescribing the appointment and duties thereof; imposing a tax of three and one-half per cent ( $3\frac{1}{2}\%$ ) of the taxable wages paid to public employees who are members of the retirement system by public employers, the proceeds of such tax to be used for the payment of benefits or refunds provided by this act; providing for the imposition of a tax upon public employers equal to three and one-half per cent ( $3\frac{1}{2}\%$ ) of all the wages paid by the employer to employees who are members of the Iowa public retirement system, the proceeds of such tax to be used for the payment of benefits or refunds provided by this act; prescribing the duties of the Iowa employment security commission in relation to the administration of this act; providing for the payment to employees who are members of this system, or to their beneficiaries, of retirement benefits provided by this act; providing for refunds to Iowa public employees who are members of the system under certain conditions prescribed by this act; making an appropriation of one million seven hundred fifty thousand dollars (\$1,750,000) from the special reserve fund of the State of Iowa for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, or so much thereof as may be necessary, into the retirement fund for the maintenance of the retirement system upon a sound actuarial basis; transferring the assets of the old age and survivors' liquidation fund to the Iowa public employees' retirement fund—all relating to the establishment and administration of the Iowa public employees' retirement system, was taken up for further consideration.

Senator Lord offered the following amendment and moved its adoption:

Amend House File 140 in line 53 of section 41 by striking the figure "9." and inserting in lieu thereof the figure "10." and renumbering the following subsections.

The amendment was adopted.

Senator Lord offered the following amendment, and moved its adoption:

Amend House File 140 by striking the second comma (,) in line 11 of

subsection 1 of section 49 and inserting in lieu thereof the following: "not to exceed two per cent (2%) per annum".

The amendment was adopted.

Senator Lord offered the following amendment and moved its adoption:

Amend House File 140 by striking the period (.) in line 10 of section 42 and adding the following thereto:

"which had been in operation prior to the effective date of this act and was subsequently liquidated and may have thereafter been reestablished in the manner provided by law".

The amendment was adopted.

Senator Lord offered the following amendment:

Amend House File 140 by adding the following as a new sentence at the end of section 63:

"Nothing in this act shall be deemed to prohibit the reestablishment of a retirement system supported by public funds which had been in operation prior to the effective date of this act and was subsequently liquidated, provided such reestablishment shall be had in the manner provided by law."

On motion of Senator O'Malley, the amendment was adopted.

Senator Lord asked and received unanimous consent to withdraw the following amendment:

Further amend House File 140 by striking all of line 1 to line 8 and ending with the period (.) in line 8 thereof of section 54.

Senator Dailey offered the following amendment:

Amend House File 140 by striking the words and figures "one million seven hundred fifty thousand dollars (\$1,750,000.00)" in lines 3 and 4 of section 54 and inserting in lieu thereof the words and figures "five hundred thousand dollars (\$500,000)."

On motion of Senator Lord, the amendment was adopted.

Senator Dailey offered the following amendments, filed by Senators Lord and Dailey:

Amend House File 140 by striking the words and figures "one million seven hundred fifty thousand dollars (\$1,750,000.00)" in lines 4 and 5 of section 55 and inserting in lieu thereof the words and figures "five hundred thousand dollars (\$500,000)".

Further amend House File 140, section 42, by striking all of lines 1 to 5, inclusive, and that part of line 6 prior to the period (.) and inserting in lieu thereof the following: "Each employee whose employment commences after the effective date of this act or who has not qualified for credit for prior service rendered prior to the effective date of this act, shall become

a member upon the first day of the month following the month in which such employee is employed”.

On motion of Senator Dailey, the amendments were adopted.

Senator Dailey offered the following amendment and moved its adoption:

Amend House File 140 by striking the words and figures in line 1 of section 43 “July 1, 1953”, and inserting in lieu thereof the following: “The effective date of this act”.

The amendment was adopted.

Senator Dailey offered the following amendments:

1. Amend House File 140 by striking the following words in line six (6) of section forty-two (42): “makes such election” and insert in lieu thereof the following: “is employed”.

2. Further amend House File 140 by striking the comma (,) in line 6 of section 43 and all thereafter down to and including the period (.) in line 15, and insert a period (.) in lieu of said comma (,) in line 6 after the word “chapter”.

3. Further amend House File 140 by adding the following as a new sentence at the end of section 42: “The term ‘employee’ as used herein shall not include any individual performing any service in any calendar quarter in which the remuneration for such service does not equal or exceed the sum of two hundred dollars (\$200.00) or any services performed during school vacations or outside of school hours by individuals who are students and who devote their time and efforts chiefly to their studies, rather than to incidental employment.”

4. Amend House File 140 by striking the following words in line 2 of section 62: “who has elected to become a member”.

5. Further amend House File 140 by striking from lines 2 and 3 of section 1 the word and figures “July 1, 1953” and inserting in lieu thereof the following: “as of the effective date of this act”.

6. Further amend House File 140 by striking from line 84 of section 41 the word and figures “July 1, 1953” and inserting in lieu thereof the words “the effective date of this act”.

7. Amend by striking from lines 17 and 28 of section 43 the word and figures “July 1, 1953” and inserting in lieu thereof the words “as of the effective date of this act”.

8. Further amend House File 140 by striking from line 10 of section 49 in subsection 1 of said section the word and figures “July 1, 1953” and inserting in lieu thereof the words “the effective date of this act”.

Senator Dailey asked and received unanimous consent to withdraw divisions 1 and 2 of the amendment.

On motion of Senator Dailey, division 3 of the amendment was adopted.

On motion of Senator Dailey, division 4 of the amendment was adopted.

On motion of Senator Dailey, divisions 5, 6, 7 and 8 were adopted.

Senator Dailey offered the following amendment, filed by Senators Dailey and Lord, and moved its adoption:

Amend House File 140 by striking the following words in line 5 of section 63: "upon election".

The amendment was adopted.

Senator Lord asked and received unanimous consent to withdraw the following amendment:

Amend House File 140 by striking from lines 3 and 4 of section 42 the following: "may at any time after the effective date of this act elect to" and inserting in lieu thereof the word "shall".

#### MESSAGES FROM 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, providing that the action of joint claims committee shall be considered final.

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 making appropriations to certain named persons in settlement of 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 369, a bill for an act making appropriations to members of the legislative advisory committee.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 437, a bill for an act directing and authorizing payment to certain persons in settlement of claims arising out of administration of the conservation commission.

Also: That the House has concurred in Senate amendments to and passed House File 44, a bill for an act relating to the payment of sales and use tax by tax certifying and tax levying bodies.

Also: That the House has reconsidered the vote by which it passed House File 139, a bill for an act creating the Iowa Old Age and Survivors' Insurance liquidation fund, and has reconsidered the vote by which it concurred in Senate amendments thereto, and has further amended and concurred in said Senate amendments and passed House File 139.

Also: That the House has concurred in Senate amendments to and passed House File 222, a bill for an act relating to maximum length of certain vehicles.

Also: That the Speaker of the House has appointed as members of the conference committee on the part of the House on House File 496, a bill for an act providing for an appropriation to the department of public instruction for supplemental aid to certain school districts, Representatives Miller, Meyer, Goodé and Gallup.

Also: That the Speaker of the House has appointed as members of the conference committee on the part of the House on House File 497, a bill for an act providing for an appropriation to the department of public instruction to general state aid for school districts, Representatives Miller, Meyer, Goode and Gallup.

Also: I am directed to request the return for correction of House File 499, a bill for an act legalizing the proceedings for the issuance of garage bonds of the city of Grundy Center, Iowa.

Also: That the House has amended and concurred in Senate amendments to and passed House File 507, a bill for an act relating to an appropriation to the state fair board for the purpose of state aid to agricultural societies.

Also: That the Speaker of the House has appointed as members of the conference committee on the part of the House on House File 508, a bill for an act providing for an appropriation to the state soil conservation committee, Representatives Soeth, Patrick, Oppedahl and Eckels.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 514, a bill for an act making an appropriation for various departments and various divisions of the State of Iowa.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE FILE 139

Amend the Senate amendment to House File 139 by adding thereto the following:

"Further amend House File 139 by inserting in line 3 of section 2 after the word 'Survivors' the word 'Insurance'."

#### HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE FILE 507

Amend the Senate amendment to House File 507 by striking from lines 2 and 3 thereof the following: "except that in a county having more than one agricultural society" and insert in lieu thereof the following: "except that in a county where there are two definitely separate county extension offices".

#### HOUSE MESSAGE CONSIDERED

House File 514, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1953, and ending June 30, 1955, funds for various departments and various divisions thereof, of the State of Iowa, for the purposes provided by law, and to amend section six hundred five point one

(605.1), Code 1950, relating to salaries of judges of the district court, and section six hundred five point two (605.2), Code 1950, relating to expenses of the justices of the supreme court.

Read first and second times, and referred to committee on appropriations.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Stuart of Lucas, 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 26, 183, 190, 217, 298, 309, 383, 469, 479, 485, 500, 501, 502 and 513.

W. C. STUART, *Chairman Senate Committee.*

JOHN A. WALKER, *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 26, 183, 190, 217, 298, 309, 383, 469, 479, 485, 500, 501, 502 and 513.

#### BILLS SENT TO THE GOVERNOR

Senator Stuart of Lucas, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 21st day of April, 1953, sent to the Governor for his approval: Senate File 397 and Senate Joint Resolution 4.

W. C. STUART, *Chairman.*

Passed on file.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that, on April 21, 1953, the Governor had approved the following bills:

Senate File 10, relating to general county fund of Washington County.

Senate File 47, relating to the medical examiners board.

Senate File 71, relating to the operation of cemeteries.

Senate File 241, relating to standard provisions of fire insurance contracts.

Senate File 366, relating to fees for hearses.

## AMENDMENTS FILED

1 Amend Senate File 448 as follows:

2 1. By adding a new section thereto as follows: "Sec. 14. Chapter  
3 two hundred sixty-two (262), Code 1950, is hereby amended by  
4 thereto the following: "The state board of education shall pay  
5 to the local school boards the tuition payments for the elementary  
6 or high school education of students residing on land owned by  
7 the state and under the control of the state board of education.  
8 Such payments shall be made from funds of the respective institu-  
9 other than state appropriations'." tions

10 2. By striking the period at the end of the title thereof  
11 and substituting in lieu thereof the following: "and to amend  
12 chapter two hundred sixty two (262), Code 1950, relating to pay-  
13 ment of tuition for elementary or high school students residing  
14 on land under the control of the state board of education."

J. G. LUCAS.

J. KENDALL LYNES.

JOHN P. BERG.

D. C. NOLAN.

1 1. Amend Senate File 448, section 10, lines 4 and  
2 5, by striking the following words and figures: "three  
3 hundred thirteen thousand seven hundred dollars  
4 (\$313,700.00)" and by inserting in lieu thereof the  
5 following: "three hundred twenty-nine thousand nine  
6 hundred sixty-two dollars (\$329,962.00)".

7 2. Further amend Senate File 448, section 10,  
8 line 8, by striking the figures "\$293,200.00" and by  
9 inserting in lieu thereof the figures "\$309,462.00".

10 3. Further amend section 10 of Senate File 448  
11 by striking the figures "\$313,700" in line 12 and by  
12 inserting in lieu thereof the figures "\$329,962".

HARRY E. WEICHMAN.

1 Amend the Prentis amendment filed April 18, 1953, to  
2 House File 140 by striking section 72 and inserting in lieu  
3 thereof the following: Sec. 72. Sections 6 to 71, inclusive,  
4 hereof shall be in full force and effect from and after the  
5 15th day of July, 1953, up to and including the time of the  
6 official canvass of the vote at the general election of 1954  
7 at which time this entire act shall be submitted to the  
8 people of this state at the aforesaid general election and  
9 if at such election it shall receive a majority vote cast  
10 for and against it then this act shall continue to be in  
11 full force and effect. That there is appropriated out of  
12 the special reserve fund of the State of Iowa the sum of  
13 \$1,000,000 or so much thereof as may be necessary to  
14 carry out the provisions of this act until said act is voted  
15 upon by the people of this state as herein provided.

D. C. NOLAN.

1 Amend House File 221, section 5, by striking after the  
 2 period (.) in line 7 the following: "Such budget of  
 3 secondary road funds and revisions thereof shall be  
 4 approved by the state highway commission before becoming  
 5 effective, and shall be returned to the county board of  
 6 supervisors as quickly as possible; but in no event more  
 7 than forty-five days after being presented.", and inserting  
 8 in lieu thereof the following: "The budget of the said  
 9 secondary road funds shall be filed with the state highway  
 10 commission before becoming effective."

G. E. WHITEHEAD.  
 ERWIN SCHOENING.  
 LEON N. MILLER.  
 DUANE E. DEWELL.  
 E. C. MYRLAND.

1 Amend House File 514 by adding at the end of section 9  
 2 the following:  
 3 "There is hereby appropriated to the state conservation  
 4 commission, subject to the conditions hereinafter provided,  
 5 from the general fund of the state the sum of five hundred  
 6 thousand dollars (\$500,000) to be used for the assistance  
 7 by the state in the construction of sewage facilities in the  
 8 sanitary district of Clear Lake. Before any portion or all  
 9 of the sum appropriated herein shall be paid over by the state  
 10 treasurer to the treasurer of such sanitary district the  
 11 trustees of such sanitary district shall have authorized by  
 12 resolution the issuance of general obligation bonds of not less  
 13 than ninety per cent (90%) of the legal limit of five per cent  
 14 (5%) of the actual valuation of said real and personal property  
 15 in such district subject to the general property tax. Such  
 16 board of trustees shall also have authorized a millage levy of  
 17 two (2) mills on all taxable property within such district in  
 18 the year 1951, collectible in 1952 and for the year 1953,  
 19 collectible in 1954, and such district shall also, by resolution  
 20 pledge itself to the payment of all costs of operation in such  
 21 district, except that the State of Iowa shall be liable for  
 22 sewage disposal rentals from state owned lands lying within such  
 23 district in the same manner as any other benefited property within  
 24 the district. All of the amount appropriated herein by the State  
 25 of Iowa shall be used for actual construction of sewage facilities  
 26 within such district. No portion of this appropriation shall be  
 27 made available to such sanitary district, except upon authorization  
 28 of the budget and financial control committee to the state  
 29 treasurer. This appropriation shall be made in lieu of any  
 30 special assessment against any state owned property included  
 31 within such sanitary district."

H. M. KNUDSON.

On motion of Senator Nesmith, the Senate adjourned until 9:30  
 a.m., Wednesday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 22, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend Orville Mellquist, pastor of the First Baptist Church, Osage, Iowa.

## PETITION AND MEMORIAL

The following petition was presented and placed on file:

By Senator Stewart from forty-two residents of Mahaska County favoring the adoption of the report of the special study committee on Iowa Old Age and Survivors' Insurance.

## PRESENTATION OF VISITORS

Senator Sayre asked and received unanimous consent to present to the Senate twelve members of the Scott No. 8 Public School of Madison County who were present in the balcony accompanied by their instructor, Mrs. Elza Oglesbee.

Senator Bellman asked and received unanimous consent to present to the Senate six students of the Mount Olive School of Warren County who were present in the balcony accompanied by their instructor, Donald Crow.

## INTRODUCTION OF BILL

Senate File 451, by committee on appropriations, a bill for an act to appropriate from the general fund of the State of Iowa funds to augment the Iowa old age and survivors' insurance liquidation fund.

Read first and second times, and placed on the calendar.

## SENATE CONCURRENT RESOLUTION 20 RECONSIDERED

Senator Colburn asked and received unanimous consent that the Senate reconsider the vote by which Senate Concurrent Resolution 20, found on pages 1010 and 1011 of the Senate Journal, was adopted.

Senator Colburn offered the following amendment to the resolution and moved its adoption:

Amend Senate Concurrent Resolution 20 by striking all of lines 26 through 35 and inserting in lieu thereof the following:

*"Be It Further Resolved:* 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 now occupied and used by said General Assembly as may be necessary solely for the purpose of storing supplies and equipment as it may deem proper and advisable and 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 amendment was adopted.

On motion of Senator Colburn, the resolution as amended 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 222, a bill for an act providing for the reopening of East Walnut Street through the Capitol Extension Grounds.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 432, a bill for an act providing for an appropriation for institutions under the control of the state board of education.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 433, a bill for an act making an appropriation for institutions under control of the state board of education.

Also: I am directed to request your honorable body to return Senate File 437, a bill for an act authorizing payment to certain persons in settlement of claims arising out of administration of the conservation commission, for further consideration.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 27, creating a capitol improvement commission.

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 recognition of the 50th anniversary of the farm demonstration in Iowa and the United States.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 29, providing for the presentation of chairs to the President of the Senate and Speaker of the House.

Also: That the House has concurred in Senate amendments to and passed House File 28, a bill for an act relating to motor vehicle financial responsibility.

Also: That the House has concurred in Senate amendments to and passed House File 317, a bill for an act relating to reflector requirements and directional signals on vehicles.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 516, a bill for an act authorizing the purchase of certain real estate adjoining the Men's Reformatory at Anamosa, Iowa.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE CONCURRENT RESOLUTION 27

*Whereas*, it is becoming increasingly evident that some major repairs and rehabilitation are going to be necessary to preserve the exterior of the state capitol, and also that there is evidence that necessary repairs and improvements might well be made within the building itself;

*Now, Therefore, Be It Resolved by the House, the Senate Concurring*, That there is hereby created a capitol improvement commission, consisting of three members from the Senate to be appointed by the President of the Senate, and three members of the House to be appointed by the Speaker of the House, for the purpose of making a survey of the physical condition of the state capitol and making a report of such recommendations to the Fifty-sixth General Assembly for such improvements as said commission might deem proper and necessary.

*Be It Further Resolved*, That members of such commission shall perform its duties without any compensation.

#### HOUSE CONCURRENT RESOLUTION 28

For the recognition of the 50th anniversary of the farm demonstration in Iowa and the United States.

*Whereas*, this year marks the 50th anniversary of the development of a new idea of organized farmer self-learning, which in succeeding years has become the nucleus of what is known as cooperative extension work in the United States.

*Whereas*, Iowa and Iowa people contributed greatly to this movement through the work of such great agricultural leaders as Seaman A. Knapp, an early professor of agriculture and president of the Iowa State College and later a leader in the United States Department of Agriculture, and Perry G. Holden, the first director of the Iowa Extension Service. Dr. Knapp is generally credited with the originating farm demonstration work nationally at Terrill, Texas, in 1903.

*Whereas*, the first Iowa cooperative demonstration farm was established in Sioux County, Iowa, as a result of a resolution by an organized

group of Sioux County farmers meeting at Hull, Iowa, February 18, 1903; which resulted in cooperation from Iowa State College and appropriation of funds, land and assistance from the Board of Supervisors of that county; a movement which has set the pattern of the cooperative extension work.

*Whereas*, the Thirty-first Iowa General Assembly, in the year 1906, with great vision passed a law establishing the Iowa Agricultural Extension Service as a department coordinate with other departments of work at the Iowa State College; this being the first, so far as can be determined, to be so established by a state legislature in the United States.

*Now, Therefore, Be It Resolved, by the House of Representatives of the State of Iowa and the Senate Concurring*, That it is fitting that this assemblage should duly recognize the contributions made by the progressive farm people of Iowa, agricultural educators and the bold and far-sighted legislators of the past who made so great a contribution to the development of an enlightened and prosperous agriculture in our state.

#### HOUSE CONCURRENT RESOLUTION 29

*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 residence of the Speaker of the House and the President of the Senate.

*Be It Further Resolved*, That the Secretary of the Senate and the Chief Clerk of the House be authorized and directed to procure suitable name plates to be properly engraved and attached to the chairs.

#### HOUSE AMENDMENT TO SENATE FILE 222

Amend Senate File 222, section 1, line 9, by striking the words "and maintained".

#### HOUSE AMENDMENTS TO SENATE FILE 432

Amend Senate File 432 as follows:

1. Amend the title by striking all after the word "appropriate" in line 1 and inserting in lieu thereof the following: "funds for certain capital improvements for institutions under the board of education including construction of new buildings, repairs, improvements, replacements or alterations, and providing for the joint control of the expenditure thereof by the board of education and the budget and financial control committee."

2. Amend section 1, line 3, by striking after the word "from" the following: "the special reserve fund in".

3. Amend section 10 by striking the period after the word "Act" in the last line thereof and adding the following: ", unless the comptroller and Governor certify to the budget and financial control committee that in their judgment there are sufficient funds available in the general fund for the operation of state government at that time so as to make the use of the special reserve fund unnecessary during said biennium."

## HOUSE AMENDMENTS TO SENATE FILE 433

Amend Senate File 433 as follows:

1. Amend the title by striking all after the word "appropriate" in line 1 and inserting in lieu thereof the following: "funds for certain capital improvements for institutions under the board of education including construction of new buildings, repairs, improvements, replacements or alterations, and providing for the joint control of the expenditure thereof by the board of education and the budget and financial control committee."

2. Amend section 1, line 3, by striking after the word "from" the following: "the special reserve fund in".

3. Amend section 10 by striking the period after the word "Act" in the last line thereof and adding the following: ", unless the comptroller and Governor certify to the budget and financial control committee that in their judgment there are sufficient funds available in the general fund for the operation of state government at that time so as to make the use of the special reserve fund unnecessary during said biennium."

## HOUSE MESSAGE CONSIDERED

House File 516, a bill for an act to authorize the purchase of certain lots and parcels of real estate adjoining the Men's Reformatory at Anamosa, Iowa, and to provide an appropriation therefor.

Read first and second times, and referred to committee on appropriations.

## UNFINISHED BUSINESS

## (SPECIAL ORDER)

On motion of Senator Zastrow, House File 140, a bill for an act creating an Iowa public employees retirement system, providing for the administration of such retirement system by the Iowa employment security commission; creating an Iowa public employees' retirement fund and providing for the investment and expenditure thereof; creating an Iowa advisory investment board and prescribing the appointment and duties thereof; imposing a tax of three and one-half per cent (3½%) of the taxable wages paid to public employees who are members of the retirement system by public employers, the proceeds of such tax to be used for the payment of benefits or refunds provided by this act; providing for the imposition of a tax upon public employers equal to three and one-half per cent (3½%) of all the wages paid by the employer to employees who are members of the Iowa public retirement system, the proceeds of such tax to be used for the payment of benefits or refunds provided by this act; prescribing the duties of the Iowa employment

security commission in relation to the administration of this act; providing for the payment to employees who are members of this system, or to their beneficiaries, of retirement benefits provided by this act; providing for refunds to Iowa public employees who are members of the system under certain conditions prescribed by this act; making an appropriation of one million seven hundred fifty thousand dollars (\$1,750,000) from the special reserve fund of the State of Iowa for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, or so much thereof as may be necessary, into the retirement fund for the maintenance of the retirement system upon a sound actuarial basis; transferring the assets of the old age and survivors' liquidation fund to the Iowa public employees' retirement fund—all relating to the establishment and administration of the Iowa public employees' retirement system, was taken up for further consideration.

Senator Prentis called up the amendment to House File 140 filed by Senators Prentis, Byers, Vest, Berg, Hart, Boothby, Scott, Dykhouse, Colburn, Lynes, Risk, Whitehead, Grimstead, Nolan, Schoening, Myrland, Johnson, Dewel, Stewart, Washburn, Bateson, Larson, Fishbaugh, Walter, Nelson, Nesmith and Watson of O'Brien and found on pages 1066 to 1088, inclusive, of the Senate Journal.

On motion of Senator Zastrow, the Senate recessed until 1:00 p.m.

#### AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

The Chair announced that the Senate would resume consideration of House File 140.

Senator Prentis asked unanimous consent that action on House File 140 be deferred until the return of Senator Vest to the Senate chamber.

Objection was raised.

Senator Lord asked that the President of the Senate announce the call of the Senate filed with the Secretary.

President Elthon announced the following call of the Senate:

#### CALL OF THE SENATE

We, the following members of the Senate, request a "Call of the Senate"

on House File 140 and all amendments pursuant to Rule 5 of the Rules of the Senate:

R. W. ZASTROW.	R. R. BATESON.
W. C. STUART.	L. M. BOOTHBY.
HERMAN LORD.	D. E. DEWEL.
E. K. BEKMAN.	D. C. NOLAN.
THOMAS C. LARSON.	LORIN B. SAYRE.
H. E. HEIDEMAN.	ARNOLD UTZIG.
EARL ELIJAH.	LEON N. MILLER.
W. C. MOLISON.	WM. LINNEVOLD.
G. D. BELLMAN.	GEORGE E. O'MALLEY.
R. J. OLTMAN.	JACOB GRIMSTEAD.
THOMAS J. DAILEY.	

Roll call revealed several members of the Senate absent and the sergeant-at-arms was instructed to notify the absent members and enforce their attendance.

Senator Lynes asked and received unanimous consent that during the completion of the "Call of the Senate," the Senate proceed with matters of unfinished business at the desk.

#### HOUSE AMENDMENTS CONSIDERED

Senator O'Malley called up for consideration Senate File 222, a bill for an act to provide for the reopening of East Walnut Street through the "Capitol Extension Grounds" from Kasson Street to East Ninth Street and to provide for the permanent improvement of said street by paving, draining and lighting, to authorize the state highway commission to make the survey for said improvement and prepare plans and specifications therefor and to authorize the executive council to enter into a contract or contracts for the opening and improvement of said street, and to provide an appropriation therefor, amended by the House, and moved that the Senate concur in the House amendment.

The Senate concurred in the House amendment.

Senator O'Malley moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

On the question "Shall the bill pass?" the vote was:

Ayes, 44:

Bateson	Byers	Dewel	Grimstead
Bekman	Clark	Dykhous	Hart
Bellman	Colburn	Elijah	Hedin
Berg	Dailey	Fishbaugh	Heideman

Johnson	Myrland	Sayre	Walter
Knudson	Nelson	Schoening	Watson of
Linnevold	Nesmith	Scott	O'Brien
Lord	Nolan	Stewart of	Watson of
Lucas	Oltman	Mahaska	Pottawattamie
Lynes	O'Malley	Stuart of Lucas	Whitehead
Miller	Prentis	Utzig	Zastrow
Molison	Risk	Vest	

Nays, none.

Absent or not voting, 6:

Anderson	Larson	Washburn	Weichman
Boothby	Van Eaton		

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Lynes called up for further consideration House File 507, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1953, and ending June 30, 1955, to the state fair board for the purpose of state aid to agricultural societies, and the following:

#### HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE FILE 507

Amend the Senate amendment to House File 507 by striking from lines 2 and 3 thereof the following: "except that in a county having more than one agricultural society" and insert in lieu thereof the following: "except that in a county where there are two definitely separate county extension offices".

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 last time now, which motion prevailed, and the bill was read a last time.

On the question "Shall the bill pass?" the vote was:

Ayes, 44:

Bateson	Hart	Nelson	Stuart of Lucas
Bellman	Hedin	Nesmith	Utzig
Berg	Heideman	Nolan	Vest
Byers	Johnson	Oltman	Walter
Clark	Knudson	O'Malley	Watson of
Colburn	Linnevold	Prentis	O'Brien
Dailey	Lord	Risk	Watson of
Dewel	Lucas	Sayre	Pottawattamie
Dykhouse	Lynes	Schoening	Weichman
Elijah	Miller	Scott	Whitehead
Fishbaugh	Molison	Stewart of	Zastrow
Grimstead	Myrland	Mahaska	

Nays, none.

Absent or not voting, 6:

Anderson	Boothby	Van Eaton	Washburn
Bekman	Larson		

The bill having received a constitutional and two-thirds majority was declared to have passed the Senate and the title was agreed to.

#### UNFINISHED BUSINESS

Senator Dykhouse asked and received unanimous consent to take up for further consideration House File 221, 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.

Senator Stewart of Mahaska offered the following amendment:

Amend House File 221 by striking from section 21, line 10, the following: "three hundred nine point fifty-eight (309.58)."

Senator Utzig moved that House File 221 be laid on the table.

Senator Utzig asked and received unanimous consent to withdraw his motion.

Senator Whitehead moved that House File 221 be returned to the House for correction.

Senator Hart moved as a substitute motion that action on House File 221 be deferred and that the bill retain its place on the calendar, which motion prevailed and the substitution was made.

On motion of Senator Hart, the substitute motion was adopted.

#### THIRD READING OF BILLS

Senator Lynes asked and received unanimous consent to take up for consideration Senate File 445, 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.

On motion of Senator Lynes, the report of the committee without recommendation was taken up, considered, and the report was adopted.

Senator Bateson offered the following amendment and moved its adoption :

Amend section 1 of Senate File 445 by inserting between claim numbers H-252-53 and H-254-53 on page seven (7) of the printed bill the following:

"Theresa Hart, Admx.,                    H-253-53                    Death Claim    \$7,500.00"  
Eagle Grove, Iowa.

Senator Byers moved the previous question on the amendment, which motion prevailed.

The amendment was lost.

Senator Scott offered the following amendment and moved its adoption :

Amend Senate File 445 by adding thereto the following section :

"Sec. 3. This act being deemed of immediate importance shall take effect and be in full force from and after its publication in the Fayette County Union, a newspaper published at West Union, Iowa, and in the Elgin Echo, a newspaper published at Elgin, Iowa."

The amendment was lost.

Senator Miller moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was :

Ayes, 44 :

Anderson	Grimstead	Myrland	Stewart of
Bellman	Hart	Nelson	Mahaska
Berg	Hedin	Nesmith	Utzig
Boothby	Johnson	Nolan	Walter
Byers	Knudson	Oltman	Washburn
Clark	Larson	O'Malley	Watson of
Colburn	Linnevold	Prentis	O'Brien
Dailey	Lord	Risk	Watson of
Dewel	Lucas	Sayre	Pottawattamie
Dykhouse	Lynes	Schoering	Weichman
Elijah	Miller	Scott	Whitehead
Fishbaugh	Molison		Zastrow

Nays, none.

Absent or not voting, 6 :

Bateson	Heideman	Van Eaton	Vest
Bekman	Stuart of Lucas		

The bill having received a constitutional and two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Miller moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

## CALL OF THE SENATE

The Chair announced the completion of the call of the Senate on House File 140.

The Senate resumed consideration of House File 140, and the amendment filed by Senator Prentis and others.

Senator Nolan offered the following amendment to the amendment:

Amend the amendment by striking section 72 and inserting in lieu thereof the following: Sec. 72. Sections 6 to 71, inclusive, hereof shall be in full force and effect from and after the 15th day of July, 1953, up to and including the time of the official canvass of the vote at the general election of 1954 at which time this entire act shall be submitted to the people of this state at the aforesaid general election and if at such election it shall receive a majority vote cast for and against it then this act shall continue to be in full force and effect. That there is appropriated out of the special reserve fund of the State of Iowa the sum of \$1,000,000 or so much thereof as may be necessary to carry out the provisions of this act until said act is voted upon by the people of this state as herein provided.

Senator Nolan asked and received unanimous consent to change "15th" in the amendment to "4th".

Senator Nolan moved the adoption of the amendment to the amendment.

Roll call was requested.

On the question "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 11:

Anderson	Linnevoold	Molison	Stewart of
Colburn	Lucas	Nesmith	Mahaska
Knudson	Lynes	Nolan	Stuart of Lucas

Nays, 38:

Bateson	Elijah	Myrland	Vest
Bekman	Fishbaugh	Nelson	Walter
Bellman	Grimstead	Oltman	Washburn
Berg	Hart	O'Malley	Watson of
Boothby	Hedin	Prentis	O'Brien
Byers	Heideman	Risk	Watson of
Clark	Johnson	Schoening	Pottawattamie
Dailey	Larson	Scott	Weichman
Dewel	Lord	Utzig	Whitehead
Dykhouse	Miller	Van Eaton	Zastrow

Voting present, 1:

Sayre

The amendment to the amendment was lost.

Senator Prentis moved the adoption of the amendment, and requested a roll call.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 24:

Berg	Hart	Risk	Walter
Byers	Johnson	Schoening	Washburn
Clark	Lynes	Scott	Watson of
Colburn	Myrland	Stewart of	O'Brien
Dewel	Nelson	Mahaska	Weichman
Dykhouse	Nesmith	Vest	Whitehead
Fishbaugh	Prentis		

Nays, 25:

Anderson	Grimstead	Lucas	Stuart of Lucas
Bateson	Hedin	Miller	Utzig
Bekman	Heideman	Molison	Van Eaton
Bellman	Knudson	Nolan	Watson of
Boothby	Larson	Oltman	Pottawattamie
Dailey	Linnevold	O'Malley	Zastrow
Elijah	Lord		

Voting present, 1:

Sayre

The amendment was lost.

Senator Weichman offered the following amendment filed by Senators Weichman, Dykhouse, Berg and Watson of O'Brien, and moved its adoption:

1. Amend House File 140, section 41, subsection 10, line 84, by striking the word and figures "July 1, 1953" and inserting in lieu thereof the words and figures "after January 1, 1946".
2. Further amend House File 140, section 41, subsection 11, line 87, by striking the period "." after the word "member" and adding the following "after January 1, 1946".

Roll call was requested.

Rule 8 was invoked.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 23:

Berg	Larson	Nolan	Vest
Colburn	Linnevold	Prentis	Walter
Dewel	Lynes	Risk	Washburn
Dykhouse	Myrland	Schoening	Watson of
Fishbaugh	Nelson	Stewart of	O'Brien
Johnson	Nesmith	Mahaska	Weichman
Knudson			

Nays, 27:

Anderson	Bellman	Clark	Grimstead
Bateson	Boothby	Dailey	Hart
Bekman	Byers	Elijah	Hedin

Heideman	Molison	Scott	Watson of
Lord	Oltman	Stuart of Lucas	Pottawattamie
Lucas	O'Malley	Utzig	Whitehead
Miller	Sayre	Van Eaton	Zastrow

Absent or not voting, none.

The amendment was lost.

Senator O'Malley offered the following amendment and moved its adoption:

Amend House File 140 by adding the following new paragraph to section 43:

"Any person with a record of thirty years as a public employee in the State of Iowa prior to July 1, 1947, and who is not eligible for prior service credit under other provisions of this section, shall be entitled to a credit for years of prior service in the determination of the retirement allowance payment under any of the provisions of this chapter, provided such public employee makes application to the Employment Security Commission for such credit for prior public service, accompanied by such verification of his claim as the commission may require. His allowance for prior service credits shall be computed in the same manner as otherwise provided in this section, but shall not exceed the sum of four hundred fifty dollars (\$450) nor be less than three hundred dollars (\$300) per annum. Any such person shall be entitled to receive retirement allowances contributed as provided by this chapter, effective from the date of application to the Employment Security Commission, provided such application is approved.

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 28:

Bekman	Heideman	O'Malley	Vest
Byers	Linnevold	Prentis	Walter
Colburn	Lynes	Risk	Washburn
Dailey	Miller	Sayre	Watson of
Dewel	Myrland	Scott	O'Brien
Dykhouse	Nesmith	Utzig	Weichman
Hart	Oltman	Van Eaton	Whitehead
Hedin			

Nays, 20:

Anderson	Grimstead	Molison	Stuart of Lucas
Bateson	Johnson	Nelson	Watson of
Bellman	Knudson	Nolan	Pottawattamie
Boothby	Larson	Schoening	Zastrow
Clark	Lord	Stewart of	
Fishbaugh	Lucas	Mahaska	

Absent or not voting, 2:

Berg	Elijah
------	--------

The amendment was adopted.

Senator Nolan offered the following amendment:

Amend House File 140, section 42, line 10, by adding after the period (.) the following: "However the participation in such other retirement program shall be voluntary and shall not be a condition for continuance of employment."

Senator Nolan offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking in line 3 the word "program" and inserting in lieu thereof the word "system".

The amendment to the amendment was adopted.

On motion of Senator Nolan, the amendment as amended was adopted.

Senator Dailey offered the following amendment:

1. Amend House File 140, section 41, line 27, by striking the following: "Elective public officials." and inserting in lieu thereof the following: "Members of the General Assembly, elective officials in positions for which the compensation is on a fee basis, elective officials of school districts, elective officials of townships, and elective officials of other political subdivisions who are in part-time positions."

2. Further amend House File 140, section 42, line 3, by adding the following after the comma (,) therein: "or any publicly elected official of the state or any of its political subdivisions, other than members of the General Assembly, elective officials in positions for which the compensation is on a fee basis, elective officials of school districts, elective officials of townships, and elective officials of other political subdivisions who are in part-time positions,".

Senator Dailey offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking the following in lines 8 and 9: "line 3, by adding the following after the comma (,) therein:" and inserting in lieu thereof "by adding after the words and comma 'of this act,' the following:".

The amendment to the amendment was adopted.

On motion of Senator Dailey, the amendment as amended was adopted.

Senator Prentis asked and received unanimous consent to withdraw the following amendment:

Amend House File 140, section 5, by striking lines 1 to 15, inclusive, ending with the period following the word "cause".

President pro tempore Hart took the chair at 4:15 p.m.

Senator Prentis asked and received unanimous consent to withdraw the following amendment filed by Senator Prentis, et al.:

Amend House File 140 by striking all of sections 54 and 55 and inserting in lieu thereof the following and renumbering the remaining sections:

"The question shall be submitted to the people of the State of Iowa, at a special election, in such manner as this General Assembly shall provide, of whether or not the State of Iowa shall become indebted and bonds issued in an amount of one hundred and five million dollars (\$105,000,000) or so much thereof as may be necessary to liquidate the obligations of the State of Iowa as they accrue under this act."

Senator Knudson offered the following amendment and moved its adoption:

Amend House File 140, section 7, by striking period in line 21, substituting a comma and adding the following: "or other investments authorized by insurance companies in this state."

The amendment was adopted.

Senator Nolan asked and received unanimous consent to reconsider the vote by which the following amendment by Senator Lord was adopted:

Amend House File 140 by striking the period (.) in line 10 of section 42 and adding the following thereto:

"which had been in operation prior to the effective date of this act and was subsequently liquidated and may have thereafter been reestablished in the manner provided by law".

Senator Nolan offered the following amendment to the amendment and moved its adoption:

Amend the amendment by inserting a period after the word "reestablished" and striking the words "in the manner provided by law".

The amendment to the amendment was adopted.

On motion of Senator Lord, the amendment as amended was adopted.

Senator Nolan asked and received unanimous consent to reconsider the vote by which the following amendment by Senator Lord was adopted:

Amend House File 140 by adding the following as a new sentence at the end of section 63:

"Nothing in this act shall be deemed to prohibit the reestablishment of a retirement system supported by public funds which had been in operation prior to the effective date of this act and was subsequently liquidated, provided such reestablishment shall be had in the manner provided by law."

Senator Nolan offered the following amendment to the amendment and moved its adoption:

Amend the amendment by substituting a period (.) for the comma (,) after the word "liquidated" in the amendment to section 63, and striking out the words "provided such reestablishment shall be had in the manner provided by law".

The amendment to the amendment was adopted.

On motion of Senator Lord, the amendment as amended was adopted.

Senator Lord asked and received unanimous consent that the Secretary be permitted to change the paragraph designations in division 14 of the amendment by Senator Lord, adopted and found on page 944 of the Senate Journal.

Senator Lord offered an amendment to the title of House File 140, which amendment was adopted.

Amend the title to House File 140 by striking from line 25 the words and figures "one million seven hundred fifty thousand (\$1,750,000)" and insert in lieu thereof "five hundred thousand dollars (\$500,000)".

Senator Prentis raised a point of order that the subject matter contained in the bill was unconstitutional for the following reason:

Article I—Sec. 9. "No one shall be deprived of life, liberty or property without due process of law"—two per cent limit on yield—takes from one and gives to another.

Article VIII—Sec. 5. No debt over \$250,000.

Article III—Sec. 31. No extra compensation.

Challenge, by point of order, right to place in third reading on a bill which is unconstitutional.

Senator Prentis asked and received unanimous consent to withdraw his point of order.

President Elthon took the chair at 4:50 p.m.

Senator Byers moved the previous question on the bill which motion prevailed.

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, 29:

Anderson	Boothby	Dailey	Hart
Bekman	Byers	Elijah	Hedin
Bellman	Clark	Grimstead	Heideman

Knudson	Miller	O'Malley	Van Eaton
Larson	Molison	Sayre	Watson of
Linnevold	Nolan	Stuart of Lucas	Pottawattamie
Lord	Oltman	Utzig	Whitehead
Lucas			Zastrow

## Nays, 21:

Bateson	Johnson	Risk	Walter
Berg	Lynes	Schoening	Washburn
Colburn	Myrland	Scott	Watson of
Dewel	Nelson	Stewart of	O'Brien
Dykhouse	Nesmith	Mahaska	Weichman
Fishbaugh	Prentis	Vest	

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator 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.

Senator Lord asked and received unanimous consent to have 600 copies of House File 140, as passed by the Senate, printed.

## EXPLANATION OF VOTE

I voted "nay" on House File 140 because it did not give the people of Iowa an opportunity to determine whether the state should go into debt; and for the additional reason that it is mandatory.

DUANE E. DEWEL.

## 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 this day ordered the correction of page 456 of the Journal of February 18, 1953, to show that Goode of Davis asked and obtained unanimous consent to correct House File 221, section five, line two, by changing the word "ensuing" to the word "current".

A. C. GUSTAFSON, *Chief Clerk.*

REPORT OF THE SENATE AND HOUSE COMMITTEES ON  
INTERSTATE COOPERATION  
IN ACCORDANCE WITH HOUSE CONCURRENT RESOLUTION 23

Your Senate and House Committee on Interstate Cooperation submits herewith its report of 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 func-

tioned 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.

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 state. 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 forty-seven 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 I, 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 forty-seven 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 forty-eight delegate members selected by the individual states; nineteen ex officio members and ten members-at-large. During the past two years, former 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.

State Representative Fred Schwengel was selected to serve as chairman of the Iowa Senate and House committees on Interstate Cooperation.

#### 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.

#### 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 1951-52.

**Midwestern Regional Conference;**

1. Duluth, Minnesota, July 9-10, 1951.
2. Milwaukee, Wisconsin, August 11-12, 1952.

Two of the main points considered at the regional meetings were:

1. Constitutional amendments on income tax.
2. Aeronautics.

These topics, together with several others, received further consideration and recommendation was made concerning them, at the General Assembly of the States held in Chicago. Eleventh General Assembly of the States, The Council of State Governments, Chicago, Illinois, December 4-6, 1952.

The following subjects were listed on the program of this meeting:

1. Conservation and Development of Water and Related Resources.
2. Control of Organized Crime.
3. Higher Education.
4. Suggested State Legislation for 1953.
5. Tax and Fiscal Policy.

In order to avoid duplication as to suggested state legislation, the following topics were listed in a booklet prepared by the Drafting Committee of State Officials of the Council of State Governments:

1. Section A

- Recommendations on Absentee Voting By Service Personnel.
- Amendments to Model State Civil Defense Act.
- Ratification of the Model Civil Defense Compact.
- Interstate Civil Defense and Disaster Compact.
- Statement Regarding Appropriation of An Emergency Fund for Civil Defense.
- Act Concerning Trial of Court-Martial Cases.
- Amendment to Veterans' Re-employment Legislation.
- Act Relating to the Minority of Veterans.
- Carry-over Recommendations concerning service men.
- Reciprocal Tax Act.
- Statement Concerning Taxation of Interstate Motor Vehicles.
- Banking Act Amendment Concerning Transaction of Business by Out-of-state Banking Corporations.
- Statement Regarding Reciprocal Support Legislation.
- Statement with Respect to State Trade Barriers Affecting Alcoholic Beverages.
- Act Regulating the Storage, Handling and Transportation of Flammables, Explosives and Other Dangerous Articles.
- Recommendations on Highway Safety and Motor Truck Regulation.
- Recommendations on Courts of Limited Jurisdiction.
- Act Relating to Regulation of Livestock Auction Markets.
- Weather Control Act.
- Statement Regarding Presidential Primaries.
- Act to Create a Department of Occupational Licensing.

2. Section B

- Legislation Concerning Law Enforcement and the Control of Organized Crime.
- Model Anti-Gambling Act.
- Model Department of Justice Act.
- Model Police Council Act.
- Model State Witness Immunity Act.
- Model Act on Perjury.
- Model Crime Investigating Commission Act.
- Uniform Narcotic Drug Act Amendments Concerning Definitions and Exempted Preparations.
- Uniform Narcotic Drug Act Amendment Concerning Marijuana.
- Penalties Section Amendment to Uniform Narcotic Drug Act.
- Additional Penalties Regarding Narcotics Act.
- Recommendations Concerning Care and Treatment of Narcotic Addicts.
- Recommendations Concerning Establishment of State and Local Narcotic Squads.
- Recommendations Concerning Supervision Over Professions Involving the Prescribing, Dispensing and Use of Narcotic Drugs.
- Act to Control Growing of Marijuana.

Uniform Provision From Act V of the Uniform Vehicle Code With  
 Regard to Operating Motor Vehicles While Under the Influence  
 of a Narcotic Drug.

Sports Bribery Act.

Amendments to Criminal Codes Concerning Procedures Governing  
 Prosecution.

An Act to Require the Filing of Notice of Intention to Offer Evi-  
 dence of An Alibi in a Criminal Case.

An Act Relating to Testimony of Public Officials Regarding Conduct  
 in Office.

Carry-over Recommendations on Interstate Crime Control.

3. Section C

Uniform Reciprocal Enforcement of Support as Amended.

Uniform Act on Blood Tests to Determine Paternity.

Amendments to Uniform Common Trust Fund Act.

Statement Concerning Uniform Commercial Code.

4. Section D

Proposals Carried Without Recommendation.

Occupational Health and Safety Act.

Act for Establishing and Maintaining Standards for Institutions.

The above topics are treated in full in the booklet "Suggested State  
 Legislation," prepared by the Drafting Committee of State Officials of  
 the Council of State Governments. This booklet has been presented to  
 each member of the Assembly.

The Iowa Delegation was the first to suggest to the Council of State  
 Governments at the Milwaukee meeting, that the government drop its  
 tax on gasoline and oil. At the Chicago meeting, this proposal was again  
 presented and discussed, and adopted by all the delegates of the forty-  
 eight states, and the states were requested to pass resolutions memorializ-  
 ing Congress to this effect, and this has been done in most instances.

W. ELDON WALTER.

JOHN P. BERG.

HERMAN B. LORD.

JAMES H. NESMITH.

On the Part of the Senate.

FRED SCHWENGEL.

ALBERT WEISS.

GLENN E. ROBINSON.

CARL H. RINGGENBERG.

R. O. BURROWS.

On the Part of the House.

## SENATE CONCURRENT RESOLUTION 22

By Dailey (Oberman)

*Whereas*, the great and sovereign State of Iowa has witnessed since  
 June 27, 1950, the entry of thousands of her sons and daughters into the  
 military service of the United States, to defend our state and our nation  
 against the forces of worldwide communist aggression, and

*Whereas*, many of these courageous and honored citizens of Iowa have  
 suffered great personal sacrifice and danger in such defense, and have  
 given their very lives and safety to fight this battle for the rest of us, the  
 people of Iowa who remain at home in our usual tasks and concerns, and

*Whereas*, one of these brave men, Corporal Richard O. Morrison, has  
 come back to the freedom of our American way of life and has been

liberated from a cruel and misery-laden prisoner of war camp, and returns to Iowa as a vivid reminder that the menace of communist aggression still threatens our free world and betrays the dignity of mankind wherever it reaches its iron hand, and

*Whereas*, Corporal Richard O. Morrison is a living symbol of the sacrifice of these countless men and women of Iowa now or who have been in the military service of the United States in this stand against communist aggression,

*Now, Therefore, Be It Resolved by the Senate, the House Concurring:*

1. That the Fifty-fifth General Assembly of Iowa, speaking for and on behalf of the citizens of Iowa, does hereby express the gratitude and the admiration of the citizens of Iowa, to each and every man and woman who in these perilous hours of national safety now serving or have served in the military forces of the United States in this stand against communist aggression.

2. That the Fifty-fifth General Assembly, recognizing that Corporal Richard O. Morrison is truly representative of the sacrifice, the courage and the strength of these many Iowans who have and do so serve, does hereby tender to him as such representative of his comrades in arms, our gratitude and our admiration for this unselfish service.

3. That this expression of this General Assembly shall be properly enrolled and that the original thereof shall be presented to Corporal Richard O. Morrison in an appropriate manner upon his safe return to his native Iowa, as shall be deemed proper by the presiding officers of the Senate and the House of Representatives.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Stuart of Lucas, 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 368, 369, and 388; also House Files 28, 44, 222, 308 and 317.

W. C. STUART, *Chairman Senate Committee.*

JOHN A. WALKER, *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 368, 369 and 388; also, House Files 28, 44, 222, 308 and 317.

#### BILLS SENT TO THE GOVERNOR

Senator Stuart of Lucas, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 22nd day of April, 1953, sent to the Governor for his approval: Senate Files 368, 369 and 388.

W. C. STUART, *Chairman.*

Passed on file.

#### REPORT OF COMMITTEE

Senator Lynes submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 514**, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1953, and ending June 30, 1955, funds for various departments and various divisions thereof, of the State of Iowa, for the purposes provided by law, 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 514, section 2, line 39, by striking the figures "\$36,000.00" and inserting in lieu thereof the figures "\$39,000.00".

Further amend House File 514, section 2, by striking in line 46 the figures "\$2,500.00" and inserting in lieu thereof the figures "\$5,000.00".

Further amend House File 514, section 2, lines 4 and 5, by striking the words and figures "five hundred seventy-two thousand five hundred dollars (\$572,500.00)" and inserting in lieu thereof the words and figures "five hundred seventy-eight thousand dollars (\$578,000.00)" and by striking in line 73 the figures "\$572,500.00" and inserting in lieu thereof the figures "\$578,000.00".

2. Amend House File 514, section 9, line 12, by striking the words "in said parks" and inserting in lieu thereof the words "under its control".

3. Amend House File 514, section 11, lines 4 and 5, by striking the words and figures "seven thousand five hundred dollars (\$7,500.00)" and inserting in lieu thereof the words and figures "five thousand (\$5,000.00)", and by striking from lines 8 and 11 the figures "\$7,500.00" and inserting in lieu thereof the figures "\$5,000.00".

4. Amend House File 514, section 13, by striking line 7 and by striking in line 9 the figures "\$73,700.00" and inserting in lieu thereof the figures "\$80,000.00".

5. Amend House File 514, section 22, by striking in line 5 the word "twenty-three" and inserting in lieu thereof the word "twenty-four", and by striking in line 6 the figures "(\$423,270.00)" and inserting in lieu thereof the figures "(\$424,270.00)", and by striking in line 9 the figures "\$7,000.00" and inserting in lieu thereof the figures "\$8,000.00", and by striking in line 12 the figures "\$52,000.00" and inserting in lieu thereof the figures "\$53,000.00", and by striking in line 84 the figures "\$423,270.00" and inserting in lieu thereof the figures "\$424,270.00".

6. Amend House File 514, section 33, by striking line 5 and inserting in lieu thereof the words and figures "three thousand seven hundred seventy-six dollars (\$73,776.00)", and in line 9 by striking "\$4,500.00" and "\$13,500.00" and inserting in lieu thereof "\$4,200.00" and "\$12,600.00",

and in line 16 by striking "\$74,676.00" and inserting in lieu thereof "\$73,776.00".

7. Amend House File 514, section 34, line 9, by adding after the word "secretary" the words "and narcotic supervisor".

8. Amend House File 514, section 36, lines 4 and 5, by striking the words and figures "three hundred twenty-seven thousand dollars (\$327,000.00)" and inserting in lieu thereof the words and figures "three hundred forty-three thousand dollars (\$343,000.00)", and by striking in line 17 the figures "\$267,000.00" and inserting in lieu thereof the figures "\$283,000.00" and in line 20 by striking the figures "\$327,000.00" and inserting in lieu thereof the figures "\$343,000.00", and by striking in line 71 the figures "\$4,000.00" following the words "Geological Survey" and inserting in lieu thereof the figures "\$20,000.00".

9. Amend House File 514, section 37, by striking from lines 4 and 5 the words and figures "three hundred eighteen thousand seven hundred ninety dollars (\$318,790.00)" and inserting in lieu thereof the words and figures "three hundred thirteen thousand eight hundred ninety dollars (\$313,890.00)", and by striking line 29, and by changing the total in line 35 to "\$68,900.00" and by changing the total in line 39 to "\$313,890.00".

10. Amend House File 514, section 45, line 5, by striking the words and figures "twenty-four thousand dollars (\$24,000.00)" and inserting in lieu thereof the words and figures "twenty-four thousand five hundred dollars (\$24,500.00)", and in line 9 by striking "\$4,800.00" and inserting in lieu thereof "\$5,300.00", and in line 15 by striking "\$24,000.00" and inserting in lieu thereof "\$24,500.00".

J. KENDALL LYNES, *Chairman*.

Ordered passed on file.

#### HOUSE FILE 499 RETURNED TO THE HOUSE

Senator Berg asked and received unanimous consent that the Secretary be instructed to return to the House House File 499.

#### AMENDMENTS FILED

- 1 Amend House File 514, section 2, line 46, by striking the
- 2 figures "2,500.00" and inserting in lieu thereof the figures
- 3 "8,000.00".

STANLEY L. HART.

J. G. LUCAS.

D. C. NOLAN.

E. C. MYRLAND.

W. C. STUART of Lucas.

J. H. NESMITH.

G. E. WHITEHEAD.

DEVERE WATSON of Pottawattamie.

- 1 Amend House File 514, section 7, line 20, by striking
- 2 the figures "40,050.00" and inserting the figures "49,450.00"
- 3 and in line 26 by striking the figures "195,750.00" and
- 4 inserting the figures "205,150.00".

D. C. NOLAN.

1 Amend House File 514, section 9, lines  
 2 12 and 13, by striking the words "Storm Lake,  
 3 Buena Vista County," and inserting in lieu thereof the  
 4 words "State owned lakes of".

H. E. HEIDMAN.

1 Amend House File 514, section nine (9), by inserting imme-  
 2 diately before the final paragraph of said section a paragraph  
 3 as follows:  
 4 "For construction of a diversion ditch from Mosquito Creek  
 5 to Lake Manawa in Pottawattamie County, Iowa, the sum of one  
 6 hundred sixty thousand dollars (\$160,000), or so much thereof  
 7 as may be necessary."  
 8 Further amend section nine (9) by striking the figure  
 9 "499,500.00" in the final paragraph and inserting in lieu  
 10 thereof the figure "\$659,500.00".

DEVERE WATSON.

1 Amend House File 514, section 19, lines 4 and 5, by striking  
 2 the words and figures "one hundred two thousand dollars (\$102,000)"  
 3 and inserting in lieu thereof the words and figures "one hundred  
 4 thousand two hundred and eight dollars (\$115,208)".  
 5 Further amend section 19 of House File 514 by striking in line  
 6 14 the figures "102,000.00" and inserting in lieu thereof "115,208.00".

JAMES NESMITH.

1 Amend House File 514 by striking all of section 26  
 2 and substituting in lieu thereof the following:  
 3 "Sec. 26. For the industrial commissioner there is  
 4 hereby appropriated from the general fund of the state  
 5 for each year of the biennium beginning July 1, 1953,  
 6 and ending June 30, 1955, the sum of thirty-seven  
 7 thousand three hundred seventy-five dollars (\$37,375.00)  
 8 or so much thereof as may be necessary to be used in the  
 9 following manner:  
 10 For salary of commissioner .....\$ 6,000.00  
 11 Two deputies at \$5,500.00 each.....\$11,000.00  
 12 For salaries (including 3rd deputy  
 13 \$4,200.00), support, maintenance, travel  
 14 expense, state share of employment retire-  
 15 ment fund and miscellaneous purposes.....\$20,375.00  
 16  
 17 Grand total of all appropriations for all  
 18 purposes for each year of the biennium for  
 19 the industrial commissioner .....\$37,375.00

ELMER K. BEKMAN.  
 GEORGE E. O'MALLEY.  
 FRANK C. BYERS.  
 D. C. NOLAN.

- 1 Amend House File 221 as follows: Amend section 5 by
- 2 adding after the word thereof in line 8 the following:
- 3 "except counties that do not receive secondary road funds
- 4 on the basis of need".

G. E. WHITEHEAD.

On motion of Senator Zastrow, the Senate adjourned until 9:30 a.m., Thursday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 23, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend N. S. Roberts, pastor of the Evangelical and Reform Church, Lowden, Iowa.

## INTRODUCTION OF BILL

Senate File 452, by committee on appropriations, a bill for an act to appropriate from the general fund of the State of Iowa to the State Conservation Commission for emergency work.

Read first and second times, and passed on file.

## PRESENTATION OF VISITORS

Senator Bekman asked and received unanimous consent to present to the Senate twenty-four members of the eighth grade class of the Blakesburg Public School who were present in the balcony accompanied by their instructor, Gaynele Sandeen.

## SENATE FILE 437 RETURNED TO THE HOUSE

Senator Stewart of Mahaska asked and received unanimous consent that the Secretary be instructed to return to the House Senate File 437.

## SENATE FILE 68 RECALLED FROM THE HOUSE

Senator Walter asked and received unanimous consent that the Secretary be instructed to recall from the House for further consideration Senate File 68.

## SENATE CONCURRENT RESOLUTION 22

Senator Dailey called up for consideration the following resolution and moved its adoption:

## SENATE CONCURRENT RESOLUTION 22

By Dailey (Oberman)

*Whereas*, the great and sovereign State of Iowa has witnessed since June 27, 1950, the entry of thousands of her sons and daughters into the

military service of the United States, to defend our state and our nation against the forces of worldwide communist aggression, and

*Whereas*, many of these courageous and honored citizens of Iowa have suffered great personal sacrifice and danger in such defense, and have given their very lives and safety to fight this battle for the rest of us, the people of Iowa who remain at home in our usual tasks and concerns, and

*Whereas*, one of these brave men, Corporal Richard O. Morrison, has come back to the freedom of our American way of life and has been liberated from a cruel and misery-laden prisoner of war camp, and returns to Iowa as a vivid reminder that the menace of communist aggression still threatens our free world and betrays the dignity of mankind wherever it reaches its iron hand, and

*Whereas*, Corporal Richard O. Morrison is a living symbol of the sacrifice of these countless men and women of Iowa now or who have been in the military service of the United States in this stand against communist aggression,

*Now, Therefore, Be It Resolved by the Senate, the House Concurring:*

1. That the Fifty-fifth General Assembly of Iowa, speaking for and on behalf of the citizens of Iowa, does hereby express the gratitude and the admiration of the citizens of Iowa, to each and every man and woman who in these perilous hours of national safety now serving or have served in the military forces of the United States in this stand against communist aggression.

2. That the Fifty-fifth General Assembly, recognizing that Corporal Richard O. Morrison is truly representative of the sacrifice, the courage and the strength of these many Iowans who have and do so serve, does hereby tender to him as such representative of his comrades in arms, our gratitude and our admiration for this unselfish service.

3. That this expression of this General Assembly shall be properly enrolled and that the original thereof shall be presented to Corporal Richard O. Morrison in an appropriate manner upon his safe return to his native Iowa, as shall be deemed proper by the presiding officers of the Senate and the House of Representatives.

The motion prevailed and the resolution was unanimously adopted.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 442, a bill for an act legalizing the proceedings for issuance of sewer bonds by the city of Creston, Iowa.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 510, a bill for an act legalizing proceedings for issuance of fire department equipment bonds by city of Burlington.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 511, a bill for an act legalizing proceedings for issuance of Bridge Revenue Bonds, 1953 Series, by city of Burlington.

Also: That the House has adopted the conference committee report and passed House File 508, a bill for an act making an appropriation to the soil conservation committee to carry on soil conservation work.

Also: I am directed to return herewith as requested House File 366, a bill for an act relating to the sale of agricultural seeds.

Also: I am directed to return herewith, in accordance with your request, Senate File 68, a bill for an act creating a state civil defense agency.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE 442

Amend Senate File 442, section 2, by filling in the blanks with the following newspapers and towns: "Creston News Advertiser, Creston, Iowa", and "Afton Star-Enterprise, Afton, Iowa".

#### CONFERENCE COMMITTEE REPORT ON HOUSE FILE 508

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 508, a bill for an act making an appropriation to the state soil conservation committee, beg leave to report and submit the following recommendation:

That the Senate recede from its amendments to the bill.

Respectfully submitted,

WILBUR C. MOLISON, *Chairman.*      MAX M. SOETH, *Chairman.*

LAURENCE M. BOOTHBY.

RUSSELL A. PATRICK.

DUANE E. DEWEL.

EDWARD OPPERDAHL.

EARL ELIJAH.

PENN ECKELS.

On the Part of the Senate.

On the Part of the House.

#### RECONSIDERATION OF HOUSE FILE 366

Senator Prentis asked and received unanimous consent that the Senate reconsider the vote by which House File 366, a bill for an act relating to the sale of agricultural seeds and to amend certain sections of the Code 1950, relating thereto, passed the Senate.

Senator Prentis asked and received unanimous consent that the Senate reconsider the vote by which House File 366 went to its third reading.

Senator Fishbaugh offered the following amendment and moved its adoption:

Amend House File 366, section 3, line 8, by inserting after the word "selling" the following: "seeds, including".

Further amend House File 366, section 3, line 8, by inserting a comma (,) after the word "corn".

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	Grimstead	Myrland	Utzig
Bateson	Hart	Nesmith	Van Eaton
Bekman	Hedin	Nolan	Vest
Bellman	Heideman	Oltman	Walter
Boothby	Johnson	O'Malley	Washburn
Byers	Knudson	Prentis	Watson of
Clark	Larson	Risk	O'Brien
Colburn	Linnevold	Sayre	Watson of
Dailey	Lord	Schoening	Pottawattamie
Dewel	Lucas	Scott	Weichman
Dykhouse	Lynes	Stewart of	Whitehead
Elijah	Miller	Mahaska	Zastrow
Fishbaugh	Molison	Stuart of Lucas	

Nays, none.

Absent or not voting, 2:

Berg                      Nelson

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 Lynes, House File 487, a bill for an act to appropriate funds for certain capital improvements for institutions under the board of control, including construction of new buildings, repairs, improvements, replacements or alterations, and providing for the joint control of the expenditure thereof by the board of control and 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.

The following committee amendment was considered:

Amend House File 487, section 1, by striking from lines 2 and 3 the words and figures "three million seven hundred thousand dollars (\$3,-

700,000.00)" and inserting in lieu thereof the words and figures "two million dollars (\$2,000,000)".

On motion of Senator Lynes, the committee amendment was adopted.

Senator Lynes moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 47:

Anderson	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Van Eaton
Bekman	Hart	Nesmith	Vest
Bellman	Hedin	Nolan	Walter
Berg	Heideman	O'Malley	Washburn
Boothby	Johnson	Prentis	Watson of
Byers	Knudson	Risk	O'Brien
Clark	Larson	Sayre	Watson of
Colburn	Linnevold	Schoening	Pottawattamie
Dailey	Lord	Scott	Weichman
Dewel	Lucas	Stewart of	Whitehead
Dykhouse	Lynes	Mahaska	Zastrow
Elijah	Miller		

Nays, none.

Absent or not voting, 3:

Nelson	Oltman	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 Watson of Pottawattamie, House File 378, a bill for an act relating to the sale of personal property or services under prearranged funeral plans and requiring the proceeds thereof to be held in trust for the purposes intended under certain conditions, and providing penalties for the violation thereof, was taken up, and considered.

Senator Bekman asked and received unanimous consent to withdraw the amendments to House File 378 filed by Senators Bekman and others and found on pages 1046 and 1047 of the Senate Journal. Also the amendment to House File 378 filed by him and found on page 1102 of the Senate Journal.

Senator Watson of Pottawattamie offered the following amendment to House File 378 filed by Senators Watson of Pottawattamie, Boothby and Bekman, and moved its adoption:

Amend House File 378 as follows:

1. Insert in line 6 of section 1 before the word "all" the words "eighty per cent of".

2. Strike from line 2 of section 2 the words "licensed under the banking laws of this state" and insert in lieu thereof the words "authorized to transact business in this state".

3. Insert in line 4 of section 2 after the word "account" the words "or in one common trust fund under a trust agreement".

Senator Prentis moved the previous question on the amendment and the main bill which motion prevailed.

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	Grimstead	Myrland	Stuart of Lucas
Bekman	Hart	Nelson	Utzig
Bellman	Hedin	Nesmith	Van Eaton
Berg	Heideman	Nolan	Vest
Boothby	Johnson	Oltman	Walter
Byers	Knudson	O'Malley	Washburn
Clark	Larson	Prentis	Watson of
Colburn	Lord	Risk	O'Brien
Dailey	Lucas	Sayre	Watson of
Dewel	Lynes	Scott	Pottawattamie
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow

Nays, 5:

Bateson	Linnevold	Schoening	Weichman
Fishbaugh			

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 Prentis called up for consideration Senate File 442, a bill for an act to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of 1952 sewer bonds by the city of Creston, 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, amended by the House, and moved that the Senate concur in the House amendment:

The Senate concurred in the House amendment.

Senator Prentis moved that the bill as amended by the House

and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

On the question "Shall the bill pass?" the vote was:

Ayes, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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.

#### RECONSIDERATION OF SENATE FILE 68

Senator Walter asked and received unanimous consent that the Senate reconsider the vote by which Senate File 68, a bill for an act to create a state civil defense agency in the executive branch; providing for a director as head thereof and defining the powers and duties of the governor and director; providing emergency powers for the governor; authorizing mobile support and mutual aid 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 and adopt ordinances relating thereto; authorizing local organizations for civil defense to contract for mutual aid and accept gifts, grants and loans; 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 local defense councils; providing for the rights, privileges and immunities of 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 to carry out the purpose of this act, passed the Senate.

Senator Walter asked and received unanimous consent that the Senate reconsider the vote by which Senate File 68 went to its third reading.

Senator Walter offered the following amendment by Senators Walter and Berg and moved its adoption:

Amend Senate File 68, section 7, by inserting after the word "receive" in line 15 the words "in the event of a state of emergency"; by inserting after the word "receive" in line nineteen (19) the words "in the event of a state of emergency"; by inserting after the word "entitled" in line twenty-one (21) the words "in the event of a state of emergency"; by inserting after the word "shall" in line thirty (30) the words "in the event of a state of emergency."

Further amend Senate File 68 by striking sections 15, 16, 17, 27 and 28, and renumbering the remaining sections.

The amendment was adopted.

Senator Walter offered the following amendment and moved its adoption:

Amend the title to Senate File 68 by striking all after the semicolon (;) in line 11 and all of lines 12, 13, 14 and 15 up to and including the semicolon (;) in line 15.

Further amend the title by striking the following in lines 22 and 23: "and providing for the appropriation of funds to carry out the purpose of this act".

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	Grimstead	Myrland	Utzig
Bateson	Hart	Nelson	Van Eaton
Bekman	Hedin	Nesmith	Vest
Bellman	Heideman	Nolan	Walter
Berg	Johnson	O'Malley	Washburn
Boothby	Knudson	Prentis	Watson of
Byers	Larson	Risk	O'Brien
Clark	Linnevold	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Stewart of	Weichman
Dykhouse	Miller	Mahaska	Whitehead
Elijah	Molison	Stuart of Lucas	Zastrow
Fishbaugh			

The nays were, none:

Absent or not voting, 4:

Colburn	Lord	Oltman	Scott
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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.

### THIRD READING OF BILLS

On motion of Senator Zastrow, House File 185, a bill for an act to amend section forty-three point one hundred twenty-one (43.121), Code 1950, relating to the use of established party designations by candidates nominated by nonparty organizations or by petition, was taken up, and considered.

Senator Zastrow moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 48:

Anderson	Grimstead	Nelson	Utzig
Bateson	Hart	Nesmith	Van Eaton
Bekman	Hedin	Nolan	Vest
Bellman	Heideman	Oltman	Walter
Berg	Johnson	O'Malley	Washburn
Boothby	Knudson	Prentis	Watson of
Clark	Larson	Risk	O'Brien
Colburn	Linnevold	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitahead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh	Myrland	Stuart of Lucas	

Nays, none.

Absent or not voting, 2:

Byers	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 Colburn, House File 350, a bill for an act to amend section three hundred twenty-one A point seventeen (321A.17), Code 1950, in reference to operating a motor vehicle without being licensed, was taken up, and considered.

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	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 Watson of Pottawattamie, House File 505, a bill for an act to amend House File 213, Acts of the Fifty-fifth General Assembly, relating to voting by the armed forces, 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	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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, House File 162, a bill for an act to amend chapter three hundred fifty-eight B (358B), Code 1950, relating to county libraries, 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, 48:

Anderson	Fishbaugh	Molison	Stewart of
Bateson	Grimstead	Myrland	Mahaska
Bekman	Hart	Nelson	Stuart of Lucas
Bellman	Hedin	Nesmith	Utzig
Berg	Heideman	Nolan	Van Eaton
Boothby	Johnson	Oltman	Vest
Byers	Knudson	O'Malley	Watson of
Clark	Larson	Prentis	O'Brien
Colburn	Linnevold	Risk	Watson of
Dailey	Lord	Sayre	Pottawattamie
Dewel	Lucas	Schoening	Weichman
Dykhouse	Lynes	Scott	Whitehead
Elijah	Miller		Zastrow

Nays, none.

Absent or not voting, 2:

Walter Washburn

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 278, a bill for an act to amend sections four hundred twenty-six point three (426.3), four hundred twenty-six point six (426.6), four hundred twenty-six point seven (426.7) and four hundred twenty-six point eight (426.8), Code 1950, relating to computation of agricultural land tax credits, was taken up, and considered.

Senator Dykhouse asked and received unanimous consent that action on House File 278 be deferred and that the bill retain its place on the calendar.

On motion of Senator Nolan, House File 498, a bill for an act to amend chapter one hundred forty-four (144), section seven (7), Acts of the Fifty-fourth General Assembly, providing for the annexation of unincorporated territory, was taken up, and considered.

Senator Hedin offered the following amendment and moved its adoption:

Amend House File 498 by striking paragraph (a) of section 2 thereof and insert in lieu thereof the following: "a. A description of the

perimeter of the entire property proposed to be annexed and a list of each property owner therein as shown by the plat books in the office of the county auditor."

The amendment was adopted.

Senator Nolan moved that the bill be read a third 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	Nelson	Utzig
Bateson	Hedin	Nesmith	Van Eaton
Bekman	Heideman	Nolan	Vest
Bellman	Johnson	Oltman	Walter
Berg	Knudson	O'Malley	Washburn
Boothby	Larson	Risk	Watson of
Byers	Linnevold	Sayre	O'Brien
Clark	Lord	Schoening	Watson of
Colburn	Lucas	Scott	Pottawattamie
Dailey	Lynes	Stewart of	Weichman
Dewel	Miller	Mahaska	Whitehead
Dykhouse	Molison	Stuart of Lucas	Zastrow
Grimstead	Myrland		

Nays, none.

Absent or not voting, 3:

Elijah	Fishbaugh	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.

On motion of Senator Lucas, House File 441, a bill for an act to amend section five hundred fifteen point ninety (515.90), Code 1950, relating to publication of annual reports of insurance companies, was taken up, and considered.

Senator Dewel offered the following amendment and moved its adoption:

Amend House File 441 by striking line 4 and inserting in lieu thereof the following: "ten dollars".

The amendment was adopted.

Senator Lucas moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 50:

Anderson	Berg	Colburn	Elijah
Bateson	Boothby	Dailey	Fishbaugh
Bekman	Byers	Dewel	Grimstead
Bellman	Clark	Dykhouse	Hart

Hedin	Molison	Sayre	Walter
Heideman	Myrland	Schoening	Washburn
Johnson	Nelson	Scott	Watson of
Knudson	Nesmith	Stewart of	O'Brien
Larson	Nolan	Mahaska	Watson of
Linnevoid	Oltman	Stuart of Lucas	Pottawattamie
Lord	O'Malley	Utzig	Weichman
Lucas	Prentis	Van Eaton	Whitehead
Lynes	Risk	Vest	Zastrow
Miller			

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 Watson of Pottawattamie, Senate File 270, a bill for an act to amend chapter one hundred seventy-four (174), Code 1950, relating to county and district fairs, was taken up, and considered.

Senator Watson of Pottawattamie offered the following amendment and moved its adoption:

Amend Senate File 270 as follows:

1. Section 1, lines 4 and 5, by striking the words "with a population of over fifty thousand (50,000) and".
2. Section 2, line 3, by striking the word "district" and inserting in lieu thereof the words "agricultural society".
3. Section 2, lines 5 and 6, by striking the words "with a population of over fifty thousand (50,000) and,".
4. Section 2, line 7, by striking the words "two thousand dollars (\$2,000.00)" and inserting in lieu thereof the words "twenty-two hundred dollars (\$2200)".

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	Dewel	Larson	Nolan
Bateson	Dykhouse	Linnevoid	Oltman
Bekman	Elijah	Lord	O'Malley
Bellman	Fishbaugh	Lucas	Prentis
Berg	Grimstead	Lynes	Risk
Boothby	Hart	Miller	Sayre
Byers	Hedin	Molison	Schoening
Clark	Heideman	Myrland	Scott
Colburn	Johnson	Nelson	Stewart of
Dailey	Knudson	Nesmith	Mahaska

Stuart of Lucas	Vest	Watson of	Weichman
Utzig	Walter	O'Brien	Whitehead
Van Eaton	Washburn	Watson of	Zastrow
		Pottawattamie	

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 Bekman, House File 390, a bill for an act authorizing the issuance of franchise, life, accident and sickness insurance policies to associations, 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	Fishbaugh	Myrland	Stuart of Lucas
Bateson	Grimstead	Nelson	Utzig
Bekman	Hart	Nesmith	Van Eaton
Bellman	Hedin	Nolan	Vest
Berg	Heideman	Oltman	Walter
Boothby	Johnson	O'Malley	Washburn
Byers	Knudson	Prentiss	Watson of
Clark	Larson	Risk	O'Brien
Colburn	Linnevold	Sayre	Watson of
Dailey	Lord	Schoening	Pottawattamie
Dewel	Lucas	Scott	Weichman
Dykhouse	Lynes	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow

Nays, 1:

Miller

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 Dewel, Senate File 427, a bill for an act to amend chapter sixty-six (66), Acts of the Fifty-fourth General Assembly, relating to the compensation of state conservation officers, was taken up, and considered.

Senator Dewel moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 45:

Anderson	Grimstead	Myrland	Utzig
Bateson	Hart	Nesmith	Van Eaton
Bekman	Hedin	Nolan	Vest
Bellman	Heideman	Oltman	Walter
Berg	Johnson	O'Malley	Washburn
Boothby	Larson	Prentis	Watson of
Byers	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Stewart of	Weichman
Dykhouse	Miller	Mahaska	Whitehead
Elijah	Molison	Stuart of Lucas	Zastrow

Nays, 2:

Clark Nelson

Absent or not voting, 3:

Fishbaugh Knudson Scott

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 117, a bill for an act to amend section four hundred eleven point six (411.6), Code 1950, relating to ordinary disability retirement for policemen and firemen, 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, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 Lucas, House File 199, a bill for an act to prohibit the giving, soliciting and accepting of bribes and other considerations in connection with sports, and providing penalties therefor, was taken up, and considered.

Senator Lucas moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 Vest, Senate File 20, a bill for an act to repeal chapter five hundred forty-six (546), Code 1950, relating to nonresident auctioneers and to substitute a new chapter relating to licensing of auctioneers crying sales within the State of Iowa, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered:

Amend Senate File 20 by striking all after section 1.

On motion of Senator Vest, the committee amendment was adopted.

Senator Anderson offered the following amendment and moved its adoption:

Amend the title to Senate File 20 by striking the second comma (,) in line 1 and inserting in lieu thereof a period (.) and striking all of lines 2, 3, and 4.

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, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

Nays, none.

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

On motion of Senator Colburn, House File 220, a bill for an act to amend section three hundred twenty-one point three hundred seventy-seven (321.377), Code 1950, relating to speed of school buses, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered:

1. Amend House File 220 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Amend section three hundred twenty-one point three hundred seventy-seven (321.377), Code 1950, by striking from line three (3) the word 'thirty-five' (35) and inserting in lieu thereof the word 'forty-five' (45)."

"Sec. 2. Amend section three hundred twenty-one point three hundred seventy-six (321.376), Code 1950, by striking the comma (,) in line four (4) and substituting a period (.) in lieu thereof. Further amend said section by striking the remaining lines, 4, 5 and 6."

2. Amend the title to House File 220 by striking all after the word "Act" and inserting in lieu thereof the following: "to amend sections three hundred twenty-one point three hundred seventy-six (321.376) and three hundred twenty-one point three hundred seventy-seven (321.377), Code 1950, relating to school bus transportation, drivers of such buses and the rate of speed of such buses."

On motion of Senator Colburn, 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, 40:

Anderson	Elijah	Myrland	Staurt of Lucas
Bateson	Hart	Nelson	Van Eaton
Bekman	Hedin	Nolan	Vest
Bellman	Heideman	Oltman	Walter
Berg	Johnson	Prentis	Washburn
Boothby	Knudson	Risk	Watson of
Byers	Larson	Sayre	O'Brien
Clark	Linnevold	Schoening	Whitehead
Colburn	Lord	Scott	Zastrow
Dewel	Lynes	Stewart of	
Dykhouse	Molison	Mahaska	

Nays, 6:

Dailey	Lucas	O'Malley	Watson of
Grimstead	Miller		Pottawattamie

Absent or not voting, 4:

Fishbaugh	Nesmith	Utzig	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.

#### 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:

File No. 515, a bill for an act making an appropriation to the board of education for institutions under said board of education.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED

House File 510, a bill for an act to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of fire department equipment bonds by the city of Burlington, 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 referred to the sifting committee.

House File 511, a bill for an act to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of "Bridge Revenue Bonds, 1953 Series" by the city of Burlington, Iowa, to pay the cost of repairing the existing municipi-

pally owned toll bridge extending across the Mississippi River from said city and the provisions made for the payment of said bonds and declaring said proceedings and the bonds issued pursuant thereto legally sufficient and enforceable.

Read first and second times, and referred to the sifting committee.

House File 515, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1953, and ending June 30, 1955, to the board of education for the support, maintenance, repairs, replacements, alterations or equipment of institutions under said board of education.

Read first and second times, and referred to committee on appropriations.

#### ASSIGNMENT OF BILLS

President Elthon announced the assignment of the following bills to committee:

S. F. 422 Appropriations (Under Senate Rule 21)

S. F. 423 Appropriations (Under Senate Rule 21)

#### REPORT OF COMMITTEE

Senator Lynes submitted the following report:

MR. PRESIDENT: Your committee on appropriations, to which was referred **Senate File 422**, 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 **returns the bill without recommendation.**

J. KENDALL LYNES, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **Senate File 423**, a bill for an act to make appropriation 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 **returns the bill without recommendation.**

J. KENDALL LYNES, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 515**, a bill for an act to appropriate from the general

fund of the State of Iowa for the biennium beginning July 1, 1953, and ending June 30, 1955, to the board of education for the support, maintenance, repairs, replacements, alterations or equipment of institutions under said board of 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 House File 515 by striking all after the enacting clause and inserting in lieu thereof the following:

“Section 1. There is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, for the support, maintenance, repairs, replacements, alterations or equipment of all institutions under the control of said board of education, the sum of twenty-four million five hundred seventy-five thousand one hundred sixty-four dollars (\$24,575,164.00) or so much thereof as may be necessary, and for the following purposes to-wit:

#### STATE UNIVERSITY OF IOWA

Iowa City, Iowa

“Sec. 2. For the State University of Iowa there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, the sum of seven million eight hundred twenty-nine thousand five hundred dollars (\$7,829,500.00) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes .....	\$7,187,000.00
For repairs, replacements, alterations or equipment.....	639,200.00
For Lakeside Laboratory .....	3,300.00
	<hr/>
Total for the State University of Iowa.....	\$7,829,500.00

#### UNIVERSITY HOSPITAL

“Sec. 3. For the purpose of carrying out the purpose of chapter two hundred fifty-five (255), Code 1950, there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, the sum of three million eight hundred thirty-two thousand seven hundred dollars (\$3,832,700.00) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and for medical and surgical treatment of indigent patients at the university hospital .....	\$3,635,200.00
For repairs, replacements, alterations or equipment.....	197,500.00
	<hr/>
Total for the university hospital.....	\$3,832,700.00

#### PSYCHOPATHIC HOSPITAL

“Sec. 4. For the psychopathic hospital for the purpose of chapter two hundred twenty-five (225), Code 1950, there is hereby appropriated

from the general fund of the state for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, the sum of three hundred seventy-five thousand six hundred eighty-six dollars (\$375,686.00) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and for the care, treatment and maintenance of committed and voluntary public patients therein .....	\$ 357,286.00
For repairs, replacements, alterations or equipment.....	18,400.00
<hr/>	
Total for the psychopathic hospital.....	\$ 375,686.00

#### BACTERIOLOGICAL LABORATORY

"Sec. 5. For the bacteriological laboratory there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, the sum of one hundred ninety-eight thousand three hundred dollars (\$198,300.00) or so much thereof as may be necessary to be used in the manner and under the authority provided in chapter two hundred sixty-three (263), Code 1950:

For salaries, support, maintenance and miscellaneous purposes .....	\$ 196,100.00
For repairs, replacements, alterations or equipment.....	2,200.00
<hr/>	
Total for bacteriological laboratory.....	\$ 198,300.00

#### HOSPITAL SCHOOL

"Sec. 6. For the hospital-school there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, the sum of two hundred ninety-three thousand nine hundred dollars (\$293,900.00) or so much thereof as may be necessary to be used in the manner and under the authority provided in chapter two hundred sixty-three (263), Code 1950.

For salaries, support, maintenance and miscellaneous purposes .....	\$ 293,900.00
<hr/>	
Total for hospital-school .....	\$ 293,900.00

#### IOWA STATE COLLEGE OF AGRICULTURE AND MECHANIC ARTS

##### Ames

"Sec. 7. For the Iowa State College of Agriculture and Mechanic Arts there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, the sum of seven million six hundred thirty-six thousand four hundred seventy-eight dollars (\$7,636,478.00) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes .....	\$4,200,000.00
For research, to include \$12,500.00 for evaluation of shale for construction purposes .....	1,936,478.00

For extension .....	900,000.00
For repairs, replacements, alterations or equipment.....	600,000.00

Total for the Iowa State College of  
Agriculture and Mechanic Arts .....\$7,636,478.00

#### IOWA STATE TEACHERS COLLEGE

Cedar Falls

"Sec. 8. For the Iowa State Teachers College there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, the sum of two million seven hundred sixty-seven thousand seven hundred thirty dollars (\$2,767,730.00) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes .....	\$2,559,750.00
For repairs, replacements, alterations or equipment.....	207,980.00

Total for Iowa State Teachers College.....\$2,767,730.00

#### IOWA SCHOOL FOR THE DEAF

Council Bluffs

"Sec. 9. For the Iowa School for the Deaf there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, the sum of four hundred ninety-three thousand one hundred ninety dollars (\$493,190.00) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes .....	\$ 477,690.00
For repairs, replacements, alterations or equipment.....	15,500.00

Total for the Iowa School for the Deaf.....\$ 493,190.00

#### IOWA BRAILLE AND SIGHT-SAVING SCHOOL

Vinton

"Sec. 10. For the Iowa Braille and Sight-Saving School there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, the sum of three hundred thirteen thousand seven hundred dollars (\$313,700.00) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes .....	\$ 293,200.00
For repairs, replacements, alterations or equipment.....	20,500.00

Total for the Iowa Braille and Sight-Saving School.....\$ 313,700.00

## STATE SANATORIUM

## Oakdale

"Sec. 11. For the state sanatorium at Oakdale, Iowa, there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, the sum of eight hundred thirty-three thousand nine hundred eighty dollars (\$833,980.00) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes .....	\$ 813,480.00
For repairs, replacements, alterations or equipment.....	20,500.00
<hr/>	
Total for State Sanatorium, Oakdale, Iowa.....	\$ 833,980.00
Grand total of all appropriations to the board of education for all purposes for all institutions under said board of education .....	\$24,575,164.00

"Sec. 12. Total expenditures for each institution under the control of the state board of education, including state appropriations and such other receipts as may be available for the same purpose as the state appropriations, during the biennium shall not exceed the budget for each institution as hereinafter set forth:

State University of Iowa.....	\$18,262,000.00
Iowa State College .....	21,159,912.00
Iowa State Teachers College.....	5,985,460.00
University Hospital .....	10,442,600.00
Psychopathic Hospital .....	874,800.00
Bacteriological Laboratory .....	444,600.00
Hospital School .....	587,800.00
Iowa School for the Deaf.....	1,006,380.00
Iowa Braille and Sight-Saving School.....	637,400.00
State Sanatorium .....	1,850,960.00

"Sec. 13. Chapter 8, Code 1950, shall be in full force and effect and the budget and financial control committee may increase the total expenditure authorized in this act by either authorizing the use of institution appropriations or receipts or by allocations from the general contingent fund of the state.

"Sec. 14. Chapter two hundred sixty-two (262), Code 1950, is hereby amended by adding thereto the following: 'The state board of education shall pay to the local school boards the tuition payments for the elementary or high school education of students residing on land owned by the state and under the control of the state board of education. Such payments shall be made from funds of the respective institutions other than state appropriations.' "

Further amend House File 515 by striking the period at the end of the title thereof and substituting in lieu thereof the following: "and to amend chapter two hundred sixty-two (262), Code 1950, relating to payment

of tuition for elementary or high school students residing on land under the control of the state board of education."

J. KENDALL LYNES, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred **House File 516**, a bill for an act to authorize the purchase of certain lots and parcels of real estate adjoining the Men's Reformatory at Anamosa, Iowa, and to provide an appropriation therefor, 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.

On motion of Senator Zastrow, the Senate recessed until 1:45 p.m.

### AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

### REPORT OF THE SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar:

S. F. 422	S. F. 234	H. F. 238
S. F. 423	H. F. 328	H. F. 499
S. F. 449	H. F. 90	H. F. 385
H. F. 510	H. F. 161	S. F. 429
H. F. 511	H. F. 293	H. F. 327

RALPH W. ZASTROW, *Chairman*.

### MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 10, a bill for an act relating to gas tax.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 438, a bill for an act making appropriation for certain claims.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 439, a bill for an act making appropriation for certain claims.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 499, a bill for an act legalizing the issuance, sale and delivery of garage bonds of the City of Grundy Center, Iowa.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 30, relating to claims for committee services.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 411, a bill for an act relating to the taxation of cigarettes to be used in the State of Iowa.

A. C. GUSTAFSON, *Chief Clerk.*

### HOUSE CONCURRENT RESOLUTION 30

By Goode

*Whereas*, this body has before it certain claims for committee work performed for certain committees not authorized by this body;

*Now, Therefore, Be It Resolved by the House, the Senate Concurring*, That the state appeal board, in the future, shall not consider or allow any claim for any committee for services performed by that committee, unless said committee was authorized by one or both bodies of the General Assembly.

### HOUSE MESSAGES CONSIDERED

House File 10, a bill for an act to amend sections three hundred twenty-four point two (324.2) and three hundred twenty-four point sixty-three (324.63), Code 1950, relating to gas tax and to provide a suitable method of financing primary road construction in Iowa.

Read first and second times, and referred to the sifting committee.

House File 411, a bill for an act repealing subsection one (1) of section ninety-eight point six (98.6), Code 1950, relating to the taxation of cigarettes used in the State of Iowa, and providing for the rate of such tax; also, to amend section ninety-eight point thirty-five (98.35), Code 1950, and providing for the placing in the state general fund the proceeds of the tax imposed upon cigarettes used in the State of Iowa.

Read first and second times, and referred to the sifting committee.

House File 499, 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 garage bonds of the city of Grundy Center, Iowa, and the provisions made for the levy of taxes for the payment of said bonds and interest thereon and declaring said bonds

issued and sold pursuant to said proceedings to be enforceable obligations of said city.

Read first and second times, and placed on the calendar.

### THIRD READING OF BILLS

Senator Lynes asked and received unanimous consent to take up for consideration Senate File 452, a bill for an act to appropriate from the general fund of the State of Iowa to the State Conservation Commission for emergency work.

Senator Knudson offered the following amendment and moved its adoption:

Amend Senate File 452 by adding after line 12, section 1, the following: "There is hereby appropriated to the state conservation commission, subject to the conditions hereinafter provided, from the general fund of the state the sum of five hundred thousand dollars (\$500,000) to be used for the assistance by the state in the construction of sewage facilities in the sanitary district of Clear Lake. Before any portion or all of the sum appropriated herein shall be paid over by the state treasurer to the treasurer of such sanitary district the trustee of such sanitary district shall have authorized by resolution the issuance of general obligation bonds of not less than ninety per cent (90%) of the legal limit of five per cent (5%) of the actual valuation of said real and personal property in such district subject to the general property tax. Such board of trustees shall also have authorized a millage levy of two (2) mills on all taxable property within such district in the year 1951, collectible in 1952 and for the year 1953, collectible in 1954, and such district shall, also, by resolution pledge itself to the payment of all costs of operation in such district, except that the State of Iowa shall be liable for sewage disposal rentals from state owned lands lying within such district in the same manner as any other benefited property within the district. All of the amount appropriated herein by the State of Iowa shall be used for actual construction of sewage facilities within such district. No portion of this appropriation shall be made available to such sanitary district, except upon authorization of the budget and financial control committee to the state treasurer. This appropriation shall be made in lieu of any special assessment against any state owned property included within such sanitary district."

Further amend Senate File 452 by changing the total in line 13 from "\$343,000.00" to "\$843,000.00"

The amendment was adopted.

Senator Lynes offered the following amendment and moved its adoption:

Amend the title to Senate File 452 by adding the following after the word "work" in line 2: "and certain other construction work".

The amendment was adopted:

Senator Lynes moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 47:

Anderson	Grimstead	Nesmith	Utzig
Bateson	Hart	Nolan	Van Eaton
Bekman	Heideman	Oltman	Vest
Bellman	Johnson	O'Malley	Walter
Berg	Knudson	Prentis	Washburn
Boothby	Larson	Risk	Watson of
Byers	Linnevold	Sayre	O'Brien
Clark	Lord	Schoening	Watson of
Colburn	Lucas	Scott	Pottawattamie
Dailey	Lynes	Stewart of	Weichman
Dewel	Miller	Mahaska	Whitehead
Dykhouse	Molison	Stuart of Lucas	Zastrow
Elijah	Myrland		

Nays, 1:

Nelson

Absent or not voting, 2:

Fishbaugh      Hedin

The bill having received a constitutional and two-thirds majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Lynes asked and received unanimous consent to take up for consideration Senate File 422, a bill for an act to make appropriations to certain named persons in settlement of claims made against the State of Iowa, with reports of committees without recommendation, was taken up, considered, and the reports of the committees adopted.

Senator Stewart of Mahaska moved that the bill be read a third 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	Dewel	Larson	Nolan
Bateson	Dykhouse	Linnevold	Oltman
Bekman	Elijah	Lord	O'Malley
Bellman	Fishbaugh	Lucas	Prentis
Berg	Grimstead	Lynes	Risk
Boothby	Hart	Miller	Sayre
Byers	Hedin	Molison	Schoening
Clark	Heideman	Myrland	Scott
Colburn	Johnson	Nelson	Stewart of
Dailey	Knudson	Nesmith	Mahaska

Stuart of Lucas	Vest	Watson of	Weichman
Utzig	Walter	O'Brien	Whitehead
Van Eaton	Washburn	Watson of	Zastrow
		Pottawattamie	

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 Lynes asked and received unanimous consent to take up for consideration Senate File 423, a bill for an act to make appropriations to certain persons in settlement of claims for refunds for motor licenses, with reports of committees without recommendation, was taken up, considered, and the reports of the committees adopted.

Senator Stewart of Mahaska moved that the bill be read a third 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	Grimstead	Myrland	Stuart of Lucas
Bekman	Hart	Nelson	Utzig
Bellman	Hedin	Nesmith	Van Eaton
Berg	Heideman	Nolan	Vest
Boothby	Johnson	Oltman	Walter
Byers	Knudson	O'Malley	Washburn
Clark	Larson	Prentis	Watson of
Colburn	Linnevold	Risk	O'Brien
Dailey	Lord	Sayre	Watson of
Dewel	Lucas	Schoening	Pottawattamie
Dykhouse	Lynes	Scott	Weichman
Elijah	Miller	Stewart of	Whitehead
Fishbaugh	Molison	Mahaska	Zastrow

Nays, none.

Absent or not voting, 1:

Bateson

The bill having received a constitutional and two-thirds majority was declared to have passed the Senate and the title was agreed to.

#### MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has refused to concur in Senate amendment to House File 487, a bill for an act making an appropriation for certain capital improvements for institutions under the board of control.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE MESSAGE CONSIDERED

Senator Lynes called up for further consideration House File 487, a bill for an act to appropriate funds for certain capital improvements for institutions under the board of control, including construction of new buildings, repairs, improvements, replacements or alterations, and providing for the joint control of the expenditure thereof by the board of control and the budget and financial control committee, and moved that the Senate recede from its amendment to House File 487, which motion prevailed, and the Senate receded.

Senator Lynes moved that the bill be read a last time now, which motion prevailed, and the bill was read a last time.

On the question "Shall the bill pass?" the vote was:

Ayes, 48:

Anderson	Grimstead	Myrland	Utzig
Bateson	Hart	Nelson	Van Eaton
Bekman	Hedin	Nesmith	Vest
Bellman	Heideman	Nolan	Walter
Berg	Johnson	Oltman	Washburn
Boothby	Knudson	O'Malley	Watson of
Byers	Larson	Prentis	O'Brien
Clark	Linnevold	Risk	Watson of
Colburn	Lord	Sayre	Pottawattamie
Dailey	Lucas	Schoening	Weichman
Dewel	Lynes	Stewart of	Whitehead
Dykhouse	Miller	Mahaska	Zastrow
Fishbaugh	Molison	Stuart of Lucas	

Nays, none.

Absent or not voting, 2:

Elijah	Scott
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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 Lynes, Senate File 448, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1953, and ending June 30, 1955, to the board of education for the support, maintenance, repairs, replacements, alterations or equipment of institutions under said board of education, was taken up, and considered.

Senator Lynes asked and received unanimous consent that House File 515 be substituted for Senate File 448.

On motion of Senator Lynes, House File 515, a bill for an act to appropriate from the general fund of the State of Iowa for the

biennium beginning July 1, 1953, and ending June 30, 1955, to the board of education for the support, maintenance, repairs, replacements, alterations or equipment of institutions under said board of education, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

On motion of Senator Lynes, the committee amendment was adopted.

Senator Weichman offered the following amendment:

1. Amend the Senate amendment to House File 515, section 3, lines 5 and 6, by striking the words and figures "three million eight hundred thirty-two thousand seven hundred dollars (\$3,832,700.00)" and inserting in lieu thereof the words and figures "four million forty-three thousand four hundred sixty dollars (\$4,043,460.00)".

2. Further amend House File 515, section 3, by striking the figures "\$3,635,200.00" in line 10 and by inserting in lieu thereof the figures "\$3,845,960.00".

3. Further amend House File 515, section 3, by striking the figure "\$3,832,700.00" in line 13 and by inserting in lieu thereof the figures "\$4,043,460.00".

President pro tempore Hart took the chair at 4:05 p.m.

Senator Dewel moved the previous question on the amendment to the amendment, which motion prevailed.

Senator Weichman moved the adoption of the amendment to the amendment, which motion prevailed, and the amendment was adopted.

Senator Nolan offered the following amendment to the amendment:

1. Amend the Senate amendment to House File 515 by striking lines 4 and 5 of section 2 and inserting in lieu thereof the following: "1955, the sum of seven million nine hundred eighty-four thousand dollars (\$7,984,000.00) or so much thereof".

Further amend the Senate amendment by inserting the following between lines 10 and 11 of section 2:

For additional training program in college of nursing.....\$22,000.00

For additional books and resource material in general library.. 55,000.00

For additional expense in college of medicine due to increased enrollment ..... 55,000.00

For additional and expanded speech correction work..... 22,500.00

Further amend by striking the figures "\$7,829,500.00" in line 12 of section 2 and by inserting in lieu thereof the figures "\$7,984,000.00".

Senator Nolan moved the adoption of the amendment to the amendment.

Roll call was requested.

On the question "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 13:

Bekman	Johnson	Nesmith	Watson of
Byers	Lord	Nolan	Pottawattamie
Hart	Lucas	Stuart of Lucas	Weichman
Hedin	Myrland		

Nays, 29:

Anderson	Dykhouse	Lynes	Stewart of
Bellman	Elijah	Miller	Mahaska
Berg	Fishbaugh	Nelson	Utzig
Boothby	Grimstead	Prentiss	Van Eaton
Clark	Heideman	Risk	Vest
Colburn	Knudson	Schoening	Walter
Dailey	Larson	Scott	Washburn
Dewel	Linnevoid		

Absent or not voting, 8:

Bateson	O'Malley	Watson of	Whitehead
Molison	Sayre	O'Brien	Zastrow
Oltman			

The amendment was lost.

Senator Lynes moved that the Senate reconsider the vote by which the amendment by Senator Weichman was adopted.

Roll call was requested.

Rule 8 invoked.

On the question "Shall the Senate reconsider the vote by which the amendment was adopted?" the vote was:

Ayes, 26:

Berg	Heideman	Nelson	Van Eaton
Clark	Knudson	Prentiss	Vest
Colburn	Linnevoid	Risk	Walter
Dewel	Lord	Schoening	Washburn
Dykhouse	Lucas	Scott	Watson of
Fishbaugh	Lynes	Stewart of	O'Brien
Grimstead	Molison	Mahaska	Whitehead

Nays, 21:

Anderson	Dailey	Miller	Stuart of Lucas
Bateson	Elijah	Myrland	Utzig
Bekman	Hart	Nesmith	Watson of
Bellman	Hedin	Nolan	Pottawattamie
Boothby	Johnson	O'Malley	Weichman
Byers	Larson		

Absent or not voting, 3:

Oltman                      Sayre                      Zastrow

The motion to reconsider prevailed.

Senator Weichman again moved the adoption of his amendment.

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 20:

Anderson	Hart	Myrland	Stuart of Lucas
Bekman	Hedin	Nesmith	Utzig
Bellman	Johnson	Nolan	Watson of
Byers	Larson	Oltman	Pottawattamie
Dailey	Miller	O'Malley	Weichman
Elijah			

Nays, 28:

Bateson	Grimstead	Nelson	Van Eaton
Berg	Heideman	Prentis	Vest
Boothby	Knudson	Risk	Walter
Clark	Linnevold	Schoening	Washburn
Colburn	Lord	Scott	Watson of
Dewel	Lucas	Stewart of	O'Brien
Dykhouse	Lynes	Mahaska	Whitehead
Fishbaugh	Molison		

Absent or not voting, 2:

Sayre                      Zastrow

The amendment was lost.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Stuart of Lucas, 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 222 and 442.

W. C. STUART, *Chairman Senate Committee.*

JOHN A. WALKER, *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 222 and 442.

## BILLS SENT TO THE GOVERNOR

Senator Stuart of Lucas, 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 April, 1953, sent to the governor for his approval: Senate Files 222 and 442.

W. C. STUART, *Chairman.*

Passed on file.

## BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that, on April 22, 1953, the Governor had approved the following bills:

Senate Joint Resolution 4, relating to a joint sewage system and disposal plant for the Iowa State College and the city of Ames.

Senate File 397, relating to municipal parking lots.

Also a communication was received announcing that, on April 23, 1953, the Governor had approved the following bills:

Senate File 368, relating to settlement of claims against the State of Iowa.

Senate File 369, relating to appropriations to members of the legislative advisory committee.

Senate File 388, relating to maximum legal weights on axles.

## PROOF OF PUBLICATION

Published copy of House File 499 and verified proof of publication of said bill in the Grundy Register, Grundy Center, Iowa, on April 23, 1953, was filed with the Secretary of the Senate prior to the time said bill was placed on passage.

CARROLL A. LANE,  
*Secretary of the Senate.*

## AMENDMENTS FILED

1 Amend House File 221 by striking all of section 15.

LEON N. MILLER.

1 Amend House File 221, section 21, lines 7 and 8, by striking  
2 the words and figures: "three hundred nine point thirty-  
3 eight (309.38),".

GEORGE E. O'MALLEY.

1 Amend House File 221, section 3, by striking the period (.)  
2 in subsection c of said section and inserting in lieu thereof  
3 a comma (,) and adding the following: "provided that such  
4 funds shall be controlled by the provisions of chapter 311,  
5 Code 1950."

HARRY E. WATSON.

1 Amend House File 506 by striking the word "attorney" in line  
 2 2 of section 3 and inserting in lieu thereof the words "board  
 3 of social welfare, with the advice of the county attorney".

DUANE E. DEWEL.

1 Amend House File 514, section 22, in line 9, by  
 2 striking "\$7,000.00" and by inserting in lieu thereof  
 3 "\$7,500.00"; in lines 4, 5 and 6 by striking "four  
 4 hundred twenty-three thousand two hundred seventy  
 5 dollars (\$423,270.00)" and by inserting in lieu thereof  
 6 "four hundred twenty-three thousand seven hundred seventy  
 7 dollars (\$423,770.00)"; in line 12 by striking "\$52,000.00"  
 8 and inserting in lieu thereof "\$52,500.00".

9 Further amend House File 514, section 22, in line  
 10 84, by striking "423,270.00" and by inserting in lieu  
 11 thereof "423,770.00".

GEORGE E. O'MALLEY.

1 Amend House File 514, section 45, line 5, by striking the words  
 2 and figures "twenty-four thousand five hundred dollars (\$24,500.00)"  
 3 and inserting in lieu thereof the words and figures "twenty-four  
 4 thousand seven hundred fifty dollars (\$24,750.00)", and by striking  
 5 in line 11 the figure \$13,400.00" and inserting in lieu thereof  
 6 the figures "\$13,650.00", and by striking the figures in line 15  
 7 "\$24,500.00" and inserting in lieu thereof the figures "\$24,750.00".

APPROPRIATIONS COMMITTEE.

1 Amend House File 514, section 37, by striking  
 2 from line 11 the figure "\$139,000.00" and inserting  
 3 in lieu thereof the figure "\$149,500".

4 Further amend by striking from line 12 the figure  
 5 "\$146,000.00" and inserting in lieu thereof the figure "\$156,500.00".

H. E. HEIDEMAN.

W. C. MOLISON.

GEORGE E. O'MALLEY.

1 Amend House File 514 as follows:

2 1. Strike from section 23, lines 4 and 5, the words  
 3 and figures "four thousand dollars (\$4,000.00)" and insert in  
 4 lieu thereof "five thousand four hundred dollars (\$5,400.00)".

5 2. Strike from section 23, line 8, the figures  
 6 "\$4,000.00" and insert in lieu thereof "\$5,400.00".

7 3. Strike from section 23, line 11, the figures  
 8 "\$4,000.00" and insert in lieu thereof "\$5,400.00".

EARL ELIJAH.

1 Amend House File 514 by striking lines 36 to 38,  
 2 inclusive, of section twenty-two (22) and inserting  
 3 in lieu thereof the following:

4 (8) TUBERCULOSIS CONTROL.

5 For salaries, support and maintenance of mobile units

- 6 for mass x-ray tuberculosis case finding, interpretation  
 7 of x-ray films, follow-up work on active tuberculosis  
 8 cases, supervision and direction of tuberculosis control  
 9 work, and miscellaneous purposes.....\$50,000.00

E. K. BEKMAN.  
 HERMAN B. LORD.  
 GEORGE E. O'MALLEY.  
 THOMAS J. DAILEY.  
 R. J. OLTMAN.

- 1 Amend the Senate amendment to House File 515 by striking  
 sections 12 and 13  
 2 thereof and renumbering the remaining sections.

ELMER K. BEKMAN.  
 FRANK C. BYERS.  
 W. C. MOLISON.  
 GEORGE E. O'MALLEY.  
 EARL C. FISHBAUGH, JR.  
 THOMAS J. DAILEY.  
 G. E. WHITEHEAD.  
 W. C. STUART.  
 J. H. NESMITH.  
 E. C. MYRLAND.  
 STANLEY L. HART.  
 R. J. OLTMAN.  
 C. S. VAN EATON.  
 J. G. LUCAS.

- 1 1. Amend Senate amendment to House File 515, section 3, by  
 striking  
 2 from lines 5 and 6 the words and figures "three  
 3 million eight hundred thirty-two thousand seven hundred  
 4 dollars (\$3,832,700.00)" and inserting in lieu thereof the  
 5 following: "four million forty-three thousand four hundred  
 6 sixty dollars (\$4,043,460.00)".  
 7 2. Further amend section 3 by striking the  
 8 figures "\$3,832,700.00" in line 13 and inserting  
 9 in lieu thereof the figures "\$4,043,460.00".  
 10 3. Further amend section 3 by striking the  
 11 figures "\$3,635,200.00" in line 10 and inserting in  
 12 lieu thereof the figures "\$3,845,960.00".

GEORGE E. O'MALLEY.

- 1 1. Amend Senate amendment to House File 515, section 9, by  
 2 striking the following words and figures in lines 4  
 3 and 5: "four hundred ninety-three thousand one  
 4 hundred ninety dollars (\$493,190.00)" and by inserting in lieu  
 5 thereof the following: "five hundred thirty-nine thousand one  
 6 hundred sixty-four dollars (\$539,164.00)".  
 7 2. Further amend said section 9 by striking the  
 8 figures "four hundred seventy-seven thousand six hundred ninety

9 dollars (\$477,690.00)" in line 8 and by inserting in  
 10 lieu thereof the figures "five hundred twenty-three thousand  
 11 six hundred sixty-four dollars (\$523,664.00)".  
 12 3. Further amend section 9 by striking the figures  
 13 "four hundred ninety-three thousand one hundred ninety (\$493,-  
 190.00)  
 14 in line eleven (11) and by inserting in lieu thereof the figures  
 15 "five hundred thirty-nine thousand one hundred sixty-four dollars  
 16 (\$539,164.00)".

DEVERE WATSON.

1 Amend the Senate amendment to House File 515 by striking in  
 section 11,  
 2 lines 4 and 5, the following: "eight hundred thirty-three thousand  
 3 nine hundred eighty dollars (\$833,980.00)" and inserting in lieu  
 4 thereof "eight hundred seventy-three thousand nine hundred eighty  
 5 dollars (\$873,980.00)".  
 6 Further amend section 11, line 8, by striking the figure "813,480.00"  
 7 and inserting in lieu thereof "853,480.00".  
 8 Further amend section 11, line 12, by striking the figure  
 9 "833,980.00" and inserting in lieu thereof "873,980.00".  
 10 Further amend section 11, line 15, by striking the figure  
 11 "24,575,164.00" and inserting in lieu thereof "24,615,164.00".  
 12 Amend the Senate amendment to House File 515, section 12, line  
 16,  
 13 by striking the figure "1,850,960.00" and inserting in lieu thereof the  
 14 figure "1,930,960.00".

D. C. NOLAN.

On motion of Senator Dewel, the Senate adjourned until 9:30  
 a.m., Friday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 24, 1953.

The Senate met in regular session, President pro tempore Hart presiding.

Prayer was offered by Reverend Fred F. Darnauer, pastor of the American Lutheran Church, Jesup, Iowa.

## PETITION AND MEMORIAL

The following petition was presented and placed on file:

By Senator Dailey from twenty-five residents of Jasper County favoring proposed legislation relating to an improved road program for Iowa.

## PRESENTATION OF VISITORS

Senator Vest asked and received unanimous consent to present to the Senate the members of the eighth grade civics class of the Viola Township, Public School of Audubon County, who were present in the balcony accompanied by their instructor, Ed Downing.

Senator Sayre asked and received unanimous consent to present to the Senate eleven students of the Grand River No. 2 Public School of Adair County who were present in the balcony accompanied by their instructor, Mrs. Darrell Jensen.

Senator Sayre also asked and received unanimous consent to present to the Senate forty-three students from Prussia No. 7, No. 8 and No. 9 and Summerset No. 1 Public Schools who were present in the balcony accompanied by their instructors, Irene Hodge, Edna Miller, Eileen Armstrong and Bertha Warrior.

## HOUSE CONCURRENT RESOLUTION 26

Senator O'Malley called up for consideration the following resolution and moved its adoption:

### HOUSE CONCURRENT RESOLUTION 26

By Cooksey, Nelson of Jasper, Ryan and Parker

*Whereas*, the Constitution of the State of Iowa says: "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", and

*Whereas*, surveys taken in the State of Iowa indicate that racial or religious discrimination in employment does exist;

*Now, Therefore, Be It Resolved by the House, the Senate Concurring:* That it shall be the policy of the State of Iowa that no person within its boundaries shall be deprived of the right to work at his chosen occupation for any employer, public or private, because of race, creed, color, national origin or ancestry.

*Be It Further Resolved:* That the Governor is requested to appoint a commission, which shall serve without compensation, to study the extent of such discrimination in Iowa and recommend remedies therefor, for the consideration of the next 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 passed the following bill in which the concurrence of the House was asked:

Senate File 440, a bill for an act making appropriation for settlement of claim.

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 making appropriations to Armand Company on account of real estate lease.

Also: That the House has reconsidered the vote by which it passed, and further amended and repassed, Senate File 437, a bill for an act authorizing payment of certain claims arising out of administration of the conservation commission.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 443, a bill for an act making appropriations for certain claims.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 444, a bill for an act making appropriations for certain claims.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 445, a bill for an act making appropriations to certain persons in settlement of claims against the State of Iowa and the Iowa state highway commission.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 446, a bill for an act authorizing payments to Iowa City

Public Schools and the Independent School District of Ames on account of pupils residing in tax free housing units.

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 definition and licensing of children's boarding homes.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE 437

Amend Senate File 437, section 1, line 2, by striking therefrom the following: "conservation commission funds" and inserting in lieu thereof the following: "administration fund provided by section one hundred seven point seventeen (107.17), subsection three (3), Code 1950, of the conservation commission".

#### HOUSE AMENDMENTS TO SENATE 446

Amend Senate File 446 as follows:

1. By adding the following as section 5:

"Sec. 5. Chapter two hundred sixty-two (262), Code 1950, is hereby amended by adding thereto the following: 'The state board of education shall pay to the local school boards the tuition payments for the elementary or high school education of students residing on land owned by the state and under the control of the state board of education. Such payments shall be made from the funds of the respective educational institutions.'"

2. Amend the title by changing the period at the end of the title to a comma and adding the following: "and to amend chapter two hundred sixty-two (262), Code 1950, relating to the state board of education."

Senator Knudson asked and received unanimous consent that the Secretary of the Senate be instructed to transmit a message on behalf of the members of the Senate to the Honorable William H. Nicholas, former Lieutenant Governor of Iowa, with their best wishes for a complete and speedy recovery.

President Elthon took the chair at 10:10 a.m.

Senator Zastrow asked and received unanimous consent that the following bills now on the calendar be placed at the head of the calendar: Senate Files 379, 449, 234 and 429.

#### HOUSE AMENDMENT CONSIDERED

Senator Stewart of Mahaska called up for consideration Senate File 437, a bill for an act to direct and authorize payment to certain persons in settlement of claims arising out of administration

of the conservation commission, amended by the House, and moved that the Senate concur in the House amendment.

The Senate concurred in the House amendment.

Senator Stewart of Mahaska moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

On the question "Shall the bill pass?" the vote was:

Ayes, 44:

Anderson	Grimstead	Nelson	Stuart of Lucas
Bateson	Hart	Nesmith	Utzig
Bekman	Hedin	Nolan	Walter
Bellman	Heideman	Oltman	Washburn
Berg	Johnson	O'Malley	Watson of
Boothby	Larson	Prentis	O'Brien
Clark	Linnevoid	Risk	Watson of
Colburn	Lucas	Sayre	Pottawattamie
Dailey	Lynes	Schoening	Weichman
Dewel	Miller	Scott	Whitehead
Dykhouse	Molison	Stewart of	Zastrow
Elijah	Myrland	Mahaska	

Nays, none.

Absent or not voting, 6:

Byers	Knudson	Van Eaton	Vest
Fishbaugh	Lord		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Stewart of Mahaska called up for consideration Senate File 446, a bill for an act to direct and authorize payments to Iowa City public schools, Iowa City, Iowa, and the independent school district of Ames, Iowa, out of appropriations made to the University of Iowa, and Iowa State College, on account of pupils residing in tax free housing units, amended by the House, and moved that the Senate concur in the House amendment, which motion was lost and the Senate refused to concur in the House amendment.

Senator Lynes called up for consideration Senate File 143, a bill for an act to amend section three (3) of chapter eighty (80), Acts of the Fifty-fourth General Assembly, relating to the handling and sale of market milk, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 143 as follows:

1. Amend section 1 by striking the first 6 lines thereof and substituting in lieu thereof the following:

"Section 1. Section three (3) of chapter eighty (80), Acts of the

Fifty-fourth (54th) General Assembly, is hereby amended by striking from lines forty-five (45) and forty-six (46) the words: 'procedures approved by them for the control of Brucellosis' and inserting in lieu thereof the following: 'three following plans of control:.'

2. Further amend section one (1) by striking from lines twenty-five (25), twenty-six (26) and twenty-seven (27) the following: "To sell Grade A pasteurized milk, the herd must be composed entirely of official vaccinates." and inserting in lieu thereof the following: "The herd must be composed entirely of official vaccinates."

The Senate concurred in the House amendments.

Senator Lynes moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

On the question "Shall the bill pass?" the vote was:

Ayes, 46:

Anderson	Hart	Nelson	Utzig
Bateson	Hedin	Nesmith	Van Eaton
Bekman	Heideman	Nolan	Vest
Bellman	Knudson	O'Malley	Walter
Berg	Larson	Prentis	Washburn
Boothby	Linnevoold	Risk	Watson of
Clark	Lord	Sayre	O'Brien
Colburn	Lucas	Schoening	Watson of
Dailey	Lynes	Scott	Pottawattamie
Dewel	Miller	Stewart of	Weichman
Dykhouse	Molison	Mahaska	Whitehead
Elijah	Myrland	Stuart of Lucas	Zastrow
Grimstead			

Nays, none.

Absent or not voting, 4:

Byers	Fishbaugh	Johnson	Oltman
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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 called up for consideration Senate File 142, a bill for an act to amend chapter one hundred sixty-four (164), section one hundred sixty-four point five (164.5), and repeal section one hundred sixty-four point eleven (164.11), Code 1950, relating to the eradication of Bang's disease, amended by the House as follows:

Amend Senate File 142 as follows:

1. Amend section 3, line 5, by inserting the word "female" after the word "any".

2. Further amend section 3, line 11, by adding after the period "(.)" following the word "certificates" the following: "Animals which have been vaccinated by the owner thereof, and which are accompanied by an

affidavit of said owner stating the date and place of vaccination and clearly identifying said animal, as provided in chapter one hundred sixty-four point one (164.1), Code 1950."

3. Further amend section (3) by adding a new paragraph as follows:

"c. Female cattle of any age in which the origin of shipment is from an area declared brucellosis free by its respective state department of agriculture or by the United States department of agriculture."

4. Add to Senate File 142 the following new section:

"Sec. 4. The provisions of this bill shall not go into effect until July 4, 1954."

Senator Dailey offered the following amendment to the House amendment and moved its adoption:

Amend the House amendment to Senate File 142 by striking all of section 2 of the amendment.

The amendment to the amendment was adopted.

On motion of Senator Lynes, the Senate concurred in the House amendments as amended.

Senator Lynes moved that the bill as amended by the House and further amended by the Senate and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

On the question "Shall the bill pass?" the vote was:

Ayes, 45:

Anderson	Elijah	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nolan	Van Eaton
Bellman	Johnson	Oltman	Walter
Berg	Knudson	O'Malley	Washburn
Boothby	Larson	Prentis	Watson of
Byers	Linnevold	Risk	O'Brien
Clark	Lord	Sayre	Watson of
Colburn	Lucas	Schoening	Pottawattamie
Dailey	Lynes	Scott	Weichman
Dewel	Miller	Stewart of	Whitehead
Dykhouse	Molison	Mahaska	Zastrow

Nays, none.

Absent or not voting, 5:

Fishbaugh	Heideman	Nesmith	Vest
Grimstead			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Lynes called up for consideration Senate File 43, a bill for an act to prescribe the minimum butterfat content of milk,

amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 43 by adding the following section:

"Sec. 2. Section one hundred ninety point one (190.1), Code 1950, is hereby amended by adding thereto the following: 'Standardized milk is milk from which part of the cream has been removed and containing not less than three and twenty-five hundredths per cent (3.25%) of milk fat, and such standardized milk shall be sold in containers stating the fact that it is standardized milk and stating the per cent of milk fat contained therein.'"

The motion was lost and the Senate refused to concur in the House amendment.

#### HOUSE CONCURRENT RESOLUTION 27 ADOPTED

Senator Lord asked and received unanimous consent to take up for consideration the following resolution and moved its adoption:

#### HOUSE CONCURRENT RESOLUTION 27

*Whereas*, it is becoming increasingly evident that some major repairs and rehabilitation are going to be necessary to preserve the exterior of the state capitol, and also that there is evidence that necessary repairs and improvements might well be made within the building itself;

*Now, Therefore, Be It Resolved by the House, the Senate Concurring*, That there is hereby created a capitol improvement commission, consisting of three members from the Senate to be appointed by the President of the Senate, and three members of the House to be appointed by the Speaker of the House, for the purpose of making a survey of the physical condition of the state capitol and making a report of such recommendations to the Fifty-sixth General Assembly for such improvements as said commission might deem proper and necessary.

*Be It Further Resolved*, That members of such commission shall perform its duties without any compensation.

The motion prevailed and the resolution was adopted.

#### UNFINISHED BUSINESS

On motion of Senator Dykhouse, House File 221, 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, was taken up for further consideration.

Senator Stewart of Mahaska called up his amendment, found on page 1127 of the Journal, which was under consideration by the Senate when action on the bill was deferred.

Senator Whitehead moved that House File 221 be re-referred to the sifting committee for further study.

Senator Byers moved to amend the motion by striking "sifting committee" and inserting in lieu thereof "committee of the whole".

The amendment to the motion was lost.

On the motion by Senator Whitehead, roll call was requested.

Rule 8 was invoked.

On the question "Shall the motion be adopted?" the vote was:

Ayes, 30:

Anderson	Larson	Nelson	Stewart of
Berg	Linnevold	Nesmith	Mahaska
Boothby	Lord	Oltman	Utzig
Elijah	Lucas	Prentis	Vest
Grimstead	Lynes	Risk	Walter
Heideman	Miller	Sayre	Whitehead
Johnson	Molison	Schoening	Zastrow
Knudson	Myrland	Scott	

Nays, 18:

Bateson	Colburn	Hedin	Washburn
Bekman	Dailey	Nolan	Watson of
Bellman	Dewel	O'Malley	O'Brien
Byers	Dykhouse	Stuart of Lucas	Watson of
Clark	Hart	Van Eaton	Pottawattamie

Absent or not voting, 2:

Fishbaugh	Weichman
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The motion prevailed and House File 221 was re-referred to the sifting committee.

Senator Whitehead moved that the vote by which the motion was adopted be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Zastrow, the Senate recessed until 1:10 p.m.

#### AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

#### MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate amendments No. 1 to No. 6, inclusive, No. 9 to No. 23, both inclusive, No. 25 and No. 28 to No. 30, both inclusive, and has amended and concurred in Senate amendments No. 7 and No.

24, and has refused to concur in Senate amendments No. 8, No. 26 and No. 27, to House File 140, a bill for an act relating to the Iowa public employees' retirement system.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE AMENDMENTS  
TO HOUSE FILE 140

Amend Senate amendment No. 7, line 13, by striking the word "shall" and inserting in lieu thereof the word "may".

Amend Senate amendment No. 24 by adding at the end thereof as subsection 1 the following:

"Further amend section 54, as passed by the Senate, by striking the words 'special reserve' in lines 1 and 2 and inserting in lieu thereof the word 'general', and by adding at the end of the first sentence the following: 'The governor and the budget and financial control committee are hereby directed to transfer from the special reserve fund a sufficient fund to provide for the appropriation made herein, unless the comptroller and governor certify to the budget and financial control committee that in their judgment there are sufficient funds available in the general fund for the operation of state government at that time so as to make the use of the special reserve fund unnecessary during said biennium.'"

UNFINISHED BUSINESS

On motion of Senator Lynes, House File 515, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1953, and ending June 30, 1955, to the board of education for the support, maintenance, repairs, replacements, alterations or equipment of institutions under said board of education, was taken up for further consideration.

Senator Lucas moved that the Senate reconsider the vote by which the committee amendment to House File 515 was adopted.

The motion was lost.

Senator Nolan offered the following amendment and moved its adoption:

Amend the Senate amendment to House File 515 by striking in section 11, lines 4 and 5, the following: "eight hundred thirty-three thousand nine hundred eighty dollars (\$833,980.00)" and inserting in lieu thereof "eight hundred seventy-three thousand nine hundred eighty dollars (\$873,980.00)".

Further amend section 11, line 8, by striking the figure "813,480.00" and inserting in lieu thereof "853,480.00".

Further amend section 11, line 15, by striking the figure "833,980.00" and inserting in lieu thereof "873,890.00".

Further amend section 11, line 15, by striking the figure "24,575,164.00" and inserting in lieu thereof "24,615,164.00".

Amend the Senate amendment to House File 515, section 12, line 16, by striking the figure "1,850,960.00" and inserting in lieu thereof the figure "1,930,960.00".

Division was called for.

The amendment to the amendment was lost.

Senator O'Malley asked and received unanimous consent to withdraw the amendment to the amendment filed and found on page 1180 of the Senate Journal.

Senator Watson of Pottawattamie offered the following amendment and moved its adoption:

1. Amend Senate amendment to House File 515, section 9, by striking the following words and figures in lines 4 and 5: "four hundred ninety-three thousand one hundred ninety dollars (\$493,190.00)" and by inserting in lieu thereof the following: "five hundred thirty-nine thousand one hundred sixty-four dollars (\$539,164.00)".

2. Further amend said section 9 by striking the figures "four hundred seventy-seven thousand six hundred ninety dollars (\$477,690.00)" in line 8 and by inserting in lieu thereof the figures "five hundred twenty-three thousand six hundred sixty-four dollars (\$523,664.00)".

3. Further amend section 9 by striking the figures "four hundred ninety-three thousand one hundred ninety (\$493, 190.00)" in line eleven (11) and by inserting in lieu thereof the figures "five hundred thirty-nine thousand one hundred sixty-four dollars (\$539,164.00)".

The amendment to the amendment was lost.

Senator Bekman offered the following amendment to the amendment filed by Senators Bekman, Byers, Molison, O'Malley, Fishbaugh, Dailey, Whitehead, Stuart, Nesmith, Myrland, Hart, Oltman, Van Eaton and Lucas, and moved its adoption:

Amend the Senate amendment to House File 515 by striking sections 12 and 13 thereof, and renumbering the remaining sections.

Roll call was requested.

On the question "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 33:

Anderson	Dailey	Heideman	Miller
Bateson	Dewel	Johnson	Molison
Bekman	Elijah	Knudson	Myrland
Bellman	Grimstead	Larson	Nesmith
Boothby	Hart	Linnevoold	Oltman
Byers	Hedin	Lucas	O'Malley

Sayre Schoening Stuart of Lucas	Utzig Van Eaton	Watson of Pottawattamie Weichman	Whitehead Zastrow
Nays, 6:			
Clark Colburn	Dykhouse Prentis	Scott	Washburn
Absent or not voting, 11:			
Berg Fishbaugh Lord Lynes	Nelson Nolan Risk	Stewart of Mahaska Vest	Walter Watson of O'Brien

The amendment to the amendment was adopted.

Senator Weichman offered the following amendment to the amendment and moved its adoption:

1. Amend the Senate amendment to House File 515, section 10, lines 4 and 5 by striking the following words and figures: "three hundred thirteen thousand seven hundred dollars (\$313,700.00)" and by inserting in lieu thereof the following: "three hundred twenty-nine thousand nine hundred sixty-two dollars (\$329,962.00)".

2. Further amend the Senate amendment to House File 515, by striking the figures "\$293,200.00" in line 8 of section 10, and by inserting in lieu thereof the figures "\$309,462.00".

3. Further amend the Senate amendment to House File 515, by striking the figures "\$313,700.00" in line 12 of section 10 and by inserting in lieu thereof the figures "\$329,962.00".

Division was called for.

The amendment to the amendment was lost.

On motion of Senator Lynes the committee amendment as amended 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, 49:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow

Nays, none.

Absent or not voting, 1:

Fishbaugh

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 447, a bill for an act authorizing a patent to John Blair.

Also: That the House has refused to concur in Senate amendments to House File 220, a bill for an act relating to speed of school buses.

Also: That the House has concurred in Senate amendments to and passed House File 366, a bill for an act relating to the sale of agricultural seeds.

Also: That the House has concurred in Senate amendments to and passed House File 378, a bill for an act relating to sale of personal property or services under prearranged funeral plans.

Also: That the House has concurred in Senate amendments to and passed House File 441, a bill for an act relating to publication of annual reports of insurance companies.

Also: That the House has concurred in Senate amendments to and passed House File 498, a bill for an act providing for the annexation of unincorporated territory.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 504, a bill for an act relating to the use of funds received by municipal corporations from the road use tax fund.

.. A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED

House File 169, 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 referred to the sifting committee.

House File 504, a bill for an act to amend House File 464, Acts of the Fifty-fifth General Assembly, relating to the use of funds received by municipal corporations from the road use tax fund and amending section thirty-one (31) of chapter one hundred

fifty-nine (159), Acts of the Fifty-fourth General Assembly, relating thereto.

Read first and second times, and referred to the sifting committee.

President pro tempore Hart took the chair at 3:50 p.m.

#### PRESENTATION OF GIFT

Senator Zastrow moved that the President pro tempore appoint a committee to escort President Elthon to his station for the purpose of presenting to him a token of esteem for his faithful and efficient service.

The motion prevailed and President pro tempore Hart appointed as such committee Senators Zastrow and Lucas.

The committee escorted President Elthon to his station and Senator Hart said:

**MR. PRESIDENT AND MEMBERS OF THE SENATE;** It is a very happy occasion for me to be at the President's station participating in this mark of respect to indicate the esteem and high regard in which our President of the Senate, Honorable Lieutenant Governor Elthon, is held by all the members of this body, and at this time I would like to yield to Senator Lucas.

**PRESIDENT ELTHON AND MEMBERS OF THE SENATE:** There comes a period in the relations of men, and particularly in the operation of august bodies such as this, that a desire to recognize the contributions of a sincere and outstanding nature becomes a matter of unanimous expression.

In organizations such as the Iowa Senate, the greatest remuneration any of us receive is of a character which might be referred to as take home pay. By that I mean the friends we make, the fine associations we enjoy, and the splendid spirit of camaraderie which exists.

This afternoon this expression leads us to seek to recognize not only an outstanding citizen of Iowa, but one who has, throughout this session and his long years of service in this body, shown the ability, the quality of integrity, fairness, kindness and courtesy which has won for him the high respect, friendship and confidence of every member of the Senate.

In an attempt to convey these personal feelings toward Lieutenant Governor Elthon, I have the privilege and honor of presenting this gift, which we hope and believe he will treasure and always retain.

Lieutenant Governor Elthon, with this gift go the sincere best wishes and the "God Bless You" of every member of the Senate.

Thank you, Senator Lucas, and members of the Senate. It is rather hard for me at this moment to say, I am sure, the right thing—the thing I should say—and I assure you that I have prepared no speech, so what I do say is not what I have premeditated, but it will be speaking from my heart. I have said for many years that there is no higher honor and no greater privilege than to serve as a member of the Iowa Senate. As the years have gone by and I have seen the Iowa Senate in operation and I have known the individual members of the Iowa Senate, I have become

more and more convinced that this statement is true. There are many people who have the mistaken idea that being a member of the Iowa Senate is a step to a higher office, but I assure you members of the Senate that you are in the highest office the State of Iowa can tender you. It would be untrue if I would say at this time that I do not appreciate your actions today—I certainly do from the bottom of my heart. After I was no longer a member of the Senate, I made up my mind that I would try to fill the office of Lieutenant Governor with the honor and dignity you should expect me to. I have tried to do that in some measure, and if there has been some success, it has been with the help and cooperation of the members of the Senate and the desk force.

I will with my family cherish this picture all the days of my life. We shall hang it in our favorite place in our living room and I shall point with pride to this picture and the fact that you people gave it to me. I shall tell my grandchildren about it and they too will treasure it.

I shall always uphold the dignity, honor, and respect of this station you have given me. I thank you. God speed and the best things of life I wish to each and everyone of you.

Senator Zastrow asked and received unanimous consent that the foregoing remarks be printed in the Senate Journal.

On motion of Senator Zastrow, the Senate resolved itself into executive session.

### EXECUTIVE SESSION

The Senate in executive session confirmed the following appointments:

Mrs. Laura Jean Brooks of Linn County, as a member of the State Board of Education for the regular term ending July 1, 1959.

Dr. Earle A. Davis, Jr., of Buena Vista County, as a member of the Board of Examiners in the Basic Sciences for the regular term ending June 30, 1959.

Melvin Graham of Audubon County, as a member of the State Highway Commission for the regular term ending June 30, 1957.

Frank R. Kerrigan of Dubuque County, as a member of the State Highway Commission for the regular term ending June 30, 1957.

Harold McKinley of Mitchell County, as a member of the Iowa Natural Resources Council, for the regular term ending July 1, 1959.

David G. Mobberley of Warren County, as a member of the Board of Examiners in the Basic Sciences for the regular term ending June 30, 1959.

Roy E. Stevens of Wapello County, as a member of the State Board of Education for the regular term ending July 1, 1959.

Claude M. Stanley of Adams County, as a member of the Iowa Employment Security Commission for the regular term ending June 30, 1959.

The Senate, in executive session, refused to confirm the following:  
John E. Hansen of Carroll County, as a member of the Iowa Liquor Control Commission for the regular term ending July 1, 1959.

Mrs. Addison Parker of Polk County, as a member of the Iowa Natural Resources Council, for the regular term ending July 1, 1959.

Clifford Strawman of Jones County, as a member of the State Board of Education for the regular term ending July 1, 1959.

George Ver Steeg of Marion County, as a member of the Iowa Natural Resources Council for the unexpired term ending July 1, 1955.

The Senate arose from executive session and resumed regular session.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Stuart of Lucas, 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 438, 439, 441 and 443; and House Files 117, 162, 185, 199, 350, 390, 487, 505 and 507.

W. C. STUART, *Chairman Senate Committee.*

JOHN A. WALKER, *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 438, 439, 441 and 443; and House Files 117, 162, 185, 199, 350, 390, 487, 505 and 507.

#### BILLS SENT TO THE GOVERNOR

Senator Stuart, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 24th day of April, 1953, sent to the Governor for his approval: Senate Files 438, 439, 441 and 443.

W. C. STUART, *Chairman.*

Passed on file.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that, on April 24, 1953, the Governor had approved the following bills:

Senate File 222, relating to the reopening of East Walnut Street through the "Capitol Extension Grounds".

Senate File 442, relating to the sale and delivery of 1952 sewer bonds by the city of Creston, Iowa.

## AMENDMENTS FILED

- 1 Amend House File 10 by adding following section 4  
2 the following:  
3 "Sec. 5. Section three hundred twenty-four point two (324.2),  
4 Code 1950, is amended by adding at the end thereof the following:  
5 'Subject to all the provisions of law applicable to the license  
6 fees of four cents per gallon or fraction thereof imposed by this  
7 chapter, there is hereby imposed an additional license fee on  
8 motor vehicle fuel of one cent per gallon or fraction thereof for  
9 the period ending June 30, 1955.'"  
10 2. Further amend House File 10 by renumbering the following  
11 sections.

X. T. PRENTIS.

- 1 Amend House File 327 by adding a new sentence in section  
2 8, line 16, thereof: "Nothing contained in this act  
3 shall invalidate ordinances of any municipal corporation  
4 providing inspections or imposing requirements higher than the  
5 minimum requirements provided in this act."  
6 Further amend House File 327, section 10, by striking the  
7 comma (,) in line 28 and inserting in lieu  
8 thereof a period (.) and striking all of line 29.  
9 Further amend House File 327 as follows:  
10 By adding a new sentence to section 10 thereof,  
11 following the period (.) in line 13, as follows:  
12 "In computing the length herein above described, the total length  
13 therein set out shall expressly include the trailer hitch or  
14 such other permanent extensions as may be attached to said  
15 trailer used or designed for use as a trailer hitch."  
16 Further amend House File 327 by adding the following as a new  
17 sentence to section 10: "Each mobile home park licensee  
18 is hereby required to keep an accurate and complete record of  
19 the number of units of mobile homes harbored in his park and to  
20 report such information on or before the tenth (10th) day of  
21 each month to the county assessor and the records of every such  
22 licensee shall be open to inspection by the county assessor."  
23 Further amend House File 327, section 11, by striking  
24 lines 1 to 8, inclusive, and inserting in lieu  
25 thereof the following: "The monthly fee for each occupied mobile  
26 home situated upon a licensed mobile home park shall be paid by  
27 the licensee thereof, or by the owner where the mobile home is  
28 not situated in a mobile home park, to the county treasurer of  
29 the county wherein such licensed mobile home park or mobile  
30 home is situated, on or before the tenth (10th) day of each and  
31 every month following thereafter. Such monthly fee is hereby  
32 allocated and required to be paid by the county treasurer as  
33 follows:"  
34 Further amend House File 327, section 11, by striking  
35 the word "municipal" in line 9 thereof and insert in  
36 lieu thereof the word "county", and in line 12 by

37 striking the words "to be retained by the municipality" and  
38 inserting in lieu thereof the following: "shall be paid to the  
39 municipal corporation wherein said licensed mobile home park  
40 or mobile home is located." Also in section 11, line  
41 13, by striking the words "to be paid to" and inserting  
42 in lieu thereof the words "shall be retained for the general  
43 fund by".

44 Further amend House File 327 by adding a new sentence to  
45 section 17 following the period as follows: "All  
46 rules and regulations issued shall be in conformity with the  
47 provisions of chapter fifty-one (51), Acts of the Fifty-fourth General  
48 Assembly".

THOMAS J. DAILEY.

Senator Zastrow moved that the Senate adjourn until 9:00 a.m., Saturday.

Senator Hart moved as a substitute motion that the Senate recess until 8:00 p.m., which motion was lost.

The motion by Senator Zastrow prevailed and the Senate adjourned until 9:00 a.m., Saturday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 25, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend F. B. Ostdick, pastor of Holy Trinity Catholic Church, Des Moines, Iowa.

## PRESENTATION OF VISITORS

Senator Walter asked and received unanimous consent to present to the Senate fifty members of the State Center High School band who were present in the balcony accompanied by Harold Gamble.

## ANNOUNCEMENT

Senator Knudson arose on a point of personal privilege and extended an official invitation to the members of the Senate to attend the "Governor's Day" celebration to be held at Clear Lake, Iowa, on July 24, 25 and 26, 1953.

## PRESENTATION OF GAVEL

Senator Knudson asked and received unanimous consent to present Vic Lindquist, Senate doorkeeper, who made the following presentation to President Elthon:

Mr. Lindquist, on behalf of the sergeant-at-arms and the doorkeepers of the Senate, addressed the Senate briefly and presented to President Elthon a gavel which he had carved from a piece of historic native black walnut taken from a window sill in Beed's Mill in Franklin County.

President Elthon expressed his sincere appreciation for the gavel.

## HOUSE AMENDMENTS CONSIDERED

Senator Watson of Pottawattamie called up for consideration Senate File 70, a bill for an act to amend sections one hundred forty-one point four (141.4) and one hundred forty-one point twelve (141.12), Code 1950, relating to the disposal of dead bodies and to provide for a record thereof, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 70 as follows:

1. Section 1, line 5, by adding before the period “(.)” at the end of the line the following: “, or in case of cremation, the name of the person to whom the ashes are delivered”.

2. Section 2 by striking lines 4 and 5 and inserting in lieu thereof the following:

“(4). The name and location of the cemetery where interment of the body is to be made, or in case of cremation, the name of the person to whom the ashes are to be delivered.”

The Senate concurred in the House amendments.

Senator Watson of Pottawattamie moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

On the question “Shall the bill pass?” the vote was:

Ayes, 42:

Anderson	Hedin	Nelson	Stuart of Lucas
Bateson	Heideman	Nesmith	Van Eaton
Bekman	Johnson	Nolan	Vest
Bellman	Knudson	Oltman	Walter
Berg	Larson	O'Malley	Washburn
Colburn	Linnevold	Prentis	Watson of
Dailey	Lord	Sayre	O'Brien
Dewel	Lucas	Schoening	Watson of
Dykhouse	Miller	Scott	Pottawattamie
Elijah	Molison	Stewart of	Weichman
Grimstead	Myrland	Mahaska	Zastrow
Hart			

Nays, none.

Absent or not voting, 8:

Boothby	Clark	Lynes	Utzig
Byers	Fishbaugh	Risk	Whitehead

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

#### UNFINISHED BUSINESS

On motion of Senator Dykhouse, House File 278, a bill for an act to amend sections four hundred twenty-six point three (426.3), four hundred twenty-six point six (426.6), four hundred twenty-six point seven (426.7) and four hundred twenty-six point eight (426.8), Code 1950, relating to computation of agricultural land tax credits, was taken up for further consideration.

Senator Dykhouse moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 46:

Anderson	Hedin	Nelson	Utzig
Bateson	Heideman	Nesmith	Van Eaton
Bekman	Johnson	Nolan	Vest
Bellman	Knudson	Oltman	Walter
Berg	Larson	O'Malley	Washburn
Boothby	Linnevold	Prentis	Watson of
Colburn	Lord	Sayre	O'Brien
Dailey	Lucas	Schoening	Watson of
Dewel	Lynes	Scott	Pottawattamie
Dykhouse	Miller	Stewart of	Weichman
Elijah	Molison	Mahaska	Whitehead
Grimstead	Myrland	Stuart of Lucas	Zastrow
Hart			

Nays, none.

Absent or not voting, 4:

Byers	Clark	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.

On motion of Senator Berg, House File 499, 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 garage bonds of the city of Grundy Center, Iowa, and the provisions made for the levy of taxes for the payment of said bonds and interest thereon and declaring said bonds issued and sold pursuant to said proceedings to be enforceable obligations of said city, was taken up, and considered.

Senator Berg moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 42:

Anderson	Hedin	Nesmith	Van Eaton
Bateson	Heideman	Nolan	Vest
Bekman	Johnson	Oltman	Walter
Bellman	Knudson	Prentis	Washburn
Berg	Larson	Sayre	Watson of
Colburn	Linnevold	Schoening	O'Brien
Dailey	Lucas	Scott	Watson of
Dewel	Lynes	Stewart of	Pottawattamie
Dykhouse	Miller	Mahaska	Weichman
Elijah	Myrland	Stuart of Lucas	Whitehead
Grimstead	Nelson	Utzig	Zastrow
Hart			

Nays, none.

Absent or not voting, 8:

Boothby	Clark	Lord	O'Malley
Byers	Fishbaugh	Molison	Risk

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 receded from its amendments to, and passed, Senate File 43, a bill for an act prescribing the minimum butterfat content of milk.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 88, a bill for an act relating to salaries, vacations and sick leave for state employees.

Also: That the House concurs in Senate amendment to House amendment to, and passed, Senate File 142, a bill for an act relating to the eradication of Bang's disease.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 193, a bill for an act relating to the size of milk containers.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 220, a bill for an act relating to accident and sickness insurance.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 264, a bill for an act relating to defining the term "chauffeur".

Also: That the House has receded from its amendments to, and passed, Senate File 446, a bill for an act authorizing payments to Iowa City Public Schools and the Independent School District of Ames on account of pupils residing in tax free housing units.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 4, a bill for an act relating to selection of grand jurors.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 132, a bill for an act relating to application for registration of motor vehicles.

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 workmen's compensation.

Also: That the House has adopted the conference committee report and concurred in the amendments recommended therein and passed House File 496, a bill for an act making an appropriation to the department of public instruction for supplemental aid to certain school districts.

Also: That the House has rejected the conference committee report on House File 497, a bill for an act making an appropriation to the department of public instruction to general state aid for school districts, and the Speaker has appointed as members of the second conference committee, on the part of the House, Representatives Fairchild, Walker, Kosek and Oppedahl.

Also: That the House has refused to concur in Senate amendments to House File 515, a bill for an act making appropriations to the board of education.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE 193

Amend Senate File 193 by striking from line 5 the word "one-half" and inserting in lieu thereof the word "one".

#### HOUSE AMENDMENTS TO SENATE FILE 220

Amend Senate File 220 by adding thereto the following as section 2:  
"Sec. 2. Section one (1), chapter one hundred eighty-eight (188), Acts of the Fifty-fourth General Assembly, is amended by adding thereto between the first and second paragraphs of said section one (1), a new paragraph to read as follows:

"This act shall not apply to an association organized, existing and operating under chapter five hundred ten (510), Code 1950, which limits its contracts to providing benefits for widows, heirs, orphans or legatees of deceased members whose death is caused by accident or accidental means, or of providing benefits for members for specific loss or loss of time from injuries caused by accident or accidental means, nor shall said act apply to a fraternal beneficiary association, as defined in section five hundred twelve point one (512.1), Code 1950, and licensed under the provisions of section five hundred ten point twenty-three (510.23) thereof, which limits its contracts to providing benefits to beneficiaries of deceased members whose death is caused by accident or accidental means or of providing benefits for members for specific loss or loss of time from injuries caused by accident or accidental means."

Amend the title to Senate File 220 by changing the period (.) at the end of said title to a comma (,) and adding the following: "and to accident and sickness insurance and known as the Uniform Individual Accident and Sickness Act, effective on the 4th day of July, 1951."

#### HOUSE AMENDMENT TO SENATE FILE 264

Amend Senate File 264, line 12, by striking the period (.) following the word "exempt", and adding the following: "except when such operation by the owner or operator is occasional and merely incidental to his principal business."

### CONFERENCE COMMITTEE REPORT ON HOUSE FILE 496

TO THE PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE:

We, the undersigned members of the conference committee appointed to consider the difference between the House and Senate on House File 496, 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 supplemental aid to certain school districts of the state, and to amend chapter two hundred eighty-six (286), Code 1950, recommend that the Senate recede from its committee amendment and that the House concur in the Bateson amendment filed April 16, 1953.

X. T. PRENTIS.

J. T. DYKHOUSE.

R. R. BATESON.

ERWIN SCHOENING.

On the Part of the Senate.

EARL A. MILLER.

DWIGHT W. MEYER.

DEWEY E. GOODE.

LEE GALLUP.

On the Part of the House.

### CONFERENCE COMMITTEE REPORT ON HOUSE FILE 497

TO THE PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE:

We, the undersigned members of the conference committee appointed to consider the difference between the House and Senate on House File 497, a bill for an act to appropriate twenty-six million dollars (\$26,000,000) 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, recommend that the House concur in the Senate amendment.

X. T. PRENTIS.

J. T. DYKHOUSE.

R. R. BATESON.

ERWIN SCHOENING.

On the Part of the Senate.

EARL A. MILLER.

DWIGHT W. MEYER.

DEWEY E. GOODE.

LEE GALLUP.

On the Part of the House.

### CONFERENCE COMMITTEE REPORT ADOPTED

Senator Prentis called up the conference committee report on House File 496 and moved the adoption of the report, which motion prevailed and the report was adopted.

On motion of Senator Prentis, the recommendations contained therein were approved and concurred in by the Senate.

Senator Prentis moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

On the question "Shall the bill pass?" the vote was:

## Ayes, 43:

Anderson	Johnson	Nolan	Van Eaton
Bateson	Knudson	Oltman	Vest
Bekman	Larson	O'Malley	Walter
Bellman	Linnevoold	Prentis	Washburn
Berg	Lord	Sayre	Watson of
Boothby	Lucas	Schoening	O'Brien
Dewel	Lynes	Scott	Watson of
Elijah	Miller	Stewart of	Pottawattamie
Grimstead	Molison	Mahaska	Weichman
Hart	Myrland	Stuart of Lucas	Whitehead
Hedin	Nelson	Utzig	Zastrow
Heideman	Nesmith		

Nays, none.

## Absent or not voting, 7:

Byers	Colburn	Dykhouse	Risk
Clark	Dailey	Fishbaugh	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

## HOUSE AMENDMENTS CONSIDERED

Senator Lord called up for consideration House File 140, a bill for an act creating an Iowa public employees retirement system, providing for the administration of such retirement system by the Iowa employment security commission; creating an Iowa public employees' retirement fund and providing for the investment and expenditure thereof; creating an Iowa advisory investment board and prescribing the appointment and duties thereof; imposing a tax of three and one-half per cent (3½%) of the taxable wages paid to public employees who are members of the retirement system by public employers, the proceeds of such tax to be used for the payment of benefits or refunds provided by this act; providing for the imposition of a tax upon public employers equal to three and one-half per cent (3½%) of all the wages paid by the employer to employees who are members of the Iowa public retirement system, the proceeds of such tax to be used for the payment of benefits or refunds provided by this act; prescribing the duties of the Iowa employment security commission in relation to the administration of this act; providing for the payment to employees who are members of this system, or to their beneficiaries, of retirement benefits provided by this act; providing for refunds to Iowa public employees who are members of the system under certain conditions prescribed by this act; making an appropriation of one million seven hundred fifty thousand dollars (\$1,750,000) from the special reserve fund

of the State of Iowa for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, or so much thereof as may be necessary, into the retirement fund for the maintenance of the retirement system upon a sound actuarial basis; transferring the assets of the old age and survivors' liquidation fund to the Iowa public employees' retirement fund—all relating to the establishment and administration of the Iowa public employees' retirement system, and the following House amendments:

Amend Senate amendment No. 7, line 13, by striking the word "shall" and inserting in lieu thereof the word "may".

Amend Senate amendment No. 24 by adding at the end thereof as subsection 1 the following:

"Further amend section 54, as passed by the Senate, by striking the words 'special reserve' in lines 1 and 2 and inserting in lieu thereof the word 'general', and by adding at the end of the first sentence the following: 'The governor and the budget and financial control committee are hereby directed to transfer from the special reserve fund a sufficient fund to provide for the appropriation made herein, unless the comptroller and governor certify to the budget and financial control committee that in their judgment there are sufficient funds available in the general fund for the operation of state government at that time so as to make the use of the special reserve fund unnecessary during said biennium.'"

Senator Lord moved that the Senate concur in the first paragraph of the House amendment to Senate amendment No. 7.

Senator Dykhouse raised a point of order on the further consideration of House File 140 for the reason that the call of the Senate on House File 140 was still in effect.

The Chair ruled the point well taken.

Senator Lord moved that the call of the Senate on House File 140 be lifted.

Roll call was requested.

On the question "Shall the call of the Senate on House File 140 be lifted?" the vote was:

Ayes, 31:

Anderson	Hedin	Molison	Stuart of Lucas
Bekman	Heideman	Nelson	Utzig
Bellman	Johnson	Nolan	Van Eaton
Boothby	Knudson	Oltman	Watson of
Dailey	Larson	O'Malley	Pottawattamie
Elijah	Linnevold	Sayre	Whitehead
Fishbaugh	Lord	Stewart of	Zastrow
Grimstead	Lucas	Mahaska	
Hart	Miller		

## Nays, 18:

Bateson	Dewel	Prentis	Washburn
Berg	Dykhouse	Schoening	Watson of
Byers	Lynes	Scott	O'Brien
Clark	Myrland	Vest	Weichman
Colburn	Nesmith	Walter	

Absent or not voting, 1:

Risk

The motion having failed to receive a constitutional and two-thirds majority was declared to have failed to be adopted.

## HOUSE AMENDMENTS CONSIDERED

Senator Bekman called up for consideration Senate File 220, a bill for an act to amend chapter one hundred eighty-eight (188), Acts of the Fifty-fourth General Assembly, relating to accident and sickness insurance policies and riders or endorsements that may be attached thereto, amended by the House, and moved that the Senate concur in the House amendments.

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 last time now, which motion prevailed, and the bill was read a last time.

On the question "Shall the bill pass?" the vote was:

## Ayes, 48:

Anderson	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Utzig
Bekman	Hart	Nelson	Van Eaton
Bellman	Hedin	Nesmith	Walter
Berg	Heideman	Nolan	Washburn
Boothby	Johnson	Oltman	Watson of
Byers	Knudson	O'Malley	O'Brien
Clark	Larson	Prentis	Watson of
Colburn	Linnevoeld	Sayre	Pottawattamie
Dailey	Lord	Schoening	Weichman
Dewel	Lucas	Scott	Whitehead
Dykhouse	Lynes	Stewart of	Zastrow
Elijah	Miller	Mahaska	

Nays, none.

Absent or not voting, 2:

Risk Vest

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

CONFERENCE COMMITTEE REPORT ON  
HOUSE FILE 508 ADOPTED

Senator Molison called up the following conference committee report and moved its adoption:

## CONFERENCE COMMITTEE REPORT ON HOUSE FILE 508

TO THE PRESIDENT OF THE SENATE AND 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 508, a bill for an act making an appropriation to the state soil conservation committee, beg leave to report and submit the following recommendation:

That the Senate recede from its amendments to the bill.

Respectfully submitted,

WILBUR C. MOLISON, *Chairman.*      MAX M. SOETH, *Chairman.*

LAURENCE M. BOOTHBY.                      RUSSELL A. PATRICK.

DUANE E. DEWEL.                              EDWARD OPPEDAHL.

EARL ELIJAH.                                  PENN ECKELS.

On the Part of the Senate.      On the Part of the House.

The motion prevailed and the report was adopted.

On motion of Senator Molison, the recommendations contained therein were approved and concurred in by the Senate.

Senator Molison moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

On the question "Shall the bill pass?" the vote was:

Ayes, 42:

Anderson	Hart	Molison	Stuart of Lucas
Bekman	Hedin	Myrland	Van Eaton
Berg	Heideman	Nelson	Walter
Boothby	Johnson	Nesmith	Washburn
Byers	Knudson	Nolan	Watson of
Clark	Larson	O'Malley	O'Brien
Dailey	Linnevold	Sayre	Watson of
Dewel	Lord	Schoening	Pottawattamie
Dykhouse	Lucas	Scott	Weichman
Elijah	Lynes	Stewart of	Whitehead
Fishbaugh	Miller	Mahaska	Zastrow
Grimstead			

Nays, 1:

Oltman

Absent or not voting, 7:

Bateson	Colburn	Risk	Vest
Bellman	Prentis	Utzig	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

## CALL OF THE SENATE ENFORCED

Senator Lord moved that the call of the Senate on House File 140 be enforced, which motion prevailed.

## HOUSE AMENDMENTS CONSIDERED

Senator Hart asked and received unanimous consent to take up for consideration Senate File 193, a bill for an act to repeal section two hundred ten point fifteen (210.15), Code 1950, and substitute a new section in lieu thereof, relating to the size of milk containers, amended by the House.

Senator Van Eaton moved that the Senate refuse to concur in the House amendment to Senate File 193, which motion prevailed, and the Senate refused to concur.

Senator Lynes asked and received unanimous consent to take up for consideration House File 515, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1953, and ending June 30, 1955, to the board of education for the support, maintenance, repairs, replacements, alterations or equipment of institutions under said board of education, and moved that the Senate insist on its amendment to House File 515, which motion prevailed.

President Elthon announced the appointment on the part of the Senate on the conference committee on House File 515 Senators Berg, Colburn, Prentis and Nolan.

## SENATE CONCURRENT RESOLUTION 21 ADOPTED

Senator Lynes asked and received unanimous consent to take up for consideration the following resolution and moved its adoption:

## SENATE CONCURRENT RESOLUTION 21

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:

Executive Council, supplies and postage (Senate).....	\$580.04
Executive Council, supplies for multilith room (Senate).....	94.87
International Business Machines Corp., service on typewriter (Senate) .....	13.65
Koch Brothers, ribbon (Senate).....	9.00
Office Machine Supply Company, service on typewriters (Senate) .....	65.41
Storey Kenworthy Company, gavel, sign and pens (Senate).....	38.69
Storey Kenworthy Company, rental on Soundsciber to March 31 (Senate) .....	106.00
W. Eldon Walter, expenses for trip to Las Vegas (Senate).....	124.30

A. C. Gustafson, postage and miscellaneous expense (House).....	42.50
Dictaphone Corp., 4 months maintenance on machines (House)....	9.46
Des Moines Rubber Stamp Works, rubber stamps (House).....	7.45
Executive Council, supplies (House).....	950.37
International Business Machine Corp., maintenance (House).....	32.00
Des Moines Clean Towel Service, service for March (Joint).....	5.02
Shure Brothers, repair on microphones (House).....	13.37
Walter J. Massey, piano rental for mermorial session (House).....	15.00

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.

The motion prevailed and the resolution was adopted.

#### HOUSE AMENDMENTS CONSIDERED

Senator Lynes asked and received unanimous consent to take up for consideration Senate File 432, a bill for an act to appropriate from the reserve funds now in the general fund of the state for the institutions under the control of the state board of education, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 432 as follows:

1. Amend the title by striking all after the word "appropriate" in line 1 and inserting in lieu thereof the following: "funds for certain capital improvements for institutions under the board of education including construction of new buildings, repairs, improvements, replacements or alterations, and providing for the joint control of the expenditue thereof by the board of education and the budget and financial control committee."

2. Amend section 1, line 3, by striking after the word "from" the following: "the special reserve fund in".

3. Amend section 10 by striking the period after the word "Act" in the last line thereof and adding the following: ", unless the comptroller and Governor certify to the budget and financial control committee that in their judgment there are sufficient funds available in the general fund for the operation of state government at that time so as to make the use of the special reserve fund unnecessary during said biennium."

The Senate concurred in the House amendments.

Senator Lynes moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

On the question "Shall the bill pass?" the vote was:

Ayes, 48:

Anderson  
Bateson  
Bekman

Bellman  
Berg  
Boothby

Byers  
Clark  
Colburn

Dailey  
Dewel  
Dykhous

Elijah	Lucas	Prentis	Walter
Fishbaugh	Lynes	Sayre	Washburn
Grimstead	Miller	Schoening	Watson of
Hart	Molison	Scott	O'Brien
Hedin	Myrland	Stewart of	Watson of
Heideman	Nelson	Mahaska	Pottawattamie
Johnson	Nesmith	Stuart of Lucas	Weichman
Knudson	Nolan	Utzig	Whitehead
Larson	Oltman	Van Eaton	Zastrow
Linnevold	O'Malley	Vest	

Nays, none.

Absent or not voting, 2:

Lord Risk

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 to take up for consideration Senate File 433, a bill for an act to appropriate from the reserve funds now in the general fund of the state for the institutions under the control of the state board of education, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 433 as follows:

1. Amend the title by striking all after the word "appropriate" in line 1 and inserting in lieu thereof the following: "funds for certain capital improvements for institutions under the board of education including construction of new buildings, repairs, improvemets, replacements or alterations, and providing for the joint control of the expenditure thereof by the board of education and the budget and financial control committee."

2. Amend section 1, line 3, by striking after the word "from" the following: "the special reserve fund in".

3. Amend section 10 by striking the period after the word "Act" in the last line thereof and adding the following: ", unless the comptroller and Governor certify to the budget and financial control committee that in their judgment there are sufficient funds available in the general fund for the operation of state government at that time so as to make the use of the special reserve fund unnecessary during said biennium."

The Senate concurred in the House amendments.

Senator Lynes moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

On the question "Shall the bill pass?" the vote was:

Ayes, 49:

Anderson	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Utzig
Bekman	Hart	Nelson	Van Eaton
Bellman	Hedin	Nesmith	Vest
Berg	Heideman	Nolan	Walter
Boothby	Johnson	Oltman	Washburn
Byers	Knudson	O'Malley	Watson of
Clark	Larson	Prentis	O'Brien
Colburn	Linnevold	Sayre	Watson of
Dailey	Lord	Schoening	Pottawattamie
Dewel	Lucas	Scott	Weichman
Dykhouse	Lynes	Stewart of	Whitehead
Elijah	Miller	Mahaska	Zastrow

Nays, none.

Absent or not voting, 1:

Risk

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended 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 452, a bill for an act making an appropriation to State Conservation Commission.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 219, a bill for an act relating to approval of insurance forms.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 247, a bill for an act relating to the capital and surplus required for an insurance company or association 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 413, a bill for an act relating to term and time of election of judge of superior court.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 422, a bill for an act making appropriations 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 423, a bill for an act making appropriations to 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 Senate is asked:

House File 476, a bill for an act relating to exemption of stocks of honey from taxation.

Also: That the House has amended and adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 20, providing for the closing of the Fifty-fifth General Assembly by the budget and financial control committee.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 22, providing that an expression of appreciation be extended Corporal Richard O. Morrison by the Fifty-fifth General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE 452

Amend Senate File 452 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. There is hereby appropriated and set out of the general fund of the state from any moneys not otherwise appropriated, to the state conservation commission the sum of three hundred fifty thousand dollars (\$350,000) or so much thereof as may be necessary for the treatment of waters or emergency work to maintain state owned lakes and waters but said funds appropriated and set aside by this act shall not be expended until it shall be determined by the conservation commission with the approval of the budget and financial control committee that its expenditures shall be for the best interests of the state.

"Sec. 2. The treasurer of the State of Iowa is hereby empowered to invest any of the funds so appropriated and set aside by the provisions of section one (1) of this act in securities of the United States Government.

"Sec. 3. When contracts, plans and specifications for improvements or purchase of real estate for which funds are herein appropriated have been accepted by the conservation commission, and approved and certified by the budget and financial control committee of the State of Iowa, the state treasurer is authorized and directed to sell sufficient securities herein provided in section two (2) of this act to cover the cost of said improvement."

#### HOUSE AMENDMENT TO SENATE CONCURRENT RESOLUTION 20

Amend Senate Concurrent Resolution 20 by adding thereto the following:

*“Be It Further Resolved:* That anything in the foregoing resolution to the contrary notwithstanding, the Secretary of the Senate and the Chief Clerk of the House shall retain the keys to the immediate offices occupied and used by them during the Fifty-fifth General Assembly, together with such equipment and supplies as in their judgment shall be deemed necessary for the discharge of such interim duties as may be assigned them by either branch of the Fifty-fifth General Assembly, or the presiding officer thereof.”

HOUSE AMENDMENTS CONSIDERED  
SENATE CONCURRENT RESOLUTION 20 ADOPTED

Senator Lynes asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 20, found on pages 1010 and 1011 of the Senate Journal, amended by the House and moved the adoption of the House amendment, which motion prevailed and the amendment was adopted.

On motion of Senator Lynes, the resolution as amended was adopted.

Senator Lynes asked and received unanimous consent to take up for consideration Senate File 264, a bill for an act to amend section three hundred twenty-one point one (321.1), subsection forty-three (43), Code 1950, relating to defining the term “chauffeur”, amended by the House, and moved that the Senate concur in the House amendment.

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 last time now, which motion prevailed, and the bill was read a last time.

On the question “Shall the bill pass?” the vote was:

Ayes, 46:

Anderson	Grimstead	Nelson	Utzig
Bateson	Hart	Nesmith	Van Eaton
Bekman	Heideman	Nolan	Vest
Bellman	Johnson	Oltman	Walter
Berg	Larson	O'Malley	Washburn
Boothby	Linnevoid	Prentis	Watson of
Byers	Lord	Sayre	O'Brien
Clark	Lucas	Schoening	Watson of
Colburn	Lynes	Scott	Pottawattamie
Dailey	Miller	Stewart of	Weichman
Dewel	Molison	Mahaska	Whitehead
Elijah	Myrland	Stuart of Lucas	Zastrow
Fishbaugh			

Nays, none.

Absent or not voting, 4:

Dykhouse            Hedin                    Knudson                Risk

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### THIRD READING OF BILLS

Senator Lynes asked and received unanimous consent to take up for consideration House File 516, a bill for an act to authorize the purchase of certain lots and parcels of real estate adjoining the Men's Reformatory at Anamosa, Iowa, and to provide an appropriation therefor.

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	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Utzig
Bekman	Hart	Nelson	Van Eaton
Bellman	Hedin	Nesmith	Vest
Berg	Heideman	Nolan	Walter
Boothby	Johnson	Oltman	Washburn
Byers	Knudson	O'Malley	Watson of
Clark	Larson	Prentis	O'Brien
Colburn	LinnevoId	Sayre	Watson of
Dailey	Lord	Schoening	Pottawattamie
Dewel	Lucas	Scott	Weichman
Dykhouse	Lynes	Stewart of	Whitehead
Elijah	Miller	Mahaska	Zastrow

Nays, none.

Absent or not voting, 1:

Risk

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Zastrow moved that Senator Risk be excused from the call of the Senate on House File 140 and all amendments thereto.

Roll call was requested.

On the question "Shall the motion by Senator Zastrow be adopted?" the vote was:

Ayes, 30:

Anderson	Berg	Fishbaugh	Heideman
Bateson	Boothby	Grimstead	Knudson
Bekman	Dailey	Hart	Larson
Bellman	Elijah	Hedin	LinnevoId

Lord	Nolan	Stewart of	Van Eaton
Lucas	Oltman	Mahaska	Watson of
Miller	O'Malley	Stuart of Lucas	Pottawattamie
Molison	Sayre	Utzig	Zastrow

Nays, 18:

Byers	Johnson	Prentis	Watson of
Clark	Lynes	Schoening	O'Brien
Colburn	Myrland	Scott	Weichman
Dewel	Nelson	Vest	Whitehead
Dykhouse	Nesmith	Washburn	

Absent or not voting, 2:

Risk	Walter
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The motion was lost.

#### MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the Speaker of the House has appointed as members of the conference committee on the part of the House on House File 515, a bill for an act making an appropriation to the state board of education, Representatives Strawman, Goode, Brown of Mahaska and Palmer.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 146, a bill for an act relating to pedestrian use of streets.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 205, a bill for an act relating to the sale of food containing saccharine, sulfamate or other approved sweetening products.

A. C. GUSTAFSON, *Chief Clerk.*

Senator Fishbaugh moved that the rules be suspended and that the Senate proceed with the consideration of House File 514 to be followed with the consideration of such other appropriation bills as the chairman of the committee on appropriations wishes to bring up.

Senator Prentis moved the previous question on the motion by Senator Fishbaugh, which motion was lost.

Senator Hart moved as a substitute that the Senate recess until 1:00 p.m., which motion lost.

Roll call was requested on the Fishbaugh motion.

On the question "Shall the motion by Senator Fishbaugh be adopted?" the vote was:

## Ayes, 24:

Bateson	Fishbaugh	Nolan	Vest
Berg	Johnson	Prentis	Walter
Byers	Larson	Schoening	Washburn
Clark	Lynes	Scott	Watson of
Colburn	Myrland	Stewart of	O'Brien
Dewel	Nelson	Mahaska	Weichman
Dykhouse	Nesmith		

## Nays, 24:

Anderson	Hart	Miller	Utzig
Bekman	Hedin	Molison	Van Eaton
Bellman	Heideman	Oltman	Watson of
Boothby	Linnevold	O'Malley	Pottawattamie
Dailey	Lord	Sayre	Whitehead
Elijah	Lucas	Stuart of Lucas	Zastrow
Grimstead			

## Absent or not voting, 2:

Knudson	Risk
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The motion was lost.

Senator Zastrow moved that the Senate recess until 1:15 p.m.

Senator Weichman moved as a substitute that the Senate adjourn until 10:00 a.m., Monday, April 27, 1953, which motion was lost.

The motion by Senator Zastrow was lost.

Senator Byers moved that the sergeant-at-arms be instructed to secure the facilities of the highway patrol and enforce the attendance of Senator Risk to complete the call of the Senate on House File 140 and all amendments thereto, which motion prevailed.

On motion of Senator Zastrow, the Senate recessed until 1:30 p.m.

## AFTERNOON SESSION

The Senate reconvened, President Elthon 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 failed to pass the following bill in which the concurrence of the House was asked:

Senate File 235, a bill for an act relating to disposal of dead bodies.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 21, providing for payment of legislative expense.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 335, a bill for an act relating to county hospital accounts.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE 335

Amend Senate File 335, section 1, line 9, by striking the period and quotation marks and inserting in lieu thereof a comma, and adding the following: "provided, however, that should the county attorney act as attorney for the board in any such legal proceedings he shall serve without additional compensation."

#### BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that, on April 25, 1953, the Governor had approved the following bills:

Senate File 438, relating to appropriations to members of the study committee on public utilities.

Senate File 439, relating to appropriations to members of the toll road study committee.

Senate File 441, relating to appropriations to the Armand Company on account of real estate lease.

Senate File 443, relating to appropriations in payment of claims.

#### AMENDMENTS FILED

- 1 Amend the House amendment
- 2 to Senate File 452 by adding the
- 3 following new section thereto:
- 4 "The state conservation commission is hereby
- 5 authorized and directed to expend for systematic
- 6 treatment of the waters of Storm Lake, Buena Vista
- 7 County, Iowa, with copper sulphate or other chemical
- 8 during the years 1953 and 1954 for treatment of blue-
- 9 green algae the sum of twenty-five thousand dollars
- 10 (\$25,000) or so much thereof as may be necessary
- 11 from the sum appropriated in section 1 hereof."

R. J. OLTMAN.

- 1 Amend House File 10 by adding the following sentence to
- 2 section 1 thereof:

- 3 "Such license fee shall be reduced to two (2) cents
- 4 per gallon for said biennium as to motor fuel used in the
- 5 operation of a passenger vehicle of a capacity of ten or
- 6 more operated over regularly traveled routes expressly
- 7 provided for by municipal license, permit, agreement,
- 8 grant or franchise."

GEORGE E. O'MALLEY.

1 Amend House File 293 by striking all after the  
2 enacting clause thereof and substituting in lieu thereof  
3 the following:

4 "Section 1. Section three hundred forty-seven  
5 point sixteen (347.16), Code 1950, is hereby amended  
6 by inserting after the word 'hospital' in line nine (9)  
7 the words 'in counties with a population of more than one  
8 hundred and thirty-five thousand (135,000)'.

9 "Sec. 2. Section three hundred forty-seven point  
10 sixteen (347.16), Code 1950, is hereby further amended by  
11 inserting after the period (.) in line twenty-two (22)  
12 the following new paragraphs:

13 "Free care and treatment in such county public hospital  
14 in all other counties to any tuberculous persons may be  
15 furnished to such residents of the county as have established  
16 legal settlement in the county as defined in section two hundred  
17 fifty-two point sixteen (252.16) and are entitled to free care  
18 under the provisions of section two hundred fifty-four point  
19 eight (254.8), Code 1950. In cases other than tuberculosis, care  
20 and treatment in such county public hospital to any indigent persons  
21 shall likewise be furnished to such residents of the county as  
22 have established legal settlement in the county as defined in  
23 section two hundred fifty-two point sixteen (252.16), Code 1950,  
24 and have been found by the board of hospital trustees to be in-  
25 digent and entitled to said care. In integrated counties where  
26 the board of hospital trustees have no social service department,  
27 then under the supervision of the board of hospital trustees,  
28 the overseer of the poor or the director of social welfare shall  
29 determine whether or not said persons are indigent and entitled  
30 to said care. Cost of said care shall be the liability of  
31 the county, and upon claim made therefor paid under the  
32 authority and in the manner specified by section two hundred  
33 fifty-two point thirty-five (252.35), Code 1950. Provided,  
34 however, such county public hospital may provide hospital  
35 benefits to indigent persons having a legal settlement outside  
36 the county and the county of such persons' legal settlement  
37 shall pay to such county public hospital for the fair and  
38 reasonable cost of such care, treatment, and hospitalization.

39 "A county public hospital shall not be required to  
40 provide facilities for treatment of tuberculous persons.  
41 Where such facilities for treatment of tuberculous persons,  
42 are not available in the county public hospital, care and  
43 treatment shall be provided under the provisions of section  
44 two hundred fifty-four point one (254.1), Code 1950."

GEORGE E. O'MALLEY.

1 Amend House File 514 by adding the following new section:  
2 "Sec. 51. For the Iowa Employment Security Commission for  
3 the administration of chapter 96, Code of 1950 (Iowa Employment  
4 Security Law), there is hereby appropriated from the general fund

5 of the state for each year of the biennium beginning July 1, 1953,  
6 and ending June 30, 1955, the sum of five thousand dollars  
7 (\$5,000.00), or so much thereof as may be necessary to be used  
8 in the following manner: Provided that this appropriation shall  
9 not be expended or made available for expenditure in any manner  
10 which would permit its substitution for or a corresponding  
11 reduction in federal funds which in the absence of this appropria-  
12 tion would be available to finance the expenditures for the  
13 administration of the Iowa Employment Security Commission.  
14 Provided further that no funds so appropriated shall be used for  
15 the operation of a teachers' placement service.  
16 For salaries, support, maintenance and miscellaneous  
17 purposes.....\$5,000.00  
18 For the Iowa Employment Security Commission for the  
19 administration of House Files 138 and 139, Acts of the Fifty-fifth  
General  
20 Assembly, there is hereby appropriated from the general fund of  
21 the State of Iowa for each year of the biennium beginning July 1,  
22 1953, and ending June 30, 1955, the sum of one hundred twenty-  
23 five thousand dollars (\$125,000), or so much thereof as may  
24 be necessary to be used in the following manner:  
25 For salaries, support, maintenance and miscellaneous  
26 purposes for the administration of House Files 138  
27 and 139, Acts of the Fifty-fifth General Assembly....\$125,000.00  
28 The salary for each member of the Iowa Employment Security  
29 Commission shall be six thousand dollars (\$6,000) for each year  
30 of the biennium beginning July 1, 1953, and ending June 30, 1955,  
31 and shall be in full compensation for all services, and provisions  
32 made in any other act or statutes for salary of the members of  
33 the Iowa Employment Security Commission shall be ineffective and  
34 void."  
35 Further amend House File 514 by renumbering the remaining  
36 sections.

HARRY E. WEICHMAN.

Senator Weichman moved that the Senate adjourn until 10:00 a.m., Monday, April 27, 1953.

Senator Hart moved as a substitute that action on House File 140 be deferred and that the Senate proceed with the consideration of the bills on the calendar.

Senator Fishbaugh raised a point of order that the substitute motion was out of order.

The Chair ruled the point well taken, and the substitute motion out of order.

On the motion by Senator Weichman, division was called for.

The motion to adjourn until 10:00 a.m., Monday, was lost.

Senator Hart moved that action on House File 140 be deferred and that the bill retain its place on the calendar; and that the Senate proceed with the consideration of bills on the regular calendar.

Senator Dailey asked and received unanimous consent that the Secretary be instructed to call the roll to ascertain the Senators present.

Roll call revealed three members absent and the sergeant-at-arms was again instructed to proceed with the completion of the call of the Senate.

Senator Weichman moved that the Senate adjourn until 10:00 a.m., Monday, April 27, 1953, and requested a roll call.

Senator Watson of Pottawattamie asked and received unanimous consent that should the Senate adjourn, the sergeant-at-arms be instructed to so inform the absent Senators.

Rule 8 was invoked.

On the question "Shall the Senate adjourn?" the vote was:

Ayes, 26:

Anderson	Fishbaugh	Nolan	Vest
Bateson	Johnson	Prentis	Walter
Bellman	Knudson	Schoening	Washburn
Clark	Larson	Scott	Watson of
Colburn	Lucas	Stewart of	O'Brien
Dewel	Lynes	Mahaska	Weichman
Dykhouse	Nelson	Stuart of Lucas	Whitehead

Nays, 20:

Bekman	Grimstead	Miller	Utzig
Berg	Hart	Molison	Van Eaton
Boothby	Heideman	Myrland	Watson of
Byers	Linnevold	Oltman	Pottawattamie
Dailey	Lord	Sayre	Zastrow
Elijah			

Absent or not voting, 3:

Hedin	Nesmith	Risk
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Voting present, 1:

O'Malley

The motion prevailed and the Senate adjourned until 10:00 a.m., Monday, April 27, 1953.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 27, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Reverend Walter A. Olson, pastor of the Lutheran Church of the Good Shepherd, Des Moines, Iowa.

## PETITION AND MEMORIAL

The following petition was presented and placed on file:

By Senator Bellman from residents of Warren County in favor of proposed legislation relating to increasing Iowa gas tax two cents per gallon to be used for secondary roads.

## PRESENTATION OF VISITORS

Senator Dewel asked and received unanimous consent to present to the Senate eight members of the senior class of the St. Joseph's High School, St. Joseph, Iowa, who were present in the balcony accompanied by their superintendent, Father Schumacher.

Senator O'Malley asked and received unanimous consent to present to the Senate William J. Berlovich, chief petty officer, of Des Moines. Mr. Berlovich, the holder of two presidential citations, has just returned from Korea. At the conclusion of a thirty day stay in the states he will sail again for Hawaii.

Senator Lynes asked and received unanimous consent to present to the Senate the Honorable Verne C. Johnson, of Minneapolis, member of the Minnesota House of Representatives, who was present in the Senate chamber.

## HOUSE MESSAGES CONSIDERED

House File 4, a bill for an act to amend sections six hundred nine point four (609.4), six hundred nine point seven (609.7), and six hundred nine point twenty-seven (609.27), Code 1950, relating to selection of grand jurors.

Read first and second times, and referred to the sifting committee.

House File 132, a bill for an act to amend section three hundred twenty-one point twenty (321.20), Code 1950, relating to application for registration of motor vehicles.

Read first and second times, and referred to the sifting committee.

House File 179, a bill for an act to amend chapter fifty-nine (59), Acts of the Fifty-fourth General Assembly, relating to workmen's compensation.

Read first and second times, and referred to the sifting committee.

House File 476, a bill for an act to amend section four hundred twenty-seven point one (427.1), subsection thirteen (13), Code 1950, providing for the exemption of stocks of honey from taxation.

Read first and second times, and referred to the sifting committee.

#### MEMORIAL RESOLUTIONS ADOPTED

Senator Linnevold moved that the memorial resolutions as prepared by the various committees on resolutions be adopted and that the resolutions be printed in the Senate Journal, which motion prevailed.

Senator Oltman asked unanimous consent that House File 476 be not referred to the sifting committee, but that the bill be placed on the calendar.

Objection was raised.

Senator Oltman moved that House File 476 be placed on the calendar, which motion was lost.

Senator Bateson asked unanimous consent to take up for consideration Senate File 335 returned from the House with amendments.

Objection was raised.

#### CALL OF THE SENATE

The Chair announced the consideration of House File 140 and instructed the Secretary to call the roll to ascertain if all members were present.

Roll call revealed all members present.

## HOUSE AMENDMENTS CONSIDERED

On motion of Senator Lord, House File 140, a bill for an act creating an Iowa public employees' retirement system, providing for the administration of such retirement system by the Iowa employment security commission; creating an Iowa public employees' retirement fund and providing for the investment and expenditure thereof; creating an Iowa advisory investment board and prescribing the appointment and duties thereof; imposing a tax of three and one-half per cent ( $3\frac{1}{2}\%$ ) of the taxable wages paid to public employees who are members of the retirement system by public employers, the proceeds of such tax to be used for the payment of benefits or refunds provided by this act; providing for the imposition of a tax upon public employers equal to three and one-half per cent ( $3\frac{1}{2}\%$ ) of all the wages paid by the employer to employees who are members of the Iowa public retirement system, the proceeds of such tax to be used for the payment of benefits or refunds provided by this act; prescribing the duties of the Iowa employment security commission in relation to the administration of this act; providing for the payment to employees who are members of this system, or to their beneficiaries, of retirement benefits provided by this act; providing for refunds to Iowa public employees who are members of the system under certain conditions prescribed by this act; making an appropriation of one million seven hundred fifty thousand dollars (\$1,750,000) from the special reserve fund of the State of Iowa for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, or so much thereof as may be necessary, into the retirement fund for the maintenance of the retirement system upon a sound actuarial basis; transferring the assets of the old age and survivors' liquidation fund to the Iowa public employees' retirement fund—all relating to the establishment and administration of the Iowa public employees' retirement system, was taken up for further consideration; also, the following House amendment to Senate amendments:

Amend Senate amendment No. 7, line 13, by striking the word "shall" and inserting in lieu thereof the word "may".

Amend Senate amendment No. 24 by adding at the end thereof as subsection 1 the following:

"Further amend section 54, as passed by the Senate, by striking the words 'special reserve' in lines 1 and 2 and inserting in lieu thereof the word 'general', and by adding at the end of the first sentence the following: 'The governor and the budget and financial control committee are hereby directed to transfer from the special reserve fund a sufficient fund to

provide for the appropriation made herein, unless the comptroller and governor certify to the budget and financial control committee that in their judgment there are sufficient funds available in the general fund for the operation of state government at that time so as to make the use of the special reserve fund unnecessary during said biennium.'"

Senator Lord asked and received unanimous consent that action on House File 140 be temporarily deferred and that the bill retain its place on the calendar; and that the Senate proceed with the consideration of House File 506.

### THIRD READING OF BILLS

On motion of Senator Lynes, House File 506, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1953, and ending June 30, 1955, 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, and to repeal sections two hundred forty-nine point forty-four (249.44), two hundred thirty-nine point ten (239.10) and two hundred forty-one point twenty-five (241.25), Code 1950, and enact substitutes in lieu thereof relating to the confidential nature of certain records pertaining to the recipients under the laws relating to old age assistance, dependent children and aid for the blind; providing for issuance of reports showing disbursements to recipients with public access thereto; prohibiting certain uses of this information and providing penalty for violation thereof, was taken up for further consideration.

Senator Dewel asked and received unanimous consent to withdraw the amendment filed by him and found on page 994 of the Senate Journal.

Senator Dewel offered the following amendment:

Amend House File 506 by striking the word "attorney" in line 2 of section 3 and inserting in lieu thereof the words "board of social welfare, with the advice of the county attorney".

On motion of Senator Dewel, the amendment was adopted.

Senator Lord moved that the Senate recede from its amendments relative to divisions 8, 26 and 27; also, that the Senate concur in the House amendment to Senate amendment to House File 140 relative to divisions 24 and 7.

Senator Hart raised a point of order for the reason that, under the joint rules of the Senate and the House, the motion by Senator

Lord embraces an amendment of the third degree which amendment is not eligible for consideration.

The Chair ruled the point well taken and that the motion by Senator Lord was out of order.

#### MESSAGES 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 193, a bill for an act relating to the size of milk containers, and the Speaker of the House appoints as members of the conference committee on the part of the House: Representatives Weston, Steers, Palmer and Peters.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 310, a bill for an act relating to the control of vehicles in school districts.

A. C. GUSTAFSON, *Chief Clerk.*

#### CONFERENCE COMMITTEE ON SENATE FILE 193

President Elthon announced the appointment of the following Senators on the part of the Senate on Senate File 193: Senators Hart, Anderson, Molison and Johnson.

Senator O'Malley offered the following amendment by Senators O'Malley and Zastrow, and moved its adoption:

Amend House File 506 by striking therefrom all of sections 4, 5 and 6.

Senator Van Eaton moved the previous question on the amendment which motion prevailed.

Senator O'Malley asked and received unanimous consent that Senator Dewel be given the privilege of the closing argument on the amendment.

Roll call was requested.

Rule 8 was invoked.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 18:

Anderson	Dailey	Miller	Watson of
Bekman	Elijah	Molison	Pottawattamie
Bellman	Grimstead	Oltman	Whitehead
Boothby	Hedin	O'Malley	Zastrow
Clark	Lord	Utzig	

## Nays, 31:

Bateson	Knudson	Nolan	Stuart of Lucas
Byers	Larson	Prentis	Van Eaton
Colburn	Linnevold	Risk	Vest
Dewel	Lucas	Sayre	Walter
Dykhouse	Lynes	Schoening	Washburn
Fishbaugh	Myrland	Scott	Watson of
Hart	Nelson	Stewart of	O'Brien
Heideman	Nesmith	Mahaska	Weichman
Johnson			

## Absent or not voting, 1:

Berg

The amendment was lost.

Senator Dewel moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

## Ayes, 41:

Anderson	Grimstead	Myrland	Stewart of
Bateson	Hart	Nelson	Mahaska
Bekman	Heideman	Nesmith	Stuart of Lucas
Bellman	Johnson	Nolan	Van Eaton
Boothby	Knudson	Oltman	Vest
Byers	Larson	Prentis	Walter
Clark	Linnevold	Risk	Washburn
Colburn	Lord	Sayre	Watson of
Dewel	Lucas	Schoening	O'Brien
Dykhouse	Lynes	Scott	Weichman
Fishbaugh	Molison		Zastrow

## Nays, 2:

Dailey                      Utzig

## Absent or not voting, 7:

Berg	Miller	Watson of	Whitehead
Elijah	O'Malley	Pottawattamie	
Hedin			

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 Zastrow, the Senate recessed until 1:30 p.m.

## AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

## MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to request your honorable body to re-

turn for correction House File 140, a bill for an act creating an Iowa public employees' retirement system.

A. C. GUSTAFSON, *Chief Clerk.*

Senator Lord asked and received unanimous consent that in accordance with the request the Secretary be instructed to return House File 140 to the House.

Senator Lord asked and received unanimous consent that the Senate proceed with the consideration of "unfinished business" and the regular sifting committee calendar.

#### HOUSE AMENDMENTS CONSIDERED

Senator Bateson asked and received unanimous consent to take up for consideration Senate File 335, a bill for an act relating to the collection of county hospital accounts for services for which payment is authorized, and to amend section three hundred forty-seven point seventeen (347.17), Code 1950, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 335, section 1, line 9, by striking the period and quotation marks and inserting in lieu thereof a comma, and adding the following: "provided, however, that should the county attorney act as attorney for the board in any such legal proceedings he shall serve without additional compensation."

The Senate concurred in the House amendment.

Senator Bateson moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

On the question "Shall the bill pass?" the vote was:

Ayes, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 Weichman called up for consideration Senate File 452, a bill for an act to appropriate from the general fund of the State of Iowa to the State Conservation Commission for emergency work, amended by the House as follows:

Amend Senate File 452 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. There is hereby appropriated and set out of the general fund of the state from any moneys not otherwise appropriated, to the state conservation commission the sum of three hundred fifty thousand dollars (\$350,000) or so much thereof as may be necessary for the treatment of waters or emergency work to maintain state owned lakes and waters but said funds appropriated and set aside by this act shall not be expended until it shall be determined by the conservation commission with the approval of the budget and financial control committee that its expenditures shall be for the best interests of the state.

"Sec. 2. The treasurer of the State of Iowa is hereby empowered to invest any of the funds so appropriated and set aside by the provisions of section one (1) of this act in securities of the United States Government.

"Sec. 3. When contracts, plans and specifications for improvements or purchase of real estate for which funds are herein appropriated have been accepted by the conservation commission, and approved and certified by the budget and financial control committee of the State of Iowa, the state treasurer is authorized and directed to sell sufficient securities herein provided in section two (2) of this act to cover the cost of said improvement."

Senator Weichman offered the following amendment to the House amendment and moved its adoption:

Amend the House amendment to Senate File 452 by striking from section 3, line 2, the words "or purchase of real estate".

The amendment to the amendment was adopted.

Senator Oltman offered the following amendment to the House amendment and moved its adoption:

Amend the House amendment by adding the following new section thereto:

"The state conservation commission is hereby authorized and directed to expend for systematic treatment of the waters of Storm Lake, Buena Vista County, Iowa, with copper sulphate or other chemical during the years 1953 and 1954 for treatment of blue-green algae the sum of twenty-five thousand dollars (\$25,000) or so much thereof as may be necessary from the sum appropriated in section 1 hereof."

The amendment to the amendment was adopted.

Senator Lynes offered the following amendment to the House amendment and moved its adoption:

Amend the House amendment by striking the words and figures in line 6 thereof and substituting the words and figures "eight hundred forty-three thousand dollars (\$843,000.00) or so much".

The amendment to the House amendment was adopted.

On motion of Senator Weichman, the Senate concurred in the House amendment as amended.

Senator Weichman moved that the bill as amended by the House and amended by the Senate and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

On the question "Shall the bill pass?" the vote was:

Ayes, 47:

Anderson	Grimstead	Nelson	Utzig
Bateson	Hart	Nesmith	Van Eaton
Bekman	Heideman	Nolan	Vest
Bellman	Johnson	Oltman	Walter
Berg	Knudson	O'Malley	Washburn
Boothby	Larson	Risk	Watson of
Byers	Linnevold	Sayre	O'Brien
Clark	Lord	Schoening	Watson of
Colburn	Lucas	Scott	Pottawattamie
Dailey	Lynes	Stewart of	Weichman
Dewel	Miller	Mahaska	Whitehead
Dykhouse	Molison	Stuart of Lucas	Zastrow
Elijah	Myrland		

Nays, none.

Absent or not voting, 3:

Fishbaugh	Hedin	Prentis
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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.

### THIRD READING OF BILLS

On motion of Senator Byers, Senate File 449, 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 Byers moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 47:

Anderson	Hart	Nelson	Utzig
Bateson	Hedin	Nesmith	Van Eaton
Bekman	Heideman	Nolan	Vest
Bellman	Johnson	O'Malley	Walter
Berg	Knudson	Prentis	Washburn
Boothby	Larson	Risk	Watson of
Byers	Linnevold	Sayre	O'Brien
Clark	Lord	Schoening	Watson of
Colburn	Lucas	Scott	Pottawattamie
Dailey	Lynes	Stewart of	Weichman
Elijah	Miller	Mahaska	Whitehead
Fishbaugh	Molison	Stuart of Lucas	Zastrow
Grimstead	Myrland		

Nays, none.

Absent or not voting, 3:

Dewel	Dykhouse	Oltman
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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 Nolan, Senate File 234, 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, was taken up for further consideration.

Senator Fishbaugh offered the following amendments and moved their adoption:

Amend Senate File 234 as follows:

1. Strike all of section 2 thereof.
2. Strike from section 4, lines 2 and 3, the following: "striking the words 'or friend' from line eight (8) of said section and by".
3. Strike from section 5, lines 2 and 3, the following: "striking the words 'or friend' from line four (4) and from line five (5) of said section, and by".

The amendments were adopted.

Senator Nolan asked and received unanimous consent that the Secretary be instructed to renumber the sections of the bill.

Senator Nolan moved that the bill be read a third 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	Berg	Colburn	Elijah
Bateson	Boothby	Dailey	Fishbaugh
Bekman	Byers	Dewel	Grimstead
Bellman	Clark	Dykhouse	Hart

Hedin	Molison	Sayre	Walter
Heideman	Myrland	Schoening	Washburn
Johnson	Nelson	Scott	Watson of
Knudson	Nesmith	Stewart of	O'Brien
Larson	Nolan	Mahaska	Watson of
Linnevold	Oltman	Stuart of Lucas	Pottawattamie
Lord	O'Malley	Utzig	Weichman
Lucas	Prentis	Van Eaton	Whitehead
Lynes	Risk	Vest	Zastrow
Miller			

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 429, a bill for an act relating to gift enterprises and providing remedy for violation of section five hundred fifty-three point sixteen (553.16), Code 1950, was taken up, and considered.

Senator Van Eaton offered the following amendment and moved its adoption:

Amend Senate File 429 by adding thereto the following:

"Sec. 7. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Daily Reporter, a newspaper published at Sioux City, Iowa, and in The Movable Record, a newspaper published at Movable, 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, 33:

Anderson	Dykhouse	Lynes	Utzig
Bateson	Hedin	Miller	Van Eaton
Bellman	Heideman	Myrland	Washburn
Berg	Johnson	Nelson	Watson of
Boothby	Knudson	Nesmith	Pottawattamie
Byers	Larson	Oltman	Weichman
Clark	Linnevold	Sayre	Whitehead
Colburn	Lord	Stewart of	Zastrow
Dewel	Lucas	Mahaska	

Nays, 7:

Fishbaugh	O'Malley	Schoening	Walter
Nolan	Prentis	Stuart of Lucas	

Absent or not voting, 10:

Bekman	Grimstead	Risk	Watson of
Dailey	Hart	Scott	O'Brien
Elijah	Molison	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 Berg, House File 91, a bill for an act to amend section four hundred twenty-two point five (422.5), section four hundred twenty-two point twelve (422.12) and section four hundred twenty-two point thirteen (422.13), Code 1950, relating to the rate of tax imposed on income and providing for deductions from the computed tax, was taken up, and considered.

Senator Berg moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 44:

Anderson	Fishbaugh	Nesmith	Van Eaton
Bateson	Grimstead	Nolan	Vest
Bekman	Hart	Oltman	Walter
Bellman	Hedin	O'Malley	Washburn
Berg	Johnson	Prentis	Watson of
Boothby	Knudson	Risk	O'Brien
Byers	Larson	Sayre	Watson of
Clark	Linnevold	Schoening	Pottawattamie
Colburn	Lord	Scott	Weichman
Dailey	Miller	Stewart of	Whitehead
Dewel	Myrland	Mahaska	Zastrow
Dykhouse	Nelson	Utzig	

Nays, 5:

Elijah	Lucas	Lynes	Stuart of Lucas
Heideman			

Absent or not voting, 1:

Molison

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 Dailey, House File 510, a bill for an act to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of fire department equipment bonds by the city of Burlington, 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, 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, 49:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dykhouse	Lynes	Scott	Weichman
Elijah	Miller	Stewart of	Whitehead
Fishbaugh	Molison	Mahaska	Zastrow

Nays, none.

Absent or not voting, 1:

Dewel

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, House File 511, a bill for an act to legalize and validate the proceedings authorizing and providing for the issuance, sale and delivery of "Bridge Revenue Bonds, 1953 Series" by the city of Burlington, Iowa, to pay the cost of repairing the existing municipally owned toll bridge extending across the Mississippi River from said city and the provisions made for the payment of said bonds and declaring said proceedings and the bonds issued pursuant thereto legally sufficient and enforceable, was taken up, and considered.

Senator 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, 48:

Anderson	Byers	Elijah	Johnson
Bateson	Clark	Fishbaugh	Knudson
Bekman	Colburn	Grimstead	Larson
Bellman	Dailey	Hart	Linnevold
Berg	Dewel	Hedin	Lord
Boothby	Dykhouse	Heideman	Lucas

Lynes	Oltman	Stewart of	Watson of
Miller	O'Malley	Mahaska	O'Brien
Molison	Prentis	Stuart of Lucas	Watson of
Myrland	Risk	Utzig	Pottawattamie
Nelson	Sayre	Van Eaton	Weichman
Nesmith	Schoening	Walter	Whitehead
Nolan		Washburn	Zastrow

Nays, none.

Absent or not voting, 2:

Scott                      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 Knudson, House File 328, a bill for an act to amend sections two hundred eighteen point fifty-nine (218.59), two hundred eighteen point sixty (218.60) and two hundred eighteen point sixty-three (218.63), Code 1950, relating to the construction, repair and alteration of improvements by the board of control of properties under its direction, 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, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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 Dailey, House File 90, a bill for an act repealing subsection seven (7) of section four hundred twenty-two

point fifty-three (422.53), Code 1950, and amending subsection one (1) of section four hundred twenty-two point fifty-three (422.53), Code 1950, relating to retail sales tax permits, 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, 48:**

Anderson	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Van Eaton
Bekman	Hart	Nesmith	Vest
Bellman	Hedin	Nolan	Walter
Berg	Heideman	Oltman	Washburn
Boothby	Johnson	O'Malley	Watson of
Byers	Knudson	Prentis	O'Brien
Clark	Larson	Risk	Watson of
Colburn	Linnevold	Sayre	Pottawattamie
Dailey	Lord	Schoening	Weichman
Dewel	Lucas	Scott	Whitehead
Dykhouse	Lynes	Stewart of	Zastrow
Elijah	Miller	Mahaska	

Nays, none.

Absent or not voting, 2:

Nelson                      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 Vest, House File 161, a bill for an act to amend section four hundred twenty-two point twelve (422.12), Code 1950, relating to deductions from computed individual income tax as to the marital condition and dependencies, 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	Dewel	Knudson	Nelson
Bateson	Dykhouse	Larson	Nesmith
Bekman	Elijah	Linnevold	Nolan
Bellman	Fishbaugh	Lord	Oltman
Berg	Grimstead	Lucas	O'Malley
Boothby	Hart	Lynes	Prentis
Byers	Hedin	Miller	Sayre
Clark	Heideman	Molison	Schoening
Colburn	Johnson	Myrland	Scott

Stewart of  
Mahaska  
Stuart of Lucas  
Utzig

Van Eaton  
Vest  
Walter

Washburn  
Watson of  
O'Brien

Watson of  
Pottawattamie  
Weichman  
Zastrow

Nays, none.

Absent or not voting, 3:

Dailey

Risk

Whitehead

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, House File 293, a bill for an act relating to county public hospitals, providing for free care for tuberculous patients in such hospitals, and providing for the pay of indigent patients therein from the county poor fund, and making provision for pay of hospital treatment for indigent persons having legal settlement outside the county, and to amend section three hundred forty-seven point sixteen (347.16), Code 1950, was taken up, and considered.

Senator O'Malley offered the following amendment and moved its adoption:

Amend House File 293 by striking all after the enacting clause thereof and substituting in lieu thereof the following:

"Section 1. Section three hundred forty-seven point sixteen (347.16), Code 1950, is hereby amended by inserting after the word 'hospital' in line nine (9) the words 'in counties with a population of more than one hundred and thirty-five thousand (135,000)'.

"Sec. 2. Section three hundred forty-seven point sixteen (347.16), Code 1950, is hereby further amended by inserting after the period (.) in line twenty-two (22) the following new paragraphs:

"'Free care and treatment in such county public hospital in all other counties to any tuberculous persons may be furnished to such residents of the county as have established legal settlement in the county as defined in section two hundred fifty-two point sixteen (252.16) and are entitled to free care under the provisions of section two hundred fifty-four point eight (254.8), Code 1950. In cases other than tuberculosis, care and treatment in such county public hospital to any indigent persons shall likewise be furnished to such residents of the county as have established legal settlement in the county as defined in section two hundred fifty-two point sixteen (252.16), Code 1950, and have been found by the board of hospital trustees to be indigent and entitled to said care. In integrated counties where the board of hospital trustees have no social service department, then under the supervision of the board of hospital trustees, the overseer of the poor or the director of social welfare shall determine whether or not said persons are indigent and entitled to said care. Cost of said care shall be the liability of the county, and upon claim made therefor paid under the authority and in the manner specified by section

two hundred fifty-two point thirty-five (252.35), Code 1950. Provided, however, such county public hospital may provide hospital benefits to indigent persons having a legal settlement outside the county and the county of such persons' legal settlement shall pay to such county public hospital for the fair and reasonable cost of such care, treatment, and hospitalization.

"A county public hospital shall not be required to provide facilities for treatment of tuberculous persons. Where such facilities for treatment of tuberculous persons are not available in the county public hospital, care and treatment shall be provided under the provisions of section two hundred fifty-four point one (254.1), Code 1950."

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, 47:

Anderson	Hedin	Nesmith	Utzig
Bateson	Heideman	Nolan	Van Eaton
Bekman	Johnson	Oltman	Vest
Bellman	Knudson	O'Malley	Walter
Berg	Larson	Prentis	Washburn
Boothby	Linnevold	Risk	Watson of
Byers	Lord	Sayre	O'Brien
Clark	Lynes	Schoening	Watson of
Colburn	Lucas	Scott	Pottawattamie
Dewel	Miller	Stewart of	Weichman
Dykhouse	Molison	Mahaska	Whitehead
Grimstead	Myrland	Stuart of Lucas	Zastrow
Hart	Nelson		

Nays, 1:

Dailey

Absent or not voting, 2:

Elijah 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 Vest, House File 238, 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, 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, 48:

Anderson	Fishbaugh	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Whitehead
Dykhouse	Miller	Stewart of	Zastrow
Elijah	Molison	Mahaska	

Nays, none.

Absent or not voting, 2:

Grimstead 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 Byers, House File 385, a bill for an act to amend section five hundred four point two (504.2), Code 1950, relating to the powers of corporations not for pecuniary profit, 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, 49:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Whitehead
Dykhouse	Miller	Stewart of	Zastrow
Elijah	Molison	Mahaska	
Fishbaugh			

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 requests the return of Senate File 235, a bill for an act relating to the disposal of dead bodies, for further consideration.

**Also:** That the House has amended the Senate amendments to, concurred in the amendments as amended, and passed House File 140, a bill for an act relating to the Iowa public employees' retirement system.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE AMENDMENTS  
TO HOUSE FILE 140

Amend Senate amendments to House File 140 as follows:

1. Amend division No. 7, line 13, by striking the word "shall" and inserting in lieu thereof the word "may".

2. Amend division No. 24 by adding at the end thereof as subsection 1 the following:

"Further amend section 54, as passed by the Senate, by striking the words 'special reserve' in lines 1 and 2 and inserting in lieu thereof the word 'general', and by adding at the end of the first sentence the following: 'The Governor and the budget and financial control committee are hereby directed to transfer from the special reserve fund a sufficient fund to provide for the appropriation made herein, unless the comptroller and Governor certify to the budget and financial control committee that in their judgment there are sufficient funds available in the general fund for the operation of state government at that time so as to make the use of the special reserve fund unnecessary during said biennium.'"

3. Further amend by striking divisions 8, 26 and 27.

## HOUSE AMENDMENTS CONSIDERED

On motion of Senator Lord, House File 140 and the House amendments to the Senate amendments thereto were taken up for further consideration.

Senator Lord moved that the Senate concur in the House amendments to the Senate amendments to House File 140.

Roll call was requested.

Senator Watson of Pottawattamie moved the previous question on the adoption of the amendments and the main bill, which motion prevailed.

On the question "Shall the Senate concur?" the vote was:

## Ayes, 23:

Anderson	Hart	Miller	Utzig
Bekman	Hedin	Molison	Van Eaton
Bellman	Heideman	Nolan	Watson of
Dailey	Knudson	Oltman	Pottawattamie
Elijah	Lord	O'Malley	Whitehead
Grimstead	Lucas	Sayre	Zastrow

## Nays, 27:

Bateson	Fishbaugh	Nesmith	Stuart of Lucas
Berg	Johnson	Prentis	Vest
Boothby	Larson	Risk	Walter
Byers	Linnevold	Schoening	Washburn
Clark	Lynes	Scott	Watson of
Colburn	Myrland	Stewart of	O'Brien
Dewel	Nelson	Mahaska	Weichman
Dykhouse			

Absent or not voting, none.

The motion was lost and the Senate refused to concur.

Senator Lynes asked and received unanimous consent that House File 140 be immediately messaged to the House, which request was complied with.

SECOND CONFERENCE COMMITTEE  
ON HOUSE FILE 497

Senator Lynes moved that the first conference committee on House File 497 be dismissed and that a second conference committee be appointed, which motion prevailed.

The President appointed as the second conference committee on House File 497, on the part of the Senate, Senators Fishbaugh, Scott, Dewel and Boothby.

President pro tempore Hart took the chair at 4:05 p.m.

THIRD READING OF BILLS

On motion of Senator Clark, House File 327, a bill for an act providing for licensing, inspection and regulation of mobile homes and mobile home parks, prescribing the standards and fees, and providing for regulations, enforcement procedure and penalties; to amend section three hundred twenty-one point four hundred fifty-seven (321.457), Code 1950, relating to maximum length of mobile homes; and to amend section three hundred twenty-one point one hundred thirty (321.130), Code 1950, relating to fees in lieu of taxes, was taken up, and considered.

Senator Dailey offered the following amendment:

Amend House File 327 by adding a new sentence in section 8, line 16, thereof: "Nothing contained in this act shall invalidate ordinances of any municipal corporation providing inspections or imposing requirements higher than the minimum requirements provided in this act."

Further amend House File 327, section 10, by striking the comma (,) in line 28 and inserting in lieu thereof a period (.) and striking all of line 29.

Further amend House File 327 as follows:

By adding a new sentence to section 10 thereof, following the period (.) in line 13, as follows: "In computing the length herein above described, the total length therein set out shall expressly include the trailer hitch or such other permanent extensions as may be attached to said trailer used or designed for use as a trailer hitch."

Further amend House File 327 by adding the following as a new sentence to section 10: "Each mobile home park licensee is hereby required to keep an accurate and complete record of the number of units of mobile homes harbored in his park and to report such information on or before the tenth (10th) day of each month to the county assessor and the records of every such licensee shall be open to inspection by the county assessor."

Further amend House File 327, section 11, by striking lines 1 to 8, inclusive, and inserting in lieu thereof the following: "The monthly fee for each occupied mobile home situated upon a licensed mobile home park shall be paid by the licensee thereof, or by the owner where the mobile home is not situated in a mobile home park, to the county treasurer of the county wherein such licensed mobile home park or mobile home is situated, on or before the tenth (10th) day of each and every month following thereafter. Such monthly fee is hereby allocated and required to be paid by the county treasurer as follows:"

Further amend House File 327, section 11, by striking the word "municipal" in line 9 thereof and insert in lieu thereof the word "county", and in line 12 by striking the words "to be retained by the municipality" and inserting in lieu thereof the following: "shall be paid to the municipal corporation wherein said licensed mobile home park or mobile home is located." Also in section 11, line 13, by striking the words "to be paid to" and inserting in lieu thereof the words "shall be retained for the general fund by".

Further amend House File 327 by adding a new sentence to section 17 following the period as follows: "All rules and regulations issued shall be in conformity with the provisions of chapter fifty-one (51), Acts of the Fifty-fourth General Assembly".

Senator Dailey asked and received unanimous consent to withdraw lines 1 to 5, inclusive, of his amendment.

On motion of Senator Clark the balance of the amendment was adopted.

Senator Fishbaugh raised a point of order for the reason that section 1 of the bill seeks to amend section three hundred twenty-one point four hundred fifty-seven (321.457), Code 1950, section 2 has to do with mobile homes, section 3 with mobile parks, therefore two subject matters are attempted to be covered by this act.

The Chair ruled the point not well taken.

Senator Dykhouse moved the previous question on the bill, which motion prevailed.

Senator Clark moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 39:

Anderson	Elijah	Lynes	Schoening
Bateson	Grimstead	Miller	Stuart of Lucas
Bekman	Hart	Molison	Van Eaton
Bellman	Hedin	Myrland	Washburn
Berg	Johnson	Nelson	Watson of
Boothby	Knudson	Nesmith	O'Brien
Byers	Larson	Nolan	Watson of
Clark	Linnevoold	Oltman	Pottawattamie
Colburn	Lord	O'Malley	Weichman
Dewel	Lucas	Risk	Whitehead
Dykhouse			

Nays, 4:

Fishbaugh	Utzig	Walter	Zastrow
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Absent or not voting, 7:

Dailey	Sayre	Stewart of	Vest
Heideman	Scott	Mahaska	
Prentis			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

#### HOUSE AMENDMENTS CONSIDERED

Senator Lord called up for consideration House File 139, a bill for an act repealing chapter ninety-seven (97), Code 1950, as amended by the Fifty-fourth General Assembly; providing for the protection of the rights of public employees who were subject to coverage under the provisions of said chapter ninety-seven (97), as amended; authorizing the payment of retroactive federal social security coverage for public employees from funds contributed by the employers and employees under the provisions of said chapter ninety-seven (97), as amended; providing for certain refunds of payments made into the old age and survivors' insurance trust fund

by employees; providing for the administration of funds and assets of the Iowa old age and survivors' insurance system by the Iowa employment security commission; providing for the future payment of benefits to which individuals subject to coverage under the provisions of said chapter ninety-seven (97), as amended, are entitled as provided in this act, and creating an Iowa old age and survivors' insurance liquidation fund, amended by the House, and moved that the Senate concur in the following amendment:

Amend the Senate amendment to House File 139 by adding thereto the following:

"Further amend House File 139 by inserting in line 3 of section 2 after the word 'Survivors' the word 'Insurance'."

The Senate concurred in the House amendment.

Senator Lord moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

On the question "Shall the bill pass?" the vote was:

Ayes, 48:

Anderson	Fishbaugh	Myrland	Utzig
Bateson	Grimstead	Nelson	Van Eaton
Bekman	Hart	Nesmith	Vest
Bellman	Hedin	Nolan	Walter
Berg	Johnson	Oltman	Washburn
Boothby	Knudson	O'Malley	Watson of
Byers	Larson	Prentis	O'Brien
Clark	Linnevold	Risk	Watson of
Colburn	Lord	Sayre	Pottawattamie
Dailey	Lucas	Schoening	Weichman
Dewel	Lynes	Scott	Whitehead
Elijah	Miller	Stuart of Lucas	Zastrow
Dykhouse	Mollison		

Nays, none.

Absent or not voting, 2:

Heideman	Stewart of Mahaska
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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 amended and passed the following bill in which the concurrence of the House was asked:

Senate File 235, a bill for an act relating to disposal of dead bodies.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 334, a bill for an act relating to the free distribution of the Code and of the Acts of each General Assembly.

Also: That the House has concurred in Senate amendments to and passed House File 506, a bill for an act making an appropriation to the social welfare department for the purpose of aid to the blind, aid to dependent children, child welfare, emergency relief and old age assistance funds.

Also: That the House has adopted the conference committee report and passed House File 515, a bill for an act making an appropriation to the board of education for institutions under said board.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE 235

Amend Senate File 235 by adding thereto a new paragraph as follows:

"The provisions of this act shall not be applicable to any post mortem or scientific examination performed under authority of section three hundred thirty-nine point twenty-two (339.22), Code 1950, whether made under a summons by a coroner or by the coroner himself if he be a physician."

#### CONFERENCE COMMITTEE REPORT ON HOUSE FILE 515

##### TO THE SPEAKER OF THE HOUSE AND THE PRESIDENT OF THE SENATE:

We, the undersigned members of the conference committee appointed to consider the difference between the House and the Senate on House File 515, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1953, and ending June 30, 1955, to the board of education for the support, maintenance, repairs, replacements, alterations or equipment of institutions under said board of education, beg leave to report and submit the following recommendation:

That all after the enacting clause be stricken and the following be substituted in lieu thereof:

Section 1. There is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, for the support, maintenance, repairs, replacements, alterations or equipment of all institutions under the control of said board of education, the sum of twenty-four million seven hundred five thousand one hundred sixty-five dollars (\$24,705,165) or so much thereof as may be necessary, and for the following purposes to-wit:

#### STATE UNIVERSITY OF IOWA

Iowa City

Sec. 2. For the State University of Iowa there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, the sum of seven mil-

lion eight hundred twenty-nine thousand five hundred dollars (\$7,829,500) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes .....	\$ 7,187,000.00
For repairs, replacements, alterations or equipment .....	\$ 639,200.00
For Lakeside Laboratory.....	3,300.00
	<hr/>
Total for the State University of Iowa.....	\$ 7,829,500.00

#### UNIVERSITY HOSPITAL

Sec. 3. For the purpose of carrying out the purpose of chapter two hundred fifty-five (255), Code 1950, there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, the sum of three million eight hundred thirty-two thousand seven hundred dollars (\$3,832,700) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and for medical and surgical treatment of indigent patients at the university hospital.....	\$ 3,635,200.00
For repairs, replacements, alterations or equipment .....	197,500.00
	<hr/>
Total for the university hospital.....	\$ 3,832,700.00

#### PSYCHOPATHIC HOSPITAL

Sec. 4. For the psychopathic hospital for the purpose of chapter two hundred twenty-five (225), Code 1950, there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, the sum of three hundred seventy-five thousand six hundred eighty-six dollars (\$375,686.00) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and for the care, treatment and maintenance of committed and voluntary public patients therein.....	\$ 357,286.00
For repairs, replacements, alterations or equipment .....	18,400.00
	<hr/>
Total for the psychopathic hospital.....	\$ 375,686.00

#### BACTERIOLOGICAL LABORATORY

Sec. 5. For the bacteriological laboratory there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, the sum of one hundred ninety-eight thousand three hundred dollars (\$198,300.00) or so much thereof as may be necessary to be used in the manner and under the

authority provided in chapter two hundred sixty-three (263), Code 1950:

For salaries, support, maintenance and miscellaneous purposes .....	\$ 196,100.00
For repairs, replacements, alterations or equipment .....	2,200.00
<b>Total for bacteriological laboratory.....</b>	<b>\$ 198,300.00</b>

#### HOSPITAL-SCHOOL

Sec. 6. For the hospital-school there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, the sum of two hundred ninety-three thousand nine hundred dollars (\$293,900.00) or so much thereof as may be necessary to be used in the manner and under the authority provided in chapter two hundred sixty-three (263), Code 1950.

For salaries, support, maintenance and miscellaneous purposes .....	\$ 293,900.00
<b>Total for hospital-school.....</b>	<b>\$ 293,900.00</b>

#### IOWA STATE COLLEGE OF AGRICULTURE AND MECHANIC ARTS

##### Ames

Sec. 7. For the Iowa State College of agriculture and mechanic arts there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, the sum of seven million six hundred thirty-six thousand four hundred seventy-eight dollars (\$7,636,478.00) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes .....	
For instruction and administration.....	\$ 4,531,501.00
For research .....	1,601,875.00
For extension .....	903,102.00
For repairs, replacements, alterations or equipment .....	600,000.00
<b>Total for the Iowa State College of agriculture and mechanic arts.....</b>	<b>\$ 7,636,478.00</b>

#### IOWA STATE TEACHERS COLLEGE

##### Cedar Falls

Sec. 8. For the Iowa State Teachers College there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, the sum of two million eight hundred twenty-two thousand seven hundred thirty dollars (\$2,822,730.00) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes .....	\$ 2,614,750.00
For repairs, replacements, alterations or equipment .....	207,980.00
<b>Total for Iowa State Teachers College.....</b>	<b>\$ 2,822,730.00</b>

### IOWA SCHOOL FOR THE DEAF

#### Council Bluffs

Sec. 9. For the Iowa School for the Deaf there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, the sum of five hundred eighteen thousand one hundred ninety-one dollars (\$518,191.00) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes .....	\$ 502,691.00
For repairs, replacements, alterations or equipment .....	15,500.00
<b>Total for the Iowa School for the Deaf.....</b>	<b>\$ 518,191.00</b>

### IOWA BRAILLE AND SIGHT-SAVING SCHOOL

#### Vinton

Sec. 10. For the Iowa Braille and Sight-Saving School there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, the sum of three hundred twenty-three thousand seven hundred dollars (\$323,700.00) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes .....	\$ 303,200.00
For repairs, replacements, alterations or equipment .....	20,500.00
<b>Total for the Iowa Braille and Sight-Saving School .....</b>	<b>\$ 323,700.00</b>

### STATE SANATORIUM

#### Oakdale

Sec. 11. For the state sanatorium at Oakdale, Iowa, there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, the sum of eight hundred seventy-three thousand nine hundred eighty dollars (\$873,980.00) or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes .....	\$ 853,480.00
For repairs, replacements, alterations or equipment .....	20,500.00
<b>Total for state sanatorium, Oakdale, Iowa.....</b>	<b>\$ 873,980.00</b>
for all purposes for all institutions under said board of education .....	\$24,705,165.00

Sec. 12. The budget of total expenditures for each institution under the control of the state board of education, including state appropriations and such other receipts as may be available for the same purpose as the state appropriations, during the biennium shall not exceed the budget for each institution as hereinafter set forth, except the board of education may, in the event of an emergency or necessity, which may arise at any particular institution under its control, expend more than the amount budgeted for such institution which expenditure shall be made out of increase in receipts of such institution, such increase in receipts meaning receipts in excess of the estimation of receipts of the respective institutions as set forth in the appropriations proposals submitted to the general assembly, provided that thirty days prior to such proposed increased expenditure the board shall report in writing to the state comptroller the specific purpose of such additional expenditure and the source and amount of funds available therefor, and further said board shall set out in its biennial report to the governor and the next general assembly such increased expenditure, the purpose thereof, and the source and amount of funds used therefor. No funds appropriated by this act or receipts, which may be used for the same purpose as said appropriations, may be used for capital improvements.

State University of Iowa .....	\$18,262,000.00
Iowa State College .....	21,159,912.00
Iowa State Teachers College .....	6,095,460.00
University Hospital .....	10,442,600.00
Psychopathic Hospital .....	874,800.00
Bacteriological Laboratory .....	444,600.00
Hospital School .....	587,800.00
Iowa School for the Deaf .....	1,056,382.00
Iowa Braille and Sight-Saving School.....	657,400.00
State Sanatorium .....	1,930,960.00

Total budget for all institutions under the state board  
of education for the biennium beginning July 1, 1953,  
and ending June 30, 1955 .....

\$61,511,914.00

Sec. 13. Chapter eight (8), Code 1950, shall apply to this act.

Sec. 14. Chapter two hundred sixty-two (262), Code 1950, is hereby amended by adding thereto the following: "The state board of education shall pay to the local school boards the tuition payments for the elementary or high school education of students residing on land owned by the state and under the control of the state board of education. Such

payments shall be made from funds of the respective institutions other than state appropriations."

The committee further recommends that the title be amended to read as follows:

An Act to appropriate from the general fund of the State of Iowa for biennium beginning July 1, 1953, and ending June 30, 1955, to the board of education for the support, maintenance, repairs, replacements, alterations or equipment of institutions under said board of education, and to amend chapter two hundred sixty-two (262), Code 1950, relating to payment of tuition for elementary or high school students residing on land under the control of the state board of education.

Respectfully submitted,

CLIFFORD STRAWMAN.

ERNEST PALMER, JR.

DEWEY E. GOODE.

CARROLL L. BROWN.

On the Part of the House.

JOHN P. BERG.

JAY C. COLBURN.

D. C. NOLAN.

X. T. PRENTIS.

On the Part of the Senate.

CONFERENCE COMMITTEE REPORT ADOPTED  
HOUSE FILE 515

Senator Berg called up the report of the conference committee on House File 515 and moved its adoption, which motion prevailed and the report was adopted.

On motion of Senator Berg, the amendments contained in the report were adopted.

Senator Berg moved that the bill be read a last time now, which motion prevailed, and the bill was read a last time.

On the question "Shall the bill pass?" the vote was:

Ayes, 48:

Anderson	Fishbaugh	Myrland	Utzig
Bateson	Grimstead	Nelson	Van Eaton
Bekman	Hart	Nesmith	Vest
Bellman	Hedin	Nolan	Walter
Berg	Johnson	Oltman	Washburn
Boothby	Knudson	O'Malley	Watson of
Byers	Larson	Prentis	O'Brien
Clark	Linnevold	Risk	Watson of
Colburn	Lord	Sayre	Pottawattamie
Dailey	Lucas	Schoening	Weichman
Dewel	Lynes	Scott	Whitehead
Dykhouse	Miller	Stuart of Lucas	Zastrow
Elijah	Molison		

Nays, none.

Absent or not voting, 2:

Heideman	Stewart of
	Mahaska

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 Stuart of Lucas, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 43, 70, 88, 142, 143, 146, 205, 219, 264, 413, 422, 432, 433, 437, 440, 444, 445, 446 and 447.

W. C. STUART, *Chairman Senate Committee.*

JOHN A. WALKER, *Chairman House Committee.*

Report adopted.

#### BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate Files 43, 70, 88, 142, 143, 146, 205, 219, 264, 413, 422, 432, 433, 437, 440, 444, 445, 446 and 447.

#### BILLS SENT TO THE GOVERNOR

Senator Stuart of Lucas, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 27th day of April, 1953, sent to the governor for his approval: Senate Files 43, 70, 88, 142, 143, 146, 205, 219, 264, 413, 422, 432, 433, 437, 440, 444, 445, 446 and 447.

W. C. STUART, *Chairman.*

Passed on file.

#### AMENDMENTS FILED

- 1 Amend House File 514, section 21, by adding after the
- 2 period in line 17 the following:
- 3 "The curator is hereby directed to make adequate space
- 4 available and to prepare a suitable and proper display in
- 5 the History and Archives Building depicting the part of the
- 6 State of Iowa in the War of the Rebellion, listing the
- 7 engagements in which Iowa troops participated, stating the
- 8 Iowa communities from which the various units were recruited,
- 9 and, by pictures, maps, trophies, mementoes and all visual
- 10 aids possible, tell to the people of Iowa the glorious history
- 11 of our state in the Civil War. The Historical Society of the

12 State of Iowa is hereby directed to assist and advise the  
13 curator in this undertaking."

EARL C. FISHBAUGH, JR.  
ARNOLD UTZIG.  
L. M. BOOTHBY.

- 1 Amend House File 514 in section 38 thereof,
- 2 line 38, by inserting before the word "steel"
- 3 the word "permanent"; and further by adding the following
- 4 after the word "plates" in the same line "with provision
- 5 thereon for removable date tags".

THOMAS J. DAILEY.

On motion of Senator Zastrow, the Senate adjourned until 9:30  
a.m., Tuesday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 28, 1953.

The Senate met in regular session, President Elthon presiding. Prayer was offered by Reverend Edward H. Tanis, pastor of the Second Reformed Church, Pella, Iowa.

## PETITION AND MEMORIAL

The following petition was presented and placed on file:

By Senator Walter from nineteen residents of Marshall County favoring proposed legislation relative to permissive union shop legislation.

## PRESENTATION OF VISITORS

Senator Weichman asked and received unanimous consent to present to the Senate thirty members of the seventh grade class of the Belle Plaine Junior High School who were present in the balcony accompanied by their instructor, Wallace Richmond.

## INTRODUCTION OF BILL

Senate File 453, by committee on appropriations, a bill for an act providing for the creation of a special committee to make a study of the feasibility, location, construction, means of financing and mode of operation of a toll road or roads in the State of Iowa, and to make recommendations to the Governor, prescribing the authority of such committee and making an appropriation for expenses for such study.

Read first and second times, and placed on the calendar.

## HOUSE FILE 506 RECALLED FROM THE HOUSE

Senator Dewel asked and received unanimous consent that the Secretary be instructed to recall House File 506 from the House for further consideration.

## THIRD READING OF BILLS

Senator Watson of Pottawattamie asked and received unanimous consent that the rules be suspended and the Senate take up for

consideration Senate File 453, a bill for an act providing for the creation of a special committee to make a study of the feasibility, location, construction, means of financing and mode of operation of a toll road or roads in the State of Iowa, and to make recommendations to the Governor, prescribing the authority of such committee and making an appropriation for expenses for such study.

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, 46:

Anderson	Hart	Myrland	Stuart of Lucas
Bateson	Hedin	Nelson	Utzig
Bekman	Heideman	Nesmith	Van Eaton
Bellman	Johnson	Nolan	Walter
Berg	Knudson	Oltman	Washburn
Boothby	Larson	O'Malley	Watson of
Byers	Linnevold	Prentis	O'Brien
Clark	Lord	Risk	Watson of
Colburn	Lucas	Sayre	Pottawattamie
Dewel	Lynes	Schoening	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Grimstead			

Nays, none.

Absent or not voting, 4:

Dailey	Fishbaugh	Scott	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.

Senator Watson of O'Brien asked and received unanimous consent that Senate File 453 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 receded from its amendments to the Senate amendments, and passed, House File 140, a bill for an act relating to the Iowa public employees' retirement system.

Also: That the House has reconsidered the votes by which it concurred in Senate amendments to and passed House File 506, a bill for an act making an appropriation to the social welfare department for the purpose of aid to the blind, aid to dependent children, child welfare, emergency relief and old age assistance funds; and returns the same as requested.

A. C. GUSTAFSON, *Chief Clerk.*

## THIRD READING OF BILLS

On motion of Senator Lynes, House File 514, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1953, and ending June 30, 1955, funds for various departments and various divisions thereof, of the State of Iowa, for the purposes provided by law, and to amend section six hundred five point one (605.1), Code 1950, relating to salaries of judges of the district court, and section six hundred five point two (605.2), Code 1950, relating to expenses of the justices of the supreme court, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered :

1. Amend House File 514, section 2, line 39, by striking the figures "\$36,000.00" and inserting in lieu thereof the figures "\$39,000.00".

Further amend House File 514, section 2, by striking in line 46 the figures "\$2,500.00" and inserting in lieu thereof the figures "\$5,000.00".

Further amend House File 514, section 2, lines 4 and 5, by striking the words and figures "five hundred seventy-two thousand five hundred dollars (\$572,500.00)" and inserting in lieu thereof the words and figures "five hundred seventy-eight thousand dollars (\$578,000.00)" and by striking in line 73 the figures "\$572,500.00" and inserting in lieu thereof the figures "\$578,000.00".

2. Amend House File 514, section 9, line 12, by striking the words "in said parks" and inserting in lieu thereof the words "under its control".

3. Amend House File 514, section 11, lines 4 and 5, by striking the words and figures "seven thousand five hundred dollars (\$7,500.00)" and inserting in lieu thereof the words and figures "five thousand (\$5,000.00)", and by striking from lines 8 and 11 the figures "\$7,500.00" and inserting in lieu thereof the figures "\$5,000.00".

4. Amend House File 514, section 13, by striking line 7, and by striking in line 9 the figures "\$73,700.00" and inserting in lieu thereof the figures "\$80,000.00".

5. Amend House File 514, section 22, by striking in line 5 the word "twenty-three" and inserting in lieu thereof the word "twenty-four", and by striking in line 6 the figures "(\$423,270.00)" and inserting in lieu thereof the figures "(\$424,270.00)", and by striking in line 9 the figures "\$7,000.00" and inserting in lieu thereof the figures "\$8,000.00", and by striking in line 12 the figures "\$52,000.00" and inserting in lieu thereof the figures "\$53,000.00", and by striking in line 84 the figures "\$423,270.00" and inserting in lieu thereof the figures "\$424,270.00".

6. Amend House File 514, section 33, by striking line 5 and inserting in lieu thereof the words and figures "three thousand seven hundred seventy-six dollars (\$73,776.00)", and in line 9 by striking "\$4,500.00" and "\$13,500.00" and inserting in lieu thereof "\$4,200.00" and "\$12,600.00", and in line 16 by striking "\$74,676.00" and inserting in lieu thereof "\$73,776.00".

7. Amend House File 514, section 34, line 9, by adding after the word "secretary" the words "and narcotic supervisor".

8. Amend House File 514, section 36, lines 4 and 5, by striking the words and figures "three hundred twenty-seven thousand dollars (\$327,000.00)" and inserting in lieu thereof the words and figures "three hundred forty-three thousand dollars (\$343,000.00)", and by striking in line 17 the figures "\$267,000.00" and inserting in lieu thereof the figures "\$283,000.00" and in line 20 by striking the figures "\$327,000.00" and inserting in lieu thereof the figures "\$343,000.00", and by striking in line 71 the figures "\$4,000.00" following the words "Geological Survey" and inserting in lieu thereof the figures "\$20,000.00".

9. Amend House File 514, section 37, by striking from lines 4 and 5 the words and figures "three hundred eighteen thousand seven hundred ninety dollars (\$318,790.00)" and inserting in lieu thereof the words and figures "three hundred thirteen thousand eight hundred ninety dollars (\$313,890.00)", and by striking line 29, and by changing the total in line 35 to "\$68,900.00" and by changing the total in line 39 to "\$313,890.00".

10. Amend House File 514, section 45, line 5, by striking the words and figures "twenty-four thousand dollars (\$24,000.00)" and inserting in lieu thereof the words and figures "twenty-four thousand five hundred dollars (\$24,500.00)", and in line 9 by striking "\$4,800.00" and inserting in lieu thereof "\$5,300.00", and in line 15 by striking "\$24,000.00" and inserting in lieu thereof "\$24,500.00".

On motion of Senator Weichman, division 1 of the committee amendment was adopted.

Senator Nolan offered the following amendment:

Amend House File 514, section 7, line 20, by striking the figures "40,050.00" and inserting the figures "49,450.00" and in line 26 by striking the figures "195,750.00" and inserting the figures "205,150.00".

Senator Nolan offered the following amendment to the amendment and moved its adoption:

Amend the amendment by adding thereto the following:

"Further amend section 7, lines 4 and 5, by striking the words and figures "one hundred ninety-five thousand seven hundred fifty dollars (\$195,750.00)" and inserting in lieu thereof the words and figures "two hundred five thousand one hundred fifty dollars (\$205,150.00)".

The amendment to the amendment was adopted.

On motion of Senator Nolan, the amendment as amended was adopted.

On motion of Senator Weichman, division 3 of the committee amendment was adopted.

On motion of Senator Weichman, division 4 of the committee amendment was adopted.

Senator Nesmith asked and received unanimous consent to withdraw the following amendment:

Amend House File 514, section 19, lines 4 and 5, by striking the words and figures "one hundred two thousand dollars (\$102,000)" and inserting in lieu thereof the words and figures "one hundred fifteen thousand two hundred and eight dollars (\$115,208)".

Further amend section 19 of House File 514 by striking in line 14 the figures "102,000.00" and inserting in lieu thereof "115,208.00".

Senator Fishbaugh offered the following amendment filed by Senators Fishbaugh, Utzig and Boothby:

Amend House File 514, section 21, by adding after the period in line 17 the following:

"The curator is hereby directed to make adequate space available and to prepare a suitable and proper display in the History and Archives Building depicting the part of the State of Iowa in the War of the Rebellion, listing the engagements in which Iowa troops participated, stating the Iowa communities from which the various units were recruited, and, by pictures, maps, trophies, mementoes and all visual aids possible, tell to the people of Iowa the glorious history of our state in the Civil War. The Historical Society of the State of Iowa is hereby directed to assist and advise the curator in this undertaking."

Senator Fishbaugh offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking the last sentence of the amendment.

The amendment to the amendment was adopted.

On motion of Senator Fishbaugh, the amendment as amended was adopted.

On motion of Senator Weichman, division 5 of the amendment was adopted.

Senator O'Malley asked and received unanimous consent to withdraw the amendment to House File 514 filed by him and found on page 1179 of the Senate Journal.

Senator Bekman offered the following amendment by Senators Bekman, Lord, O'Malley, Dailey and Oltman and moved its adoption:

Amend House File 514 by striking lines 36 to 38, inclusive, of section 22 and inserting in lieu thereof the following:

(8) TUBERCULOSIS CONTROL.

For salaries, support and maintenance of mobile units for mass x-ray tuberculosis case finding, interpretation of x-ray films, follow-up work on active tuberculosis cases, supervision and direction of tuberculosis control work, and micellaneous purposes.....\$50,000.00

Senator Dewel moved the previous question on the amendment, which motion prevailed.

The amendment was adopted.

Senator Elijah offered the following amendment and moved its adoption:

Amend House File 514 as follows:

1. Strike from section 23, lines 4 and 5, the words and figures "four thousand dollars (\$4,000.00)" and insert in lieu thereof "five thousand four hundred dollars (\$5,400.00)".
2. Strike from section 23, line 8, the figures "\$4,000.00" and insert in lieu thereof "\$5,400.00".
3. Strike from section 23, line 11, the figures "\$4,000.00" and insert in lieu thereof "\$5,400.00".

The amendment was adopted.

Senator Bekman offered the following amendment filed by Senators Bekman, O'Malley, Byers and Nolan and moved its adoption:

Amend House File 514 by striking all of section 26 and substituting in lieu thereof the following:

Sec. 26. For the industrial commissioner there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, the sum of thirty-seven thousand three hundred seventy-five dollars (\$37,375.00) or so much thereof as may be necessary to be used in the following manner:

For salary of commissioner .....	\$ 6,000.00
Two deputies at \$5,500.00 each .....	\$11,000.00
For salaries (including 3rd deputy \$4,200.00), support, maintenance, travel expense, state share of employment retirement fund and miscellaneous purposes.....	\$20,375.00

Grand total of all appropriations for all purposes for each year of the biennium for the industrial commissioner.....\$37,375.00

Senator Boothby 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, 18:

Bekman	Fishbaugh	Nolan	Walter
Bellman	Hart	O'Malley	Watson of
Byers	Heideman	Stuart of Lucas	Pottawattamie
Clark	Lord	Utzig	Zastrow
Dailey	Miller	Vest	

Nays, 29:

Bateson	Knudson	Nesmith	Stewart of
Berg	Larson	Oltman	Mahaska
Boothby	Linnevold	Prentis	Van Eaton
Colburn	Lucas	Risk	Washburn
Dewel	Lynes	Sayre	Watson of
Dykhouse	Molison	Schoening	O'Brien
Elijah	Myrland	Scott	Weichman
Hedin	Nelson		Whitehead

Absent or not voting, 3:

Anderson	Grimstead	Johnson
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The amendment was lost.

On motion of Senator Zastrow, the Senate recessed until 1:05 p.m.

#### AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

#### SENATE CONCURRENT RESOLUTION 24 AMENDED

Senator Zastrow call up the following resolution:

#### HOUSE CONCURRENT RESOLUTION 24

*Be It Resolved by the House, the Senate Concurring, That the Fifty-fifth General Assembly adjourn sine die at twelve o'clock noon, April 21, 1953.*

Senator Zastrow offered the following amendment to the resolution and moved its adoption:

Amend House Concurrent Resolution 24 by striking all after the word "at" in line 2 and inserting in lieu thereof the following: "5 o'clock, p.m., Wednesday, April 29, 1953."

The amendment to the resolution was adopted.

#### RECONSIDERATION OF HOUSE FILE 506

Senator Dewel called up for further consideration House File 506, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1953, and ending June 30, 1955, 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, and to repeal sections two hundred forty-nine point forty-four (249.44), two hundred thirty-nine point ten (239.10) and two hundred forty-one point twenty-five (241.25), Code 1950, and enact substitutes in lieu thereof, relating to the confidential nature of certain records

pertaining to the recipients under the laws relating to old age assistance, dependent children and aid for the blind; providing for issuance of reports showing disbursements to recipients with public access thereto; prohibiting certain uses of this information and providing penalty for violation thereof.

Senator Dewel asked and received unanimous consent that the Senate reconsider the vote by which House File 506 passed the Senate.

Senator Dewel asked and received unanimous consent that the Senate reconsider the vote by which House File 506 went to its third reading.

Senator Dewel offered the following amendment and moved its adoption:

Amend House File 506 in section 6 by striking in line 18 the words and figures "two hundred forty-one (241)" and inserting in lieu thereof the words and figures "two hundred thirty-nine (239)".

The amendment was adopted.

Senator Dewel moved that the bill be read a last time now, which motion prevailed, and the bill was read a last time.

On the question "Shall the bill pass?" the vote was:

Ayes, 44:

Anderson	Grimstead	Myrland	Van Eaton
Bateson	Hart	Nelson	Vest
Bekman	Heideman	Nesmith	Walter
Bellman	Johnson	Nolan	Washburn
Berg	Knudson	Oltman	Watson of
Boothby	Larson	Prentis	O'Brien
Byers	Linnevoold	Risk	Watson of
Clark	Lord	Sayre	Pottawattamie
Colburn	Lucas	Schoening	Weichman
Dewel	Lynes	Scott	Whitehead
Dykhouse	Miller	Stuart of Lucas	Zastrow
Fishbaugh	Molison		

Nays, 2:

Dailey                      Utzig

Absent or not voting, 4:

Elijah	Hedin	O'Malley	Stewart of Mahaska
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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 Nolan called up for consideration Senate File 235, a bill for an act to amend chapter one hundred forty-one (141), Code 1950, relating to disposal of dead bodies and to make specific provisions for the consent required for autopsies, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 235 by adding thereto a new paragraph as follows: "The provisions of this act shall not be applicable to any post mortem or scientific examination performed under authority of section three hundred thirty-nine point twenty-two (339.22), Code 1950, whether made under a summons by a coroner or by the coroner himself if he be a physician."

The Senate concurred in the House amendment.

Senator Nolan moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

On the question "Shall the bill pass?" the vote was:

Ayes, 48:

Anderson	Fishbaugh	Myrland	Utzig
Bateson	Grimstead	Nelson	Van Eaton
Bekman	Hart	Nesmith	Vest
Bellman	Heideman	Nolan	Walter
Berg	Johnson	Oltman	Washburn
Boothby	Knudson	O'Malley	Watson of
Byers	Larson	Prentis	O'Brien
Clark	Linnevold	Risk	Watson of
Colburn	Lord	Sayre	Pottawattmie
Dailey	Lucas	Schoening	Weichman
Dewel	Lynes	Scott	Whitehead
Dykhoush	Miller	Stuart of Lucas	Zastrow
Elijah	Molison		

Nays, none.

Absent or not voting, 2:

Hedin	Stewart of Mahaska
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

The Senate resumed consideration of House File 514.

President pro tempore Hart took the chair at 2:06 p.m.

Senator Weichman moved the adoption of division 6 of the committee amendment and requested a roll call.

On the question "Shall division 6 of the committee amendment be adopted?" the vote was:

Ayes, 16:

Berg	Dykhouse	Lynes	Scott
Boothby	Hedin	Nelson	Vest
Colburn	Heideman	Prentis	Weichman
Dewel	Larson	Risk	Zastrow

Nays, 31:

Anderson	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Myrland	Utzig
Bekman	Johnson	Nesmith	Van Eaton
Bellman	Knudson	Nolan	Walter
Byers	Linnevold	Oltman	Washburn
Clark	Lord	O'Malley	Watson of
Daily	Lucas	Sayre	Pottawattamie
Elijah	Miller	Schoening	Whitehead

Absent or not voting, 3:

Hart	Stewart of Mahaska	Watson of O'Brien
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Division 6 of the committee amendment was lost.

On motion of Senator Weichman, division 7 of the committee amendment was adopted.

On motion of Senator Weichman, division 8 of the committee amendment was adopted.

Senator Heideman offered the following amendment filed by Senators Heideman, Molison and O'Malley and moved its adoption:

Amend House File 514, section 37, by striking from line 11 the figure "\$139,000.00" and inserting in lieu thereof the figure "\$149,500".

Further amend by striking from line 12 the figure "\$146,000.00" and inserting in lieu thereof the figure "\$156,500.00".

The amendment was adopted.

Senator Dailey offered the following amendment and moved its adoption:

Amend House File 514 in section 38 thereof, line 38, by inserting before the word "steel" the word "permanent"; and further by adding the following after the word "plates" in the same line "with provision thereon for removable date tags".

Senator Watson of O'Brien moved the previous question on the amendment, which motion prevailed.

Division was called for.

The amendment was lost.

On motion of Senator Weichman, division 9 of the committee amendment was adopted.

Senator Weichman offered the following amendment and moved its adoption:

Amend House File 514 by adding the following new section:

"Sec. 51. For the Iowa Employment Security Commission for the administration of chapter 96, Code of 1950 (Iowa Employment Security Law), there is hereby appropriated from the general fund of the state for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, the sum of five thousand dollars (\$5,000.00), or so much thereof as may be necessary to be used in the following manner: Provided that this appropriation shall not be expended or made available for expenditure in any manner which would permit its substitution for or a corresponding reduction in federal funds which in the absence of this appropriation would be available to finance the expenditures for the administration of the Iowa Employment Security Commission. Provided further that no funds so appropriated shall be used for the operation of a teachers' placement service.

For salaries, support, maintenance and miscellaneous purposes .....\$5,000.00

For the Iowa Employment Security Commission for the administration of House Files 138 and 139, Acts of the Fifty-fifth Assembly, there is hereby appropriated from the general fund of the State of Iowa for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, the sum of one hundred twenty-five thousand dollars (\$125,000), or so much thereof as may be necessary to be used in the following manner:

For salaries, support, maintenance and miscellaneous purposes for the administration of House Files 138 and 139, Acts of the Fifty-fifth General Assembly.....\$125,000.00

The salary for each member of the Iowa Employment Security Commission shall be six thousand dollars (\$6,000) for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, and shall be in full compensation for all services, and provisions made in any other act or statutes for salary of the members of the Iowa Employment Security Commission shall be ineffective and void."

Further amend House File 514 by renumbering the remaining sections.

The amendment was adopted.

Senator Hart asked and received unanimous consent to withdraw the following amendment filed by Senators Hart, Lucas, Nolan, Myrland, Stuart of Lucas, Nesmith, Whitehead and Watson of Pottawattamie:

Amend House File 514, section 2, line 46, by striking the figures "2,500.00" and inserting in lieu thereof the figures "8,000.00".

Senator Hart offered the following amendment to the Senate amendment filed by Senators Hart, Lucas, Nolan, Myrland, Stuart

of Lucas, Nesmith, Whitehead and Watson of Pottawattamie and moved its adoption:

1. Amend the Senate amendment to House File 514, division 1, by striking the figures "\$5,000.00" in line 6 and inserting in lieu thereof the figures "\$8,000.00".

2. Further amend the Senate amendment, division 1, by striking the words and figures "five hundred seventy-eight thousand dollars (\$578,000.00)" in line 10 and inserting in lieu thereof the words and figures "five hundred eighty-one thousand dollars (\$581,000.00)" and in line 12 by striking the figures "\$578,000.00" and inserting in lieu thereof "\$581,000.00".

The amendment was adopted.

Senator Oltman offered the following amendment and moved its adoption:

Amend House File 514, section 9, by striking the following in lines 4 and 5: "eighty-seven thousand dollars (\$487,000.00)" and inserting in lieu thereof the the words and figures "seventy-four thousand five hundred dollars (\$474,500.00)", and by striking the figures "\$487,000.00" in line 21 and inserting in lieu thereof the figures "\$474,500.00". Further amend section 9 by striking all of lines 13 through 18.

The amendment was adopted.

Senator Watson of Pottawattamie asked and received unanimous consent to withdraw the amendment filed by him and found on page 1144 of the Senate Journal.

Senator Heideman asked and received unanimous consent to withdraw the amendment filed by him and found on page 1144 of the Senate Journal.

Senator Knudson asked and received unanimous consent to withdraw the amendment filed by him and found on page 1118 of the Senate Journal.

On motion of Senator Weichman, division 2 of the committee amendment was adopted.

President Elthon took the chair at 3:05 p.m.

Senator Lynes asked and received unanimous consent to withdraw division 10 of the committee amendment; also, the committee amendment to House File 514 filed and found on page 1179 of the Senate Journal.

Senator Lynes offered the following amendment and moved its adoption:

Amend House File 514, section 45, line 5, by striking the words and figures "twenty-four thousand dollars (\$24,000.00)" and inserting in lieu thereof the words and figures "twenty-four thousand seven hundred fifty dollars (\$24,750.00)", and in line 9 by striking "\$4,800.00" and inserting in lieu thereof "\$5,300.00", and in line 11 by striking "\$13,400.00" and inserting in lieu thereof "\$13,650.00", and in line 15 by striking "\$24,000.00" and inserting in lieu thereof "\$24,750.00".

The amendment was adopted.

Senator Dailey offered the following amendment and moved its adoption:

Amend House File 514 by adding a new section thereto as follows:

"Sec. 55. That the budget and financial control committee is hereby instructed and directed to make a full and comprehensive survey regarding the possible use of permanent license plates with removable date tags for the State of Iowa, and to include such survey in the report of said budget and financial control committee to the Fifty-sixth General Assembly.

The amendment was adopted.

Senator Stuart of Lucas offered the following amendment and moved its adoption:

Amend House File 514, section 44, lines 4 and 5, by striking the words and figures "fourteen thousand two hundred ten dollars (\$14,210.00)" and inserting in lieu thereof the words and figures "fourteen thousand seven hundred ten dollars (\$14,710.00)".

Further amend section 44, line 7, by striking the figure "\$4,800.00" and inserting in lieu thereof the figure "\$5,300.00".

Further amend section 44, line 12, by striking the figure "\$14,210.00" and inserting in lieu thereof the figure "\$14,710.00".

Division was called for.

The amendment was lost.

Senator Bekman offered the following amendment and moved its adoption:

Amend that division of the Senate amendment to House File 514 that applies to section 22 by striking all of said division and inserting in lieu thereof the following:

"Amend House File 514, section 22, by striking in lines 5 and 6 the words and figures 'twenty-three thousand two hundred seventy dollars (\$423,270.00)' and inserting in lieu thereof the words and figures 'sixty thousand seven hundred seventy dollars (\$460,770.00)', and by striking in line 9 the figures '\$7,000.00' and inserting in lieu thereof the figures '\$8,-

000.00', and by striking in line 12 the figures '\$52,000.00' and inserting in lieu thereof the figures '\$53,000.00', and by striking in line 84 the figures '\$423,270.00' and inserting in lieu thereof the figures '\$459,770.00'."

The amendment was adopted.

Senator Heideman offered the following amendment and moved its adoption:

Amend the Senate amendment to House File 514 by striking from lines 4 and 5 of the division pertaining to section 37 the words and figures "three hundred thirteen thousand eight hundred ninety dollars (\$313,890.00)" and inserting in lieu thereof the words and figures "three hundred twenty-four thousand three hundred ninety dollars (\$324,390.00)", and line 7 by striking the figures "\$313,890.00" and inserting in lieu thereof the figures "\$324,390.00".

The amendment was adopted.

Senator Weichman moved that the Journal record show that all committee amendments as amended were adopted, which motion prevailed.

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, 50:

Anderson	Grimstead	Myrland	Stuart of Lucas
Bateson	Hart	Nelson	Utzig
Bekman	Hedin	Nesmith	Van Eaton
Bellman	Heideman	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow
Fishbaugh			

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.

#### MESSAGES FROM 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 second conference committee report and the

amendments recommended therein, and passed, House File 497, a bill for an act appropriating \$26,000,000 to the department of public instruction for general state aid.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 271, a bill for an act relating to the salary of municipal judges.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 449, a bill for an act legalizing the appointments of certain public officials by the Governor of Iowa which have been confirmed by the Senate.

Also: That the House has concurred in Senate amendments to House amendments to, and passed, Senate File 452, a bill for an act to appropriate from the general fund of the State of Iowa to the state conservation commission for emergency work and certain other construction work.

Also: That the House has concurred in Senate amendments to and passed House File 293, a bill for an act relating to county public hospitals.

Also: That the House has concurred in Senate amendments to and passed House File 327, a bill for an act relating to mobile homes and mobile home parks.

Also: That the House has concurred in Senate amendments to and passed House File 506, a bill for an act making an appropriation to the social welfare department for the purpose of aid to the blind, aid to dependent children, child welfare, emergency relief and old age assistance funds.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 517, a bill for an act making appropriations for payment of miscellaneous expense incurred or authorized by the Fifty-fifth General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE 271

Amend Senate File 271 by adding the following new section:

"Sec. 2. Amend section six hundred two point forty-nine (602.49), Code 1950, by striking from lines two (2) and three (3) thereof the words 'four thousand three hundred seventy-five' and inserting in lieu thereof the words 'four thousand eight hundred seventy-five'; by striking from line four (4) the words 'five thousand' and inserting in lieu thereof the words 'five thousand five hundred'; by striking from lines six (6) and seven (7) the words 'five thousand two hundred fifty' and inserting in lieu thereof the words 'five thousand seven hundred fifty'."

SECOND CONFERENCE COMMITTEE REPORT  
ON HOUSE FILE 497

TO THE PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE:

We, the undersigned members of the conference committee appointed to consider the difference between the House and Senate on House File 497, a bill for an act to appropriate twenty-six million dollars (\$26,000,000) 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, recommend that House File 497 be amended as follows: By striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. There is hereby appropriated from the general fund of the State of Iowa to the department of public instruction for each year of the biennium beginning July 1, 1953, and ending June 30, 1955, the sum of twelve million dollars (\$12,000,000.00), or so much thereof as may be necessary, for general state aid to school districts as provided by chapter two hundred eighty-six A (286A), Code 1950, provided, however, that no school district shall receive financial aid under the provisions of said Code chapter in the event a school tax levy for the general fund of at least eight (8) mills was not made in such district for the preceding year."

Further amend House File 497 by striking from line 1 of the title thereof the words and figures "twenty-six million dollars (\$26,000,000)" and inserting in lieu thereof the words and figures "twenty-four million dollars (\$24,000,000)".

EARL C. FISHBAUGH, JR.

GEORGE L. SCOTT.

DUANE E. DEWEL.

LAURENCE M. BOOTHBY.

On the Part of the Senate.

BERT K. FAIRCHILD.

ERNEST KOSEK.

EDWARD OPPEDAHL.

On the Part of the House.

HOUSE MESSAGE CONSIDERED

House File 517, a bill for an act making appropriations for payment of miscellaneous expense incurred or authorized by the Fifty-fifth General Assembly.

Read first and second times, and placed on the calendar.

REPORT OF THE SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar:

S. F. 41

H. F. 411

RALPH W. ZASTROW, *Chairman.*

## HOUSE AMENDMENTS CONSIDERED

Senator Watson of Pottawattamie called up for consideration Senate File 271, a bill for an act to amend section six hundred two point forty-nine (602.49), Code 1950, relating to the salary of municipal judges, amended by the House, and moved that the Senate concur in the House amendment.

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 last time now, which motion prevailed, and the bill was read a last time.

On the question "Shall the bill pass?" the vote was:

Ayes, 49:

Anderson	Fishbaugh	Myrland	Stuart of Lucas
Bateson	Grimstead	Nelson	Utzig
Bekman	Hart	Nesmith	Van Eaton
Bellman	Hedin	Nolan	Vest
Berg	Johnson	Oltman	Walter
Boothby	Knudson	O'Malley	Washburn
Byers	Larson	Prentis	Watson of
Clark	Linnevold	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dailey	Lucas	Schoening	Pottawattamie
Dewel	Lynes	Scott	Weichman
Dykhouse	Miller	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow

Nays, none.

Absent or not voting, 1:

Heideman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

SECOND CONFERENCE COMMITTEE REPORT  
ON HOUSE FILE 497 ADOPTED

Senator Fishbaugh called up the report of the second conference committee on House File 497, and moved the adoption of the report.

The motion prevailed and the report was adopted.

On motion of Senator Lynes, the amendment contained in the report was adopted.

Senator Lynes moved that the bill be read a last time now, which motion prevailed, and the bill was read a last time.

On the question "Shall the bill pass?" the vote was:

Ayes, 46:

Anderson	Fishbaugh	Myrland	Stuart of Lucas
Bateson	Grimstead	Nelson	Van Eaton
Bekman	Hart	Nesmith	Vest
Bellman	Hedin	Nolan	Walter
Berg	Johnson	Oltman	Washburn
Boothby	Knudson	Prentis	Watson of
Byers	Larson	Risk	O'Brien
Clark	Lord	Sayre	Watson of
Colburn	Lucas	Schoening	Pottawattamie
Dailey	Lynes	Scott	Weichman
Dewel	Miller	Stewart of	Whitehead
Dykhouse	Molison	Mahaska	Zastrow
Elijah			

Nays, 1:

Utzig

Absent or not voting, 3:

Heideman            LinnevoId            O'Malley

The bill having received a constitutional and two-thirds majority was declared to have passed the Senate and the title was agreed to.

#### REPORT OF COMMITTEE

Senator Lynes submitted the following report:

**MR. PRESIDENT:** Your committee on appropriations, to which was referred **House File 517**, a bill for an act making appropriations for payment of miscellaneous expense incurred or authorized by the Fifty-fifth General Assembly, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

Amend House File 517, section 1, by inserting after line 39 the following: "X. T. Prentis, Don Risk, Clark McNeal, L. W. Abel, Fred Schwengel, \$47.21 each for plane fare to Chicago and return for the second conference committee on Senate File 2."

J. KENDALL LYNES, *Chairman.*

Ordered passed on file.

On motion of Senator Zastrow, the Senate resolved itself into executive session.

#### EXECUTIVE SESSION

The Senate, in executive session, confirmed the following appointment:

Clifford Strawman, of Jones County, as a member of the State Board of Education for the regular term ending July 1, 1959.

The Senate arose from executive session and resumed regular session.

## THIRD READING OF BILLS

Senator Lynes asked and received unanimous consent to take up for consideration House File 517, a bill for an act making appropriations for payment of miscellaneous expense incurred or authorized by the Fifty-fifth General Assembly.

On motion of Senator Lynes, the 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 517, section 1, by inserting after line 39 the following:

"X. T. Prentis, Don Risk, Clark McNeal, L. W. Abel, Fred Schwengel, \$47.21 each for plane fare to Chicago and return for the second conference committee on Senate File 2."

On motion of Senator Lynes, the amendment was adopted.

Senator Lynes offered the following amendment and moved its adoption:

Amend House File 517 by adding the following as section five (5):

"Sec. 5. There is hereby appropriated to the executive council the sum of six hundred dollars (\$600) for the repair and reupholstering of the seats in the Senate galleries."

Further amend by renumbering the remaining section.

The amendment was adopted.

Senator Lynes moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 46:

Anderson	Fishbaugh	Myrland	Utzig
Bateson	Grimstead	Nelson	Van Eaton
Bekman	Hart	Nesmith	Vest
Bellman	Hedin	Nolan	Walter
Berg	Johnson	Oltman	Washburn
Boothby	Knudson	O'Malley	Watson of
Byers	Larson	Sayre	O'Brien
Clark	Lord	Schoening	Watson of
Colburn	Lucas	Scott	Pottawattamie
Dailey	Lynes	Stewart of	Weichman
Dewel	Miller	Mahaska	Whitehead
Dykhouse	Molison	Stuart of Lucas	Zastrow
Elijah			

Nays, none.

Absent or not voting, 4:

Heideman	Linnevold	Prentis	Risk
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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 Lynes, Senate File 451, a bill for an act to appropriate from the general fund of the State of Iowa funds to augment the Iowa old age and survivors' insurance liquidation fund, was taken up, and considered.

Senator Vest offered the following amendment and moved its adoption:

Amend Senate File 451, section 1, lines 2 and 3, by striking the words and figures "the sum of fifteen million dollars (\$15,000,000.00) or so much thereof as may be necessary" and inserting in lieu thereof the words "an amount sufficient".

The amendment was adopted.

Senator Weichman asked unanimous consent that the Secretary be permitted to correct the totals in section 36 of House File 514.

Note: These totals should be corrected by adding \$8,000 to the original total instead of \$16,000, since the \$16,000 figure was for the two-year period.

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	Elijah	Molison	Stewart of
Bateson	Fishbaugh	Myrland	Mahaska
Bekman	Grimstead	Nelson	Utzig
Bellman	Hart	Nesmith	Van Eaton
Berg	Hedin	Nolan	Vest
Boothby	Johnson	Oltman	Washburn
Byers	Knudson	O'Malley	Watson of
Clark	Larson	Risk	O'Brien
Colburn	Lord	Sayre	Watson of
Dalley	Lynes	Schoening	Pottawattamie
Dewel	Miller	Scott	Whitehead
Dykhouse			Zastrow

Nays, 3:

Prentis	Walter	Weichman	
Absent or not voting, 4:			
Heideman	Linnevoid	Lucas	Stuart of Lucas

The bill having received a constitutional and two-thirds majority was declared to have passed the Senate and the title was agreed to.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Stuart of Lucas, 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 220, 247, 310, 334, 335, and 423; also, House Files 90, 91, 161, 238, 278, 328, 366, 378, 385, 441, 496, 498, 499, 508, 510, 511 and 516.

W. C. STUART, *Chairman Senate Committee.*

JOHN A. WALKER, *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 220, 247, 310, 334, 335 and 423; also, House Files 90, 91, 161, 238, 278, 328, 366, 378, 385, 441, 496, 498, 499, 508, 510, 511 and 516.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that, on April 27, 1953, the Governor had approved the following bills:

Senate File 143, relating to the handling and sale of market milk.

Senate File 437, relating to payment of claims.

Senate File 440, relating to payment of claim to James Shaver.

Senate File 444, relating to payment of claims.

Senate File 445, relating to payment of claims.

Senate File 447, relating to patent from the State of Iowa to John Blair, Des Moines County, Iowa.

#### APPOINTMENT OF COMMITTEES

President Elthon, in accordance with House Concurrent Resolution 22 duly adopted, announced the appointment of the following Senators, on the part of the Senate, on the committee on interstate cooperation: Senators Dykhouse, chairman, Walter, Berg, Nesmith, Nelson, Dewel and Watson of Pottawattamie.

President Elthon, in accordance with Senate File 371 providing for the construction of a liquor warehouse, announced the appointment of the following Senators, on the part of the Senate, Senators Hart, Hedin and Watson of O'Brien.

#### AMENDMENTS FILED

- 1 Amend Senate File 379 by striking all after the enacting
- 2 clause and inserting in lieu thereof the following:
- 3 "Section 1. Section three hundred twenty-four point two
- 4 (324.2), Code 1950, is hereby amended by adding thereto the
- 5 following:
- 6 "The license fee of four cents per gallon or fraction of

7 a gallon provided for in this section shall be increased to  
8 five cents per gallon for the biennium beginning July 1, 1953,  
9 and ending June 30, 1955.'

10 "Sec. 2. Section three hundred twenty-four point sixty-  
11 three (324.63), Code 1950, is hereby amended by adding thereto  
12 the following:

13 "The net proceeds of one cent per gallon on the license  
14 fees collected under the provisions of this chapter shall, for  
15 the biennium beginning July 1, 1953, and ending June 30, 1955.  
16 be credited by the treasurer of the state as follows:

17 "1. To the primary road fund, to be used for construction  
18 of such primary roads as are presently surfaced with gravel or  
19 crushed rock only, on the basis of need as determined by the  
20 state highway commission.'

21 "Sec. 3. Section three hundred twenty-four point two  
22 (324.2), Code 1950, is hereby amended as follows:

23 "1. By striking from line five (5) the comma (,) and all  
24 thereafter, all of lines six (6), seven (7), eight (8), nine  
25 (9) and that part of line ten (10) preceding the word "that"  
26 and inserting in lieu thereof the following: "; and a license  
27 fee of six cents per gallon or fraction of a gallon is hereby  
28 imposed on the following:

29 "“(a) all fuel oil used or sold for the purposes of  
30 propelling motor vehicles on the highways of the state;

31 "“(b) all fuel oil used in any maintenance and  
32 construction work which is paid for from public funds.

33 "“Provided, however,”'

34 "Sec. 4. Section three hundred twenty-four point two  
35 (324.2), Code 1950, is hereby amended by striking the comma  
36 (,) in line twenty-two (22) and inserting in lieu thereof a  
37 period (.); and by striking that part of said section following  
38 the said comma (,) in line twenty-two (22) thereof to and  
39 including the word 'offense' in line thirty-eight (38) thereof  
40 and inserting in lieu thereof the following: 'Every person,  
41 firm or corporation, who purchases or obtains motor fuel outside  
42 of this state and operates any motor vehicle into this state  
43 upon the public highways of this state and transports motor  
44 fuel in the fuel tank or tanks attached or unattached to said  
45 motor vehicle for the sole purpose of operating said vehicle,  
46 shall pay the Iowa motor fuel tax on the gallons in excess of  
47 twenty (20) gallons consumed by such motor vehicle while  
48 operated on Iowa public highways, except that this section  
49 shall not apply to any motor vehicle coming into this state  
50 with a motor fuel tank capacity not to exceed twenty (20)  
51 gallons. Payment of the tax shall be made by purchase of motor  
52 fuel within Iowa of such gallonage as is equivalent to the  
53 gallonage consumed while operating such motor vehicle on the  
54 public highways of Iowa, or by direct remittance to the  
55 department. If deemed necessary to determine the amount of

56 tax due or to prevent tax evasion, the department may require  
 57 from any such person, firm or corporation reports on forms  
 58 prescribed by it, and tax payments in the same manner as is  
 59 provided in this chapter with respect to distributors. Every  
 60 person, firm or corporation, required by this section to make  
 61 returns and pay the tax herein imposed, shall be subject to  
 62 all of the provisions of this chapter and all fines and  
 63 penalties herein imposed for violations thereof.'

64 "Sec. 5. This act being deemed of immediate importance  
 65 shall be in full force and effect from and after its passage  
 66 and publication in the Davis County Republican, a newspaper  
 67 published at Bloomfield, Iowa, and in the Oskaloosa Tribune  
 68 Press, a newspaper published at Oskaloosa, Iowa."

H. E. WEICHMAN.

1 Amend Senate File 379 by striking all after the  
 2 enacting clause and inserting in lieu thereof the following:  
 3 "Section 1. There is hereby appropriated from the reserve  
 4 fund in the general fund of the state the sum of two million  
 5 five hundred thousand dollars (\$2,500,000) which shall be  
 6 credited to a special fund designated for primary road  
 7 purposes only, on the basis of need as determined by the state  
 8 highway commission.

9 "Sec. 2. The governor and budget and financial control  
 10 committee are hereby directed to transfer from the special  
 11 reserve fund created by the provisions of chapter forty-four  
 12 (44), Acts of the Fifty-third General Assembly, a sufficient  
 13 fund to provide for the amount set out in Section one (1)  
 14 hereof.

15 "Sec. 3. This act, being deemed of immediate importance,  
 16 shall be in full force and effect from and after publication  
 17 in The Burlington Hawk-Eye Gazette, a newspaper published at  
 18 Burlington, Iowa, and in The Messenger-News, a newspaper  
 19 published at Des Moines, Iowa."

THOMAS J. DAILEY.

1 Amend House File 102 as follows:

2 1. By striking all after the enacting clause and  
 3 substituting in lieu thereof the following:

4 "Section 1. Section four hundred eleven point  
 5 six (411.6), Code 1950, is hereby amended by  
 6 striking from line 12 of paragraph b, of subsection 4,  
 7 thereof the figure '1/70' and substituting in lieu thereof  
 8 the figure '1/50'."

9 2. By striking from line 2 of the title the word  
 10 "accidental."

ELMER K. BEKMAN.

On motion of Senator Zastrow, the Senate adjourned until 9:00  
 a.m., Wednesday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 29, 1953.

The Senate met in regular session, President Elthon presiding.

Prayer was offered by Doctor Charles M. Houser, pastor of the Plymouth Congregational Church, Des Moines, Iowa.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Miller for the morning on request of Senator Vest.

## PETITION AND MEMORIAL

The following petition was presented and placed on file:

By Senator Washburn from nineteen residents of Mills County in opposition to proposed legislation relating to fraternal beneficial associations.

## PRESENTATION OF VISITORS

Senator Colburn asked and received unanimous consent to present to the Senate eighteen members of the senior class of St. Mary's High School of Panama who were present in the balcony accompanied by Reverend Anthony Palmer.

Senator Johnson asked and received unanimous consent to present to the Senate the Honorable F. E. Sharp, a former member of the Senate from Clayton County, who was present in the Senate chamber.

## ANNOUNCEMENT

President Elthon expressed to the members of the Senate his sincere appreciation for the cooperation shown him during the Fifty-fifth General Assembly. He especially thanked the chairmen of the various standing committees and President pro tempore Hart for their help during the entire session.

## COMMUNICATION

President Elthon instructed the Secretary to read the following communication:

Honorable Leo Elthon, Lieutenant Governor,  
State House,  
Des Moines, Iowa.

Dear Mr. President:

In 1951 I was appointed a member of the budget and financial control committee for a four-year term. No more enlightening and inspiring experience can come to a member of the General Assembly than service on this committee. Enlightening, because it puts one in intimate contact with the many problems of this great state and challenges us where we have been deficient in providing for the needs of our institutions. Inspiring, because it permits us to see the field of activity—such as at Vinton and Council Bluffs—where the State of Iowa has provided wisely and generously, and one is proud to be a citizen of Iowa.

It has been a great satisfaction and pleasure for me to have served on the budget and financial control committee for the past two years. But because of the press of business, I must respectfully tender my resignation as a member of that committee.

Sincerely,  
EARL C. FISHBAUGH, JR.,  
*Senator, Seventh Iowa District.*

#### SEAT ASSIGNMENT

Senator Larson asked and received unanimous consent to change his seat assignment No. 6 for seat No. 44.

Senator Dewel asked and received unanimous consent to change his seat assignment No. 4 for seat No. 6.

Senator Dailey asked and received unanimous consent that the Secretary be instructed to mail to the members of the Senate a copy of the summary entitled "Appropriation Liability Status of the General Fund as indicated by likely Legislation of the Fifty-fifth General Assembly", compiled by the state comptroller at the request of Senator Lynes, chairman of the committee on appropriations.

#### MESSAGE FROM 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 518, an act to legalize the proceedings of the board of directors of the consolidated school district of Stanley in the counties of Buchanan and Fayette, State of Iowa.

A. C. GUSTAFSON, *Chief Clerk.*

## THIRD READING OF BILLS

On motion of Senator Watson of Pottawattamie, Senate File 41, a bill for an act to amend section four hundred twenty-seven point three (427.3), subsection four (4), Code 1950, relating to military service exemptions, was taken up, and considered.

Senator Walter offered the following amendment and moved its adoption:

Amend Senate File 41 by striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section four hundred twenty-seven point three (427.3), subsection four (4), Code 1950, is hereby amended by striking the period at the end thereof and inserting ' the Korean action June 25, 1950, to termination of hostilities. A veteran of the Korean action shall be deemed to be a person who had active military service within the prescribed period on the Korean peninsula or the air above or within hostile waters adjacent to such area.'

"Sec. 2. This act being deemed of immediate importance shall be in full force and effect upon its publication in the Harold Ledger, a newspaper published at Eldora, Iowa, and in the Marshalltown Times-Republican, a newspaper published at Marshalltown, Iowa."

Senator Dewel moved the previous question on the amendment and the main bill, which motion prevailed.

The amendment 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, 45:

Anderson	Elijah	Nelson	Utzig
Bateson	Grimstead	Nesmith	Van Eaton
Bekman	Hart	Nolan	Vest
Bellman	Hedin	O'Malley	Walter
Berg	Heideman	Prentis	Washburn
Boothby	Johnson	Risk	Watson of
Byers	Larson	Sayre	O'Brien
Clark	Linnevold	Schoening	Watson of
Colburn	Lucas	Scott	Pottawattamie
Dailey	Lynes	Stewart of	Weichman
Dewel	Mollison	Mahaska	Whitehead
Dykhouse	Myrland	Stuart of Lucas	Zastrow

Nays, none.

Absent or not voting, 5:

Fishbaugh	Lord	Miller	Oltman
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 Berg, House File 411, a bill for an act repealing subsection one (1) of section ninety-eight point six (98.6), Code 1950, relating to the taxation of cigarettes used in the State of Iowa, and providing for the rate of such tax; also, to amend section ninety-eight point thirty-five (98.35), Code 1950, and providing for the placing in the state general fund the proceeds of the tax imposed upon cigarettes used in the State of Iowa, was taken up, and considered.

Senator Berg moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 35:

Anderson	Elijah	Lynes	Stuart of Lucas
Bateson	Fishbaugh	Molison	Van Eaton
Bekman	Grimstead	Nesmith	Vest
Bellman	Heideman	Nolan	Washburn
Berg	Johnson	Prentis	Watson of
Boothby	Knudson	Sayre	O'Brien
Byers	Larson	Scott	Weichman
Colburn	Linnevold	Stewart of	Whitehead
Dewel	Lord	Mahaska	
Dykhouse	Lucas		

Nays, 11:

Clark	Nelson	Schoening	Watson of
Dailey	O'Malley	Utzig	Pottawattamie
Myrland	Risk	Walter	Zastrow

Absent or not voting, 4:

Hart	Hedin	Miller	Oltman
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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 MESSAGE CONSIDERED

House File 518, a bill for an act to legalize and validate the proceedings of the board of directors of the consolidated school district of Stanley in the counties of Buchanan and Fayette, State of Iowa in submitting at the regular school election of said district held Monday, March 9, 1953, the proposition of authorizing issuance of eighty-five thousand dollars (\$85,000) in bonds for the purpose of building and furnishing school buildings in addition to existing buildings and equipment of said school district.

Read first and second times.

Senator Risk asked and received unanimous consent that House File 518 be placed on the calendar.

Senator Risk asked and received unanimous consent that the rules be suspended and that the Senate take up for consideration House File 518.

Senator Risk moved that the rules be suspended and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 48:

Anderson	Fishbaugh	Myrland	Utzig
Bateson	Grimstead	Nelson	Van Eaton
Bekman	Hart	Nesmith	Vest
Bellman	Hedin	Nolan	Walter
Berg	Heideman	O'Malley	Washburn
Boothby	Johnson	Prentis	Watson of
Byers	Knudson	Risk	O'Brien
Clark	Larson	Sayre	Watson of
Colburn	Linnevold	Schoening	Pottawattamie
Dailey	Lord	Scott	Weichman
Dewel	Lucas	Stewart of	Whitehead
Dykhouse	Lynes	Mahaska	Zastrow
Elijah	Molison	Stuart of Lucas	

Nays, none.

Absent or not voting, 2:

Miller	Oltman
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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 that House File 504 be withdrawn from the sifting committee for consideration of the Senate.

Senator Watson of Pottawattamie asked and received unanimous consent to take up for consideration House File 504, a bill for an act to amend House File 464, Acts of the Fifty-fifth General Assembly, relating to the use of funds received by municipal corporations from the road use tax fund and amending section thirty-one (31) of chapter one hundred fifty-nine (159), Acts of the Fifty-fourth General Assembly, relating thereto.

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	Fishbaugh	Myrland	Utzig
Bateson	Grimstead	Nelson	Van Eaton
Bekman	Hart	Nesmith	Vest
Bellman	Hedin	Nolan	Walter
Berg	Heideman	O'Malley	Washburn
Boothby	Johnson	Prentis	Watson of
Eyers	Knudson	Risk	O'Brien
Clark	Larson	Sayre	Watson of
Colburn	Linnevold	Schoening	Pottawattamie
Dailey	Lord	Scott	Weichman
Dewel	Lucas	Stewart of	Whitehead
Dykhouse	Lynes	Mahaska	Zastrow
Elijah	Molison	Stuart of Lucas	

**Nays, none.**

**Absent or not voting, 2:**

Miller                      Oltman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

#### MOTION TO AMEND

Senator Dailey called to the attention of the members of the Senate the following:

**MR. PRESIDENT:** I move to amend Rule 45 of the Rules of the Senate as follows:

1. Strike all of Rule 45 and insert in lieu thereof the following, to be known as Rule 45:

#### "Rule 45"

In all sessions wherein the voting on confirmation of appointments does occur, the procedure shall be as follows:

The Secretary of the Senate shall call the roll as provided by Rule 8 and, when the voting is concluded, the presiding officer shall count the votes and shall announce whether the appointee being considered is confirmed or otherwise, and the roll call thereon entered on the Journal.

No report on confirmation of appointments made by the Governor shall be acted upon until after the expiration of seven days from the date the committee is appointed to make investigation of the appointee. This rule requiring a seven day delay shall not apply during the last seven legislative days of the session.

Senator Dailey recommended that the matter be considered for future legislation.

#### 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 budget and

financial control committee, as provided by chapter 44, Acts of the Fifty-fourth General Assembly, on the part of the House, Representatives Hanson, Stevens and Frommelt.

Also: That the Speaker of the House has appointed as members of the committee on interstate cooperation in accordance with House Concurrent Resolution 22, on the part of the House, Representatives Schwengel, chairman, Burrows, Robinson, Falvey, Ringgenberg, Van Zwol and Weiss.

Also: That the Speaker of the House has appointed as members of the capitol improvement commission, created by House Concurrent Resolution 27, on the part of the House, Representatives Butler, Ludwig and Patrick.

Also: That the Speaker of the House has appointed as members of the committee to build the liquor warehouse in accordance with Senate File 371, on the part of the House, Representatives Putney, Cornick and Watson.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 427, a bill for an act relating to the compensation of state conservation officers.

A. C. GUSTAFSON, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE FILE 427

Amend Senate File 427, line 5, by striking the word and figures "thirty-eight (38)" and inserting in lieu thereof the word and figures "thirty-six (36)".

#### HOUSE AMENDMENTS CONSIDERED

Senator Dewel called up for consideration Senate File 427, a bill for an act to amend chapter sixty-six (66), Acts of the Fifty-fourth General Assembly, relating to the compensation of state conservation officers, amended by the House, and moved that the Senate concur in the House amendment.

The Senate concurred in the House amendment.

Senator Dewel moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

On the question "Shall the bill pass?" the vote was:

Ayes, 47:

Anderson	Boothby	Dewel	Hedin
Bateson	Byers	Dykhouse	Heideman
Bekman	Clark	Elijah	Johnson
Bellman	Colburn	Grimstead	Knudson
Berg	Dailey	Hart	Larson

Linnevold	Nolan	Stewart of	Washburn
Lord	O'Malley	Mahaska	Watson of
Lucas	Prentis	Stuart of Lucas	O'Brien
Lynes	Risk	Utzig	Watson of
Molison	Sayre	Van Eaton	Pottawattamie
Myrland	Schoening	Vest	Weichman
Nelson	Scott	Walter	Whitehead
Nesmith			Zastrow

Nays, none.

Absent or not voting, 3:

Fishbaugh            Miller                    Oltman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

#### REPORT OF THE SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bill under consideration and recommends that it be placed on the calendar:

H. F. 10.

RALPH W. ZASTROW, *Chairman.*

On motion of Senator Zastrow, the Senate recessed until 1:30 p.m.

#### AFTERNOON SESSION

The Senate reconvened, President Elthon presiding.

#### HOUSE CONCURRENT RESOLUTION 29 ADOPTED

Senator Dewel called up the following resolution and moved its adoption:

#### HOUSE CONCURRENT RESOLUTION 29

*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 residence of the Speaker of the House and the President of the Senate.*

*Be It Further Resolved, That the Secretary of the Senate and the Chief Clerk of the House be authorized and directed to procure suitable name plates to be properly engraved and attached to the chairs.*

The motion prevailed and the resolution was adopted.

## HOUSE CONCURRENT RESOLUTION 24 ADOPTED

Senator Zastrow called up House Concurrent Resolution 24 pertaining to the sine die adjournment, amended by the Senate, and moved the adoption of the resolution as amended.

The motion prevailed and the resolution as amended was adopted.

## MESSAGES FROM THE HOUSE

The following messages were received from the House:

**MR. PRESIDENT:** I am directed to request the return of Senate File 235 for correction.

**ALSO:** I am directed to inform your honorable body that the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 31, authorizing the budget and financial control committee to allocate \$50,000 from the funds at its disposal for the payment of any extraordinary expenses relating to the study of the construction of toll roads in the State of Iowa.

A. C. GUSTAFSON, *Chief Clerk.*

## HOUSE CONCURRENT RESOLUTION 31

*Be It Resolved by the House, the Senate Concurring:*

Section 1. The State Highway Commission shall have full power and authority and is hereby directed to study, inquire into and examine all pertinent matters relating to the feasibility, possible location, best means and mode of construction, possible methods and means of financing other than by placing any financial obligation on the State of Iowa, and methods and means of operation of a toll road or roads across the state and to make a report to the Governor and recommendations in connection therewith, and in general to inquire into every matter and thing whatsoever affecting or relating to such proposed toll road or roads. The commission is hereby empowered to employ such expert assistance as may be deemed necessary including engineers to make any and all surveys.

Sec. 2. The budget and financial control committee is authorized to allocate funds not to exceed the sum of fifty thousand dollars (\$50,000) from the funds at its disposal for the payment of any extraordinary expenses of the Highway Commission in making this study and report.

## HOUSE CONCURRENT RESOLUTION 31

Senator Van Eaton asked and received unanimous consent to take up for consideration House Concurrent Resolution 31, and moved its adoption.

On the question "Shall the resolution be adopted?" the vote was:

Ayes, 43:

Anderson	Hedin	Nolan	Van Eaton
Bateson	Heideman	O'Malley	Vest
Bekman	Johnson	Prentis	Walter
Bellman	Knudson	Risk	Washburn
Berg	Larson	Sayre	Watson of
Byers	Lord	Schoening	O'Brien
Clark	Lucas	Scott	Watson of
Dailey	Lynes	Stewart of	Pottawattamie
Dewel	Miller	Mahaska	Weichman
Dykhouse	Molison	Stuart of Lucas	Whitehead
Elijah	Nelson	Utzig	Zastrow
Fishbaugh	Nesmith		

Nays, none.

Absent or not voting, 7:

Boothby	Grimstead	Linnevold	Oltman
Colburn	Hart	Myrland	

The resolution having received a constitutional and two-thirds majority was declared to have passed the Senate.

#### RECONSIDERATION OF SENATE FILE 235

Senator Nolan asked and received unanimous consent that the Senate reconsider the vote by which Senate File 235 passed the Senate.

Senator Nolan asked and received unanimous consent that the Senate reconsider the vote by which Senate File 235 went to its third reading.

Senator Nolan asked and received unanimous consent that the Senate reconsider the vote by which the Senate concurred in the House amendment.

Senator Nolan asked and received unanimous consent that the Secretary be instructed to return to the House for further consideration Senate File 235.

#### THIRD READING OF BILLS

Senator Watson of O'Brien asked and received unanimous consent to take up for consideration House File 10, a bill for an act to amend sections three hundred twenty-four point two (324.2) and three hundred twenty-four point sixty-three (324.63), Code 1950, relating to gas tax and to provide a suitable method of financing primary road construction in Iowa.

Senator Prentis offered the following amendment and moved its adoption:

Amend House File 10 by adding following section 4 the following:

"Sec. 5. Section three hundred twenty-four point two (324.2), Code 1950, is amended by adding at the end thereof the following: 'Subject to all the provisions of law applicable to the license fees of four cents per gallon or fraction thereof imposed by this chapter, there is hereby imposed an additional license fee on motor vehicle fuel of one cent per gallon or fraction thereof for the period ending June 30, 1955.'"

2. Further amend House File 10 by renumbering the following sections.

Roll call was requested.

Rule 8 was invoked.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 21:

Anderson	Elijah	O'Malley	Stuart of Lucas
Bekman	Fishbaugh	Prentis	Utzig
Bellman	Larson	Sayre	Washburn
Clark	Miller	Schoening	Watson of
Colburn	Molison	Scott	Pottawattamie
Dailey	Nelson		

Nays, 26:

Bateson	Hedin	Myrland	Vest
Berg	Heideman	Nesmith	Walter
Byers	Johnson	Nolan	Watson of
Dewel	Knudson	Risk	O'Brien
Dykhouse	Lord	Stewart of	Weichman
Grimstead	Lucas	Mahaska	Whitehead
Hart	Lynes	Van Eaton	Zastrow

Absent or not voting, 3:

Boothby	Linnevold	Oltman
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The amendment was lost.

Senator O'Malley offered the following amendment and moved its adoption:

Amend House File 10 by adding the following sentence to section 1 thereof:

"Such license fee shall be reduced to two (2) cents per gallon for said biennium as to motor fuel used in the operation of a passenger vehicle of a capacity of ten or more operated over regularly traveled routes expressly provided for by municipal license, permit, agreement, grant or franchise."

The amendment was lost.

Senator Nolan offered the following amendment and moved its adoption:

Amend House File 10 by striking from the title the words "gas tax" and insert in lieu thereof the words "the motor vehicle fuel license fee".

The amendment was adopted.

Senator Fishbaugh offered the following amendment and moved its adoption:

Amend House File 10 by striking all of section 2 thereof.

Further amend House File 10 by renumbering the remaining sections.

Roll call was requested.

Rule 8 invoked.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 17:

Bekman	Grimstead	Prentis	Utzig
Bellman	Heideman	Sayre	Washburn
Clark	Larson	Schoening	Watson of
Dailey	Miller	Stuart of Lucas	Pottawattamie
Fishbaugh	O'Malley		

Nays, 30:

Anderson	Hart	Myrland	Van Eaton
Bateson	Hedin	Nelson	Vest
Berg	Johnson	Nesmith	Walter
Byers	Knudson	Nolan	Watson of
Colburn	Lord	Risk	O'Brien
Dewel	Lucas	Scott	Weichman
Dykhouse	Lynes	Stewart of	Whitehead
Elijah	Molison	Mahaska	Zastrow

Absent or not voting 3:

Boothby	Linnevold	Oltman
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The amendment was lost.

Senator Fishbaugh offered the following amendment filed by Senators Fishbaugh and Prentis, and moved its adoption:

Amend House File 10, section 2, line 9, by inserting after the word "presently" the words "unsurfaced or".

Further amend said section 2, line 9, by inserting after the word "gravel" the following: ", black-top".

Senator Byers moved the previous question on the pending amendment and the main bill, which motion prevailed.

Roll call was requested.

Rule 8 was invoked.

On the question "Shall the amendment be adopted?" the vote was:

## Ayes, 21:

Bekman	Elijah	O'Malley	Utzig
Bellman	Fishbaugh	Prentis	Vest
Clark	Heideman	Sayre	Washburn
Colburn	Larson	Schoening	Watson of
Dailey	Miller	Stuart of Lucas	Pottawattamie
Dewel	Nelson		

## Nays, 25:

Anderson	Hedin	Myrland	Van Eaton
Bateson	Johnson	Nesmith	Watson of
Berg	Knudson	Nolan	O'Brien
Byers	Lord	Risk	Weichman
Dykhouse	Lucas	Scott	Whitehead
Grimstead	Lynes	Stewart of	Zastrow
Hart	Molison	Mahaska	

## Absent or not voting, 4:

Boothby	Linnevold	Oltman	Walter
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The amendment was lost.

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, 39:

Anderson	Hart	Myrland	Stuart of Lucas
Bateson	Hedin	Nelson	Van Eaton
Bekman	Heideman	Nesmith	Vest
Bellman	Johnson	Nolan	Walter
Berg	Knudson	Risk	Washburn
Byers	Larson	Sayre	Watson of
Colburn	Linnevold	Schoening	O'Brien
Dewel	Lord	Scott	Weichman
Dykhouse	Lucas	Stewart of	Whitehead
Elijah	Lynes	Mahaska	
Grimstead	Molison		

## Nays, 8:

Clark	Miller	Watson of	Zastrow
Dailey	Prentis	Pottawattamie	
Fishbaugh	Utzig		

## Absent or not voting, 3:

Boothby	Oltman	O'Malley
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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.

## SENATE FILE 379 RE-REFERRED TO SIFTING COMMITTEE

Senator Watson of O'Brien asked and received unanimous consent that Senate File 379 be re-referred to the sifting committee.

## MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and concurred in Senate amendments to, and passed, House File 514, a bill for an act making an appropriation for various state departments.

Also: That the House has amended Senate amendments to, and concurred in Senate amendments as amended, and passed, House File 517, a bill for an act making appropriations for payment of miscellaneous expense incurred or authorized by the Fifty-fifth General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE AMENDMENTS  
TO HOUSE FILE 514

Amend the Senate amendments to section thirty-seven (37) of House File 514, found on page 1262 of the Senate Journal, by inserting before the figure "\$149,500.00" the words: "and of this amount, not to exceed \$4,900.00, for the administration and conference fund,".

HOUSE AMENDMENT TO SENATE AMENDMENTS  
TO HOUSE FILE 517

Amend the Senate amendments to House File 517 by striking therefrom the first division.

## HOUSE AMENDMENTS CONSIDERED

Senator Berg called up for consideration House File 514, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1953, and ending June 30, 1955, funds for various departments and various divisions thereof, of the State of Iowa, for the purposes provided by law, and to amend section six hundred five point one (605.1), Code 1950, relating to salaries of judges of the district court, and section six hundred five point two (605.2), Code 1950, relating to expenses of the justices of the supreme court, amended by the House, and moved that the Senate concur in the House amendment to the Senate amendment to House File 514.

The Senate concurred in the House amendment to the Senate amendment.

Senator Berg moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

On the question "Shall the bill pass?" the vote was:

Ayes, 45:

Anderson	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Nelson	Utzig
Bekman	Hart	Nesmith	Van Eaton
Bellman	Hedin	Nolan	Vest
Berg	Heideman	O'Malley	Walter
Byers	Johnson	Prentis	Washburn
Clark	Knudson	Risk	Watson of
Colburn	Larson	Sayre	O'Brien
Dailey	Lord	Schoening	Watson of
Dewel	Lucas	Scott	Pottawattamie
Dykhouse	Lynes	Stewart of	Weichman
Elijah	Miller	Mahaska	Zastrow

Nays, none.

Absent or not voting, 5:

Boothby	Myrland	Oltman	Whitehead
Linnevoid			

The bill having received a constitutional and two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Lynes called up for consideration House File 517, a bill for an act making appropriations for payment of miscellaneous expense incurred or authorized by the Fifty-fifth General Assembly, amended by the House, and moved that the Senate concur in the House amendment to the Senate amendment.

The Senate concurred in the House amendment to the Senate amendment.

Senator Lynes moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

On the question "Shall the bill pass?" the vote was:

Ayes, 45:

Anderson	Fishbaugh	Molison	Stuart of Lucas
Bateson	Grimstead	Nelson	Utzig
Bekman	Hart	Nesmith	Van Eaton
Bellman	Hedin	Nolan	Vest
Berg	Heideman	O'Malley	Walter
Byers	Johnson	Prentis	Washburn
Clark	Knudson	Risk	Watson of
Colburn	Larson	Sayre	O'Brien
Dailey	Lord	Schoening	Watson of
Dewel	Lucas	Scott	Pottawattamie
Dykhouse	Lynes	Stewart of	Weichman
Elijah	Miller	Mahaska	Zastrow

Nays, none.

Absent or not voting, 5:

Boothby	Myrland	Oltman	Whitehead
Linnevoid			

The bill having received a constitutional and two-thirds majority was declared to have passed the Senate and the title was agreed to.

### 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 Senate File 235, a bill for an act relating to disposal of dead bodies, as shown by the corrected House amendments to said bill.

A. C. GUSTAFSON, *Chief Clerk.*

### HOUSE AMENDMENT TO SENATE FILE 235

Amend Senate File 235 as follows:

1. By inserting the word "written" before the word "consent" in line five (5) thereof.

2. By striking paragraph "F" in its entirety.

3. By adding a new paragraph as follows:

"The provisions of this act shall not be applicable to any post mortem or scientific examination performed under authority of section three hundred thirty-nine point twenty-two (339.22), Code 1950, whether made under a summons by a coroner or by the coroner himself if he be a physician."

### HOUSE AMENDMENT CONSIDERED

Senator Nolan called up for consideration Senate File 235, a bill for an act to amend chapter one hundred forty-one (141), Code 1950, relating to disposal of dead bodies and to make specific provisions for the consent required for autopsies, amended by the House, and moved that the Senate concur in the House amendment.

The Senate concurred in the House amendment.

Senator Nolan moved that the bill as amended by the House and concurred in by the Senate be read a last time now, which motion prevailed, and the bill was read a last time.

On the question "Shall the bill pass?" the vote was:

Ayes, 39:

Anderson	Dailey	Johnson	Nelson
Bateson	Dewel	Knudson	Nesmith
Bekman	Dykhousc	Larson	Nolan
Bellman	Elijah	Lord	O'Malley
Berg	Fishbaugh	Lucas	Prentis
Byers	Grimstead	Lynes	Risk
Clark	Hart	Miller	Sayre
Colburn	Hedin	Molison	Stuart of Lucas

Van Eaton  
Walter  
Washburn

Watson of  
O'Brien

Watson of  
Pottawattamie

Weichman  
Zastrow

Nays, none.

Absent or not voting, 11:

Boothby  
Heideman  
Linnevold  
Myrland

Oltman  
Schoening  
Scott

Stewart of  
Mahaska  
Utzig

Vest  
Whitehead

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 1, a bill for an act relating to the excise tax on oleo-margarine.

Also: That the House has concurred in Senate amendments to and passed House File 10, a bill for an act relating to gas tax.

Also: That the House has concurred in Senate amendments to, and adopted, House Concurrent Resolution 24, providing for the sine die adjournment of the Fifty-fifth General Assembly.

A. C. GUSTAFSON, *Chief Clerk.*

#### APPOINTMENT OF COMMITTEE

In accordance with the provisions of House Concurrent Resolution 27, providing for a Capitol Improvement Commission, duly adopted, the President of the Senate appointed on the part of the Senate, Senators Scott, Dailey and Washburn.

#### BUDGET AND FINANCIAL CONTROL COMMITTEE

President Elthon announced the appointment of the following Senators on the part of the Senate on the budget and financial control committee, Senator Prentis to fill the unexpired term caused by the resignation of Senator Fishbaugh, Senator Lynes and Senator O'Malley.

#### EXPLANATION OF VOTE ON HOUSE FILE 140

Some people have felt that I was unfriendly to teachers and other public employees because of my opposition to House File 140, which continues the state in the pension business.

I am definitely not opposed to encouragement and assisting in the

retirement plans of such employees. On the contrary, I have given long and careful thought to this subject, with a view to placing the security of these people on a sounder basis, and at the same time avoiding certain dangers to our American guarantees of freedom.

The Senate debates on House File 140 represented a clash of philosophy between those who would extend the socialization of our country, and those who feel that private ownership is indispensable to liberty.

The concept of individual rights is little over 200 years old. It replaces the single judgment of the monarch with the mass judgment, the mass intelligence and the mass ambitions of all the people. It has resulted in the release of a tremendous amount of energy which had heretofore been suppressed, and has enabled us to outstrip, in progress, all nations of the world.

But one thing necessary to maintain private freedom is the privilege of holding private property and the right to make one's own security. Only in this way can a man be independent. It is the backbone and resistance to every freedom. Without it man must look with dependence on some other person or agency, and therein lies the potential failure of the entire system of free men.

In denazification work in Germany we encountered time and again the sincere statement: "Yes, I belonged to a Nazi organization, but I was forced into it. I didn't approve of brutality or concentration camps but what could I do? Had I not joined up, I might have lost my ration card, or business priorities, or social security."

Dependence of the individual is the first step toward tyranny.

Proponents of House File 140 say that the state is just like any other large employer which sets up a forced savings plan, but there is a vital difference. Perpetuating the Iowa pension system in addition to Federal Social Security will take such a cut out of teachers' and public employees' paychecks that they will be barred from saving anything on their own. Since the new Iowa plan has not been approved by actuaries, and is subject to change with every political pressure, the entire security of these people is dependent not upon right, but upon favor.

Particularly is this an unhealthy situation for teachers, upon whom we must rely to inculcate the virtues of voluntary saving in the minds of our children.

This group is further denied an opportunity to participate in the gains of capitalism, because House File 140 specifically limits the yield on their contributions to 2 per cent.

It is my contention that teachers, public employees and others who are strictly on a salary have a right to share in the American productive plant and natural resources. These assets are constantly creeping up in value because our populations are increasing. With that rise in value the cost of living is also advancing year by year. There are, of course, fluctuations both ways, but that is the trend which must be considered in any pension program. Since 1900 the average value of sound industrial shares has increased, in good times and bad, at the rate of 7.2 per cent. That means that if an individual is limited to a

2 per cent yield, he is falling behind the rest of the economy at the rate of 5 per cent per year.

All over the world the doctrines of Karl Marx are inciting people to dissatisfaction because they do not own the raw materials and means of production. So the workers take over the economy, place title to it in the name of the state, and forthwith become subjects of a dictator.

Instead of that alternative, I visualize an economy wherein the bulk of the common people would own the major portion of America's productive plant and raw materials, in little pieces in the form of shares of stock. Their security would thus increase with the expanding economy. It would give that great mass of individuals such a stake in the free capitalist system that Russian hope of class warfare in this country would be an impossibility.

These considerations prompted my proposed amendments which would have allowed these people to set up a privately operated pension trust, with contributions matched by employers, so that a reasonable part of the funds could be invested in sound equity stocks, the index of which follows closely the cost of living.

This plan has been evolved during the past few years by the Carnegie Foundation and is now in wide use in college professors' retirement funds. I believe it is the American substitute for the European idea of leaving the problem of security to the state.

It is my hope that this explanation will in no sense be interpreted as an unwillingness to accept the decision of the legislature in reviving the Iowa system, which I do graciously, but simply to clarify any misunderstandings as to the motives for my opposition.

ALAN VEST.

#### STATEMENT FOR THE JOURNAL

We, the undersigned, believe that House File 140 was passed unconstitutionally by both houses. We wish to have it recorded in the Journal that the House action of recession to its amendments on April 27, 1953, was by a vote less than a constitutional majority. Also, we believe the bill makes payment to persons in violation of article III, section 31, of the Constitution of the State of Iowa; and that the votes in the Senate and House did not meet the constitutional requirement of two-thirds in favor of a measure which carries an appropriation as defined under article III, section 31, of the Constitution.

DUANE E. DEWEL.  
J. T. DYKHOUSE.  
ALAN VEST.  
J. KENDALL LYNES.  
R. R. BATESON.  
JAY C. COLBURN.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Stuart of Lucas, 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 271, 449 and 452; also, House Files 139, 515 and 518.

W. C. STUART, *Chairman Senate Committee.*

JOHN A. WALKER, *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 271, 449 and 452; also, House Files 139, 515 and 518.

#### BILLS SENT TO THE GOVERNOR

Senator Stuart, 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 April, 1953, sent to the Governor for his approval: Senate Files 220, 247, 271, 310, 334, 335, 423, 449 and 452.

W. C. STUART, *Chairman.*

Passed on file.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that, on April 29, 1953, the Governor had approved the following bills:

Senate File 43, relating to minimum butterfat content of milk.

Senate File 70, relating to the disposal of dead bodies.

Senate File 88, relating to salaries, vacations and sick leave for state employees.

Senate File 142, relating to the eradication of Bang's disease.

Senate File 146, relating to pedestrian use of streets.

Senate File 205, relating to the adulteration of foods.

Senate File 219, relating to approval of insurance forms.

Senate File 264, relating to defining the term "chauffeur."

Senate File 334, relating to the free distribution of the Code.

Senate File 335, relating to the collection of county hospital accounts.

Senate File 413, relating to election to office of judge of the superior court.

Senate File 422, relating to claims.

Senate File 423, relating to claims for refunds for motor vehicle license.

Senate File 432, relating to appropriating funds for institutions under the control of the state board of education.

Senate File 433, relating to appropriating funds for institutions under the control of the state board of education.

Senate File 446, relating to payments to schools on account of pupils residing in tax free housing units.

On motion of Senator Zastrow, the Senate recessed until the fall of the gavel.

The Senate reconvened, President Elthon presiding.

#### EXPRESSION OF APPRECIATION

By Thomas J. Dailey

It is the unanimous expression of the members of the Senate of the Fifty-fifth General Assembly that the staff of the Senate deserves our commendation and appreciation for the loyal and conscientious service which each member of the staff has given in the service of the State of Iowa during this session; and the Senate does hereby tender to each staff member its thanks for a service "well done" in the public good.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Stuart of Lucas, from the joint committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 1, 235 and 427; also, House Files 10, 140, 293, 327, 411, 497, 504, 506, 514 and 517.

W. C. STUART, *Chairman Senate Committee.*

CONWAY E. MORRIS, *Chairman House Committee.*

On motion of Senator Lord, the report was adopted.

#### BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate Files 1, 235 and 427; also, House Files 10, 140, 293, 327, 411, 497, 504, 506, 514 and 517.

#### BILLS SENT TO THE GOVERNOR

Senator Stuart of Lucas, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 30th day of April, 1953, sent to the Governor for his approval: Senate Files 1, 235 and 427.

W. C. STUART, *Chairman.*

Passed on file,

**COMMITTEE TO NOTIFY THE GOVERNOR**

Senator Bellman 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 Bellman, Lord and Dailey.

**COMMITTEE TO NOTIFY THE HOUSE**

Senator O'Malley moved that a committee of two 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 O'Malley and Sayre.

**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 O'Malley 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 Bellman 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:

The Honorable Leo Elthon,  
Lieutenant Governor,  
President of the Senate.

Dear Mr. President:

I wish to acknowledge your official notification that the Fifty-fifth General Assembly stands ready to adjourn sine die, as per House Concurrent Resolution 24.

In these closing moments of the Fifty-fifth General Assembly, I wish that you would express my appreciation to the members of the Senate for all the courtesies and consideration shown me during the session.

As you take your departure for home, my heartiest good wishes go with all of you.

With sincere regards, I am

Cordially yours,  
WM. S. BEARDSLEY,  
*Governor.*

The message was received and the committee discharged.

#### FINAL ADJOURNMENT

In accordance with House Concurrent Resolution 24, duly adopted, the hour of five o'clock p.m., Wednesday, April 29, 1953, having arrived, President Elthon declared the Senate of the Fifty-fifth 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 1, relating to the excise tax of five cents per pound upon oleomargarine. Approved May 22, 1953.

Senate File 220, relating to accident and sickness insurance policies and riders or endorsements that may be attached thereto. Approved May 21, 1953.

Senate File 235, relating to disposal of dead bodies and to make specific provisions for the consent required for autopsies. Approved May 22, 1953.

Senate File 247, relating to the capital and surplus required for an insurance company or association to do business in the State of Iowa. Approved May 22, 1953.

Senate File 271, relating to the salary of municipal judges. Approved May 21, 1953.

Senate File 31, relating to the control of vehicles in school districts. Approved May 22, 1953.

Senate File 427, relating to the compensation of state conservation officers. Approved May 22, 1953.

Senate File 449, relating to the appointments of certain public officials by the Governor of Iowa which have been confirmed by the Senate. Approved May 21, 1953.

Senate File 452, relating to an appropriation from the general fund of the State of Iowa to the State Conservation Commission for emergency work. Approved May 21, 1953.



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## IN MEMORIAM

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### *Senate*

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JOHN H. HAGER.....August 30, 1871-June 10, 1952  
ERNEST L. HUMBERT.....May 18, 1870-July 1, 1952  
JOHN MILTON LINDLY.....November 17, 1864-August 7, 1951  
AI GRAY MILLER.....February 4, 1885-February 26, 1950  
JAMES A. NEWSOME.....August 6, 1878-November 14, 1952  
EDWARD S. PARKER.....November 10, 1881-October 6, 1952  
GEORGE L. PARKER.....July 31, 1879-January 31, 1952  
WILLIAM SCHMEDIKA.....August 19, 1869-June 3, 1951  
ALBERT JOSIAH SHAW.....August 31, 1876-October 10, 1952

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# JOURNAL OF THE SENATE

## MEMORIALS

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### JOHN H. HAGER

MR. PRESIDENT: Your committee, appointed to prepare suitable resolutions commemorating the life, character and public service of the late Honorable John H. Hager, begs leave to submit the following:

John H. Hager was born in Ludlow Township, Allamakee County, Iowa, a son of Mr. and Mrs. Frederick Hager, on August 30, 1871, and died at Waukon, Iowa, June 10, 1952. His education was acquired in the rural school and Breckenridge Institute at Decorah.

He served in the Spanish-American War with I Company, 49th Iowa Volunteer Infantry. In 1895 he engaged in the farm implement business in Waukon, which he conducted for several years.

June 14, 1905, Mr. Hager married Grace Falby, formerly of Burlington, Vermont. She survives with his two sisters, Mrs. John Opfer, Waukon, and Mrs. Edward Opfer, Rochester, Minnesota. The Hager family circle numbered twelve children, all of whom, with the exception of the sisters mentioned, preceded him in death.

In 1924 he was elected State Representative from Allamakee County, and from 1929 to 1932 served as state senator from the fortieth senatorial district.

He was active in all civic affairs, especially in securing Waukon's Memorial Hospital. A member of the Masonic fraternity for fifty years, the Shrine and Consistory, charter member of the Golf and Kiwanis Clubs, and an active member of the Presbyterian Church, where he served as trustee until his death.

*Be It Resolved by the Senate of the Fifty-fifth General Assembly:* That in the passing of the Honorable John H. Hager, 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.

WM. LINNEVOLD,  
A. J. JOHNSON,  
GEORGE L. SCOTT,

*Committee.*

The resolution was unanimously adopted.

## EDWARD S. PARKER

MR. PRESIDENT: Your committee, appointed to prepare suitable resolutions commemorating the life, character and public service of the late Honorable Edward S. Parker of Ida Grove, Iowa, begs leave to submit the following:

Edward S. Parker was born in Blue Earth County, Minnesota, November 10, 1881. He attended the Minnesota State Teachers College and graduated in 1908 from the College of Medicine, University of Iowa. He was married to the former Dora Hall Young of Mankato, Minnesota. Dr. Parker was a major in the U. S. Army and chief of service during World War I, and a veteran of A. E. F.

He had a wide variety of interests and was affiliated with various medical societies, Masons, Legionnaires, and Izaak Walton League, of which he was a former state president.

Dr. Parker was elected to the State Senate from Cherokee, Ida and Plymouth Counties in 1948 and served in the Fifty-third and Fifty-fourth General Assemblies. Prior to his death on October 6, 1952, he had been nominated for re-election without opposition.

Dr. Parker was a man of integrity and of character, with an intense sense of loyalty to his friends and to his principles. While not a follower of dogmas and creeds, he had a profound and a sincere faith. It was his belief that as he lived, so would he be judged, and as he deserved when the record was finally written, so would he be rewarded.

*Be It Resolved by the Senate of the Fifty-fifth General Assembly:* That in the passing of the Honorable Edward S. Parker, 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.

ALAN VEST,  
LAURENCE M. BOOTHBY,  
CHARLES S. VAN EATON,  
*Committee.*

The resolution was unanimously adopted.

## ERNEST L. HUMBERT

MR. PRESIDENT: Your committee appointed to prepare a suitable memorial commemorating the life, character and public service of the late Honorable Ernest L. Humbert, begs leave to submit the following report:

Ernest L. Humbert was born and raised on a farm near Corning, Iowa, May 18, 1870. He died July 1, 1952, at the age of 82 years. Mr. Humbert was the son of Leon H. and Marie Humbert.

Mr. Humbert was educated in the public schools of Adams County, and attended Elliott's Business College at Burlington, Iowa. He was united in marriage to Letha A. Gordon in April, 1899. To this union were born one son and two daughters.

Besides farming, Mr. Humbert was active in raising and importing Percheron horses. He was a member of the Masonic Lodge and Eastern Star with 50-year certificates.

Mr. Humbert was elected to, and served in the House of Representatives in the Fifty-second and Fifty-second Extra sessions of the legislature, and to the Iowa Senate in the Fifty-third and Fifty-fourth sessions of the Assembly.

Survivors are Mrs. Humbert, a son, A. L. Humbert of Ankeny, with whom Mrs. Humbert makes her home, a daughter, Mrs. Marie L. Reichow of Akron, Ohio, and a brother of Cloverdale, California.

*Therefore, Be It Resolved by the Senate of the Fifty-fifth General Assembly of the State of Iowa:* That in the passing of the Honorable Ernest L. Humber, the people of Adams County and of the entire State of Iowa have sustained a great loss and the Senate expresses its appreciation of his character and public service and tenders, by this resolution, its sincere and heartfelt sympathy to his beloved family in their great sorrow and loss.

*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.

JAY C. COLBURN,  
THOMAS C. LARSON,  
DEVERE WATSON,

*Committee.*

The resolution was unanimously adopted.

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### JOHN MILTON LINDLY

Mr. PRESIDENT: Your committee appointed to prepare a suitable memorial commemorating the life and public service of the late Honorable John M. Lindly of Winfield, Henry County, Iowa begs leave to submit the following:

John Milton Lindly, pharmacist, banker and Iowa legislator died, at the Memorial hospital in Mount Pleasant, Iowa, August 7, 1951, at the age of 86. He was born November 17, 1864 in Washington, Pennsylvania, the son of Bayard B. and Clarriet Hanna Lindly. He came to Winfield, Iowa, with his parents in April, 1866, and maintained his residence there throughout the remainder of his life, except for a fifteen year period spent

in Glenwood. He attended local schools and was graduated from the State University of Iowa in 1889 and from the National Institute of Pharmacy of Chicago in 1892. He taught at the Round Grove School near Winfield and completed one year's teaching in Louisiana in 1894.

On January 21, 1924, he was united in marriage with Alaudia Yewell of Uniontown, Kentucky, and to this union was born one son, Buford Yewell Lindly of Sacramento, California, who, together with his wife and two nieces, Mrs. James Smiley of Winfield and Mrs. Fred Nelan of Washington, Pennsylvania, survive him.

Mr. Lindly engaged in pharmacy and banking for many years, and was active in many civic, community and church activities throughout his life. He practiced pharmacy in Winfield from 1888 and was a member of the Iowa State Pharmaceutical Association for 62 years, serving as its secretary for six years and as treasurer for 37 years. In 1929 he was elected recording secretary of the Iowa Druggist Veteran Association. For many years he was cashier of the Bank of Winfield and on its re-organization he became president of the People's State Bank of Winfield.

In 1915, Mr. Lindly was elected State Senator from Henry and Washington Counties, serving in the Thirty-sixth and Thirty-seventh General Assemblies. He served as chairman of the committee on pharmacy of the Senate in 1917, during which session he introduced what was known as the Pharmacy Prerequisite Law. He was a member from the First Congressional District of the Democratic State Central Committee from 1916 to 1922 when he declined further election. In 1935 he was appointed by Governor Clyde L. Herring to serve as pharmacist at the State School in Glenwood, which position he held until his illness in March, 1950.

Mr. Lindly was a life member of the Iowa State Historical Society, having been appointed a member of its Board of Curators in 1920 by Governor W. L. Harding; also a life member of the Iowa Academy of Science, to whose proceedings he contributed twelve articles. He was a member of the Society of Mayflower Descendants and of the Sons of the American Revolution, having had 14 ancestors in the patriotic military forces; also of Colonial Wars and Colonial Governors. He had nine ancestors who were members of the committee of twenty-five to see that King John observed the provision of the Magna Charta which was signed in 1215.

He was a member of the Presbyterian Church of Winfield and served as clerk and treasurer of the board of trustees for 30 years and taught a Bible class of men.

*Therefore, Be It Resolved by the Senate of the Fifty-fifth General Assembly:* That in the passing of the Honorable John M. Lindly, 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, and

*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 deceased.

CARL T. ANDERSON,  
D. C. NOLAN,  
THOMAS C. LARSON,  
*Committee.*

The resolution was unanimously adopted.

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### WILLIAM SCHMEDIKA

MR. PRESIDENT: Your committee, appointed to prepare a suitable resolution commemorating the life and public service of the late Honorable William Schmedika, submits the following report:

William Schmedika was born in Shellsburg, Wisconsin, on August 19, 1869, and died a resident of Hardin County on June 3, 1951. In 1875 his parents moved to Hardin County, Iowa, settling in the western part of the county. His early boyhood days were spent on the farm and attending the rural school. Later he attended the Dexter Normal School at Dexter, Iowa. He lived on the farm all of his life, for years farming in the summer and teaching school in the winter. Later he quit teaching and farmed extensively, together with buying, feeding and shipping livestock. Also a heavy writer of fire insurance, being with the Farmers of Cedar Rapids thirty years. In 1889 he was united in marriage with Clara Awe. To them were born two boys and two girls. His wife died in 1907. He was a member of the Knights of Pythias Lodge.

He was elected to the Iowa House of Representatives in 1914, and in 1923 was elected Senator to fill a vacancy caused by the death of the Honorable D. C. Chase. Senator Schmedika maintained an active interest in public affairs throughout his life and was always well informed on political matters and was very active at all political elections.

His survivors are his two sons, Dale Schmedika of Jewell, Iowa, and Roy Schmedika of Alden, Iowa, and his two daughters, Vera Schmedika Benson of Radcliffe, Iowa, and Leta Schmedika Johnson of Radcliffe, Iowa.

*Therefore, Be It Resolved by the Senate of the Fifty-fifth General Assembly:* That in the passing of the Honorable William Schmedika, the state has lost one who has always been very active in public affairs and kept interested and well informed on political matters, 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 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.

R. R. BATESON,  
W. ELDON WALTER,  
J. G. LUCAS,

*Committee.*

The resolution was unanimously adopted.

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### ALBERT JOSIAH SHAW

MR. PRESIDENT: Your committee, appointed to prepare suitable resolutions commemorating the life, character and public service of the late Honorable Albert J. Shaw, Sr. of the city of Pocahontas, Pocahontas County, Iowa, begs leave to submit the following:

Albert Josiah Shaw, school teacher, attorney, legislator, and public servant, was born August 31, 1876, at Dayton, Wisconsin, the son of Prentis and Jennie A. Shaw, and departed this life Friday, October 10, 1952, the result of a cerebral hemorrhage, suffered on the preceding July 6.

In the year 1892, he came with his parents to Iowa and settled in Pocahontas County near the town of Havelock and three years later, in 1895, moved to a farm in Powhatan Township, which was the family home for many years. He received his elementary and high-school education in the towns of Rolfe and Plover and later attended Cornell College, Mount Vernon, Iowa. Following a short period of school teaching, he matriculated at Drake University and received a degree of Doctor of Law in 1901. He practiced this profession at Corwith, Iowa, for only a short period of time before returning to Pocahontas. Here he formed a law partnership with the late W. C. Ralston, and continued actively in this profession for over half a century.

Mr. Shaw was Pocahontas County attorney for ten years from 1910 to 1920, and for 12 years he served the Fiftieth district, comprised of Humboldt, Pocahontas, and Buena Vista Counties in the state Senate. During this tenure he was the author of many important pieces of legislation, the most outstanding being the Homestead Credit Law.

At the time of his death he was serving his state as its industrial commissioner and was also a trustee of Buena Vista College of Storm Lake.

He was united in marriage to Genevieve B. Murphy on September 23, 1908. To this union there were born three sons, Frank and Albert Jr., attorneys of Pocahontas, and Robert, a teacher in the Jordan, High schools, also two daughters, Catherine; Mrs. George Shors, and Eleanor;

Mrs. Lawrence Flaherty, also of Pocahontas. These together with his wife, two sisters, and sixteen grandchildren survive him.

"Burt," as he was affectionately known, was an outstanding Christian gentleman, one who took an active interest and a full part in all affairs, not only of this community and county, but also of the state. To this end he devoted untiringly of his time and energy in promoting the finer things of life and will be affectionately remembered by all who knew him and most especially to the authors of this resolution.

*Therefore, Be It Resolved by the Senate of the Fifty-fifth General Assembly of Iowa:* That in the death of the Honorable Albert Josiah Shaw, the state has lost a valued and honored servant and by this resolution tenders its sincere sympathy to the surviving members of the family.

*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.

R. J. OLTMAN,  
HARRY E. WATSON,  
DUANE E. DEWEL,

*Committee.*

The resolution was unanimously adopted.

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#### AI GRAY MILLER

MR. PRESIDENT: Your committee appointed to prepare a suitable memorial commemorating the life and public service of the late Honorable Ai Gray Miller, begs leave to submit the following report:

Born February 4, 1885, on a farm near Gray, Audubon County, Iowa, where he lived during his lifetime. He passed away at his home on February 26, 1950, at the age of 65 years.

He attended rural schools and married Stella Fancher in 1907. There were four children born to this union: Frank of Detroit, Michigan; Lieutenant Colonel Marion Ai with the U. S. Air Forces; Jessie Yvonne now Mrs. Dallas Himelright of Winchester, Va., and Dora Adelaide of Des Moines, Iowa.

He was a charter member of the Audubon County Farm Bureau; past director Audubon County Soil Conservation and Improvement association; past member of the Audubon County Planning Committee; member of the Audubon County Board of Supervisors seven years; president of the school board twelve years and member of Audubon County Board of Education; secretary of Farmers Mutual Telephone Company for twenty-three years and president for six years. He was a member of the Methodist Church.

He was a Republican in politics and was elected to the Senate in 1940 and re-elected in 1944 from the Seventeenth Senatorial District composed of Audubon, Dallas and Guthrie Counties.

*Be It Resolved by the Senate of the Fifty-fifth General Assembly:* That in the passing of the Honorable Ai Gray Miller, 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 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.

G. E. WHITEHEAD,  
LORIN B. SAYRE,  
E. C. MYRLAND,

*Committee.*

The resolution was unanimously adopted.

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#### JAMES A. NEWSOME

**MR. PRESIDENT:** Your committee, appointed to prepare suitable resolutions commemorating the life, character and public service of the late Honorable James A. Newsome, begs leave to submit the following memorial:

James A. Newsome was born near Last Chance, Lucas County, Iowa, August 6, 1878, and died at Derby, Iowa, November 14, 1952, at the age of 74 years.

He received his formal education in the schools of Lucas County and at Iowa State College, and taught in the rural schools of Lucas and Clark Counties for ten years. For many years he was president of the school board and also served on the County Board of Education.

Ever since its origin he has been active in the Farm Bureau and served as a director and president. He was one of the organizers of the Derby District Agricultural Association and the Derby District Fair and was its first secretary. He was a director and past treasurer of the Lucas County Mutual Fire Insurance Company and also served on the Cemetery Board. He was a member of A.F. & A.M. and I.O.O.F.

In 1912 he was married to Mary E. Taylor of Lucas County, and to this union were born a son and a daughter.

Mr. Newsome served the State of Iowa as a representative in the Fiftieth General Assembly and the Fiftieth Extra and was sent to the Fifty-first and Fifty-second General Assemblies as senator from the Fourth District.

He is survived by his wife, his son, Wright Newsome, and daughter, now Mrs. Margaret Newsome Crawford. He is also survived by five grandchildren.

*Therefore, Be It Resolved by the Senate of the Fifty-fifth General Assembly of Iowa:* That in the passing of the Honorable James A. Newsome, the people of Lucas County and of the entire State of Iowa have sustained a great loss and the Senate expresses its appreciation of his character and public service and tenders, by this resolution, its sincere and heartfelt sympathy to his beloved family in their great sorrow and loss.

*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.

X. T. PRENTIS,  
W. C. STUART,  
G. D. BELLMAN,

*Committee.*

The resolution was unanimously adopted.

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#### GEORGE L. PARKER

MR. PRESIDENT: Your committee appointed to prepare a suitable memorial commemorating the life and public service of the late Honorable George L. Parker, begs leave to submit the following report:

George L. Parker of Independence, Iowa, died January 31, 1952, at the age of 72 in a Chicago hospital where he had been for medical treatment.

Mr. Parker was born on July 31, 1879, and was educated in the Independence Public School and Drake University, Des Moines, Iowa.

On August 30, 1901, he married Maude Lincoln, who preceded him in death.

Mr. Parker is survived by two sons and one daughter, Tom L. Parker of San Diego, California; George L. Parker, Jr., Victorville, California, and Mrs. Tam Holland, Independence, Iowa.

Mr. Parker was a druggist in Independence for more than 36 years, was a Mason, and had also been postmaster of Independence.

In 1934 he was elected to the Iowa Senate representing Buchanan and Delaware counties, and he served in the Forty-sixth, Forty-sixth Extra and Forty-seventh General Assemblies.

The remains of George L. Parker are buried in Mt. Hope Cemetery, Independence, Iowa.

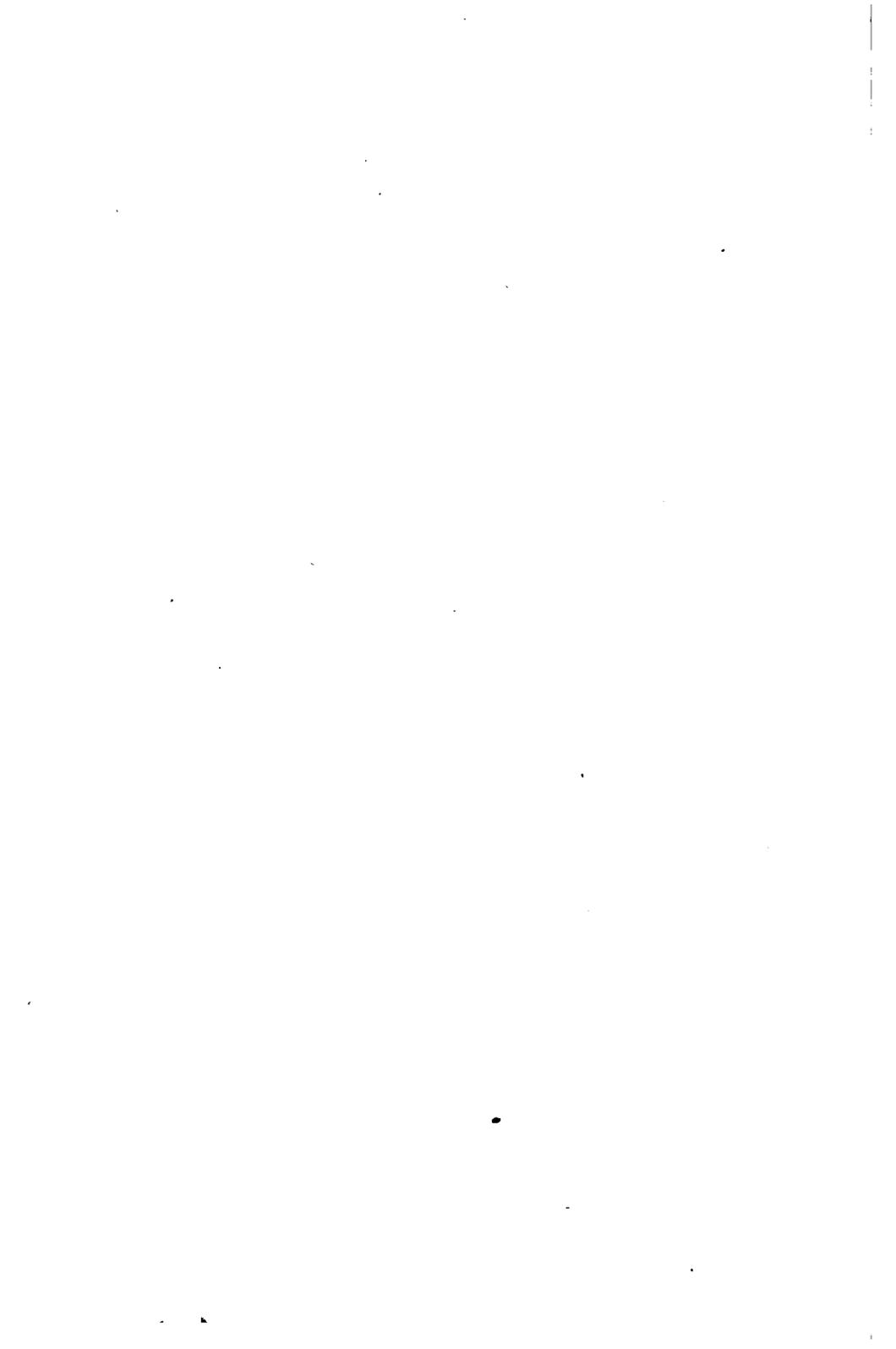
*Therefore, Be It Resolved by the Senate of the Fifty-fifth General Assembly of Iowa:* That in the passing of the Honorable George L. Parker, the state has lost an able and honored citizen and the Senate tenders, by this resolution, its sincere sympathy to the surviving members of his family in their sorrow.

*Be It Further Resolved:* That a copy of this resolution be spread 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.

JOHN P. BERG,  
H. C. WEICHMAN,  
DON RISK,

*Committee.*

The resolution was unanimously adopted.







SENATE RECORD OF SENATE BILLS

1315

S. F.	Page
Call of the Senate issued	445
Placed on calendar under unfinished business	446
Call of the Senate lifted	446
Refused to concur; ayes 18, nays 32	489
Conference committee appointed	517
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Conference report adopted	776
Second conference committee appointed	790
Second conference report	869
Second conference report adopted	891
Passed; ayes 40, nays 9	895
Explanations of vote	895-897
Reported enrolled	937
Signed by President	937
Sent to Governor	962
Signed by Governor	991
3 By Watson of Pottawattamie, Van Eaton, Myrland, Hart, Nesmith, Byers, Oltman, Lord and Hedin. Relating to levying of five cents excise tax on sale of any oleomargarine or margarine containing any fat or oil ingredient other than certain designated fats and oils; appropriation annually to enforce rules and regulations herein.	
Introduced, passed on file	18
Referred	57
Recommended passage	179
Returned	269
4 By Watson of Pottawattamie, Van Eaton, Myrland, Hart, Nesmith, Byers, Oltman, Lord and Hedin. Relating to prohibition of manufacture or offering for sale any colored oleomargarine containing other than certain fats and oils.	
Introduced, passed on file	18
Referred	57
Recommended passage	179
Returned	269
5 By O'Malley. Relating to sale of certain part of "Capital Extension Grounds" by executive council to Central Lutheran Church of Des Moines.	
Introduced, passed on file	18
Referred	57
Amendment filed	195
6 By Van Eaton, Lynes and Boothby. Relating to creation of a state legislative research council, duties thereof, appropriation therefor.	
Introduced, passed on file	19
Referred	57
7 By Oltman and Watson of Pottawattamie. Relating to making narcotics accessible to minors; increasing penalty therefor.	
Introduced, passed on file	20
Referred	57
Amendments filed	130, 242
Recommended passage	270
Committee report adopted	409
Amendments adopted	410, 411

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Record expunged	410
Passed; ayes 50, nays none	411
Reported enrolled	937
Signed by President	937
Sent to Governor	962
Signed by Governor	991
8 By Lord. Relating to legalizing action of City of Muscatine in transferring left over flood funds from flood emergency to special levy board of trustees.	
Introduced, passed on file	20
Referred	57
Proof of publication certified	108
Recommended passage	128
Committee report adopted	140
Passed; ayes 47, nays none	140
Reported enrolled	380
Signed by President	381
Sent to Governor	381
Signed by Governor	392
9 By Vest, Lord, Risk, Whitehead, Fishbaugh and Walter. Relating to increase in compensation of sheriffs for feeding prisoners.	
Introduced, passed on file	20
Referred	57
10 By Anderson. Relating to legalizing expenditures from general county fund for remodeling of courthouse, in Washington County.	
Introduced, passed on file	20
Referred	57
Proof of publication certified	154
Returned without recommendation	634
Committee report adopted	807
Passed; ayes 47, nays none	807
Reported enrolled	1045
Signed by President	1045
Sent to Governor	1098
Signed by Governor	1116
11 By Welchman and Bateson. Relating to definitions of the homestead tax credit; requiring claimant reside in dwelling house on homestead.	
Introduced, passed on file	25
Referred	57
12 By Fishbaugh. Relating to creation of a Legislative Reference Service, replacing and extending work heretofore done by existing Legislative Reference Bureau.	
Introduced, passed on file	25
Referred	57
13 By Prentis. Relating to eligibility of members of the General Assembly to appointive offices; barring appointment during time for which he shall have been elected.	
Introduced, passed on file	25
Referred	57
14 By Walter, Oltman, Nesmith, Dailey, Heldeman, Myrland and Nolan. Relating to authorizing state board of control to construct a certain building of 250 bed capacity	

S. F.	Page	S. F.	Page
at Iowa Soldiers' Home; appropriation therefor.		Passed; ayes 34, nays 5	200
Introduced, passed on file	25	Concurred	463
Referred	57, 238	Passed; ayes 46, nays none	463
Recommended passage	238	Reported enrolled	481
15 By Walter Mollison, Bellman and Elijah. Relating to eligibility of 4-H Club county organizations to receive funds remaining in treasury of local warehouse board.		Signed by President	481
Introduced, passed on file	26	Sent to Governor	482
Referred	57	Signed by Governor	497
16 By Walter Anderson and Heldeman. Relating to licensing of any establishment where food is manufactured, processed or offered for sale.		20 By Anderson. Relating to licensing of auctioneers, resident and non-resident; providing for reciprocity with other states.	
Introduced, passed on file	26	Introduced, passed on file	26
Referred	57	Referred	57
Recommended passage	119	Recommended amendment, passage	559
Committee report adopted	126	Sifting recommends calendar	1098
Amendments filed	131, 161, 162	Committee report adopted	1161
Amendment withdrawn	168	Amendments adopted	1161
Amendment adopted	169	Passed; ayes 50, nays none	1162
Passed; ayes 47, nays none	169	21 By Hedin. Relating to sale and conveyance to Aluminum Company of America of certain submerged land in Scott County.	
17 By Walter Anderson and Heldeman. Relating to authority to establish additional standards for foods, including federal food and drug administration, as division of federal security agency.		Introduced, passed on file	40
Introduced, passed on file	26	Referred	57
Referred	57	Recommended passage	155
Recommended passage	119	Amendment filed	156
Committee report adopted	126	Committee report adopted	172
Passed; ayes 50, nays none	127	Amendment adopted	173
18 By Dykhouse and Colburn. Relating to open season on wild animals and fish, including deer, raccoon and rough fish; providing for licensing thereof; regulation by state conservation commission.		Passed; ayes 49, nays none	173
Introduced, passed on file	26	Reported enrolled	578
Referred	57	Signed by President	578
Recommended passage	191	Sent to Governor	578
Amendments filed	243, 750	Signed by Governor	600
Committee report adopted	287	22 By Hedin. Relating to granting of pipe line right of way easement in Scott County, to Iowa-Illinois Gas and Electric Company; through land used by Annie Wittenmyer Home.	
Amendments adopted	268, 760	Introduced, passed on file	40
Passed; ayes 39, nays 9	268	Referred	57
Concurred in part	760	Recommended passage	155
Passed; ayes 35, nays 7	760	Amendments filed	156, 162
Senate insisted	807	Committee report adopted	173
Conference committee appointed	812	H. F. 50 substituted	173
Conference report	869	23 By Berg. Relating to lien on real estate of judgments of district courts of State of Iowa and circuit and district courts of United States.	
Conference report adopted	907, 908	Introduced, passed on file	41
Passed; ayes 46, nays 1	908	Referred	57
Reported enrolled	937	Recommended passage	189
Signed by President	937	Committee report adopted	329
Sent to Governor	962	H. F. 42 substituted	339
Signed by Governor	991	24 By Berg. Relating to certificate of dissolution of a corporation, requiring recording in office of county recorder where incorporation certificate is on file.	
19 By Walter Anderson and Mollison. Relating to communicable diseases among animals, vesicular exanthema, etc.; providing for program of indemnity in cases of condemnation and killing of infected animals.		Introduced, passed on file	41
Introduced, passed on file	26	Referred	57
Referred	57	25 By Bekman and Zastrow. Relating to investment of funds of life insurance companies and associations; authorizing investment in bonds, etc., of International Bank for Reconstruction and Development.	
Recommended passage	129	Introduced, passed on file	41
Committee report adopted	149		
Amendments filed	162, 195		
Amendments adopted	199, 200		

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Referred .....	57
Amendments filed .....101, 131,	156
Recommended passage .....	75
Committee report adopted .....	184
Amendments adopted .....185,	186
Point of order, raised .....	185
Amendment withdrawn .....	186
Passed; ayes 28, nays 21 .....	186

26 By Anderson, Lord, Boothby, Dykhouse and Miller. Relating to employment of minors, prohibiting in any establishment having a class "B" beer permit.	
Introduced, passed on file .....	41
Referred .....	57

27 By Whitehead. Relating to brokers commission for sale of land; requiring written contract and identifying description thereof.	
Introduced, passed on file .....	41
Referred .....	57
Recommended amendment, passage .....	189
Committee report adopted .....	236
Amendment filed .....	271
Amendments withdrawn .....286,	287
Returned to judiciary 2 .....	287

28 By Anderson, Clark, Mollison, O'Malley and Schoening. Relating to designation of state department of social welfare as agency to apply to United States secretary for return of trust assets of Iowa Rural Rehabilitation Corporation, now dissolved.	
Introduced, passed on file .....	41
Referred .....	57
Recommended passage .....	190
Committee report adopted .....	218
Passed; ayes 50, nays none .....	234
Concurred .....	456
Passed; ayes 45, nays none .....	456
Reported enrolled .....	469
Signed by President .....	469
Sent to Governor .....	469
Signed by Governor .....	482

29 By Welchman. Relating to vital statistics, eliminating existing requirement of statement of religious affiliations of parties entering into marriage or divorce.	
Introduced, passed on file .....	42
Referred .....	57
Recommended amendment, passage .....	393
Amendment filed .....	540
Committee report adopted .....	628
Amendments adopted .....	628
Passed; ayes 45, nays none .....	628

30 By Anderson, Molison and Lucas. Relating to regulation of manufacture and sale of ice milk; defining minimum standard of ice milk, imitation ice cream, labeling thereof.	
Introduced, passed on file .....	42
Referred .....	57
Recommended amendment, passage .....	191
Amendments filed .....293, 319,	329
Committee report adopted .....	325
Amendments withdrawn .....337,	338

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Amendments adopted .....	338
Passed; ayes 41, nays 3 .....	338
Concurred .....	656
Passed; ayes 50, nays none .....	656
Reported enrolled .....	712
Signed by President .....	712
Sent to Governor .....	713
Signed by Governor .....	730

31 By Prentiss, Lord and Lucas. Relating to execution of biennial budget report and recommendations of the budget and financial control committee; Governor shall include in his budget report in column along side of his own recommendations, the recommendations on each item made by the budget and financial control committee.	
Introduced, passed on file .....	52
Referred .....	57
Amendment filed .....	75
Recommended passage .....	129
Committee report adopted .....	159
Amendment withdrawn .....	159
Amendment adopted .....	159
Passed; ayes 45, nays none .....	159

32 By Nolan, Stuart of Lucas. Relating to actions against nonresidents; definition.	
Introduced, passed on file .....	52
Referred .....	57
Recommended passage .....	129
Committee report adopted .....	141
Passed; ayes 49, nays none .....	141
Concurred .....	262
Passed; ayes 48, nays none .....	262
Reported enrolled .....	289
Signed by President .....	289
Sent to Governor .....	309
Signed Governor .....	317

33 By Lynes. Relating to unattended motor vehicles, requiring removal of keys, setting of brakes and turning of front wheels to prevent motion.	
Introduced, passed on file .....	52
Referred to motor vehicles .....	57

34 By Hedin, Lord and Dailey. Relating to use of traps or trot lines in the Mississippi and Missouri Rivers; establishing certain limitations on places.	
Introduced, passed on file .....	52
Referred .....	57

35 By Watson of Pottawattamie and Dykhouse. Relating to creation of a state legislative council, establishing a research and bill drafting service thereof; appropriation therefor.	
Introduced, passed on file .....	53
Referred .....	57
Amendment filed .....671,	700

36 By Bateson, Byers and Bekman. Relating to sick leave for school employees, giving school boards right to grant more time than heretofore.	
Introduced, passed on file .....	53
Referred .....	57

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37 By Walter, Heldeman, Bateson, Nesmith, Washburn, Welchman, Scott, Dykhouse, Lynes, Boothby, Lucas. Relating to confidential nature of certain records pertaining to recipients of old age assistance; providing for public access thereto.		Recommended passage .....	193
Introduced, passed on file .....	53	Committee report adopted .....	313
Referred .....	57	Passed; ayes 48, nays none .....	313
38 By Walter, Heldeman, Bateson, Nesmith, Washburn, Welchman, Scott, Dykhouse, Lynes, Boothby, Lucas. Relating to aid to dependent children, permitting public access to report showing disbursements thereto, prohibiting certain uses thereof.		Refused to concur .....	1188
Introduced, passed on file .....	53	Reported enrolled .....	1251
Referred .....	57	Signed by President .....	1251
39 By Walter, Heldeman, Bateson, Nesmith, Washburn, Welchman, Scott, Dykhouse, Lynes, Boothby and Lucas. Relating to aid to blind, confidential nature of certain records, providing for issuance of report of disbursements, with public access thereto.		Sent to Governor .....	1251
Introduced, passed on file .....	53	Signed by Governor .....	1295
Referred .....	57	44 By Lynes. Relating to licensing of milk dealers, including wholesale as well as retail; schedule for license fees.	
40 By Watson of Pottawattamie. Relating to accountants; definition of the term, financial responsibility requiring bonding or liability insurance policy.		Introduced, passed on file .....	59
Introduced, passed on file .....	58	Referred .....	64, 340
Referred .....	64	Recommended amendment, passage .....	193
Recommended passage .....	190	Committee report adopted .....	340
Committee report adopted .....	236	45 By Lynes. Relating to licensing of manufacturers of mattresses and comforts, prescribing license fee of twenty-five dollars per annum.	
Amendment adopted .....	236	Introduced, passed on file .....	59
Passed; ayes 49, nays none .....	236	Referred .....	64
Concurred .....	404	Recommended passage .....	269
Passed; ayes 50, nays none .....	405	Committee report adopted .....	421
Reported enrolled .....	412	Passed; ayes 43, nays none .....	421
Signed by President .....	412	46 By Lynes. Relating to increase prescribed as minimum butterfat content in ice milk.	
Sent to Governor .....	412	Introduced, passed on file .....	59
Signed by Governor .....	458	Referred .....	64
41 By Watson of Pottawattamie. Relating to exemptions from certain taxation by those serving from termination of second world war to July 4, 1953.		Recommended indefinite postponement .....	194
Introduced, passed on file .....	59	Re-referred .....	203
Referred .....	64	47 By Oltman. Relating to board of medical examiners; providing for additional members, longer term of office, increase of renewal fees for practice of medicine and surgery, temporary and special licenses.	
Sifting recommends calendar .....	1268	Introduced, passed on file .....	59
Passed; ayes 45, nays none .....	1278	Referred .....	64
42 By Stuart of Lucas and Nolan. Relating to speed restrictions on public highways; 60 miles per hour during daytime and 50 miles at night.		Amendment filed .....	131
Introduced, passed on file .....	59	Recommended passage .....	257
Referred .....	64	Committee report adopted .....	390
43 By Lynes. Relating to increase prescribed as minimum butterfat content of milk.		Amendment adopted .....	391
Introduced, passed on file .....	59	Passed; ayes 50, nays none .....	391
Referred .....	64	Rules suspended .....	996
		Concurred .....	997
		Passed; ayes 48, nays none .....	997
		Reported enrolled .....	1045
		Signed by President .....	1045
		Sent to Governor .....	1098
		Signed by Governor .....	1116
		48 By Nolan, Stewart, Van Eaton, O'Malley, Utzig, Hedlin, Clark and Dalley. Relating to compensation of police matrons, giving them not less than minimum paid to policemen.	
		Introduced, passed on file .....	60
		Referred .....	64
		49 By Nolan, Bekman, Stewart, Van Eaton, O'Malley, Utzig, Hedlin, Clark and Dalley. Relating to retirement systems for policemen and firemen; benefits thereunder.	
		Introduced, passed on file .....	60
		Referred .....	64

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Recommended passage	178
Committee report adopted	206
H. F. 17 substituted	264
<b>50</b> By Molison. Relating to legalizing issuance and sale of public hospital bonds by Keokuk County and provisions made for taxes.	
Introduced, passed on file	60
Referred	64
Proof of publication certified	74
Recommended passage	129
Committee report adopted	140
Passed; ayes 49, nays none	140
Reported enrolled	269
Signed by President	269
Sent to Governor	269
Signed by Governor	289
<b>51</b> By Nelson. Relating to open seasons for hunting; providing continuous open season on raccoon.	
Introduced, passed on file	60
Referred	64
<b>52</b> By Oltman, Dailey, Molison and Whitehead. Relating to Board of Educational Examiners; certification of teachers in elementary grades, requiring four-year college course at end of transition period.	
Introduced, passed on file	65
Referred	75
Recommended passage	371
Amendment filed	533
Committee report adopted	556
Amendment withdrawn	556
Amendment adopted	556
Failed; ayes 25, nays 19	556
<b>53</b> By Welchman. Relating to marked increase in supplementary aid to school districts.	
Introduced, passed on file	65
Referred	75
<b>54</b> By Boothby, Bateson, Zastrow, Oltman, Dykhouse, Nolan, Stuart of Lucas, Bekman and Anderson. Relating to practice of funeral directing and embalming; repealing chapter, enacting substitute therefor, setting up new standards requiring college training and abolishing class "B" apprentices.	
Introduced, passed on file	66
Referred	75
Recommended amendment, passage	290
Amendment filed	294, 432
Committee report adopted	450
Amendments adopted	451
Passed; ayes 43, nays 3	451
Concurred	575
Passed; ayes 39, nays 4	575
Reported enrolled	600
Signed by President	600
Sent to Governor	633
Signed by Governor	652
<b>55</b> By Boothby, Bateson, Zastrow, Oltman, Dykhouse, Nolan, Stuart of Lucas, Bekman and Anderson. Relating to practice of funeral directing	

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and embalming; providing increase in renewal license fees thereof.	
Introduced, passed on file	66
Referred	75
Recommended passage	291
Committee report adopted	452
Passed; ayes 46, nays none	452
Concurred	590
Passed; ayes 44, nays none	590
Vote reconsidered	593
Amendment adopted	593
Concurred	594
Passed; ayes 42, nays 1	594
Reported enrolled	669
Signed by President	669
Sent to Governor	669
Signed by Governor	698
<b>56</b> By Whitehead and Anderson. Relating to hunting from aircraft; permitting certain animals be shot therefrom; requiring plane pilot be properly registered and licensed.	
Introduced, passed on file	66
Referred	75
Amendment filed	179
Recommended indefinite postponement	191
Indefinitely postponed	237
<b>57</b> By Whitehead. Relating to use of traps or trot lines in the Mississippi and Missouri Rivers; establishing certain limitations on places.	
Introduced, passed on file	66
Referred	75
Recommended passage	191
Committee report adopted	224
Passed; ayes 45, nays none	224
<b>58</b> By Hedin, Nesmith, Lucas and Bellman. Relating to increase in mileage fees for constable.	
Introduced, passed on file	66
Referred	75
Recommended passage	239
Committee report adopted	388
H. F. 120 substituted	388
<b>59</b> By Hedin, Nesmith, Lucas and Bellman. Relating to fees charged by justice of peace, authorizing increase thereof.	
Introduced, passed on file	67
Referred	75
Recommended passage	239
Committee report adopted	362
H. F. 78 substituted	362
<b>60</b> By Nesmith, Hedin and Lucas. Relating to increase in salaries of justices of peace and constables.	
Introduced, passed on file	67
Referred	75
<b>61</b> By Hedin and Nesmith. Relating to terms of office of justice of peace and constable; extending two years.	
Introduced, passed on file	67
Referred	75
Recommended indefinite postponement	213
Indefinitely postponed	256

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62	By Judiciary 1. Relating to building and loan associations; repealing temporary measure provided for pre-existing associations to close up affairs.	Amendment filed	941
	Introduced, placed on calendar..	Committee reports adopted	1006
	Passed; ayes 47, nays none	Amendments adopted	1006, 1153
	Reported enrolled	Amendments withdrawn	1006
	269	Passed; ayes 43, nays 1	1006
	Signed by President	Recalled from House	1146
	269	Vote reconsidered	1153
	Sent to Governor	Passed; ayes 46, nays none	1153
	269		
	Signed by Governor		
	290	69	By Berg, Dailey, Watson of Pottawattamie, Whitehead and Van Eaton. Relating to mutual compact with another state in meeting any civil defense emergency or disaster.
63	By Judiciary 1. Relating to drains and sewers in cities over one hundred thousand population; repealing certain existing phrases.	Introduced, passed on file	68
	Introduced, placed on calendar..	Referred	75
	Passed; ayes 47, nays none	Recommended passage	792
	Reported enrolled	Sifting recommends calendar	917
	176	Made special order	923
	Signed by President	Committee report adopted	1007
	176	Passed; ayes 46, nays none	1007
	Sent to Governor		
	176		
	Signed by Governor		
	188	70	By Watson of Pottawattamie. Relating to cemeteries and records.
64	By Judiciary 1. Relating to elections to remove officers in commission cities; correcting Code.	Introduced, passed on file	69
	Introduced, placed on calendar..	Referred	75
	Passed; ayes 47, nays none	Recommended passage	190
	Reported enrolled	Committee report adopted	224
	176	Passed; ayes 45, nays none	224
	Signed by President	Concurred	1200
	176	Passed; ayes 42, nays none	1200
	Sent to Governor	Reported enrolled	1251
	176	Signed by President	1251
	Signed by Governor	Sent to Governor	1251
	188	Signed by Governor	1295
65	By Judiciary 1. Relating to increase in salaries in municipal courts.		
	Introduced, placed on calendar..	71	By Watson of Pottawattamie. Relating to operation of cemeteries, sale of burial space within, funds for perpetual care.
	Passed; ayes 46, nays none	Introduced, passed on file	69
	Reported enrolled	Referred	75
	176	Recommended passage	190
	Signed by President	Committee report adopted	313
	176	Amendment adopted	314
	Sent to Governor	Passed; ayes 45, nays none	314
	176	Concurred	1002
	Signed by Governor	Passed; ayes 47, nays none	1002
	188	Reported enrolled	1045
		Signed by President	1045
		Sent to Governor	1098
		Signed by Governor	1116
66	By Judiciary 1. Relating to elections to change form of a municipal government.		
	Introduced, placed on calendar..	72	By Fishbaugh, Watson of O'Brien, Nolan, O'Malley and Walter. Relating to special automobile registration plates for holders of amateur radio station licenses.
	Passed; ayes 45, nays none	Introduced, passed on file	69
	Reported enrolled	Referred	100
	176	Returned without recommendation	652
	Signed by President		
	176		
	Sent to Governor		
	176	73	By Judiciary 2. Relating to basis of state aid for transportation of school pupils; increasing amount allowed.
	Signed by Governor	Introduced, placed on calendar..	69
	188	Passed; ayes 46, nays none	80
		Reported enrolled	176
		Signed by President	176
		Sent to Governor	176
		Signed by Governor	188
67	By Stewart of Mahaska, Nelson and Miller. Relating to election of county assessors; repealing two sections in Code 1950.		
	Introduced, passed on file		
	68		
	Referred		
	75		
68	By Berg, Dailey, Watson of Pottawattamie, Whitehead and Van Eaton. Relating to creation of a state civil defense agency in the executive branch, with governor as director thereof; powers and duties defined; to be known as "Iowa Civil Defense Act of 1953"; appropriation therefor.		
	Introduced, passed on file		
	68		
	Referred		
	75, 317		
	Recommended passage		
	319		
	Recommended amendment, without further recommendation..		
	772		
	Sifting recommends calendar..		
	917		
	Made special order		
	923		
		74	By Judiciary 2. Relating to reapportionment of unused

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farm-to-market road funds; re-codification.	
Introduced, placed on calendar	69
Passed; ayes 46, nays none	81
Reported enrolled	269
Signed by President	269
Sent to Governor	269
Signed by Governor	290
75 By Mollison, Anderson and Clark. Relating to authorized uses of inspection fees on commercial feeds; including financing of certain research.	
Introduced, passed on file	69
Referred	100
Amendment filed	180
Recommended amendment, passage	430
Committee report adopted	706
Amendment withdrawn	706
Amendment adopted	706
Failed; ayes 22, nays 26	709
76 By Lord and Elijah. Relating to reciprocal exemptions from inheritance tax upon passing of property to certain societies or institutions, charitable, religious or educational.	
Introduced, passed on file	70
Referred	100
Recommended passage	129
Committee report adopted	170
Amendment adopted	170
Passed; ayes 49, nays none	170
Reported enrolled	578
Signed by President	578
Sent to Governor	578
Signed by Governor	600
77 By Whitehead, O'Malley and Hedin. Relating to safety, sanitary and shelter facilities for railroad employees; authorizing Iowa state commerce commission to promulgate and enforce rules.	
Introduced, passed on file	70
Referred	100
Amendment filed	346
78 By Anderson, Whitehead, Lord and Zastrow. Relating to authorizing county boards of supervisors to require licensing of auctions outside cities or towns.	
Introduced, passed on file	70
Referred	100
Returned without recommendation	412
Committee report adopted	641
Amendment filed	652
H. F. 27 substituted	768
79 By Nolan, Zastrow, Dykhouse, Fishbaugh and Stuart of Lucas. Relating to all state commissions, departments, boards, etc., of State of Iowa; authorizing them to procure liability and property damage insurance to protect individual against personal legal liability of employees, etc.	
Introduced, passed on file	70
Referred	100
Recommended passage	293

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Committee report adopted	453
Passed; ayes 47, nays none	453
Reported enrolled	832
Signed by President	832
Sent to Governor	832
Signed by Governor	856
80 By Lucas. Relating to board of supervisors of Boone County; legalizing action in construction of certain hog house at Boone County Farm.	
Introduced, passed on file	70
Referred	100
Proof of publication certified	305
81 By Watson of Pottawattamie. Relating to income tax as applied to persons in armed forces during years 1952 through 1954; repealing certain chapter of Code.	
Introduced, passed on file	77
Referred	101
Recommended passage	332
Committee report adopted	596
Passed; ayes 50, nays none	689
Reported enrolled	991
Signed by President	991
Sent to Governor	991
Signed by Governor	1012
82 By Printing. Relating to time of printing the various legislative Index bulletins, by department of printing.	
Introduced, placed on calendar	78
Passed; ayes 48, nays none	105
Concurred	201
Passed; ayes 43, nays none	201
Reported enrolled	226
Signed by President	227
Sent to Governor	227
Signed by Governor	256
83 By Lucas and Lord. Relating to marriages of minors; authorizing certificate of marriage to be executed by parent having legal custody in case of divorce.	
Introduced, passed on file	78
Referred	101
Amendments filed	144, 453
Recommended passage	270
Committee report adopted	447
Amendment withdrawn	447
Amendments adopted	447
Passed; ayes 48, nays none	447
Reported enrolled	962
Signed by President	962
Sent to Governor	962
Signed by Governor	1012
84 By Fishbaugh. Relating to rates and charges of public utilities; providing an authority to be petitioned for increases of rates and to conduct hearings thereon.	
Introduced, passed on file	103
Referred	109
Amendment filed	131
85 By Lucas. Relating to funds to be used for payment of weed commissioner; authorizing board of supervisors to make payment from road clearing fund.	
Introduced, passed on file	103
Referred	109

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Amendments filed .....	156, 162
Recommended amendment, pas- sage .....	194
Committee report adopted .....	235
Amendment adopted .....	225
Amendment withdrawn .....	225
Passed; ayes 45, nays none .....	225
<b>86 By Oltman. Relating to in- crease in fees to be collected by State Department of Health in issuing barber li- censes, both to practice and to obtain renewals.</b>	
Introduced, passed on file .....	103
Referred .....	109
Recommended passage .....	119
Amendment filed .....	131
Committee report adopted .....	137
Amendment adopted .....	137
Passed; ayes 32, nays 12 .....	138
<b>87 By Watson of Pottawattamie. Relating to increase in compensation of waterworks trustees.</b>	
Introduced, passed on file .....	103
Referred .....	109
<b>88 By Oltman and Myrland. Relating to salaries, vaca- tions and sick leave for cer- tain uniformed state employ- ees, especially in case of in- juries sustained in line of duty.</b>	
Introduction, passed on file ....	104
Referred .....	109
Amendment filed .....	131
Recommended passage .....	161
Committee report adopted .....	183
Amendment withdrawn .....	184
Passed; ayes 49, nays none .....	184
Reported enrolled .....	1251
Signed by President .....	1251
Sent to Governor .....	1251
Signed by Governor .....	1295
<b>89 By Colburn, Prentiss, Lynes, Larson and Elijah. Relat- ing to election of commis- sioners in soil conservation districts, providing that own- ers of land and operators living on farms shall have certain rights.</b>	
Introduced, passed on file ....	104
Referred .....	109
Recommended passage .....	194
Committee report adopted .....	341
Amendment withdrawn .....	341
Amendments adopted .....	341
Passed; ayes 49, nays none .....	342
Reported enrolled .....	669
Signed by President .....	669
Sent to Governor .....	669
Signed by Governor .....	698
<b>90 By Byers. Relating to sup- port of the insane; creating lien on real estate owned by person committed and the spouse of such person for cost and support.</b>	
Introduced, passed on file .....	104
Referred .....	109
Referred to judiciary 2 .....	176
Recommended passage .....	191
Committee report adopted .....	342
Amendment adopted .....	342
Passed; ayes 36, nays none .....	343

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<b>91 By Anderson and Nolan. Relating to time of payment of salaries of state em- ployees, providing it be on monthly basis unless differ- ent plan agreed on by agency and employees.</b>	
Introduced, passed on file .....	104
Referred .....	109
Amendment filed .....	119
<b>92 By Oltman, Clark and Moll- son. Relating to civil service commissioners in cities and towns; providing eligibility in towns of 6,000 and over.</b>	
Introduced, passed on file .....	104
Referred .....	109
<b>93 By O'Malley and Grimstead. Relating to an "Iowa Poetry Day", providing that the Governor shall proclaim Oc- tober 15 in each year as such.</b>	
Introduced, passed on file .....	104
Referred .....	109
Recommended indefinite post- ponement .....	189
Indefinitely postponed .....	237
<b>94 By Whitehead and Van Eaton. Relating to Iowa de- velopment commission; re- quiring that legislative mem- bers thereof must be mem- bers of the general assembly.</b>	
Introduced, passed on file .....	104
Referred .....	109
<b>95 By Judiciary 2. Relating to notice of discontinuance of a city or town; removing a newspaper publishing re- quirement.</b>	
Introduced, placed on calendar ..	110
Passed; ayes 50, nays none .....	124
Reported enrolled .....	188
Signed by President .....	188
Sent to Governor .....	188
Signed by Governor .....	213
<b>96 By Judiciary 2. Relating to salaries of deputy county offi- cers; providing that salaries fixed for clerk of district court and his deputies may be paid from court expense fund.</b>	
Introduced, placed on calendar ..	111
Passed; ayes 50, nays none .....	125
Reported enrolled .....	176
Signed by President .....	176
Sent to Governor .....	176
Signed by Governor .....	188
<b>97 By Judiciary 2. Relating to secondary roads; changing term "county" to "second- ary", and word "trunk" to "farm to market" roads.</b>	
Introduced, placed on calendar ..	111
Passed; ayes 50, nays none .....	126
<b>98 By Schoening, Molison and Anderson. Relating to filing and enforcement of a lien up- on farm crops for the value of fuel and lubricants fur- nished for operation of farm machinery in production of said crops.</b>	
Introduced, passed on file .....	111

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Referred .....	118
Amendments filed .....	132, 329
99 By Lynes. Relating to establishing a board of public instruction empowered to appoint state superintendent of public instruction and assistant superintendents and such other staff members and employees as deemed necessary; abolishing certain boards and election of state superintendent.	
Introduced, passed on file .....	111
Referred .....	118
100 By Judiciary 1. Relating to bonded warehouses for agricultural products; correcting Code.	
Introduced, placed on calendar ..	111
Passed; ayes 50, nays none .....	123
Reported enrolled .....	578
Signed by President .....	578
Sent to Governor .....	578
Signed by Governor .....	600
101 By Judiciary 1. Relating to state tort claims act; defining terms, conferring upon each state agency in behalf of state the power to adjust and settle claims against state; general practice and procedure in establishing liability of state.	
Introduced, placed on calendar ..	112
Passed; ayes 45, nays 5 .....	138
102 By Judiciary 1. Relating to a tax in cities to provide a viaduct or underpass fund, providing for levying of tax therefor.	
Introduced, placed on calendar ..	112
Passed; ayes 50, nays none .....	124
Reported enrolled .....	188
Signed by President .....	188
Sent to Governor .....	188
Signed by Governor .....	213
103 By Judiciary 1. Relating to fees and mileage of petit jurors; providing for increase thereof.	
Introduced, placed on calendar ..	112
Passed; ayes 50, nays none .....	148
104 By Lord, Risk, Hart, Myrland, Dykhouse, Johnson, Anderson, Mollison, Colburn, Dewel, Knudson and Nesmith. Relating to increase in maximum weekly workmen's compensation to thirty dollars.	
Introduced, passed on file .....	112
Referred .....	118
105 By Byers, O'Malley and Watson of Pottawattamie. Relating to hospital, nursing and medical expense for members of police and fire department; suffering line of duty injuries; clarifying Code.	
Introduced, passed on file .....	112
Referred .....	118
Recommended passage .....	238
Committee report adopted .....	362

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Passed; ayes 49, nays none .....	363
Report enrolled .....	712
Signed by President .....	712
Sent to Governor .....	713
Signed by Governor .....	730
106 By Miller, Heideman and Elijah. Relating to allowable deductions on gross income; permitting deductions for dental, oculist, medical, surgical or hospital expenses for which not reimbursed by insurance, and that cost of such insurance be considered a medical expense.	
Introduced, passed on file .....	112
Referred .....	118
107 By Vest. Relating to inheritance tax and lien book; dispensing therewith; providing that entries in probate dockets include necessary data.	
Introduced, passed on file .....	113
Referred .....	118
Recommended passage .....	393
Committee report adopted .....	596
Amendment adopted .....	596
Passed; ayes 43, nays none .....	596
108 By Welchman and Byers. Relating to taxation of platted real estate providing that until improved or until expiration of five years, any lot shall be assessed as if it had never been platted.	
Introduced, passed on file .....	113
Referred .....	118
Recommended amendment, passage .....	318
Committee report adopted .....	476
Amendments filed .....	498, 518
Amendments adopted .....	524
Amendment withdrawn .....	524
Passed; ayes 45, nays 2 .....	524
109 By Lord. Relating to collection of rubbish and garbage under a can tax; providing in case of non-payment cities may assess cost against property served; with special application to Muscatine.	
Introduced, passed on file .....	113
Referred .....	118
Recommended passage .....	394
Amendment filed .....	540
Committee report adopted .....	597
Amendment adopted .....	597
Passed; ayes 39, nays 4 .....	597
Reported enrolled .....	901
Signed by President .....	901
Sent to Governor .....	902
Signed by Governor .....	917
110 By Lord. Relating to authorizing board of supervisors of Muscatine County to transfer \$800 road only tax to city of Muscatine to be used by said city for road improvement in that certain area.	
Introduced, passed on file .....	113
Referred .....	118
Recommended passage .....	161
Amendment filed .....	329

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Proof of publication certified.....	403	ting them to acquire property incident to their business not to exceed a certain sum so as to encourage them to become self supporting.	
Committee report adopted.....	405	Introduced, passed on file.....	115
Amendment adopted.....	406	Referred.....	119
Passed; ayes 50, nays none.....	406	Recommended indefinite postponement.....	S13
Reported enrolled.....	578		
Signed by President.....	578	117 By O'Malley. Relating to county aid to certain fairs leasing grounds; making applicable to 4-H clubs.	
Sent to Governor.....	578	Introduced, passed on file.....	115
Signed by Governor.....	600	Referred.....	119
		Recommended passage.....	161
111 By Lord, Zastrow and Molison. Relating to creation of Iowa public employees' retirement system; providing for refunds under certain conditions, making annual appropriation of \$3,500,000 from general fund of state for maintenance of retirement system upon sound actuarial basis, and transferring assets of old age and survivors liquidation fund to this fund.		Committee report adopted.....	206
Introduced, passed on file.....	113	Passed; ayes 48, nays none.....	206
Referred.....	118, 177	Reported enrolled.....	578
Returned without recommendation.....	178	Signed by President.....	578
		Sent to Governor.....	578
112 By Lord, Zastrow and Molison. Relating to administration of funds and assets of Iowa Old Age and Survivors' Insurance System; creating a liquidation fund.		Signed by Governor.....	600
Introduced, passed on file.....	114		
Referred.....	118, 227	118 By Cities and Towns. Relating to municipal flood control systems; issuance of bonds and levy of taxes therefor.	
Returned without recommendation.....	178	Introduced, placed on calendar.....	115
		Passed; ayes 50, nays none.....	149
113 By Lord, Zastrow and Molison. Relating to coverage of certain officers and employees of the State of Iowa, under Old Age and Survivors' Insurance provision of Federal Social Security Act; duties of Iowa employment security commission.		Reported enrolled.....	269
Introduced, passed on file.....	114	Signed by President.....	269
Referred.....	118, 227	Sent to Governor.....	269
Returned without recommendation.....	178	Signed by Governor.....	290
114 By Stuart of Lucas. Relating to fees for attorneys appointed by court; providing that only one attorney in any case shall receive compensation.		119 By Clark. Relating to old age assistance; eliminating the requirement that recipient must convey property holdings to the state.	
Introduced, passed on file.....	115	Introduced, passed on file.....	120
Referred.....	118	Referred.....	128
Recommended passage.....	189		
Committee report adopted.....	352	120 By Prentis, Nesmith and Dewel. Relating to form of warrants issued by state comptroller for salaries and wages, requiring detachable part upon which shall be social security number of payee, together with gross pay and data about deductions.	
Passed; ayes 50, nays none.....	352	Introduced, passed on file.....	120
		Referred.....	128
115 By Grimshead, Fishbaugh, Zastrow, Whitehead and Elijah. Relating to beer and malt liquors; repealing various sections, enacting new powers in regard to state permit board.			
Introduced, passed on file.....	115	121 By Lucas. Relating to fees for filing liens; removing word "mechanic's" as unnecessary.	
Referred.....	118	Introduced, passed on file.....	121
Recommended passage.....	189	Referred.....	128
Committee report adopted.....	352		
Passed; ayes 50, nays none.....	352	122 By Prentis and Berg. Relating to creation of department of military and veterans affairs under adjutant general; transferring thereto all matters pertaining to military and veterans affairs.	
		Introduced, passed on file.....	121
116 By Weichman and Berg. Relating to eligibility for assistance to needy blind; defining term "personal property", exempting life insurance having value of \$500; permit-		Referred.....	128
Introduced, passed on file.....	115	Returned without recommendation.....	431
Referred.....	118	Committee report adopted.....	708
		Re-referred.....	769
		123 By Dalley, Zastrow, Larson and Boothby. Relating to definition of the word "owner" of a homestead; requiring	

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it shall mean a person actually occupying the real estate under certain conditions.	
Introduced, passed on file .....	121
Referred .....	128
124 By Bekman, Dykhouse, Scott and Watson of Pottawattamie. Relating to licensing of insurance agents.	
Introduced, passed on file .....	121
Referred .....	128
Amendments filed .....	195, 499
Recommended passage .....	343
Committee report adopted .....	536
Re-referred .....	537
125 By Oltman. Relating to legalizing special election proceedings providing for sale of garage bonds of City of Storm Lake.	
Introduced, passed on file .....	121
Referred .....	128
Proof of publication certified .....	128
Recommended passage .....	531
Committee report adopted .....	757
Passed; ayes 49, nays none .....	757
Reported enrolled .....	872
Signed by President .....	872
Sent to Governor .....	873
Signed by Governor .....	887
126 By Myrland, Watson of Pottawattamie, Elijah, Welchman and Mollison. Relating to voting for trustees of the drainage districts; requiring landowner voting in person, with certain exceptions, and granting right of voting to employee of corporation or administrator or executor of an estate.	
Introduced, passed on file .....	121
Referred .....	128
Recommended passage .....	270
Amendments filed .....	415, 672
Committee report adopted .....	421
Amendments adopted .....	421, 422, 688
Passed; ayes 46; nays none .....	422
Concurred .....	688
Passed; ayes 50, nays none .....	688
Reported enrolled .....	730
Signed by President .....	730
Sent to Governor .....	730
Signed by Governor .....	750
127 By Byers, Mollison and Heideman. Relating to Iowa Bonded Warehouse Law; acceptance of bulk grain for purposes other than storage.	
Introduced, passed on file .....	122
Referred .....	128
Recommended passage .....	270
Committee report adopted .....	422
Passed; ayes 46, nays none .....	422
Reported enrolled .....	712
Signed by President .....	712
Sent to Governor .....	713
Signed by Governor .....	730
128 By Vest. Relating to establishment of county supervisor districts; clarifying Code.	
Introduced, passed on file .....	122
Referred .....	128
Recommended amendment, passage .....	452

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Committee report adopted .....	738
H. F. 159 substituted .....	738
129 Berg, Knudson, O'Malley, Prentis, Welchman and Hart. Relating to World War II Compensation Fund; reverting \$450,000 to general fund of State of Iowa.	
Introduced, passed on file .....	122
Referred .....	128
Recommended passage .....	292
Committee report adopted .....	453
Passed; ayes 45, nays none .....	454
Reported enrolled .....	578
Signed by President .....	578
Sent to Governor .....	578
Signed by Governor .....	600
130 By Judiciary 2. Relating to nonresident owners of motor vehicles operated on highways of state; recodification.	
Introduced, placed on calendar .....	133
Passed; ayes 49, nays none .....	170
Concurred .....	288
Passed; ayes 50, nays none .....	289
Reported enrolled .....	317
Signed by President .....	317
Sent to Governor .....	328
Signed by Governor .....	343
131 By Bekman. Relating to investment of funds of life insurance companies and associations; limiting amount of investment.	
Introduced, passed on file .....	134
Referred .....	143
Recommended passage .....	343
Committee report adopted .....	506
Amendment filed .....	518
Amendment adopted .....	525
Passed; ayes 50, nays none .....	525
Reported enrolled .....	901
Signed by President .....	901
Sent to Governor .....	902
Signed by Governor .....	917
132 By Scott, Utzig, Hedin and O'Malley. Relating to equipment of rail track motor cars used by railroad for transporting employees; requiring carriers to furnish protection from weather to employees.	
Introduced, passed on file .....	134
Referred .....	143
133 By Stewart of Mahaska. Relating to gas tax increase to finance primary road construction.	
Introduced, passed on file .....	134
Referred .....	143
Amendments filed .....	243, 395
134 By Lucas, Schoening and Larson. Relating to expenditures by county board of supervisors; permitting increase thereof.	
Introduced, passed on file .....	134
Referred .....	143
Recommended passage .....	270
Amendment filed .....	330
Committee report adopted .....	423
Amendments adopted .....	423
Passed; ayes 43, nays 2 .....	423
Concurred .....	971
Passed; ayes 50, nays none .....	971

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Reported enrolled .....	1011	Recommended amendment, pas-	
Signed by President .....	1011	sage .....	345
Sent to Governor .....	1012	Committee report adopted .....	506
Signed by Governor .....	1045	Amendments adopted .....	526, 1187
135 By Judiciary 1. Relating		Passed; ayes 50, nays none .....	526
to ferries in special charter		Amendment filed .....	888
cities; correcting Code refer-		Concurred .....	1187
ence.		Passed; ayes 46, nays none .....	1187
Introduced, placed on calendar	184	Reported enrolled .....	1251
Passed; ayes 49, nays none .....	171	Signed by President .....	1251
Reported enrolled .....	269	Sent to Governor .....	1251
Signed by President .....	269	Signed by Governor .....	1295
Sent to Governor .....	269	143 By Lynes, Mollison, Ander-	
Signed by Governor .....	290	son, Walter, Stewart of Ma-	
136 By Judiciary 1. Relating		haska and Heideman. Relat-	
to class "C" permits for sale		ing to handling and sale of	
of beer; repealing all refer-		market milk; authorizing	
ences thereto; to remove beer		recognized plans of brucel-	
from sale in grocery stores.		losis control for herds pro-	
Introduced, placed on calendar	134	ducing Grade A milk.	
Amendments filed .....	394-301	Introduced, passed on file .....	146
Point of order raised .....	306	Referred .....	155
Amendments adopted .....	307, 308	Recommended passage .....	345
Passed; ayes 50, nays none .....	309	Committee report adopted .....	515
137 By Judiciary 1. Relating		Amendment adopted .....	515
to standard fire insurance		Passed; ayes 50, nays none .....	515
policy; correcting one word		Concurred .....	1186
in Code.		Passed; ayes 46, nays none .....	1186
Introduced, placed on calendar	135	Reported enrolled .....	1251
H. F. 175 substituted .....	172	Signed by President .....	1251
138 By Van Eaton and Byers.		Sent to Governor .....	1251
Relating to waterworks;		Signed by Governor .....	1273
clarifying construction of		144 By Bekman, Nolan, Oltman	
chapter 399 and establishing		and Weichman. Relating to	
that no municipality shall be		inspection of motor vehicles;	
bound by any part of said		and designation of official	
chapter excepting at its op-		inspection stations.	
tion expressed by favorable,		Introduced, passed on file .....	146
popular vote.		Referred .....	155
Introduced, passed on file .....	135	145 By Printing. Relating to	
Referred .....	143	the Iowa yearbook of agri-	
139 By Walter. Relating to		culture, authorizing printing	
equal pay for equal work;		thereof biennially instead of	
providing women employees		annually.	
be paid same compensation		Introduced, placed on calendar .	147
men are paid for equivalent		Passed; ayes 48, nays none .....	174
service.		Reported enrolled .....	578
Introduced, passed on file .....	135	Signed by President .....	578
Referred .....	143	Sent to Governor .....	578
140 By Bekman, Nesmith, Wat-		Signed by Governor .....	600
son of Pottawattamie, O'Mal-		146 By Hedin and Lord. Relat-	
ley, Hedin, Dailey and Olt-		ing to pedestrian use of	
man. Relating to licensing		streets; authorizing cities	
and regulation of plumbers.		and towns to prevent jay-	
Introduced, passed on file .....	135	walking.	
Referred .....	143	Introduced, passed on file .....	147
141 By Hedin and Lord. Relat-		Referred .....	155
ing to municipal corporations		Amendment filed .....	180
operating under special char-		Recommended amendment, pas-	
ter cities; clarifying Code.		sage .....	233
Introduced, passed on file .....	136	Committee report adopted .....	363
Referred .....	143	Amendment adopted .....	363
142 By Lynes, Mollison, Walter,		Amendment withdrawn .....	363
Stewart of Mahaska, Ander-		Passed; ayes 50, nays none .....	364
son and Heideman. Relating		Reported enrolled .....	1251
to eradication of Bang's dis-		Signed by President .....	1251
ease; requiring negative bru-		Sent to Governor .....	1251
cellosis test report to accom-		Signed by Governor .....	1295
pany transfer ownership of		147 By Agriculture. Relating to	
cattle.		hog cholera virus and serum;	
Introduced, passed on file .....	146	permitting use of either viru-	
Referred .....	155	lent or non-virulent viruses.	
		Introduced, placed on calendar ..	147
		Passed; ayes 49, nays none .....	175
		Concurred .....	350
		Passed; ayes 50, nays none .....	380

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Reported enrolled .....	392
Signed by President .....	392
Sent to Governor .....	412
Signed by Governor .....	428

148 By Whitehead, Knudson and Anderson. Relating to supplemental returns and listings by owners of property; requiring certain duplicate forms of assessor.

Introduced, passed on file .....	147
Referred .....	155

149 By Dykhouse and Watson of O'Brien. Relating to removing state conservation commission from field of politics by including employees thereof in that group of employees not coming under division of personnel.

Introduced, passed on file .....	147
Referred .....	155

150 By Watson of Pottawattamie and Nesmith. Relating to establishing a state commission on alcoholism; providing for powers, duties and organization; annual appropriations for such commission; to make detailed report on findings at next session of legislature.

Introduced, passed on file .....	147
Referred .....	155, 432
Recommended passage .....	429

151 By Nolan. Relating to registration of motor vehicles of nonresident carriers; defining the term intrastate transportation.

Introduced, passed on file .....	158
Referred .....	161
Recommended passage .....	292
Committee report adopted .....	464
Passed; ayes 46, nays none .....	464
Reported enrolled .....	937
Signed by President .....	937
Sent to Governor .....	962
Signed by Governor .....	991

152 By Nolan. Relating to certificates of convenience and necessity for motor carriers.

Introduced, passed on file .....	158
Referred .....	161
Recommended passage .....	292
Committee report adopted .....	464
Passed; ayes 46, nays none .....	464
Reported enrolled .....	937
Signed by President .....	937
Sent to Governor .....	962
Signed by Governor .....	991

153 By Van Eaton. Relating to county libraries; providing method of withdrawal therefrom by cities or towns; permissible if has levied tax of its own equal to or greater than that of county library district.

Introduced, passed on file .....	164
Referred .....	177

154 By Lord. Relating to retail sales tax; extending day of filing quarterly returns to

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last day of the month.	
Introduced, passed on file .....	164
Referred .....	177
Amendment filed .....	330
Recommended passage .....	771

155 By Military Affairs. Relating to Military Code of Iowa; repealing chapter twenty-nine, Code 1950, and enacting substitute therefor; with all branches of military and veterans affairs put under administration of Adjutant General.

Introduced, placed on calendar .....	164
Amendment adopted .....	265
Passed; ayes 50, nays none .....	266
Concurred .....	725
Passed; ayes 44, nays none .....	726
Reported enrolled .....	813
Signed by President .....	813
Sent to Governor .....	813
Signed by Governor .....	832

156 By Anderson. Relating to labeling of containers used in sale of "ice milk" and "imitation ice cream".

Introduced, passed on file .....	164
Referred .....	177

157 By Fishbaugh. Relating to lobbying; providing penalties intended to prevent excessive entertaining and gratuities, contingent fees and certain practices being developed.

Introduced, passed on file .....	164
Referred .....	188

158 By O'Malley. Relating to workmen's compensation act and chiropody; providing payment for medical services rendered by doctors of chiropody to employees.

Introduced, passed on file .....	164
Referred .....	188
Recommended passage .....	517
Amendment filed .....	750

159 By Insurance. Relating to policies of life insurance issued without medical examination and the incontestable period applying thereto.

Introduced, placed on calendar .....	164
Amendments filed .....	243, 271
Amendment adopted .....	266
Amendments adopted .....	287
Passed; ayes 49, nays 1 .....	288
Reported enrolled .....	712
Signed by President .....	712
Sent to Governor .....	713
Signed by Governor .....	730

160 By Insurance. Relating to authority of life insurance companies to write insurance other than life; removing clause regarding writing to insure against explosion of steam boilers.

Introduced, passed on file .....	165
Passed; ayes 48, ayes none .....	235

161 By Watson of O'Brien. Relating to forest reservations; designating certain kinds of

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trees and size of area in order to qualify.		Signed by President .....	1011
Introduced, passed on file .....	182	Sent to Governor .....	1012
Referred .....	189	Signed by Governor .....	1045
Recommended passage .....	328	168 By Lynes, Welchman and Whitehead. Relating to inspection and registration of antifreeze; appropriation to purchase equipment therefor.	
Committee report adopted .....	493	Introduced, passed on file .....	183
Passed; ayes 47, nays 3 .....	493	Referred .....	189
Reported enrolled .....	712	169 By Bateson. Relating to maintenance of veterans' graves; authorizing board of supervisors to care for such areas.	
Signed by President .....	712	Introduced, passed on file .....	183
Sent to Governor .....	713	Referred .....	189
Signed by Governor .....	730	170 By Miller and Elijah. Relating to establishing a system of exemptions from sales tax and use tax of purchases made by tax certifying bodies of state of Iowa; replacing refund system.	
162 By Watson of O'Brien. Relating to school attendance requirement of children; extending age limit to 18 years and measuring educational qualifications as equal to graduate of twelfth grade.		Introduced, passed on file .....	197
Introduced, passed on file .....	182	Referred .....	214
Referred .....	189	Recommended passage .....	430
163 By Printing. Relating to communications in professional confidence; protecting news writers, editors, broadcasters, in giving testimony, from disclosing source of news obtained.		Amendments filed 499-500, 602, 700	708
Introduced, placed on calendar..	182	Committee report adopted .....	708
Returned to printing .....	371	Point of order raised .....	726
164 By Printing. Relating to rules in construction of statutes, defining term "public records and making them open to inspection and examination for reproductions but not affecting those required by statutes to be kept confidential.		H. F. 44 substituted .....	726
Introduced, placed on calendar..	182	171 By Van Eaton, Heideman and O'Malley. Relating to ordinary disability retirement for policemen and firemen, increasing payment to cover disability resulting from exposure or injury in performance of duty.	
Referred .....	428	Introduced, passed on file .....	197
Amendment filed .....	258	Referred .....	214
165 By Printing. Relating to printed matter furnished to members of the General Assembly; reducing number of Official Registers that must be sent to members, from thirty to ten.		172 By Van Eaton, Heideman and O'Malley. Relating to accidental disability benefit and accidental death benefit for policemen and firemen; to include benefits when injury or disease results from exposure or injury in line of duty.	
Introduced, placed on calendar	182	Introduced, passed on file .....	197
Passed; ayes 50, nays none .....	353	Referred .....	214
Reported enrolled .....	712	Amendment filed .....	271
Signed by President .....	712	173 By Zastrow, Bekman, O'Malley and Dalley. Relating to workmen's compensation, injury to minor.	
Sent to Governor .....	713	Introduced, passed on file .....	197
Signed by Governor .....	730	Referred .....	214
166 By Printing. Relating to salary book; eliminating listing of personnel receiving less than six hundred dollars per year, providing for listing of such personnel only in total number and total salary in the department.		174 By Scott. Relating to inspection of meat intended for human food.	
Introduced, placed on calendar..	182	Introduced, passed on file .....	197
Amendments adopted .....	353	Referred .....	214
Passed; ayes 50, nays none .....	354	Amendments filed 319, 518, 713, 714	431
167 By Printing. Relating to duplication of printing by department of agriculture; confining to matters not otherwise available in printed form.		Recommended amendment, passage .....	431
Introduced, placed on calendar..	183	Committee report adopted .....	708
Amendment filed .....	331	Amendment adopted .....	708
Amendment adopted .....	354	Re-referred .....	720
Passed; ayes 50, nays none .....	354	175 By Hedén. Relating to exemption of tax imposed on fuel oil used in any mainte-	
Reported enrolled .....	1011		

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nance and construction work paid from public funds.	
Introduced, passed on file .....	198
Referred .....	214
176 By Hedin. Relating to general powers of cities and towns, permitting city councilmen to be called either councilmen or aldermen.	
Introduced, passed on file .....	198
Referred .....	214
Recommended passage .....	497
Committee report adopted .....	743
H. F. 83 substituted .....	743
177 By Whitehead and Dalley. Relating to nominations by primary election; requiring publication of list of candidates by county auditor.	
Introduced, passed on file .....	198
Referred .....	214
Amendment filed .....	533
178 By Public Utilities. Relating to creation of Iowa Public Service Commission to regulate public utilities, changes in rates.	
Introduced, passed on file .....	198
Amendments filed 301, 302, 373, 374	374
Re-referred .....	718
179 By Watson of Pottawattamie. Relating to lien imposed in favor of state upon all property and rights to property whether real or personal belonging to taxpayer; placing limitation of five years on continuance.	
Introduced, passed on file .....	217
Referred .....	227
Recommended passage .....	344
Committee report adopted .....	527
Passed; ayes 35, nays 14 .....	527
180 By Watson of Pottawattamie. Relative to inheritance tax on property held jointly or as tenants in entirety; providing period of three years as minimum for such joint holding.	
Introduced, passed on file .....	217
Referred .....	227
Recommended passage .....	344
Re-referred .....	530
181 By Motor Vehicles. Relating to motor vehicles, trailers and semi-trailers; issuance and transfer of registrations and certificates of title, recording of liens.	
Introduced, placed on calendar ..	217
Amendment filed .....	374
Amendments adopted .....	382
Passed; ayes 45, nays 1 .....	382
Concurred .....	576
Passed; ayes 47, nays none .....	576
Reported enrolled .....	669
Signed by President .....	669
Sent to Governor .....	669
Signed by Governor .....	698
182 By Bateson and Knudson. Relating to school bus transportation; releasing drivers from requirement of having	

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two permits; requiring only motor vehicle department permit.	
Introduced, passed on file .....	218
Referred .....	227
Recommended passage .....	371
Amendment filed .....	563
Committee report adopted .....	569
Amendment adopted .....	569
Passed; ayes 40, nays 7 .....	569
183 By Van Eaton. Relating to publication of district court dockets; permitting certain counties to publish docket once in newspaper if majority of judges in district so direct.	
Introduced, passed on file ....	332
Referred .....	238
Amendment filed .....	271
Recommended passage .....	430
Committee report adopted .....	632
H. F. 87 substituted .....	686
184 By Hedin. Relating to municipal interstate bridges by adding a new section authorizing enlargement and reconstruction of such bridges, with special reference to construction of a four-lane bridge between Moline and Bettendorf.	
Introduced, passed on file .....	232
Referred .....	238
Recommended passage .....	394
Committee report adopted .....	629
H. F. 232 substituted .....	629
185 By Board of Control. Relating to liability for cost of commitment, support and maintenance of patients in Woodward State Hospital and Glenwood State School.	
Introduced, placed on calendar ..	246
Passed; ayes 50, nays none .....	391
186 By Board of Control. Relating to county's liability for recovery of costs attending arrest, investigation and hearing for a patient ordered to screening center by county commission; personal liability for support of patient; expanding insane support lien.	
Introduced, placed on calendar ..	246
Amendment filed .....	395
Amendments adopted .....	407
Passed; ayes 50, nays none ....	407
187 By Washburn, Fishbaugh. Relating to corporations not for pecuniary profit; providing for rural fire fighting associations to incorporate and acquire and own equipment.	
Introduced, passed on file .....	246
Referred .....	257
Recommended passage .....	344
Committee report adopted .....	528
Passed; ayes 48, nays none .....	528
Reported enrolled .....	712
Signed by President .....	712
Sent to Governor .....	713
Signed by Governor .....	730
188 By Cities and Towns. Relating to municipal water-	

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works in certain cities, validating certain proceedings and ordinances.		Introduced, passed on file	261
Introduced, placed on calendar	247	Referred	290
Passed; ayes 50, nays none	408	Recommended passage	412
Reported enrolled	458	Amendment filed	532
Signed by President	458	Committee report adopted	632
Sent to Governor	458	Amendment adopted	633
Signed by Governor	469	Passed; ayes 45, nays none	633
		Refused to concur	1209
		Conference committee appointed	1226
189 By Prentiss, Sayre, Heidem man and Bellman. Relating to administration of the poor laws; state residence require- ment one year and county six months to acquire legal set- tlement; exempting time spent in county for sole pur- pose of receiving medical treatment.		194 By Dewel. Relating to publishing and posting no- tices in bona fide newspa- pers; definition thereof.	
Introduced, passed on file	247	Introduced, passed on file	261
Referred	257	Referred	290
Recommended passage	393	Recommended passage	372
Amendment filed	640	Committee report adopted	570
Committee report adopted	698	Passed; ayes 48, nays none	570
Amendment withdrawn	598		
Amendment adopted	598	195 By Dewel. Relating to publication of delinquent tax list; providing for publica- tion in at least one newspa- per or divided among two or more newspapers; fixing rate thereof.	
Passed; ayes 27, nays 19	598	Introduced, passed on file	261
		Referred	280
190 By Hedin. Relating to sal- aries of certain city officials; mayor and councilmen; au- thorizing use of term "alder- men" interchangeably with term "councilmen" in cities under special charter.		Recommended passage	372
Introduced, passed on file	247	Committee report adopted	571
Referred	257	Amendment filed	583
Recommended passage	394	Amendment adopted	588
Committee report adopted	630	Passed; ayes 45, nays none	588
Passed; ayes 46, nays none	630	Reported enrolled	813
Concurred	947	Signed by President	813
Passed; ayes 46, nays none	948	Sent to Governor	813
Reported enrolled	991	Signed by Governor	832
Signed by President	991		
Sent to Governor	991	196 By Lynes. Relating to con- solidation and merger of school districts; providing for elections thereon to be held in every school district affected.	
Signed by Governor	1012	Introduced, passed on file	283
		Referred	290
191 By Schools and Education- al Institutions. Relating to general school levy for sup- port of schools; requiring levy of fifteen mills be placed on all taxable real and per- sonal property in each coun- ty whether or not a pupil in district.		197 By Berg. Relating to legal- izing proceedings in issuance of revenue bonds by city of Cedar Falls, to defray cost of municipal sewage treatment plant.	
Introduced, placed on calendar	261	Introduced, passed on file	283
Amendments filed 320, 581-583,	603	Referred	290
Referred	424	Recommended passage	344
Vote reconsidered	443	Proof of publication certified	547
Placed on calendar	443	Committee report adopted	553
Amendments adopted	614, 615	Passed; ayes 46, nays none	553
Amendments withdrawn	614, 615	Reported enrolled	813
Failed; ayes 22, nays 26	615	Signed by President	813
		Sent to Governor	813
192 By Weichman. Relating to zoning in a county; making it applicable to all counties regardless of population but at option of board of super- visors.		Signed by Governor	832
Introduced, passed on file	261		
Referred	290	198 By Prentiss. Relating to fire protection in hotels, repeal- ing several sections of Code, chapter 170.	
		Introduced, passed on file	284
193 By Hart. Relating to size of milk containers; providing capacity of one gallon or lesser amount, filled to bot- tom of lip, and conspicuously marked.		Referred	290
		Recommended passage	431
		Committee report adopted	709
		Re-referred	720
		199 By Conservation. Relating to construction of artificial lakes for which funds have been appropriated; prohib- iting construction thereof un-	

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less and until soil conservation practices are in effect on at least 75 per cent of land in watershed.	
Introduced, placed on calendar .....	284
Passed; ayes 50, nays none .....	473
 200 By Dailey. Relating to injuries to person or property by operator of aircraft or watercraft; requiring report by such owner or operator.	
Introduced, passed on file .....	284
Referred .....	290
Amendments filed .....	396
 201 By Judiciary 1. Relating to expenses of Supreme Court Judges; providing they shall receive same amount for living expenses when away from home, as district judges.	
Introduced, placed on calendar ..	284
Amendment filed .....	459
Passed; ayes 32, nays 13 .....	466
 202 By Stuart of Lucas and Nolan. Relating to speed of school buses; increasing to forty-five miles per hour as permissible rate.	
Introduced, passed on file .....	284
Referred .....	290
 203 By Dailey. Relating to anchoring of navigation craft to railroad bridges and structures; also prohibiting mooring against railroad embankments and structures.	
Introduced, passed on file .....	284
Referred .....	290
Recommended passage .....	393
Amendment filed .....	604
Committee report adopted .....	630
 204 By Dailey. Relating to compensation for jury commissions; providing for increase.	
Introduced, passed on file .....	285
Referred .....	290
Recommended amendment, passage .....	344
Committee report adopted .....	528
Amendment adopted .....	528
Passed; ayes 48, nays none .....	528
 205 By Molison and Anderson. Relating to sale of food containing saccharine, sulfamate, or other approved sweetening products.	
Introduced, passed on file .....	285
Referred .....	290
Recommended passage .....	431
Amendments filed .....	635, 714
Committee report adopted .....	721
Amendments adopted .....	721, 722
Amendment withdrawn .....	722
Passed; ayes 48, nays none .....	722
Reported enrolled .....	1251
Signed by President .....	1251
Sent to Governor .....	1251
Signed by Governor .....	1295

206 By Welchman and Watson of O'Brien. Relating to motor vehicle fuel; limiting to 20 gallons, the amount that can

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be brought into state tax free on busses and trucks in attached fuel tanks.	
Introduced, passed on file .....	285
Referred .....	290
 207 By Anderson. Relating to safeguarding interests and welfare of state by prescribing conditions under which funds, services, equipment provided by agencies of federal government may be accepted for use by public tax-supported school systems under supervision of superintendent of public instruction.	
Introduced, passed on file .....	285
Referred .....	290
 208 By Anderson. Relating to speed of motor vehicles; authorizing state highway commission to establish speed zones on primary roads and extensions in suburban areas, and to change or abolish such speed zones.	
Introduced, passed on file .....	285
Referred .....	290
 209 By Berg. Relating to sewage treatment plants; giving cities and towns authority to enlarge and repair.	
Introduced, passed on file .....	285
Referred .....	290
Amendment filed .....	375
Recommended amendment, passage .....	498
Committee report adopted .....	756
Amendment adopted .....	756
Amendment withdrawn .....	756
Passed; ayes 49, nays none .....	757
 210 By Bekman and Lynes. Relating to risks, standards and liabilities in insurance contracts other than life; reinsurance contracts, alien insurer; licensing required.	
Introduced, passed on file .....	285
Referred .....	290
Amendment filed .....	459
 211 By Lynes, Knudson and Watson of Pottawattamie. Relating to commitment and voluntary admission of neglected children to Iowa Juvenile Home and to the Annie Wittenmyer Home; denying admission of certain children.	
Introduced, passed on file .....	286
Referred .....	290
Recommended passage .....	413
Committee report adopted .....	641
Passed; ayes 45, nays none .....	642
Reported enrolled .....	916
Signed by President .....	916
Sent to Governor .....	917
Signed by Governor .....	917
 212 By Bekman, Berg and Utzig. Relating to disability of minors as applied to loans under which administrator is the creditor; enabling minor to secure benefits of Servicemen's Readjustment Act and	

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receive direct loans from veterans affairs administration.		219 By Insurance. Relating to approval of insurance forms by commissioner of insurance.	
Introduced, passed on file .....	286	Introduced, placed on calendar	304
Referred .....	280	Amendments filed .....	320, 484, 500
Recommended passage .....	532	Amendments withdrawn .....	505
213 By Bekman, Berg and Utzig. Relating to repeal of Code section 672.11; enacting substitute therefor relative to guardianship of incompetent veterans and minor beneficiaries of veterans administration.		Amendment adopted .....	505
Introduced, passed on file .....	286	Passed; ayes 50, nays none .....	505
Referred .....	290	Reported enrolled .....	1251
214 By Bekman, Berg and Utzig. Relating to federal acquisition of real estate within State of Iowa; giving consent of state to acquiring of any real estate therein for military, naval or veterans administration installations.		Signed by President .....	1251
Introduced, passed on file .....	286	Sent to Governor .....	1251
Referred .....	290	Signed by Governor .....	1295
215 By Election Reform. Relating to presidential electors; requiring Governor to notify electors immediately of their election; eliminating United States secretary of state and substituting U. S. government, as recipient of notification of results of choice of electoral messenger and presidential choice following meeting of electors.		220 By Insurance. Relating to accident and sickness insurance policies and riders or endorsements that may be attached; requiring filing thereof and subject to approval of state insurance commission.	
Introduced, placed on calendar	304	Introduced, placed on calendar	304
Passed; ayes 44, nays none .....	467	Passed; ayes 45, nays 1 .....	477
216 By Nelson and Prentiss. Relating to licensing of baby chick hatcheries and set-off stations; to enable inspectors to investigate set-off stations, to tax said stations, to aid toward making the program self-supporting.		Concurred .....	1207
Introduced, passed on file .....	304	Passed; ayes 48, nays none .....	1207
Referred .....	309	Reported enrolled .....	1273
Recommended passage .....	431	Signed by President .....	1273
Committee report adopted .....	722	Sent to Governor .....	1295
Passed; ayes 34, nays 3 .....	723	Signed by Governor .....	1299
217 By Oltman. Relating to indemnity to be paid on certain class of cattle slaughtered in connection with Bang's disease and tuberculosis control programs.		221 By Dalley, Miller, O'Malley and Utzig. Relating to home-stead tax credit extending amount of assessment to three thousand dollars.	
Introduced, passed on file .....	304	Introduced, passed on file .....	311
Referred .....	309	Referred .....	317
Recommended passage .....	431	222 By O'Malley. Relating to opening East Walnut Street through Capitol Extension Grounds.	
Committee report adopted .....	722	Introduced, passed on file .....	311
Passed; ayes 34, nays 3 .....	723	Referred .....	317, 329
218 By Ways and Means. Relating to transfer of funds from the state sinking fund for public deposits to state general fund; a replacement of balance of funds previously advanced.		Recommended passage .....	329
Introduced, placed on calendar	304	Recommended amendment, passage .....	850
Passed; ayes 41, nays none .....	468	Sifting recommends calendar...	866
Reported enrolled .....	578	Amendment filed .....	920
Signed by President .....	578	Committee reports adopted .....	1041
Sent to Governor .....	578	Amendment withdrawn .....	1042
Signed by Governor .....	600	Amendment adopted .....	1042
		Passed; ayes 45, nays none .....	1042
		Concurred .....	1135
		Passed; ayes 44, nays none .....	1135
		Reported enrolled .....	1177
		Signed by President .....	1177
		Sent to Governor .....	1178
		Signed by Governor .....	1196
		223 By O'Malley. Relating to private and general hospitals for the insane, authorizing psychiatric wards in county hospitals.	
		Introduced, passed on file .....	311
		Referred .....	317
		Recommended passage .....	414
		Amendment filed .....	541
		Committee report adopted .....	690
		Amendments adopted .....	690
		Passed; ayes 50, nays none .....	690
		Reported enrolled .....	901
		Signed by President .....	901
		Sent to Governor .....	902
		Signed by Governor .....	917
		224 By Insurance. Relating to violations of the Iowa securities law; providing penalties	

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therefor if intent to evade is found.	
Introduced, placed on calendar..	312
Passed; ayes 39, nays 9 .....	476
<b>225</b> By Byers. Relating to powers of county boards of supervisors in regard to county zoning; extending authority thereto regardless of population of cities; at option of board.	
Introduced, passed on file .....	312
Referred .....	317
Recommended passage .....	345
Amendments filed .....	518, 533
Committee report adopted .....	529
Amendments adopted .....	537, 538
Passed; ayes 32, nays 7 .....	538
<b>226</b> By Hart and Byers. Relating to appointment of members of Iowa liquor control commission; requiring approval of two-thirds members of Senate instead of "majority" as at present.	
Introduced, passed on file .....	312
Referred .....	317
Recommended passage .....	345
Committee report adopted .....	529
Amendment adopted .....	529
Passed; ayes 49, nays none .....	530
Reported enrolled .....	1011
Signed by President .....	1011
Sent to Governor .....	1012
Signed by Governor .....	1045
<b>227</b> By O'Malley. Relating to establishing an Iowa Recreation Board of six members to be appointed by the Governor; ex officio members also shall be superintendent of public instruction and director of conservation commission, or their designated representatives.	
Introduced, passed on file .....	312
Referred .....	317
Recommended amendment, passage .....	713
<b>228</b> By Judiciary 2. Relating to authorization of governing bodies of drainage or levee districts to invest funds.	
Introduced, placed on calendar..	312
Passed; ayes 48, nays none .....	478
Reported enrolled .....	872
Signed by President .....	872
Sent to Governor .....	873
Signed by Governor .....	887
<b>229</b> By Judiciary 2. Relating to appointment of deputy industrial commissioners; providing for appointment of three deputies by the state commissioner, instead of two deputies.	
Introduced, placed on calendar..	312
Passed; ayes 42, nays 5 .....	490
Reported enrolled .....	991
Signed by President .....	991
Sent to Governor .....	991
Signed by Governor .....	1012
<b>230</b> By Banks, Building and Loan. Relating to merger, consolidation and conversion	

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of national and state banks and trust companies; defining various types of banks; establishing procedures.	
Introduced, placed on calendar..	312
Amendment adopted .....	490
Passed; ayes 50, nays none .....	490
Reported correctly enrolled .....	813
Signed by President .....	813
Sent to Governor .....	813
Signed by Governor .....	832
<b>231</b> By Banks, Building and Loan. Relating to shares of building and loan associations; providing issuance in name of one or more persons with provision that on the death of the owner or owners said shares shall be property of person designated by owner as shown by records of association.	
Introduced, placed on calendar	313
Amendment adopted .....	589
Passed; ayes 43, nays 3 .....	589
Reported enrolled .....	901
Signed by President .....	901
Sent to Governor .....	902
Signed by Governor .....	917
<b>232</b> By Bateson. Relating to appointment of guardian for applicant upon applicant's own petition.	
Introduced, passed on file .....	323
Referred .....	329
Recommended passage .....	429
Committee report adopted .....	724
Passed; ayes 39, nays 3 .....	724
<b>233</b> By Stuart of Lucas. Relating to selling of property of persons who have received old age assistance before their deaths; shortening period of redemption by heirs from two years to 90 days; to facilitate procedure by state officers.	
Introduced, passed on file .....	323
Referred .....	329
Recommended passage .....	429
Committee report adopted .....	727
Passed; ayes 46, nays none .....	728
<b>234</b> By Nolan. Relating to use of dead bodies for scientific purposes.	
Introduced, passed on file .....	323
Referred .....	329
Recommended amendment, passage .....	581
Amendments filed .....	583, 832
Committee report adopted .....	830
Amendments adopted .....	830, 1231
Sifting recommends calendar .....	1169
Passed; ayes 50, nays none .....	1231
<b>235</b> By Nolan. Relating to disposal of dead bodies; making specific provisions for consent required for autopsies.	
Introduced, passed on file .....	323
Referred .....	329
Recommended passage .....	333
Amendment filed .....	604
Committee report adopted .....	631
Amendment adopted .....	631
Passed; ayes 43, nays none .....	631
Concurred .....	1261

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Passed; ayes 48, nays none	1261	Referred	346
Vote reconsideration granted	1285	Recommended passage	601
Returned to House	1285	Committee report adopted	822
House messaged to Senate	1291	241 By Bekman and O'Malley.	
Concurred	1291	Relating to standard provisions of fire insurance contracts including farm crops until stored.	
Passed; ayes 39, nays none	1291	Introduced, passed on file	334
Reported enrolled	1296	Referred	346
Signed by President	1296	Recommended passage	413
Sent to Governor	1296	Amendment filed	635
Signed by Governor	1299	Committee report adopted	690
236 By Prentiss, Byers, Lord, Boothby and Lynes. Relating to creation of a division of occupational registration in office of secretary of state; transfer of license issuing, clerical and other administrative duties from certain examining boards to said division.		Amendment adopted	691
Introduced, passed on file	323	Passed; ayes 50, nays none	691
Referred	329	Concurred	1000
Recommended amendment, passage	432	Passed; ayes 48, nays 1	1001
Amendments filed	396, 541-543	Reported enrolled	1045
Committee report adopted	728	Signed by President	1045
Amendment withdrawn	728	Sent to Governor	1098
Amendments adopted	729	Signed by Governor	1116
Failed; ayes 15, nays 27	729	242 By Washburn, Watson of Pottawattamie and Fishbaugh. Relating to levee and drainage districts, authorizing board of supervisors to make repairs and improvements.	
237 By Hart, Whitehead, Schoening and Berg. Relating to making payments of insurance benefits of hospitalization insurance policies to persons insured under such policies and also to hospitals furnishing service.		Introduced, passed on file	334
Introduced, passed on file	324	Referred	346
Referred	329	Recommended passage	532
Recommended passage	532	Sifting recommends calendar	856
Committee report adopted	829	Committee report adopted	862
Passed; ayes 46, nays none	829	Amendment filed	672
238 By Johnson. Relating to powers of cities and towns to receive devises and bequests for use of free libraries; providing also for eligibility as members of board those persons named in such bequests with request they be appointed as members of library board.		Amendment adopted	862
Introduced, passed on file	324	Passed; ayes 47, nays none	862
Referred	329	Reported enrolled	962
Recommended passage	430	Signed by President	962
Committee report adopted	734	Sent to Governor	962
H. F. 305 substituted	734	Signed by Governor	1012
239 By Knudson, Zastrow, O'Malley, Whitehead, Johnson and Watson of O'Brien. Relating to payment by state of Iowa of a portion of cost of construction of sanitary facilities by sanitary district of Clear Lake; appropriation of \$500,000.		243 By Knudson. Relating to actions against motor vehicle carriers for loss or damage to goods and adjustment of claims thereof.	
Introduced, passed on file	324	Introduced, referred to judiciary	334
Referred	329	2	346
Recommended passage	430	Referred	346
Committee report adopted	734	244 By Nolan, Zastrow, Nesmith, Hedin, Stuart of Lucas and Dewel. Relating to authorizing state of Iowa to become indebted in amount of \$300,000,000.00 for construction of primary highways; providing for bond sale.	
H. F. 305 substituted	734	Introduced, passed on file	334
239 By Knudson, Zastrow, O'Malley, Whitehead, Johnson and Watson of O'Brien. Relating to payment by state of Iowa of a portion of cost of construction of sanitary facilities by sanitary district of Clear Lake; appropriation of \$500,000.		Referred	346
Introduced, passed on file	324	Sifting recommends calendar	917
Referred	329	Amendment filed	1065
Returned without recommendation	671	Amendment adopted	1106
240 By Bekman and O'Malley. Relating to cancellation of insurance policies; permitting after initial cash premium on notice to persons.		Passed; ayes 36, nays 13	1106
Introduced, passed on file	334	245 By Myrland. Relating to four-wheel trailers; permitting any utility company to haul a portable pumping unit attached.	
		Introduced, passed on file	335
		Referred	346
		Amendments filed	714, 750
		Recommended passage	713
		Committee report adopted	820
		Amendment withdrawn	820
		Amendment adopted	820
		Passed; ayes 47, nays none	820

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Reported enrolled .....	962
Signed by President .....	962
Sent to Governor .....	962
Signed by Governor .....	1013
 246 By Hart, Byers, Bekman and Dalley. Relating to gov- ernment of cities and towns under commission form of government, authorizing in- crease in salaries of mayor and councilmen.	
Introduced, passed on file .....	335
Referred .....	346
 247 By Insurance. Relating to capital and surplus required for an insurance company or association to do business in state of Iowa.	
Introduced, placed on calendar ..	335
Passed; ayes 46, nays none .....	577
Reported enrolled .....	1273
Signed by President .....	1273
Sent to Governor .....	1295
Signed by Governor .....	1299
 248 By O'Malley. Relating to salaries of physician and vis- iting nurse serving under jurisdiction of juvenile court; increasing physician's salary to one hundred dollars per month and the nurse's salary allowance to two hundred dollars.	
Introduced, passed on file .....	335
Referred .....	346
 249 By Judiciary 1. Relating to offense as misdemeanor or a felony on stolen property, checks, or falsely drawn written order.	
Introduced, placed on calendar ..	335
Amendment filed .....	518
Passed; ayes 46, nays none .....	554
 250 By Whitehead. Relating to management of public utility plants by boards of trustees; permitting management of sewage plants thereby rather than by local governing body.	
Introduced, passed on file .....	335
Referred .....	346
Recommended passage .....	531
 251 By Bekman. Relating to taxation and financial report of fiduciary of income from estates and trusts as applied to non-residents.	
Introduced, passed on file .....	336
Referred .....	346
Recommended passage .....	429
Committee report adopted .....	735
Amendment filed .....	751
 252 By Van Eaton. Relating to liquidation of pension and annuity retirement system of public school teachers; permitting school districts to terminate such system.	
Introduced, passed on file .....	348
Referred .....	372
Amendments filed. .... S. J. 396,	459
Recommended amendment, pas- sage .....	581
Committee report adopted .....	841

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Amendments adopted .....	865
Sifting recommends calendar ..	856
Amendments adopted .....	865
Passed; ayes 40, nays 1 .....	866
Reported enrolled .....	962
Signed by President .....	962
Sent to Governor .....	962
Signed by Governor .....	1012
 253 By Byers. Relating to reg- istration of voters; extending period ten days.	
Introduced, passed on file .....	348
Referred .....	372
 254 By Schoening and Hedin. Relating to power of munic- ipal corporations to allocate funds for purchase and con- struction of branch libraries.	
Introduced, passed on file .....	348
Referred .....	372
Recommended passage .....	498
Committee report adopted .....	808
H. F. 307 substituted .....	808
 255 By Colburn. Relating to reflector requirements on motor vehicles.	
Introduced, passed on file .....	349
Referred .....	372
 256 By Printing. Relating to special or emergency con- tracts for purchase of stock; permitting increase to \$750.	
Introduced, placed on calendar ..	349
Passed; ayes 48, nays none .....	571
 257 By Bateson. Relating to administration of oaths; in- cluding employees of county board of social welfare as- signed to perform certain duties.	
Introduced, passed on file .....	349
Referred .....	372
Recommended passage .....	429
Committee report adopted .....	735
Passed; ayes 47, nays none .....	735
 258 By Agriculture. Relating to feeding garbage to ani- mals; making it unlawful to feed unless heated except feeding garbage from one's own household to one's own animals.	
Introduced, placed on calendar ..	349
Passed; ayes 49, nays none .....	443
Concurred .....	455
Passed; ayes 45, nays none .....	455
Reported enrolled .....	469
Signed by President .....	469
Sent to Governor .....	469
Signed by Governor .....	482
 259 By Oltman. Relating to right of way at intersections; changing wording to "the driver approaching from left shall yield right of way."	
Introduced, passed on file .....	349
Referred .....	372
 260 By O'Malley. Relating to compensation and expenses of commission of insanity; increasing allowance there- for.	

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Introduced, passed on file .....	376	Placed on calendar .....	383
Referred .....	383	Passed; ayes 46, nays none .....	593
Recommended passage .....	562	Reported enrolled .....	962
261 By O'Malley. Relating to definition and licensing of Children's Boarding Homes.		Signed by President .....	962
Introduced, passed on file .....	376	Sent to Governor .....	962
Referred .....	383	Signed by Governor .....	1012
262 By Elijah and Lord. Relat- ing to military service tax exemption; requiring from applicant statement to assess- or of property claimed by him.		268 By Motor Vehicles. Relat- ing to fees for operator's and chauffeur's licenses; permit- ting persons 14 years of age to apply for temporary in- structions permit to drive under limited circumstances until his 16th birthday.	
Introduced, passed on file .....	376	Introduced, passed on file .....	377
Referred .....	383	Placed on calendar .....	383
263 By Motor Vehicles. Relat- ing to restricted licenses is- sued to minors; permitting issuance to any person 14 to 16 years of age to drive dur- ing certain daylight hours, under supervision.		Passed; ayes 44, nays none .....	595
Introduced, passed on file .....	376	Concurred .....	927
Placed on calendar .....	383	Passed; ayes 49, nays none .....	927
Amendment adopted .....	591	Reported enrolled .....	962
Passed; ayes 44, nays none .....	591	Signed by President .....	962
Reported enrolled .....	962	Sent to Governor .....	962
Signed by President .....	962	Signed by Governor .....	1012
Sent to Governor .....	962	269 By Boothby. Relating to legalizing school board pro- ceedings at Cherokee with reference to conveyance of real estate.	
Signed by Governor .....	1012	Introduced, passed on file .....	377
264 By Motor Vehicles. Relat- ing to definition of term "chauffeur"; requiring all drivers of motor vehicles of more than three tons to have chauffeur's license.		Referred .....	383
Introduced, passed on file .....	377	Recommended passage .....	532
Placed on calendar .....	383	Proof of publication certified .....	540
Amendment filed .....	604	Committee report adopted .....	758
Amendment withdrawn .....	626	Passed; ayes 49, nays none .....	758
Amendment adopted .....	626	Reported enrolled .....	1011
Passed; ayes 44, nays none .....	626	Signed by President .....	1011
Concurred .....	1214	Sent to Governor .....	1012
Passed; ayes 46, nays none .....	1214	Signed by Governor .....	1045
Reported enrolled .....	1251	270 By Watson of Pottawatta- mie. Relating to county and district fairs in county over 50,000 population where there are two separate coun- ty extension offices and two agricultural societies; pro- viding that both societies may receive \$2,000.00 each.	
Signed by President .....	1251	Introduced, passed on file .....	377
Sent to Governor .....	1251	Referred .....	383
Signed by Governor .....	1295	Amendment filed .....	519
265 By Motor Vehicles. Relat- ing to registration of motor vehicles; payment of fee in installments, issuance of cer- tificate.		Sifting recommends calendar .....	1098
Introduced, passed on file .....	377	Amendment adopted .....	1158
Placed on calendar .....	383	Passed; ayes 50, nays none .....	1158
Referred .....	592	271 By Watson of Pottawatta- mie. Relating to salary of municipal judges regardless of number of judges in the municipal court.	
266 By Motor Vehicles. Relat- ing to penalty of operating a motor vehicle while under suspension.		Introduced, passed on file .....	378
Introduced, passed on file .....	377	Referred .....	383
Placed on calendar .....	383	Recommended passage .....	699
Passed; ayes 44, nays none .....	592	Sifting recommends calendar .....	1046
Reported enrolled .....	962	Committee report adopted .....	1064
Signed by President .....	962	Passed; ayes 38, nays none .....	1064
Sent to Governor .....	962	Concurred .....	1269
Signed by Governor .....	1012	Passed; ayes 49, nays none .....	1269
267 By Motor Vehicles. Relat- ing to motor vehicle financial responsibility; report of acci- dent, liability policy on sure- ty bond, notification to com- missioner.		Reported enrolled .....	1295
Introduced, passed on file .....	377	Signed by President .....	1295
		Sent to Governor .....	1295
		Signed by Governor .....	1299
		272 By Watson of Pottawatta- mie. Relating to obscenity and indecency; requiring five to ten years imprisonment as sentence unless shown to be mentally deficient in which	

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case defendant shall be confined in a state mental institute.	
Introduced, passed on file .....	378
Referred .....	383
273 By Dalley. Relating to fees of municipal courts; providing all costs and expenses be computed at one-half those in the law applicable to district court.	
Introduced, passed on file .....	385
Referred .....	395
274 By Oltman. Relating to cancellation of insurance policies; requiring an insurance company to state reason therefor in event of cancellation of automobile liability policy.	
Introduced, passed on file .....	385
Referred .....	395
275 By Van Eaton. Relating to enlargement of municipal airports and issuance of airport bonds; requiring sixty per cent favorable vote by electors if cost to exceed \$250,000.	
Introduced, passed on file .....	385
Referred .....	395
Recommended passage .....	558
Amendment filed .....	714
276 By Bateson. Relating to preferred labor claims; repealing limitation on amount to each person.	
Introduced, passed on file .....	385
Referred .....	395
Recommended passage .....	532
277 By Bateson. Relating to giving recorder a certified copy of an abstract; providing that if so recorded shall have same force and effect as original abstract.	
Introduced, passed on file .....	385
Referred .....	395
278 By Utzig. Relating to benefits being denied in cases of disputes where lockouts occur or employees are discharged pending negotiation for settlement in labor disputes.	
Introduced, passed on file .....	386
Referred .....	395
279 By Byers. Relating to hearings to determine question of sanity of persons committed to state hospital for insane.	
Introduced, passed on file .....	386
Referred .....	395
280 By O'Malley and Whitehead. Relating to semi-monthly payment of wages by railway corporations.	
Introduced, passed on file .....	386
Referred .....	395
281 By O'Malley. Relating to registration and examination	

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of sanitarians employed full-time in state and local departments of public health.	
Introduced, passed on file .....	386
Referred .....	395
282 By Fishbaugh and Miller. Relating to strip mining of coal; providing regulations requiring permits, fees, rehabilitation of land.	
Introduced, passed on file .....	386
Referred .....	395
Returned without recommendation .....	429
Committee report adopted .....	736
Amendments filed .....	751
283 By Watson of Pottawattamie. Relating to city bridges, viaducts, underpasses, grade crossing separations and approaches; financing cost thereof including damages arising, by issuance of bonds and levy of taxes to pay bonds.	
Introduced, passed on file .....	386
Referred .....	395
284 By Military Affairs. Relating to payment of unemployment compensation; preserving benefit rights to members of armed forces.	
Introduced, passed on file .....	386
Referred .....	395
Recommended passage .....	517
Amendments filed .....	563, 584
Committee report adopted .....	831
H. F. 337 substituted .....	831
285 By Oltman. Relating to fees for renewal of licenses for practice of dentistry.	
Introduced, passed on file .....	387
Referred .....	395
286 By Nolan, Lord and Hedin. Relating to use of vending machines in sale of cigarettes, providing for licensing of such machines and penalty for illegal operation thereof.	
Introduced, passed on file .....	398
Referred .....	414
287 By Nolan, Nesmith, O'Malley and Lucas. Relating to paid vacations of state employees, including state highway maintenance employees.	
Introduced, passed on file .....	398
Referred .....	414
Recommended passage .....	699
288 By Judiciary 1. Relating to drive-in theaters, fixing standards therefor, providing for board of supervisors to issue permits for building of such theaters.	
Introduced, passed on file .....	399
Placed on calendar .....	414
Amendment filed .....	604
Amendments adopted .....	695
Passed; ayes 47, nays none .....	695
289 By Judiciary 1. Relating to penalty for third and all subsequent offenses of operating	

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a motor vehicle while intoxicated.		Committee report adopted .....	818
Introduced, passed on file .....	399	H. F. 348 substituted .....	818
Placed on calendar .....	414	297 By Dewel. Relating to field and retriever meets; repealing references to permits authorizing killing of 80 per cent of birds released.	
Amendment filed .....	604	Introduced, passed on file .....	400
Amendment adopted .....	691	Referred .....	414
Passed; ayes 49, nays none .....	692	Recommended passage .....	844
290 By Clark, Zastrow, Anderson, Johnson, Bekman, Utzig, Whitehead, Dewel, Lucas and Dailey. Relating to alternative method of taxation of stocks of merchandise of merchants, imposing excise tax on net sales.		298 By Bateson. Relating to residence of district judges, requiring residence of one year in place of sixty days prior to election or appointment.	
Introduced, passed on file .....	399	Introduced, passed on file .....	400
Referred .....	414	Referred .....	414
291 By Dailey. Relating to descent and distribution, providing that aliens may inherit to same extent that citizens of United States may inherit in such foreign country.		Recommended passage .....	532
Introduced, passed on file .....	399	Amendment filed .....	584
Referred .....	414		
292 By Judiciary 1. Relating to certain property in Lyon's addition in Des Moines; authorizing executive council to sell at public or private sale.			
Introduced, passed on file .....	399		
Referred .....	414		
Recommended passage .....	579		
Passed; ayes 49, nays none .....	809		
293 By Judiciary 1. Relating to payment of expenses incurred under Uniform Criminal Extradition Act.			
Introduced, passed on file .....	399		
Placed on calendar .....	414		
Passed; ayes 50, nays none .....	692		
294 By Byers. Relating to senatorial districts; providing for re-grouping four districts.			
Introduced, passed on file .....	400		
Referred .....	414		
Returned without recommendation .....	750		
Committee report adopted .....	840		
Amendment adopted .....	840		
Passed; ayes 33, nays 1 .....	841		
Reported enrolled .....	1011		
Signed by President .....	1011		
Sent to Governor .....	1012		
Signed by Governor .....	1045		
295 By Watson of O'Brien. Relating to discontinuance of city or town corporation, making same applicable to other municipal corporations.			
Introduced, passed on file .....	400		
Referred .....	414		
296 By Watson of O'Brien. Relating to establishment of Iowa Great Lakes Sanitary District in Dickinson County; legalizing procedure.			
Introduced, passed on file .....	400		
Proof of publication certified ..	482		
Referred .....	414		
Recommended passage .....	532		
Amendment filed .....	584		

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Uniform Individual Accident and Sickness Act, excluding certain associations.	
Introduced, passed on file	401
Referred	415
<b>306</b> By Conservation. Relating to speed of boats.	
Introduced, passed on file	402
Placed on calendar	415
Amendment filed	636
Amendment adopted	693
Passed; ayes 50, nays none	693
Reported enrolled	991
Signed by President	991
Sent to Governor	991
Signed by Governor	1012
<b>307</b> By Insurance. Relating to compensation of insurance examiners; providing increase thereof.	
Introduced, passed on file	402
Placed on calendar	415
Amendment filed	543
Amendment adopted	694
Passed; ayes 49, nays none	694
<b>308</b> By Hedln. Relating to the Annie Wittenmyer Home; authorizing executive council to sell certain land to enable city of Davenport to establish an alley nearby.	
Introduced, passed on file	402
Referred	415
Recommended passage	469
Committee report adopted	737
Passed; ayes 47, nays none	737
Reported enrolled	901
Signed by President	901
Sent to Governor	902
Signed by Governor	917
<b>309</b> By Hedln, Welchman, Dykhous, Bekman, Risk and Watson of Pottawattamie. Relating to qualification and licensing of real estate brokers and salesmen; to protect public interests from dishonest dealings.	
Introduced, passed on file	402
Referred	415
Sifting recommends calendar	917
Passed; ayes 39, nays none	1055
<b>310</b> By Highways. Relating to control of vehicles in school districts; providing marking of low speed areas.	
Introduced, passed on file	402
Placed on calendar	415
Amendment filed	636
Amendment adopted	695
Passed; ayes 50, nays none	696
Reported enrolled	1273
Signed by President	1273
Sent to Governor	1295
Signed by Governor.	
<b>311</b> By Highways. Relating to the standing and parking of vehicles or other objects on highways.	
Introduced, passed on file	402
Placed on calendar	415
Amendments adopted	704, 720
Failed; ayes 21, nays 24	704
Motion filed to reconsider vote	712

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Vote reconsidered	720
Passed; ayes 34, nays 14	720
Explanation of vote	721
<b>312</b> By Lynes. Relating to the transfer of the bureau of criminal investigation and identification, as it now exists, to the attorney general.	
Introduced, passed on file	403
Referred	415
<b>313</b> By Board of Control. Relating to vacation with pay for officers and employees of institutions under board of control; repealing section; continuing authority in executive officers to designate times and extent of vacations.	
Introduced, passed on file	416
Placed on calendar	432
Passed; ayes 47, nays none	736
Reported enrolled	901
Signed by President	901
Sent to Governor	902
Signed by Governor	917
<b>314</b> By Watson of O'Brien and Nolan. Relating to controlled-access facilities for motor vehicles; providing for planning, establishment, regulation thereof; restriction of intersections and control of approaches.	
Introduced, passed on file	417
Referred	432
<b>315</b> By Colburn, Scott and Walter. Relating to unemployment compensation; fixing amount of benefits to be paid to unemployed seasonal employees; repealing all acts in so far inconsistent herewith.	
Introduced, passed on file	417
Referred	432
<b>316</b> By Lucas. Relating to requirements for registration as a professional engineer and as a land surveyor.	
Introduced, passed on file	417
Referred	432
<b>317</b> By Watson of Pottawattamie. Relating to financing of costs of damages by reason of construction of overhead crossings or underpasses.	
Introduced, passed on file	417
Referred	432
<b>318</b> By O'Malley and Utzig. Relating to acquisition, erection, purchase or remodeling of municipal buildings; authorizing city council to prescribe rules for such buildings to be used for other than municipal purposes.	
Introduced, passed on file	417
Referred	432
Recommended passage	670
<b>319</b> By O'Malley, Nesmith and Mollson. Relating to establishment and operation of an educational television broad-	

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casting system; creation of educational television council for State of Iowa; appropriations therefor.		Introduced, passed on file .....	419
Introduced, passed on file .....	418	Referred .....	432
Referred .....	432	Recommended passage .....	700
320 By Byers. Relating to arbitrations so as to provide for administering oaths to witnesses.		Committee report adopted .....	836
Introduced, passed on file .....	418	Passed; ayes 37, nays none .....	836
Referred .....	432	Concurred .....	972
Recommended passage .....	634	Passed; ayes 50, nays none .....	972
Sifting recommends calendar .....	856	Reported enrolled .....	1011
Committee report adopted .....	880	Signed by President .....	1011
Amendment adopted .....	880	Sent to Governor .....	1012
Passed; ayes 46, nays none .....	880	Signed by Governor .....	1045
Reported enrolled .....	991	327 By Watson of Pottawattamie. Relating to drainage or levee districts under management of trustees.	
Signed by President .....	991	Introduced, passed on file .....	419
Sent to Governor .....	991	Referred .....	432
Signed by Governor .....	1012	Recommended passage .....	634
321 By Watson of Pottawattamie and Byers. Relating to pipe lines; granting authority to commerce commission to supervise underground storage of gas.		Committee report adopted .....	828
Introduced, passed on file .....	418	Passed; ayes 46, nays none .....	828
Referred .....	432	328 By Private Corporations. Relating to domestic non-profit corporations; requiring same, with certain exceptions, to file annual reports.	
Recommended passage .....	531	Introduced, passed on file .....	419
Committee report adopted .....	821	Placed on calendar .....	432
Passed; ayes 47, nays none .....	821	Amendments filed 500, 731, 752, 753	
Reported enrolled .....	916	329 By Dalley. Relating to fees under Iowa liquor control act; providing that thirty cents of each dollar paid for permit shall be remitted to school of medicine of State University of Iowa for medical and research programs.	
Signed by President .....	916	Introduced, passed on file .....	419
Sent to Governor .....	917	Referred .....	432
Signed by Governor .....	917	330 By Nolan. Relating to method of voting in creation of new consolidated school corporation; permitting voters in each district to decide whether or not they want to be included in new corporation.	
322 By Stuart of Lucas and Nolan. Relating to compensation of county attorneys in counties having certain populations; providing for increase thereof.		Introduced, passed on file .....	419
Introduced, passed on file .....	418	Referred .....	432
Referred .....	432	331 By O'Malley. Relating to powers of boards of trustees of sanitary districts; authorizing tax levy for administration, operation, maintenance costs and payment of interest and principal on bonds.	
Recommended passage .....	699	Introduced, passed on file .....	435
323 By Clark, Byers, Hart and Van Eaton. Relating to mobile homes and mobile home parks; prescribing standards, fees, regulations, enforcement procedure.		Referred .....	483
Introduced, passed on file .....	418	Amendment filed .....	814
Referred .....	432	332 By O'Malley. Relating to increase in allowable weekly unemployment benefit amount.	
Recommended amendment, passage .....	699	Introduced, passed on file .....	436
324 By Colburn. Relating to compensation for inspectors in eradication of bovine tuberculosis.		Referred .....	483
Introduced, passed on file .....	418	333 By O'Malley. Relating to reduction of sentence for good behaviour; providing further reduction to prisoners taking part in medical research.	
Referred .....	432	Introduced, passed on file .....	436
Recommended amendment, passage .....	699	Referred .....	483
325 By Vest. Relating to form of publication of the Acts of the General Assembly; providing reprint of amended section in entirety as amended.		Recommended passage .....	559
Introduced, passed on file .....	419		
Referred .....	432		
326 By Vest. Relating to tax levied for repair, furnishing and care of township buildings.			

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334 By Judiciary 1. Relating to free distribution of the Code and Acts of each General Assembly; stating assignments thereof.	
Introduced, passed on file .....	436
Amendments filed .....	470, 605
Referred .....	483
Recommended passage .....	579
Sifting recommends calendar ..	356
Committee report adopted .....	361
Amendments adopted .....	361
Passed; ayes 47, nays none .....	361
Reported enrolled .....	1273
Signed by President .....	1273
Sent to Governor .....	1295
Signed by Governor .....	1295
335 By Judiciary 1. Relating to collection of county hospital accounts for services for which payment is authorized; empowering employment of legal counsel.	
Introduced, passed on file .....	436
Placed on calendar .....	483
Amendment adopted .....	738
Passed; ayes 46, nays none .....	739
Concurred .....	1228
Passed; ayes 50, nays none .....	1228
Reported enrolled .....	1273
Signed by President .....	1273
Sent to Governor .....	1295
Signed by Governor .....	1295
336 By Judiciary 1. Relating to regulation and supervision of corporations for pecuniary profit; providing method of publication of amendments to articles of incorporation.	
Introduced, passed on file .....	436
Placed on calendar .....	483
Passed; ayes 46, nays none .....	739
337 By Judiciary 1. Relating to rules, regulations, findings and orders made by state fire marshal and appeals therefrom.	
Introduced, passed on file .....	436
Placed on calendar .....	483
Passed; ayes 42, nays none .....	741
338 By Judiciary 1. Relating to \$2,000 increase in salaries of judges of district court.	
Introduced, passed on file .....	437
Amendment filed .....	484
Referred .....	483
Amendment filed .....	500
Recommended amendment, passage .....	562
339 By Schoening. Relating to additional compensation of county auditor and county treasurer in counties of over 25,000 population having a special charter city where taxes are recorded and collected in a certain way.	
Introduced, referred to compensation of public officers .....	437
Referred .....	483
340 By Knudson and Berg. Relating to state aid to county and private hospitals for insane; providing same aid to patients transferred thereto	

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from Glenwood State School and Woodward State Hospital.	
Introduced, passed on file .....	437
Referred .....	483
Recommended passage .....	792
341 By Knudson. Relating to teachers pension and annuity retirement system; providing any independent school district which has established such a system and which system terminated January 1, 1953, may establish another such system without ratification by vote of people.	
Introduced, passed on file .....	437
Referred .....	483
Recommended passage .....	813
342 By Dailey. Relating to special reduction of sentence for prisoners participating voluntarily in medical or scientific experiments under direction of school of medicine at State University of Iowa.	
Introduced, passed on file .....	437
Referred .....	483
343 By Dykhouse, Nolan and Watson of Pottawattamie. Relating to use and disposal of dead animals.	
Introduced, passed on file .....	437
Referred .....	483
344 By Colburn. Relating to practice of veterinary medicine; authorizing injunctive restraint against one practicing without a license.	
Introduced, passed on file .....	488
Referred .....	483
345 By Vest. Relating to equitable apportionment of federal estate tax among all persons benefiting from inheritance.	
Introduced, passed on file .....	438
Referred .....	483
Amendment filed .....	753
Recommended passage .....	771
346 By Mines and Mining. Relating to mines other than coal mines; to provide greater safety in such mines; conform to same safety laws as for coal mines and avoid federal government assuming full control over safety of mines; extending authority of state inspectors.	
Introduced, passed on file .....	488
Placed on calendar .....	483
Amendments filed .....	519, 605
H. F. 368 substituted .....	796
347 By Mines and Mining. Relating to cooperation with United States Bureau of Mines and state government in promoting safety in coal mines; authorizing state mine inspector with regard thereto.	
Introduced, passed on file .....	438

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Placed on calendar .....	483	ing to method of computing school tuition rates so as to cover actual costs.	
H. F. 388 substituted .....	742	Introduced, passed on file .....	440
348 By O'Malley. Relating to discrimination in public and private employment on grounds of race, creed, color; to create commission on job discrimination.		Referred .....	483
Introduced, passed on file .....	438	Recommended passage .....	634
Referred .....	483	Committee report adopted .....	837
349 By O'Malley. Relating to tax levies for improvement and maintenance of county hospitals in counties with population exceeding 135,000; adding provision for levy for care of patients including persons afflicted with tuberculosis.		H. F. 458 substituted .....	837
Introduced, passed on file .....	439	356 By Lucas. Relating to cream grading; requiring cream be not over four days old to classify as "sweet" or "first grade"; and if over seven days old, it classes as "unlawful".	
Referred .....	483	Introduced, passed on file .....	440
350 By Dailey, Byers, O'Malley, Nesmith, Schoening, Oltman, Whitehead, Beckman and Watson of Pottawattamie. Relating to union security agreements and contracts between employers and labor unions; providing for deduction of labor organization dues and fees from wages by employers to be paid to organizations of employees or labor unions.		Referred .....	483
Introduced, passed on file .....	439	357 By Nesmith, Watson of Pottawattamie, O'Malley, Dailey, Dewel, Utzig, Nolan, Myrland, Anderson, Washburn, Mollson, Miller, Grimstead, Oltman and Clark. Relating to outdoor recreational facilities of Iowa; providing for improvement thereof under direction of state conservation commission; appropriation therefor.	
Referred .....	483	Introduced, passed on file .....	440
Motion filed to withdraw from sifting .....	1065	Referred .....	484
351 By Fishbaugh. Relating to rights of persons denied licenses to engage in or conduct professions, trades or businesses regulated under police power of state.		358 By Dailey and Heideman. Relating to off-street parking areas; deeming them to include street widening projects in business districts.	
Introduced, passed on file .....	439	Introduced, passed on file .....	440
Referred .....	483	Referred .....	484
Recommended passage .....	559	359 By Boothby and Watson of Pottawattamie. Relating to sale of personal property or services under prearranged funeral plans; requiring proceeds be held in trust for purposes intended under certain conditions.	
352 By Lord. Relating to motor vehicle fuel tax refunds; extending privilege of reimbursement to city bus companies.		Introduced, passed on file .....	440
Introduced, passed on file .....	439	Referred .....	484
Referred .....	483	Recommended passage .....	699
353 By Fishbaugh. Relating to deducting all taxes in amount deductible when listing moneys and credits for taxation.		Committee report adopted .....	838
Introduced, passed on file .....	439	360 By Watson of O'Brien. Relating to establishing an Iowa butter commission; providing additional inspection and levy of an excise tax.	
Referred .....	483	Introduced, passed on file .....	440
354 By Watson of Pottawattamie. Relating to powers of boards of directors of school districts; requiring them to furnish transportation and other facilities which under existing law are permissible but not mandatory.		Referred .....	484
Introduced, passed on file .....	439	361 By Watson of O'Brien, Lynes, Walter and Mollson. Relating to control and destruction of weeds; listing additional plants, repealing certain statutes relating thereto.	
Referred .....	483	Introduced, passed on file .....	440
355 By Mollson, Bateson, Miller, Elijah and Lynes. Relat-		Referred .....	484
		362 By Dailey. Relating to civil service commission; requiring submission to city council of budget for year of	

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all expenses including salaries.	
Introduced, passed on file	441
Referred	484
<b>363 By Dalley. Relating to budget for civil service commission; exempting city council from formulating it.</b>	
Introduced, passed on file	441
Referred	484
<b>364 By Dalley. Relating to attorneys for civil service under cities and towns; permitting civil service commission to hire an attorney other than city attorney.</b>	
Introduced, passed on file	441
Referred	484
<b>365 By Dalley. Relating to civil service salaries; giving stated salaries to members of civil service commissions, based on population of city or town.</b>	
Introduced, passed on file	441
Referred	484
Recommended passage	582
<b>366 By Lynes and Risk. Relating to fees for hearings; doubling existing rate.</b>	
Introduced, passed on file	441
Referred	484
Recommended passage	652
Sifting recommends calendar	858
Committee report adopted	863
Passed; ayes 47, nays none	863
Concurred	999
Passed; ayes 47, nays none	1000
Reported enrolled	1045
Signed by President	1045
Sent to Governor	1098
Signed by Governor	1116
<b>367 By Watson of Pottawattamie. Relating to railway and highway crossings at grade; providing a method of determining all controversial matters.</b>	
Introduced, passed on file	441
Referred	484
Recommended passage	771
Sifting recommends calendar	856
Rules suspended	864
Committee report adopted	864
H. F. 150 substituted	864
<b>368 By Claims. Relating to an appropriation to certain named persons in settlement of claims against the State of Iowa.</b>	
Introduced, passed on file	462
Referred	484
Returned without recommendation	559
Committee report adopted	650
Passed; ayes 46, nays none	650
Reported enrolled	1141
Signed by President	1141
Sent to Governor	1142
Signed by Governor	1178

**369 By Claims. Relating to appropriations to members of the Legislative Advisory Committee, State Office Build-**

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ing, in settlement of all claims.	
Introduced, passed on file	462
Referred	484
Returned without recommendation	559
Committee report adopted	651
Amendment adopted	651
Passed; ayes 47, nays none	651
Reported enrolled	1141
Signed by President	1141
Sent to Governor	1142
Signed by Governor	1178
<b>370 By Military Affairs. Relating to assignment of space in buildings on capitol grounds for military and veterans organizations; changing present quarters of the Grand Army of the Republic, and of the United Spanish War Veterans.</b>	
Introduced, passed on file	462
Placed on calendar	484
Amendment filed	636
<b>371 By Public Lands and Buildings. Relating to erecting and equipping a warehouse for storage of liquors kept by Iowa liquor control commission; authorizing executive council and legislative advisory committee to designate location therefor.</b>	
Introduced, passed on file	472
Referred	484
Recommended passage	560
Amendments filed	636, 653
Committee report adopted	659
Amendment adopted	661
Passed; ayes 44, nays 6	661
Explanations of vote	661
Concurred	725
Passed; ayes 36, nays 5	725
Reported enrolled	749
Signed by President	749
Sent to Governor	750
Signed by Governor	770
Senate committee appointed	1273
<b>372 By Military Affairs. Relating to bonus payment to World War II applicants who have filed between January 1, 1951, and June 30, 1953; authorizing payment therefrom from funds heretofore appropriated.</b>	
Introduced, passed on file	473
Referred	484
Recommended passage	560
Committee report adopted	662
Passed; ayes 50, nays none	662
Reported enrolled	1011
Signed by President	1011
Sent to Governor	1012
Signed by Governor	1045
<b>373 By Judiciary 1. Relating to allowance of writs of habeas corpus.</b>	
Introduced, placed on calendar	486
Sifting recommends calendar	1046
Passed; ayes 38, nays none	1063
<b>374 By Judiciary 1. Relating to salaries of municipal court judges; providing an increase of \$500.</b>	

**374 By Judiciary 1. Relating to salaries of municipal court judges; providing an increase of \$500.**

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Introduced, passed on file .....	486	Reported enrolled .....	730
Referred .....	498	Signed by President .....	730
Recommended passage .....	700	Sent to Governor .....	730
		Signed by Governor .....	750
375 By Banks, Building and Loan. Relating to instru- ments payable to bearer; en- larging definition by includ- ing those payable to ficti- tious persons where em- ployee or other agent has knowledge of fiction; de- signed to be in accord with action of number of other states.		382 By Judiciary 1. Relating to definition of village as ap- plied under sanitary district law.	
Introduced, passed on file .....	486	Introduced, placed on calendar	566
Referred .....	498	383 By Judiciary 1. Relating to allowance of attorney fees in actions to enforce payment of delinquent alimony or support money.	
Recommended passage .....	601	Introduced, placed on calendar	607
376 By Board of Control. Relat- ing to construction, re- pair and improvements by board of control, of proper- ties under their direction; increasing their authority over expenditures.		384 By Agriculture. Relating to exemption of stocks of honey of previous year from taxation.	
Introduced, placed on calendar	487	Introduced, passed on file .....	608
377 By Printing. Relating to establishment of centralized printing department under control of state printing board; bestowing upon said board powers to effectuate such establishment.		Referred .....	652
Introduced, placed on calendar	502	385 By Judiciary 2. Relating to Senate approval of mem- bers appointed to board of parole; requiring approval of two-thirds of members of Senate.	
Amendments filed .....	700, 753, 833	Introduced, placed on calendar	608
Amendments adopted .....	848	Sifting recommends calendar ..	856
Passed; ayes 43, nays none .....	849	Passed; ayes 45, nays none .....	879
Concurred .....	970	Reported enrolled .....	1011
Passed; ayes 50, nays none .....	971	Signed by President .....	1011
Reported enrolled .....	1011	Sent to Governor .....	1012
Signed by President .....	1011	Signed by Governor .....	1045
Sent to Governor .....	1012	386 By Judiciary 2. Relating to hospital treatment of for- mer inmates of the Iowa state penitentiary, men's re- formatory and women's re- formatory, while on parole.	
Signed by Governor .....	1045	Introduced, placed on calendar	640
378 By Printing. Relating to publication of annual reports of insurance companies; pro- viding for increase in publi- cation fees.		387 By Judiciary 2. Relating to recommendations by board of parole for pardon; making it permissible not manda- tory, and permitting recom- mendation a any time for those against whom detain- ers were fled.	
Introduced, placed on calendar	521	Introduced, placed on calendar	640
379 By Highways. Relating to suitable method of financing primary road construction; providing for increase of one cent per gallon in gas tax for period of three years.		Sifting recommends calendar ..	856
Introduced, placed on calendar	521	Passed; ayes 38, nays none .....	914
Amendments filed .....	533, 543, 544, 563, 856, 857, 991, 1273-1275	388 By Motor Vehicles. Relat- ing to maximum legal weights of any axles or groups of axles, on entire vehicles or combinations thereof.	
Sifting recommends calendar ..	917	Introduced, placed on calendar	640
Re-referred .....	1288	Amendments adopted .....	828, 1092
380 By Judiciary 1. Relating to legalizing expenditure of funds made by Audubon County Memorial Hospital.		Passed; ayes 44, nays none .....	828
Introduced, placed on calendar	566	Motion filed to defer action .....	991
H. F. 432 substituted .....	758	Amendments filed .....	1016, 1017, 1047
381 By Judiciary 1. Relating to legalizing actions of board of supervisors of Kossuth County in allocating sums to courthouse building fund.		Amendment withdrawn .....	1094
Introduced, placed on calendar	565	Concurred .....	1094
Passed; ayes 49, nays none .....	616	Passed; ayes 28, nays 12 .....	1094
Proof of publication certified ..	634	Reported enrolled .....	1141
		Signed by President .....	1141
		Sent to Governor .....	1142
		Signed by Governor .....	1179
		389 By Cities and Towns. Re- lating to ordinances of mu- nicipal corporations; provid- ing ordinances of city of	

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less than 150,000 population may be in form of bound or loose leaf municipal code in lieu of newspaper publication; also, providing for publishing in a newspaper once each week for two weeks any proposal by city to adopt municipal code.	
Introduced, placed on calendar	682
Amendment filed	714
Made special order	719
H. F. 251 substituted	777
390 By Cities and Towns. Relating to authorization and issuance of bonds or other evidence of indebtedness by cities and towns; giving people right to petition for election.	
Introduced, placed on calendar	682
Made special order	719
H. F. 442 substituted	778
391 By Cities and Towns. Relating to authorizing issuance of bonds by cities and towns to defray cost of equipping fire and police departments.	
Introduced, placed on calendar	682
Made special order	719
H. F. 443 substituted	778
392 By Cities and Towns. Relating to authorizing issuance of bonds by cities and towns to defray cost of acquiring and improving land for cemetery purposes.	
Introduced, placed on calendar	682
Made special order	719
H. F. 444 substituted	779
393 By Cities and Towns. Relating to liberty memorial providing correlation of various laws.	
bonds; retirement of, and	
Introduced, placed on calendar	682
Made special order	719
H. F. 445 substituted	780
394 By Cities and Towns. Relating to issuance of municipal bonds; permitting issuance for certain purposes previously covered by tax anticipation type securities.	
Introduced, placed on calendar	683
Made special order	719
H. F. 446 substituted	781
395 By Cities and Towns. Relating to city bridges, viaducts, underpasses, grade crossing separations; financing cost thereof by issuance of bonds and levy of taxes.	
Introduced, placed on calendar	683
Made special order	719
H. F. 447 substituted	782
396 By Cities and Towns. Relating to issuance of bonds, levying of taxes by municipalities to finance cost of establishment, improvement of municipal airports.	

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Introduced, placed on calendar	683
Amendment filed	714
Made special order	719
H. F. 448 substituted	788
397 By Cities and Towns. Relating to municipal parking lots; providing for issuance of bonds, levy of taxes to finance cost thereof.	
Introduced, placed on calendar	683
Made special order	719
Sifting recommends calendar	856
Passed; ayes 45, nays none	879
Amendment filed	962
Amendment adopted	999
Concurred	999
Passed; ayes 45, nays none	999
Reported enrolled	1093
Signed by President	1098
Sent to Governor	1116
Signed by Governor	1178
398 By Cities and Towns. Relating to issuance of bonds and levy of taxes by municipalities to finance cost of acquisition and improvement of city and town parks.	
Introduced, placed on calendar	684
Made special order	719
H. F. 450 substituted	783
399 By Cities and Towns. Relating to issuance of municipal bonds for dock purposes.	
Introduced, placed on calendar	684
Made special order	719
H. F. 451 substituted	784
400 By Cities and Towns. Relating to taxation and other sources of municipal revenue; numerous amendments for purpose of clarification.	
Introduced, placed on calendar	684
Made special order	719
H. F. 452 substituted	785
401 By Cities and Towns. Relating to municipal corporations; making all laws pertaining thereto, applicable in general to commission form of governments or council-manager form of government.	
Introduced, placed on calendar	684
Made special order	719
H. F. 453 substituted	786
402 By Cities and Towns. Relating to local budgets of cities and towns; providing for amendment of budget estimates and permitting unexpended cash balance at end of fiscal year to be available for expenditure.	
Introduced, placed on calendar	684
Made special order	719
Committee report adopted	797
H. F. 459 substituted	797
403 By Cities and Towns. Relating to self-liquidating improvements of cities and towns and sanitary sewer districts.	

S. F.	Page	S. F.	Page
Introduced, placed on calendar	685	Passed; ayes 45, nays 3	803
Made special order	719	Amendment adopted	878
H. F. 460 substituted	798	Senate concurred	878
404 By Cities and Towns. Relating to issuance of bonds for sewers, sewer outlets and purifying plants.		Passed; ayes 42, nays 1	878
Introduced, placed on calendar	685	Reported enrolled	916
Made special order	719	Signed by President	916
H. F. 461 substituted	798	Sent to Governor	917
405 By Cities and Towns. Relating to special assessment of public improvements in municipal corporations; serving and publication of notices.		Signed by Governor	917
Introduced, placed on calendar	685	412 By Judiciary 1. Relating to Audubon County Memorial Hospital; authorizing transfer of moneys thereto from Audubon County emergency fund.	
Made special order	719	Introduced, placed on calendar	686
H. F. 462 substituted	799	H. F. 431 substituted	803
406 By Cities and Towns. Relating to council-manager form of municipal government by popular election.		413 By Judiciary 2. Relating to term and time of election of Judge of Superior Court; repealing Code section enacting substitute therefor.	
Introduced, placed on calendar	685	Introduced, placed on calendar	686
Made special order	719	Passed; ayes 48, nays none	821
H. F. 463 substituted	805	Reported enrolled	1251
407 By Cities and Towns. Relating to use of funds received by municipal corporations from road use tax fund; clarifying Code.		Signed by President	1251
Introduced, placed on calendar	685	Sent to Governor	1251
Made special order	719	Signed by Governor	1295
H. F. 464 substituted	800	414 By Compensation of Public Officers and Employees. Relating to increase in salaries of certain elective state officers.	
408 By Cities and Towns. Relating to street improvements, sewers and special assessments; making applicable to all cities; increasing amount required for one payment.		Introduced, placed on calendar	703
Introduced, placed on calendar	685	415 By Ways and Means. Relating to state board of education; authorizing them to pay tuition for public school students residing on state owned land.	
Made special order	719	Introduced, placed on calendar	703
H. F. 465 substituted	801	Amendment filed	887
409 By Cities and Towns. Relating to appointment of a mayor pro tempore in cities and towns; providing for selection of temporary chairman by council.		416 By Ways and Means. Relating to increase in tax imposed on sale of cigarettes.	
Introduced, placed on calendar	685	Introduced, placed on calendar	703
Made special order	719	417 By Governmental Affairs. Relating to repairs, rebuilding or restoration of state buildings or property; limiting authority of executive council in expenditures therefor.	
H. F. 466 substituted	802	Introduced, placed on calendar	716
410 By Cities and Towns. Relating to government of cities and towns under commission form of government; permitting council to fix salaries of certain officers and employees by resolution rather than by ordinance.		Passed; ayes 37, nays none	837
Introduced, placed on calendar	686	Reported enrolled	1011
Made special order	719	Signed by President	1011
H. F. 467 substituted	802	Sent to Governor	1012
411 By Cities and Towns. Relating to use of revenue from parking meters; permitting larger percentage to be used for off-street parking facilities.		Signed by Governor	1043
Introduced, placed on calendar	686	418 By Judiciary 1. Relating to disposing of unclaimed property; repealing certain sections of Code.	
Made special order	719	Introduced, placed on calendar	716
Amendment filed	792	419 By Schools and Educational Institutions. Relating to school district reorganization and boundary changes; repealing certain sections, amending and revising.	
		Introduced, placed on calendar	733
		Sifting recommends calendar	866
		H. F. 229 substituted	943
		420 By Judiciary 2. Relating to legalizing proceedings of	

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town council of Mapleton, in providing extensions and improvements to its municipal electric light and power plant.	
Introduced, passed on file .....	755
Proof of publication certified ..	843
Passed; ayes 44, nays none .....	848
Concurred .....	970
Passed; ayes 50, nays none .....	970
Reported enrolled .....	1011
Signed by President .....	1011
Sent to Governor .....	1012
Signed by Governor .....	1045
421 By Judiciary 1. Relating to purposes for which school corporations may become indebted; including additional purposes.	
Introduced, placed on calendar	794
422 By Claims. Relating to appropriations to certain named persons in settlement of claims made against state of Iowa.	
Introduced, referred .....	794, 1164
Returned, without recommendation .....	851, 1164
Sifting recommends calendar ..	1169
Committee reports adopted .....	1172
Passed; ayes 50, nays none .....	1172
Reported enrolled .....	1251
Signed by President .....	1251
Sent to Governor .....	1251
Signed by Governor .....	1295
423 By Claims. Relating to appropriations to certain named persons in settlement of claims for refunds on motor vehicle licenses.	
Introduced, referred .....	794, 1164
Returned without recommendation .....	851, 1164
Sifting recommends calendar ..	1169
Committee reports adopted .....	1173
Passed; ayes 49, nays none .....	1173
Reported enrolled .....	1273
Signed by President .....	1273
Sent to Governor .....	1295
Signed by Governor .....	1295
424 By Ways and Means. Relating to amount of millage credit to be allowed for homestead tax credit, reducing amount allowed five mills.	
Introduced, placed on calendar	817
425 By Ways and Means. Relating to exemption of use tax on transactions which the state may not tax under federal law or under provisions of state constitution of Iowa.	
Introduced, placed on calendar	817
426 By Conservation. Relating to permitting conservation commission to provide uniforms and other equipment for their officers use while on duty.	
Introduced, placed on calendar	846
427 By Conservation. Relating to compensation of state con-	

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servation officers; providing increase thereof.	
Introduced, placed on calendar	846
Sifting recommends calendar ..	1098
Passed; ayes 45, nays 2 .....	1160
Concurred .....	1232
Passed; ayes 47, nays none .....	1232
Reported enrolled .....	1296
Signed by President .....	1296
Sent to Governor .....	1296
Signed by Governor .....	1299
428 By Ways and Means. Relating to two per cent tax levied on gross receipts derived from operation of forms of amusement devices and commercial enterprises; including bowling alleys, heretofore exempted.	
Introduced, referred to sifting	855
429 By Manufacturing, Commerce and Trade. Relating to gift enterprises; providing remedy for violation of section 563.16, Code 1950.	
Introduced, referred .....	859
Amendment filed .....	887
Sifting recommends calendar ..	1169
Amendment adopted .....	1232
Passed; ayes 33, nays 7 .....	1232
430 By Ways and Means. Relating to city transit systems; providing method by which cities may own and operate same.	
Introduced, referred to sifting	875
431 By Highways. Relating to maximum gross weights for highway vehicles.	
Introduced, referred to sifting ..	876
432 By Appropriations. Relating to appropriations to state board of education for specified construction projects; medical research center at State University of Iowa; veterinary diagnostic laboratory at Iowa State College; and superintendent's new home at Iowa Braille and Sight-Saving School.	
Introduced, placed on calendar.	906
Amendment filed .....	992
Amendment adopted .....	1008
Passed; ayes 50, nays none .....	1008
Concurred .....	1210
Passed; ayes 48, nays none .....	1210
Reported enrolled .....	1251
Signed by President .....	1251
Sent to Governor .....	1251
Signed by Governor .....	1296
433 By Appropriations. Relating to appropriation to state board of education for various specified remodeling and repairing projects, including construction of cattle barns and laboratories at Iowa State College.	
Introduced, placed on calendar.	906
Amendment filed .....	993
Amendments adopted .....	1009
Passed; ayes 50, nays none .....	1009
Concurred .....	1211
Passed; ayes 49, nays none .....	1212
Reported enrolled .....	1251

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Signed by President .....	1251	Sent to Governor .....	1196
Sent to Governor .....	1251	Signed by Governor .....	1218
Signed by Governor .....	1296		
<b>434 By Highways. Relating to creation of a special committee to study feasibility, financing, operation of toll roads in Iowa; authorizing issuance of bonds; appropriation therefor and creation of Iowa toll road authority.</b>		<b>440 By Claims. Relating to appropriation to James Shaver to settle claim for injury sustained while an inmate at Fort Madison penitentiary.</b>	
Introduced, referred to sifting.	906	Introduced, referred .....	924
Referred .....	1046	Returned without recommendation .....	1014
Sifting recommends calendar ..	1046	Committee report adopted .....	1035
Recommended passage .....	1098	Amendments adopted .....	1035
Amendment filed .....	1100	Passed; ayes 48, nays none .....	1035
Committee report adopted .....	1107	Reported enrolled .....	1251
Amendments adopted .....	1108	Signed by President .....	1251
Passed; ayes 48, nays none .....	1108	Sent to Governor .....	1251
		Signed by Governor .....	1273
<b>435 By Judiciary 1. Relating to legalizing issuance of fire equipment bonds by city of Burlington.</b>		<b>441 By Claims. Relating to appropriation to Armand Company in full settlement of claim on account of real estate lease covering land and building at 124 Des Moines Street, Des Moines, Iowa.</b>	
Introduced, referred to sifting.	923	Introduced, referred .....	924
Proof of publication certified....	961	Returned without recommendation .....	1014
		Committee report adopted .....	1035
<b>436 By Judiciary 1. Relating to legalizing issuance of "Bridge Revenue Bonds" by city of Burlington.</b>		Passed; ayes 47, nays none .....	1036
Introduced, referred to sifting.	923	Reported enrolled .....	1196
Proof of publication certified..	961	Signed by President .....	1196
		Sent to Governor .....	1196
		Signed by Governor .....	1218
<b>437 By Claims. Relating to claims of certain named persons; directing conservation commission administration fund be used for payment thereof.</b>		<b>442 By Judiciary 2. Relating to legalizing issuance of sewer bonds by city of Creston.</b>	
Introduced, referred .....	923	Introduced, referred .....	924
Returned without recommendation .....	1013	Proof of publication certified..	1045
Committee report adopted .....	1032	Sifting recommends calendar ..	1046
Passed; ayes 48, nays none .....	1032	Passed; ayes 38, nays none .....	1061
Returned to House .....	1146	Concurred .....	1151
Concurred .....	1185	Passed; ayes 50, nays none .....	1152
Passed; ayes 44, nays none .....	1185	Reported enrolled .....	1177
Reported enrolled .....	1251	Signed by President .....	1177
Signed by President .....	1251	Sent to Governor .....	1178
Sent to Governor .....	1251	Signed by Governor .....	1196
Signed by Governor .....	1273		
<b>438 By Claims. Relating to appropriations to legislators, et al., members of the public utilities study committee.</b>		<b>443 By Claims. Relating to appropriations to certain named firms and individual persons in settlement of claims thereby.</b>	
Introduced, referred .....	924	Introduced, referred .....	967
Amendment filed .....	963	Returned without recommendation .....	1014
Returned without recommendation .....	1013	Committee report adopted .....	1036
Committee report adopted .....	1033	Passed; ayes 48, nays none .....	1036
Amendments adopted .....	1033	Reported enrolled .....	1196
Passed; ayes 45, nays none .....	1033	Signed by President .....	1196
Reported enrolled .....	1196	Sent to Governor .....	1196
Signed by President .....	1196	Signed by Governor .....	1218
Sent to Governor .....	1196		
Signed by Governor .....	1218	<b>444 By Claims. Relating to appropriations to certain named persons or firms in settlement of claims.</b>	
<b>439 By Claims. Relating to appropriations to legislators, et al., members of the toll road study committee.</b>		Introduced, referred .....	967
Introduced, referred .....	924	Returned without recommendation .....	1014
Amendment filed .....	963	Committee report adopted .....	1037
Returned without recommendation .....	1013	Amendment adopted .....	1037
Committee report adopted .....	1034	Passed; ayes 48, nays none .....	1037
Amendment adopted .....	1034	Reported enrolled .....	1251
Passed; ayes 46, nays none .....	1034	Signed by President .....	1251
Reported enrolled .....	1196	Sent to Governor .....	1251
Signed by President .....	1196	Signed by Governor .....	1273
		<b>445 By Claims. Relating to appropriations to certain named persons or firms in</b>	

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settlement of damage claims on highways.	
Introduced, referred	967
Returned without recommendation	1014
Amendments filed	1017, 1100
Committee report adopted	1127
Passed; ayes 44, nays none	1128
Reported enrolled	1251
Signed by President	1251
Sent to Governor	1251
Signed by Governor	1278
 446 By Claims. Relating to school tuition of pupils residing in tax free housing units; directing payment thereof to Iowa City school and Ames public schools out of appropriations made to University of Iowa, and Iowa State College; amending chapter 262, Code 1950, relating to state board of education.	
Introduced, referred	967
Returned without recommendation	1015
Amendment adopted	1038
Passed; ayes 48, nays none	1038
Refused to concur	1185
Reported enrolled	1251
Signed by President	1251
Sent to Governor	1251
Signed by Governor	1296
 447 By Judiciary 1. Relating to issuance of a patent from state of Iowa to John Blair, purchaser of certain land in township 71, Des Moines County, purchased in 1848; replacing patent if issued or not issued.	
Introduced, referred	996
Sifting recommends calendar	1046
Passed; ayes 38, nays none	1062
Reported enrolled	1251
Signed by President	1251
Sent to Governor	1251
Signed by Governor	1273
 448 By Appropriations. Relating to biennium appropriation to board of education for support, maintenance, replacements, alterations or equipment of institutions under said board.	
Introduced, placed on calendar	1091

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Amendments filed	1117
H. F. 515 substituted	1174
 449 By Judiciary 2. Relating to legalizing appointments of certain public officials by Governor which have been confirmed by Senate.	
Introduced, referred	1104
Sifting recommends calendar	1169
Passed; ayes 47, nays none	1231
Reported enrolled	1295
Signed by President	1295
Sent to Governor	1295
Signed by Governor	1299
 450 By Military Affairs. Relating to military service tax exemption; granting \$500 tax exemption to veterans of Korean action.	
Introduced, passed on file	1104
 451 By Appropriations. Relating to funds to augment Iowa old age and survivors insurance liquidation fund created by H. F. 139; appropriation of \$15,000,000.00.	
Introduced, placed on calendar	1119
Amendment adopted	1272
Passed; ayes 43, nays 3	1272
 452 By Appropriations. Relating to appropriation from general fund of state to state conservation commission for emergency work, and certain other construction work.	
Introduced, passed on file	1146
Amendments adopted	1171
Passed; ayes 47, nays 1	1172
Amendment filed	1218
Amendments adopted	1229, 1230
Passed; ayes 47, nays none	1239
Reported enrolled	1295
Signed by President	1295
Sent to Governor	1295
Signed by Governor	1299
 453 By Appropriations. Relating to creation of a special committee to study feasibility, construction, financing, operation of toll roads in Iowa; appropriation for expenses of study \$50,000.	
Introduced, placed on calendar	1253
Rules suspended	1253
Passed; ayes 46, nays none	1254

# RECORD OF HOUSE BILLS IN SENATE

## HOUSE JOINT RESOLUTIONS AND HOUSE FILES PASSED AND APPROVED—150

H. J. R. 3, 18.

H. F.

2, 3, 5, 8, 10, 14, 17, 18, 23, 26, 27, 28, 30, 31, 35, 41,  
42, 43, 44, 45, 46, 47, 50, 55, 57, 60, 63, 65, 71, 78, 83, 87,  
90, 91, 101, 117, 120, 130, 138, 139, 140, 149, 150, 156, 157, 159, 161, 162,  
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479, 480, 483, 485, 486, 487, 494, 495, 496, 497, 498, 499, 500, 501, 502, 504,  
505, 506, 507, 508, 509, 510, 511, 513, 514, 515, 516, 517, 518.

Passed both Houses, vetoed by Governor—H. F. 123, H. F. 328.

## RECORD OF EACH HOUSE BILL IN SENATE

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<p>3 By Lisle. Relating to co-operation with City of Clarinda in operation of sewage system and sewage disposal plant; to serve both Mental Health Institute at Clarinda, and City of Clarinda; authorizing board of control of state institutions to act.</p> <p>Received, passed on file ..... 153</p> <p>Referred ..... 155</p> <p>Recommended amendment, passage ..... 291</p> <p>Committee report adopted ..... 474</p> <p>Amendment adopted ..... 474</p> <p>Passed; ayes 50, nays none ..... 474</p> <p>Reported enrolled ..... 531</p> <p>Signed by President ..... 531</p> <p>Signed by Governor.</p>		<p>Klemesrud, Miller, Bass, Steers, Lauer, Putney, Nelson of Woodbury, Paul, Nelson of Jasper, Thompson, Robinson, Moore, Frommelt, Beck, Kudsk, Mensing, Gallup, Ramseyer, Darrington, Hadden, Huisman, Weston, Hinchliffe, Van Zwol, Bloedel, Buck, Whitney, McWhorter, Sersland, Carlson, Ryan, Eckels, Hoover, Wilson, Smith, Scheerer, Novak, Oppedahl, Kerr, Cornick, Harris, Burrows, Burtch, Soeth, Edgington, Jones, Turner of Mills, Christiansen, Shafr, Brown of Keokuk, Henry, Oberman, Nicholson, Hoth, Lucken, Weiss, Sherod, Morris, Patrick, Sar, Peterson, Stephenson, Brown of Mahaska, Armstrong, Walter, Ludwig, Cooksey, Volgtmann, Hanson, Ballhagen, Goode, Frey, Pedrick, Pim, Peters, Hawkins. Relating to increase in gross profit markup on distilled spirits and wine.</p> <p>Received, passed on file ..... 305</p> <p>Referred to judiciary 1 ..... 309</p>	
<p>4 By Brownlie. Relating to adoption of the delicious apple tree, a native tree of Iowa, originating at Winterset, Iowa; adoption as the official tree of State of Iowa.</p> <p>Received, passed on file ..... 404</p> <p>Referred to agriculture ..... 415</p>		<p>12 By Stephens, Parker, Gallup, Kosek and Bass. Relating to representation in the senate and house of representatives and to the classification of senators.</p> <p>Received, passed on file ..... 763</p> <p>Referred to election reform .... 770</p>	
<p>10 By Hanson, Patrick, Schwengel, Kuester, Pendleton, Meyer, Van Zwol, Buck, Mensing, Lucken, Smith, Morris, Bass, Weston, Walter, Ringgenberg, Burrows, Hendrix, Falvey, Soeth and Mallonee. Relating to session of the General Assembly; proposing amendment to Constitution of State of Iowa authorizing annual sessions thereof.</p> <p>Received, passed on file ..... 698</p> <p>Referred to governmental affairs ..... 698</p>		<p>18 By Judiciary 2. Relating to offer for quit claim deed to land known as Fort Des Molnes, Iowa.</p> <p>Received, referred ..... 982</p> <p>Sifting recommends calendar...1046</p> <p>Passed; ayes 33, nays 1 .....1060</p> <p>Reported enrolled .....1098</p> <p>Signed by President .....1098</p> <p>Signed by Governor.</p>	
<p>11 By Tate, McNeal, Abel, Pendleton, Mallonee, Schwengel, McFarlane, Kuester, Walker, Butler, Strawman,</p>			

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2 By McFarlane. Relating to arrangement of names of candidates on election ballots.	
Received, passed on file .....	108
Referred .....	109
Amendment filed .....	194
Recommended passage .....	214
Committee report adopted .....	360
Passed; ayes 50, nays none .....	360
Reported enrolled .....	412
Signed by President .....	412
Signed by Governor.	
3 By McFarlane. Relating to changing boundaries of school districts, enlarging school districts, applicable to all types of school districts.	
Received, passed on file .....	160
Referred .....	161
Recommended amendment, passage .....	257
Committee report adopted .....	359
Amendment adopted .....	359
Passed; ayes 50, nays none .....	359
Reported enrolled .....	412
Signed by President .....	412
Signed by Governor.	
4 By McFarlane and Miller. Relating to limitation of grand jurors from a civil township; removing existing limitation in counties of more than 100,000 population.	
Received, referred to sifting ..	1222
5 By McFarlane. Relating to election procedure in cities nominating candidates for municipal office by nonparty political organizations and by petition; clarifying original intent, making it clear no election required.	
Received, passed on file .....	167
Referred .....	177
Recommended passage .....	372
Committee report adopted .....	571
Amendment adopted .....	627
Passed; ayes 45, nays none .....	627
Reported enrolled .....	698
Signed by President .....	698
Signed by Governor.	
7 By Miller. Relating to disposition of worn out or obsolete property of school districts and of real estate; providing school boards may sell without vote of electors of district.	
Received, referred to schools and educational institutions ....	790
8 By Miller. Relating to designation of certain employees of school district to account for all school funds not handled by district treasurer; requiring said employees to give bond to school corporation.	
Received, passed on file .....	249
Referred .....	257
Recommended passage .....	412
Committee report adopted .....	704
Passed; ayes 47, nays none .....	704
Reported enrolled .....	749
Signed by President .....	749
Signed by Governor.	

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9 By Miller. Relating to increase in limitation on cost of repairs to school buildings.	
Received, passed on file .....	152
Referred to schools and educational institutions .....	155
Amendment filed .....	731
10 By Pendleton, Abel, Tate and McNeal. Relating to an additional tax on motor vehicle fuel; providing for distribution of same.	
Received, referred .....	1170
Amendments filed .....	1197, 1218
Sifting recommended calendar ..	1283
Amendment adopted .....	1287
Passed; ayes 39, nays 8 .....	1288
Reported enrolled .....	1296
Signed by President .....	1296
Signed by Governor.	
14 By Schroeder and Schwengel. Relating to use of traps or trot lines in the Mississippi and Missouri Rivers; establishing certain limitations on places.	
Received, passed on file .....	167
Referred .....	177
Recommended passage .....	270
Committee report adopted .....	449
Passed; ayes 48, nays none .....	449
Reported enrolled .....	469
Signed by President .....	469
Signed by Governor.	
17 By Kosek. Relating to pension retirement benefits for policemen and firemen; granting protection while participating in road block activities, highway patrol, etc., outside their cities.	
Received, passed on file .....	160
Referred .....	161
Recommended passage .....	239
Substituted for S. F. 49 .....	264
Passed; ayes 49, nays none .....	264
Reported enrolled .....	289
Signed by President .....	289
Signed by Governor.	
18 By Kosek, McFarlane and Schwengel. Relating to qualifications for membership in fraternal beneficiary societies, increasing limits without requiring medical examination.	
Received, passed on file .....	160
Referred .....	161
Recommended passage .....	298
Committee report adopted .....	467
Passed; ayes 45, nays none .....	467
Reported enrolled .....	531
Signed by President .....	531
Signed by Governor.	
23 By Schwengel, Schroeder, Tate, Putney, Miller, Shaif, Parker, Nelson of Woodbury and McNeal. Relating to establishing a board of public instruction; empowered to appoint state superintendent of public instruction and assistant superintendent; abol-	

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lishing existing board of vocational education and board of educational examiners.		licensing of bicycles.	
Received, passed on file	358	Received, passed on file	117
Referred	373	Referred	119
Recommended amendment, passage	579-581	Recommended passage	239
Amendments filed	605, 887, 921	Committee report adopted	364
Sifting recommends calendar	866	Passed; ayes 50, nays none	364
Committee report adopted	929	Reported enrolled	412
Amendments withdrawn	932, 934	Signed by President	412
Amendments adopted	933, 934	Signed by Governor.	
Passed; ayes 31, nays 19	937	35 By Parker and Ryan. Relating to sale of certain part of "Capital Extension Grounds" by executive council to Central Lutheran church of Des Moines.	
Explanation of vote	937	Received, passed on file	262
Reported enrolled	1098	Referred	290
Signed by President	1098	Recommended passage	218
Signed by Governor.		Committee report adopted	491
26 By Ringgenberg, Brownlie, Soeth, Brockmeyer, Ludwig, Schroeder and Scheerer. Relating to records of commitment of indigent persons to the University Hospital; providing complaint papers may be destroyed after five years.		Passed; ayes 50, nays none	491
Received, passed on file	664	Reported enrolled	531
Referred	669	Signed by President	531
Sifting recommends calendar	917	Signed by Governor.	
Passed; ayes 39, nays none	1053	39 By Hendrix, Bass, Lauer, Kuester, Voigtmann, Bersland and Sar. Relating to reciprocal exemptions from inheritance tax upon passing of property to organizations incorporated for religious, educational or charitable purposes.	
Reported enrolled	1116	Received, passed on file	167
Signed by President	1116	41 By Lisle. Relating to cities and towns located near state controlled institutions; empowering agreements on operation of sewage systems and disposal plants.	
Signed by Governor.		Received, passed on file	152
27 By Abel, Pendleton, McNeal, Hoth, Tate, Bloedel, Ballhagen and Fedrick. Relating to licensing of auctions held outside cities and towns; or within those not providing for licensing thereof.		Referred	156, 176
Received, passed on file	763	Recommended passage	292
Substituted for S. F. 78	768	Committee report adopted	475
Passed; ayes 40, nays 2	763	Passed; ayes 50, nays none	475
Reported enrolled	832	Reported enrolled	531
Signed by President	832	Signed by President	531
Signed by Governor.		Signed by Governor.	
28 By Pendleton. Relating to motor vehicle financial responsibility in case of loans or liens.		42 By McFarlane. Relating to lien on real estate of judgments of district court of this state, and circuit and district courts of the United States; clarifying time as to when lien accrues and when decision is rendered.	
Received, referred	899	Received, passed on file	152
Sifting recommends calendar	917	Referred	155
Amendment adopted	1097	Amendment filed	302
Passed; ayes 45, nays 1	1097	Recommended passage	319
Reported enrolled	1141	Substituted for S. F. 23	339
Signed by President	1141	Committee report adopted	339
Signed by Governor.		Amendment adopted	339
30 By Goode and McFarlane. Relating to membership on budget and financial control committee; basing minority percentage on 20 per cent of total membership in either house.		Passed; ayes 49, nays none	339
Received, passed on file	108	Reported enrolled	380
Referred	109	Signed by President	381
Recommended passage	144	Signed by Governor.	
Amendments filed	180, 195	43 By McFarlane. Relating to recording the proof of publication of notice of dissolution of a corporation with secretary of state and with county recorder in county where certificate of incorporation is on file.	
Committee report adopted	204	Received, passed on file	549
Amendments adopted	204	Referred	558
Passed; ayes 48, nays 1	204	Recommended amendment, passage	601
Explanation of vote	205		
Reported enrolled	237		
Signed by President	237		
Signed by Governor.			
31 By Miller and McFarlane. Relating to registration and			

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Committee report adopted	826
Amendments adopted	827
Passed; ayes 48, nays none	827
Reported enrolled	901
Signed by President	901
Vote reconsidered	911
Concurred	911
Passed; ayes 45, nays none	911
Reported enrolled	937
Signed by President	937
Signed by Governor.	
<b>44</b> By Nelson of Woodbury.	
Relating to exemption from payment of sales and use tax, by tax certifying bodies.	
Received, passed on file	539
Referred	540
Amendments filed	605, 844
Recommended passage	700
Points of order raised	726, 769
Substituted for S. F. 170	726
Committee report adopted	727
Sifting recommends calendar	866
Amendment adopted	1043
Passed; ayes 36, nays 4	1044
Reported enrolled	1141
Signed by President	1141
Signed by Governor.	
<b>45</b> By Tate. Relating to Board of Supervisors of Cerro Gordo county, authorizing them to accept legal title to new site for use of county fair and to permit transfer of buildings to new site purchased by North Iowa Fair Association.	
Received, passed on file	153
Referred	155
Recommended passage	213
Committee report adopted	360
Passed; ayes 50, nays none	360
Reported enrolled	412
Signed by President	412
Signed by Governor.	
<b>46</b> By Morris. Relating to management of public utility plants by boards of trustees; permitting management of sewage disposal plants thereby rather than by local governing body.	
Received, passed on file	550
Sifting recommends calendar	856
Passed; ayes 46, nays none	880
Reported enrolled	901
Signed by President	901
Signed by Governor.	
<b>47</b> By Goode. Relating to rental of books and instructional aids to pupils of various school districts; authorizing county boards of education.	
Received, passed on file	127
Referred	128
Recommended passage	214
Committee report adopted	361
Passed; ayes 50, nays none	861
Reported enrolled	412
Signed by President	412
Signed by Governor.	
<b>50</b> By Schroeder and Schwenkel. Relating to granting of pipe line easement in Scott county, through land used by Annie Wittenmyer Home, to	

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Iowa-Illinois Gas and Electric Company.	
Received, passed on file	160
Substituted for S. F. 50	173
Passed; ayes 49, nays none	174
Reported enrolled	213
Signed by President	213
Signed by Governor.	
<b>55</b> By Voigtmann, Walker, Walter, Frey, Patrick, Judd and Hanson. Relating to increase in compensation of sheriffs for feeding prisoners.	
Received, passed on file	187
Referred	189
Recommended passage	240
Committee report adopted	389
Passed; ayes 50, nays none	389
Reported enrolled	412
Signed by President	412
Signed by Governor.	
<b>57</b> By Nelson of Woodbury, Ryan, Parker and Carlson. Relating to group insurance in certain cities, giving benefits thereof to certain cities of lesser population than now permitted.	
Received, passed on file	167
Referred	177
Recommended passage	413
Committee report adopted	705
Passed; ayes 45, nays none	705
Reported enrolled	749
Signed by President	749
Signed by Governor.	
<b>60</b> By Lucken. Relating to fees of clerk of district court, authorizing fixing of fee on real as well as personal property.	
Received, passed on file	226
Referred	227
Recommended passage	318
Committee report adopted	492
Passed; ayes 47, nays 2	492
Reported enrolled	531
Signed by President	531
Signed by Governor.	
<b>62</b> By Soeth, Lisle, Tate, Walter and Turner of Mills. Relating to speed restrictions on public highways; 60 miles per hour during daytime and 50 miles at night.	
Received, referred	723
<b>63</b> By Gallup, Walter and Weston. Relating to moving of heavy machinery on highways; including permission to move agricultural machinery.	
Received, passed on file	187
Referred	189
Recommended passage	413
Committee report adopted	705
Passed; ayes 49, nays 1	719
Reported enrolled	749
Signed by President	749
Signed by Governor.	
<b>64</b> By Pendleton, Peters, Schroeder, Thompson, Tate, Nelson of Woodbury, Abel and Novak. Relating to at-	

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torney fees in compensation cases.		Substituted for S. F. 59.	362
Received, passed on file	187	Passed; ayes 34, nays 7	362
Referred	189	Reported enrolled	412
Recommended amendment, passage	345	Signed by President	412
Committee report adopted	577	Signed by Governor.	
Amendments adopted	577		
Failed to pass; ayes 21, nays 27	578	83 By Schroeder and Schwen- gel. Relating to general pow- ers of cities and towns, per- mitting city councilmen to be called either councilmen or aldermen.	
Motion filed to reconsider vote.	599	Received, passed on file	550
		Substituted for S. F. 176	743
65 By Nelson of Woodbury and Lucken. Relating to court witnesses, increasing witness fees and mileage fees.		Passed; ayes 43, nays none	743
Received, passed on file	153	Reported enrolled	769
Referred to judiciary 1	155	Signed by President	769
Recommended passage	189	Signed by Governor.	
Committee report adopted	355		
Amendment filed	320-321	87 By Nelson of Woodbury. Relating to publication of district court dockets, per- mitting certain counties to publish docket in newspapers if majority of judges so direct.	
Amendment adopted	355	Received, passed on file	550
Passed; ayes 50, nays none	355	Referred	558
Reported enrolled	412	Recommended passage	670
Signed by President	412	Substituted for S.F. 183.	686
Signed by Governor.		Committee report adopted	687
		Amendment filed	672
69 By Kerr, Turner of Mills and Hanson. Relating to in- creases in compensation of township trustees and clerks.		Amendment adopted	687
Received, passed on file	263	Amendment withdrawn	687
Referred	290	Passed; ayes 50, nays none	687
Recommended passage	563	Reported enrolled	769
		Signed by President	769
71 By Eckels. Relating to benefited water districts; per- mitting board of supervisors to convey all rights to city or town located therein.		Signed by Governor.	
Received, passed on file	167		
Referred	177	90 By Stevens, Voigtmann and Klemesrud. Relating to re- tail sales tax permits; col- lection of sales tax from sell- ers without permanent place of business.	
Recommended passage	394	Received	931
Committee report adopted	631	Sifting recommends calendar	1169
Amendment filed	653	Passed; ayes 48, nays none	1236
Amendment adopted	655	Reported enrolled	1273
Passed; ayes 47, nays 1	655	Signed by President	1273
Reported enrolled	749	Signed by Governor.	
Signed by President	749		
Signed by Governor.		91 By Ways and Means. Re- lating to income tax, provid- ing for deductions from com- puted tax; making permanent the present rates and exemp- tions.	
		Received, passed on file	117
72 By Ryan, McFarlane, Schwengel, Nelson of Wood- bury, Judd, Miller, Schroeder, Nelson of Jasper, Parker, Beck, Armstrong, Oberman and Reilly. Relating to com- pensation of police matrons; authorizing minimum salary not less than in case of pol- icemen.		Amendment filed	119
Received, referred to sifting	885	Referred	119
		Returned without recommen- dation	414
73 By Schwengel, Nelson of Jasper, Novak and Kosek. Relating to sick leave for school employees, giving school boards right to grant more time than heretofore.		Committee report adopted	706
Received, passed on file	305	Sifting recommends calendar	1098
Referred	309	Passed; ayes 44, nays 5	1233
Returned without recommen- dation	497	Reported enrolled	1273
Amendments filed	636, 772	Signed by President	1273
		Signed by Governor.	
		101 By Robinson. Relating to increase in compensation of petit jurors.	
78 By Schroeder, Novak, Schwengel and Pendleton. Relating to fees charged by justice of the peace; author- izing increase thereof.		Received, passed on file	326
Received, passed on file	233	Referred	327
		Recommended passage	318
		Committee report adopted	492
		Passed; ayes 50, nays none	492
		Reported enrolled	531
		Signed by President	531
		Signed by Governor.	

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102 By Judd, Schwengel, McFarlane and Miller. Relating to accidental disability benefit and accidental death benefit for policemen and firemen; to include benefits when injury or disease results from exposure or injury in line of duty.	
Received, referred to sifting ..	926
Amendment filed .....	1275
112 By Pendleton, Ryan, Schwengel, Parker, Schroeder and Nelson of Woodbury. Relating to attorney fees paid from county treasury in criminal cases.	
Received, referred to sifting ..	899
117 By Judd, Peters, Frey, Armstrong and Frommelt. Relating to ordinary disability retirement for policemen and firemen, increasing payment to cover disability resulting from exposure or injury in performance of duty.	
Received, referred .....	931
Sifting recommends calendar ..	1098
Passed; ayes 50, nays none .....	1160
Reported enrolled .....	1196
Signed by President .....	1196
Signed by Governor.	
119 By Strawman. Relating to examination of individual income tax returns; extending limitation period.	
Received, passed on file .....	233
Referred .....	238
120 By Schroeder, Novak, Schwengel and Pendleton. Relating to increase in mileage paid to constables.	
Received, passed on file .....	234
Referred .....	238
Recommended passage .....	372
Substituted for S. F. 58 .....	388
Committee report adopted .....	388
Passed; ayes 50, nays none .....	388
Reported enrolled .....	412
Signed by President .....	412
Signed by Governor.	
123 By Brown of Keokuk, Shaff and Peters. Relating to exemptions of head of a family; providing for a ten per cent garnishment for debts.	
Received, referred .....	810
Sifting recommends calendar ..	856
Point of order raised .....	912
Passed; ayes 29, nays 13 .....	912
Reported enrolled .....	937
Signed by President .....	937
Vetoed by Governor.	
129 By Walker, Kudsk, Soeth, Paul, Cooksey, Serstand and Beck. Relating to civil service commissioners in cities and towns; providing eligibility in cities and towns of 6,000 and over.	
Received, referred .....	776
130 By Parker and Ryan. Relating to annual tax which the board of supervisors may	

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levy for maintenance of a juvenile detention home and school; providing for an increase in permissible tax levy; especially applicable to Polk County Juvenile Home and School.	
Received, passed on file .....	234
Referred .....	238
Recommended passage .....	318
Amendment filed .....	460
Committee report adopted .....	494
Amendments adopted .....	494, 495
Passed; ayes 50, nays none .....	494
Vote reconsidered .....	495
Amendment withdrawn .....	495
Passed; ayes 50, nays none .....	495
Reported enrolled .....	540
Signed by President .....	540
Signed by Governor.	
132 By Sherod, Burrows, Weiss, Robinson, Ringgenberg, Schwengel and Bloedel. Relating to application for registration of motor vehicles; forbidding issuance thereof by county treasurer to applicant having any delinquent personal taxes.	
Received, referred to sifting ..	1223
137 By Walter, Paul, Brown of Mahaska, Walker and Burtch. Relating to inspection of weights and measures; increasing fees charged to meet increased costs.	
Received, passed on file .....	810
Referred .....	812
138 By McFarlane, Hendrix and Mensing. Relating to coverage of certain officers and employees of state of Iowa under Old Age and Survivors' Insurance provision of Federal Social Security Act; duties of Iowa employment security commission.	
Received, referred .....	573
Recommended passage .....	851
Sifting recommends calendar ..	866
Made special order .....	910
Study committee report .....	953
Committee of the whole .....	974
Rules suspended .....	974
Committee report adopted .....	978
Passed; ayes 39, nays none .....	978
Reported enrolled .....	1098
Signed by President .....	1098
Signer by Governor.	
139 My McFarlane, Mensing and Hendrix. Relating to administration of funds and assets of Iowa Old Age and Survivors' Insurance System; creating a liquidation fund.	
Received, referred .....	573
Sifting recommends calendar ..	866
Committee of the whole .....	897
Made special order .....	910
Study committee report .....	953
Amendments filed .....	941, 942, 963
Committee of the whole .....	974
Rules suspended .....	974
Amendments adopted .....	976, 977
Passed; ayes 49, nays none .....	977
Concurred .....	1244
Passed; ayes 48, nays none .....	1244

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Reported enrolled	1295
Signed by President	1295
Signed by Governor.	
<b>140</b> By McFarlane, Mensing and Hendrix. Relating to creation of an Iowa public employees' retirement system providing administration by Iowa employment security commission; authorizing refunds under certain conditions, making annual appropriation of \$1,750,000 from general fund of state for maintenance of retirement system upon sound actuarial basis, and transferring assets of old age and survivors' liquidation fund to this fund.	
Received, referred	574
Sifting recommends calendar	866
Referred	866
Committee of the whole	897, 974
Made special order	910
Study committee report	953
Recommended amendment	916
Amendments filed	921, 942-945, 963, 993, 994, 1018, 1046, 1066-1088, 1101, 1117
Rules suspended	974
Committee report adopted	1003
Amendment withdrawn	1003, 1112, 1113, 1114, 1132, 1133
Amendments adopted	1003, 1004, 1131, 1132, 1133, 1134, 1111, 1112, 1113, 1114
Call of Senate	1224, 1223
Votes reconsidered	1133
Point of order raised, withdrawn	1134
Passed; ayes 29, nays 21	1134
Explanation of vote	1295, 1292-1294
Points of order raised	1206, 1220, 1225
Call of Senate enforced	1208, 1217
Returned to House	1228
Senate refused to concur	1241
Statement for Journal	1254
Reported enrolled	1256
Signed by President	1256
Signed by Governor.	
<b>144</b> By Kosek, Butler, McFarlane, Ryan and Novak. Relating to permanent registration, extending time before elections to facilitate processing of registrations.	
Received, referred	899
<b>149</b> By Buck, Hanson, Vermeer, Meyer, Eckels Kudsk, Huisman, Soeth, McFarlane, Novak, Hadden, Van Zwol, Frey, Paul, Tate, Putney, Miller, Nelson of Woodbury, Nelson of Jasper and Turner of Mills. Relating to funds of local warehouse boards; providing remaining funds in treasury be distributed to 4-H clubs.	
Received, passed on file	550
Referred	558
Recommended passage	602
Committee report adopted	825
Passed; ayes 48, nays none	825
Reported enrolled	856
Signed by President	856
Signed by Governor.	

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<b>150</b> By Robinson. Relating to railway and highway crossings at grade; providing a method of determining all controversial matters.	
Received	712
Substituted for S.F. 367	864
Amendment adopted	877
Passed; ayes 44, nays none	877
Reported enrolled	937
Signed by President	937
Signed by Governor.	
<b>156</b> By Judiciary 2. Relating to boundary changes in school districts; clarifying Code.	
Received, passed on file	153
Referred	155
Recommended passage	257
Committee report adopted	408
Passed; ayes 50, nays none	408
Report enrolled	428
Signed by President	428
Signed by Governor.	
<b>157</b> By Judiciary 2. Relating to Iowa yearbook of agriculture; correcting Code term to Iowa Crop Improvement Association.	
Received, passed on file	153
Referred	155
Recommended passage	346
Amendment filed	459
Committee report adopted	555
Amendment adopted	555
Passed; ayes 45, nays none	555
Reported enrolled	633
Signed by President	633
Signed by Governor.	
<b>159</b> By Kudsk. Relating to establishment of county supervisor districts; clarifying Code.	
Received, passed on file	664
Passed; ayes 41, nays none	738
Reported enrolled	769
Signed by President	769
Signed by Governor.	
<b>161</b> By Pendleton. Relating to deductions from computed individual income tax as to marital status and dependencies to conform with federal law.	
Received, referred	916
Sifting recommends calendar	1169
Passed; ayes 47, nays none	1236
Reported enrolled	1273
Signed by President	1273
Signed by Governor.	
<b>162</b> By Nelson of Woodbury and Carlson. Relating to county libraries, providing for withdrawal therefrom.	
Received, referred	886
Sifting recommends calendar	1098
Passed; ayes 48, nays none	1156
Reported enrolled	1196
Signed by President	1196
Signed by Governor.	
<b>164</b> By Mensing, McFarlane and Hendrix. Relating to Iowa employment security commission, providing penalty for an employer's failure to file required reports.	
Received, referred	926

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165 By Brown of Mahaska, Goode, Paul and Weston. Relating to condemnation of land for various highway purposes; corrective measure. Received, referred .....	167
Recommended passage .....	328
Committee report adopted .....	446
Passed; ayes 46, nays 3 .....	446
Reported enrolled .....	469
Signed by President .....	469
Signed by Governor.	
168 By Goode, Kuester and Palmer. Relating to designation of funds created and maintained by state fair board; permitting their use in sinking fund with approval of executive council and approval thereby for expenditures therefrom; limitations placed on amounts in funds. Received, passed on file .....	550
Referred .....	558
Recommended passage .....	601
Committee report adopted .....	840
Passed; ayes 34, nays 2 .....	840
Reported enrolled .....	872
Signed by President .....	872
Signed by Governor.	
169 By Henry, McFarlane, Paul and Nelson of Jasper. Relating to Children's Boarding Homes; empowering state board of welfare to establish standards and be the only state agency to issue licenses therefor. Received, referred .....	1193
175 By Judiciary 1. Relating to the standard fire insurance policy; correcting spelling of one word in Code. Received, passed on file .....	168
Substituted for S. F. 137 .....	172
Passed; ayes 49, nays none .....	172
Reported enrolled .....	213
Signed by President .....	213
Signed by Governor.	
176 By Judiciary 1. Relating to screening centers for psychiatric treatment of insane persons; correcting an erroneous reference to the Code. Received, passed on file .....	168
Referred .....	177
Recommended passage .....	238
Committee report adopted .....	389
Passed; ayes 50, nays none .....	389
Reported enrolled .....	412
Signed by President .....	412
Signed by Governor.	
178 By Judiciary 1. Relating to street and sewer improvements in cities and towns; clarifying Code. Received, passed on file .....	168
Referred .....	177
Recommended passage .....	394
Committee report adopted .....	632
Passed; ayes 44, nays none .....	632
Reported enrolled .....	698
Signed by President .....	698
Signed by Governor.	
179 By Lisle, Buck, McFarlane, Frey, Abel, Brown of Mahas-	

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ka, Novak, Vermeer, Palmer, Tate, Miller, Walker, Patrick, McNeal and Robinson. Relating to increase in maximum weekly workmen's compensation amount to thirty dollars. Received, referred .....	1223
180 By Vermeer. Relating to issuance of township bonds and tax levy therefor. Received, referred .....	900
181 By Ludwig, Henry and Novak. Relating to changing name of "State Sanatorium" to "Iowa Tuberculosis Hospital." Received, passed on file .....	550
Referred .....	558
Recommended passage .....	635
182 By Mensing, McFarlane and Hendrix. Relating to disqualifications for receipt of employment security benefits and providing administrative penalty for fraudulent claims. Received, referred .....	918
183 By McFarlane and Nelson of Woodbury. Relating to compensation of special policemen at polling places; setting pay at fifty cents an hour instead of by day. Received, referred .....	886
Sifting recommends calendar .....	917
Passed; ayes 39, nays none .....	1051
Reported enrolled .....	1116
Signed by President .....	1116
Signed by Governor.	
185 By Brown of Mahaska and Goode. Relating to use of party designations by candidates nominated by nonparty organizations or by petition; preventing use thereof. Received, referred .....	883
Sifting recommends calendar .....	1098
Passed; ayes 48, nays none .....	1154
Reported enrolled .....	1198
Signed by President .....	1198
Signed by Governor.	
190 By Ryan and Parker. Relating to practice of chiroprody and workmen's compensation act; providing chiroprodists' treatment of employees may be considered as part of medical services. Received, referred .....	900
Sifting recommends calendar .....	917
Passed; ayes 41, nays none .....	1053
Reported enrolled .....	1116
Signed by President .....	1116
Signed by Governor.	
199 By Ringgenberg, Schwengel, Burrows, Robinson and Weiss. Relating to the giving, soliciting and accepting of bribes and other considerations in connection with sports; providing penalties therefor. Received, referred .....	642
Sifting recommends calendar .....	1098
Passed; ayes 50, nays none .....	1161

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Reported enrolled .....	1196
Signed by President .....	1196
Signed by Governor.	
200 By Judiciary 2. Relating to allocations of the road use tax fund; correcting Code by striking the word "construction" from the phrase "street construction fund".	
Received, passed on file .....	249
Referred .....	257
202 By Judiciary 2. Relating to definitions of highway systems of state dividing them in two; state park roads and institutional roads; coordination of statutes.	
Received, passed on file .....	249
Referred .....	257
207 By McFarlane and Palmer. Relating to legalizing of plats filed prior to January 1, 1940.	
Received, passed on file .....	550
Referred .....	558
Recommended passage .....	670
Committee report adopted .....	826
Passed; ayes 46, nays 1 .....	826
Reported enrolled .....	856
Signed by President .....	856
Signed by Governor.	
213 By Elections, Political and Judicial Districts. Relating to election requirements advancing date for filing candidacies in primaries, time of printing ballots, methods of casting ballots; for those serving in armed forces, irrespective of what part of world they may be serving in.	
Received, passed on file .....	264
Referred .....	290
Recommended passage .....	459
Committee report adopted .....	740
Amendment adopted .....	740
Passed; ayes 44, nays none .....	740
Reported enrolled .....	832
Signed by President .....	832
Signed by Governor.	
Correction made by H. F. 505.	
216 By Cornick, Meyer, Hinchliffe and Edgington. Relating to increase in mileage allowance for inheritance tax appraisers.	
Received, passed on file .....	764
Referred .....	770
217 By Palmer. Relating to designation of a member of election board as chairman of that board; duty of board of supervisors.	
Received, passed on file .....	665
Referred .....	669
Sifting recommends calendar .....	1046
Passed; ayes 40, nays none .....	1056
Reported enrolled .....	1116
Signed by President .....	1116
Signed by Governor.	
220 By Putney. Relating to school bus transportation, drivers of such buses and rate of speed, permitting increase	

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to 45 miles per hour under certain conditions.	
Received, passed on file .....	665
Referred .....	669
Recommended amendment, passage .....	849
Sifting recommends calendar .....	1098
Committee report adopted .....	1162
Amendment adopted .....	1162
Passed; ayes 40, nays 6 .....	1163
221 By Brown of Mahaska and Goode. Relating to secondary roads, authorizing board of supervisors to improve and maintain, levy taxes; eliminating useless and obsolete Code sections and language, proposing revisions intended to harmonize with present day problems.	
Received, passed on file .....	358
Referred .....	373
Amendments filed .....	
Amendments filed .....	500,
534, 672, 964, 1046, 1118, 1145, 1178	
Sifting recommends calendar .....	917
Amendment withdrawn .....	1096
Amendment adopted .....	1096
Re-referred .....	1189
222 By Meyer, Schroeder, Schwengel, Soeth, Scheerer and Brown of Mahaska. Relating to maximum length of certain vehicles; providing that public utility vehicles transporting poles and other objects which can not be dismembered shall be equipped with clearance and marker lamps; exempting them from length requirements when making emergency repair of public service facilities.	
Received, referred .....	790
Recommended amendment, passage .....	850
Sifting recommends calendar .....	1046
Committee report adopted .....	1053
Amendments adopted .....	1058
Passed; ayes 37, nays 1 .....	1058
Reported enrolled .....	1141
Signed by President .....	1141
Signed by Governor.	
229 By Ludwig, Huisman, Buck, Whitney, Brown of Mahaska, Novak, Nelson of Jasper, Cornick, Schroeder, Klemesrud, Fairchild, McNeal and Oppedahl. Relating to school district reorganization and boundary changes; intended to clarify procedure, establish standard for administrative units, providing ultimately that certain school districts shall support themselves without State funds.	
Received, referred .....	868
Amendments filed .....	902, 903, 945
Substituted for S. F. 419 .....	948
Amendments adopted .....	
..... 949, 950, 951, 952	
Amendments withdrawn .....	950, 951
Passed; ayes 49, nays none .....	952
Senate recesses .....	1033
Passed; ayes 44, nays none .....	1023

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Reported enrolled .....	1098
Signed by President .....	1098
Signed by Governor.	

232 By Cities and Towns. Relating to municipal interstate bridges by adding new section authorizing enlargement and reconstruction of such bridges, with special reference to construction of a four-lane bridge between Mollne and Bettendorf.

Received, passed on file .....	551
Substituted for S. F. 184 .....	629
Amendment adopted .....	629
Passed; ayes 44, nays none .....	629
Reported enrolled .....	698
Signed by President .....	698
Signed by Governor.	

236 By Banks, Building and Loan. Relating to instruments payable to bearer; enlarging definition by including those payable to fictitious persons where employee or other agent has knowledge of the fiction; designed to be in accord with action of number of other states.

Received, referred .....	574
Recommended passage .....	770
Sifting recommends calendar .....	856
Committee report adopted .....	881
Passed; ayes 46, nays none .....	881
Reported enrolled .....	901
Signed by President .....	901
Signed by Governor.	

238 By Pendleton. Relating to securities and investments of trust funds; authorizing agreements between principals and sureties for deposit and joint control of funds and property.

Received, passed on file .....	665
Referred .....	669
Recommended passage .....	772
Sifting recommends calendar .....	1169
Committee report adopted .....	1238
Passed; ayes 48, nays none .....	1239
Reported enrolled .....	1273
Signed by President .....	1273
Signed by Governor.	

246 By Frey, Voigtmann and Lucken. Relating to bonds of deputy state officers, county officers, and their deputies; providing that cost of such bonds be borne by county.

Received, referred .....	776
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247 By Eckels. Relating to certification of budgets, supplemental budgets, levies for bond issues; requiring such levies to be filed with county auditor by November first in year for which tax is to be assessed.

Received, referred .....	900
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251 By Cities and Towns. Relating to ordinances of municipal corporations; providing ordinances of city of less than 150,000 population may

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be in form of bound or loose leaf municipal code in lieu of newspaper publication; also providing for publishing in a newspaper once each week for two weeks any proposal by city to adopt municipal code; repealing certain sections.

Received, passed on file .....	764
Substituted for S. F. 389 .....	777
Passed; ayes 49, nays none .....	777
Reported enrolled .....	832
Signed by President .....	832
Signed by Governor.	

262 By Military and Veterans Affairs. Relating to provisions of the act of congress entitled, "An Act to provide for acquisition, construction, conversion and joint utilization of facilities necessary for administration and training of units of Reserve components of Armed Forces of the United States"; giving assent thereto.

Received, referred .....	886
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265 By Brown of Mahaska. Relating to legalizing proceedings providing for water-works bonds of the town of Eddyville.

Proof of publication certified ..	271
Received, passed on file .....	551
Referred .....	558
Recommended passage .....	670
Committee report adopted .....	823
Passed; ayes 47, nays none .....	823
Reported enrolled .....	872
Signed by President .....	872
Signed by Governor.	

266 By Printing. Relating to printing of salary book; providing elimination of unnecessary printing of names in board of control reports.

Received, passed on file .....	551
Referred .....	558
Recommended passage .....	634

273 By Strawman. Relating to funds of closed receiverships held by department of banking February 1, 1953; limiting time for recovery thereof; making provision for disposition of such funds.

Received, passed on file .....	551
Referred .....	558
Recommended passage .....	771
Committee report adopted .....	839
Passed; ayes 34, nays none .....	839
Reported enrolled .....	901
Signed by President .....	901
Signed by Governor.	

274 By Bass. Relating to legalizing proceedings authorizing school building bonds, sale of consolidated school district of Stennett, Montgomery County.

Proof of publication certified ..	271
Received, passed on file .....	551
Referred .....	558
Sifting recommends calendar ..	866
Passed; ayes 44, nays none .....	913

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Reported enrolled .....	937	construction of branch li-	
Signed by President .....	937	braries.	
Signed by Governor.		Received, passed on file .....	665
278 By Hanson, Henry, Chris-		Referred .....	669
tiansen, Oberman and Kerr.		Returned to secretary .....	724
Relating to computation of		Substituted for S. F. 254 .....	808
agricultural land tax credits;		Passed; ayes 47, nays none .....	809
eliminating issuance of re-		Reported enrolled .....	856
fund checks, providing more		Signed by President .....	856
workable computation and		Signed by Governor.	
application thereof.		308 By McFarlane. Relating to	
Received, passed on file .....	665	copying and preserving by	
Referred .....	669	miniature photographic pro-	
Sifting recommends calendar ..	1098	cess, records, report and oth-	
Passed; ayes 46, nays none .....	1201	er papers of county officers;	
Reported enrolled .....	1273	providing for destruction	
Signed by President .....	1273	thereof after ten years or	
Signed by Governor.		placement thereof in museum	
293 By Hoover, Brown of Ma-		or historical society.	
haska, Stephenson, Scheerer,		Received, referred .....	886
Thompson, Hinchliffe, Ring-		Sifting recommends calendar ..	917
genberg, Stevens, Weiss,		Passed; ayes 39, nays none .....	1051
Sherod, Mooty, Cornick,		Reported enrolled .....	1141
Burtch, Morris, Brownlie,		Signed by President .....	1141
Mallonee, Harris, Kerr,		Signed by Governor.	
Brown of Keokuk, Walker,		309 By Brown of Keokuk. Re-	
Eckels, Jones and Ramseyer.		lating to legalizing proceed-	
Relating to county public		ings in issuance and sale of	
hospitals, payment for care		bonds for waterworks in	
of indigent patients from		Richland.	
county poor fund and provid-		Proof of publication certified ..	328
ing for hospital treatment for		Received, passed on file .....	552
indigents having legal settle-		Referred .....	558
ment outside county.		Sifting recommends calendar ..	1046
Received, referred .....	967	Passed; ayes 39, nays none .....	1059
Sifting recommends calendar ..	1169	Reported enrolled .....	1116
Amendment filed .....	1219	Signed by President .....	1116
Amendment adopted .....	1238	Signed by Governor.	
Passed; ayes 47, nays 1 .....	1238	313 By Aeronautics. Relating	
Reported enrolled .....	1296	to use of aircraft on inland	
Signed by President .....	1296	lakes of state.	
Signed by Governor.		Received, referred .....	931
298 By Hawkins. Relating to		317 By Mooty. Relating to mo-	
allocation of taxes voted for		tor vehicles; distance reflec-	
carrying out a certain propo-		tors visible.	
sition but later rescinded;		Received, referred .....	926
permitting such allocation to		Sifting recommends calendar ..	1046
be transferred to another		Amendment filed .....	1038
designated purpose.		Amendments adopted .....	1109
Received, referred .....	926	Passed; ayes 47, nays 1 .....	1110
Sifting recommends calendar ..	1046	Reported enrolled .....	1141
Passed; ayes 33, nays none .....	1063	Signed by President .....	1141
Reported enrolled .....	1116	Signed by Governor.	
Signed by President .....	1116	327 By Motor Vehicles, Com-	
Signed by Governor.		merce and Trade. Relating	
305 By Abel. Relating to pow-		to mobile homes and mobile	
er of cities and towns to re-		home parks; prescribing	
ceive devises and bequests for		standards, fees, regulations,	
use of free libraries; provid-		enforcement procedure.	
ing also for eligibility as		Received, referred .....	643
members of board those per-		Sifting recommends calendar ..	1169
sons named in such bequests		Amendment filed .....	1197
with request that they be ap-		Amendment withdrawn in part	
pointed as members of li-		.....	1242
brary board.		Amendment adopted .....	1242
Received, passed on file .....	552	Point of order, raised .....	1242
Substituted for S. F. 238 .....	734	Passed; ayes 39, nays 4 .....	1242
Passed; ayes 47, nays none .....	735	Reported enrolled .....	1296
Reported enrolled .....	769	Signed by President .....	1296
Signed by President .....	769	Signed by Governor.	
Signed by Governor.		328 By Board of Control. Re-	
307 By Shaff and Schwengel.		lating to construction, repair	
Relating to power of municipal		and improvements by board	
corporations to allocate		of control of properties un-	
funds from municipal enter-		der their direction; increas-	
prise fund for purchase and			

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ing their authority over expenditures.	
Received, referred .....	744
Recommended passage .....	813
Sifting recommends calendar ..	1169
Committee report adopted .....	1235
Passed; ayes 50, nays none .....	1235
Reported enrolled .....	1273
Signed by President .....	1273
Vetoed by Governor.	
331 By Brown of Mahaska and Goode. Relating to inaugural ceremonies; providing appropriation to defray expenses; \$1515.80.	
Received, referred .....	539
Recommended passage .....	560
Committee report adopted .....	644
Passed; ayes 46, nays none .....	644
Reported enrolled .....	698
Signed by President .....	698
Signed by Governor.	
337 By Military and Veterans Affairs. Relating to payment of unemployment compensation; preserving benefit rights to members of armed forces.	
Received, passed on file .....	552
Amendments filed .....	833
Substituted for S. F. 284 .....	831
Amendments adopted .....	835
Passed; ayes 35, nays none .....	835
Reported enrolled .....	901
Signed by President .....	901
Signed by Governor.	
338 By Aeronautics. Relating to limiting civil liability to persons riding in aircraft without payment for the ride or transportation.	
Received, referred .....	981
341 By Hoth. Relating to Paint Creek Farmers Telephone Company in Waterville, Allamakee County; legalizing renewal of charter.	
Received, passed on file .....	552
Referred .....	558
Recommended passage .....	771
Committee report adopted .....	838
Passed; ayes 44, nays none .....	847
Reported enrolled .....	901
Signed by President .....	901
Signed by Governor.	
342 By Palmer. Relating to photographing enrolled acts and joint resolutions of General Assembly and keeping of such copies.	
Received, referred .....	644
348 By Smith. Relating to establishment of Iowa Great Lakes Sanitary District in Dickinson County, legalizing establishment thereof.	
Proof of publication certified ..	482
Received, passed on file .....	791
Substituted for S. F. 296 .....	818
Passed; ayes 29, nays 18 .....	819
Explanation of vote .....	819
Reported enrolled .....	872
Signed by President .....	872
Signed by Governor.	

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350 By Motor Vehicles, Commerce and Trade. Relating to suspension of registration when operating motor vehicle without license.	
Received, referred .....	900
Sifting recommends calendar ..	1093
Passed; ayes 50, nays none .....	1155
Reported enrolled .....	1198
Signed by President .....	1198
Signed by Governor.	
361 By Appropriations. Relating to expenditures by state highway commission from primary road fund; authorizing appropriation for biennium, \$11,707,000.	
Received, referred .....	496
Recommended passage .....	560
Amendment filed .....	637
Committee report adopted .....	645
Passed; ayes 45, nays none .....	646
Reported enrolled .....	698
Signed by President .....	698
Signed by Governor.	
362 By Appropriations. Relating to biennial appropriation creating general contingent fund of state, one million dollars.	
Received, referred .....	496
Recommended passage .....	560
Committee report adopted .....	647
Amendment adopted .....	647
Passed; ayes 48, nays none .....	647
Concurred .....	973
Passed; ayes 48, nays none .....	973
Reported enrolled .....	1098
Signed by President .....	1098
Signed by Governor.	
363 By Appropriations. Relating to appropriation for biennium to state comptroller from primary road fund, for \$6500 each year for salary and travel expenses of auditor of highway commission.	
Received, referred .....	497
Recommended passage .....	561
Committee report adopted .....	647
Passed; ayes 48, nays none .....	648
Reported enrolled .....	698
Signed by President .....	698
Signed by Governor.	
364 By Appropriations. Relating to appropriation for biennium, from primary road fund to industrial commissioner for payment of workmen's compensation claims of employees of state highway commission.	
Received, referred .....	497
Recommended passage .....	561
Committee report adopted .....	649
Passed; ayes 49, nays none .....	649
Reported enrolled .....	698
Signed by President .....	698
Signed by Governor.	
365 By Appropriations. Relating to construction and equipment of a nursing home at Iowa Soldiers' Home at Marshalltown for the benefit of veterans of World War I; to be financed from the bonus	

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and disability fund; prompt demolition of the present old main building assured.		378 By Brown of Mahaska and McFarlane. Relating to sale of personal property or services under prearranged funeral plans; requiring proceeds be held in trust for purposes intended under certain conditions.	
Received, referred .....	497	Received, referred .....	386
Returned without recommendation .....	561	Sifting recommends calendar .....	917
Amendment filed .....	637	Amendments filed .. 1046, 1101, ..	1102
Committee report adopted .....	657	Amendments withdrawn .....	1150
Point of order, raised .....	637	Amendment adopted .....	1151
Passed; ayes 49, nays 1 .....	658	Passed; ayes 45, nays 5 .....	1151
Reported enrolled .....	712	Reported enrolled .....	1273
Signed by President .....	712	Signed by President .....	1273
Signed by Governor.		Signed by Governor.	
366 By Agriculture 1. Relating to sale of agricultural seeds, requiring sellers to have permit issued by department of agriculture.		383 By Ryan and Parker. Relating to issuance of bonds in water district No. 30, Bloomfield township, Polk County; legalizing election ballot form and proceedings.	
Received, referred .....	1013	Proof of publication certified ..	482
Sifting recommends calendar .....	1046	Received, passed on file .....	665
Amendments adopted .. 1065, 1149	1065	Referred .....	669
Passed; ayes 37, nays none .....	1065	Sifting recommends calendar ..	917
Motion filed to reconsider vote ..	1100	Passed; ayes 39, nays none ..	1052
Senate recalled from House .....	1110	Reported enrolled .....	1116
Vote reconsidered .....	1148	Signed by President .....	1116
Reported enrolled .....	1273	Signed by Governor.	
Passed; ayes 48, nays none ..	1149	384 By McFarlane, Miller, Nelson of Woodbury and Schwengel. Relating to city transit systems; providing method by which cities may own and operate same.	
Reported enrolled .....	1273	Received, referred .....	982
Signed by President .....	1273	385 By Kosek. Relating to powers of corporations not for pecuniary profit; providing they may make contracts, borrow money and transfer property.	
Signed by Governor.		Received, referred .....	900
368 By Mines and Mining. Relating to mines other than coal mines; to provide greater safety in such mines; conform to same safety laws as for coal mines and avoid federal government assuming full control over safety of mines; extending authority of state inspectors.		Sifting recommends calendar ..	1159
Received, passed on file .....	764	Passed; ayes 49, nays none ..	1239
Substituted for S. F. 346 .....	796	Reported enrolled .....	1273
Passed; ayes 49, nays 1 .....	796	Signed by President .....	1273
Reported enrolled .....	856	Signed by Governor.	
Signed by President .....	856	388 By Mines and Mining. Relating to cooperation with United States Bureau of Mines and state government in promoting safety in coal mines; authorizing state mine inspector with regard thereto.	
Signed by Governor.		Received, passed on file .....	685
373 By Ryan and Parker. Relating to exchange of certain properties between city of Des Moines and State of Iowa; authorizing conveyance of certain state property to city of Des Moines.		Substituted for S. F. 347 .....	742
Received, passed on file .....	552	Passed; ayes 41, nays none ..	742
Referred .....	558	Reported enrolled .....	769
Recommended passage .....	671	Signed by President .....	769
Sifting recommends calendar ..	856	Signed by Governor.	
Committee report adopted .....	863	390 By Schwengel. Relating to issuance of franchise, life, accident and sickness insurance policies to associations.	
Passed; ayes 47, nays none ..	863	Received, referred .....	968
Reported enrolled .....	901	Sifting recommends calendar ..	1098
Signed by President .....	901	Passed; ayes 49, nays 1 .....	1159
Signed by Governor.		Reported enrolled .....	1196
374 By Schroeder and Schwengel. Relating to school building bonds and election of Davenport, legalizing procedure.		Signed by President .....	1196
Proof of publication certified ..	458	Signed by Governor.	
Received, passed on file .....	553	390 By Schwengel. Relating to issuance of franchise, life, accident and sickness insurance policies to associations.	
Referred .....	558	Received, referred .....	968
Recommended passage .....	671	Sifting recommends calendar ..	1098
Committee report adopted .....	824	Passed; ayes 49, nays 1 .....	1159
Passed; ayes 47, nays none ..	824	Reported enrolled .....	1196
Reported enrolled .....	872	Signed by President .....	1196
Signed by President .....	872	Signed by Governor.	
Signed by Governor.			

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400 By Nelson of Woodbury. Relating to fire alarm signal and detection systems in private boarding homes for aged and infirm persons and in children's boarding homes. Received, referred .....	901
411 By Beck, Nelson of Woodbury, Palmer, Kuester, Mensing, McFarlane, Frey, Kerr, Pendleton, Kosek, Parker and Henry. Relating to taxation of cigarettes; providing for increase thereof; placing in state general fund proceeds of tax imposed upon cigarettes used in State of Iowa. Received, referred .....	1170
Sifting recommends calendar .....	1268
Passed; ayes 35, nays 11 .....	1279
Reported enrolled .....	1296
Signed by President .....	1296
Signed by Governor.	
418 By Ryan and Parker. Relating to traffic on one-way streets; making way for approach of authorized emergency vehicle. Received, referred .....	927
431 By Judiciary 1. Relating to Audubon County Memorial Hospital; authorizing transfer of moneys thereto from Audubon County emergency fund. Received, passed on file .....	745
Substituted for S. F. 412 .....	808
Passed; ayes 44, nays none .....	808
Reported enrolled .....	856
Signed by President .....	856
Signed by Governor.	
432 By Judiciary 1. Relating to expenditure of funds made by Audubon County Memorial Hospital; legalizing act. Received, passed on file .....	666
Substituted for S. F. 380 .....	758
Passed; ayes 47, nays none .....	759
Reported enrolled .....	832
Signed by President .....	832
Signed by Governor.	
433 By Appropriations. Relating to interstate cooperation committee; making appropriations to members thereof. Received, referred .....	539
Recommended passage .....	561
Committee report adopted .....	650
Passed; ayes 45, nays none .....	650
Reported enrolled .....	698
Signed by President .....	698
Signed by Governor.	
434 By Appropriations. Relating to appropriation to department of public safety for various improvements in radio communications division. Received, referred .....	530
Recommended passage .....	1015
Committee report adopted .....	1038
Passed; ayes 49, nays none .....	1039
Reported enrolled .....	1098
Signed by President .....	1098
Signed by Governor.	

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441. By Printing. Relating to publication of annual reports of insurance companies; providing for increase in publication fee. Received, referred .....	886
Amendment filed .....	1089
Sifting recommends calendar .....	1098
Amendment adopted .....	1157
Passed; ayes 50, nays none .....	1157
Reported enrolled .....	1273
Signed by President .....	1273
Signed by Governor.	
442 Relating to authorization and issuance of bonds or other evidence of indebtedness by cities and towns; giving people right to petition for election. Received, passed on file .....	764
Amendment filed .....	772
Substituted for S. F. 390 .....	778
Amendment adopted .....	778
Passed; ayes 45, nays 2 .....	778
Reported enrolled .....	856
Signed by President .....	856
Signed by Governor.	
443 By Cities and Towns. Relating to authorizing issuance of bonds by cities and towns to defray cost of equipping fire and police departments. Received, passed on file .....	764
Substituted for S. F. 391 .....	778
Passed; ayes 48, nays none .....	779
Reported enrolled .....	832
Signed by President .....	832
Signed by Governor.	
444 By Cities and Towns. Relating to authorizing issuance of bonds by cities and towns to defray cost of acquiring and improving land for cemetery purposes. Received, passed on file .....	764
Substituted for S. F. 392 .....	779
Passed; ayes 47, nays none .....	780
Reported enrolled .....	832
Signed by President .....	832
Signed by Governor.	
445 By Cities and Towns. Relating to liberty memorial bonds; retirement of, and providing correlation of various laws. Received, passed on file .....	765
Substituted for S. F. 393 .....	780
Passed; ayes 48, nays none .....	780
Reported enrolled .....	832
Signed by President .....	832
Signed by Governor.	
446 By Cities and Towns. Relating to issuance of municipal bonds; permitting issuance for certain purposes previously covered by tax anticipation type securities. Received, passed on file .....	765
Substituted for S. F. 394 .....	781
Passed; ayes 50, nays none .....	781
Reported enrolled .....	832
Signed by President .....	832
Signed by Governor.	
447 By Cities and Towns. Relating to city bridges, via-	

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ducts, underpasses, grade crossing separations; financing cost thereof by issuance of bonds and levy of taxes.		456 By Appropriations. Relating to an appropriation to board of control for repair to buildings, restoration and replacement of furniture and equipment damaged by fire recently in auditorium at State Penitentiary at Fort Madison and in laundry building at Cherokee Mental Health Institute.	
Received, passed on file .....	765	Received, referred .....	553
Substituted for S. F. 395 .....	782	Recommended passage .....	562
Passed; ayes 50, nays none .....	782	Committee report adopted .....	648
Reported enrolled .....	832	Passed; ayes 48, nays none .....	648
Signed by President .....	832	Reported enrolled .....	698
Signed by Governor.		Signed by President .....	698
448 By Cities and Towns. Relating to issuance of bonds, levying of taxes by municipalities to finance cost of establishment, improvement of municipal airports.		457 By Appropriations. Relating to transfer of monies from industry revolving funds created and established at state reformatory at Anamosa to general fund of state.	
Received, passed on file .....	765	Received, referred .....	553
Amendment filed .....	772	Recommended passage .....	851
Substituted for S. F. 396 .....	788	Committee report adopted .....	860
Point of order, raised .....	788	Passed; ayes 47, nays none .....	860
Amendments adopted .....	789	Reported enrolled .....	901
Passed; ayes 47, nays none .....	789	Signed by President .....	901
Reported enrolled .....	872	Signed by Governor.	
Signed by President .....	872	458 By Schools, Libraries and State Educational Institutions. Relating to method of computing school tuition rates; providing for inclusion of annual depreciation, insurance costs, and costs of special courses in addition to other costs used heretofore.	
Signed by Governor.		Received, passed on file .....	810
450 By Cities and Towns. Relating to issuance of bonds and levy of taxes by municipalities to finance cost of acquisition and improvement of city and town parks.		Substituted for S. F. 355 .....	827
Received, passed on file .....	765	Passed; ayes 37, nays none .....	838
Amendment filed .....	772	Reported enrolled .....	901
Substituted for S. F. 398 .....	783	Signed by President .....	901
Amendment adopted .....	783	Signed by Governor.	
Passed; ayes 49, nays none .....	784	459 By Cities and Towns. Relating to local budgets of cities and towns; providing for amendment of budget estimates and permitting unexpended cash balance at end of fiscal year to be available for expenditure.	
Reported enrolled .....	872	Received, passed on file .....	766
Signed by President .....	872	Substituted for S. F. 402 .....	797
Signed by Governor.		Passed; ayes 47, nays 1 .....	797
451 By Cities and Towns. Relating to issuance of municipal bonds for dock purposes.		Reported enrolled .....	856
Received, passed on file .....	766	Signed by President .....	856
Substituted for S. F. 399 .....	784	Signed by Governor.	
Passed; ayes 49, nays 1 .....	784	460 By Cities and Towns. Relating to self-liquidating improvements of cities and towns and sanitary sewer districts.	
Reported enrolled .....	856	Received, passed on file .....	766
Signed by President .....	856	Substituted for S. F. 403 .....	798
Signed by Governor.		Passed; ayes 50, nays none .....	798
452 By Cities and Towns. Relating to taxation and other sources of municipal revenue; authorizing issuance of bonds for dump ground purposes; numerous amendments for clarification.		Reported enrolled .....	856
Received, passed on file .....	766	Signed by President .....	856
Substituted for S. F. 400 .....	785	Signed by Governor.	
Amendment adopted .....	785	461 By Cities and Towns. Relating to issuance of bonds for sewers, sewer outlets and purifying plants.	
Passed; ayes 48, nays none .....	786	Received, passed on file .....	766
Reported enrolled .....	856	Substituted for S. F. 401 .....	786
Signed by President .....	856	Amendments adopted .....	786, 787
Signed by Governor.		Passed; ayes 49, nays none .....	787
453 By Cities and Towns. Relating to municipal corporations; making all laws pertaining thereto applicable in general to commission form of government or council-manager form of government.		Reported enrolled .....	872
Received, passed on file .....	766	Signed by President .....	872
Substituted for S. F. 401 .....	786	Signed by Governor.	
Amendments adopted .....	786, 787		

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Reported enrolled .....	856
Signed by President .....	856
Signed by Governor.	
<b>462 By Cities and Towns. Relating to special assessment of public improvements in municipal corporations; serving and publication of notices.</b>	
Received, passed on file .....	767
Substituted for S. F. 405 .....	799
Amendment adopted .....	799
Passed; ayes 50, nays none .....	800
Reported enrolled .....	872
Signed by President .....	872
Signed by Governor.	
<b>463 By Cities and Towns. Relating to general powers of city and town governments, and to mayor-council form of government.</b>	
Received, passed on file .....	767
Amendment filed .....	792
Substituted for S. F. 406 .....	805
Amendment withdrawn .....	805
Amendments adopted .....	806
Passed; ayes 47, nays none .....	806
Reported enrolled .....	872
Signed by President .....	872
Signed by Governor.	
<b>464 By Cities and Towns. Relating to use of funds received by municipal corporations from road use tax fund; clarifying Code.</b>	
Received, passed on file .....	767
Substituted for S. F. 407 .....	800
Passed; ayes 50, nays none .....	800
Reported enrolled .....	856
Signed by President .....	856
Signed by Governor.	
Error herein corrected by H. F. 504.	
<b>465 By Cities and Towns. Relating to street improvements, sewers and special assessments; making applicable to all cities; increasing amount required for one payment.</b>	
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Amendment filed .....	792
Substituted for S. F. 408 .....	801
Amendment adopted .....	801
Passed; ayes 50, nays none .....	801
Reported enrolled .....	872
Signed by President .....	872
Signed by Governor.	
<b>466 By Cities and Towns. Relating to appointment of a mayor pro tempore in cities and towns; providing for selection of temporary chairman by council.</b>	
Received, passed on file .....	767
Substituted for S. F. 409 .....	802
Passed; ayes 50, nays none .....	802
Reported enrolled .....	856
Signed by President .....	856
Signed by Governor.	
<b>467 By Cities and Towns. Relating to government of cities and towns under com-</b>	

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mission form of government; permitting council to fix salaries of certain officers and employees by resolution rather than by ordinance.	
Received, passed on file .....	767
Substituted for S. F. 410 .....	802
Passed; ayes 50, nays none .....	803
Reported enrolled .....	856
Signed by President .....	856
Signed by Governor.	
<b>468 By Roads and Highways. Relating to condemnation of private property for public improvements; permitting immediate condemnation of orchards and gardens with payment later.</b>	
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<b>469 By Cities and Towns. Relating to municipal corporations; permitting use of municipal enterprises fund for private cemeteries not within limits of any city or town.</b>	
Received, referred .....	886
Sifting recommends calendar ..	917
Passed; ayes 39, nays none .....	1050
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Signed by Governor.	
<b>471 By Military and Veterans Affairs. Relating to World War II Service Compensation Board; to transfer all records and business to office of state auditor.</b>	
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Signed by President .....	991
Signed by Governor.	
<b>474 By Agriculture 2. Relating to sale of livestock and records regarding sales; requiring sale barns and brokers to keep adequate records.</b>	
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<b>476 By Agriculture 1. Relating to exemption of stocks of honey of previous year from taxation.</b>	
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<b>478 By Banks, Building and Loan. Relating to loans made on real estate by building and loan associations; permitting increase in accord with federal, 80 per cent.</b>	
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<b>479 By Judiciary 2. Relating to legalized city council of Osage issuance of bonds for waterworks improvements.</b>	
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Referred .....	812
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Signed by President .....	1116	ing to appropriation for cur-	
Signed by Governor.		rent biennium to department	
480 By Appropriations. Relat-		of public instruction for state	
ing to an appropriation for		aid for transportation.	
legislative printing for Gen-		Received, referred .....	868
eral Assembly; \$75,000.		Recommended passage .....	938
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Recommended passage .....	1015	Passed; ayes 49, nays none .....	1025
Committee report adopted .....	1039	Reported enrolled .....	1098
Passed; ayes 47, nays none .....	1039	Signed by President .....	1098
Reported enrolled .....	1098	Signed by Governor.	
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Signed by Governor.		ing to appropriations for cur-	
483 By Judiciary 2. Relating		rent biennium to department	
to legalizing issuance of		of public instruction for use	
school building bonds at		as revolving fund for veter-	
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Recommended passage .....	713	Received, referred .....	863
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Committee report adopted .....	825	Committee report adopted .....	1025
Passed; ayes 48, nays none .....	825	Passed; ayes 49, nays none .....	1025
Reported enrolled .....	872	Reported enrolled .....	1098
Signed by President .....	872	Signed by President .....	1098
Signed by Governor.		Signed by Governor.	
485 By Appropriations. Relat-		496 By Appropriations. Relat-	
ing to biennium appropria-		ing to appropriations for cur-	
tion to board of control for		rent biennium to department	
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Passed; ayes 47, nays none .....	1040	Points of order raised .....	1010, 1024
Reported enrolled .....	1116	Passed; ayes 49, nays none .....	1024
Signed by President .....	1116	Senate insists .....	1094
Signed by Governor.		Conference committee appoint-	
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ing to transfer of unallocat-		Conference report adopted, con-	
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ropriations made to state		Passed; ayes 43, nays none .....	1205
board of control and subse-		Reported enrolled .....	1273
quent transfers made thereto;		Signed by President .....	1273
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Received, referred .....	811	rent biennium to department	
Recommended passage .....	1015	of public instruction for gen-	
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Passed; ayes 46, nays none .....	1041	tricts.	
Reported enrolled .....	1098	Received, referred .....	883
Signed by President .....	1098	Recommended amendment, pas-	
Signed by Governor.		sage .....	939
487 By Appropriations. Relat-		Committee report adopted .....	1026
ing to an appropriation to		Amendments adopted .....	1026, 1269
board of control for needed		Passed; ayes 49, nays none .....	1026
capital improvements for cer-		Senate insists .....	1095
tain institutions.		Conference committee appoint-	
Received, referred .....	811	ed .....	1095
Recommended amendment, pas-		Conference report .....	1204
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Committee report adopted .....	1149	appointed .....	1241
Amendment adopted .....	1150	Second conference report .....	1268, 1269
Passed; ayes 47, nays none .....	1150	Passed; ayes 46, nays 1 .....	1270
Senate receded .....	1174	Reported enrolled .....	1296
Passed; ayes 48, nays none .....	1174	Signed by President .....	1296
Reported enrolled .....	1196	Signed by Governor.	
Signed by President .....	1196	498 By Cities and Towns. Re-	
Signed by Governor.		lating to annexation of unin-	
489 By Social Security Commis-		corporated territory; correct-	
sion. Relating to disqualifi-		ing constitutional defects of	
cation for benefits for unem-		54th G.A. legislation.	
ployment compensation.		Received, referred .....	968
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		Amendment filed .....	1102

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 Amendment adopted .....1157  
 Passed; ayes 47, nays none...1157  
 Reported enrolled .....1273  
 Signed by President .....1273  
 Signed by Governor.

499 By Judiciary 2. Relating to legalizing special election and issuance of garage bonds of city of Grundy Center.  
 Received, referred ..... 883  
 Sifting recommends calendar ..... 917, 1169  
 Returned to House .....1143  
 Received, placed on calendar...1170  
 Proof of publication certified...1178  
 Passed; ayes 42, nays none....1201  
 Reported enrolled .....1273  
 Signed by President .....1273  
 Signed by Governor.

500 By Judiciary 2. Relating to veterans' housing; permitting cities and towns to establish and regulate areas therefor.  
 Received, referred ..... 982  
 Sifting recommends calendar .....1046  
 Passed; ayes 38, nays none...1060  
 Reported enrolled .....1116  
 Signed by President .....1116  
 Signed by Governor.

501 By Judiciary 1. Relating to legalizing proceedings of board of directors in school township of Le Claire in Scott county, issuance of school building bonds.  
 Proof of publication certified.. 856  
 Received, referred ..... 968  
 Sifting recommends calendar...1046  
 Passed; ayes 39, nays none ...1056  
 Reported enrolled .....1116  
 Signed by President .....1116  
 Signed by Governor.

502 By Appropriations. Relating to appropriation to department of public instruction for specified school aid to handicapped children, special education fund and vocational education.  
 Received, referred ..... 901  
 Recommended amendment, passage ..... 939  
 Amendment filed ..... 994  
 Committee report adopted .....1027  
 Amendments adopted .....1027, 1028  
 Passed; ayes 49, nays none ...1029  
 Reported enrolled .....1116  
 Signed by President .....1116  
 Signed by Governor.

504 By Cities and Towns. Relating to use of funds received by municipal corporations from road use tax fund; correcting error made by 54th G. A. 55th G. A. in House File 464.  
 Received, referred .....1193  
 Withdrawn from sifting .....1280  
 Passed; ayes 48, nays none ...1281  
 Reported enrolled .....1296  
 Signed by President .....1296  
 Signed by Governor.

505 By Elections. Relating to correction in House File 213,

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 Acts 55th G. A.; striking out unnecessary wording.  
 Received, referred ..... 982  
 Sifting recommends calendar .....1088  
 Passed; ayes 50, nays none....1155  
 Reported enrolled .....1196  
 Signed by President .....1196  
 Signed by Governor.

506 By Appropriations. Relating to appropriation for current biennium, to social welfare department for aid to blind fund, aid to dependent children fund, emergency relief fund and old age assistance fund.  
 Received, referred ..... 968  
 Amendments filed .....994, 1017, 1179  
 Recommended passage .....1099  
 Amendment withdrawn .....1225  
 Amendments adopted .....1225, 1260  
 Passed; ayes 41, nays 2 .....1227  
 Recalled from House .....1253  
 Vote reconsidered .....1260  
 Passed; ayes 44, nays 2 .....1260  
 Reported enrolled .....1296  
 Signed by President .....1296  
 Signed by Governor.

507 By Appropriations. Relating to appropriation for current biennium to state fair board for purpose of state aid to agricultural societies.  
 Received, referred ..... 910  
 Recommended passage ..... 940  
 Amendment filed .....1019  
 Committee reported adopted .....1029  
 Amendment adopted .....1029  
 Passed; ayes 49, nays none ...1029  
 Concurred .....1126  
 Passed; ayes 44, nays none ...1126  
 Reported enrolled .....1196  
 Signed by President .....1196  
 Signed by Governor.

508 By Appropriations. Relating to appropriation for current biennium to state soil conservation committee to defray expenses in districts in carrying on soil conservation work.  
 Received, referred ..... 910  
 Recommended amendment, passage ..... 940  
 Committee report adopted .....1030  
 Amendment adopted .....1031  
 Passed; ayes 49, nays none ...1031  
 Senate insists .....1095  
 Conference committee appointed .....1095  
 Conference report .....1148  
 Conference report adopted, concurred in .....1208  
 Passed; ayes 42, nays 1 .....1208  
 Reported enrolled .....1273  
 Signed by President .....1273  
 Signed by Governor.

509 By Appropriations. Relating to appropriation to state comptroller from motor vehicle fuel tax fund for current biennium to be used in employing help and defraying other expenses in writing refund warrants and keeping records.  
 Received, referred ..... 911

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Recommended passage .....	940
Committee report adopted .....	1031
Passed; ayes 49, nays none .....	1031
Reported enrolled .....	1098
Signed by President .....	1098
Signed by Governor.	
510 By Judiciary 2. Relating to legalized issuance of fire department equipment bonds by city of Burlington.	
Proof of publication certified ..	961
Received, referred .....	1163
Sifting recommends calendar .....	1169
Passed; ayes 49, nays none .....	1234
Reported enrolled .....	1273
Signed by President .....	1273
Signed by Governor.	
511 By Judiciary 2. Relating to legalizing issuance of "Bridge Revenue Bonds" by city of Burlington.	
Received, referred .....	1163
Sifting recommends calendar .....	1169
Passed; ayes 48, nays none .....	1234
Reported enrolled .....	1273
Signed by President .....	1273
Signed by Governor.	
513 By Dairy and Food. Relating to manufacture and sale of oleo, oleomargarine or margarine; permitting shipment in any shape only in interstate commerce.	
Received, placed on calendar ..	982
Passed; ayes 36, nays none .....	1057
Reported enrolled .....	1116
Signed by President .....	1116
Signed by Governor.	
514 By Appropriations. Relating to biennium appropriation for various departments and divisions; expenses of justices of supreme court.	
Received, referred .....	1115
Amendments filed .....	1118, 1143, 1144, 1179, 1219, 1251, 1252
Recommended amendment, passage .....	1142
Committee report adopted .....	1255
Amendments adopted. 1256, 1257, 1258, 1262, 1263, 1264, 1265, 1266	
Amendments withdrawn .....	1257, 1263, 1264
Passed; ayes 50, nays none .....	1266
Senate concurred .....	1289
Passed; ayes 45, nays none .....	1290
Reported enrolled .....	1286
Signed by President .....	1296
Signed by Governor.	
515 By Appropriations. Relating to biennium appropriation to board of education	

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for support, maintenance, replacements, alterations or equipment of institutions under said board.	
Received, referred .....	1164
Recommended amendment, passage .....	1164
Substituted for S. F. 448 .....	1174
Committee report adopted .....	1175
Amendments adopted .....	1175, 1192, 1250
Amendments filed .....	1180, 1181
Motion to reconsider prevailed.	1177
Amendment withdrawn .....	1191
Passed; ayes 49, nays none .....	1192
Senate insists .....	1209
Conference committee appointed .....	1209
Conference report. 1245-1250, 1250	
Passed; ayes 48, nays none .....	1250
Reported enrolled .....	1295
Signed by President .....	1295
Signed by Governor.	
516 By Appropriations. Relating to purchase of certain lots and parcels of real estate adjoining Men's Reformatory at Anamosa; appropriation of \$1,500.00 therefor.	
Received, referred .....	1123
Recommended passage .....	1169
Passed; ayes 49, nays none .....	1215
Reported enrolled .....	1273
Signed by President .....	1273
Signed by Governor.	
517 By Appropriations. Relating to appropriations for payment of miscellaneous expense incurred or authorized by the Fifty-fifth General Assembly.	
Received, placed on calendar ..	1268
Recommended amendment, passage .....	1270
Committee report adopted .....	1271
Amendments adopted .....	1271
Passed; ayes 46, nays none .....	1271
Senate concurred .....	1290
Passed; ayes 45, nays none .....	1290
Reported enrolled .....	1296
Signed by President .....	1296
Signed by Governor.	
518 By Weston and Lauer. Relating to legalizing issuance of bonds by consolidated school of Stanley in counties of Buchanan and Fayette.	
Received .....	1279
Placed on calendar .....	1280
Rules suspended .....	1280
Passed; ayes 48, nays none .....	1280
Reported enrolled .....	1295
Signed by President .....	1295
Signed by Governor.	

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## RELATING TO—

1—Appointment of joint committee to arrange for inauguration . . . .	6
2—Directing Superintendent of Printing to furnish copies of 1950 Code and session laws of 54th General Assembly to "such members of 55th G. A. who may request same", to office staffs of House and Senate as requested by Chief Clerk or Senate Secretary, and to members of press . . . . .	6
3—Instructing Superintendent of Printing to mail journals, bills and binders to each county auditor in state . . . . .	7
4—January recess, January 15 to January 19—21. Laid over . . . . .	11
5—Joint convention, to view inaugural ceremonies of President of the United States, and to place picture of new president in House and Senate. Adopted—21. Concurred and adopted . . . . .	27
6—Spring recess, February 27 to March 9 . . . . .	27
7—Duplicate printing in companion bills, eliminating and simplifying same . . . . .	74
8—General Assembly scrapbook kept in law library since 34th G. A.; authorizing clippings hereafter be selected from various daily and weekly newspapers to make it state-wide in opinions expressed . . . . .	105
9—Joint session, to hold hearing on Iowa Old Age and Survivors' Insurance System with recommendations by the Iowa Study committee . . . . .	116
10—Joint session for legislature to receive distinguished assistance award from National Association of Assessing Officers . . . . .	122
11—Joint convention to hear address by Lewis K. Gough, National Commander of American Legion . . . . .	136
12—Memorializing Congress to amend atomic energy act; to eliminate confusion as to tax exemption . . . . .	346
13—Legislative expenses, approving payment thereof . . . . .	349
14—Memorializing Congress to designate February 15 as Susan B. Anthony Day . . . . .	907
15—Petitioning Federal Communications Commission for extension of time allotted educational television channels to be reserved for noncommercial use—offered 457. No recorded action.	
16—Urging Congress to amend Public Law 552 so as to provide black powder may be used in deep mines in any state not endangered by methane gas, and further amendments suggested . . . . .	608
17—Actuarial examination of pending Old Age and Survivors' Insurance law and amendments by firm of Bowles, Andrews and Towne . . . . .	567, 855
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