1963

State of Iowa

JOURNAL OF THE SENATE

of the

SIXTIETH GENERAL ASSEMBLY

•

Convened January 14, 1963

Adjourned May 18, 1963

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HAROLD E. HUGHES, Governor

W. L. MOOTY, President of the Senate

ROBERT W. NADEN, Speaker of the House

Compiled Under Direction of
S. E. Tennant
Superintendent of Printing

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Des Moines

DOCUMENTS DEPARTMENT

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SIXTIETH GENERAL ASSEMBLY

OFFICERS OF THE SENATE

W. L. MOOTY, President ..... Grundy Center
CLIFFORD M. VANCE, President Pro Tempore ..... Mount Pleasant
ROBERT R. RIGLER, Majority Floor Leader ..... New Hampton
ANDREW G. FROMMELT, Minority Floor Leader ..... Dubuque
CARROLL A. LANE, Secretary ..... Milford
EDNA GILLESPIE, Assistant Secretary and Journal Clerk ..... Des Moines
ANTHONY M. CRITELLI, Law Clerk ..... Des Moines
LEO OXBERGER, Reading and Assistant Law Clerk ..... Des Moines
RUTH E. FISHER, Secretary's Secretary ..... Des Moines
RUTH MOSHER, Secretary to Lieutenant Governor ..... Des Moines
PHYLLIS H. HALL, Secretary's Clerk ..... Des Moines
HELEN WAGNER, Assistant Journal Clerk ..... Des Moines
MARETTA H. BLANCHARD, Engrossing Clerk ..... Des Moines
JUNE PETERSON, Enrolling Clerk ..... Des Moines
BILLIE JEAN WALLING, Payroll Clerk ..... Des Moines
DOROTHY HOHNBAUM, Supply Clerk ..... Grimes
VERNICE M. WESSELS, Assistant Enrolling Clerk ..... Des Moines
MARGARET SCHULTZ, Assistant Enrolled Bills Clerk ..... Des Moines
MARSELLA C. ELLIOTT, Assistant Enrolled Bills Clerk ..... Des Moines
FRED A. SMITH, Sergeant-at-Arms ..... Des Moines
VICTOR E. LINDQUIST, Assistant Sergeant-at-Arms ..... Chariton
JOHN NELSON, Assistant Sergeant-at-Arms ..... Jewell
MARTHA A. SWIFT, Bill Clerk ..... Des Moines
DOYLE W. DARNELL, File Clerk ..... Winterset
ROLLIN E. NIPPER, Assistant File Clerk ..... Des Moines
ALBERT F. MARSHALL, Chief Doorkeeper ..... Northwood
CHARLEY M. HANSON, Assistant Doorkeeper ..... Altoona
JOHN B. NELSON, Assistant Doorkeeper ..... Atlantic
ROBERT K. NIELSEN, Assistant Doorkeeper ..... Des Moines
*JOE CHOCHOLKA, Assistant Doorkeeper ..... Des Moines
WALTER MCCORKLE, Assistant Doorkeeper ..... Winterset
DORA DYKHOUSE, Postmistress ..... Rock Rapids

*Deceased April 4, 1963.

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ELECTIVE STATE OFFICERS
Official Address, Des Moines, Iowa

Name	Title	Residence	Politics
Harold E. Hughes	Governor	Ida Grove	Democrat
W. L. Mooty	Lieutenant Governor	Grundy Center	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
L. B. Liddy	Secretary of Agriculture	Keosauqua	Republican
Evan Hultman	Attorney General	Waterloo	Republican
Theodore G. Garfield	Judge of the Supreme Court	Ames	Republican
Norman R. Hays	Judge of the Supreme Court	Knoxville	Republican
Robert L. Larson	Judge of the Supreme Court	Iowa City	Republican
C. Edwin Moore	Judge of the Supreme Court	Des Moines	Republican
Henry K. Peterson	Judge of the Supreme Court	Council Bluffs	Republican
Bruce M. Snell	Judge of the Supreme Court	Ida Grove	Republican
William C. Stuart	Judge of the Supreme Court	Chariton	Republican
G. K. Thompson	Judge of the Supreme Court	Cedar Rapids	Republican
T. Eugene Thornton	Judge of the Supreme Court	Waterloo	Democrat

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GENERAL ASSEMBLY
SENATORS IN GENERAL ASSEMBLY

Name	Address	Age	Occupation	District	Counties Composing District	Former Legislative Service
Benda, Kenneth	Hartwick	44	Banker, Ins., Real Estate, Farm Management	23	Poweshiek, Iowa	
Beneke, Donald G	Laurens	46	Lawyer	37	Pocahontas, Buena Vista, Calhoun	59
**Brown, John J	Emmetsburg	50	Real Estate and Insurance	49†	Palo Alto, Emmet, Kossuth	58, 59
**Buck, Howard C	Melbourne	63	Farmer, Semiretired	23†	Marshall	53, 54, 55, 56, 57, 58, 59
Burrows, R. O	Belle Plaine	63	Newspaper Publisher	23	Benton, Tama	54, 55
‡Campbell, John L	Oskaloosa	38	Builder	14†	Mahaska and *Keokuk	
**Coleman, C. Joseph	Clare	40	Farmer	27†	Webster and *Humboldt	57, 58, 59
**Cowden, Harry L	Guthrie Center	62	Insurance Agent	17†	Guthrie and Dallas	59
**Curran, Leigh R	Mason City	57	Farming, Purebred Cattle Raising	43†	Cerro Gordo, Hancock and *Wright	59
Dodds, Robert R	Danville	38	Farming	7	Des Moines	57, 58, 59
‡Doran, A. V	Boone	57	Lawyer	31	Boone, Story, *Greene	
**Dykhouse, J. T	Rock Rapids	73	Retired	24†	Lyon, Sioux, Osceola	47, 48, 49, 50, 50X, 51, 52, 52X, 53, 54, 55, 56, 57, 58, 59
**Elijah, Earl	Clarence	75	Farmer, Banker	23†	Cedar, Jackson, Jones, *Muscatine	55, 56, 57, 58, 59
Ethon, Leo	Fertile	65	Businessman	45	Worth, Mitchell, Howard	45, 46, 47, 48, 49, 50, 50X, 51, 52, 52X, 53, 54, 55
**Elvers, Adolph W	Elkader	51	Farmer, Ins., Real Estate	36†	Clayton	59
**Fisher, J. Louis	Osceola	54	Retail	11†	Clarke, Warren	57, 58, 59
**Flatt, Joseph B	Winterset	41	Men's Wear Merchant	16†	Madison, Adair	58, 59
Frommelt, Andrew G	Dubuque	41	Insurance	32	Dubuque	55, 56, 57, 58, 59
Fulton, Robert D	Waterloo	34	Attorney	34	Black Hawk	58
**Getting, LaRoy	Sanborn	60	Farming & Livestock Feeding	47†	O'Brien, Clay, Dickinson	58, 59
Griffin, Charles F	Mapleton	53	Pharmacist	31	Monona, Harrison	
**Grimstead, Jacob	Lake Mills	58	Farm Operator	41†	Winnebago	55, 56, 57, 58, 59
Hansen, Peter F	Manning	68	Investments & Insurance	30	Carroll, Crawford, Sac	58, 59
Hill, Eugene Marshall	Newton	49	Farmer	25	Jasper	58, 59
‡Kyhl, Vernon H	Parkersburg	54	Auto Dealer	39†	Butler, Bremer, Franklin, *Grundy	
Lisle, Vera	Clarinda	56	Manufacturer	6	Page, Fremont, Mills	53, 54, 55, 56, 57, 58, 59
Lodwick, Seeley G	Wever	42	Farm Manager	1	Lee	
**Long, Irving D	Manchester	68	Lawyer	33†	Buchanan, Delaware	49, 50, 50X, 51, 52, 52X, 57, 58, 59
**Lucken, J. Henry	Akron	67	Farmer, Retired	46†	Plymouth, Cherokee, Ida	53, 52X, 53, 54, 55, 56, 57, 58, 59
‡Main, Franklin S	Lamoni	46	Farmer	5†	Decatur, Ringgold, Union	57, 58, 59
Minette, Jake B	Ottumwa	49	Assembler, John Deere	9	Wapello	58, 59
**Nolan, D. C	Iowa City	60	Lawyer	28†	Johnson	55, 56, 57, 58, 59
O'Malley, George E	Des Moines	57	Attorney	27	Polk	53, 54, 55, 56, 57, 58, 59
**Phelps, Dewey B	Hillsboro	64	Farmer	2†	Van Buren	59
Rigler, Robert R	New Hampton	40	Banker	44	Chickasaw, Floyd	56, 57, 58, 59
Schroeder, Jack	Bettendorf	37	Lawyer	17	Scott	54, 55, 56, 57, 58, 59

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SENATORS IN GENERAL ASSEMBLY—Continued

Name	Address	Age	Occupation	District	Counties Composing District	Former Legislative Service
**Scott, George L.	West Union	75	Retired	40†	Fayette, Allamakee, *Winneshiek	46, 46X, 47, 48, 49, 50, 50X, 55, 56, 57, 58, 59
Shaff, David O.	Clinton	39	Lawyer	18	Clinton	55, 56, 57, 58, 59
‡Shivvers, Vera H.	Knoxville	65	Farm Homemaker	15†	Marion, Monroe	
Shoeman, John D.	Atlantic	60	Veterinarian, Farmer	14	Cass, Audubon, Shelby	56, 57, 58, 59
Stephens, Richard L.	Ainsworth	58	Farmer, Livestock Producer	10	Washington, Louisa	57, 58, 59
**Turner, Richard C.	Council Bluffs	35	Lawyer	19†	Pottawattamie	59
Vance, Clifford M.	Mt. Pleasant	60	Lawyer	8	Henry, Jefferson	57, 58, 59
**Van Eaton, Chas. S.	Sioux City	73	Merchant	32†	Woodbury	51, 52, 52X, 53, 54, 55, 56, 59
‡Vincent, Howard	Russell	52	Farming	4†	Lucas, Wayne	
Walker, John A.	Williams	50	Bank Cashier, Farmer	35	Hamilton, Hardin	52, 52X, 53, 54, 55, 56, 57, 58, 59
**Walter, Orval C.	Lenox	59	Farmer	6†	Adams, Taylor	59
**Wearin, Edward A.	Red Oak	45	Livestock Farmer	8†	Montgomery	59
**Wiley, Martin	Cedar Rapids	62	Fruit Grower	26†	Linn	59
**Wilson, Joe N.	Unionville	40	Farmer	3†	Appanoose, Davis	59

*Attached to Old District for Sixtieth General Assembly only.
**Holdover Senators in Sixtieth General Assembly.
‡Elected to fill vacancy.
†Old Districts before reorganization.

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MEMBERS OF THE HOUSE—SIXTIETH GENERAL ASSEMBLY

Name	Address	Age	Occupation	Politics	County	Former Legislative Service
Andersen, Leonard C.	Sioux City	51	Insurance	Rep.	Woodbury	59
Anderson, Quentin V.	Beaconsfield	30	Farmer and Contractor	Dem.	Ringgold	
Balloun, Charles F.	Toledo	58	Farmer and Warehouseman	Rep.	Tama	59
Baringer, Maurice E.	Oelwein	41	Executive	Rep.	Fayette	59
Bock, Lenabelle	Garner	58	Homemaker	Rep.	Hancock	59
Breitbach, Alfred P., Sr.	Farley	65	Retired Dairy Herd Improvement Assn. Supervisor	Dem.	Dubuque	
Briles, James E.	Corning	36	Auctioneer	Rep.	Adams	56, 58, 59
Busch, Henry W.	Waverly	42	Farmer	Rep.	Bremer	
Camp, John	Bryant	47	Farm Management	Rep.	Clinton	58, 59
Carnahan, Cleve L.	Ottumwa	67	Retired Railroad Switchman	Dem.	Wapello	59
Carstensen, Lawrence D.	Clinton	32	Lawyer	Rep.	Clinton	58, 59
Casey, Reed	Corydon	47	Farmer	Dem.	Wayne	58, 59
Chalupa, LeRoy	Pleasant Plain	49	Farmer and Businessman	Rep.	Jefferson	56, 57, 58, 59
Coffman, William J.	North English	44	General Insurance	Rep.	Iowa	57, 58, 59
Crane, Everett	Vail	52	Farmer, Livestock Feeder	Rep.	Crawford	59
Cunningham, Ray C.	Ames	69	YMCA Sec'y. Retired	Rep.	Story	57, 58, 59
Darrington, William E.	Persia	58	Farmer	Rep.	Harrison	54, 55, 56, 57, 58, 59
Den Herder, Elmer H.	Sioux Center	54	Farmer	Rep.	Sioux	57, 58, 59
Denman, William F.	Des Moines	37	Lawyer	Dem.	Polk	56, 59
Dietz, Riley	Walcott	57	Contractor	Rep.	Scott	56, 57, 58, 59
Duffy, John L.	Dubuque	63	Lawyer	Dem.	Dubuque	52, 52X, 53, 56, 57, 58, 59
Dunton, Keith H.	Thornburg	47	Farmer, Businessman	Dem.	Keokuk	58, 59
Edgington, Floyd P.	Sheffield	63	Farmer	Rep.	Franklin	55, 56, 57, 58, 59
Ely, John M., Jr.	Cedar Rapids	43	Ingredient Buyer	Dem.	Linn	59
Eveland, Raymond	Ames	42	Farmer	Dem.	Boone	57, 58, 59
Falvey, (Mrs.) Katherine M.	Albia	58	Banker	Dem.	Monroe	58, 59
Fischer, Harold O.	Wellsburg	45	Insurance, Real Estate	Rep.	Grundy	58, 59
Fisher, C. Raymond	Grand Junction	55	Farm Operator	Rep.	Greene	58, 59
Frazier, Charles O.	Keokuk	38	Lawyer	Rep.	Lee	
Gittins, Harry R.	Council Bluffs	52	County Institutional Director	Rep.	Pottawattamie	59
Goode, Dewey E.	Bloomfield	64	Farming, Retired Businessman	Rep.	Davis	45, 45X, 46, 46X, 47, 48, 49, 50, 50X, 53, 54, 55, 56, 57, 59
Graham, J. W.	Ida Grove	60	Farm Manager	Rep.	Ida	59
Grassley, Charles E.	New Hartford	29	Farmer	Rep.	Butler	58, 59
Hagedorn, Merle W.	Royal	51	Farmer	Dem.	Clay	56, 57, 58, 59
Hagen, Walter R.	Waterville	47	Farmer	Rep.	Allamakee	59
Hagie, Raymond W.	Clarion	52	Farmer, Manufacturer Seedsman	Rep.	Wright	59
Hakes, (Mrs.) Frances G.	Laurens	64	Housewife	Rep.	Pocahontas	59
Halling, Eugene	Orient	67	Farming	Rep.	Adair	56, 57, 58, 59
Hanson, Arthur C.	Inwood	71	Retired Farmer	Rep.	Lyon	45, 45X, 53, 54, 55, 56, 57, 58, 59
Hanson, Fred B.	Osage	74	Sec'y.-Mgr. County Fair, Semi-retired	Rep.	Mitchell	59
Hirsch, Carl	Indianola	60	Farming	Rep.	Warren	57, 58, 59
Hougen, Che[illegible]	Cedar Falls	55	Lawyer, M[illegible]	Rep.	Black Hawk	59

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MEMBERS OF THE HOUSE—SIXTIETH GENERAL ASSEMBLY—Continued

Name	Address	Age	Occupation	Politics	County	Former Legislative Service
Jarvis, Fred M.	Alta	64	Farm Management, Real Estate	Rep.	Buena Vista	57, 58, 59
Johnson, Harvey W.	Exira	58	Farmer, Stockman	Rep.	Audubon	56, 58
Kibbie, John P.	Emmetsburg	33	Farmer	Dem.	Palo Alto	59
Kluever, Lester L.	Atlantic	42	Lawyer	Rep.	Cass	57, 58, 59
Knock, Joseph G.	Creston	46	Banker, Farmer	Rep.	Union	59
Knowles, Paul W.	Davenport	38	Chartered Life Underwriter, Ins. Broker	Rep.	Scott	59
Kreager, Max W.	Newton	46	Home Improvement Contractor	Rep.	Jasper	59
Lange, Elmer F.	Sac City	45	Pres., Sac City Creamery Co.	Rep.	Sac	59
Loss, Casey	Algona	58	Farmer	Dem.	Kossuth	53, 52X, 53, 54, 56, 57, 58, 59
Lutz, Cecil V.	Osceola	61	Farmer	Rep.	Clark	58, 59
Mahan, Bruce E.	Iowa City	72	Educator	Dem.	Johnson	
Maule, Elroy	Onawa	49	Farmer, Teacher	Dem.	Monona	57, 58, 59
McElroy Paul E.	Percival	55	Farmer, Lumberman	Rep.	Fremont	59
Mensing, A. L.	Lowden	66	Retired	Rep.	Cedar	54, 55, 56, 57, 58, 59
Messerly, Francis L.	Cedar Falls	48	Building Contractor	Rep.	Black Hawk	59
Meyer, Alvin P.	Winterset	65	Farmer, Businessman	Dem.	Madison	59
Millen, Floyd H.	Farmington	43	Pres., Valley Limestone & Gravel, Inc.	Rep.	Van Buren	
Miller, Charles P.	Burlington	44	Chiropractor	Dem.	Des Moines	
Miller, Leroy S.	Shenandoah	47	Machinery Dealer	Rep.	Page	
Miller, Roy A.	Monticello	59	Farmer, Implement Truck Dealer	Rep.	Jones	
Moffitt, Dumont	Mystic	50	Farmer	Rep.	Appanoose	59
Mowry, John L.	Marshalltown	57	Lawyer	Rep.	Marshall	57, 58, 59
Mueller, Harold	Manly	56	Farmer	Dem.	Worth	58, 59
Murphy, Bernard J.	Carroll	36	Express Agent	Dem.	Carroll	
Murray, John J.	Fort Dodge	52	Lawyer	Dem.	Webster	
Naden, Robert W.	Webster City	41	Manufacturer	Rep.	Hamilton	56, 57, 58, 59
Nelson, Henry C.	Forest City	61	Real Estate Broker	Rep.	Winnebago	56, 57, 58, 59
Nielsen, Alfred	Defiance	60	Farmer	Rep.	Shelby	
Nielsen, Niels J.	Ringsted	66	Farmer	Dem.	Emmet	57, 58, 59
Olson, Marion E.	Mason City	73	Retired Government Official	Rep.	Cerro Gordo	59
Ossian, Conrad	Red Oak	62	Farmer, Merchant	Rep.	Montgomery	57, 58, 59
Palas, Harley J.	Farmersburg	56	Implement Dealer	Dem.	Clayton	
Parker, Kenneth L.	Lamont	58	Farmer	Rep.	Buchanan	59
Patton, James E.	Manchester	67	Retired	Rep.	Delaware	58, 59
Paul, George L.	Brooklyn	59	Farmer	Rep.	Poweshiek	52X, 53, 54, 55, 56, 57, 58, 59
Petersen, Leroy H.	Grimes	47	Farming, Insurance	Rep.	Dallas	59
Peterson, Louis A.	Lawton	53	Farmer	Rep.	Woodbury	59
Prine, Dan	Oskaloosa	41	Farmer	Rep.	Mahaska	59
Reppert, Howard C., Jr.	Des Moines	44	Executive	Dem.	Polk	56, 57, 58
Riley, Tom	Cedar Rapids	33	Lawyer	Rep.	Linn	59
Robinson, Samuel E.	Guthrie Center	68	Farmer, Justice of the Peace	Rep.	Guthrie	57, 58, 59
Scherle, William J.	Henderson	39	Farmer	Rep.	Mills	59
Sersland, Hillman H.	Decorah	56	Merchant	Rep.	Winneshiek	55, 56, 57, 58, 59
Shaw, Wayne	Charles City	64	Retired	Rep.	Floyd	58, 59

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MEMBERS OF THE HOUSE—SIXTIETH GENERAL ASSEMBLY—Continued

Name	Address	Age	Occupation	Politics	County	Former Legislative Service
Siglin, Marion D.	Lucas	52	Farmer	Rep.	Lucas	
Smith, Marvin W.	Paullina	61	Retired Farmer-Teacher	Rep.	O'Brien	57, 58, 59
Smith, Roy J.	Spirit Lake	73	Farmer	Rep.	Dickinson	53, 54, 55, 56, 59
Sokol, Howard N.	Sibley	50	Property Management and Security Sales.	Rep.	Osceola	
Stanley, David	Muscatine	34	Lawyer	Rep.	Muscatine	58, 59
Steele, Washburn W.	Cherokee	43	Farmer	Rep.	Cherokee	
Steffen, Vince	New Hampton	34	Harvestall Industries, Inc	Dem.	Chickasaw	
Stevenson, M. Ross	Lime Springs	56	Farmer	Dem.	Howard	59
Stokes, A. Gordon	LeMars	64	Farmer	Rep.	Plymouth	59
Strothman, Charles F.	New London	61	Farmer	Rep.	Henry	
Swisher, Scott	Iowa City	43	Lawyer	Dem.	Johnson	56, 57, 58, 59
Tabor, Howard	Baldwin	68	Farmer	Dem.	Jackson	58, 59
Van Alstine, (Miss) Percie	Gilmore City	57	Retired Home Economist	Rep.	Humboldt	59
Van Nostrand, Maurice	Avoca	37	Grain and Feed Dealer	Rep.	Pottawattamie	
Vermeer, Elmer H.	Pella	42	Nurseryman, Farmer	Rep.	Marion	55, 56, 57, 59
Vetter, Keith L.	Washington	44	Soft Water Service	Rep.	Washington	
Walter, Paul M.	Union	57	Farmer	Rep.	Hardin	53, 54, 55, 56, 57, 58, 59
Wells, Ivan	Bedford	70	Auctioneer	Dem.	Taylor	57, 58, 59
Wier, Fred E.	Letts	70	Farmer, Salesman	Rep.	Louisa	58, 59
Winkelman, William P.	Lohrville	30	Farming, Ponies and Horses	Rep.	Calhoun	
Worthington, Lorne R.	Lamoni	24	Livestock Auction	Dem.	Decatur	
Wright, Fred L.	Vinton	55	Pharmacist	Rep.	Benton	

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 14, 1963.

Pursuant to law the Sixtieth General Assembly convened at 10:00 o'clock a.m., and was called to order by Lieutenant Governor Mooty.

Prayer was offered by Reverend E. H. Buschman, pastor of the First Presbyterian Church, Grundy Center, Iowa.

TEMPORARY OFFICERS

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

Carroll A. Lane, Temporary Secretary.
Edna Gillespie, Temporary Assistant Secretary and Journal Clerk.
Fred A. Smith, 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 Rigler moved that a committee of five be appointed as a committee on credentials.

The motion prevailed and the Chair appointed as such committee Senators Vance, Shaff, Scott, Brown and Mincks.

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

CERTIFICATION
STATE OF IOWA
Office of
THE SECRETARY OF STATE

To the Honorable, the 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 on November 6, 1962.

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Districts	
First	Seeley G. Lodwick
Fourth	Howard Vincent
Fifth	Franklin S. Main
Sixth	Vern Lisle
Seventh	Robert R. Dodds
Eighth	Clifford M. Vance
Ninth	Jake B. Mincks
Tenth	Richard L. Stephens
Fourteenth	John D. Shoeman
Twenty-third	Kenneth Benda
Twenty-fifth	Eugene M. Hill
Twenty-seventh	George E. O'Malley
Thirtieth	Peter F. Hansen
Thirty-first	Charles F. Griffin

Districts	
Thirty-first	A. V. Doran
Thirty-second	Andrew G. Frommelt
Thirty-fourth	Robert D. Fulton
Thirty-fifth	John A. Walker
Fourteenth	John L. Campbell
Seventeenth	Jack Schroeder
Eighteenth	David O. Shaff
Twenty-second	R. O. Burrows, Sr.
Thirty-seventh	Donald G. Beneke
Thirty-ninth	Vernon H. Kyhl
Forty-fourth	Robert R. Rigler
Forty-fifth	Leo Elthon
Fifteenth	L. C. Shivvers (Deceased)

I FURTHER CERTIFY, that Vera H. Shivvers has been declared by the State Canvassing Board to have been elected State Senator for the Fifteenth Senatorial District in a Special Election held on January 10, 1963.

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 8, 1960:

Districts	
Second	Dewey B. Phelps
Third	Joe N. Wilson
Sixth	Orval C. Walter
Eighth	Edward A. Wearin
Eleventh	J. Louis Fisher
Sixteenth	Joseph B. Flatt
Seventeenth	Harry L. Cowden
Nineteenth	Richard C. Turner
Twenty-third	Earl Elijah
Twenty-fourth	J. T. Dykhouse
Twenty-fifth	D. C. Nolan
Twenty-sixth	Martin Wiley

Districts	
Twenty-seventh	C. Joseph Coleman
Twenty-eighth	Howard C. Buck
Thirty-second	Charles S. Van Eaton
Thirty-third	Irving D. Long
Thirty-sixth	Adolph Elvers
Fortieth	George L. Scott
Forty-first	Jacob Grimstead
Forty-third	Leigh R. Curran
Forty-sixth	J. Henry Lucken
Forty-seventh	LeRoy Getting
Forty-ninth	John J. Brown

(Seal)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Capitol, in Des Moines, this fourteenth day of January, A. D. 1963.

MELVIN D. SYNHORST, *Secretary of State.*

CLIFFORD M. VANCE.
DAVID O. SHAFF.
GEORGE L. SCOTT.
JOHN J. BROWN.

On motion of Senator Vance, 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:

Seeley G. Lodwick
Howard Vincent
Franklin S. Main
Vern Lisle
Robert R. Dodds
Clifford M. Vance
Jake B. Mincks
Richard L. Stephens
John D. Shoeman
Vera H. Shivvers
Kenneth Benda
Eugene M. Hill

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George E. O'Malley
Peter F. Hansen
Charles F. Griffin
A. V. Doran
Andrew G. Frommelt
Robert D. Fulton
John A. Walker
John L. Campbell
Jack Schroeder
David O. Shaff
R. O. Burrows, Sr.
Donald G. Beneke
Vernon H. Kyhl
Robert R. Rigler
Leo Elthon

SELECTION OF SEATS

The Chair announced that the next order of business would be the selection of seats.

Senator Wearin moved that the holdover and reelected Senators be granted the privilege of retaining the seats occupied by them during the Fifty-ninth General Assembly, or the privilege of selecting new seats by lot 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:

Benda, Poweshiek 2
Beneke, Pocahontas 43
Brown, Palo Alto 37
Buck, Marshall 33
Burrows, Benton 22
Campbell, Mahaska 10
Coleman, Webster 15
Cowden, Guthrie 24
Curran, Cerro Gordo 17
Dodds, Des Moines 7
Doran, Boone 9
Dykhouse, Lyon 46
Elijah, Cedar 31
Elthon, Worth 20
Elvers, Clayton 30
Fisher, Clarke 29
Flatt, Madison 36
Frommelt, Dubuque 35
Fulton, Black Hawk 5
Getting, O'Brien 28
Griffin, Monona 42
Grimstead, Winnebago 39
Hansen, Carroll 41
Hill, Jasper 12
Kyhl, Butler 1
Lisle, Page 38
Lodwick, Lee 3
Long, Delaware 27
Lucken, Plymouth 44
Main, Decatur 11
Mincks, Wapello 45
Nolan, Johnson 18
O'Malley, Polk 13
Phelps, Van Buren 19
Rigler, Chickasaw 16
Schroeder, Scott 25
Scott, Fayette 32
Shaff, Clinton 26
Shivvers, Marion 6
Shoeman, Cass 49
Stephens, Washington 48
Turner, Pottawattamie 14
Vance, Henry 47
Van Eaton, Woodbury 50
Vincent, Lucas 4
Walker, Hamilton 34
Walter, Taylor 23
Wearin, Montgomery 8
Wiley, Linn 40
Wilson, Appanoose 21

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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 communication that the Senate might be ready to transmit.

ELECTION OF PRESIDENT PRO TEMPORE

Senator Rigler placed in nomination the name of Senator Clifford M. Vance of Henry County as a candidate for the office of President pro tempore of the Senate of the Sixtieth General Assembly.

There being no further nominations, the Chair declared Senator Vance of Henry County unanimously elected President pro tempore of the Senate of the Sixtieth General Assembly, and asked Senators Shoeman, Long and Fisher to escort Senator Vance to the rostrum.

Senator Vance appeared, took the oath of office and was presented to the Senate by Lieutenant Governor Mooty.

In accepting the office, Senator Vance said:

MEMBERS OF THE SENATE: Mere words cannot express my feelings on this occasion. You have accorded me a great honor in selecting me as your President pro tempore. I accept this position with full knowledge that any of you could discharge the duties of this office as capably as I, and that many of you are much more trained and experienced in the art of parliamentary procedure.

I acknowledge my incapacities with humility and ask you to bear with me at all times when I may be called upon to preside.

There will be many controversial problems and bills to be decided in this session of the Legislature. It is my hope that the issues that may arise will be decided in the best interests of the State of Iowa rather than on the basis of partisan party politics.

Honest differences of opinion are bound to arise, and I know that the members of the Legislature are honest men with honest differences. I have confidence, and I say this with all sincerity, that all of you will honestly exercise your constitutional and human right to disagree, but I hope that such disagreement will not retard the growth, prosperity and development of this great State of Iowa.

I will be at your service with fairness and also with frankness, and I ask that you accord me and all the officers of this Senate these same considerations.

Senator Rigler asked and received unanimous consent that the remarks of President pro tempore Vance be printed in the Senate Journal.

President pro tempore Vance took the chair at 10:20 a.m.

COMMITTEE TO NOTIFY THE GOVERNOR

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

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The motion prevailed and the Chair appointed as such committee Senators Fisher, Getting and Elvers.

COMMITTEE TO NOTIFY THE HOUSE

Senator Lucken moved that a committee of three be appointed to notify the House that the Senate is organized and ready for business.

The motion prevailed and the Chair appointed as such committee Senators Lisle, Burrows and Fulton.

COMMITTEE ON SUPPLIES AND EQUIPMENT

Senator Buck moved that a committee of three be appointed to make arrangements for supplies and equipment to be used during the period of the Sixtieth General Assembly.

The motion prevailed and the Chair appointed as such committee Senators Curran, Schroeder and Hill.

President pro tempore Vance announced to the members of the Senate that on Thursday, January 17, 1963, the Honorable William L. Mooty, Lieutenant Governor-elect, will again be inaugurated Lieutenant Governor of Iowa, and as President of the Senate will preside over this august body during the Sixtieth General Assembly.

At this time I would like to ask Senator Rigler, Senator Frommelt and Senator Shivvers to escort Mr. Mooty to the President's station for the purpose of addressing the members of the Senate.

The committee waited upon Lieutenant Governor Mooty and escorted him to the President's station.

President Mooty said:

SENATORS, LADIES AND GENTLEMEN: As we meet for the Sixtieth regular session of the General Assembly, we are faced with the most urgent need for constructive legislation in the history of this state.

Many are aware of the problems. On our shoulders rests the task of accomplishment. No other one person or group has the power to "do something about it." We alone can get the job done. For this reason we must begin this session with real enthusiasm, and with the organization necessary to promote "good legislation."

With this in mind, much effort has been made in the selection of committees. "Good legislation" is the result of committee action. Speaker Naden and I have worked diligently to have your committee assignments ready to announce today. The legislative process will be expedited by this action.

It is my hope and sincere wish that major legislation be brought out on the floor, openly debated and decisions made on the basis of "what is best for the State of Iowa."

I would like to point out that under Senate rules—twenty-eight members of the Senate can, by petition, bring out any piece of legislation for floor consideration. I hope these same rules will prevail through this session, and that the sifting committee will be used solely for the purpose of clos-

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ing up the session. If the committees will function as intended, and do their work, there need not be any complaints that important legislation has been held in the committees.

There are many indications that the people of Iowa are ready to accept liquor by the glass, and our incoming Governor has indicated his desire for such legislation. I want to assure both the people who are in favor of such a move, and those who are against it, that the question will be thoroughly explored, along with proposals to tighten the present liquor laws. This question will be brought to the floor of the Senate for decision.

Much more important are your decisions on the tax structure for state and local government. What you do this session may well determine the future tax structure for many years to come. There will be bills to increase state aid to schools; there will be proposals to provide property tax relief; and measures for increasing various taxes.

We must find a workable solution to the problems of school aid and of property tax relief. It will not be easy. The solution must be farsighted. We must come up with a formula that will make Iowa's tax structure sound and attractive to property owners for years to come. The people of Iowa do not want additional taxes. They want taxes collected on a more equitable basis. May I point out that the future of Iowa depends on the strength and stability of the property owner. It is essential that efforts charting the course of legislation be planned in advance.

Over the years our government has grown and grown. Agencies and departments have been added with little regard toward chopping out the dead timber, No business would tolerate this condition, because it would become financially insolvent. In this connection, I am arranging for the appointment of a subcommittee of judiciary 1 to carefully examine the ever increasing number of departmental rules.

So, first, before we talk about any tax measures, we must bend every effort to see if we can cut out the dead timber, eliminate where possible and consolidate where it will save money, without the loss of necessary and essential services.

I have made arrangements with the Speaker of the House to hold regular meetings to discuss the progress of legislation. Senate and House leaders will be included. I can assure the leaders of the minority party that they will be called into these conferences at various times during the session, in order that we can facilitate legislation that is in the best interests of all Iowa. The result of these meetings will need to be conveyed to the Governor for his counsel. This will promote cooperation between the parties and between the Governor's office and the legislative chambers.

In conclusion, I would like to suggest to you that the problems have been laid before us. It is up to us to get the job done. Let us dedicate this session to the best interests of the people of the State of Iowa.

Thank you.

Senator Rigler asked and received unanimous consent that the remarks of Lieutenant Governor Mooty be printed in the Senate Journal.

President Mooty took the chair at 11:15 a.m.

REPORT OF COMMITTEE TO NOTIFY THE GOVERNOR

Senator Fisher reported that the committee assigned to notify the Governor that the Senate was organized and ready for business had

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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 Lisle 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.

COMMITTEE ON BADGES

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

COMMITTEE ON CHAPLAINS

Senator Walker moved that Senator Stephens be appointed as a committee of one to work with the House committee in securing chaplains for the Senate during the Sixtieth General Assembly, which motion prevailed.

COMMITTEE ON MILEAGE

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

The motion prevailed and the Chair appointed as such committee Senators Wilson, Hansen and Doran.

ASSIGNMENT OF SEATS IN THE PRESS GALLERY

Senator Campbell moved that the Secretary of the Senate be authorized to assign seats to representatives of the press, radio and television.

The motion prevailed and the Secretary assigned the following:

51. Allan Hoschar, Des Moines Register
    Jack Magarrell, Des Moines Register
52. Drake Mabry, Des Moines Tribune
53. Chad Skaggs, Associated Press
54. Otto Weber, WHO and WHO-TV
55. George B. Brown, United Press International
56. Harrison Weber, Iowa Daily Press Association
57. Don Reid, Iowa Press Association
59. Max P. Rauer, KSO News
60. Frank T. Nye, Cedar Rapids Gazette
61. Martin Jensen, WMT and WMT-TV

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62. Wm. D. Severin, Waterloo Daily Courier
63. Larry Heintz, Davenport Daily Times
Dillard Stokes, The Council Bluffs Nonpareil
64. Mac Danielson, KRNT and KRNT-TV
65. Al Faber, Iowa Legionnaire
Republican State Central Committee

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

SENATE RESOLUTION 1
By Kyhl

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 the Lieutenant Governor. 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 and the Chair appointed as such committee Senators Walker, Griffin and Vincent.

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

SENATE CONCURRENT RESOLUTION 1
By Long

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 Chair appointed as such committee Senators Flatt, Elthon, Dykhouse, Frommelt, Dodds and O'Malley.

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

SENATE CONCURRENT RESOLUTION 2
By Wiley

Be It Resolved by the Senate, the House Concurring: That the Superintendent of Printing be directed to furnish copies of the 1962 Code of Iowa and also copies of the Laws of the Fifty-ninth General Assembly to such members of the Sixtieth General Assembly of Iowa who may request the same. Senate members to leave orders for Codes and laws at the Secretary's desk and House members to leave orders at the Chief Clerk's desk.

That the Superintendent of Printing be directed to furnish copies of the 1962 Code of Iowa and Session Laws of the Fifty-ninth General Assembly as requested by the Secretary of the Senate and by the Chief Clerk of the House for use of the staffs in their respective offices.

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The Superintendent of Printing is further directed to furnish copies of the 1962 Code of Iowa and Session Laws of the Fifty-ninth General Assembly to members of the press assigned seats in the Senate and House press galleries, to be requested by the Secretary of the Senate for members of the press with seats there assigned and by the Chief Clerk of the House for copies to be furnished members of the press assigned seats in the House chamber.

The motion prevailed and the resolution was adopted.

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

SENATE CONCURRENT RESOLUTION 3
By Van Eaton

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 Senate and House bill of the Sixtieth 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.

ADOPTION OF TEMPORARY RULES

Senator Vance moved that the rules of the Fifty-ninth General Assembly become the temporary rules of the Sixtieth General Assembly.

The motion prevailed and the rules of the Fifty-ninth General Assembly were made the temporary rules of the Sixtieth General Assembly.

COMMITTEE ON COMMITTEE ROOMS

Senator Benda moved that a committee of three be appointed to assign the committee rooms to the various standing committees and arrange for regular hours of meeting.

The motion prevailed and the Chair appointed as such committee Senators Lodwick, Main and Walter.

ELECTION OF PERMANENT OFFICERS

Senator Scott 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 A. Lane, Milford
Assistant Secretary and Journal Clerk—Edna Gillespie, Des Moines
Law Clerk—Anthony Critelli, Des Moines
Reading and Assistant Law Clerk—Leo Oxberger, Des Moines

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Secretary's Secretary—Ruth Fisher, Des Moines
Assistant Journal Clerk—Helen Wagner, Des Moines
Secretary's Clerk—Phyllis Hall, Des Moines
Engrossing Clerk—Maretta Blanchard, Des Moines
Enrolling Clerk—June Peterson, Des Moines
Assistant Enrolling Clerk—Vernice Wessels, Des Moines
Payroll Clerk—Billie Jean Walling, Des Moines
Supply Clerk—Dorothy Hohnbaum, Des Moines
Assistant Enrolled Bills Clerk—Margaret Schultz, Des Moines
Assistant Enrolled Bills Clerk—Ada Jolley, Adel
Control Board Operator—William Hill, Liscomb
Sergeant-at-Arms—Fred A. Smith, Des Moines
Assistant Sergeant-at-Arms—Victor E. Lindquist, Chariton
Assistant Sergeant-at-Arms—John Nelson, Jewell
Bill Clerk—Martha Swift, Des Moines
File Clerk—Doyle W. Darnall, Winterset
Assistant File Clerk—Rollin Nipper, Des Moines
Chief Doorkeeper—Albert Marshall, Northwood
Assistant Doorkeeper—Charley Hanson, Des Moines
Assistant Doorkeeper—J. B. Nelson, Atlantic
Assistant Doorkeeper—Robert K. Nielsen, Des Moines
Assistant Doorkeeper—Joe Chocholka, Des Moines
Assistant Doorkeeper—Walter McCorkle, Winterset
Postmistress—Dora Dykhouse, Rock Rapids
Porter—Bernard Oltrogge, Des Moines
Cloakroom Attendant—Archie A. Martin, Des Moines
Telephone Page—Patricia Ely, Des Moines

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

TELLERS OF JOINT CONVENTION

Senator Rigler moved that a committee of three be appointed to serve as tellers to assist in the canvassing of the vote for Governor and Lieutenant Governor at a joint convention to be held for such purpose.

The motion prevailed and the Chair appointed as such committee Senators Shoeman, Beneke and Coleman.

INTRODUCTION OF BILLS

Senate Joint Resolution 1, by Senator Shaff, a joint resolution proposing a constitutional amendment to the Constitution of the State of Iowa relating to the composition of the general assembly, the basis of representation of the members thereof, and to amend such Constitution.

Read first time.

Senator Turner objected to the second reading of the resolution at this time.

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Senator Shaff moved that the resolution be read a second time which motion prevailed and the resolution was read a second time and passed on file.

Senate Joint Resolution 2, by Senator Dykhouse, a joint resolution to propose a Constitutional amendment to provide for annual sessions of the General Assembly.

Read first and second times and passed on file.

Senate File 1, by Senator Vance, a bill for an act relating to controlled access highways.

Read first and second times and passed on file.

Senate File 2, by Senator Elvers, a bill for an act to legalize and validate the proceedings for the organization and establishment of the Starmont Community School District of Strawberry Point, Arlington and Lamont in the counties of Clayton, Fayette, Buchanan and Delaware, State of Iowa, and fixing the boundaries thereof and declaring said district a duly and legally organized corporate body as provided by law.

Read first and second times and passed on file.

Senate File 3, by Senators Rigler, Shoeman, Nolan and Frommelt, a bill for an act relating to the Iowa commission for the blind.

Read first and second times and passed on file.

Senate File 4, by Senator Shoeman, a bill for an act relating to the taxation of feeder cattle on farms.

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 Senate is asked:

House Concurrent Resolution 1, providing for a joint convention of the two houses on January 14, 1963, at 1:30 p.m.

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

House Concurrent Resolution 2, providing that a joint committee be appointed to nominate such additional employees as may be necessary for the work of the session.

WILLIAM R. KENDRICK, *Chief Clerk.*

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

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HOUSE CONCURRENT RESOLUTION 1

Be It Resolved by the House, the Senate Concurring: That a joint convention of the two houses of the Sixtieth General Assembly to be held on January 14, 1963, at 1:30 p.m.

Be It Further Resolved: That Governor Erbe be invited to deliver his message at a joint convention of the two houses of the General Assembly on January 15, 1963 at 1:30 p.m., and that the President of the Senate and the Speaker of the House be designated to extend 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.

The motion prevailed and the resolution was adopted.

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

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.

The motion prevailed and the resolution was adopted and the Chair appointed as such committee Senators Scott, Shoeman and Walker.

President Mooty announced the appointment of the following standing committees:

STANDING COMMITTEES OF THE SIXTIETH GENERAL ASSEMBLY

AGRICULTURE

Walker, Chairman	Dodds	Lucken	Stephens
Elijah*	Elvers	Main	Vincent
Buck	Getting	Phelps	Walter
Coleman	Griffin	Shivvers	Wearin
Curran	Lodwick	Shoeman	Wilson

APPROPRIATIONS

Shoeman, Chairman	Doran	Lodwick	Schroeder
	Elvers	Lucken	Scott
Elthon*	Flatt	Main	Shaff
Buck	Frommelt	Mincks	Turner
Burrows	Fulton	Nolan	Vance
Campbell	Grimstead	O'Malley	Walker
Cowden	Hansen	Phelps	Wearin
Curran	Kyhl	Rigler	Wiley

BANKS, BUILDING AND LOAN

Scott, Chairman	Coleman	Hansen	Rigler
Vance*	Elijah	Lucken	Stephens
Benda	Frommelt	Nolan	Walker
Brown	Getting	Phelps	Wiley

*Indicates ranking member.

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BOARD OF CONTROL

Lucken, Chairman	Burrows	Flatt	Scott
Lisle*	Cowden	Grimstead	Stephens
Brown	Dodds	Hansen	

CITIES AND TOWNS

Van Eaton	Beneke	Fulton	Schroeder
Chairman	Elthon	Long	Shaff
Wiley*	Frommelt	O'Malley	Wearin

CLAIMS

Beneke, Chairman	Burrows	Griffin	Hill
Phelps*	Fulton		

COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES

Cowden,	Fisher	Dodds	Mincks
Chairman	Campbell	Lodwick	

CONSERVATION

Dykhouse,	Campbell	Elvers	Mincks
Chairman	Coleman	Griffin	Shivvers
Van Eaton*	Cowden	Kyhl	Shoeman
Benda	Curran	Long	Wilson
Brown	Elthon		

ENROLLED BILLS

Benda, Chairman	Doran*	Fulton

GOVERNMENTAL AFFAIRS

Grimstead,	Dodds	Lodwick	Vance
Chairman	Fulton	Turner	Vincent
Lucken*	Getting		

HIGHWAYS

Wiley, Chairman	Curran	Grimstead	Rigler
Nolan*	Dykhouse	Hansen	Shaff
Brown	Elthon	Kyhl	Van Eaton
Burrows	Fisher	O'Malley	Walter
Campbell	Flatt		

INDUSTRIAL RELATIONS

Stephens,	Burrows	Frommelt	Scott
Chairman	Campbell	Main	Shivvers
Beneke*	Doran	Mincks	Turner
Buck			

INSURANCE

Long, Chairman	Brown	Hansen	Nolan
Shaff*	Buck	Kyhl	Schroeder
Beneke	Frommelt	Lisle	Walker

IOWA DEVELOPMENT

Curran, Chairman	Cowden	Rigler	Van Eaton
Wearin*	Fisher	Shivvers	Vincent
Brown	Frommelt		

JUDICIARY 1

Nolan, Chairman	Cowden	Fulton	Shaff
Long*	Doran	Hill	Turner
Beneke	Dykhouse	O'Malley	Vance
Coleman	Elijah	Schroeder	Walker

JUDICIARY 2

Schroeder,	Benda	Lucken	Rigler
Chairman	Elvers	Main	Wiley
Turner*	Grimstead		

*Indicates ranking member.

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LEGISLATIVE REDISTRICTING

Flatt, Chairman	Elvers	Rigler	Stephens
Buck*	Fulton	Schroeder	Vance
Curran	Main	Shaff	Wilson
Elthon	Phelps		

MANUFACTURING, COMMERCE AND TRADE

Lisle, Chairman	Campbell	Hill	Wiley
Wilson*			

MILITARY AFFAIRS

Wilson, Chairman	Cowden	Flatt	Hansen
Benda*	Dodds		

PRINTING

Burrows, Chairman	Grimstead*	Fisher	Walter
	Dykhouse	Mincks	

PUBLIC HEALTH

Elthon, Chairman	Griffin	O'Malley	Shoeman
Cowden*	Lodwick	Phelps	Vance
Elvers	Nolan	Shivvers	Wearin
Fulton			

PUBLIC LANDS AND BUILDINGS

Phelps, Chairman	Griffin	Main	Vincent
Scott*	Hill		

PUBLIC UTILITIES

Turner, Chairman	Long	O'Malley	Vincent
Dykhouse*	Nolan	Van Eaton	Wiley
Dodds			

RULES

Vance, Chairman	Hill	Nolan	Shoeman
Schroeder*	Long	Rigler	Van Eaton
Grimstead	Main	Scott	Walter

SCHOOLS AND EDUCATIONAL INSTITUTIONS

Wearin, Chairman	Elvers	Lisle	Stephens
Rigler*	Fisher	Mincks	Vincent
Coleman	Flatt	O'Malley	Walker
Curran	Getting	Phelps	Walter
Doran	Kyhl	Shaff	Wilson
Elijah			

SOCIAL SECURITY

Buck, Chairman	Doran	Griffin	Mincks
Getting*	Elijah	Hill	O'Malley
Burrows	Fisher	Lodwick	Schroeder

TAX REVISION

Elijah, Chairman	Buck	Frommelt	Lisle
Shoeman*	Doran	Hansen	Lucken
Benda	Elthon	Kyhl	Turner
Brown			

TRANSPORTATION AND HIGHWAY SAFETY

Fisher, Chairman	Campbell	Elthon	Shoeman
Kyhl*	Coleman	Elvers	Vance
Benda	Curran	Hansen	Van Eaton
Beneke	Dodds	Lisle	Walker
Buck	Dykhouse		

*Indicates ranking member.

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WATER RIGHTS

Getting, Chairman	Scott	Vincent	Wearin
Lodwick*	Turner	Walter	Wilson
Main			

WAYS AND MEANS

Shaff, Chairman	Dodds	Griffin	Stephens
Flatt*	Dykhouse	Hill	Van Eaton
Benda	Elijah	Lisle	Vincent
Beneke	Fisher	Long	Walter
Brown	Getting	Shivvers	Wilson
Coleman			

SENATORS AND THEIR RESPECTIVE COMMITTEES

Sixtieth General Assembly

SENATOR BENDA

Enrolled bills, Chairman	Banks, building and loan	Tax revision
Military affairs*	Conservation	Transportation and highway safety
	Judiciary 2	Ways and means

SENATOR BENEKE

Claims, Chairman	Insurance	Transportation and highway safety
Industrial relations*	Judiciary 1	Ways and means
Cities and towns		

SENATOR BROWN

Banks, building and loan	Conservation	Iowa development
Board of control	Highways	Tax revision
	Insurance	Ways and means

SENATOR BUCK

Social security, Chairman	Agriculture	Tax revision
Legislative redistricting*	Appropriations	Transportation and highway safety
	Industrial relations	
	Insurance	

SENATOR BURROWS

Printing, Chairman	Claims	Industrial relations
Appropriations	Highways	Social security
Board of control		

SENATOR CAMPBELL

Appropriations	Conservation	Manufacturing, commerce and trade
Compensation of public officers and employees	Highways	Transportation and highway safety,
	Industrial relations	

SENATOR COLEMAN

Agriculture	Judiciary 1	Transportation and highway safety
Banks, building and loan	Schools and educational institutions	Ways and means
Conservation		

SENATOR COWDEN

Compensation of public officers and employees, Chairman	Appropriations	Iowa development
	Board of control	Judiciary 1
Public health*	Conservation	Military affairs

*Indicates ranking member.

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	SENATOR CURRAN	
Iowa development, Chairman	Conservation	Schools and educational institutions
Agriculture	Highways	Transportation and highway safety
Appropriations	Legislative redistricting	
	SENATOR DODDS	
Agriculture	Governmental affairs	Transportation and highway saftey
Board of control	Military affairs	Ways and means
Compensation of public officers and employees	Public utilities	
	SENATOR DORAN	
Enrolled bills*	Judiciary 1	Social security
Appropriations	Schools and educational institutions	Tax revision
Industrial relations		
	SENATOR DYKHOUSE	
Conservation, Chairman	Highways	Transportation and highway safety
Public utilities*	Judiciary 1	Ways and means
	Printing	
	SENATOR ELIJAH	
Tax revision, Chairman	Banks, building and loan	Schools and educational institutions
Agriculture*	Judiciary 1	Social security
		Ways and means
	SENATOR ELTHON	
Public health, Chairman	Conservation	Tax revision
Appropriations*	Highways	Transportation and highway safety
Cities and towns	Legislative redistricting	
	SENATOR ELVERS	
Agriculture	Legislative redistricting	Schools and educational institutions
Appropriations	Public health	Transportation and highway safety
Conservation		
Judiciary 2		
	SENATOR FISHER	
Transportation and highway safety Chairman	Highways	Social security
	Iowa development	Ways and means
	Printing	
Compensation of public officers and employees*	Schools and educational institutions	
	SENATOR FLATT	
Legislative redistricting, Chairman	Appropriations	Military affairs
	Board of control	Schools and educational institutions
Ways and means*	Highways	
	SENATOR FROMMELT	
Appropriations	Cities and towns	Iowa development
Banks, building and loan	Industrial relations	Tax revision
	Insurance	
	SENATOR FULTON	
Appropriations	Enrolled bills	Legislative redistricting
Cities and towns	Governmental affairs	Public health
Claims	Judiciary 1	

*Indicates ranking member.

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	SENATOR GETTING	
Water rights, Chairman	Banks, building and loan	Schools and educational institutions
Social security*	Governmental affairs	Ways and means
Agriculture		
	SENATOR GRIFFIN	
Agriculture	Public health	Social security
Claims	Public lands and buildings	Ways and means
Conservation		
	SENATOR GRIMSTEAD	
Governmental affairs, Chairman	Appropriations	Judiciary 2
Printing*	Board of control	Rules
	Highways	
	SENATOR HANSEN	
Appropriations	Highways	Transportation and highway safety
Banks, building and loan	Insurance	
Board of control	Military affairs	
	Tax revision	
	SENATOR HILL	
Claims	Public lands and buildings	Social security
Judiciary 1	Rules	Ways and means
Manufacturing, commerce and trade		
	SENATOR KYHL	
Transportation and highway safety*	Conservation	Schools and educational institutions
Appropriations	Highways	Tax revision
	Insurance	
	SENATOR LISLE	
Manufacturing, commerce and trade, Chairman	Insurance	Transportation and highway safety
Board of control*	Schools and educational institutions	Ways and means
	Tax revision	
	SENATOR LODWICK	
Water rights*	Compensation of public officers and employees	Governmental affairs
Agriculture		Public health
Appropriations		Social security
	SENATOR LONG	
Insurance, Chairman	Conservation	Rules
Judiciary 1*	Public utilities	Ways and means
Cities and towns		
	SENATOR LUCKEN	
Board of control, Chairman	Appropriations	Judiciary 2
Governmental affairs*	Banks, building and loan	Tax revision
Agriculture		
	SENATOR MAIN	
Agriculture	Legislative redistricting	Rules
Appropriations	Public lands and buildings	Water rights
Industrial relations		
Judiciary 2		
	SENATOR MINCKS	
Appropriations	Conservation	Schools and educational institutions
Compensation of public officers and employees	Industrial relations	Social security
	Printing	

*Indicates ranking member.

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SENATOR NOLAN

Judiciary 1, Chairman
Highways*
Appropriations

Banks, building and loan
Insurance

Public health
Public utilities
Rules

SENATOR O'MALLEY

Appropriations
Cities and towns
Highways

Judiciary 1
Public health
Public utilities

Schools and educational institutions
Social security

SENATOR PHELPS

Public lands and buildings, Chairman
Claims*
Agriculture
Appropriations

Banks, building and loan
Legislative redistricting

Public health
Schools and educational institutions

SENATOR RIGLER

Schools and educational institutions*
Appropriations

Banks, building and loan
Highways
Iowa development

Judiciary 2
Legislative redistricting
Rules

SENATOR SCHROEDER

Judiciary 2, Chairman
Rules*
Appropriations

Cities and towns
Insurance
Judiciary 1

Legislative redistricting
Social security

SENATOR SCOTT

Banks, building and loan, Chairman
Public lands and buildings*

Appropriations
Board of control
Industrial relations

Rules
Water rights

SENATOR SHAFF

Ways and means, Chairman
Insurance*
Appropriations

Cities and towns
Highways
Judiciary 1

Legislative redistricting
Schools and educational institutions

SENATOR SHIVVERS

Agriculture
Conservation

Industrial relations
Iowa development

Public health
Ways and means

SENATOR SHOEMAN

Appropriations, Chairman
Tax revision*

Agriculture
Conservation
Public health

Rules
Transportation and highway safety

SENATOR STEPHENS

Industrial relations, Chairman
Agriculture
Banks, building and loan

Board of control
Legislative redistricting

Schools and educational institutions
Ways and means

SENATOR TURNER

Public utilities, Chairman
Judiciary 2*

Appropriations
Governmental affairs
Industrial relations

Judiciary 1
Tax revision
Water rights

SENATOR VANCE

Rules, Chairman
Banks, building and loan*
Appropriations

Governmental affairs
Judiciary 1
Legislative redistricting

Public health
Transportation and highway safety

*Indicates ranking member.

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SENATOR VAN EATON

Cities and towns, Chairman
Conservation*
Highways
Iowa development
Public utilities
Rules
Transportation and highway safety
Ways and means

SENATOR VINCENT

Agriculture
Governmental affairs
Iowa development
Public lands and buildings
Public utilities
Schools and educational institutions
Water rights
Ways and means

SENATOR WALKER

Agriculture, Chairman
Appropriations
Banks, building and loan
Insurance
Judiciary 1
Schools and educational institutions
Transportation and highway safety

SENATOR WALTER

Agriculture
Highways
Printing
Rules
Schools and educational institutions
Water rights
Ways and means

SENATOR WEARIN

Schools and educational institutions, Chairman
Iowa development*
Agriculture
Appropriations
Cities and towns
Public health
Water rights

SENATOR WILEY

Highways, Chairman
Cities and towns*
Appropriations
Banks, building and loan
Judiciary 2
Manufacturing, commerce and trade
Public utilities

SENATOR WILSON

Military affairs, Chairman
Manufacturing, commerce and trade*
Agriculture
Conservation
Legislative redistricting
Schools and educational institutions
Water rights
Ways and means

*Indicates ranking member.

ANNOUNCEMENT

Senator Rigler urged the committee chairmen to organize their respective committees this week and be ready to transact business next week.

Senator Flatt moved that the majority and minority floor leaders of the Senate invite the newly elected Senators to an informal meeting for the purpose of discussing the methods of procedure in the Senate, which motion prevailed.

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

EXECUTIVE SESSION

The Senate arose from executive session and resumed regular session.

COMMUNICATIONS

The President of the Senate directed the Secretary to read the following communications:

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President of the Senate,
Sixtieth General Assembly of Iowa.

In accordance with the provisions of Section 6.3, Code of Iowa, 1962, I hereby report to the Sixtieth General Assembly of Iowa that I have caused House Joint Resolution 5, Acts of the Fifty-ninth General Assembly, to be published once each month in two newspapers of general circulation in each Congressional District of Iowa for three months previous to the General Election held on November 6, 1962. Affidavits of the publishers of the newspapers designated to publish said Resolution showing proof of publication of same and my certificate of the selection of such newspapers are filed in my office and recorded in a book kept for that purpose as hereinafter shown:

Congressional District	Newspapers	Dates Published 1962
First	Washington Evening Journal, Washington	8-14—9-11—10-9
	Fairfield Daily Ledger, Fairfield	8-7—9-11—10-9
Second	The Clayton County Register, Elkader	8-9—9-13—10-11
	Oelwein Daily Register, Oelwein	8-13—9-10—10-8
Third	The Clarksville Star, Clarksville	8-9—9-13—10-11
	Charles City Press, Charles City	8-10—9-14—10-12
Fourth	The Newton Daily News, Newton	8-8—9-12—10-10
	Times-Republican, Corydon	8-9—9-13—10-11
Fifth	Boone News-Republican, Boone	8-7—9-11—10-9
	Ames Daily Tribune, Ames	8-8—9-12—10-10
Sixth	Kossuth County Advance, Algona	8-9—9-13—10-11
	The Storm Lake Pilot Tribune, Storm Lake	8-9—9-13—10-11
Seventh	The Evening Sentinel, Shenandoah	8-10—9-14—10-12
	The Winterset Madisonian, Winterset	8-8—9-12—10-10

(Seal)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Capitol, in Des Moines, this 31st day of December, A. D. nineteen hundred and sixty-two.

MELVIN D. SYNHORST, *Secretary of State*,
State of Iowa, USA.

President of the Senate,
Sixtieth General Assembly of Iowa.

In accordance with the provisions of Section 6.3, Code of Iowa, 1962, I hereby report to the Sixtieth General Assembly of Iowa that I have caused Senate Joint Resolution 16, Acts of the Fifty-ninth General Assembly, to be published once each month in two newspapers of general circulation in each Congressional District of Iowa for three months previous to the General Election held on November 6, 1962. Affidavits of the publishers of the newspapers designated to publish said Resolution showing proof of publication of same and my certificate of the selection of such newspapers are filed in my office and recorded in a book kept for that purpose as hereinafter shown:

Congressional District	Newspapers	Dates Published 1962
First	The Daily Times, Davenport	8-10—9-10—10-10
	The Burlington Hawk-Eye, Burlington	8-10—9-14—10-12
Second	The Cedar Rapids Gazette, Cedar Rapids	8-10—9-14—10-12
	Telegraph-Herald, Dubuque	8-8—9-12—10-10

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Third	Waterloo Daily Courier, Waterloo	8-8—9-12—10-10
	The Mason City Globe-Gazette, Mason City	8-8—9-12—10-10
Fourth	Oskaloosa Herald, Oskaloosa	8-10—9-14—10-12
	Creston News Advertiser, Creston	8-13—9-10—10-8
Fifth	The Des Moines Register, Des Moines	8-7—9-4—10-9
	Fort Dodge Messenger and Chronicle, Fort Dodge	8-6—9-10—10-8
Sixth	The Spencer Daily Reporter, Spencer	8-6—9-10—10-8
	Sioux City Journal, Sioux City	8-9—9-10—10-9
Seventh	Council Bluffs Nonpareil, Council Bluffs	8-8—9-8—10-8
	Daily Times Herald, Carroll	8-13—9-10—10-8

(Seal)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Capitol, in Des Moines, this 31st day of December, A. D. nineteen hundred and sixty-two.

MELVIN D. SYNHORST, *Secretary of State*, State of Iowa, USA.

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

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

JOINT SESSION
COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that pursuant to law the House was ready to receive the Senate in joint session for the purpose of canvassing the votes cast for governor and lieutenant governor.

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.

Senator Rigler moved that the roll call be dispensed with and that the President of the joint convention be authorized to declare a quorum present, which motion prevailed.

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

Senator Rigler moved that the joint convention adjourn until approximately 1:15 p.m., Tuesday, January 15, which motion prevailed.

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

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

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 15, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Wilson Hyde, pastor of the Union Park Methodist Church, Des Moines, Iowa.

INTRODUCTION OF BILLS

Senate File 5, by Senator Rigler, a bill for an act to expand the meaning of false drawing and uttering of checks to include payment of antecedent debts.

Read first and second times and passed on file.

Senate File 6, by Senator Elvers, a bill for an act relating to taxable personal property.

Read first and second times and passed on file.

Senate File 7, by Senator Elvers, a bill for an act to establish requirements for installation of bulk tanks on farms for milk produced for manufacturing purposes.

Read first and second times and passed on file.

Senate File 8, by Senator Elvers, a bill for an act relating to fees charged by the clerk of the district court in probate matters.

Read first and second times and passed on file.

Senate File 9, by Senator Grimstead, a bill for an act to exempt casual sales by persons not regularly engaged in the business of selling from sales tax.

Read first and second times and passed on file.

Senate Joint Resolution 3, by Senators Hansen, Brown and Cowden, a joint resolution proposing an amendment to the Constitution of the State of Iowa to authorize the licensing and regulation of bingo games conducted by charitable, religious, or veterans organizations.

Read first and second times and passed on file.

Senate File 10, by Senator Grimstead, a bill for an act relating to unlawful hunting on land of another.

Read first and second times and passed on file.

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Senate File 11, by Senators Turner, Curran, Dykhouse, Elthon, Flatt, Long, Nolan, O'Malley, Schroeder, Scott, Shaff, Shoeman, Van Eaton and Wiley, a bill for an act to authorize the Iowa state commerce commission to regulate the rates and services of public utilities, to define public utilities to include those engaged in the furnishing of electricity, gas, water or communications services to the public for compensation, and to provide for appeals from orders and decisions of the Iowa state commerce commission.

Read first and second times and passed on file.

Senate File 12, by Senator Vincent, a bill for an act to legalize and validate the proceedings of the board of directors of the Chariton Community School District, in the County of Lucas, State of Iowa, authorizing and providing for the issuance of school building bonds and for the levy of taxes for the payment of said bonds and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said school district.

Read first and second times and passed on file.

Senate Joint Resolution 4, by Senators Scott and Shoeman, a joint resolution to appropriate to the board of control over and above its usual appropriation, sufficient funds from the general fund of the State of Iowa to be used for the purchase of real estate located in Jasper County which is to be used as a prison honor farm, and to retain sufficient proceeds from the sale of the Clive prison honor farm located in Polk County, Iowa, to reimburse the general fund for such appropriation.

Read first and second times and passed on file.

Senate File 13, by Senators Vance, Frommelt, Shoeman, Scott and O'Malley, a bill for an act relating to the office of clerk of the supreme court and to combine such office with the office of reporter of said court.

Read first and second times and passed on file.

Senator Scott asked and received unanimous consent to take up the following report and moved its adoption:

JOINT ACTION BY COMMITTEE ON EMPLOYEES

Car stickers shall be issued by the Secretary of the Senate and the Chief Clerk of the House to members of the legislature and to three key staff members of the Senate and to four key staff members of the House of Representatives. Car stickers shall not be issued to anyone else.

A regular check will be made of the cars parked in the reserved area by the parking policemen who are authorized to report any duplication of stickers or the presence of cars bearing stickers issued to other than mem-

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bers of the General Assembly. Use of an unauthorized sticker will subject that employee to dismissal.

GEORGE L. SCOTT.
JOHN D. SHOEMAN.
JOHN A. WALKER.
On the Part of the Senate.

SAMUEL S. ROBINSON.
HILLMAN H. SERSLAND.
ELMER F. LANGE.
On the Part of the House.

The motion prevailed and the report was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate Concurrent Resolution 1, providing that a joint committee be named to arrange for the inauguration of the Governor and the Lieutenant Governor.

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

Senate Concurrent Resolution 2, providing that the superintendent of printing be directed to furnish copies of the 1962 Code of Iowa and also copies of the Laws of the Fifty-ninth General Assembly to such members of the Sixtieth General Assembly who may request same, to the staff of the Senate and House, and to members of the press.

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

Senate Concurrent Resolution 3, that the superintendent of printing be instructed to mail to each county auditor in the state one copy of the daily Senate and House Journals and one copy of each Senate and House bill of the Sixtieth 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, providing for a recess of the Sixtieth General Assembly.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 3

Be It Resolved by the House, the Senate Concurring: That when adjournment is had on Thursday afternoon, January 17, 1963, it be to reconvene at 11:00 a.m., Monday, January 21, 1963.

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

The motion prevailed and the resolution was adopted.

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

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EXECUTIVE SESSION

The Senate in executive session confirmed the appointment of Harry W. Dahl, Jr., Des Moines, Polk County, Iowa, as Industrial Commissioner for the period ending June 30, 1967.

The Senate arose from executive session and resumed regular session.

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

REPORT OF COMMITTEE ON MILEAGE

MR. PRESIDENT: Your committee, appointed to determine the mileage for the Lieutenant Governor and the members of the Senate, submits the following report:

	Miles	Amount
Lieutenant Governor W. L. Mooty	80	$11.20
Benda, Kenneth	80	11.20
Beneke, Donald G.	160	22.40
Brown, John J.	167	23.38
Buck, Howard C.	38	5.32
Burrows, R. O., Sr.	92	12.88
Campbell, John L.	60	8.40
Coleman, C. Joseph	118	16.52
Cowden, Harry L.	55	7.70
Curran, Leigh R.	119	16.66
Dodds, Robert R.	155	21.70
Doran, A. V.	48	6.72
Dykhouse, J. T.	260	36.40
Elijah, Earl	150	21.00
Elthon, Leo	95	13.30
Elvers, Adolph W.	200	28.00
Fisher, J. Louis	40	5.60
Flatt, Joseph B.	43	6.02
Frommelt, Andrew G.	200	28.00
Fulton, Robert	110	15.40
Getting, LeRoy	224	31.36
Griffin, Charles F.	157	21.98
Grimstead, Jacob	135	18.90
Hansen, Peter F.	100	14.00
Hill, Eugene M.	33	4.62
Kyhl, Vernon H.	105	14.70
Lisle, Vern	130	18.20
Lodwick, Seeley G.	170	23.80
Long, Irving D.	164	22.96
Lucken, J. Henry	210	29.40
Main, Franklin S.	95	13.30
Mincks, J. B.	90	12.60
Nolan, D. C.	120	16.80
O'Malley, George E.		No claim
Phelps, Dewey B.	140	19.60
Rigler, Robert R.	155	21.70
Schroeder, Jack	186	26.04

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	Miles	Amount
Scott, George L.	185	25.90
Shaff, David O.	200	28.00
Shivvers, Vera H.	35	4.90
Shoeman, John D.	89	12.46
Stephens, Richard L.	135	18.90
Turner, Richard C.	150	21.00
Vance, Clifford M.	137	19.18
Van Eaton, Charles S.	204	28.56
Vincent, Howard	72	10.08
Walker, John A.	72	10.08
Walter, Orval C.	98	13.72
Wearin, Edward A.	125	17.50
Wiley, Martin	120	16.80
Wilson, Joe N.	90	12.60

JOE N. WILSON, *Chairman.*
A. V. DORAN.
PETER F. HANSEN.

The motion prevailed and the report was adopted.

APPOINTMENT OF SUBCOMMITTEE ON JUDICIARY 1

President Mooty announced the appointment of the following Senators as a subcommittee on Judiciary 1:

DEPARTMENTAL RULES AND REGULATIONS

Doran,	Beneke	O'Malley	Walker
Chairman	Fulton	Vance	

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

AFTERNOON SESSION

The Senate reconvened, President Mooty 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 Mooty presiding.

Senator Rigler moved that the roll call be dispensed with and that the President of the joint convention be authorized to declare a quorum present.

Motion prevailed.

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

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Senator Shoeman moved that a committee of six, consisting of three members from the Senate and three members from the House, be appointed to notify Governor Erbe that the joint convention is ready to receive him.

Motion prevailed and the President appointed as such committee Senators Shoeman of Cass, Doran of Boone and Fisher of Clarke, on the part of the Senate, and Representatives Scherle of Mills, Nelson of Winnebago and Lange of Sac, on the part of the House.

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

President Mooty then presented Governor Erbe who delivered the following address:

STATE OF THE STATE MESSAGE

Delivered by Governor Norman A. Erbe
Tuesday, January 15, 1963

LIEUTENANT GOVERNOR MOOTY, SPEAKER NADEN, MEMBERS OF THE SIXTIETH GENERAL ASSEMBLY, LADIES AND GENTLEMEN:

State government is big business, in fact the biggest in Iowa today. Its functions reach into the lives of every one of our citizens, and by the same token its sustaining revenues are found through a tolling of each of our taxpayers.

Because of these omniscient effects of state government, coupled with the ever important ramifications of revenues as they relate to our overall economic well being, it is good that periodically we review those accomplishments of the recent past and in turn set goals for the future of Iowa.

Although I will not be acting as your Chief Executive in the next two years, you may rest assured that as a citizen of Iowa I will have intense interest in your discussions and decisions. You have my every good wish for success.

I am pleased to report to you today on some of the accomplishments of this administration. Efficiency and economy coupled with a progressive spirit has been the watchword. Administrative costs during these two years have risen only 4 percent compared to an appreciably higher gain in our state's economic level.

All Iowans can look with pride upon work of the Fifty-ninth General Assembly which with no increase in taxes accomplished the following:

(1) Increased state aid to schools 25 percent.
(2) Increased the agricultural land tax credit 7 percent.
(3) Increased the appropriations for the Board of Regents 14 percent plus $20.8 million for new buildings and improvements at those institutions.
(4) Granted the Conservation Commission $2.1 million to develop recreational areas and improve state parks along the Missouri and Mississippi Rivers.
(5) Increased the state's mental hospitals funds 11 percent.

Also, in a far-sighted move that brought national attention to Iowa, the legislature passed a reapportionment amendment and redistricted the Iowa Senate for the first time in 60 years.

In June of 1962 the citizens of Iowa established a milestone in progres-

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sive government by ratifying the Judicial Reform Bill which had been submitted to them by the Fifty-ninth General Assembly, thereby causing the selection of judges to be placed on a basis of qualifications only.

Iowa cities are now permitted to participate in the federal housing programs because of legislation passed last session.

Also the Fifty-ninth General Assembly changed the formula for distribution of road use tax funds, increasing the share of this fund for cities and towns by 62½ percent.

These examples of progress and stewardship of government are but a few for which all of us—legislators, citizens, and taxpayers—can share a genuine feeling of a job well done.

I would also like to review with you today some of the activities of various areas of state government during these last two years.

FINANCES

The State Tax Commission reports that it estimates a healthy 7 percent increase in revenue for the biennium ending June 30, 1963, as compared to that ending June 30, 1961. This is due in part to the vigorous economy of our state permitting a steady growth, coupled with greatly improved administrative and collection practices. Significant among these improved methods has been the adoption of data processing procedures which enables significant advances in accounting methods, permits firm control of department budget procedures, makes available to the legislature up-to-the-minute accurate fiscal information and allows closer auditing of the tax rolls. Also, the information exchange agreement with the Federal government premised on data processing equipment promises to bring increased revenues through greater knowledge of tax accounts. It is estimated that on June 30, 1963, there will be in the State Treasury an unencumbered balance of $20,998,000.00.

Along with added revenues the State's economic position improves through greater efficiency in our various departments. Consolidation of services in the Treasurer's office, Comptroller's office, and Tax Commission will mean better administration and increased benefits to the citizens of Iowa.

Since being placed under an appropriated budget on July 1, 1961, and since streamlining its operations, the Iowa Liquor Control Commission has reported a net profit of well over a million dollars more than that of the previous fiscal year.

EDUCATION

As a result of your appropriation of the last session, the Board of Regents institutions have launched the greatest building program in history. These funds will provide for the future needs of our young people as they reach college age. Salary increases, strengthening of existing programs in teaching of the deaf and sightless as well as outstanding progress in the discovery and teaching of new knowledge at our universities all have contributed to keeping our institutions of higher learning among the leaders in the nation.

Through your passage of enabling legislation during the Fifty-ninth General Assembly our secondary school students are receiving the benefits of a fine program of technical education.

Iowa proudly maintains its position of leadership in the percentage of literacy among its people. This has been possible through the years because of your continuing interest in all phases of education and the help of num-

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erous study committees and dedicated educators and teachers throughout our state.

ECONOMIC DEVELOPMENT

During my administration the Iowa Development Commission has made great strides in a progressive new approach to development of *all* areas of the economy of our state. Coordination of efforts and cooperation with our universities, engineering schools, research activities within and without the state as well as a continuing program of working with existing industries and attracting new ones has brought a greater fulfillment of the broad scope of duties assigned to that agency by your body. We all know the work of this vitally important state agency has but scratched the surface of the wonderful potential for developing and promoting the innumerable advantages of our great State of Iowa.

HEALTH AND WELFARE

Iowa, as you know, now ranks first in the per capita number of people over the age of 65. Your body wisely authorized the implementation of the Kerr-Mills program during your last session and now that you have the cost experience from other states to guide you, it is essential that funding for this vitally important program be provided during this session.

In my frequent attendance at mental health meetings throughout the country I pridefully noted the top comparative status of Iowa in our programs for treatment as distinguished from custodial care of the mentally ill. At the present time we have the largest number of psychiatrists staffing our institutions in the history of our state and we have a nationally envied mental health program of which we can justly boast.

Assisting in the interest and development of our program for mental health has been a dedicated Governor's Committee on Mental Health whose members have given unstintingly of their time and effort to present their views to the Board of Control and to your body.

HIGHWAYS

My service in state government started eight years ago as attorney for the Highway Commission. I have carried with me down through these years a deep and abiding respect for the outstanding work of the dedicated employees of that Commission as well as a lasting interest in their work. During these last two years a new program of curb removal was added to the existing fine work of highway construction and maintenance. One hundred six miles of curb have been removed from our highways and the balance of 274 miles of curbed highways is scheduled for correction during 1963. Work on the interstate system and realignment of other major traffic arteries is progressing as fast as funding will permit.

AGRICULTURE

Iowa has of course maintained its national superiority in the field of agricultural production with our abundant resources of Grade-A land and most important our outstanding farmers who make this great utilization of our soil possible. Our best efforts of production have been and must continue to be coordinated with the marketing of these products and a greater use of the products we raise. The marketing division of the Department of Agriculture and the Governor's Committee on Agricultural Products Utilization have done outstanding work in their areas to insure the continuance of our great agricultural economy in Iowa.

MILITARY AFFAIRS AND CIVIL DEFENSE

Since the adjournment of the Fifty-ninth General Assembly a portion of our national guardsmen and reserve forces were called into active mili-

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tary service. I am proud to report to you that while visiting them at their duty stations I heard nothing but the highest praise of their state of training and representation of the people of the State of Iowa while on active duty. Nine months ago the military, in a coordinated operation, prevented possible loss of life and great property damage in their work at the time of the spring thaws following the unprecedented snow cover. Reorganization of the national guard is being accomplished from a realistic standpoint making maximum use of the armories in this state as well as the training background of its members.

The Civil Defense Administration has moved into high gear with aggressive organizational work throughout the state, a program of identification and marking of public shelters, and a physical move of its headquarters to the sub-basement of the State Office Building.

Time does not permit me to share with you all of the examples of progress and fine stewardship accomplished by the state departments and agencies during these last two years. I would, however, like to invite your attention to the fact that during this two-year period recognition ceremonies were held for long-time employees of the State of Iowa and at that time certificates were presented to 1,282 employees with service of over 25 years in length. This fact is indeed a fine example of dedicated public service by long-time employees who are the strong backbone for efficiency in carrying out our state programs.

I would next like to discuss with you some legislative proposals which I am convinced are in the best interests of Iowa's great future:

1. The members of the Executive Council should be appointed by the Governor, enabling a working cabinet of responsibility for the administration. The attorney general should be appointed by the Supreme Court for a fixed term of years.
2. The terms of the Governor and Lieutenant Governor should be fixed at four years enabling the Executive to propose his programs and see them through.
3. Legislation authorizing staff, office and supplies for a Governor-elect between election and inauguration should be adopted.
4. There should be annual sessions of the General Assembly with the additional session restricted to budgetary and fiscal matters. As I am sure you all know there is insufficient time during our biennial session to properly provide for the state's legislative and fiscal matters.
5. Mandatory revaluation of property on a common basis in the state should be directed by the legislature so that the state aid programs have a sound and fair basis for distribution.
6. The three-man boards in the Tax Commission, Commerce Commission, Liquor Commission, Board of Social Welfare and Board of Control should be replaced by a single administrator responsible to the Chief Executive. Since, as has historically been true, the Governor has the responsibility for their programs, he should have the authority which will permit him to be responsible for them.
7. A utility commission with a single head should replace the Commerce Commission, transferring the warehouse inspection duties to the Department of Agriculture and adding the significant duties of utility regulation.
8. A fair employment practice measure should be adopted to eliminate prejudices which exist because of race, creed or color.
9. A permanent continuing commission on local government should be established to provide greater liaison between the state and lesser political subdivisions, to assist in discharging the responsibility of

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the state to local government and to provide continuous attention to state-local matters for the future of the State of Iowa.

10. A permanent code revision office should be established to assist the legislature in analysis of our laws, eliminating some and correcting inconsistent laws.
11. The report of the Little Hoover Commission should be carefully reviewed and its recommendations for the consolidation of state agencies and departments under cabinet heads should be implemented.

These are but a few illustrative changes which would provide a solid and sound basis for the growth and promise which is surely ours in Iowa if we have but the foresight to provide and prepare for the great future which lies ahead.

In the broad areas of interest for consideration and resolution by this Sixtieth General Assembly there are, it seems to me, three which are of vital importance to the future of our state:

1. Education including the state aid programs for our secondary schools and the appropriations including capital authorization for the Board of Regents.
2. The Social Services of the state including the welfare programs, the care of our retarded and mentally ill citizens as well as attention given to unemployment, retraining, and minority groups in our labor market.
3. The expansion of Iowa agriculture and Iowa industry through research and development and promotion of our state so that we may continue to maintain a strong economy.

All of these are of vital concern to the individual citizens of our state and each of them are looking to you for solutions in these areas of interest during this session of the legislature. I am confident that your work during this session will be the most productive in decades of Iowa legislative history.

As I leave you now I want you to know that my finest memories will be those of my associations with you and the dedicated state employees with whom I have had the privilege of serving. My wife, Jackie, our daughters, and myself are pleased to make Iowa our continued home since we love our state very much.

My best wishes go to Governor-elect Hughes, the officers and employees of our state, the members of the legislature and citizens everywhere. God bless each of you. Goodbye.

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

REPORT OF COMMITTEE ON COMMITTEE CLERKS

MR. PRESIDENT: Your committee appointed to determine the standing and qualifications of the candidates for committee clerks begs leave to report that it has made investigation and 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 Benda—Arnoldene Eckles
Senator Beneke—Dorothy Christen
Senator Brown—Narola Metcalf
Senator Buck—Jessie Stoll
Senator Burrows—Katherine Mills
Senator Campbell—Betty Dysart
Senator Coleman—Cecilia Bales

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Senator Cowden—Lenna Boots
Senator Curran—Dorothy Curran
Senator Dodds—Ruth Geil
Senator Doran—Lynn Clark
Senator Dykhouse—Ardith Martin
Senator Elijah—Doris Merrill
Senator Elthon—Evelyn Newlin
Senator Elvers—Lola Elvers
Senator Fisher—Audra Fisher
Senator Flatt—Phyllis Swab
Senator Frommelt—Betty Shortell
Senator Fulton—Doris Johnson
Senator Getting—Dorothy Nepstad
Senator Griffin—Betty Russell
Senator Grimstead—Ruth Grimstead
Senator Hansen—Margaret Falk
Senator Hill—Verniece Thomsen
Senator Kyhl—Ruby Richardson
Senator Lisle—Lois McCully
Senator Lodwick—Dorothea Bauer
Senator Long—Violet Robinson
Senator Lucken—Mary Lou Morgan
Senator Main—Lorene Sumption
Senator Mincks—Audrey Cowles
Senator Nolan—Hope Donaghy
Senator O'Malley—Joy Davis
Senator Phelps—Marie Capper
Senator Rigler—Helen Cram
Senator Schroeder—Lois Kalleen
Senator Scott—Dorothy Edwards
Senator Shaff—Isabel Fanning
Senator Shivvers—Marietta Carr
Senator Shoeman—Dan Shoeman
Senator Stephens—Ella Carmichael
Senator Turner—Virginia Orr
Senator Vance—Irene Williams
Senator Van Eaton—Elsie Haun
Senator Vincent—Ruth Utter
Senator Walker—Eleanor Stenstrom
Senator Walter—Maxine Hanes
Senator Wearin—Helen L. Cram
Senator Wiley—Betty McDonald
Senator Wilson—Janice Weber

JOHN A. WALKER, *Chairman.*
CHARLES F. GRIFFIN.
HOWARD VINCENT.

COMMUNICATION FROM THE STATE COMPTROLLER

The following communication was received from the office of the State Comptroller:

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January 14, 1963.

Mr. Carroll Lane,
Secretary of the Senate,
Local.
Dear Mr. Lane:

There are transmitted herewith claims against the State of Iowa, to be filed with the Claims Committee of the Senate as follows:

Claims of a general nature Nos. 1 to 20 inclusive, 22 to 37 inclusive, 39, 41 to 43 inclusive, 45 to 87 inclusive, 91 to 93 inclusive, 96 to 112 inclusive, 114 to 128 inclusive, 130 to 140 inclusive, 142 to 147 inclusive, 151 to 161 inclusive, 164, 166 to 172 inclusive, 174 to 175 inclusive, 177 to 180 inclusive, 183, 186 to 187 inclusive, 191 to 192 inclusive, 194, 196 and 205.

Highway Commission Claims, Nos. 1, 3 to 5 inclusive, 7 to 8 inclusive, 10 to 12 inclusive, 14 to 15 inclusive, 17 to 19 inclusive, 21 to 29 inclusive, 31, 33 to 34 inclusive, 38 and 42.

Index is attached showing number of claim, name of claimant, and amount claimed.

MARVIN R. SELDEN, JR., *Chairman,*
State Appeal Board.

Receipt of the above is hereby acknowledged.

CARROLL LANE,
Secretary of the Senate.

OFFICE
STATE COMPTROLLER

No.	Name of Claimant and Nature of Claim	Amount of Claim
1-60	Shelby County, Harlan, Iowa—Sales and Use Tax Refund	$ 1,391.75
2-60	R. L. McIntyre, 2426 Hubbell, Des Moines, Iowa—Tractor permit refund	30.00
3-60	Earl Youngkin, R. R. 1, Kellogg, Iowa—Old Warrant	8.40
4-60	Muscatine Levee Improvement Commission, City Hall, Muscatine, Iowa—Sales and Use Tax Refund	193.13
5-60	Vernon L. Helble, R. R. 3, Muscatine, Iowa—Brucellosis Test Indemnity	1,525.00
6-60	Pioneer Mutual Insurance Association, 412 Reed Street, Red Oak, Iowa—Fire loss to baled hay	950.00
8-60	Ellen Millard DBA Millard Transfer, 545 N. Weller Street, Ottumwa, Iowa—Tractor permit refund	5.00
9-60	John W. H. Van Wyhe, Route 1, Ireton, Iowa—Gas Tax Refund	65.70
10-60	Raymond Van Wyhe, Hawarden, Iowa—Gas Tax Refund	40.38
11-60	O. J. Schunning, Hawarden, Iowa—Gas Tax Refund	12.00
12-60	Lloyd Johnson, R. F. D. 1, Hawarden, Iowa—Gas Tax Refund	63.30
13-60	Emil Erickson, Chatsworth, Iowa—Gas Tax Refund	36.00
14-60	Albert DeYager, Doon, Iowa—Gas Tax Refund	89.28
15-60	John W. Dekkers, Rt. 1, Box 90, Hawarden, Iowa—Gas Tax Refund	49.80
16-60	Edwin Meether, Akron, Iowa—Gas Tax Refund	7.80

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No.	Name of Claimant and Nature of Claim	Amount of Claim
17-60	Lutheran Children's Home Society, W. Bremer Avenue, Waverly, Iowa—Sales and Use Tax Refund	77.63
18-60	H. E. Sullivan, Treasurer for Wright County, Wright County Drainage District No. 7, Clarion, Iowa—Drainage District Assessment	329.54
19-60	Thomas Stewart, Atalissa, Iowa—Tractor permit refund	10.00
20-60	Elliott Consolidated School District, Elliott, Iowa—Sales and Use Tax Refund	1,401.39
22-60	David A. Conrad, Box 316, Fort Madison, Iowa—Injury to left hand	2,400.00
23-60	Anthon-Oto Community School District, Anthon, Iowa—Sales and Use Tax Refund	172.23
24-60	Philip J. Groetken, Highway 75 So., LeMars, Iowa—Tractor permit refund	40.00
25-60	Bert M. Leck, Van Buren County Register, Keosauqua, Iowa—Delinquent bill	30.20
26-60	Donald G. Reding, Bode, Iowa—Old Warrant	27.49
27-60	Justin B. Thompson, Tingley, Iowa—Omitted Agricultural Land Tax Credit	53.47
28-60	Helen W. Apfeld, 69 Sinsinawa Avenue, East Dubuque, Illinois—Old Warrant	34.63
29-60	Eldon Ravlin, Underwood, Iowa—Old Warrant	27.96
30-60	Miss Amber B. Mann, Dolliver, Iowa—Claim for services	14,611.36 plus interest
31-60	Anton Schuver, Granville, Iowa—Old Warrant	59.82
32-60	Marvin Sandven, Humboldt, Iowa—License Refund	12.50
33-60	Community School District, Treynor, Iowa—Sales and Use Tax Refund	178.51
34-60	James L. Carolan DBA C & R Milling Co., Lawler, Iowa—License Refund	27.50
35-60	Independent School District Number 1, Buffalo, Iowa—Sales and Use Tax Refund	249.38
36-60	Mrs. E. R. Crellin, Route 1, Box 47, Perry, Iowa—Old Warrant	6.79
37-60	Richard Bladel Mossman, R. 1, Bettendorf, Iowa—Unknown	To be determined
39-60	Clarence Conard, New Virginia, Iowa—Old Warrant	41.68
41-60	Convalescent Home for Children, 211 28th Street, Des Moines, Iowa—Sales Tax Refund	10.60
42-60	Dunn's South Side Funeral Home, 5400 Southwest Ninth Street, Des Moines 15, Iowa—Funeral Bill	255.00

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No.	Name of Claimant and Nature of Claim	Amount of Claim
43-60	Hobbs Impl. & Excavating Co., 1019 4th Ave., N.E., Hampton, Iowa—License Refund	18.75
45-60	Delmar Butterbaugh, 1201 W. 2nd Avenue, Oskaloosa, Iowa—Refund on dental plate	6.00
46-60	Iowa Lutheran Hospital, 716 Parnell, Des Moines, Iowa —Hospital Bill	131.85
47-60	Clem H. Ullrich, 212 Avenue C., Denison, Iowa—Outdated Warrant	120.36
48-60	Appanoose County Treasurer, Centerville, Iowa—Agritural Land Tax Credit	7.69
49-60	Mr. John C. Fisher, 1601 Ave. "D", Council Bluffs, Iowa —Refund of License Fee	5.25
50-60	City of Marshalltown, Municipal Building, Marshalltown, Iowa—Sales and Use Tax Refund	384.79
51-60	City of Marshalltown, 24 North Center Street, Marshalltown, Iowa—Sales and Use Tax Refund	846.03
52-60	Polk County, 5th and Mulberry Street, Des Moines, Iowa—Sales and Use Tax Refund	32.84
53-60	Polk County, 5th and Mulberry Street, Des Moines, Iowa—Sales and Use Tax Refund	90.94
54-60	Keosauqua Light & Power, Keosauqua, Iowa—Unpaid Light Bill	19.00
55-60	Polk County, 5th and Mulberry Street, Des Moines, Iowa—Sales and Use Tax Refund	150.49
56-60	Town of Callender, Webster County, Iowa—Sales Tax Refund	175.49
57-60	Clinton Wire Cloth Company of Clinton, Iowa, 31st Avenue N., & Mississippi River, Clinton, Iowa—Outdated Warrant	133.16
58-60	Donald M. Wiese No. 22622, Iowa Men's Reformatory, Anamosa, Iowa—Personal Injury	1,500.00
59-60	Polk County, 5th and Mulberry Street, Des Moines, Iowa—Sales and Use Tax Refund	48.35
60-60	Vinton Community School District, Vinton, Iowa—Tuition	1,865.78
61-60	Ronnie L. Cole, 321 W. 6th Street, Apt. 4, Davenport, Iowa—Personal Injury	750.00
62-60	Miles Community School District, Miles, Iowa—Tax-free Land Reimbursement	4,001.15
63-60	Miles Community School District, Miles, Iowa—Tax-free Land Reimbursement	146.17
64-60	Miles Community School District, Miles, Iowa—Tax-free Land Reimbursement	124.48
65-60	Maquoketa Community School District, Maquoketa, Iowa—Tax-free Land Reimbursement	34.27

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No.	Name of Claimant and Nature of Claim	Amount of Claim
66-60	Maquoketa Community School District, Maquoketa, Iowa—Tax-free land Reimbursement	109.17
67-60	Sabula Comm. School District, Sabula, Iowa—Tax-free Land Reimbursement	4,937.34
68-60	Bellevue Community School District, Bellevue, Iowa—Tax-free Land Reimbursement	91.62
69-60	Bellevue Community School District, Bellevue, Iowa—Tax-free Land Reimbursement	7.77
70-60	Bellevue Community School District, Bellevue, Iowa—Tax-free Land Reimbursement	42.17
71-60	Bellevue Comm. School Dist, Bellevue, Iowa—Tax-free Land Reimbursement	645.46
72-60	Bellevue Community School District, Bellevue, Iowa—Tax-free Land Reimbursement	54.86
73-60	City of Mason City, 19 South Delaware Avenue, Mason City, Iowa—Sales and Use Tax Refund	59.03
74-60	City of Mason City, 19 South Delaware, Mason City, Iowa—Sales and Use Tax Refund	52.82
75-60	Charles A. Hickman, 310 East McKinley Street, Osceola, Iowa—Loss of wages	700.00
76-60	Fred M. Hudson, Judge of District Court, Pocahontas, Iowa—Judicial Expenses	286.39
77-60	Arnold Block, Route 1, Grand Mound, Iowa—Gas Tax Refund	83.10
78-60	International Business Machines Corporation, 2116 Grand Avenue, Des Moines, Iowa—Service Charge	19.00
79-60	Harold Levis, 532 N. 5th Street, Chariton, Iowa—Judicial Expenses	80.07
80-60	City of Evansdale, 123 N. Evans Rd., Evansdale, Iowa—Sales and Use Tax Refund	82.58
81-60	Mr. Gordon E. Trewin, Sumner, Iowa—Old Warrant	18.08
82-60	Leo Hammers, Route 1, Prescott, Iowa—Old Warrant	10.96
83-60	Hancock County Secondary Road Fund, Garner, Iowa—Sales and Use Tax Refund	298.88
84-60	John M. Schaupp, District Judge, Box 731, Fort Dodge, Iowa—Judicial Expenses	30.32
85-60	Albert City-Truesdale Community School, Albert City, Iowa—Sales and Use Tax Refund	497.86
86-60	Douglas Greenfield, R. F. D. 1, Fort Dodge, Iowa—Collision with deer	617.60
87-60	Washington County, Court House, Washington, Iowa—Sales and Use Tax Refund	267.87

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No.	Name of Claimant and Nature of Claim	Amount of Claim
91-60	E. R. Lear, Sheriff, Hamilton County, Webster City, Iowa—Extradition Expenses	91.68
92-60	The Wright Line Div. Barry Wright Corp., 160 Gold Star Blvd., Worcester 6, Mass.—Outdated invoice	28.75
93-60	Roland's Home for Funerals, 204 East Fifth, Atlantic, Iowa—Funeral Claim	175.00
96-60	Montgomery County, Red Oak, Iowa—Agricultural Land Tax Credit	11.76
97-60	Franklin County, Iowa, Court House, Hampton, Iowa—Sales and Use Tax Refund	507.38
98-60	C. P. Pierce & Son, Morning Sun, Iowa—Burial Expense	168.00
99-60	Earl Roulstone, Meriden, Iowa—Outdated Warrant	24.00
100-60	Phillip Hageman, R. F. D., Ossian, Iowa—Permit Refund	5.00
101-60	Kenneth R. Kleihauer, Route 1, Paullina, Iowa—License Refund	8.00
102-60	Des Moines Flying Service Inc., P. O. Box 2535, S. Des Moines Sta., Municipal Airport—Gas Tax Refund	143.99
103-60	John H. Block, Route 2, Riceville, Iowa—Outdated Warrant	49.20
104-60	United Telephone Company of Iowa, 115 South 2nd Avenue West, Newton, Iowa—Telephone Expense (Public Safety)	16.60
105-60	C. H. Wilhelmi, Bancroft, Iowa—Old Warrant	59.64
106-60	Community School District of Laurens, c/o Gerald C. Ferguson, Secy., Laurens, Iowa—Sales and Use Tax Refund	746.96
107-60	Hy-Vee Food Store, 227 Kirkwood Avenue, Iowa City, Iowa—Display costs for outdoor cooking	35.01
108-60	Schwerman Trucking Co. Permit No. 95890, 5201 S. W. Park Ave. (P. O. Box No. 2561), Des Moines 15, Iowa—Trailer Permit Refund	198.00
109-60	John C. Stewart (Stewart Funeral Home), Leon, Iowa —Funeral Expense	175.00
110-60	Paul Hagge, Route 1, Lehigh, Iowa—Automobile Damage	355.14
111-60	Verne B. Schroeder, Minden, Iowa—Outdated Warrants	78.60
112-60	Hoger Heilskov & Ove Heilskov, Route 1, Hampton, Iowa—Outdated warrants	54.30
114-60	Georgia M. Cos Estate, Ruby E. Cos, Adm., Van Wert, Iowa—Travel Expense	41.70
115-60	Donald Eash, Route 1, Parnell, Iowa—Outdated Warrant	3.08

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No.	Name of Claimant and Nature of Claim	Amount of Claim
116-60	Louis Righi (deceased) Joseph M. Coppola, Attorney for deceased, 203 Plymouth Building, Des Moines, Iowa —Outdated Warrant	7.77
117-60	Polk County, 5th and Mulberry Street, Des Moines, Iowa—Sales Tax Refund	38.37
118-60	Selma Harnack, Executrix Wilbert J. Harnack Estate, Garnavillo, Iowa—Outdated Warrant	9.90
119-60	Clarke Community School District, P. O. Box 162, Osceola, Iowa—Sales and Use Tax Refund	802.25
120-60	Feaster Trucking Service, Inc., Claflin, Kansas—Semi-Trailer Permit Refund	6.00
121-60	Donald Samuel Young, Mechanicsville, Iowa—License Refund	8.00
122-60	Floyd Davis, Judson Street, Bethesda, Iowa—Old Warrant	3.60
123-60	Ward Louis Adrian, Tipton, Iowa—License Refund	22.50
124-60	Philosophical Library, 15 E. 40th Street, New York 16, New York—Book Purchase	6.24
125-60	Collins Radio Company, Dallas, Texas—Refund of Gas Tax	357.99
126-60	Estes & Son Funeral Home, 811 14th Street, Des Moines, Iowa—Claim for Funeral Expense (William R. Lee)	48.50
128-60	Estes & Son Funeral Home, 811-14th Street, Des Moines, Iowa—Funeral Expense (Jamie J. J. Jacobs)	45.00
130-60	Estes & Son Funeral Home, 811-14th Street, Des Moines, Iowa—Funeral Expense (Frank Williams)	213.74
131-60	Estes & Son Funeral Home, 811-14th Street, Des Moines, Iowa—Funeral Expense (Harold A. Redrick)	106.00
132-60	Ora A. Johnson, Goodell, Iowa—Outdated Warrant	25.14
133-60	Vinton Community School District, Vinton, Iowa—Tuition	2,026.35
134-60	Paul Hastie, Minburn, Iowa—Property Damage	753.75
135-60	E. M. Duesenberg, Inc., Highway 106 West, Mason City, Iowa—Refund of State Tax on Diesel Fuel	9,437.47
136-60	Chris Nielsen, Humboldt, Iowa—Outdated Warrant	22.98
137-60	City of Coralville, Iowa, City Attorneys, Coralville, Iowa—Sales Tax Refund	573.30
138-60	Miles E. Foster, M.D., 618 Doctors Building, Omaha 31, Neb.—Outdated Warrant	80.00
139-60	Arie Van Nyhwis, Sheldon, Iowa—License Refund	5.00
140-60	White Motor Company, 204 West Main Street, Lamoni, Iowa—Damage by Deer	177.00

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No.	Name of Claimant and Nature of Claim	Amount of Claim
142-60	Edna Reese, c/o Garfield, Baker & Miller, Humboldt, Iowa—Refund of Use Tax	234.70
143-60	City of Sioux Center, City Clerk, 337 North Main Avenue, Sioux Center, Iowa—Refund of Sales and Use Tax	595.51
144-60	Marie Pavik, Pocahontas County Auditor, Court House, Pocahontas, Iowa—Care of Patients in County Homes	270.85
145-60	Burke Funeral Service, Lansing, Iowa—Funerl Expense (Grave Opening)	25.00
146-60	Frank L. Vomacka, Toledo, Iowa—Outdated Warrant	123.86
147-60	Bill Bradburn, Bill's Standard, Okoboji, Iowa—Outdated Warrant	11.00
151-60	Peter Kuipers, R. F. D. 3, Sheldon, Iowa—Old Warrant	27.00
152-60	Blakesburg Community School District, Blakesburg, Iowa—Refund of Sales and Use Tax	495.30
153-60	Iowa Wesleyan College, Mt. Pleasant, Iowa—Past due cost of lunches for Iowa Development Commission	48.75
154-60	Sac County, Sac County Auditor, Sac City, Iowa—Agricultural Land Tax Credit	1,847.49
155-60	Belle Plaine Community School, Belle Plaine, Iowa Refund of Sales and Use Tax	101.01
156-60	Interstate 35 Community School, New Virginia, Iowa—Reimbursement for Tax-free Lands	94.58
157-60	Floyd Lehman Ford, Inc., 1506 Locust Street, Des Moines, Iowa—Repairs on trade-in tractor	701.50
158-60	John E. Martin, O. D., Box 190, Carroll, Iowa—Outdated Warrant	124.30
159-60	Edward L. Simmons, 1203 South 11th Street, Centerville, Iowa—Outdated Claim	298.13
160-60	Harlan E. Ball, Argyle, Iowa—Outdated Warrant	34.74
161-60	Big Blll's Feed Store, c/o M. F. Sommerville, Wyoming, Iowa—Refund on truck licenses	1,345.00
164-60	Mr. Adrian Irvin, Riceville, Iowa—Old Warrant	33.60
166-60	Donald William Rickels, R. F. D. 3, Monticello, Iowa—Refund of Truck License Fee	150.00
167-60	Rev. Walter Daniel Wigger or Lorena Fern Wigger, 205 S. Davis, Anamosa, Iowa—Refund of Automobile License Fee	6.00
168-60	Plymouth County, Claire Steele, Plymouth County Court House, LeMars Iowa—Agricultural Land Tax Credit	500.97
169-60	The Travelers Insurance Company, Insurance Exchange Building, 505 Fifth Avenue, Des Moines 8, Iowa—Reimbursement of payment to John Kennedy for damage to milk truck tank at plant of State University	4,341.00

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No.	Name of Claimant and Nature of Claim	Amount of Claim
170-60	Miss Clara Mead, Ashton, Iowa—Old Warrant	41.28
171-60	Mr. Millard Lundt, R. F. D., Toledo, Iowa—Old Warrant	11.83
172-60	William H. Schuneman, R. F. D., Eldora, Iowa—Loss of Calf	100.00
174-60	Alfred M. Pabst, Administrator of estate of George A. Jenkins, Box 346, Albia, Iowa—Outdated Warrant	222.50
175-60	Adams County, Corning, Iowa—Additional Agricultural Land Tax Credits	50.35
177-60	City of Dubuque, City Hall, 13th & Iowa Streets, Dubuque, Iowa—Refund of Sales and Use Tax	649.50
178-60	Webster County, Iowa, 701 Central Avenue, Fort Dodge, Iowa—Refund of Sales and Use Tax	364.39
179-60	John H. Woodman, Russell, Iowa—Balance due on funeral	147.00
180-60	Johann Schaffer, 5545 North Fourth, Des Moines, Iowa —Damages to Auto	73.87
183-60	Carmar Studio, 107 West Adams, Creston, Iowa—Outdated Warrant	80.00
186-60	Hougen-Haugebak Fertilizer Service, Inc., 4015 Falls Avenue, Waterloo, Iowa—Refund of License Fees	697.50
187-60	B. H. Beckman, Hull, Iowa—Outdated Warrant	64.30
191-60	Linn County Treasurer, Cedar Rapids, Iowa—Agricultural Land Tax Credit	211.77
192-60	Storey-Kenworthy Company, 309 Locust St., Des Moines, Iowa—Invoices Dated July 10 and August 28	150.66
194-60	Rev. Francis John Perry, c/o St. Francis Hospital, Waterloo, Iowa—Refund on license plates	27.00
196-60	Mr. George A. Chappel, Box 47, Volga, Iowa—Corn eaten by deer	175.00
205-60	State Tax Commission, State House, Des Moines, Iowa —Military Service Tax Credit	322.71
H-1-60	W. F. Brink, 532 Wall Street, N. Mankato, Minnesota —1951 Buick Sedan	73.45
H-3-60	Mrs. Rose Hrubes, Duncan, Iowa—Highway Commission claim on damage caused by establishment of grades	173.60
H-4-60	Francis Anthony, Route 4, Newton, Iowa—Passenger Car	25.15
H-5-60	Mr. Kenneth Turner, 1964 Pine Street, Fremont, Nebraska—Damages to automobile-road construction	513.90
H-7-60	Market Mens Mutual Insurance Company, 1834 West Wisconsin, Milwaukee 1, Wisconsin—Auto accident on highway	369.21

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No.	Name of Claimant and Nature of Claim	Amount of Claim
H-8-60	Charles R. Nelson, Melcher, Iowa—Auto accident on highway	40.00
H-10-60	Charles C. Anama, 637 Insurance Exchange Building, Sioux City, Iowa—Damage to car by Highway Commission Vehicle	18.50
H-11-60	Dorothy Bramon, 508 W. Linn Street, Marshalltown, Iowa—Unused Vacation and Compensatory Days	402.17
H-12-60	Donald Simons, R. F. D. 1, Marcus, Iowa—Highway Damage	30.85
H-14-60	Mrs. Mae Nelson & Barry Nelson, a Minor, Melcher, Iowa—Medical Expense	56.60
H-15-60	William F. Ellerbrock, Laurel, Iowa—Auto Repair	65.00
H-17-60	Joe Simpson, Lamoni, Iowa—Damages to Auto	30.56
H-18-60	State Farm Mutual Insurance Co., 5901 "O" Street, Lincoln, Nebraska—Asphalt and gravel	93.00
H-19-60	George Ernst, Sloan, Iowa—Corn and Beans	2,275.00
H-21-60	Henry Jelken, Jr., R. R. 3, LeMars, Iowa—Crop damage	140.00
H-22-60	Minneapolis-Honeywell Regulator Co., 2020 East River Street, Davenport, Iowa—Automobile Damages	388.62
H-23-60	Queen Insurance Company, 526 Insurance Exchange Building, Des Moines, Iowa—Subrogation (portable feed mill)	2,715.85
H-24-60	Western Casualty & Surety Company, Subrogee, 510 Kahl Building, Davenport, Iowa—Damage to Auto	15.00
H-25-60	Albert Ellison, Lawton, Iowa—460 International Tractor	182.36
H-26-60	John Gee, R. F. D., Farragut, Iowa—Soybeans	173.52
H-27-60	Harold Phippin, R. 2 B 2, Spirit Lake, Iowa—Mailbox and Post	10.98
H-28-60	Dewey Shelby, Delta, Iowa—Snow plow wing	40.00
H-29-60	Harvey Sieren, R. R. 3, Hedrick, Iowa—Fence	30.00
H-31-60	Mrs. Marcella I. Farrell, Whittemore, Iowa—House, garage, windows and furnishings	95.99
H-33-60	Elmer Engbretson, 1113 Division, Decorah, Iowa—Loss of Business	3,200.00
H-34-60	Ole Hammersness, R. F. D., Calmar, Iowa—Loss of corn crop on 8.4 acres	840.00
H-38-60	Mrs. Lucy Godell, Hanlontown, Iowa—Weed Spray	6.10
H-42-60	Mrs. Joe H. Loebach, Whittemore, Iowa—Garden vegetables	50.00
*127-60	Estes & Son Funeral Home, 811 14th Street, Des Moines, Iowa—Claim for Funeral Expense (Baby Boy Forrest)	45.00

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PROOF OF PUBLICATION

Published copy of Senate File 12 and verified proof of publication of said bill in The Chariton Leader on January 8, 1963, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

CARROLL A. LANE,
Secretary of Senate.

BILLS ASSIGNED TO COMMITTEE

President Mooty announced the following assignment of bills to committee:

S.J.R.	1	Legislative redistricting
S.J.R.	2	Judiciary 2
S.J.R.	3	Judiciary 2
S.J.R.	4	Public lands and buildings
S. F.	1	Judiciary 1
S. F.	2	Judiciary 2
S. F.	3	Board of control
S. F.	4	Tax revision
S. F.	5	Judiciary 1
S. F.	6	Tax revision
S. F.	7	Agriculture
S. F.	8	Judiciary 1
S. F.	9	Tax revision
S. F.	10	Conservation
S. F.	11	Public utilities
S. F.	12	Judiciary 2

AMENDMENT FILED

Amend Senate Joint Resolution 1 as follows:
Amend section 1 by striking the word "proposed" in line 8 and substituting in lieu thereof the word "adopted".

J. T. DYKHOUSE.
RICHARD C. TURNER.
D. C. NOLAN.
EDWARD A. WEARIN.

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

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 16, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Doctor Louis Valbracht, pastor of St. John's Lutheran Church, Des Moines, Iowa.

PETITIONS

By Senator Van Eaton from thirty-seven residents of Woodbury County in opposition to Sunday sales.

By Senator Rigler from fifty-one residents of Floyd County in opposition to liquor by the drink.

INTRODUCTION OF BILLS

Senate File 14, by Senator Phelps, a bill for an act relating to the standard official time to be used in the State of Iowa.

Read first and second times and passed on file.

Senator Walker called up the report of the committee on committee clerks filed and found on pages 32 and 33 of the Senate Journal and moved its adoption.

The motion prevailed and the report was adopted.

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

Senator Shoeman asked and received unanimous consent that the following report be printed in the Senate Journal:

REPORT OF THE BUDGET AND FINANCIAL CONTROL COMMITTEE

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

The Budget and Financial Control Committee of the Fifty-ninth General Assembly herewith submits the following report and recommendations.

The Committee made annual visits to the institutions under the Board of Regents, the Board of Control, and also visited many of the projects under the State Conservation Commission. The General Assembly gave this Committee the duty of releasing funds appropriated by the legislature for capital expenditures when, in this Committee's judgment, it was for the best interests of the State of Iowa, and to carry out the intents and purposes

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of the legislature. In our best judgment, such a policy has been followed in making every allocation or release of funds.

We recommend for the consideration of the Sixtieth General Assembly the following subjects:

ADMINISTRATION

Auditor

Put Auditor's per diem men on salary plus expenses.

Data Processing

Set data processing up as separate agency, consolidating all data processing into one agency, and with a confidential status.

Executive Council

Amend Chapters 19.7 and 19.29 so that council cannot pass resolutions for operating expense, with the understanding that realistic appropriation be made to the Executive Council.

Highway Commission

Put Highway Commission administration in the appropriation act.

Judiciary

Continue work on pre-sentencing.

Further co-ordination of Judiciary, Board of Parole, Board of Control and Social Welfare.

Printing Board

Eliminate printing of Academy of Science out of state funds.

Public Instruction, Department of

Create an appointive board of State Department of Public Instruction.

Public Safety

Point system, as now being used, be reviewed.

Notification of expiration of license be reinstated.

Supreme Court

Combine office of Clerk of the Supreme Court and Reporter of the Supreme Court.

Tax Commission

Recommend that the Tax Commission work toward end of equalization of assessment, and if strengthening legislation is needed, submit same to Sixtieth General Assembly.

Abolish the Tax Commission Revolving Fund.

Abuses of exemptions on real and personal property are acute and the legislature should study ways of curbing this.

CONTROL, BOARD OF

Recommend that the Sixtieth General Assembly appropriate funds to complete purchase of Riverview Farm.

Take care of extreme cases regardless of county quota.

LEGISLATURE

Rules Committee

Study procedure of handling all proposed committee bills, with particular attention focused toward making legislative members and public aware of the particular bills before they are voted out of committee.

Legislative Service Agencies

Review should be made to determine whether there should be a consolidation of Legislative Research Bureau and Code Editor, or any other legislative services.

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REGENTS, BOARD OF

In an effort to reduce the time involved in committee hearings and to increase their effectiveness, and to improve communications, we invite the Board of Regents to install their audio-visual aids and devices in a legislative committee room, in order to demonstrate the value of such procedures.

GENERAL

Architects

We suggest that a type of procedure should be used to choose architects for future capital improvements, as is used in industry.

Invitations should be issued by the respective agency to architects, not limited to those from Iowa, for architectural proposals, including preliminary planning, engineering fees, drawings costs and uniformity of design. Particular effort should be made to get architects well known in the particular field of building for which state monies have been appropriated. Choice of the architect should be based on excellence of proposed design.

Car Pool

Have car pool, or a few state cars spotted at Capitol, Harvester Building and State Office Building; supervised by Car Dispatcher.

Psychiatrists

Recommend that a study be made with regard to training of all psychiatrists being done at the University of Iowa.

The work of the Committee has been expedited by the excellent cooperation from the various boards and state departments.

The Fifty-ninth General Assembly appropriated $1,250,000.00 to the Budget and Financial Control Committee for release in accordance with the provisions of Chapter 51, Acts of the Fifty-ninth General Assembly.

On December 31, 1962, the sum of $832,294.08 remained in this fund.

Respectfully submitted,

JOHN D. SHOEMAN, *Chairman.*	CASEY LOSS, *Secretary.*
GEORGE O'MALLEY.	FLOYD P. EDGINGTON.
GEORGE L. SCOTT.	SCOTT SWISHER.
ANDREW FROMMELT.	CONRAD OSSIAN.
CLIFFORD M. VANCE.	MARVIN W. SMITH.
On the part of the Senate.	*On the part of the House.*

Senator Rigler commended the members of the budget and financial control committee for the diligent service rendered the State of Iowa during the interim. Senator Walker also commended the committee.

COMMITTEE ON PHOTOGRAPHS

Senator Rigler moved that Senator Griffin be appointed as a committee of one to cooperate with state printing board in securing suitable photographs for use in the Iowa Official Register, which motion prevailed.

ANNOUNCEMENT

President Mooty announced that at the request of Senator Grimstead he was withdrawing Senator Grimstead's name from the committee on judiciary 1.

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

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 17, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Doctor Newton E. Moats, pastor of Grace Methodist Church, Des Moines, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Stephens for the day on account of illness on request of Senator Getting.

INTRODUCTION OF BILLS

Senate File 15, by Senators Turner and Beneke, a bill for an act to make a license a right.

Read first and second times and passed on file.

Senate File 16, by Senators Nolan, Long, Frommelt, Schroeder, O'Malley, Vance and Hansen, a bill for an act relating to subsidiary companies of life insurance companies.

Read first and second times and passed on file.

Senate File 17, by Senators Buck, Brown, Campbell, Elijah, Elvers, Fisher, Fulton, Mincks and O'Malley, a bill for an act to abolish the death penalty as a punishment for certain crimes and to substitute therefor imprisonment for life or a term of years.

Read first and second times and passed on file.

Senate File 18, by Senators Shoeman, Scott, Vance, Flatt and Walker, a bill for an act to create an appointive state board of public instruction.

Read first and second times and passed on file.

Senate File 19, by Senators Cowden, Nolan and Shoeman, a bill for an act to provide for the establishment of water recreational areas and facilities normally associated therewith.

Read first and second times and passed on file.

Senate File 20, by Senator Wilson, a bill for an act to legalize and validate the special election of the independent school district of Centerville, in the county of Appanoose, State of Iowa, held on

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December 12, 1961, for the issuance of sixty-nine thousand (69,000) dollars of school bonds.

Read first and second times and passed on file.

Senate Joint Resolution 5, by Senator Dykhouse, a joint resolution proposing to amend Article Three (III) of the Constitution of the State of Iowa relating to composition of the General Assembly and to propose repeal of certain provisions therein and the adoption of substitutes therefor.

Read first and second times and passed on file.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the committee report of the joint committee on employees relative to car stickers.

WILLIAM R. KENDRICK, *Chief Clerk.*

ANNOUNCEMENTS

Senator Lisle, who is a member of the Advisory Council for the Technical Institute, rose on a point of personal privilege and extended an invitation to the members of the Senate to tour the Engineering College and the Technical Institute in the Atomic Energy Laboratories at Iowa State University on Wednesday, January 23. He stated that transportation will be furnished to and from Ames, leaving the west entrance of the Capitol Building at 11:00 a.m., and returning at 4:30 p.m.

Senators desiring to make the tour should report to Senator Lisle or Senator Doran as soon as possible.

Senator Rigler announced that in accordance with the motion of Senator Flatt on January 14, duly adopted, there would be a meeting of the newly elected senators at 4:00 p.m., on Monday, January 21, in Room 22.

On motion of Senator Rigler, the Senate recessed until 12:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty 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.

In accordance with Senate Concurrent Resolution 1 duly adopted,

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

JOINT CONVENTION

The joint convention reconvened, President pro tempore Vance presiding.

The President pro tempore declared a majority of the General Assembly present at the joint convention.

President pro tempore Vance 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 17, 1963.

MR. PRESIDENT AND GENTLEMEN AND LADIES 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 6, 1962, beg leave to make the following report of the total vote cast for Governor:

Harold E. Hughes 430,899
Norman A. Erbe 388,955

And the total vote cast for Lieutenant Governor at the election held November 6, 1962:

William L. Mooty 403,845
Melvin H. Wolf 381,574

All of which is most respectfully submitted.

JOHN D. SHOEMAN,
DAVID M. STANLEY,
Judges.
WILLIAM R. KENDRICK,
Secretary of the Joint Convention.

DONALD G. BENEKE,
C. JOSEPH COLEMAN,
MAURICE E. BARINGER,
WILLIAM F. DENMAN,
Tellers.

Senator Shoeman of Cass moved that the report be adopted. Motion prevailed and the report was adopted.

President pro tempore Vance of the joint convention announced that the Honorable Harold E. Hughes, having received the highest number of votes cast for Governor at the last general election, was duly elected to the office of Governor of the State of Iowa for the ensuing term, or until his successor is duly elected and qualified, and that the Honorable William L. Mooty, having received the highest number of votes cast for Lieutenant Governor at the last general election, 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:

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CERTIFICATE OF ELECTION
STATE OF IOWA
GENERAL ASSEMBLY

This is to certify that upon a canvass in joint convention of the two houses of the Sixtieth General Assembly of the State of Iowa, of all the votes cast at the general election held November 6, 1962, for the office of Governor of the State of Iowa, it appeared that Harold E. Hughes 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 17th day of January, A.D. 1963.

CLIFFORD M. VANCE,
President Pro Tempore.
ROBERT W. NADEN,
Speaker of the House.
JOHN D. SHOEMAN,
Teller of the Senate.
DAVID STANLEY,
Teller of the House.
WILLIAM R. KENDRICK,
Chief Clerk of the House and
Secretary of the Joint Convention.

CERTIFICATE OF ELECTION
STATE OF IOWA
GENERAL ASSEMBLY

This is to certify that upon a canvass in joint convention of the two houses of the Sixtieth General Assembly of the State of Iowa, of all the votes cast at the general election held November 6, 1962, for the office of Lieutenant Governor of the State of Iowa, it appeared that William L. Mooty 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 17th day of January, A.D. 1963.

CLIFFORD M. VANCE,
President Pro Tempore.
ROBERT W. NADEN,
Speaker of the House.
JOHN D. SHOEMAN,
Teller of the Senate.
DAVID STANLEY,
Teller of the House.
WILLIAM R. KENDRICK,
Chief Clerk of the House and
Secretary of the Joint Convention.

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

Senator Rigler of Chickasaw moved that a committee of six, consisting of three members from the Senate and three members from

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the House, be appointed to notify Governor-elect Harold E. Hughes and Lieutenant Governor-elect William L. Mooty of the official result of the canvass of votes.

Motion prevailed and President pro tempore Vance named as such committee Senators O'Malley of Polk, Benda of Poweshiek and Kyhl of Butler, and Representatives Eveland of Boone, Swisher of Johnson and Camp of Clinton.

REPORT OF COMMITTEE

Senator O'Malley of Polk from the joint committee appointed to notify Harold E. Hughes and William L. Mooty of their election to the offices of Governor and Lieutenant Governor of Iowa, respectively, submitted the following report and moved its adoption:

MR. PRESIDENT: As a committee appointed at the joint convention to notify the Honorable Harold E. Hughes and the Honorable William L. Mooty of their election to the office 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,

RAYMOND EVELAND,	GEORGE E. O'MALLEY,
SCOTT SWISHER,	KENNETH BENDA,
JOHN CAMP,	VERNON H. KYHL,
On the Part of the House.	*On the Part of the Senate.*

Report adopted.

The Sergeant-at-Arms announced the arrival of Governor-elect Harold E. Hughes and Lieutenant Governor-elect William L. Mooty.

Governor-elect Harold E. Hughes and Lieutenant Governor-elect William L. Mooty were escorted to the Speaker's station.

The invocation was delivered by the Reverend Harry Daily, Sacred Heart Church, Ida Grove, Iowa.

The oath of office was administered to Governor-elect Harold E. Hughes by Chief Justice Theodore G. Garfield of the Supreme Court of Iowa.

The oath of office was administered to Lieutenant Governor-elect William L. Mooty by Chief Justice Theodore G. Garfield of the Supreme Court of Iowa.

President pro tempore Vance presented Lieutenant Governor William L. Mooty.

Lieutenant Governor William L. Mooty, President of the Senate, presiding, presented Governor Harold E. Hughes, who delivered the following inaugural address:

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INAUGURAL MESSAGE TO THE SIXTIETH GENERAL ASSEMBLY

By Honorable Harold E. Hughes, Governor of Iowa
Joint Session, January 17, 1963

MR. PRESIDENT, MR. SPEAKER, MR. CHIEF JUSTICE, SENATORS AND REPRESENTATIVES, STATE OFFICIALS, DISTINGUISHED GUESTS, LADIES AND GENTLEMEN:

Let me say at the outset that I am deeply appreciative of the warm reception I have been accorded here today. As I look about this historic chamber and reflect on the years of distinguished service to the state represented by the personages in attendance—the members of the assembly, the high officials of the judiciary and the executive branch—I am awed as well as profoundly honored to be addressing you for the first time in the capacity of the chief executive of this great state.

As we meet, the question uppermost in the minds of the citizens we represent is whether or not you of the legislature, with a very substantial Republican majority, and I, the Democratic governor, can work together to develop a constructive legislative program for the good of the state.

As I see it, we have no choice—if we are to keep faith with our oaths of office. Our constitution states that "all political power is inherent in the people." The people of Iowa elected a Democratic governor. They elected a large Republican majority in both houses of the Assembly. They expect us to do our jobs regardless of party labels.

I have read statements by the distinguished leaders of the House and Senate and have received personal assurances from numerous individual legislators indicating a willingness to cooperate toward constructive goals in the public interest. I accept these statements in good faith—and I hereby pledge to the members of the General Assembly and to all of the people of Iowa that I, myself, will allow neither personal prejudice nor divisive partisanship to deter me from any reasonable effort to work with the majority and minority parties in the legislature for a program that will keep faith with the will of the people as expressed on last November 6.

Throughout the legislative session, the schedule of my office will be set up to assign first priority to conferences with members of the Assembly at such times as the legislative leaders, committees or individual members may desire to meet with me. In short, the door of my office will be open to you at all times; our facilities will be at your service; and I will meet you at any and all times in an atmosphere of good will and cooperation.

We have recently been through an arduous political campaign. In a campaign, it is fitting and proper that we should emphasize our opposing points of view, as candidates and as political parties, so that the voters may make an informed choice at the polls.

Yet, now that the campaign is over and we proceed to the constructive tasks of legislation and administration, it is worth noting that the differences that divide us as partisans are small by comparison with the common ground that unites us as fellow Iowans. We all want a better, more progressive, more prosperous Iowa. To attain it, we must seek both unity and continuity in government.

Governor Erbe has been most gracious and cooperative in assisting me to effect an orderly transition in administrations. I am very grateful, indeed. In the same spirit, I can assure you that I do not intend to set aside any constructive accomplishments of his years in office simply because of a change in administration.

Although gallantry is not precisely my long suit, I would like to extend a special greeting to the ladies whose presence adorns this session of the Assembly. Your being here attests to the increasing importance of women

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in the public life of our state and your talents, I am sure, will contribute greatly to the constructive accomplishments of this session.

While it is not leap year, I think it is also my duty to call the attention of the unmarried ladies throughout Iowa to the unusual supply of eligible bachelors among the members of the Sixtieth General Assembly. After all, the shoring up of our population growth is an important element in the economic development of the state.

In addition to submitting to you certain specific recommendations for legislation in this message, I would like to communicate to you, in the interests of better understanding, something of my basic intentions with reference to the new administration. These intentions reflect a broad philosophy of government which, I hope, will fall—at least in part—in the area of the common ground to which I referred earlier.

When I first commenced work for the state government, following my election to the Commerce Commission in 1956, I experienced a frustration that I am sure many others have experienced before me. I could see any number of changes that needed to be made to improve the operation of the commission—ordinary, common sense improvements that any qualified business executive would regard as self-evident.

But at every suggestion of change, I was told that "it couldn't be done." In most cases, the reason given was that the proposed move was out of harmony with long-standing custom, law or legislative intent.

So, in exasperation, I said to my staff: "Your job is not to look for reasons that we *can't* effect these administrative changes that make sense and are clearly in the public interest. Your job is to help get them done—unless they are actually prohibited by law." And we did get the job done—so far as I know without violation of the law or damage to legislative intent.

The point I am making is that the hand of the past lies heavy upon many of the departments of state government. Because certain basic improvements have not been made through the years, it is assumed that they can't be made. The tendency is to wait for new legislation or full-scale governmental reorganization before making necessary administration improvements.

Elsewhere in this message, I will make reference to certain needs for reorganization of the state government. But in the meantime, I want to point out that I consider it the administration's duty to get the best performance possible out of the existing machinery of government, to cut through inertia and red tape, and to effect sensible changes and modernizations that will result in greater efficiency and economy.

In short, the keynote of our approach will be to realize as fully as possible the potential that exists in the present framework of government and to use with initiative and prudence the authority that our constitution and statues have placed in the hands of the executive.

ECONOMIC DEVELOPMENT

In the past decade there has been a steady, encouraging progress in the state's economic development. Yet, every thinking citizen knows in his heart that we haven't fulfilled the rich potential for growth in Iowa.

According to predictions of the Census Bureau, Iowa's population will increase by only 5 percent between 1960 and 1970, compared with an expected nationwide gain of more than 19 percent. In other words, 46 of the 50 states will grow faster than ours. I believe it is within our power to change the pattern of these forecasts.

We have tended to place our faith in methods and gimmicks, in get-

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rich-quick schemes for developing our state, and too little faith in basic community improvement and over-all planning.

We have failed to grasp the fact that Iowa is essentially one big community—rural and urban people, industry and agriculture, labor and management, with all of its components depending upon one another for their well-being.

What is good for agriculture is good for the entire state; along the same line, the growth of industry affects the well-being of all of our citizens. Progressive cities—with good streets and parks and schools—enhance the advantages of rural living. Well-kept, prosperous farms, good county government and roads are a blessing to urban citizens. To create jobs, we need bold and venturesome capital. To make industry and business flourish, we need a steady, dependable labor supply. We all depend on one another. We need to plan together and work together to prosper together.

To achieve these objectives will require the concerted leadership of the best talent in both political parties. Among the specific recommendations I would make concerning Iowa's economic growth are these.

First, I propose a substantial strengthening of the Iowa Development Commission along the general lines recommended by the Citizens Committee for Industrial Growth in Iowa.

Second, I ask the General Assembly to give serious consideration to legislation for financing industrial development, including legislation to permit communities to issue revenue bonds for industrial sites and buildings.

Third, I recommend that the moneys and credits tax be reviewed thoroughly to eliminate features which are considered inequitable, illogical and a deterrent to the state's industrial growth.

Finally, we need to further bold new programs of research. We need a stepping up of scientific research to develop new uses for agricultural products. And there is an equal need for economic research and analysis—studies of raw materials, products, by-products, adaptation studies for industry, income studies, manpower surveys and many more.

The facilities of our great universities should be utilized to the fullest extent in a new all-out emphasis on research in Iowa.

PUBLIC SCHOOL EDUCATION

School district reorganization in Iowa has shown significant and commendable progress in recent years. However, the fact remains that only 10 states have more school districts than Iowa. It is clear, therefore, that efforts toward further school reorganization must be continued.

In my budget message, I will recommend an increase in state aid to local school districts. I would like to make it clear that I oppose any distribution plan which penalizes local districts for the support of their schools or rewards them for non-support.

In principle, I favor the so-called "foundation plan" which would establish a permanent formula for distributing general and supplemental aid and would insure an adequate sum to educate each public school pupil in the state. However, if, in the face of current revenue demands, the legislature considers it impracticable to institute the "foundation plan" at this time, I would recommend that steps be taken to set the stage for enactment of the plan in the next session.

HIGHER EDUCATION

One of the gravest responsibilities of the Sixtieth General Assembly is to provide wisely for our institutions of higher learning so that Iowa can attract and retain the highest caliber educators in these institutions, in

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order that they can keep up with the need for modern equipment and research facilities, and to enable them to meet the need for additional classrooms to accommodate expected increases in enrollments.

I am convinced that the time has come when we should face the long-recognized need for a long-range program of capital improvements for these institutions. I will give my unqualified support to any sound plan of financing, such as revenue or general obligation bond issue, which have been suggested in the past.

The frenzied public demands for crash programs in education, following the launching of the first Sputnik, have not abated. But thoughtful citizens realize that the vital need for strengthening our educational system on all fronts is greater than ever.

GOVERNMENT REORGANIZATION

In general, I am in support of most of the recommendations made in 1950 by the Governmental Reorganization Commission commonly known as the Little Hoover Commission, and the Commission on Economic and Social Trends of 1958.

Among the recommendations of these forward-looking commissions, I would particularly point out the advocacy of four-year terms for elective state officials and the recommendation for item veto of legislation by the governor—especially in appropriations bills.

I recommend the immediate establishment of a non-political civil service for the state government so that we may attract and retain the able, competent and efficient personnel so desperately needed in public service.

However, I do not favor the substitution of one-man directorships for present commission, such as the Conservation and Commerce Commissions.

CONSERVATION

There is no department of state government in which I have a greater personal interest than Conservation. While I have no major legislative recommendations to offer in this field at the present time, I feel that the organization of the Conservation Department can be substantially strengthened.

I am principally concerned that the state conservation program should be brought more closely in line with the needs and desires of the people of Iowa.

One legislative recommendation I would like to make is that hunting and fishing licenses be provided without cost to Iowans who are 65 or over.

HIGHWAYS

The enactment of a new formula for the allocation of the road use tax by the Fifty-ninth General Assembly was a significant step forward toward the equitable distribution of these funds. I do not recommend a change in the allocations at this time.

A great deal of light was cast upon our over-all highway program by the reports of the Iowa Highway Study Committee to the Fifty-ninth Assembly. It is my recommendation that the continuation of the committee be authorized by this session of the Assembly.

I support the League of Iowa Municipalities proposal that requirements in the present road use tax law relating to arterial streets be eliminated for communities of less than 5,000 people.

Certain organizational changes should be made in the present framework of the Highway Commission, but I believe that this can be accomplished on the administrative level without the need for additional legislation.

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The emphasis of the new administration will be on the continuation and acceleration of highway construction on a needs or sufficiency basis.

APPORTIONMENT

With all due respect to the sincere people who believe that the Shaff plan is "at least a step in the right direction," I believe that the Sixtieth General Assembly should reject this bill and meet the responsibility of developing a sound and equitable plan of legislation reapportionment.

Although the Shaff plan clearly falls short of providing equality of representation, my objections are not wholly on this basis. In my opinion, this proposal—which would place the Senate or small house on population and the larger house on area—sets up an unwise, "upside-down" bicameral system under which one house would frequently stalemate the other on important issues in the public interest.

IPERS

I am fully in accord with the proposal of the Iowa Public Employees Association for an increase in benefits under the Iowa Public Employees Retirement System.

LIQUOR CONTROL

It is well-known, I think, that I favor legislation to legalize the sale of liquor by the drink. My principal reason for taking this stand is that I believe it would be a more enforceable system of liquor control and would eliminate the illegal key clubs which I consider a Number One source of crime and youth delinquency in the state.

I have indicated that the new administration will exert its best effort to enforce the law, whatever it may be. In recent weeks, many local law enforcement authorities and businessmen have made a conscientious effort to bring their communities in line with the liquor laws for the first time in a number of years. I think we all owe them a debt of gratitude for their voluntary actions. In justice to those people who are now abiding by the law, the state agents will be alerted to enforce the law against those who have not complied.

It is clear that the present law, in addition to being difficult to enforce, is not desired by the majority of our citizens. I sincerely hope that the Sixtieth General Assembly will adopt a system of liquor by the drink under strict licensure and control. I have no doubt that such a change will result in better law enforcement, a more temperate use of alcoholic beverages, and the elimination of the atmosphere of official hypocrisy that has prevailed with respect to our liquor laws.

UTILITY REGULATION

I recommend the creation of a state agency within the framework of the present Commerce Commission to regulate public utilities in the State of Iowa for the protection of both utility companies and consumers. If such an agency is to function usefully, it must be given adequate staff and adequate enforcement powers. I want to make it entirely clear that I will oppose any regulatory agency that does not fully protect the citizen-consumers in matters relating to utility rates and services.

BRUCELLOSIS CONTROL

I give my unqualified support to the proposed legislation for brucellosis control through mandatory testing of Iowa farm animals. Iowa lags far behind most other states in this field. Iowa farmers suffer severe financial losses from this disease, and transmission of the infection to human beings constitutes a serious health problem in our state.

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FREEDOM OF INFORMATION

It will be the policy of the new administration to direct that meetings of state agencies shall be open to the press and to the public.

KERR-MILLS

The Fifty-ninth Assembly enacted legislation authorizing Iowa's participation in the Kerr-Mills program of medical aid to the aging. However, no appropriation was made to fund this program.

It is my recommendation that the Sixtieth General Assembly should appropriate adequate funds to implement the Kerr-Mills program and I will make provision for this in my budget message.

PUBLIC DEFENDER

It is my conviction that justice requires adequate defense for all accused persons regardless of their ability to pay. Voluntary legal aid societies in many of Iowa's counties have done a praiseworthy job in this direction. However, in order to insure capable defense of every defendant, I would recommend that the Sixtieth General Assembly give consideration to the establishment of a public defender system in Iowa.

SCHOOL BUS TRANSPORTATION

Under section 285 of the Iowa Code, children attending private schools are denied transportation on public school buses, despite the fact that their parents pay taxes for public schools. It is my recommendation that this section be repealed to allow all children to ride on public school buses.

COMMISSION ON ALCOHOLISM

In 1958, a citizens committee on alcoholism was created by Governor Loveless to counteract the disease which afflicts an estimated 50,000 Iowans. The Fifty-ninth General Assembly followed up this action by creating an Alcoholism Study Commission. It is recommended that chapter 123A of the Code be clarified to furnish funds directly to the commission for a statewide research, treatment and education program to combat this major problem in our society.

ABOLITION OF CAPITAL PUNISHMENT

In the field of criminology, statistics indicate that through the years capital punishment has failed as a deterrent to capital crimes. In my opinion, the hanging of a human being inflicts severe spiritual damage upon all of the citizens of our state. I therefore strongly recommend the abolition of the death penalty in Iowa criminal law.

COMMISSION ON HUMAN RELATIONS

In both the Loveless and Erbe administrations, the Governor's Commission on Human Relations made a valuable contribution toward the prevention of discrimination, based on race, creed, national origin or economic status.

It is my recommendation that a permanent Commission on Human Relations be established by the legislature.

HUMAN RESOURCES

The energy of the new administration will be directed at all times towards the vitalization of the great human resource programs of the state —mental health, care and education of the retarded, and programs for the handicapped, the aged and the needy.

It is my profound conviction that good welfare and rehabilitation pro-

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grams justify their existence while half-hearted programs in these areas are a waste of the taxpayers' money.

One of our major objectives will be to strengthen the mental health program in Iowa in every way possible. The current proposal for providing a security hospital for the criminally insane has my full support.

I am a firm believer in the concept of providing the best psychiatric care for the mentally ill. While humanity is our primary motivation in this area, the record of the past decade shows unmistakably that the populations of mental hospitals are reduced by modern psychiatric treatment and rehabilitation techniques. In addition to restoring human beings to happy and productive lives, this results in substantial savings to the taxpayers.

Enlightened programs for the rehabilitation of prisoners in our penal institutions and offenders who have been discharged or paroled and efforts towards the prevention of youth delinquency are plainly in the public interest and will receive the continuing attention of the new administration.

Iowa is one of the leaders in the nation in its programs for orientation of the blind and other programs for the handicapped. These worthwhile activities should be encouraged in every way possible.

LABOR

Considering the importance of nonagricultural workers in the Iowa economy, the attention of the General Assembly is respectfully directed to the following laws affecting labor, which, in my opinion, require modification:

1. The Employment Security Act should be amended to provide increased benefits; the waiting period should be eliminated; and the scope of coverage of the act should be increased.

2. The Workmen's Compensation Act should be modified to raise the benefits, to eliminate limitations on the provisions for medical and hospital care, and to broaden the occupational disease provision to cover any disease caused by a person's employment.

3. The Right to Work Law should be amended to abolish the statutory prohibition of "union shop" contracts between employers and employees.

4. A Fair Employment Practices Act, similar to the one that is presently in existence in the State of Kansas, should be enacted.

5. The Labor Commissioner should be given the rule-making powers that other departments have so that he can enforce safety in industrial plants.

6. A prevailing wage law covering public works contracts should be enacted.

PUBLIC SAFETY

The department of public safety, as you know, is a vast department consisting of nearly a dozen divisions, including several concerned with traffic safety, the division of criminal investigation and the division of the fire marshal. At this point, I am more interested in strengthening the administration of this department and coordinating its multifold activities than in seeking new legislation. In general, I am interested in a total approach to our problems of law enforcement—stressing prevention and education across the board along with enforcement itself.

Of major concern to all Iowans is the staggering toll of highway accidents and fatalities. In general, I believe that our highway safety program demands steady, consistent, and completely strict law enforcement, rather than crash programs. The recent innovations by the present safety commissioner, including the use of unmarked patrol cars, I think should be given a thorough trial. In the meantime, I feel that every effort should be made to build up the morale of the Highway Patrol, to provide it firm and unwavering guidance, and to keep the patrol cars on the highways 24 hours

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a day. I believe safety education should be re-emphasized as an important service of the public safety department.

The basic emphasis on prevention over punishment should extend to criminal investigation activities and the division of the fire marshal. I think a great potential lies in the effort to gain continuity in our law enforcement and corrections system, and believe that the surface has not been scratched in developing co-ordination between state and local authorities concerned with crime and punishment.

CITIZEN COMMITTEES

In the Loveless administration, unprecedented use was made of citizen committees that served as valuable working adjuncts of the government. Governor Erbe also made good use of certain committees of this type. In the new administration, such committees as those on mental health, penal affairs, and the aging, to name but a few, will be recommissioned and used to the best advantage.

HOME RULE

The citizens of Iowa are a proud and self-reliant breed. The motto our state flag bears: "Our liberties we prize and our rights we will maintain" is more than a decoration. It is a way of life of our people.

It is my profound conviction that the people of Iowa believe in government close to the people—in the right and capacity of local citizens to govern themselves in affairs of local concern.

Yet, in the past century, we have departed, little by little, from this mainstream democratic concept into a cumbersome legal relationship between the state and local government that deprives local jurisdictions of their prerogatives of self-determination in local matters.

The dominance of the state over local government in matters of general application is accepted as valid and consistent with our democratic traditions. But the mongrel doctrine that cities and towns are "creatures of the state" and that they and other jurisdictions of local government cannot function on even the most trivial level without the express or plainly implied authority of state law, is entirely inconsistent with the democratic traditions of our republic.

In the meantime, our biennial legislative sessions, heavily burdened with matters of important and statewide concern, must direct their attention, each session, to scores of proposals of purely local significance—simply because silence in the statutes is prohibition, under the present system, for local government to act.

I consider it high time that the necessary measures be taken to change the obsolescent and undemocratic relationship between state and local government, as some 30 other states have already done.

I therefore throw my full support behind the proposal for home rule as a sensible method of state control over municipalities in Iowa—and the extension of this grant to other local jurisdictions, if they desire it. It is clearly understood that the legislation calling for the broad grant of home rule will be set up in such a manner that the state is in full control in matters of general application, leaving only local matters to the discretion of local jurisdictions. Such constitutional provisions as the 5 per cent debt limit and other general statutes that the legislature has enacted or shall see fit to enact would still be in full force. But the inalienable right of local communities to make the decisions of local self-government should be reaffirmed without further delay.

I concur in principle with the League of Iowa Municipalities' recommendation that a continuing commission on state and local government

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relations be established by the Assembly to furnish the legislature and the administration insight into the problems of local government operation under state law. Such a commission could, for example, have provided this Assembly with valuable background on local law enforcement problems that would have been helpful in the consideration of proposals for liquor control legislation that will come before this session.

I would hope that the Assembly will give high priority to legislation that will permit state banks to pay interest on current operating funds deposited with them by municipalities, counties and school boards.

This would provide local governments with millions of dollars in interest each year, and would furnish property tax relief in the most direct manner without raising taxes.

The problems of every legislative session are vast and complex, but I believe it is generally recognized that the matters before you ladies and gentlemen of the Sixtieth General Assembly are unusually momentous by comparison with most sessions of the past. It is not without reason that people refer to this as "the money session." We are all aware that the state surplus is down to a minimum and that additional revenues must be raised to sustain the present level of government operation and to provide the state aid for property tax relief to which we are all committed. In my budget message, two weeks hence, I will transmit to you my detailed views concerning the financial needs of the next biennium and suggested revenue measures to meet those needs.

In the meantime, I want to convey to you my respect for the magnitude of the job that lies before you. The constitution assigns to the Governor certain important roles in the legislative process, but the major burden of responsibility and the ultimate authority rests with you ladies and gentlemen of the General Assembly. Whatever our differences may be, I want you to know that I have faith in the integrity of your purpose, the quality of your dedication, and in your ability to get the job done.

In the past two months, I have been conducting the departmental budget hearings and acquainting myself as rapidly as possible with the activities of the various departments of the state government. I must say that I have come to realize—more clearly than ever before—the vast range of our state government's operation.

The scope of government covers the entire spectrum of human life, and all of its different departments and agencies have vitally important services to fulfill. Such departments as public health, public instruction, the tax commission, social welfare, board of control, public safety and the board of regents—to name only a few—are immense complexes within themselves.

As I see it, the responsibility of the new administration is to take a total approach—rather than to concentrate on a few areas and neglect the others. In government, the sins of omission are often greater than the sins of commission. It seems to me that people have a right to expect their governor to give his best efforts to all the diverse fields encompassed by the government ranging from fiscal operation to the great human resource programs of health, education and welfare. To this end, I pledge the full effort of the new administration.

We live in a conservative state, as we all recognize, but in my opinion, it is a conservatism of prudence, rather than of fear and inertia. It has been said there are times to watch and wait and there are times for action.

It seems to me that the needs of this hour call for decisive action on the part of all of us entrusted with the responsibilities of government. I am convinced that our people want action in the fields of tax reform,

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apportionment, law enforcement, education and rehabilitation, and in the restoration of self-government to local jurisdictions.

Such action requires people in government who are willing to put their political futures on the block—because they believe in something.

It is sometimes said that the knack of skillful government is to hang back, do as little as possible, and make no mistakes. I hope there is another way—for between you and me, this prospect does not invite my soul.

Frankly, I expect to experiment and make some mistakes—whether it be in installing new programs in departments or hiring a band. But I can assure you that this new administration will not stop moving—towards the goals to which we have pledged ourselves with the people of Iowa.

I have said it before and I say it again now that our basic problem is psychological and spiritual—rather than technical. It is fundamentally a matter of attitude, rather than method.

As a people, we in Iowa have within our power the capacity to do virtually anything we make up our minds to do. We have the resources, both human and material, to accomplish giant goals.

What are we afraid of, then? What are we waiting for?

The time has come to set aside old prejudices, face our problems squarely, and work together to fullfill our state's immeasurable potential.

Ladies and gentlemen, it is the devout hope of the new administration that we can together provide the citizens of Iowa with a progressive, prudent, pay-as-you-go program of government in the biennium ahead.

To this end, I pledge you my unreserved cooperation and wish you Godspeed in the crucial task of enacting wise legislation to assure the future of our beloved state.

The following benediction was offered by the Reverend W. E. Shoemaker, pastor of the Methodist Church, Hampton, Iowa:

O God, our Father, history and experience have given us so many evidences of Thy guidance to governments and individuals that we should not doubt Thy power or Thy willingness to direct us. In this faith we pray for Thy guidance and Thy blessing upon Governor Harold Hughes of this state. Give him the spirit of wisdom, humility, goodness and truth, so that his heart and endeavors may be ruled by law and order, justice and goodwill.

Thou art aware of the yearnings of our hearts as we also offer our prayers for the Lieutenant Governor, this entire legislative body and all others in authority and responsibility. Lord, you know the problems these people have to face. Give them the bifocals of understanding to see the need of the hour and also the far-reaching implications of every act. We pray with a sense of deepest urgency that no eyes may be blinded by immature judgment or prejudicial concern. Help all to see that it is better to fail in a morally right cause that will ultimately succeed than to succeed in an immoral cause that will ultimately fail.

May the pure light of Thy spirit be an X-ray penetrating through every interest, through personality and political party, leaving in clear outline the skeleton of true values and right judgment unto which all noble law and administration must adhere. Grant that all actions may be weighed by the standards of justice and righteousness, logic and morality.

O Lord, grant guidance when we do not know what to do, but when we know what we ought to do and do it not, be merciful.

May Thy will be done in the days ahead and may Thy program be carried out for the good of this state and all mankind.

This we pray in Jesus' name. Amen.

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Governor Harold E. Hughes was escorted from the House chamber by the committee previously appointed.

Senator Rigler of Chickasaw moved that the reading of the minutes of the joint convention be dispensed with.

The motion prevailed.

Representative Mowry of Marshall moved that the joint convention be now dissolved.

Motion prevailed.

The Senate returned to the Senate chamber, President pro tempore Vance presiding.

PRESENTATION OF LIEUTENANT GOVERNOR MOOTY

Senator Rigler moved that a committee of three be appointed to escort the Honorable W. L. Mooty, Lieutenant Governor, Mrs. Mooty and daughters, Marcia and Helen, to the rostrum, which motion prevailed, and the Chair appointed as such committee Senators Kyhl, Nolan and Coleman.

The committee waited upon Lieutenant Governor Mooty and his family.

President pro tempore Vance presented Lieutenant Governor Mooty, Mrs. Mooty and daughters to the Senate.

President Mooty said:

I consider it a great honor to again be permitted to serve as the presiding officer of the Iowa Senate, and to have the opportunity to work with such a fine group of senators.

Since I have already made a statement of my views on the problems that we will need to consider in this session, it hardly seems necessary to restate them at this time.

We have just listened to our incoming governor give his recommendations for our state government during the next biennium. It is readily apparent that the legislature will be required to find the solution to a multitude of difficult problems during the next one hundred days.

I am certain that the wisdom of the Senate will find a solution to these pressing problems that will be in keeping with the wishes of the people of the State of Iowa.

I greatly appreciate the cooperation that you have extended to me during the first days of this session. My office will always be open to you for conferences on prospective legislation.

I am sure that, when final adjournment comes, we will be able to point with pride toward our mutual accomplishments.

Senator Rigler asked and received unanimous consent that the remarks of Lieutenant Governor Mooty be printed in the Senate Journal.

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APPOINTMENT OF SECRETARY TO LIEUTENANT GOVERNOR

Lieutenant Governor Mooty announced the appointment of Mrs. Ruth Mosher of Polk County as his secretary.

Mrs. Mosher appeared before the President's station and was duly sworn.

BILLS ASSIGNED TO COMMITTEE

President Mooty announced the following assignment of bills to committee:

S.J.R. 5 Legislative redistricting
S. F. 13 Judiciary 1
S. F. 14 Governmental affairs
S. F. 15 Judiciary 1
S. F. 16 Insurance
S. F. 17 Judiciary 1
S. F. 18 Schools and educational institutions
S. F. 19 Conservation
S. F. 20 Judiciary 2

On motion of Senator Rigler, and in accordance with House Concurrent Resolution 3 duly adopted, the Senate adjourned until 11:00 a.m., Monday, January 21, 1963.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 21, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by the Rt. Reverend Monsignor J. E. Tolan, pastor of St. Mary's Catholic Church, Sac City, Iowa.

PETITION

By Senator Beneke, from twenty-eight residents of Buena Vista County in opposition to liquor by the drink.

INTRODUCTION OF BILLS

Senate File 21, by Senators Buck, Mincks, Fulton, Grimstead, Elthon, Dykhouse, Wearin, Benda, Cowden, Walter, Elijah and O'Malley, a bill for an act relating to foster care services for children.

Read first and second times and passed on file.

Senate File 22, by Senator Hansen, a bill for an act relating to the installation of a new coat of gold leaf on the dome of the state capitol building and to make an appropriation therefor.

Read first and second times and passed on file.

Senator Shoeman asked and received unanimous consent that the following subcommittees of the appropriations committee of the Senate be printed in the Journal:

APPROPRIATIONS SUBCOMMITTEES
SIXTIETH GENERAL ASSEMBLY

BOARD OF CONTROL

Elthon, Chairman	Flatt	Lucken	O'Malley
Cowden	Grimstead	Mincks	Turner
	Lodwick		

BOARD OF REGENTS

Schroeder, Chairman	Frommelt	Nolan	Vance
Doran	Fulton	Scott	Wearin
	Kyhl	Shaff	

CONSERVATION

Curran, Chairman	Burrows	Elthon	O'Malley
	Campbell	Frommelt	Scott

HIGHWAY COMMISSION

Nolan, Chairman	Fulton	Walker	Wiley
	Phelps		

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SCHOOL AID

Walker, Chairman	Buck	Doran	Rigler
	Campbell	Hansen	Wearin

SOCIAL WELFARE

Turner, Chairman	Buck	Lodwick	Main
	Elvers	Lucken	Rigler

STATE DEPARTMENT

Flatt, Chairman	Campbell	Elvers	Mincks
	Cowden	Kyhl	Phelps
Buck	Curran	Main	Wiley
Burrows			

COLLEGE STUDY COMMITTEE

Wearin, Chairman	Flatt	Kyhl	Turner
	Hansen		

APPOINTMENT OF PAGES TO LIEUTENANT GOVERNOR AND SECRETARY OF THE SENATE

Lieutenant Governor Mooty announced the appointment of Lance Levis of Audubon County as his page, and the appointment of Paul Van Steenwyk of Sioux County as the page to the Secretary of the Senate.

APPOINTMENT OF PAGES

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

David J. Foege of Bremer County
Vinson Jetter of Clinton County
Bill Mateer of Franklin County
Ronald Zobel of Fayette County

The above named pages appeared before the desk of the Lieutenant Governor and were duly sworn.

ANNOUNCEMENT

The Secretary announced receipt of the following communications, complete copies of which are on file in the office of the Secretary:

1. Joint Resolution passed by the Eighty-seventh Congress proposing an amendment to the Constitution of the United States providing that the right of citizens to vote shall not be denied by reason of failure to pay any poll tax or other tax.

2. Memorial from Florida Legislature requesting Congress to submit a constitutional amendment confirming the exclusive powers of the states relating to apportionment and reapportionment of state legislatures.

3. Resolution from the Nebraska State Legislature advising the Iowa Legislature that Nebraska will not take action to ratify the border compact between Iowa and Nebraska unless the Iowa Legislature ratifies the compact in the form previously agreed to between Iowa and Nebraska Commissioners.

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4. Resolution from the State of Washington pertaining to the development of the Lewis and Clark National Tourway.

5. A Concurrent Resolution from the State of Arkansas petitioning Congress to propose an amendment to the Constitution abolishing the electoral college system and establishing a system of popular election of the President and Vice President of the United States.

6. A Resolution from the General Assembly of the State of Georgia requesting Congress to propose an amendment where the legislatures of over one-fourth of the states conclude that a Supreme Court decision has transferred powers not authorized by the constitution and where such decision transfers state powers to the federal government said decision shall be invalid upon the request of the legislatures of one-fourth of the states, subsequently approved by legislatures of three-fourths of the states.

7. A Concurrent Resolution from the State of Louisiana requesting Congress to provide a constitutional amendment to determine whether or not prayer shall be permitted in the public schools. The resolution further requests all state legislatures to join in this resolution to Congress.

PROOF OF PUBLICATION

Published copy of Senate File 20 and verified proof of publication of said bill in the Centerville Daily Iowegian and Citizen on January 16, 1963, 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.

AMENDMENT FILED

Amend Senate File 2 by adding the following as a new section:
"This Act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in The Arlington News, a newspaper published at Arlington, Iowa and The Lamont Leader a newspaper published at Lamont, Iowa without expense to the state.".

ADOLPH ELVERS.

On motion of Senator Rigler, the Senate adjourned until 9:00 a.m., Tuesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 22, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Glenn H. Hulsebus, pastor of the United Presbyterian Church, Brooklyn, Iowa.

PETITIONS

By Senator Elvers, from eighteen residents of Clayton County favoring liquor by the drink under license control.

By Senator Rigler, from twelve residents of Floyd County urging rural representation on town library boards.

By Senator Hansen, from thirteen residents of Sac County in opposition to liquor by the drink.

By Senator Van Eaton, from eighteen hundred residents of Woodbury County favoring liquor by the drink under license control.

INTRODUCTION OF BILLS

Senate Joint Resolution 6, by Senators Lucken, Getting, Van Eaton, Burrows, Lisle and Wearin, a joint resolution proposing an amendment to the Constitution of the State of Iowa changing the term of office of Governor and Lieutenant Governor to four (4) years and limiting an individual to two (2) terms in office.

Read first and second times and passed on file.

Senate Joint Resolution 7, by Senators Phelps, Curran, Elijah, Elvers, Long, Fisher, Scott, Elthon, Cowden and Vincent, a joint resolution proposing constitutional amendments relating to public officers within the State of Iowa.

Read first and second times and passed on file.

Senate Joint Resolution 8, by Senator Mincks, a joint resolution proposing a constitutional amendment relating to representation in the Senate and House of Representatives and to the apportionment, terms, qualifications, classification, and time and manner of election of members of the Senate and House of Representatives.

Read first and second times and passed on file.

Senate File 23, by Senators Elijah, Shaff, Fisher, Burrows, Benda and Dodds, a bill for an act to amend chapter one hundred sixty-nine

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(169), Code 1962, relating to veterinary medicine and surgery.

Read first and second times and passed on file.

Senate File 24, by Senator Benda, a bill for an act to legalize and validate the proceedings of the board of directors of the HLV Community School District, in the Counties of Iowa and Poweshiek, State of Iowa, authorizing and providing for the issuance of school building bonds and for the levy of taxes for the payment of said bonds and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said school district.

Read first and second times and passed on file.

Senate File 25, by Senator Lucken, a bill for an act relating to closing of local secondary roads.

Read first and second times and passed on file.

Senate File 26, by Senators Flatt, Doran, Walker, Hansen and Buck, a bill for an act to prohibit the sale or offering for sale, directly or through agents or employees, certain specified items of merchandise on the first day of the week, commonly known and designated as Sunday; to define those persons covered by the Act; to provide for exemptions; to authorize injunctive relief; and to provide penalties for violations of the Act.

Read first and second times and passed on file.

Senate File 27, by Senators Griffin, Shoeman, Coleman, Rigler and Vance, a bill for an act to amend sections one hundred fifty-five point two (155.2) and one hundred fifty-five point six (155.6), Code 1962, regarding the right of unlicensed persons to fill prescriptions.

Read first and second times and passed on file.

Senate File 28, by Senators Griffin, Shoeman, Coleman, Rigler and Vance, a bill for an act to amend section one hundred forty-seven point eighty (147.80), Code 1962, relating to pharmacy license fees.

Read first and second times and passed on file.

Senate File 29, by Senators Long and Fisher, a bill for an act authorizing municipalities, counties, school districts and other local government units or political subdivisions to invest idle funds.

Read first and second times and passed on file.

Senate File 30, by Senator Elijah, a bill for an act to amend chapter four hundred twenty-two (422), Code 1962, relating to state income taxes, to provide for the adoption of amendments to the Internal Revenue Code of 1954.

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Read first and second times and passed on file.

Senate File 31, by Senator Flatt, a bill for an act creating a capital improvements fund to be used for capital improvements needed by state institutions, providing that such fund shall be administered by a board and providing for a service tax upon hotels and motels to provide funds for capital improvements.

Read first and second times and passed on file.

Senate File 32, by Senators Elvers, Elijah, Walker, Scott, Dodds, Elthon, Grimstead and Coleman, a bill for an act relating to the distribution of earnings of co-operative associations organized under chapter four hundred ninety-nine (499) of the Code.

Read first and second times and passed on file.

Senate File 33, by Senator Phelps, a bill for an act relating to the time of abandonment of cemeteries.

Read first and second times and passed on file.

Senate File 34, by Senator Turner, a bill for an act to amend the Iowa Liquor Control Act and to provide for retail sale of liquor under license and strict controls, and to provide revenue.

Read first and second times and passed on file.

Senate File 35, by Senators Frommelt, Vance, Scott, O'Malley and Shoeman, a bill for an act to amend chapter eleven (11), Code 1962, relating to county, municipal and school examiners' and their assistants' salaries.

Read first and second times and passed on file.

Senate File 36, by Senator Flatt, 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 37, by Senators Elvers and O'Malley, a bill for an act relating to the annexation of territory to cities and towns.

Read first and second times and passed on file.

Senate File 38, by Senators Shoeman, O'Malley, Doran, Turner, Lodwick, Kyhl, Benda and Vincent, a bill for an act relating to notification of expiration of motor vehicle operator's license.

Read first and second times and passed on file.

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Senate File 39, by Senator Doran, a bill for an act relating to enforcement of foreign judgments.

Read first and second times and passed on file.

Senate File 40, by Senator Rigler, a bill for an act to amend chapter two hundred ninety-four (294), Code 1962, to authorize school districts to purchase annuity contracts for employees.

Read first and second times and passed on file.

Senate File 41, by Senators Wearin, Nolan, Shaff, Schroeder, Burrows, Rigler, Shivvers and O'Malley, a bill for an act relating to agricultural marketing, including a deduction in the form of a special excise tax on the sale of certain livestock sold in Iowa, the proceeds of which are to be used for the promotion of livestock and livestock products.

Read first and second times and passed on file.

Senate File 42, by Senators Frommelt, Vance, Scott, O'Malley and Shoeman, a bill for an act to change the title of county, municipal and school examiner to auditor and to amend certain sections of the Code to conform to the change.

Read first and second times and passed on file.

Senate File 43, by Senators Schroeder, Wearin, Buck, O'Malley, Mincks and Hansen, a bill for an act prohibiting discriminatory employment practices and policies based upon race, color, religion, or country of ancestral origin; providing for a commission on human rights and providing for the enforcement of the provisions of this Act, and to make an appropriation therefor.

Read first and second times and passed on file.

On motion of Senator Rigler, the Senate recessed until 3:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

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

SENATE CONCURRENT RESOLUTION 4
By Rigler

Be It Resolved by the Senate, the House Concurring: That a joint convention of the two houses of the Sixtieth General Assembly be held on Thursday, January 31, 1963, at 11:00 a.m.

Be It Further Resolved: That Governor Hughes be invited to read his

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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.

On motion of Senator Rigler, the resolution was adopted.

REPORT OF JOINT COMMITTEE ON JOINT LEGISLATIVE EMPLOYEES

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

LEGISLATIVE RESEARCH BUREAU

Bill Drafters:
Paul Moser, Jr., Polk County
Carl V. Nielsen, Polk County
N. L. Friedman, Polk County

Typists:
Ruth D. McGhee, Polk County
Ione Sue Callahan, Polk County

Clerk:
Addie L. Haglund, Polk County

JOINT HELP

Postmaster:
Curtis Lekwa, Hamilton County

Post Office Assistant:
Georgia Howard, Polk County

Mail Carrier:
Wm. Edwin Swygard, Polk County

Clerk—Assigned to Historical Building:
Winifred Leech, Polk County

Index Clerks:
Maxine E. Gunton, Polk County
Bertha Schenke, Polk County
Audrey Swoboda, Polk County

CODE OFFICE

Secretary:
Olive Bennum, Polk County

Photostat Operator:
Maxine Balducki, Polk County

CUSTODIAN

Janitors:
Henry Freed, Polk County
Hamon E. Johnson, Polk County
Orville Riley, Polk County
Norman C. Virden, Polk County
Bobbie Washington, Polk County
Simon E. Wilson, Polk County

Head Policeman:
Earl M. Welch, Polk County

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Policemen:
John P. Foley, Polk County
Herman W. Rinne, Polk County
Pirl Stuart, Polk County
Omer K. Wright, Polk County

Elevator Operators:
Marcella Lyons, Polk County
Ruth McIntire, Polk County

Matron:
Louise L. Pruitt, Polk County

Watchmen:
William A. London, Polk County
Claude W. Higens, Warren County

Telephone Operator:
Margaret L. DeMarce, Polk County

Information Desk:
Velma Herrick, Polk County

Legislative Tour Guide:
Rose Johnson, Marshall County

GEORGE L. SCOTT.
On the Part of the Senate.
SAMUEL E. ROBINSON.
On the Part of the House.

PROOF OF PUBLICATION

Published copy of Senate File 24 and verified proof of publication of said bill in The Victor Record on January 17, 1963, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

CARROLL A. LANE,
Secretary of Senate.

BILLS ASSIGNED TO COMMITTEES

President Mooty announced the following assignment of bills to committee:

S.J.R. 6 Governmental affairs
S.J.R. 7 Governmental affairs
S. F. 21 Social security
S. F. 22 Public lands and buildings
S. F. 23 Public health
S. F. 24 Judiciary 2
S. F. 25 Highways
S. F. 26 Manufacturing, commerce and trade
S. F. 27 Public health
S. F. 28 Public health
S. F. 29 Banks, building and loan
S. F. 30 Tax revision
S. F. 31 Ways and means

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REPORTS OF COMMITTEES

Senator Elijah submitted the following report:

MR. PRESIDENT: Your committee on tax revision to which was referred **Senate File 30**, a bill for an act to amend chapter four hundred twenty-two (422), Code 1962, relating to state income taxes, to provide for the adoption of amendments to the Internal Revenue Code of 1954, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EARL ELIJAH, *Chairman.*

Ordered passed on file.

Senator Flatt submitted the following report:

MR. PRESIDENT: Your committee on legislative redistricting to which was referred **Senate Joint Resolution 1**, a joint resolution proposing a constitutional amendment to the Constitution of the State of Iowa relating to the composition of the General Assembly, the basis of representation of the members thereof, and to amend such Constitution by repeal of Section six (6), Article three (III) thereof, Section thirty-four (34) of such Article three (III) thereof and the 1904 and 1928 amendments thereto, Sections thirty-five (35) and thirty-six (36) of such Article three (III), and the 1904 amendment to each such section, and Section thirty-seven (37) of said Article three (III), and proposing substitutes in lieu thereof, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JOSEPH FLATT, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 9 by striking from section 1 all of lines 10 to 14, inclusive.

Further amend Senate File 9 by adding as a new section the following:

Sec. 3. This Act being deemed of immediate importance shall be in full force and effect from and after its publication in the Lake Mills Graphic, a newspaper published at Lake Mills, Iowa, and in the Algona Kossuth County Advance, a newspaper published at Algona, Iowa.

JACOB GRIMSTEAD.

Amend Senate File 18 by striking section 6 and inserting in lieu thereof the following:

"Sec. 6. This Act being deemed of immediate importance shall be in full force and effect from and after its publication in The Atlantic News-Telegraph, a newspaper published at Atlantic, Iowa, and The Mount Pleasant News, a newspaper published at Mount Pleasant, Iowa."

JOHN D. SHOEMAN.

On motion of Senator Rigler, the Senate adjourned until 9:00 a.m., Wednesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 23, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Richard Emery, pastor of the First United Presbyterian Church, Oelwein, Iowa.

LEAVE of ABSENCE

Leave of absence was granted as follows:

Senator Shoeman for the day on request of Senator Vance.

INTRODUCTION OF BILLS

Senate Joint Resolution 9, by Senator Wearin, a joint resolution proposing a constitutional amendment relating to representation in the Senate and House of Representatives and to the apportionment, terms, qualifications, classification, and time and manner of election of members of the Senate and House of Representatives.

Read first and second times and passed on file.

Senate Joint Resolution 10, by Senators Lucken, Dykhouse, Van Eaton, Burrows and Walker, a joint resolution proposing to give the Governor item veto power on appropriations bills by amending the Constitution.

Read first and second times and passed on file.

Senate Joint Resolution 11, by Senators Hill and Walter, a joint resolution proposing a constitutional amendment relating to representation in the General Assembly.

Read first and second times and passed on file.

Senate File 44, by Senators Wiley, Long and Frommelt, a bill for an act to permit the writing of multiple peril insurance policies by fire insurance companies.

Read first and second times and passed on file.

Senate File 45, by Senators Hansen, Flatt, Elijah and Cowden, a bill for an act relating to outdoor advertising along the national system of interstate highway.

Read first and second times and passed on file.

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Senate File 46, by Senators Shaff, Wiley, Buck, O'Malley, Mincks and Coleman, a bill for an act to amend chapter four hundred eleven (411), Code 1962, relating to retirement systems for policemen and firemen.

Read first and second times and passed on file.

Senate File 47, by Senators Lisle, Long, Schroeder, Shoeman, Rigler, Wiley, Shaff and Van Eaton, a bill for an act to amend chapter eighty-five (85), Code 1962, relating to workmen's compensation so as to liberalize certain benefits, to provide for certain credits and waivers, and the administration thereof.

Read first and second times and passed on file.

Senate File 48, by Senator O'Malley, a bill for an act relating to insurance protection for volunteer civil defense workers while engaged in civil defense activities.

Read first and second times and passed on file.

Senate File 49, by Senator O'Malley, a bill for an act relating to speed limits for motor vehicles in cities.

Read first and second times and passed on file.

Senate File 50, by Senator O'Malley, a bill for an act relating to tax sale of public property.

Read first and second times and passed on file.

Senate File 51, by Senator Benda, a bill for an act relating to county conservation boards.

Read first and second times and passed on file.

Senate File 52, by Senator Beneke, a bill for an act relating to aid to dependent children.

Read first and second times and passed on file.

JOINT LEGISLATIVE EMPLOYEES

Senator Scott called up the report of the joint committee on joint legislative employees, filed by him and found on pages 71 and 72 of the Senate Journal, and moved its adoption.

The motion prevailed and the report was adopted.

SPECIAL ORDER

Senator Rigler asked and received unanimous consent that Senate Joint Resolution 1 be made a special order of business for Tuesday, January 29, 1963, at 9:00 a.m.

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Senator Rigler asked and received unanimous consent that Senate File 30 be taken up at this time.

THIRD READING OF BILLS

On motion of Senator Elijah, Senate File 30, a bill for an act to amend chapter four hundred twenty-two (422), Code 1962, relating to state income taxes, to provide for the adoption of amendments to the Internal Revenue Code of 1954, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Elijah offered the following amendment and moved its adoption:

Amend Senate File 30, section 2, line 1, by adding after "(422.7)" the following: , Code 1962,.

The amendment was 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, 48:

Benda	Elijah	Lisle	Shaff
Beneke	Elthon	Lodwick	Shivvers
Brown	Elvers	Long	Stephens
Buck	Fisher	Lucken	Turner
Burrows	Flatt	Main	Vance
Campbell	Frommelt	Mincks	Van Eaton
Coleman	Fulton	Nolan	Vincent
Cowden	Getting	O'Malley	Walker
Curran	Griffin	Phelps	Walter
Dodds	Grimstead	Rigler	Wearin
Doran	Hill	Schroeder	Wiley
Dykhouse	Kyhl	Scott	Wilson

Nays, none.

Absent or not voting, 2:

Hansen	Shoeman

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

Senator Elijah asked and received unanimous consent that Senate File 30 be immediately messaged to the House, which request was complied with.

On motion of Senator Rigler, the Senate recessed until 3:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

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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 reports as follows:

Agriculture—Tuesday, 9:00 a.m., Room 22
Appropriations—Tuesday, 1:30 p.m., Room 24
Banks, Building and Loan—Monday, 1:00 p.m., Room 24
Board of Control—Monday, 2:00 p.m., Room 24
Cities and Towns—Wednesday, 9:00 a.m., Room 24
Claims—Tuesday, 8:30 a.m., Room 24
Compensation of Public Officers and Employees—Tuesday, 2:30 p.m., Room 24-A
Conservation—Thursday, 9:00 a.m., Room 22
Enrolled Bills—On call of chairman
Governmental Affairs—Thursday, 1:00 p.m., Room 24-A
Highways—Monday, 2:30 p.m., Room 22
Industrial Relations—Monday, 3:00 p.m., Room 24
Insurance—Wednesday, 9:00 a.m., Room 22
Iowa Development—Thursday, 8:30 a.m., Room 24-A
Judiciary 1—Thursday, 1:00 p.m., Room 22
Judiciary 2—Monday, 1:00 p.m., Room 24-A
Legislative Redistricting—Thursday, 1:00 p.m., Room 24
Manufacturing, Commerce and Trade—Monday, 2:00 p.m., Room 24-A
Military Affairs—Tuesday, 8:30 a.m., Room 24-A
Printing—Tuesday, 1:00 p.m., Room 24-A
Public Health—Tuesday, 3:00 p.m., Room 24
Public Lands and Buildings—Tuesday, 9:00 a.m., Room 24-A
Public Utilities—Wednesday, 9:00 a.m., Room 24-A
Rules—On call of chairman
Schools and Educational Institutions—Monday, 1:30 p.m., Room 22
Social Security—Thursday, 2:00 p.m., Room 24
Tax Revision—Tuesday, 2:30 p.m., Room 22
Transportation and Highway Safety—Thursday, 3:00 p.m., Room 22
Water Rights—Tuesday, 1:00 p.m., Room 22
Ways and Means—Tuesday, 1:30 p.m., Room 22

SEELEY G. LODWICK, *Chairman.*
FRANKLIN S. MAIN.
ORVAL C. WALTER.

REPORTS OF COMMITTEES

Senator Schroeder submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **Senate File 2**, a bill for an act to legalize and validate the proceedings for the organization and establishment of the Starmont Community School District of Strawberry Point, Arlington and Lamont in the counties of Clayton, Fayette, Buchanan and Delaware, State of Iowa, and fixing the

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boundaries thereof, 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 Elvers on January 21, and found on page 66 of the Senate Journal, and when so amended the bill do pass.**

JACK SCHROEDER, *Chairman.*

Ordered passed on file.

Senator Phelps submitted the following report:

MR. PRESIDENT: Your committee on public lands and buildings to which was referred **Senate Joint Resolution 4,** a joint resolution to appropriate to the board of control, over and above its usual appropriation, sufficient funds from the general fund of the State of Iowa to be used for the purchase of real estate located in Jasper County which is to be used as a prison honor farm, and to retain sufficient proceeds from the sale of the Clive prison honor farm located in Polk County, Iowa, to reimburse the general fund for such appropriation, begs leave to report it has had the same under consideration and recommends the same **do pass.**

DEWEY B. PHELPS, *Chairman.*

Ordered passed on file.

BILLS ASSIGNED TO COMMITTEES

President Mooty announced the following assignment of bills to committee:

S.J.R.	4	Appropriations (Under Senate Rule 21)
S.J.R.	8	Legislative redistricting
S.J.R.	9	Legislative redistricting
S. F.	32	Agriculture
S. F.	33	Judiciary 1
S. F.	34	Judiciary 2
S. F.	35	Compensation of public officers and employees
S. F.	36	Public lands and buildings
S. F.	37	Cities and towns
S. F.	38	Transportation and highway safety
S. F.	39	Judiciary 1
S. F.	40	Insurance
S. F.	41	Agriculture
S. F.	42	Governmental affairs
S. F.	43	Social security
S. F.	44	Insurance

On motion of Senator Rigler, the Senate adjourned until 9:00 a.m., Thursday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 24, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Doctor Arthur Long, pastor of the First Methodist Church, Newton, Iowa.

PETITIONS

By Senator Cowden, from thirteen residents of Dallas County favoring liquor by the drink under license control; also favoring the establishment of a mental health center at Perry for the area.

By Senator Van Eaton, from thirteen hundred fifty-six residents of Woodbury County favoring liquor by the drink under license control.

By Senator Turner, from approximately one thousand residents of Pottawattamie County favoring liquor by the drink under license control.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Shoeman for the day on request of Senator Vance; Senator Shaff for the afternoon and Friday on request of Senator Long.

INTRODUCTION OF BILLS

Senate File 53, by Senators Buck, Elthon, Elijah, Curran, Scott, Getting, Stephens, Van Eaton, Lucken, Griffin, Hill, Walter, Wilson, Phelps and Main, a bill for an act relating to the operation of a motor vehicle while intoxicated; providing for the testing of body substances; providing for the administration of tests, revocation of operator's license, administrative hearings, judicial review, interpretation of tests, and proof in civil or criminal actions.

Read first and second times and passed on file.

Senate File 54, by Senators Mincks and Vance, a bill for an act requiring that the cause of death and attending physician's name be typewritten or legibly printed on all death certificates.

Read first and second times and passed on file.

Senate File 55, by Senators Mincks and Vance, a bill for an act repealing the provision requiring the county registrar to transmit copies of all death certificates to the county auditor.

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Read first and second times and passed on file.

Senate File 56, by Senator Mincks, a bill for an act to permit all school districts to hold biennial elections.

Read first and second times and passed on file.

Senate File 57, by Senator O'Malley, a bill for an act relating to the compensation of members of election boards and counting judges and clerks.

Read first and second times and passed on file.

Senate File 58, by Senators Schroeder, O'Malley, Vance and Fulton, a bill for an act relating to paroles by courts, and to amend various sections of the Code relating thereto.

Read first and second times and passed on file.

Senate File 59, by Senators Turner, Beneke, Doran, Dykhouse, Fisher, Long, Lucken, Rigler, Schroeder, Scott, Stephens, Vance, Van Eaton, Walker, Wiley, Wilson, Getting and Flatt, a bill for an act to abolish the county school system.

Read first and second times and passed on file.

Senate File 60, by Senators Van Eaton, Long, Doran, Walker, Lucken, Nolan and Lisle, a bill for an act authorizing cities and towns to acquire, purchase, construct, reconstruct, improve, extend and lease industrial buildings; authorize the issuance of revenue bonds of cities and towns for the purpose of securing and developing industry and provide for the payment of certain sums in lieu of taxes to the State of Iowa and to the county, city, town, school district and other political subdivisions.

Read first and second times and passed on file.

Senate File 61, by committee on conservation, a bill for an act relating to installment payments of subdistrict of soil conservation district assessments.

Read first and second times and placed on the calendar.

Senate File 62, by committee on conservation, a bill for an act relating to the expenditure of tax funds for use in watershed projects.

Read first and second times and placed on the calendar.

Senate File 63, by committee on conservation, a bill for an act relating to the powers of subdistricts of soil conservation districts.

Read first and second times and placed on the calendar.

Senate File 64, by committee on conservation, a bill for an act

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relating to the powers of subdistricts of soil conservation districts, regarding tax methods to be used.

Read first and second times and placed on the calendar.

Senate File 65, by Senators Wilson and Long, a bill for an act relating to erection of buildings by soil conservation districts and the renting of space in such buildings.

Read first and second times and passed on file.

Senate File 66, by Senators Mincks and Fulton, a bill for an act to amend section ninety-six point four (96.4), Code 1962, so as to eliminate the requirement that a claimant serve a waiting period before becoming eligible for employment security benefits.

Read first and second times and passed on file.

Senate File 67, by Senator Mincks, a bill for an act to amend section ninety-six point three (96.3), subsections four (4) and five (5), Code 1962, as to the method of determining benefit amount and duration of benefits.

Read first and second times and passed on file.

Senate File 68, by Senators Mincks and Fulton, a bill for an act to amend section ninety-six point five (96.5), Code 1962, relating to disqualification of employment security benefits of individuals who are eligible for old age benefits under title II of the Social Security Act.

Read first and second times and passed on file.

Senate File 69, by Senators Rigler, Fisher, Hansen, Burrows and Brown, a bill for an act relating to publication of real property assessments.

Read first and second times and passed on file.

Senate Joint Resolution 12, by Senator Turner, a joint resolution to propose a constitutional amendment relating to representation in the House of Representatives of the state.

Read first and second times and passed on file.

PROOF OF PUBLICATION

Published copy of Senate File 2 and verified proof of publication of said bill in the Clayton County Press-Journal, a newspaper published weekly at Strawberry Point, Iowa, on January 24, 1963, 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.

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ASSIGNMENT OF COMMITTEE ROOMS

Senator Lodwick called up the report of the committee on committee rooms, filed by him and found on page 77 of the Senate Journal, and moved its adoption.

The motion prevailed and the report was adopted.

COMMITTEE ON MEMORIAL RESOLUTIONS

Senator Grimstead moved that a committee of three be appointed 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 suitable resolutions.

The motion prevailed and the President appointed as such committee Senators Benda, Elijah and Burrows.

Senator Rigler asked and received unanimous consent that Senate File 2 be considered at this time.

THIRD READING OF BILLS

On motion of Senator Elvers, Senate File 2, a bill for an act to legalize and validate the proceedings for the organization and establishment of the Starmont Community School District of Strawberry Point, Arlington and Lamont in the counties of Clayton, Fayette, Buchanan and Delaware, State of Iowa, and fixing the boundaries thereof and declaring said district a duly and legally organized corporate body as provided by law, with report of committee recommending amendment in accordance with the amendment filed by Senator Elvers and passage, was taken up, considered, and the report of the committee adopted.

Senator Elvers offered the following amendment and moved its adoption:

Amend Senate File 2 by adding the following as a new section:

"This Act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in The Arlington News, a newspaper published at Arlington, Iowa and The Lamont Leader a newspaper published at Lamont, Iowa without expense to the state.".

The amendment was adopted.

Senator Elvers moved that the bill be read a third 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:

Benda	Buck	Coleman	Dodds
Beneke	Burrows	Cowden	Doran
Brown	Campbell	Curran	Dykhouse

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Elijah	Grimstead	O'Malley	Turner
Elthon	Hansen	Phelps	Vance
Elvers	Hill	Rigler	Van Eaton
Fisher	Kyhl	Schroeder	Vincent
Flatt	Lisle	Scott	Walter
Frommelt	Lodwick	Shaff	Wearin
Fulton	Long	Shivvers	Wiley
Getting	Lucken	Stephens	Wilson
Griffin	Mincks		

Nays, none.

Absent or not voting, 4:

Main	Nolan	Shoeman	Walker

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

Senator Elvers asked and received unanimous consent that Senate File 2 be immediately messaged to the House, which request was complied with.

On motion of Senator Rigler, the Senate recessed until 3:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

Senator Nolan asked and received unanimous consent that the following report be printed in the Senate Journal:

IN THE MATTER OF THE RULES OF CIVIL PROCEDURE } REPORT OF THE SUPREME COURT OF THE STATE OF IOWA

TO THE SIXTIETH GENERAL ASSEMBLY OF THE STATE OF IOWA:

In accordance with sections 684.18 and 684.19, Code of Iowa, 1962, 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.

Rule 94 is revised to read:

94. *Judicial notice—statutes.* Matters of which judicial notice is taken, including statutes of Iowa, need not be stated in any pleading. A pleading asserting any statute of another state, territory or jurisdiction of the United States, or a right derived therefrom, shall refer to such statute by plain designation and if such reference is made the court shall judicially notice such statute.

Comment: This change is to assure judicial notice of Iowa statutes without reference thereto in a pleading.

Rule 149. *Reading and signing.*

Rule 149(a) is revised to read:

(a) No oral deposition reported and transcribed by an official court reporter or certified shorthand reporter of Iowa need be submitted to, read or signed by the deponent.

Comment: The addition of certified shorthand reporters is to increase the number of those available for taking oral depositions.

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Rule 174 is revised to read:

174. *Jury fees.* If trial is by a jury after change pursuant to Rule 167 the court shall certify the amount of county expenses incurred for meals, lodging, mileage and fees of jurors and the county where the action was brought shall pay the county where it was tried the difference between the sum so certified and the jury fee taxable as a part of the costs in the action.

Comment: This change is to permit a more reasonable reimbursement for jury expenses in civil cases transferred to another county under R. C. P. 167.

The Comment which follows each of the foregoing rules does not form a part of the rule but explains the reason for the change which has been made.

Respectfully submitted,
THE SUPREME COURT OF IOWA,
By s/ T. G. GARFIELD, *Chief Justice.*

Des Moines, Iowa,
January 24, 1963.

ACKNOWLEDGMENT

I, Carroll Lane, Secretary of the Senate of the State of Iowa, hereby acknowledge delivery to me on the 24th day of January, 1963, of the foregoing report of the Supreme Court of Iowa pertaining to Amendments to the Rules of Civil Procedure.

s/ CARROLL A. LANE,
Secretary of the Senate,
Sixtieth General Assembly
of the State of Iowa.

ANNOUNCEMENT

Pursuant to law the Secretary announced the receipt of the adopted rules and regulations pertaining to admission requirements of the State Board of Regents. Copy of which is on file in the office of the 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 adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 5, fixing the compensation of the chaplains, officers and employees of the Sixtieth General Assembly.

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

House Concurrent Resolution 6, extending an invitation to the Honorable Fred Schwengel to address a joint convention on February 12, 1963.

Also: That the House has adopted the report of the Joint Committee on Joint Legislative Employees.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 5
By Robinson of Guthrie

Whereas, the Code provides that "The compensation of the chaplains,

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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 Sixtieth General Assembly shall be as follows, to be paid in accordance with the Rules of the House and Senate:

OFFICERS AND EMPLOYEES OF THE HOUSE

Chief Clerk	$30.00
Assistant Chief Clerk	20.00
Reading Clerk	15.00
Legislative Counsel	22.00
Engrossing Clerk	15.00
Chief Journal Clerk	18.00
Journal Clerk	12.00
Assistant Journal Clerk	11.00
Secretaries to Chief Clerk	18.00
Clerk to Chief Clerk	12.00
Supervisor of Clerks	15.00
Chief Enrolling Clerk	15.00
Assistant Enrolling Clerks	11.00
General Clerk	9.00
Secretary to Speaker	15.00
Secretary to Legislative Counsel	13.00
House Secretaries	9.00
Sergeant-at-Arms	9.50
Assistant Sergeant-at-Arms	8.50
Bill Clerk	10.00
Assistant Bill Clerk	8.00
File Clerks	8.00
Supply Clerks	8.00
Postmaster	8.00
Chief Electrician	12.50
Assistant Electrician	10.00
Assistant Voting Machine Operator	10.00
Control Board Operator	9.00
Doorkeepers	8.00
Cloakroom Attendants	7.00
Porter	7.00
Pages	6.00

OFFICERS AND EMPLOYEES OF THE SENATE

Secretary of the Senate	30.00
Assistant Secretary and Journal Clerk	22.00
Law Clerk	18.00
Reading and Assistant Law Clerk	16.00
Secretary to the Secretary	18.00
Secretary to the Lieutenant Governor	15.00
Secretary's Clerk	13.00
Assistant Journal Clerk	15.00
Engrossing Clerk	15.00
Enrolling Clerk	12.00
Assistant Enrolling Clerk	9.50

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Payroll Clerk	11.00
Supply Clerk	12.00
Assistant Enrolled Bills Clerks	9.50
Senate Secretaries	9.00
Control Board Operator	11.00
Bill Clerk	9.00
File Clerk	8.00
Assistant File Clerk	7.00
Sergeant-at-Arms	9.50
Assistant Sergeant-at-Arms	8.50
Chief Doorkeeper	8.50
Assistant Doorkeepers	8.00
Postmistress	8.00
Porter	7.00
Cloakroom Attendant	7.00
Telephone Page	6.00
Pages	6.00

LEGISLATIVE RESEARCH BUREAU

Bill Drafters	18.00
Typists	10.00
Clerks	9.00

JOINT LEGISLATIVE HELP

Postmaster	8.00
Post Office Assistant	7.00
Mail Carrier	8.00
Matron (Historical Building)	7.00
Clerk (Historical Building)	9.00
Index Clerks	12.00

CUSTODIAN

Janitors	8.00
Matron	7.00
Head Policeman	8.50
Policemen	8.00
Watchmen	8.00
Elevator Operators	8.00
Telephone Operator	8.00
Information Desk	8.50
Legislative Tour Guide	8.00

CODE OFFICE

Photostat Operator	9.00
Secretary	11.00

Be It Further Resolved: That the compensation of chaplains officiating at the opening of the sessions of the House and Senate of the Sixtieth General Assembly shall be fixed at six dollars ($6.00) for each branch of the General Assembly and, in addition thereto, mileage at the rate of seven cents (7c) per mile to and from the state capitol.

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HOUSE CONCURRENT RESOLUTION 6

Whereas, it has been customary over the years past to hold a memorial service on Lincoln's birthday, February 12; therefore,

Be It Resolved by the House of Representatives, the Senate Concurring, That the House and Senate of the Sixtieth General Assembly meet in joint convention on Tuesday morning, February 12, at 11:00 a.m.; and

Be It Further Resolved, That the Honorable Fred Schwengel, Congressman from the First Congressional District, who is nationally recognized as a Lincoln scholar and who is Vice Chairman of the National Civil War Centennial Commission and now serves on the Lincoln Sesquicentennial Committee of the United States Congress, be invited to address the joint convention.

SENATE CONCURRENT RESOLUTION 5

By Flatt, Frommelt, O'Malley, Dykhouse, Elthon and Dodds

Whereas, the thirty-fifth Governor of the State of Iowa, Harold E. Hughes, was inaugurated on Thursday, January 17, 1963, and

Whereas, the Inaugural was conducted in a most orderly and dignified manner, and

Whereas, Governor Hughes expressed his appreciation for the excellent manner in which the Inaugural was conducted, now therefore

Be It Resolved by the Senate and the House Concurring, that Major General J. F. Miller, Adjutant General of the State of Iowa, and members of the Army and Air National Guard including Company C, Second Battle Group, One Hundred Thirty-third Infantry from Ida Grove, Iowa, the Governor's Grays from Dubuque and the Iowa Military Academy be commended for the manner in which the Inaugural was conducted.

RESIGNATION OF EMPLOYEES

Senator Scott announced the resignation of N. L. Friedman of Polk County as a bill drafter in the Legislative Research Bureau, effective January 14, 1963, and Orville Riley of Polk County as a janitor, effective January 22, 1963, both on the joint legislative payroll.

APPOINTMENT OF EMPLOYEES

Senator Scott announced the appointment of the following employees on the joint legislative payroll: Henry J. Haugan of Polk County as a bill drafter in the Legislative Research Bureau, effective January 28, 1963, and Frank Edwards as a janitor in the custodian's office, effective January 24, 1963.

MOTION TO SUBSTITUTE

MR. PRESIDENT: I move to substitute Senate Joint Resolution 11 for Senate Joint Resolution 1, now on the calendar.

EUGENE M. HILL.

REPORTS OF COMMITTEES

Senator Dykhouse submitted the following report:

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MR. PRESIDENT: Your committee on conservation to which was referred **Senate File 10**, a bill for an act relating to unlawful hunting on land of another, begs leave to report it has had the same under consideration and recommends the same **do pass.**

J. T. DYKHOUSE, *Chairman.*

Ordered passed on file.

Senator Schroeder submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **Senate File 24**, a bill for an act to legalize and validate the proceedings of the board of directors of the HLV Community School District, in the counties of Iowa and Poweshiek, State of Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACK SCHROEDER, *Chairman.*

Ordered passed on file.

Senator Nolan submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **Senate File 1**, a bill for an act relating to controlled access highways, begs leave to report it has had the same under consideration and recommends the same **do pass.**

D. C. NOLAN, *Chairman.*

Ordered passed on file.

BILLS ASSIGNED TO COMMITTEE

President Mooty announced the following assignment of bills to committee:

S.J.R. 10 Judiciary 2
S.J.R. 11 Legislative redistricting
S.J.R. 12 Legislative redistricting
S. F. 45 Highways
S. F. 46 Social security
S. F. 47 Industrial relations
S. F. 48 Insurance
S. F. 49 Transportation and highway safety
S. F. 50 Tax revision
S. F. 51 Conservation
S. F. 52 Social security
S. F. 53 Judiciary 1
S. F. 54 Judiciary 1
S. F. 55 Judiciary 1
S. F. 56 Governmental affairs
S. F. 57 Compensation of public officers and employees
S. F. 58 Judiciary 1
S. F. 59 Schools and educational institutions
S. F. 60 Manufacturing, commerce and trade

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S. F. 65 Agriculture
S. F. 66 Industrial relations
S. F. 67 Industrial relations
S. F. 68 Industrial relations
S. F. 69 Printing

AMENDMENTS FILED

Amend Senate Joint Resolution 1 as follows:

1. By striking all after the Resolving Clause and inserting in lieu thereof the following:

Section 1. The following amendment to the Constitution of the state of Iowa is hereby proposed:

"Section thirty-five (35) of Article Three (III) of the Constitution of Iowa, as amended by the amendment of nineteen hundred and four (1904) is hereby repealed and the following adopted in lieu thereof:

"Section 35. Every county shall be entitled to at least one representative in the House of Representatives.

"During the calendar year following the general election held in the year 1966 and every four years thereafter, a ratio of representation for members of the House of Representatives shall be determined by dividing the whole number of votes cast for governor in the state at that election by the number of counties then existing. Any county having cast at such election, a total vote for governor equal to twice said ratio shall be entitled to elect two representatives at the next general election, and one additional for each portion of said total vote equal to the ratio and above twice said ratio.

"The judges of the district court of each judicial district sitting en banc shall make the determination of the number of representatives to which each county in the district is entitled and make certification thereof to the secretary of state. Upon a finding by said judges that a county is entitled to more than one representative they shall divide said county into the necessary districts and include a statement of the boundaries thereof in said certification, and one representative shall thereafter be elected from each such district.

"Members of the House of Representatives serving under authority of the Constitution prior to this amendment shall continue in office until their successors are elected and qualified hereunder."

2. Amend the title to Senate Joint Resolution 1 by striking all after the word "Resolution" in line one (1) and inserting in lieu thereof the following: "to propose a constitutional amendment relating to representation in the House of Representatives of the state."

RICHARD C. TURNER.

Amend Senate Joint Resolution 1 as follows:

1. Amend section 2 by striking from lines 9, 10, and 11 the words and numbers "a special election to be held for that purpose on the first Tuesday in December in the year nineteen hundred sixty-three (1963)" and inserting in lieu thereof the

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following: "the general election to be held on Tuesday next after the first Monday in November in the year nineteen hundred sixty-four (1964)".

2. Further amend section 2 by striking from lines 13, 14, 15 and 16 the following: "The submission at said special election shall in all respects be governed and conducted as prescribed by law and the Constitution of Iowa for the submission of a constitutional amendment at a general election."

EUGENE M. HILL.

Amend Senate File 12, section 1, line 7, by striking the "." in the figure "($690.000)" and inserting in lieu thereof a ",".

HOWARD VINCENT.

Amend Senate File 34 as follows:

Amend section 10, line 4, by striking the words "one thousand" and inserting in lieu thereof the words "five thousand (5,000)".

JOSEPH B. FLATT.

Amend Senate Joint Resolution 1 as follows:

1. By adding thereto, the following:

"Sec. 3. "There is hereby appropriated out of the general fund of the state of Iowa the sum of $250,000.00, or as much thereof as is necessary, to pay the costs of holding and conducting the election as provided for in section two (2). Each county auditor shall certify the costs of conducting such election in his county to and the treasurer of the state shall cause warrant to be issued on the general fund to pay such expense."

D. C. NOLAN.

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

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 25, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Orlan Mitchell, pastor of the First Congregational Church, Clarion, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Fulton for the day on request of Senator Dodds; Senator Phelps for the day on request of Senator Curran.

PETITIONS

By Senator Curran, from ten residents of Cerro Gordo County favoring liquor by the drink under license control.

By Senator Rigler, from forty-five residents of Floyd County in opposition to liquor by the drink.

By Senator Van Eaton, from ninety residents of Woodbury County favoring liquor by the drink under license control.

By Senator Hansen, from sixty residents of Crawford County favoring liquor by the drink under license control.

By Senator Hansen, from sixty-three residents of Harrison County favoring liquor by the drink under license control.

INTRODUCTION OF BILLS

Senate Joint Resolution 13, by Senators Fulton and Dodds, a joint resolution proposing amendments to the constitution of the State of Iowa relating to the apportionment, the terms and qualifications, the time and manner of the election of members of the House of Representatives and Senators in the General Assembly, the establishment of the ratio of representation in the House of Representatives and in the Senate, the manner of establishing representative and senatorial districts, the formation of a congressional, senatorial or representative district composed of two (2) or more counties or parts of two (2) or more counties, and the payment of compensation to senators whose terms shall expire by reason of redistricting before the time such terms would otherwise expire and who shall not be elected senators, by proposing to repeal section three (3) of article three (III) as amended in eighteen hundred eighty-four (1884) and nineteen hun-

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dred sixteen (1916), A. D., section four (4) of article three (III) as amended in eighteen hundred eighty (1880) and nineteen hundred twenty-six (1926), A. D., sections five (5) and six (6) of article three (III), section thirty-four (34) of article three (III) as amended in nineteen hundred four (1904) and nineteen hundred twenty-eight (1928), A. D., sections thirty-five (35) and thirty-six (36) of article three (III) as amended in nineteen hundred four (1904), A. D., and section thirty-seven (37) of article three (III), and proposing to adopt substitutes in lieu thereof, to redesignate section thirty-eight (38) of article three (III) as section thirty-nine (39) of article three (III), and to adopt a new section thirty-eight (38) of article three (III).

Read first and second times and passed on file.

Senate File 70, by committee on social security, a bill for an act to amend chapter ninety-seven B (97B), Code 1962, relating to the Iowa Public Employees Retirement System.

Read first and second times and placed on the calendar.

Senate File 71, by Senator Doran, a bill for an act relating to altering, vacating, or closing roads.

Read first and second times and passed on file.

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

HOUSE CONCURRENT RESOLUTION 6

Whereas, it has been customary over the years past to hold a memorial service on Lincoln's birthday, February 12; therefore,

Be It Resolved by the House of Representatives, the Senate Concurring, That the House and Senate of the Sixtieth General Assembly meet in joint convention on Tuesday morning, February 12, at 11:00 a.m.; and

Be It Further Resolved, That the Honorable Fred Schwengel, Congressman from the First Congressional District, who is nationally recognized as a Lincoln scholar and who is Vice Chairman of the National Civil War Centennial Commission and now serves on the Lincoln Sesquicentennial Committee of the United States Congress, be invited to address the joint convention.

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 had adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 4, providing for a joint convention on

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Thursday, January 31, 1963, at 11:00 a.m., to hear Governor Hughes read his budget message.

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

Senate File 30, a bill for an act relating to state income taxes, and to provide for the adoption of amendments to the Internal Revenue Code of 1954.

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

House Concurrent Resolution 4, providing for a recess of the Sixtieth General Assembly.

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

House File 48, a bill for an act relating to the licensing and the annual inspection of county homes.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 4

Be It Resolved by the House, the Senate Concurring: That when adjournment is had on Thursday, February 28, 1963, it be to reconvene on Monday, March 11, 1963, at 11:00 a.m.

MOTIONS TO SUBSTITUTE

MR. PRESIDENT: I move to substitute Senate Joint Resolution 9 for Senate Joint Resolution 1, now on the calendar.

EDWARD A. WEARIN.

MR. PRESIDENT: I move to substitute Senate Joint Resolution 8 for Senate Joint Resolution 1, now on the calendar.

JAKE B. MINCKS.

AMENDMENT FILED

Amend Senate File 1 as follows:

1. Amend section 1 by striking all of line 5 and substituting in lieu thereof the following: "have the right of free and convenient access to such street or".

D. C. NOLAN.

On motion of Senator Rigler, the Senate adjourned until 11:00 a.m., Monday, January 28, 1963.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 28, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Raymond Moore, pastor of the Methodist Church, Moulton, Iowa.

PETITIONS

The following petitions, favoring liquor by the drink under license control, were received and placed on file by:

Senator Brown, from seven hundred ninety-eight residents of Emmet County.

Senator Curran, from thirteen residents of Cerro Gordo County.

Senator Elijah, from one hundred sixty-six residents of Cedar County.

Senator Hansen, from three hundred ninety-four residents of Crawford County and from two hundred thirty-seven residents of Carroll County.

Senator Lodwick, from fifty residents of Lee County.

Senator Nolan, from eighty-one residents of Johnson County.

Senator Beneke, from fifty-eight residents of Buena Vista County.

Senator Griffin, from eighty-seven residents of Harrison County.

By Senator Stephens, from seventy-four residents of Washington County in opposition to liquor by the drink.

By Senator O'Malley, from twenty-two residents of Polk County in opposition to Sunday sales.

INTRODUCTION OF BILLS

Senate File 72, by Senator Mincks, a bill for an act to change the method of arriving at maximum benefits payable on permanent partial disabilities, permanent total disabilities, temporary total disabilities, and healing period.

Read first and second times and passed on file.

Senate File 73, by Senators Hansen and Wilson, a bill for an act relating to the assessment of shares of mutual funds.

Read first and second times and passed on file.

Senate File 74, by Senator Main, a bill for an act to prohibit the

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sale of frozen poultry which does not have the date of freezing stamped on the package.

Read first and second times and passed on file.

Senate File 75, by Senator Main, a bill for an act relating to pricing and weights and measures.

Read first and second times and passed on file.

Senate File 76, committee on highways, a bill for an act relating to the improvement of primary roads by amending section three hundred thirteen point eight (313.8), Code 1962, referring to diagonal highways.

Read first and second times and placed on the calendar.

Senate File 77, by committee on highways, a bill for an act to prohibit parking on any portion of the national system of interstate and defense highways.

Read first and second times and placed on the calendar.

Senate File 78, by committee on highways, a bill for an act to prohibit bicycles or animal drawn vehicles from using the interstate system.

Read first and second times and placed on the calendar.

Senate File 79, by Senator Wiley, a bill for an act relating to improvements of primary roads within cities and towns.

Read first and second times and passed on file.

Senate File 80, by Senator Cowden, a bill for an act to legalize and validate the special election of Guthrie County, Iowa, held on June 4, 1962, for the construction of a court house and the issuance of $417,000.00 bonds for such purpose and the levy of an annual tax of not to exceed one and one-half mills to pay the principal and interest on such bonds.

Read first and second times and passed on file.

Senate File 81, by Senator Hansen, a bill for an act relating to audits of cities and towns.

Read first and second times and passed on file.

Senate File 82, by Senators Nolan and Long, a bill for an act relating to the qualifications of teachers.

Read first and second times and passed on file.

Senate File 83, by Senators Hill, Grimstead, Fulton, Stephens, Main, Wilson, Walter, Buck, Getting, Flatt, Elijah, Phelps, Van

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Eaton, and Cowden, a bill for an act relating to the licensing of private, fraternal, service, golf, and country clubs or associations which allow their members to consume alcoholic beverages in excess of four (4) percent alcohol by weight that such members or guests bring upon the premises of such club or association.

Read first and second times and passed on file.

Senate File 84, by Senators Walker, Van Eaton, Wiley, Nolan and Benda, a bill for an act to amend section three hundred forty-one point one (341.1), Code 1962, relating to the appointment of a night deputy sheriff and providing for his duties.

Read first and second times and passed on file.

Senate File 85, by Senators Long, Walker, Mincks, Benda, Fisher and Nolan, a bill for an act to provide uniforms for sheriffs and their deputies.

Read first and second times and passed on file.

Senate File 86, by Senators Getting, Shoeman, Phelps, Shivvers and Wilson, a bill for an act relating to scabies control in sheep and eradication with penalty provision.

Read first and second times and passed on file.

Senate File 87, by Senators Getting, Shoeman, Phelps, Shivvers and Wilson, a bill for an act relating to infectious and contagious diseases among animals.

Read first and second times and passed on file.

Senate File 88, by Senators Walker, Elvers, Elthon, Flatt and Coleman, a bill for an act relating to exemption from the provisions of retail sales tax of certain dairy, poultry and produce containers.

Read first and second times and passed on file.

HOUSE MESSAGE CONSIDERED

House File 48, a bill for an act relating to the licensing and the annual inspection of county homes.

Read first and second times and passed on file.

HOUSE CONCURRENT RESOLUTION 5

Senator Scott called up House Concurrent Resolution 5, found on pages 84, 85 and 86 of the Senate Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

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

SENATE CONCURRENT RESOLUTION 5

By Flatt, Frommelt, O'Malley, Dykhouse, Elthon and Dodds

Whereas, the thirty-fifth Governor of the State of Iowa, Harold E. Hughes, was inaugurated on Thursday, January 17, 1963, and

Whereas, the Inaugural was conducted in a most orderly and dignified manner, and

Whereas, Governor Hughes expressed his appreciation for the excellent manner in which the Inaugural was conducted, now therefore

Be It Resolved by the Senate and the House Concurring, that Major General J. F. Miller, Adjutant General of the State of Iowa, and members of the Army and Air National Guard including Company C, Second Battle Group, One Hundred Thirty-third Infantry from Ida Grove, Iowa, the Governor's Grays from Dubuque and the Iowa Military Academy be commended for the manner in which the Inaugural was conducted.

The motion prevailed and the resolution was adopted.

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

EXECUTIVE SESSION

The Senate arose from executive session and resumed regular session.

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

SUPPLEMENTAL REPORT OF COMMITTEE ON MILEAGE

MR. PRESIDENT: Your committee, appointed to determine the mileage for the Lieutenant Governor and members of the Senate, submits the following supplemental report:

	Miles	Amount
Elthon, Leo	40	5.60

JOE N. WILSON, *Chairman*.
A. V. DORAN.
PETER F. HANSEN.

The motion prevailed and the report was adopted.

THIRD READING OF BILLS

On motion of Senator Vance, Senate File 1, a bill for an act relating to controlled access highways, was taken up.

Senator Vance asked and received unanimous consent that action on Senate File 1 be deferred and that the bill retain its place on the calendar.

On motion of Senator Grimstead, Senate File 10, a bill for an act

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relating to unlawful hunting on land of another, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Grimstead moved that the bill be read a third 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:

Benda	Elijah	Lodwick	Shivvers
Beneke	Elthon	Long	Shoeman
Brown	Elvers	Lucken	Stephens
Buck	Fisher	Main	Turner
Burrows	Flatt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Griffin	Phelps	Vincent
Cowden	Grimstead	Rigler	Walter
Curran	Hansen	Schroeder	Wearin
Dodds	Hill	Scott	Wiley
Doran	Kyhl	Shaff	Wilson
Dykhouse	Lisle		

Nays, 1:

O'Malley

Absent or not voting, 2:

Getting Walker

Voting present, 1:

Frommelt

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

On motion of Senator Benda, Senate File 24, a bill for an act to legalize and validate the proceedings of the board of directors of the HLV Community School District, in the Counties of Iowa and Poweshiek, State of Iowa, authorizing and providing for the issuance of school building bonds and for the levy of taxes for the payment of said bonds and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said school district, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Benda moved that the bill be read a third 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:

Benda	Campbell	Doran	Fisher
Beneke	Coleman	Dykhouse	Flatt
Brown	Cowden	Elijah	Fulton
Buck	Curran	Elthon	Griffin
Burrows	Dodds	Elvers	Grimstead

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Hansen	Main	Scott	Van Eaton
Hill	Mincks	Shaff	Vincent
Kyhl	Nolan	Shivvers	Walter
Lisle	O'Malley	Shoeman	Wearin
Lodwick	Phelps	Stephens	Wiley
Long	Rigler	Turner	Wilson
Lucken	Schroeder	Vance	

Nays, none.

Absent or not voting, 3:

Frommelt	Getting	Walker

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

Senator Dykhouse asked and received unanimous consent that the following bill, by the committee on conservation, be taken up out of order:

On motion of Senator Wilson, Senate File 63, a bill for an act relating to the powers of subdistricts of soil conservation districts, was taken up and considered.

Senator Dykhouse asked and received unanimous consent that action on Senate File 63 be deferred and that the bill be placed on the calendar under unfinished business.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate File 2, a bill for an act to legalize and validate the proceedings for the organization and establishment of the Starmont Community School District.

Also: 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 the Iowa commission for the blind.

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

House File 15, a bill for an act to legalize and validate the proceedings for the organization, establishment of boundaries, and operation of the Area Six Community School District, in the County of Muscatine.

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

House File 16, a bill for an act to legalize and validate the proceedings of the board of directors of the Area Six Community School District, in the County of Muscatine.

WILLIAM R. KENDRICK, *Chief Clerk.*

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HOUSE MESSAGES CONSIDERED

House File 3, a bill for an act relating to the Iowa commission for the blind.

Read first and second times and passed on file.

House File 15, a bill for an act to legalize and validate the proceedings for the organization, establishment of boundaries, and operation of the Area Six Community School District, in the County of Muscatine, State of Iowa, and declaring said district a duly and legally organized and operating corporate body as provided by law.

Read first and second times and passed on file.

House File 16, a bill for an act to legalize and validate the proceedings of the board of directors of the Area Six Community School District, in the County of Muscatine, State of Iowa, authorizing and providing for the issuance of school building bonds and for the levy of taxes for the payment of said bonds and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said school district.

Read first and second times and passed on file.

On motion of Senator Rigler, the Senate recessed until 3:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

SENATE CONCURRENT RESOLUTION 6
By Benda

Whereas, the distinguished National Commander of The American Legion, Mr. James E. Powers of Macon, Georgia, will be in Des Moines, Iowa, for an official visit, February 18, 1963; therefore,

Be It Resolved, by the Senate, the House Concurring, that an invitation be extended to Mr. Powers to address a joint convention of both houses at 10:00 a.m., on Monday, February 18, 1963.

CALL OF THE SENATE

MR. PRESIDENT: Pursuant to Rule 5 of the temporary rules of the Senate of the Sixtieth General Assembly, we, the undersigned, do hereby request a Call of the Senate on Senate Joint Resolution 1 and all amendments thereto.

IRVING D. LONG.
JACK SCHROEDER.
J. LOUIS FISHER.
EARL ELIJAH.
HOWARD C. BUCK.
JOHN D. SHOEMAN.
JAKE B. MINCKS.
CLIFFORD M. VANCE.
DONALD G. BENEKE.
HARRY L. COWDEN.
VERNON H. KYHL.
R. O. BURROWS.
LEO ELTHON.

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MOTION TO SUBSTITUTE

MR. PRESIDENT: I move to substitute Senate Joint Resolution 2 for Senate Joint Resolution 1, now on the calendar.

J. T. DYKHOUSE.

PROOFS OF PUBLICATION

Published copy of Senate File 80 and verified proof of publication of said bill in The Stuart Herald, on January 24, 1963, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

Also: Published copy of House File 15 and verified proof of publication of said bill in The Muscatine Journal and News-Tribune on January 3, 1963, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

Also: Published copy of House File 16 and verified proof of publication of said bill in The Muscatine Journal and News-Tribune on January 3, 1963, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

CARROLL A. LANE,
Secretary of Senate.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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 30.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 30.

BILL SENT TO THE GOVERNOR

Senator Benda, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 28th day of January, 1963, sent to the Governor for his approval: Senate File 30.

KENNETH BENDA, *Chairman.*

Passed on file.

BILLS ASSIGNED TO COMMITTEE

President Mooty announced the following assignment of bills to committee:

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S.J.R. 13 Legislative redistricting
S. F. 71 Highways
S. F. 72 Industrial relations
S. F. 73 Tax revision
S. F. 74 Public health
S. F. 75 Manufacturing, commerce and trade
S. F. 79 Highways
S. F. 80 Judiciary 2
S. F. 81 Cities and towns
S. F. 82 Schools and educational institutions
S. F. 83 Judiciary 2
S. F. 84 Governmental affairs
S. F. 85 Governmental affairs
H. F. 3 Board of control
H. F. 15 Judiciary 2
H. F. 16 Judiciary 2
H. F. 48 Public health

REPORT OF COMMITTEE

Senator Walker submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred **Senate File 7**, a bill for an act to establish requirements for installation of bulk tanks on farms for milk produced for manufacturing purposes, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JOHN A. WALKER, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate Joint Resolution 1 as follows:

1. Amend section 1 by striking all of lines 26, 27, and 28 and insert in lieu thereof the following:

"Section 34. The house of representatives shall consist of one (1) representative from each county."

GEORGE O'MALLEY.

Amend Senate Joint Resolution 1 by striking all of section 2 and inserting in lieu thereof the following:

"The foregoing proposed amendment to the Constitution of Iowa, having been adopted and agreed to by the Fifty-ninth (59th) General Assembly, thereafter duly published, and now adopted and agreed to by the Sixtieth (60th) General Assembly in this Joint Resolution, shall be submitted to the people at a special election to be held for that purpose at the same time and in conjunction with the primary election to be held for the selection of political party candidates for public office in the year nineteen hundred sixty-four (1964). The submission at said special election shall in all respects be governed and conducted as prescribed by law for the submission of a Constitutional amendment at a general election."

DAVID O. SHAFF.

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Amend Senate Joint Resolution 4 by striking all of section 3 and inserting in lieu thereof the following:

"Sec. 3. This Act being deemed of immediate importance shall be in full force and effect from and after its publication in The Fayette County Union, a newspaper published in West Union, Iowa, and The Atlantic News-Telegraph, a newspaper published in Atlantic, Iowa."

JOHN D. SHOEMAN.

Amend Senate File 7 as follows:

Amend section 1, line 65, by striking the word "impassible" and inserting in lieu thereof the word "impassable".

C. JOSEPH COLEMAN.

Amend Senate File 27 as follows:

1. Amend section 2, lines 5 and 6, by striking the following: "sell or dispense any drugs, or medicines, or".

CHARLES F. GRIFFIN.

Amend Senate File 58, section 1, by striking from lines 5 and 6 the following: "or narcotic drug violations,".

RICHARD C. TURNER.

Amend Senate Joint Resolution 9 as follows:

1. Amend section 1, line 3, by adding a quotation (") mark at the beginning.

2. Amend Senate Joint Resolution 9 by striking all of section 2 and inserting in lieu thereof the following:

"Sec. 2. The foregoing proposed amendment to the Constitution of the State of Iowa is hereby referred to the General Assembly to be chosen at the next general election for members of the General Assembly and the Secretary of State is directed to cause the same to be published as provided by law for three months previous to the time of making such choice."

EDWARD A. WEARIN.

On motion of Senator Elthon, the Senate adjourned until 9:00 a.m., Tuesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 29, 1963:

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Fred Gee, pastor of the Fairview Christian Church, Pleasantville (rural), Iowa.

PETITIONS

The following petitions, favoring liquor by the drink under license control, were received and placed on file by:

Senator Beneke, from fifty-nine residents of Buena Vista County.

Senator Burrows, from one hundred four residents of Benton County.

Senator Hansen, from thirty-three residents of Carroll County and from sixty-six residents of Crawford County.

Senator Lucken, from eight hundred forty-six residents of Plymouth County.

Senator O'Malley, from fifty residents of Polk County.

Senator Rigler, from thirty-four residents of Chickasaw County.

Senator Shoeman, from sixty residents of Harrison County.

The following petitions, opposing liquor by the drink, were received and placed on file by:

Senator Cowden, from thirty-two residents of Adair County and from eighty residents of Carroll County.

Senator Flatt, from eighty-one residents of Madison County.

Senator Getting, from one hundred nine residents of O'Brien County.

Senator Lucken, from sixteen residents of Plymouth County.

Senator Stephens from forty-seven residents of Washington County.

Senator Vincent, from thirty-six residents of Wayne County.

By Senator Vincent, from thirty-three residents of Wayne County in opposition to Sunday sales.

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PRESENTATION OF VISITORS

Senator Doran asked and received unanimous consent to present to the Senate thirty students, members of the Government class of the Scranton High School, who were present in the balcony, accompanied by their instructors, Pricilla Still and Byford D. Jarvis.

INTRODUCTION OF BILLS

Senate File 89, by Senator Curran, a bill for an act to enable the executive council acting for the State of Iowa, to exchange real estate conveyances with Ellen M. Peterson, widow and heir of Harry A. Peterson, deceased, of Cerro Gordo County, thereby placing on record correct descriptions of lands occupied by the respective parties.

Read first and second times and passed on file.

Senate File 90, by Senators Schroeder, Fulton, Mincks, Wiley, Coleman and Tiedens, a bill for an act relating to hours of duty of members of fire departments.

Read first and second times and passed on file.

Senate File 91, by Senator Wiley, a bill for an act relating to road use tax funds allotted for interstate highways.

Read first and second times and passed on file.

Senate File 92, by Senators Phelps, O'Malley, Elijah, Dykhouse, Getting, Long, Grimstead and Coleman, a bill for an act to permit collection of sales tax only on the cash difference in sales of farm equipment where a trade-in is involved.

Read first and second times and passed on file.

Senate File 93, by Senators Long, Wiley, Frommelt, Dodds and Van Eaton, a bill for an act relating to the practice of barbering.

Read first and second times and passed on file.

Senate File 94, by committee on agriculture, a bill for an act relating to the eradication of bovine brucellosis.

Read first and second times and placed on the calendar.

SPECIAL ORDER OF BUSINESS

The hour of 9:00 a.m. having arrived, the Chair announced the special order of business for the consideration of Senate Joint Resolution 1.

The Chair announced the following Call of the Senate and directed the Secretary to call the roll:

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CALL OF THE SENATE

MR. PRESIDENT: Pursuant to Rule 5 of the temporary rules of the Senate of the Sixtieth General Assembly, we, the undersigned, do hereby request a Call of the Senate on Senate Joint Resolution 1 and all amendments thereto.

IRVING D. LONG.
JACK SCHROEDER.
J. LOUIS FISHER.
EARL ELIJAH.
HOWARD C. BUCK.
JOHN D. SHOEMAN.
JAKE B. MINCKS.
CLIFFORD M. VANCE.
DONALD G. BENEKE.
HARRY L. COWDEN.
VERNON H. KYHL.
R. O. BURROWS.
LEO ELTHON.

Roll call revealed all members present and the Chair declared the Call in effect.

THIRD READING OF BILLS

On motion of Senator Shaff, Senate Joint Resolution 1, a joint resolution proposing a constitutional amendment to the Constitution of the State of Iowa relating to the composition of the general assembly, the basis of representation of the members thereof, and to amend such Constitution, 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, Turner, Nolan and Wearin:

Amend Senate Joint Resolution 1 as follows:
Amend section 1 by striking the word "proposed" in line 8 and substituting in lieu thereof the word "adopted".

Senator Turner asked unanimous consent that the Senate resolve itself into a committee of the whole and that the Attorney General be called in for additional information.

Objection was raised.

Senator Turner moved that the Senate resolve itself into a committee of the whole for the purpose stated. which motion prevailed.

COMMITTEE OF THE WHOLE

The Senate arose from the committee of the whole and resumed consideration of the amendment filed by Senator Dykhouse, et al.

Senator Dykhouse moved the adoption of the amendment and requested a roll call.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 17:

Brown	Frommelt	Mincks	Van Eaton
Campbell	Fulton	Nolan	Walter
Coleman	Hansen	O'Malley	Wearin
Dodds	Hill	Turner	Wiley
Dykhouse			

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Nays, 33:

Benda	Elvers	Lodwick	Shaff
Beneke	Fisher	Long	Shivvers
Buck	Flatt	Lucken	Shoeman
Burrows	Getting	Main	Stephens
Cowden	Griffin	Phelps	Vance
Curran	Grimstead	Rigler	Vincent
Doran	Kyhl	Schroeder	Walker
Elijah	Lisle	Scott	Wilson
Elthon			

Absent or not voting, none.

The amendment was lost.

Senator O'Malley offered the following amendment and moved its adoption:

Amend Senate Joint Resolution 1 as follows:

1. Amend section 1 by striking all of lines 26, 27, and 28 and insert in lieu thereof the following:

"Sec. 34. The house of representatives shall consist of one (1) representative from each county."

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 18:

Brown	Frommelt	Mincks	Van Eaton
Campbell	Fulton	Nolan	Walter
Coleman	Hansen	O'Malley	Wearin
Dodds	Hill	Turner	Wiley
Dykhouse	Main		

Nays, 32:

Benda	Elthon	Lisle	Shaff
Beneke	Elvers	Lodwick	Shivvers
Buck	Fisher	Long	Shoeman
Burrows	Flatt	Lucken	Stephens
Cowden	Getting	Phelps	Vance
Curran	Griffin	Rigler	Vincent
Doran	Grimstead	Schoreder	Walker
Elijah	Kyhl	Scott	Wilson

Absent or not voting, none.

The amendment was lost.

Senator Hill offered the following amendment and moved its adoption and requested a roll call.

Amend Senate Joint Resolution 1 as follows:

1. Amend section 2 by striking from lines 9, 10, and 11 the words and numbers "a special election to be held for that purpose on the first Tuesday in December in the year nineteen hundred sixty-three (1963)" and inserting in lieu thereof the following: "the general election to be held on Tuesday next after the first Monday in November in the year nineteen hundred sixty-four (1964)".

2. Further amend section 2 by striking from lines 13, 14, 15 and 16 the following: "The submission at said special election shall in all respects be

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governed and conducted as prescribed by law and the Constitution of Iowa for the submission of a constitutional amendment at a general election."

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 14:

Brown	Fulton	Main	Walter
Dodds	Hansen	Mincks	Wearin
Dykhouse	Hill	Turner	Wiley
Frommelt	Lucken		

Nays, 36:

Benda	Elijah	Lisle	Shaff
Beneke	Elthon	Lodwick	Shivvers
Buck	Elvers	Long	Shoeman
Burrows	Fisher	Nolan	Stephens
Campbell	Flatt	O'Malley	Vance
Coleman	Getting	Phelps	Van Eaton
Cowden	Griffin	Rigler	Vincent
Curran	Grimstead	Schroeder	Walker
Doran	Kyhl	Scott	Wilson

Absent or not voting, none.

The amendment was lost.

Senator Shaff asked and received unanimous consent to withdraw the amendment filed by him and found on page 102 of the Senate Journal.

Senator Nolan offered the following amendment:

Amend Senate Joint Resolution 1 as follows:

1. By adding thereto, the following:

"Sec. 3. "There is hereby appropriated out of the general fund of the state of Iowa the sum of $250,000.00, or as much thereof as is necessary, to pay the costs of holding and conducting the election as provided for in section two (2). Each county auditor shall certify the costs of conducting such election in his county to and the treasurer of the state shall cause warrant to be issued on the general fund to pay such expense."

Senator Nolan asked and received unanimous consent to withhold action on the amendment at this time.

Senator Turner offered the following amendment:

Amend Senate Joint Resolution 1 as follows:

1. By striking all after the Resolving Clause and inserting in lieu thereof the following:

Section 1. The following amendment to the Constitution of the state of Iowa is hereby proposed:

"Section thirty-five (35) of Article Three (III) of the Constitution of Iowa, as amended by the amendment of nineteen hundred and four (1904) is hereby repealed an the following adopted in lieu thereof:

"Section 35. Every county shall be entitled to at least one representative in the House of Representatives.

"During the calendar year following the general election held in the year 1966 and every four years thereafter, a ratio of representation for members of the House of Representatives shall be determined by dividing the whole number of votes cast for governor in the state at that election by the number

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of counties then existing. Any county having cast at such election, a total vote for governor equal to twice said ratio shall be entitled to elect two representatives at the next general election, and one additional for each portion of said total vote equal to the ratio and above twice said ratio.

"The judges of the district court of each judicial district sitting en banc shall make the determination of the number of representatives to which each county in the district is entitled and make certification thereof to the secretary of state. Upon a finding by said judges that a county is entitled to more than one representative they shall divide said county into the necessary districts and include a statement of the boundaries thereof in said certification, and one representative shall thereafter be elected from each such district.

"Members of the House of Representatives serving under authority of the Constitution prior to this amendment shall continue in office until their successors are elected and qualified hereunder."

2. Amend the title to Senate Joint Resolution 1 by striking all after the word "Resolution" in line one (1) and inserting in lieu thereof the following: "to propose a constitutional amendment relating to representation in the House of Representatives of the state."

Senator Elthon raised a point of order on the amendment for the reason that the main bill had not yet been perfected.

The Chair stated that all perfecting amendments had been acted upon and ruled the amendment offered by Senator Turner in order and the point not well taken.

Senator Turner asked and received unanimous consent that action on the amendment be deferred.

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

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

CALL OF THE SENATE
(Continued)

The Senate resumed consideration of Senate Joint Resolution 1, under the Call of the Senate.

Roll call revealed all members present.

Senator Nolan offered the following amendment to the amendment filed by Senator Turner and moved its adoption:

Amend the amendment by striking all of lines 22 through 30 and inserting in lieu thereof the following: "The legislature shall make the determination of the number of representatives to which each county in the district is entitled and make certification thereof to the secretary of state. Upon a finding by the legislature that a county is entitled to more than one representative it shall divide said county into the necessary districts and include a statement of the boundaries thereof in said certification, and one representative shall thereafter be elected from each district."

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Roll call was requested.

On the question "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 29:

Benda	Elthon	Hill	O'Malley
Brown	Fisher	Kyhl	Rigler
Buck	Flatt	Lisle	Schroeder
Campbell	Frommelt	Long	Shoeman
Coleman	Fulton	Lucken	Van Eaton
Dodds	Grimstead	Main	Walter
Doran	Hansen	Nolan	Wiley
Elijah			

Nays, 21:

Beneke	Getting	Scott	Vance
Burrows	Griffin	Shaff	Vincent
Cowden	Lodwick	Shivvers	Walker
Curran	Mincks	Stephens	Wearin
Dykhouse	Phelps	Turner	Wilson
Elvers			

Absent or not voting, none.

The amendment to the amendment was adopted.

Senator Turner moved the adoption of the amendment as amended and requested a roll call.

On the question "Shall the amendment as amended be adopted?" the vote was:

Ayes, 14:

Coleman	Fulton	O'Malley	Walter
Dodds	Hansen	Turner	Wearin
Dykhouse	Mincks	Van Eaton	Wiley
Frommelt	Nolan		

Nays, 36:

Benda	Elijah	Kyhl	Scott
Beneke	Elthon	Lisle	Shaff
Brown	Elvers	Lodwick	Shivvers
Buck	Fisher	Long	Shoeman
Burrows	Flatt	Lucken	Stephens
Campbell	Getting	Main	Vance
Cowden	Griffin	Phelps	Vincent
Curran	Grimstead	Rigler	Wallker
Doran	Hill	Schroeder	Wilson

Absent or not voting, none.

The amendment as amended was lost.

Senator Hill called up the following motion, filed by him on January 24, 1963, moved its adoption and requested a roll call:

I move to substitute Senate Joint Resolution 11 for Senate Joint Resolution 1, now on the calendar.

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On the question "Shall the motion to substitute be adopted?" the vote was:

Ayes, 17:

Brown	Frommelt	Mincks	Van Eaton
Campbell	Fulton	Nolan	Walter
Coleman	Hansen	O'Malley	Wearin
Dodds	Hill	Turner	Wiley
Dykhouse			

Nays, 33:

Benda	Elvers	Lodwick	Shaff
Beneke	Fisher	Long	Shivvers
Buck	Flatt	Lucken	Shoeman
Burrows	Getting	Main	Stephens
Cowden	Griffin	Phelps	Vance
Curran	Grimstead	Rigler	Vincent
Doran	Kyhl	Schroeder	Walker
Elijah	Lisle	Scott	Wilson
Elthon			

Absent or not voting, none.

The motion to substitute was lost.

Senator Wearin called up the following motion filed by him on January 25, 1963, and moved its adoption:

I move to substitute Senate Joint Resolution 9 for Senate Joint Resolution 1, now on the calendar.

The motion to substitute was lost.

Senator Mincks called up the following motion filed by him on January 25, 1963, moved its adoption and requested a roll call:

I move to substitute Senate Joint Resolution 8 for Senate Joint Resolution 1, now on the calendar.

On the question "Shall the motion to substitute be adopted?" the vote was:

Ayes, 10:

Dodds	Fulton	O'Malley	Van Eaton
Dykhouse	Mincks	Turner	Wiley
Frommelt	Nolan		

Nays, 40:

Benda	Elijah	Kyhl	Shaff
Beneke	Elthon	Lisle	Shivvers
Brown	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Vance
Campbell	Getting	Main	Vincent
Coleman	Griffin	Phelps	Walker
Cowden	Grimstead	Rigler	Walter
Curran	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wilson

Absent or not voting, none.

The motion to substitute was lost.

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Roll call was requested.

On the question "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 29:

Benda	Elthon	Hill	O'Malley
Brown	Fisher	Kyhl	Rigler
Buck	Flatt	Lisle	Schroeder
Campbell	Frommelt	Long	Shoeman
Coleman	Fulton	Lucken	Van Eaton
Dodds	Grimstead	Main	Walter
Doran	Hansen	Nolan	Wiley
Elijah			

Nays, 21:

Beneke	Getting	Scott	Vance
Burrows	Griffin	Shaff	Vincent
Cowden	Lodwick	Shivvers	Walker
Curran	Mincks	Stephens	Wearin
Dykhouse	Phelps	Turner	Wilson
Elvers			

Absent or not voting, none.

The amendment to the amendment was adopted.

Senator Turner moved the adoption of the amendment as amended and requested a roll call.

On the question "Shall the amendment as amended be adopted?" the vote was:

Ayes, 14:

Coleman	Fulton	O'Malley	Walter
Dodds	Hansen	Turner	Wearin
Dykhouse	Mincks	Van Eaton	Wiley
Frommelt	Nolan		

Nays, 36:

Benda	Elijah	Kyhl	Scott
Beneke	Elthon	Lisle	Shaff
Brown	Elvers	Lodwick	Shivvers
Buck	Fisher	Long	Shoeman
Burrows	Flatt	Lucken	Stephens
Campbell	Getting	Main	Vance
Cowden	Griffin	Phelps	Vincent
Curran	Grimstead	Rigler	Wallker
Doran	Hill	Schroeder	Wilson

Absent or not voting, none.

The amendment as amended was lost.

Senator Hill called up the following motion, filed by him on January 24, 1963, moved its adoption and requested a roll call:

I move to substitute Senate Joint Resolution 11 for Senate Joint Resolution 1, now on the calendar.

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On the question "Shall the motion to substitute be adopted?" the vote was:

Ayes, 17:

Brown	Frommelt	Mincks	Van Eaton
Campbell	Fulton	Nolan	Walter
Coleman	Hansen	O'Malley	Wearin
Dodds	Hill	Turner	Wiley
Dykhouse			

Nays, 33:

Benda	Elvers	Lodwick	Shaff
Beneke	Fisher	Long	Shivvers
Buck	Flatt	Lucken	Shoeman
Burrows	Getting	Main	Stephens
Cowden	Griffin	Phelps	Vance
Curran	Grimstead	Rigler	Vincent
Doran	Kyhl	Schroeder	Walker
Elijah	Lisle	Scott	Wilson
Elthon			

Absent or not voting, none.

The motion to substitute was lost.

Senator Wearin called up the following motion filed by him on January 25, 1963, and moved its adoption:

I move to substitute Senate Joint Resolution 9 for Senate Joint Resolution 1, now on the calendar.

The motion to substitute was lost.

Senator Mincks called up the following motion filed by him on January 25, 1963, moved its adoption and requested a roll call:

I move to substitute Senate Joint Resolution 8 for Senate Joint Resolution 1, now on the calendar.

On the question "Shall the motion to substitute be adopted?" the vote was:

Ayes, 10:

Dodds	Fulton	O'Malley	Van Eaton
Dykhouse	Mincks	Turner	Wiley
Frommelt	Nolan		

Nays, 40:

Benda	Elijah	Kyhl	Shaff
Beneke	Elthon	Lisle	Shivvers
Brown	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Vance
Campbell	Getting	Main	Vincent
Coleman	Griffin	Phelps	Walker
Cowden	Grimstead	Rigler	Walter
Curran	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wilson

Absent or not voting, none.

The motion to substitute was lost.

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Senator Dykhouse asked and received unanimous consent to withdraw the "Motion to Substitute" filed by him and found on page 101 of the Senate Journal.

Senator Dykhouse offered the following motion:

I move to substitute Senate Joint Resolution 5 for Senate Joint Resolution 1.

Senator Dykhouse asked and received unanimous consent to withdraw the motion.

Senator Fulton offered the following motion, moved its adoption and requested a roll call:

I move to substitute Senate Joint Resolution 13 for Senate Joint Resolution 1.

On the question "Shall the motion to substitute be adopted?" the vote was:

Ayes, 20:

Brown	Dykhouse	Main	Turner
Campbell	Frommelt	Minicks	Van Eaton
Coleman	Fulton	Nolan	Walter
Curran	Hansen	O'Malley	Wearin
Dodds	Hill	Schroeder	Wiley

Nays, 30:

Benda	Elvers	Lodwick	Shivvers
Beneke	Fisher	Long	Shoeman
Buck	Flatt	Lucken	Stephens
Burrows	Getting	Phelps	Vance
Cowden	Griffin	Rigler	Vincent
Doran	Grimstead	Scott	Walker
Elijah	Kyhl	Shaff	Wilson
Elthon	Lisle		

Absent or not voting, none.

The motion to substitute was lost.

Senator Nolan asked and received unanimous consent to withdraw the amendment previously offered by him, action on which was withheld.

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

Senate Joint Resolution 1, a joint resolution proposing a constitutional amendment to the Constitution of the State of Iowa relating to the composition of the general assembly, the basis of representation of the members thereof, and to amend such Constitution by repeal of section six (6), Article three (III) thereof, section thirty-four (34) of such Article three (III) thereof and the 1904 and 1928 amendments thereto, Sections thirty-five (35) and thirty-six (36) of such Article three (III), and the 1904 amendment to each such section, and section

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thirty-seven (37) of said Article three (III), and proposing substitutes in lieu thereof.

Be It Resolved by the General Assembly of the State of Iowa:

Section 1. The following amendment to the Constitution of the State of Iowa is hereby proposed.

"Section six (6) of Article three (III), section thirty-four (34) of Article three (III) and the 1904 and 1928 amendments thereto, sections thirty-five (35) and thirty-six (36) of Article three (III) and the 1904 amendment to each such section, and section thirty-seven (37) of Article three (III) are hereby repealed and the following proposed in lieu thereof:

"Section 6. The senate shall consist of fifty-eight (58) senators, one (1) senator elected from each senatorial district. For each redistricting, changed senatorial districts shall be so classified by lot by the redistricting authority so that as nearly as possible one-half of the senators shall be elected every two (2) years.

"If a senatorial district is unchanged or is reduced in size and no new territory is added to it, and the incumbent senator resides in the district of reduced size or the unchanged district, he shall be permitted to complete the term for which he was elected, and the senatorial district shall remain in the same class of districts.

"The redistricting authority shall provide in its redistricting statement, law, or court order for the cutting short of terms of senators, where necessary. Any senator whose term is cut short by a redistricting shall not be compensated for the uncompleted part of his term.

"Section 34. The house of representatives shall consist of ninety-nine (99) members, one (1) elected from each county as county lines existed on January 1, 1961.

"Section 35. Senatorial districts shall meet the following requirements:

"1. Each shall have a population, as shown by the most recent decennial United States census, equal to that of every other district, a deviation of no more than ten (10) percent from the population unit (the state population divided by fifty-eight (58)) being allowed.

"2. Each shall consist of compact and contiguous territory; areas joined only at the point of a corner shall not be regarded as contiguous.

"3. So far as practicable, a county shall not be divided unless it is entitled to more than one (1) district, and senatorial district lines shall conform to township and voting district boundaries.

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"Section 36. In 1965 and in the year ending in three (3) of each decade thereafter, the senatorial districts shall be redistricted.

"By November fifteen (15) in 1964 and in the year ending in two (2) of each decade thereafter, a ten (10) member redistricting commission shall be appointed to redistrict senatorial districts. The state central committee of the two (2) political parties casting the largest number of votes for governor in the last preceding election shall each appoint five (5) qualified voters. If a party fails to submit such names to the secretary of state by November fifteen (15), the supreme court shall promptly appoint the members from such party. Compensation for members of the commission shall be established by law.

"By February one (1) of the year following its appointment, the redistricting commission shall file with the secretary of state a statement of its action, including the boundaries and classification of senatorial districts. To be valid, this statement must be signed by seven (7) members. The general assembly may amend this statement or enact a substitute, but such action must be taken by May one (1) of such year.

"If the redistricting commission does not file its redistricting statement by February one (1) of the year following its appointment, the general assembly shall redistrict the senatorial districts in a single legislative enactment by May one (1) of such year.

"If the commission and the general assembly fail to redistrict within the time allotted, the supreme court shall redistrict by October one (1) of such year. The action of the court shall be entered and certified to the secretary of state by court order, which shall be final.

"Before June one (1) of such year, any ten (10) members of the general assembly may petition the supreme court to determine whether the redistricting of the commission or the general assembly substantially complies with the redistricting provisions of the constitution. If the redistricting substantially complies, the court shall so notify the secretary of state, and the decision shall be final. If the court determines that the redistricting does not substantially comply, it shall redistrict as provided in the preceding paragraph of this section.

"Section 37. Redistricting shall take effect beginning for the nomination and election of senators for the next regular session of the general assembly following the adoption of the redistricting statement, law, or court order. When a congressional or senatorial district shall be composed of two (2) or more counties, it shall not be entirely separated by any county belonging to another district, and no county shall be divided in forming a congressional district.".

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Sec. 2. The foregoing amendment to the Constitution of the State of Iowa has been adopted and agreed to by the Fifty-ninth (59th) General Assembly, and having been referred by such Assembly to the Legislature to be chosen in the next general election, being the Sixtieth (60th) General Assembly, and having been duly published in accordance with and in compliance with the direction of the Fifty-ninth (59th) General Assembly, it is now adopted and agreed to by the Sixtieth (60th) General Assembly in this Joint Resolution, and shall be submitted to the people at a special election to be held for that purpose on the first Tuesday in December in the year nineteen hundred sixty-three (1963) in accordance with the directions of Article X of the Constitution of Iowa. The submission at said special election shall in all respects be governed and conducted as prescribed by law and the Constitution of Iowa for the submission of a constitutional amendment at a general election.

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

Yeas, 31:

Benda	Elvers	Lodwick	Shivvers
Beneke	Fisher	Long	Shoeman
Buck	Flatt	Lucken	Stephens
Burrows	Getting	Main	Vance
Cowden	Griffin	Phelps	Vincent
Doran	Grimstead	Rigler	Walker
Elijah	Kyhl	Scott	Wilson
Elthon	Lisle	Shaff	

Nays, 19:

Brown	Dykhouse	Mincks	Van Eaton
Campbell	Frommelt	Nolan	Walter
Coleman	Fulton	O'Malley	Wearin
Curran	Hansen	Schroeder	Wiley
Dodds	Hill	Turner	

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.

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

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House Joint Resolution 1, a joint resolution proposing a constitutional amendment relating to constitutional convention.

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

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House File 11, a bill for an act relating to notice for public hearing on county zoning changes.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:
House File 22, a bill for an act relating to the duties of county recorders.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:
House File 24, a bill for an act to amend chapter three hundred thirty-one point twenty-five (331.25), Code 1962, relating to supervisor districts in counties.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:
House File 31, a bill for an act to amend section five hundred fifty-four point fourteen (554.14), Code 1962, relating to implied warranties of titles.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:
House File 36, a bill for an act relating to workmen's compensation benefits payable to a minor employee.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House Joint Resolution 1, a joint resolution proposing a constitutional amendment relating to constitutional convention.

Read first and second times and passed on file.

House File 11, a bill for an act relating to notice for public hearing on county zoning changes.

Read first and second times and passed on file.

House File 22, a bill for an act relating to the duties of county recorders.

Read first and second times and passed on file.

House File 24, a bill for an act to amend chapter three hundred thirty-one point twenty-five (331.25), Code 1962, relating to supervisor districts in counties.

Read first and second times and passed on file.

House File 31, a bill for an act to amend section five hundred fifty-four point fourteen (554.14), Code 1962, relating to implied warranties of titles.

Read first and second times and passed on file.

House File 36, a bill for an act relating to workmen's compensation benefits payable to a minor employee.

Read first and second times and passed on file.

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MEDICAL ASSISTANCE FOR THE AGED

Pursuant to law President Mooty announced the appointment of Senator Vance, on the part of the Senate, on the advisory council on Medical Assistance for the Aged, and the appointment of Senator Wearin as the alternate member.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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 2.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 2.

BILL SENT TO THE GOVERNOR

Senator Benda, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 29th day of January, 1963, sent to the Governor for his approval: Senate File 2.

KENNETH BENDA, *Chaiman.*

Passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on January 28, 1963, the Governor had approved the following bill:

Senate File 30, relating to state income taxes.

A communication was also received announcing that on January 29, 1963, the Governor had approved the following bill:

Senate File 2, relating to the establishment of the Starmont Community School District of Strawberry Point, Arlington and Lamont in the Counties of Clayton, Fayette, Buchanan and Delaware, State of Iowa.

AMENDMENT FILED

Amend Senate File 86, section 3, line 1, by striking the word "Indentification" and inserting in lieu thereof the word "Identification".

LEROY GETTING.

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Senator Shaff asked and received unanimous consent that the following opinions by the Attorney General, pertaining to Senate Joint Resolution 1, be printed in the Senate Journal:

In connection with the passage of Senate Joint Resolution 16, Fifty-ninth General Assembly, I am herewith placing in the Journal of the Senate an opinion received from the office of the Attorney General dated January 26, 1961, which was written in response to an inquiry as to Senate Joint Resolution 1, Fifty-ninth General Assembly. Senate Joint Resolution 16, as finally passed by the Senate, Fifty-ninth General Assembly, was identical in form to Senate Joint Resolution 1, as finally amended by the Senate. Senate Joint Resolution 1 of the Sixtieth General Assembly is identical with Senate Joint Resolution 16 of the Fifty-ninth General Assembly.

DAVID O. SHAFF.
January 26, 1961.

Senator David O. Shaff,
Senate Chamber,
Statehouse,
LOCAL.

My dear Senator:

Reference is herein made to yours of the 23rd inst. with accompanying copy of Senate Joint Resolution 1. This you submit for examination by the department, and advice as to its proper form to the end that will accomplish its intended purposes.

In reply thereto we advise as follows:

1. We suggest the following as a substitute for the title in the printed Resolution:

"A Joint Resolution proposing a constitutional amendment to the Constitution of the State of Iowa relating to the composition of the Legislature, the basis of representation of the members thereof, and to amend such Constitution by repeal of SEC. 6, Article III thereof, SEC. 34 of such Article III thereof and the 1904 and 1928 amendments thereto, SECS. 35 and 36 of such Article III, and the 1904 amendment to each such section, and SEC. 37 of said Article III, and proposing substitutes in lieu thereof."

2. We suggest as a substitute for lines three (3) to eight (8) of section one (1) of the Resolution, the following:

"Section six (6) of Article three (III), section thirty-four (34) of Article three (III) and the 1904 and 1928 amendments thereto, sections thirty-five (35) and thirty-six (36) of Article three (III) and the 1904 amendment to each such section, and section thirty-seven (37) of Article three (III) are hereby repealed and the following proposed in lieu thereof:"

3. We suggest the following substitute for section 2 of the Resolution:

"The foregoing proposed amendment to the Constitution of the State of Iowa is hereby referred to the Legislature to be chosen at the next general election, and the Secretary of State is directed to cause the same to be published as provided by law for three (3) months previous to the time of making such choice."

Very truly yours,
EVAN HULTMAN,
Attorney General of Iowa.
OSCAR STRAUSS,
First Assistant Attorney General.

EH:OS: mmh4

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January 29, 1963.

Honorable David O. Shaff,
State Senator,
LOCAL.

Dear Senator:

Referring to yours of the 22nd, inst., in which you submitted the following:

"Some additional inquiries have been raised in regard to S.J.R. 1. It would be appreciated if we could receive an early opinion of your office since the resolution is scheduled as a special order on Tuesday, January 29. The inquiries are as follows.

"1. Is there any reason why the date for submitting the proposal cannot be handled in a separate bill? As you know, Representative Goode objects to its inclusion in the main resolution and it appears that a large number of legislators would prefer a separate bill too.

"2. Are there any practical problems involved which might arise because of the date of submission? The resolution provides there shall be a house of 99 and a senate of 58. Would this take effect earlier and cause problems if the election were prior to the 1964 primary?

"3. Also, the resolution does not, in so many words, preserve the present status of the General Assembly until the new senatorial redistricting is established. Would we nonetheless continue to have a 50 member senate and 108 member house until the Sixty-first General Assembly redistricts or would it mean that the sizes of the two houses would be changed?

"4. Would submission of the question at the 1964 general election eliminate the foregoing problems because the General Assembly would have been nominated and elected pursuant to the then existing constitution provision? In other words, may it be assumed that the adoption of the amendment would not affect the majority elected under the old provisions until the next general election."

(1) In answer to your question 1, it is to be said that there is no authority in Article X, Section 1, of the Constitution providing for submission to the electorate of proposed amendment by separate bill.

(2) Insofar as your questions 2, 3 and 4 of your letter, it is to be observed the proposed constitutional amendment is not severable. By its plain terms, its provisions are operative at the same time. Section 2 thereof provides:

"SEC. 2. The foregoing proposed amendment to the Constitution of the State of Iowa is hereby referred to the legislature to be chosen at the next general election, and the secretary of state is directed to cause the same to be published as provided by law for three (3) months previous to the time of making such choice."

To add any words to the provisions thereof would make severable a proposed amendment that the Legislature intended to be inseverable. In respect to this power of amending, 16 C.J.S., page 48, title Constitutional Law, states the following:

"Generally, under the constitutions of various states, constitutional amendments may be initiated by the legislature, and, in proposing a constitutional amendment, the legislature is not exercising its ordinary legislative power, but is acting as a special organ of government for the purpose of constitutional amendment. . . ."

This is confirmed by the fact that while the amendment becomes a part of the Constitution after approval by the electorate and canvass of the vote thereof, its operation is postponed until appropriate legislation is enacted to implement the terms of the amendment. The fact that such implementation may concern only part of the amendment does not affect the inseverability of the amendment. According to the Constitution, Article III, Sec-

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tion 1, the legislative authority of this state shall be vested in the General Assembly, which shall consist of a Senate and a House of Representatives. There is no indication that the General Assembly, by the enactment of Joint Resolution 16, intended to violate this constitutional provision by making severable the provisions thereof.

I am of the opinion, therefore, that the present status of the General Assembly is preserved until legislative implementation is enacted.

Very truly yours,
EVAN HULTMAN,
Attorney General.
OSCAR STRAUSS,
First Assistant Attorney General.

EH:OS:la

January 25, 1963.

Honorable David O. Shaff,
State Senator,
LOCAL.
Dear Senator:

Reference is made to your letter of January 16, 1963, in which you request an explanation of the changes suggested in our opinion to you of January 26, 1961, concerning Senate Joint Resolution 16, Fifty-ninth G.A., commonly referred to as the "Shaff Plan", and submitted as Senate Joint Resolution 1 to the Sixtieth G.A.

Article X, Section 1 of the Constitution of Iowa provides:

"How proposed—submission. Section 1. Any amendment or amendments to this Constitution may be proposed in either House of the General Assembly; and if the same shall be agreed to by a majority of the members elected to each of the two Houses, such proposed amendment shall be entered on their journals, with the yeas and nays taken thereon, and referred to the Legislature to be chosen at the next general election, and shall be published, as provided by law, for three months previous to the time of making such choice; and if, in the General Assembly so next chosen as aforesaid, such proposed amendment or amendments shall be agreed to, by the majority of all the members elected to each House, then it shall be the duty of the General Assembly to submit such proposed amendment or amendments to the people, in such manner, and at such time as the General Assembly shall provide; and if the people shall approve and ratify such amendment or amendments, by a majority of the electors qualified to vote for members of the General Assembly, voting thereon, such amendment or amendments shall become a part of the Constitution of this State."

Article X has remained unchanged through the years as it is referred to in this opinion. It provides a self-executing amendment procedure, requiring no law to supplement its terms in order to make it operative. This is the view of the Iowa Supreme Court, announced in the case of Koehler & Lange v. Hill, 60 Iowa 543, where at page 554 in addressing itself to this Amendment the Court stated:

"The question before us is as to the validity of a constitutional amendment, and we think there is a material distinction between the rules which must obtain in such case, and when a statute is assailed as not having been constitutionally enacted. The Constitution provides for its own amendment, and the manner in which this may be done is prescribed with particularity, and yet the provisions are simple and readily understood. An amendment may be 'proposed in either house of the General Assembly, and if the same shall be agreed to by a majority of the members elected

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to each of the two houses, the proposed amendment shall be entered on the journals, with the yeas and nays taken thereon.'"

This position was confirmed indirectly in an attack upon this same constitutional amendment where the Iowa Court held the initiation of a proposed amendment is not the fulfillment of the Legislature's duty of apportionment, but was merely a constitutional change that might be made in the future. Selzer v. Synhorst, 113 N.W. 2d 724 (Iowa, 1962).

Senate Joint Resolution 16, an action of the Fifty-ninth General Assembly, is a proposal to amend the Constitution in accordance with the provisions of Article X. Therefore, we recommend the change from "adopt" to "propose" because this is the very language of Article X, which provides the procedure for amending the Constitution. On the other hand, we do not find the word "adopt" in such Article. This Article is the sole source of authority for the initiation of an amendment to the Constitution by the General Assembly.

The word "adopted" has been used at times in previous submissions of proposed amendments, as well as the word "proposed" and numerous others, but it is to be observed that form is not prescribed by Article X. In 1917-18 OAG 41, where a number of proposed amendments to the Constitution were exhibited, most used the word "proposed" in the preamble to the amendment. In discussing a proposed amendment that used the word "adopted", it was said at 1917-18 OAG at page 49:

"We have set out the foregoing for the purpose of showing that no fixed plan has been followed in the adoption of the amendment to the constitution, and indeed none is fixed by the constitution itself, except that—(procedure outlined by Article X of the Constitution) . . ."

However, in the constitutional amendment procedures the use of the word "adopted" is not without significance. As shown above, if the word is used by the Legislature in submitting a proposed amendment it may not be the best form, but it will probably not be held fatal, if the other requirements of Article X are met. 1917-18 OAG 41. The Legislature has also provided in Section 49.43:

"Constitutional amendment or other public measure. When a constitutional amendment or other public measure is to be voted upon by the electors, it shall be printed in full upon a separate ballot, preceded by the words, 'Shall the following amendment to the constitution (or public measure) *be aodpted?*'" (emphasis supplied)

Consequently, the rationale of this procedure is that the Legislature "proposes" and the people "adopt"—a constitutional amendment. When the framers of the Constitution used the phrase:

". . . if the people shall *approve and ratify*, such amendment . . . " (Art. X, Section 1, Iowa Const.)

they intended that only the people should have the power to "adopt" an amendment to the Constitution. The Legislature, through the enactment of Sec. 49.43, further supports this theory.

In an effort to be technically correct and in compliance with the Constitution, it was suggested that the word "proposed" be substituted for the word "adopted" in conjunction with the constitutional amendment initiated through the Fifty-ninth General Assembly. It is submitted that this is in proper form and has the sanction of the Constitution.

Very truly yours,
EVAN HULTMAN,
Attorney General.
OSCAR STRAUSS,
First Assistant Attorney General.

EH:OS:la

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On motion of Senator Rigler, the Senate adjourned until 9:30 a.m., Wednesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 30, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Dean Williams, pastor of the First United Presbyterian Church, Atlantic, Iowa.

PETITIONS

By Senator Brown, from ninety-five residents of Clay County favoring proposed legislation relating to Iowa Public Employees Retirement System.

By Senator Hansen, from thirty-six residents of Carroll County favoring legislation to furnish school bus transportation for all children.

By Senator Lisle, from thirty residents of Page County urging legislation prohibiting the manufacture and sale of adulterated or deleterious meat and meat products, and regulating labeling and advertising thereon.

The following petitions, opposing liquor by the drink, were received and placed on file by:

Senator Hansen, from eighteen residents of Sac County.

Senator Lucken, from seventy residents of Plymouth County.

Senator Hill, from twenty-eight residents of Jasper County.

Senator Shivvers, from sixty-eight residents of Monroe County.

By Senator Rigler, a resolution from the official board of the First Methodist Church of Charles City, Iowa, in opposition to any legislation legalizing liquor by the drink.

The following petitions, favoring liquor by the drink under license control, were received and placed on file by:

Senator Dodds, from eighty-five residents of Des Moines County.

Senator Fulton, from seven hundred fifty residents of Black Hawk County.

Senator Hill, from one hundred twenty-four residents of Jasper County.

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By Senator Turner, from one hundred thirty-nine residents of Pottawattamie County.

Senator Walker, from seventy residents of Hamilton County.

Senator Fisher, from fifty-four residents of Madison and Warren Counties.

Senator O'Malley, from eight residents of Polk County.

PRESENTATION OF VISITORS

Senator Griffin rose on a point of personal privilege and presented to the Senate the Honorable Robert G. Moore, former member of the Senate from Harrison County, who was present in the Senate chamber.

Senator Doran rose on a point of personal privilege and presented to the Senate the Honorable Albert Steinberg, a former member of the House of Representatives from Story County, who was present in the Senate chamber.

INTRODUCTION OF BILLS

Senate File 95, by Senators Phelps and Cowden, a bill for an act to exempt certain owners, occupants or tenants of property from liability resulting from injury to or death of any person using bodies of water located thereon.

Read first and second times and passed on file.

Senate File 96, by committee on judiciary 2, a bill for an act to prevent subsidizing retail beer permittees by the extension of credit on beer from Class "A" permit holders.

Read first and second times and placed on the calendar.

Senate File 97, by Senator Schroeder, a bill for an act to amend chapter two hundred eighty-one point two (281.2), Code 1962, relating to children requiring special education.

Read first and second times and passed on file.

Senate File 98, by Senators Doran, Shoeman and Walker, a bill for an act relating to school district bond issue elections.

Read first and second times and passed on file.

Senate File 99, by Senators Mincks and Van Eaton, a bill for an act providing for the establishment of wage rates for public works projects.

Read first and second times and passed on file.

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Senate File 100, by Senator Main, a bill for an act relating to bounties on wild animals.

Read first and second times and passed on file.

Senate File 101, by Senators Fisher, Hansen and Curran, a bill for an act to authorize the public safety department, highway safety patrol division, to use money provided by chapter one (1), section fifty-one (51), Acts of the Fifty-ninth General Assembly.

Read first and second times and passed on file.

Senate File 102, committee on highways, a bill for an act to amend section three hundred twenty-one point four hundred seventy-five (321.475), Code 1962, relating to responsibility for damage to highways and highway structures.

Read first and second times and placed on the calendar.

Senate File 103, by committee on highways, a bill for an act to fix the responsibility for maintenance of an extension of either a primary or a secondary highway which both enters and exits from the state park at separate points.

Read first and second times and placed on the calendar.

Senate File 104, by committee on highways, a bill for an act to define the interstate system.

Read first and second times and placed on the calendar.

Senate File 105, by Senator Long, a bill for an act to amend certain sections of the subdistricts of soil conservation districts law.

Read first and second times and passed on file.

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

SENATE CONCURRENT RESOLUTION 6
By Benda

Whereas, the distinguished National Commander of The American Legion, Mr. James E. Powers of Macon, Georgia, will be in Des Moines, Iowa, for an official visit, February 18, 1963; therefore,

Be It Resolved, by the Senate, the House Concurring, that an invitation be extended to Mr. Powers to address a joint convention of both houses at 10:00 a.m., on Monday, February 18, 1963.

The motion prevailed and the resolution was adopted.

UNFINISHED BUSINESS

On motion of Senator Wilson, Senate File 63, a bill for an act

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relating to the powers of subdistricts of soil conservation districts, was taken up for further consideration.

Senator Nolan offered the following amendment and moved its adoption:

Amend Senate File 63 as follows:

1. Amend section 1 by striking all of lines 14 through 20 and inserting in lieu thereof the following: "approval of the state soil conservation committee, to issue warrants or bonds payable in not more than forty (40) semiannual installments in connection therewith, and to pledge and assign the proceeds of the special benefit assessment and other revenues of the subdistrict as security therefor. Such warrants and bonds of indebtedness shall be general obligations of the subdistrict, exempt from all taxes, state and local, and in no event shall such warrants and bonds".

The amendment was adopted.

Senator Wilson moved that the bill be read a third 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:

Benda	Elijah	Lisle	Shaff
Beneke	Elthon	Lodwick	Shivvers
Brown	Elvers	Long	Shoeman
Buck	Fisher	Lucken	Stephens
Burrows	Flatt	Main	Turner
Campbell	Frommelt	Mincks	Van Eaton
Coleman	Fulton	Nolan	Vincent
Cowden	Getting	O'Malley	Walker
Curran	Griffin	Phelps	Walter
Dodds	Grimstead	Rigler	Wearin
Doran	Hansen	Schroeder	Wiley
Dykhouse	Kyhl	Scott	Wilson

Nays, 1:

Hill

Absent or not voting, 1:

Vance

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 Wilson, Senate File 61, a bill for an act relating to installment payments of subdistrict of soil conservation district assessments, was taken up and considered.

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

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

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Ayes, 48:

Benda	Elijah	Lisle	Shaff
Beneke	Elthon	Lodwick	Shivvers
Brown	Elvers	Long	Shoeman
Buck	Fisher	Lucken	Stephens
Burrows	Flatt	Main	Turner
Campbell	Frommelt	Mincks	Van Eaton
Coleman	Fulton	Nolan	Vincent
Cowden	Getting	O'Malley	Walker
Curran	Griffith	Phelps	Walter
Dodds	Grimstead	Rigler	Wearin
Doran	Hansen	Schroeder	Wiley
Dykhouse	Kyhl	Scott	Wilson

Nays, 1:

Hill

Absent or not voting, 1:

Vance

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

On motion of Senator Wilson, Senate File 62, a bill for an act relating to the expenditure of tax funds for use in watershed projects, was taken up and considered.

Senator Wilson moved that the bill be read a third 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:

Benda	Elijah	Lisle	Shaff
Beneke	Elthon	Lodwick	Shivvers
Brown	Elvers	Long	Shoeman
Buck	Fisher	Lucken	Stephens
Burrows	Flatt	Main	Turner
Campbell	Frommelt	Mincks	Van Eaton
Coleman	Fulton	Nolan	Vincent
Cowden	Getting	O'Malley	Walker
Curran	Griffin	Phelps	Walter
Dodds	Grimstead	Rigler	Wearin
Doran	Hansen	Schroeder	Wiley
Dykhouse	Kyhl	Scott	Wilson

Nays, 1:

Hill

Absent or not voting, 1:

Vance

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

On motion of Senator Wilson, Senate File 64, a bill for an act relating to the powers of subdistricts of soil conservation districts, regarding tax methods to be used, was taken up and considered.

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Senator Wilson moved that the bill be read a third 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:

Benda	Elijah	Lisle	Shaff
Beneke	Elthon	Lodwick	Shivvers
Brown	Elvers	Long	Shoeman
Buck	Fisher	Lucken	Stephens
Burrows	Flatt	Main	Turner
Campbell	Frommelt	Mincks	Van Eaton
Coleman	Fulton	Nolan	Vincent
Cowden	Getting	O'Malley	Walker
Curran	Griffin	Phelps	Walter
Dodds	Grimstead	Rigler	Wearin
Doran	Hansen	Schroeder	Wiley
Dykhouse	Kyhl	Scott	Wilson

Nays, 1:

Hill

Absent or not voting, 1:

Vance

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

On motion of Senator Elvers, Senate File 7, a bill for an act to establish requirements for installation of bulk tanks on farms for milk produced for manufacturing purposes, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Coleman offered the following amendment and moved its adoption:

Amend Senate File 7 as follows:

Amend section 1, line 65, by striking the word "impassible" and inserting in lieu thereof the word "impassable".

The amendment was adopted.

Senator Walker moved that Senate File 7 be re-referred to the committee on agriculture for further study, which motion prevailed.

On motion of Senator Vance, Senate File 1, a bill for an act relating to controlled access highways, 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 1 as follows:

1. Amend section 1 by striking all of line 5 and substituting in lieu thereof the following: "have the right of free and convenient access to such street or".

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The amendment was adopted.

Senator Schroeder asked and received unanimous consent that action on Senate File 1 be deferred and that the bill be placed on the calendar under "Unfinished Business."

On motion of Senator Wiley, Senate File 76, a bill for an act relating to the improvement of primary roads by amending section three hundred thirteen point eight (313.8), Code 1962, referring to diagonal highways, was taken up and considered.

Senator Wiley moved that the bill be read a third 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:

Benda	Dykhouse	Lisle	Rigler
Brown	Elijah	Lodwick	Shaff
Buck	Elthon	Long	Shivvers
Burrows	Fisher	Lucken	Turner
Campbell	Flatt	Main	Van Eaton
Coleman	Fulton	Mincks	Vincent
Curran	Getting	Nolan	Wearin
Dodds	Kyhl	O'Malley	Wiley

Nays, 15:

Beneke	Griffin	Scott	Walker
Cowden	Hansen	Shoeman	Walter
Doran	Hill	Stephens	Wilson
Elvers	Phelps	Vance	

Absent or not voting, 3:

Frommelt	Grimstead	Schroeder

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

On motion of Senator Wiley, Senate File 77, a bill for an act to prohibit parking on any portion of the national system of interstate and defense highways, was taken up and considered.

Senator Wiley moved that the bill be read a third 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:

Benda	Doran	Hansen	O'Malley
Beneke	Dykhouse	Hill	Phelps
Brown	Elijah	Kyhl	Rigler
Buck	Elthon	Lisle	Scott
Burrows	Elvers	Lodwick	Shaff
Campbell	Fisher	Long	Shivvers
Coleman	Flatt	Lucken	Shoeman
Cowden	Fulton	Main	Stephens
Curran	Getting	Mincks	Turner
Dodds	Griffin	Nolan	Vance

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Van Eaton	Walker	Wearin	Wilson
Vincent	Walter	Wiley	

Nays, none.

Absent or not voting, 3:

Frommelt	Grimstead	Schroeder

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

On motion of Senator Wiley, Senate File 78, a bill for an act to prohibit bicycles or animal drawn vehicles from using the interstate system, was taken up and considered.

Senator Wiley moved that the bill be read a third 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:

Benda	Elijah	Long	Shoeman
Beneke	Elthon	Lucken	Stephens
Brown	Elvers	Main	Turner
Buck	Fisher	Mincks	Vance
Burrows	Flatt	Nolan	Van Eaton
Campbell	Fulton	O'Malley	Vincent
Coleman	Getting	Phelps	Walker
Cowden	Griffin	Rigler	Walter
Curran	Hill	Scott	Wearin
Dodds	Kyhl	Shaff	Wiley
Doran	Lisle	Shivvers	Wilson
Dykhouse	Lodwick		

Nays, none.

Absent or not voting, 4:

Frommelt	Grimstead	Hansen	Schroeder

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

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

HOUSE CONCURRENT RESOLUTION 4

Be it Resolved by the House, the Senate Concurring: That when adjournment is had on Thursday, February 28, 1963, it be to reconvene on Monday, March 11, 1963, at 11:00 a.m.

The motion prevailed and the resolution was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

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Senate Concurrent Resolution 5, a concurrent resolution directing that appropriate commendation be given to the Inaugural Committee for the excellent manner in which the Inaugural was conducted.

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

House Concurrent Resolution 7, correcting the classification of an employee in the Code Editor's Office.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 7

Whereas, an employee in the Code Editor's Office was misclassified on House Concurrent Resolution 5,

Be It Resolved by the House, the Senate Concurring, that Secretary to the Code Editor at $11.00 per day replace the General Clerk classification at $10.00 per day on the Code Editor's staff.

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

The motion prevailed and the resolution was adopted.

On motion of Senator Rigler, the Senate recessed until 3:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

SENATE CONCURRENT RESOLUTION 7
By Flatt and Hill

Whereas, the Fifty-eighth General Assembly established the Iowa Civil War Centennial Commission to plan for and conduct programs in connection with the centennial and events of the Civil War, and

Whereas, the Civil War was the greatest test our country has ever faced, built of the heroism and endurance that were drawn from men and women of both sections by devotion to principles valued more than life itself, and the loss, the gain, and the experience itself is a common national possession, and

Whereas, the Fifty-ninth General Assembly made an appropriation to conduct appropriate programs and prepare permanent printed publications in connection with the centennial; now therefore,

Be It Resolved by the Senate, the House Concurring, that the Superintendent of Printing be instructed to reserve space in the next issue of the Iowa Official Register for an appropriate commemoration of the Civil War Centennial.

SENATE CONCURRENT RESOLUTION 8
By Main

Whereas, in the rush of modern civilization, we frequently give too little attention to the cultural values and ideas which should be a part of our daily lives; and

Whereas, people of all ages have universally turned to poetic expression

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as a means for expressing the thoughts and hopes of their generations; and

Whereas, much of this poetry has come down to us in the twentieth century as a cultural heritage of inestimable value, passed down from the folklore, patriotism, and religion of the past, giving tone and character to the culture of today; and

Whereas, the poetry and culture of this generation will give similar impetus and strength to the lives of coming generations; and

Whereas, many of the states of the Union already have adopted and set aside October 15 of each year as "Poetry Day"; and

Whereas, in recognition of poetry in the cultural life of this state and nation, it it fitting that the General Assembly should set apart a day especially in honor of those poets of the past and present who have done and are doing so much to enrich the lives of all persons; now, therefore;

Be It Resolved by the Senate, the House Concurring, that the day of October 15 in each year is designated and set aside as "Poetry Day" in the State of Iowa in recognition of the cultural and human values of poetry and poetic expression; and

Be It Further Resolved, that the Governor of the State of Iowa issue an annual proclamation to that effect, and urge all religious, educational, patriotic, and cultural agencies and organizations to make proper and suitable observance of this day each year.

BILLS ASSIGNED TO COMMITTEE

President Mooty announced the following assignment of bills to committee:

S. F. 86	Agriculture
S. F. 87	Agriculture
S. F. 88	Tax revision
S. F. 89	Judiciary 2
S. F. 90	Cities and towns
S. F. 91	Highways
S. F. 92	Tax revision
S. F. 93	Public health
S. F. 95	Conservation
S. F. 97	Schools and educational institutions
S. F. 98	Schools and educational institutions
S. F. 99	Industrial relations
S. F. 100	Conservation
S. F. 101	Public lands and buildings
S. F. 105	Water rights
H.J.R. 1	Governmental affairs
H. F. 11	Governmental affairs
H. F. 22	Governmental affairs
H. F. 24	Governmental affairs
H. F. 31	Judiciary 1
H. F. 36	Industrial relations

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REPORTS OF COMMITTEES

Senator Schroeder submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **Senate File 12**, a bill for an act to legalize and validate the proceedings of the board of directors of the County of Lucas, State of Iowa, authorizing and providing for the issuance of school building bonds and for the levy of taxes for payment of said bonds and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said school district, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACK SCHROEDER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **Senate File 20**, a bill for an act to legalize and validate the special election of the independent school district of Centerville, in the County of Appanoose, State of Iowa, held on December 12, 1961, for the issuance of sixty-nine thousand dollars ($69,000.00) of school bonds, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACK SCHROEDER, *Chairman.*

Ordered passed on file.

Senator Shoeman submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate Joint Resolution 4**, a joint resolution to appropriate to the Board of Control, over and above its usual appropriation, sufficient funds from the general fund of the State of Iowa to be used for the purchase of real estate in Jasper County which is to be used as a prison honor farm, and to retain sufficient proceeds from the sale, etc., begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

Amend Senate Joint Resolution 4 as follows:

1. Amend the preamble by striking all of division 4 and by striking from division 5 the following words "and construct and equip needed facilities for inmates".

2. Amend the resolving clause by striking the word "Resolved" and inserting in lieu thereof the word "Enacted".

3. Strike all of section 2 and insert in lieu thereof the following:

"Three hundred thirty-four thousand (334,000) dollars of the proceeds to be derived from the sale of the Clive prison honor farm located in Polk County, Iowa, and recorded in Polk County, Iowa, as 'State Farm Addition Plat One (1)' shall go to the general fund of the State of Iowa and any excess is to be expended pursuant to section two hundred eighteen point ninety-four (218.94), Code 1962, unless further encumbered by other legislative action."

4. Further amend Senate Joint Resolution 4 by adding thereto the following:

"Sec. 3. This Act being deemed of immediate importance shall be in full force and effect from and after its publication in The Fayette County Union, a newspaper published in West Union, Iowa, and The Atlantic News-Telegraph, a newspaper published in Atlantic, Iowa."

JOHN D. SHOEMAN, *Chairman.*

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Ordered passed on file.

Senator Elijah submitted the following report:

MR. PRESIDENT: Your committee on tax revision to which was referred **Senate File 9**, a bill for an act to exempt casual sales by persons not regularly engaged in the business of selling from sales tax, 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 Grimstead and found on page 73 of the Senate Journal; and when so amended the bill do pass.**

EARL ELIJAH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on tax revision to which was referred **Senate File 50**, a bill for an act relating to tax sale of public property, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EARL ELIJAH, *Chairman.*

Ordered passed on file.

Senator Turner submitted the following report:

MR. PRESIDENT: Your committee on public utilities to which was referred **Senate File 11**, a bill for an act to authorize the Iowa State Commerce Commission to regulate the rates and services of public utilities, to define public utilities to include those engaged in the furnishing of electricity, gas, water or communications services to the public for compensation, and to provide for appeals from orders and decisions of the Iowa State Commerce Commission, begs leave to report it has had the same under consideration and recommends the same **do pass.**

RICHARD C. TURNER, *Chairman.*

AMENDMENTS FILED

Amend Senate File 7, section 1, by striking from lines 76, 77 and 78 the words "or any rule made by the department and promulgated under the authority of said department".

DONALD G. BENEKE.

Amend Senate File 23, section 1, by striking all of line 3 and inserting in lieu thereof the following:

"section three (3) and inserting in lieu thereof the following:

'3. Neighbors who assist each other in the treatment of animals owned by them or under their control.'."

JOHN D. SHOEMAN.

Amend Senate File 94 by striking from line 16 of section 13 the word "or".

FRANKLIN MAIN.

On motion of Senator Rigler, the Senate adjourned until 9:00 a.m., Thursday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 31, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Doctor Allen K. Williams, District Superintendent, Boone District, Methodist Church, Boone, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Van Eaton for the day on request of Senator Dykhouse.

PETITIONS

The following petitions, favoring liquor by the drink under license control, were received and placed on file by:

Senator Brown, from two hundred eighty-seven residents of Emmet County.

Senator Burrows, from seventeen residents of Tama County.

Senator Elthon, from fifty-nine residents of Howard and Winneshiek Counties.

Senator Fulton, from one hundred fifty-nine residents of Black Hawk County.

Senator Frommelt, from fifty-six residents of Dubuque County.

Senator Hansen, from two hundred thirty-seven residents of Carroll County and from four hundred twenty-five residents of Crawford County.

Senator O'Malley, from forty-four residents of Polk County.

The following petitions, opposing liquor by the drink, were received and placed on file by:

Senator Cowden, from twenty-six residents of Guthrie County.

Senator Dodds, from sixty-nine residents of Des Moines County.

Senator Elijah, from twenty residents of Cedar County and from twenty-seven residents of Muscatine County.

Senator Fisher, from twenty-eight residents of Warren and Marion Counties.

Senator Getting, from forty-nine residents of O'Brien County.

Senator Kyhl, from twenty-one residents of Bremer County.

Senator Stephens, from sixty-seven residents of Louisa County.

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Senator Coleman, from one hundred four residents of Webster County.

The following petitions, favoring proposed legislation relating to Iowa Public Employees Retirement System, were received and placed on file by:

Senator Curran, from thirty residents of Wright County.

Senator Walker, from forty-one residents of Hamilton County.

INTRODUCTION OF BILLS

Senate File 106, by committee on cities and towns, a bill for an act relating to license fees and taxation of urban transit systems and companies.

Read first and second times and placed on the calendar.

Senate File 107, by Senator Phelps, a bill for an act relating to mechanic's liens.

Read first and second times and passed on file.

Senate File 108, by Senator Turner, a bill for an act to amend section five hundred fifty-four point fourteen (554.14), Code 1962, relating to implied warranties of titles.

Read first and second times and passed on file.

Senate File 109, by Senator Turner, a bill for an act relating to hunting and fishing upon cultivated or inclosed lands and waters.

Read first and second times and passed on file.

Senate File 110, by Senators Schroeder, Turner and Walker, a bill for an act relating to the regulating, licensing and controlling of dispensing opticians.

Read first and second times and passed on file.

Senate File 111, by Senator Shaff, a bill for an act to amend section seventy-seven point two (77.2), Code 1962, relating to notary public commissions.

Read first and second times and passed on file.

Senate File 112, by Senator Elijah, a bill for an act to make an appropriation to the Iowa Commission on Alcoholism.

Read first and second times and passed on file.

Senate File 113, by committee on social security, a bill for an act relating to county appropriations and reimbursement to the state from fund for aid to the blind.

Read first and second times and placed on the calendar.

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THIRD READING OF BILLS

On motion of Senator Walker, Senate File 94, a bill for an act relating to the eradication of bovine brucellosis, was taken up and considered.

Senator Main asked and received unanimous consent to withdraw the amendment filed by him and found on page 134 of the Senate Journal.

Senator Main offered the following amendment and moved its adoption:

Amend Senate File 94 by striking from line 16, section 13, the words "state or federal" and inserting in lieu thereof the following: "state-federal".

The amendment was adopted.

Senator Walker offered the following amendment and moved its adoption:

Amend Senate File 94 as follows:

1. Section 29, by striking the following in lines 2 and 3: "or the rules and regulations promulgated by the department pertaining thereto".

2. Further amend Senate File 94 by adding the following as a new section:

"This Act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in The Daily Freeman Journal, a newspaper published in Webster City, Iowa, and in The Maquoketa Community Press, a newspaper published in Maquoketa, Iowa."

The amendment was adopted.

Senator Walker moved that the bill be read a third 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:

Benda	Elijah	Kyhl	Shaff
Beneke	Elthon	Lisle	Shivvers
Brown	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Turner
Campbell	Frommelt	Main	Vance
Coleman	Fulton	Mincks	Vincent
Cowden	Getting	Nolan	Walker
Curran	Griffin	O'Malley	Walter
Dodds	Grimstead	Phelps	Wearin
Doran	Hansen	Rigler	Wiley
Dykhouse	Hill	Scott	Wilson

Nays, none.

Absent or not voting, 2:

Schroeder	Van Eaton

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

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Senator Walker asked and received unanimous consent that Senate File 94 be immediately messaged to the House, which request was complied with.

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

EXECUTIVE SESSION

The Senate, in executive session, confirmed the appointment of Lynn Potter of Cresco, Howard County, Iowa, as a member of the State Tax Commission for the unexpired term ending June 30, 1963, and the regular term ending June 30, 1969.

The Senate arose from executive session and resumed regular session.

UNFINISHED BUSINESS

On motion of Senator Wiley, Senate File 1, a bill for an act relating to controlled access highways, was taken up for further consideration.

Senator Fulton offered the following amendment:

Amend Senate File 1 as follows:

Amend section 1, line 5, as amended by inserting after the word "access" the following: "for present uses of such land".

Amend line 9 of section 1 by inserting after the word "access" the following: "for present uses of such land".

Senator Nolan raised a point of order on the amendment for the reason that it changes the intent of the bill.

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 Senate Concurrent Resolution 4, duly adopted, 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 Mooty presiding.

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

Senator Rigler of Chickasaw moved that a committee of four consisting of two members from the Senate and two members from the House be appointed to notify Governor Hughes that the joint convention was ready to receive him.

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Motion prevailed and the President appointed as such committee Senator Vance of Henry and Senator O'Malley of Polk, on the part of the Senate, and Representatives Camp of Clinton and Maule of Monona, on the part of the House.

The committee waited upon Governor Hughes and escorted him to the Speaker's station. President Mooty then presented Governor Hughes, who delivered the following budget address:

BUDGET MESSAGE TO THE SIXTIETH GENERAL ASSEMBLY

By Honorable Harold E. Hughes, Governor of Iowa
Joint Session, January 31, 1963

MR. PRESIDENT, MR. SPEAKER, MEMBERS OF THE GENERAL ASSEMBLY, LADIES AND GENTLEMEN:

As you all know, chapter 8 of the Code of Iowa specifies that "not later than February 1 of the year of each biennial session the governor shall transmit to the legislature a document to be known as a budget, setting forth his financial program for each of the fiscal years of the ensuing biennium." This message, comprising Part I of the budget, sets forth the present financial condition of the state treasury and the proposed fiscal program for the biennium beginning July 1, 1963.

Additional materials which have been made available to you set forth in detail the current and estimated balance in the general fund of the State of Iowa at the end of the present biennium and the ensuing biennium, my recommendations for appropriations, and the suggested sources of revenue. The complete budget, showing a detailed breakdown by departments and by all funds, will be transmitted to you within the next few days.

I would like to thank the many state boards and department heads for the information they so conscientiously furnished during the budget hearings last November and December. I am also indebted to the Budget and Financial Control Committee, other interested members of the General Assembly and the Legislative Fiscal Director for their able and patient assistance. It was out of the information provided by these helpful sources that this recommended budget was shaped.

Possibly never before in our history have we been so keenly aware of the close relationship between state and local governments. We cannot divorce the needs of state government from those of our cities, towns and counties and arrive at a true picture. The approach we make in state financing to school districts directly affects the quality of education in all localities of the state.

Local taxing districts in the year 1962 collected over $400 million in taxes. This amount, plus the approximate state budget of $200 million for 1962, means that the total tax paid annually for state and local purposes exceeds $600 million for operations. It should be apparent that the closest possible co-ordination should be sought between state programs and local programs in order to insure sound government operation at the lowest possible cost.

In my inaugural message, I recommended the establishment by the Assembly of a continuing commission on state and local government relations. I think that better communication between the jurisdictions of government would unquestionably lead to higher level of over-all efficiency and economy. After all, it is the total tax load borne by each citizen that counts—whether the taxes be state or local. We pride ourselves on the fact that our state government is debt-free and levies no property tax of consequence, but this

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pride is scarcely justified if we are at the same time shifting a disproportionate load of taxes on to local jurisdictions.

Our objective must be to hold our combined state and local tax loads at the lowest possible level and at the most equitable distribution.

A budget that is not realistic is not worth the paper upon which it is written. In the budget I am submitting to you today I have tried to face the facts realistically in four general areas.

1. In the first place, as your revenue study committee and other authorities have pointed out, there is a need for additional funds to meet the increased costs of administration of the vast programs of the state government. We have no surplus to draw from for this budget.

2. For the sake of efficiency and economy as well, we need to attract and retain the highest level of personnel in the administrative branch of government.

3. In order to meet the need for more revenue and to guarantee a sound financial base at all times, we need corrective legislation and new tax sources.

4. Considering the interdependence of various components of our state—agriculture, industry, and rural and urban citizens we have an obligation to treat all of these components fairly.

By facing the facts in these four areas, we have shaped a budget that I believe to be sound, realistic, and equitable.

GENERAL

The total expenditures from the General Fund set forth in this budget for each year of the ensuing biennium are $230 million. This amount includes $121 million for state aids to local schools and governments, including local educational aids, homestead credits and welfare programs.

For state institutions of higher learning, state hospitals and correctional institutions, public safety and the administrative departments, $99 million. $10 million represents the expenditures on an annual basis for building and capital programs.

Briefly, I will discuss the major items in this proposed budget.

EDUCATION

I am recommending a substantial increase in the area of local and higher education. In principle, I strongly support the plans of the so-called "foundation program," which insures equal educational opportunities for our youth, with the state assuming part of its costs. However, in practice during these next two years, because of unequal property tax assessments on which state aids can be based, it may not be feasible to go to the complete plan. Adequate legislation is needed to insure equal property tax assessments in future bienniums before the foundation program is put into effect.

However, to insure immediate local property tax relief, I am recommending that the agricultural land credits be increased by $4.5 million, which will enable the state to pay approximately 50 percent of the county claims. Also, I am recommending, for each year of the biennium, a $15 million increase in supplemental and general school aids, which will pay supplemental aids in full instead of the present 50 percent level, and will substantially increase general aids. These two items alone represent more than a 50 percent increase in state aids to local taxing districts.

Further, I am recommending a 13 percent increase in the appropriation for the Board of Regents institutions for operating expenses, which will increase their appropriation from $41.5 million to $46.9 million.

We all know that the costs of education comprise a major part of our tax revenue needs. Yet, from personal contact with citizens in all walks of life and from all parts of the state, I am convinced that our people are

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not willing to settle for anything less than first-class education for our children and youth.

BOARD OF CONTROL

Total annual appropriations of $22.6 million are recommended for operating expenses of the institutions under the jurisdiction of the State Board of Control. This represents an increase of slightly less than a million dollars and is considered adequate to meet the projected needs of the vital programs of mental health, training of the retarded, rehabilitation of the delinquent and other activities carried on by this major department of the state government.

It should be noted that progressive programs of psychiatric care and rehabilitation reduce the population of our institutions and result in substantial savings to the taxpayers. Continued emphasis on such programs as outpatient treatment of mental patients should also have a beneficial effect in lowering institutional costs in the years ahead.

PUBLIC SAFETY

For the Department of Public Safety, which consists of nearly a dozen divisions, including Traffic Safety and Criminal Investigation. I recommend $5.3 million for each year of the biennium. The proposed increase in appropriation for this department, as for various other important departments, is not as great as I would like, but on the basis of the information available, it will enable the department to carry on its present program of safety and law enforcement with some increased emphasis on prevention and education and on increased co-ordination with the activities of local law enforcement officials.

ADMINISTRATIVE DEPARTMENTS

For the administrative departments of the state, I recommend an appropriation of $11.2 million. This increase is due primarily to the realistic budgeting of the State Tax Commission by the elimination of their Revolving Account, and the budgeting of the Executive Council on an actual need basis.

However, throughout this budget, and particularly in the administrative departments, I am proposing salary increases for key personnel.

As we all know, the quality of government we get is largely determined by the quality of the people who serve in government. To the best public servants, government service is something more than just a job. Nonetheless, we can't expect to retain competent people in government unless we offer reasonably competitive incentives to keep them.

To this end, I recommended in my inaugural message a system of state civil service and the adoption of the I. P. E. R. S. proposal that will provide additional pension benefits for public employees throughout the state.

As in any private business, one of the most urgent needs of the state government is to attract and hold persons of first-rate ability in the key policy-making positions. Without imaginative leadership in these spots, without qualified management, our best laid plans for good government will come to naught. As in private enterprise, we need to get responsible people in key positions and to pin-point their responsibilities. I have, therefore, recommended substantial increases in the salaries of state elective officials, commissioners and board members. I am sure this will pay off in terms of economies in operation and improved services. The suggested increases will bring the salary levels to a point more comparable to private industry and other governmental levels.

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During the past year, the Executive Council liberalized the longevity benefits to career state employees, an action which I heartily endorse. This, in essence, provides for step increases for all employees at 5-, 10-, 15- and 20-year levels. The longevity benefits, plus the proposed liberalizing of retirement benefits under the Iowa Public Employees' Retirement System, represent substantial gains for state employees.

I might add that another factor in the increase of administrative cost results from the increase in judicial pay as called for in the referendum by the people during 1962.

HOMESTEAD CREDIT

I am recommending an approximate 30 percent increase in the homestead credit—or an estimated $9 million per year. This will permit the state to increase the longstanding base of 25 mills on $2,500 valuation to a new and more realistic maximum millage of 32 mills on the same $2,500 valuation. This is a direct relief provision for home owners and is the *first* such additional relief these property owners have had in many years.

SOCIAL WELFARE

My budget provides for an increase of $2.7 million per year in social welfare. The major portion of this increase is $2 million per year for the implementation of the Kerr-Mills bill. This amount, although somewhat less than the original estimates, will be adequate to get the program of medical aid to the aged under way.

CAPITAL IMPROVEMENTS

I am recommending $10 million for each year of the biennium, or a total of $20 million for capital additions. Of this amount, $6.7 million would go to the state institutions under the Board of Regents, and $2.2 million to the Board of Control institutions. An additional million dollars would be allocated between the Fair Board for their needed electrical generators, the National Guard for armory construction, Buildings and Grounds for gold leaf on the Capitol dome and the Department of Public Safety for new transistor radio equipment.

SUMMARY

The total askings by the departments, agencies and boards, including standing appropriations, at the hearings for this budget exceeded $266 million. My recommendation is in the amount of $230 million—which is $36 million below the current askings and approximately the same amount over the Fifty-ninth General Assembly appropriation.

In the face of rising costs—and with no state surplus funds to draw from—it was obvious from the beginning, in the preparation of this budget, that substantial additional revenues would be required to meet the increased costs of government operation and to provide property tax relief. This budget represents a diligent effort to meet these needs realistically while controlling operating expenses at a prudent level.

Additional state programs and increased state aid cannot be met from the current tax basis. Accordingly, we are submitting with this message legislation which will increase revenues and which will equalize the tax load between the several economic groups comprising the Iowa taxpayers.

In the present tax structure, which includes general sales, income and excise taxes, our estimated revenues are computed on the historic growth of 2 to 4 percent per year. This percentage increase of normal growth will provide approximately $18.7 million. In addition to this growth test factor, I am proposing these specific changes:

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INDIVIDUAL INCOME TAXES

I recommend the following changes be made in the individual income tax structure for the next biennium.

First, that a withholding system be enacted effective July 1, 1963, so as to ease the method of payment on the taxpayers of Iowa and to increase the administrative efficiency for the Tax Commission in the collection of the income tax. By making the effective date July 1, 1963, approximately one-half of the taxpayer's total tax bill for the year 1963, payable in the Spring of 1964, will be paid.

From the years 1964 and subsequent, the taxpayer's total tax bill will be approximately met by his withholding tax, and refunds will be made if the withholding is excessive.

Considering the experience of other states, I feel that the enactment of withholding tax legislation—implemented by data processing equipment and sound administrative policy—will make possible the collection of income taxes from some who are not now filing and will thus better equalize the tax load.

Second, I recommend that the rate be increased from the so-called present 75 percent rate to the 100 percent rate as the original income tax law provided. In conjunction with this change, I would also recommend that another bracket be added for incomes over $5,000 at the 100 percent rate of 6 percent. Our income tax rates have not been changed for years, and in my opinion, are not now realistic with the income level for Iowa citizens.

Concluding my recommendations on income tax, the following revenues will be derived:

From withholding effective July 1, 1963, a "windfall" in the first year of the biennium of $16.1 million.

Income tax collections of non-filers as a result of withholding—$2.4 million for each year of the biennium.

Adding an additional bracket on incomes over $5,000—$3 million each year of the biennium.

Increasing the rate to so-called 100 percent—approximately $14.8 million in each year of the biennium.

CORPORATION INCOME TAX

I recommend the following corrective measures for corporation income tax for all taxes due in 1964 and subsequent years.

First, let me say that there are compelling reasons in favor of the so-called three factor formula, which formula provides that a corporation income tax payable to the state is computed from the basis of property held in Iowa, payroll paid in Iowa, and income. Consideration should be given in the future to this method of taxing corporations which has been adopted by many other states and which is recognized generally as a fair method of equalizing corporate incomes between states. However, due to the complexities in enacting such legislation and because of its relation with the whole unequalized tax structure in Iowa, including property taxes, I recommend a practical alternate—eliminating the deduction of Federal income taxes in computing the income subject to Iowa tax. Again, Iowa is one of the few states which allows its corporations to deduct the Federal tax in total, in arriving at the taxable income to Iowa.

Also I recommend as a more realistic figure the rate of 4 percent on corporate income instead of the present 3 percent.

The present Iowa corporation income tax collects about $4.5 million. I believe that these two recommended changes, which will increase the revenue from corporation income tax by approximately $5.5 million, will

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more equitably tax corporations in their relationship to the individual income tax rates and our present sales tax structure.

SALES TAX

I recommend the following minor change for administrative purposes in the field of sales tax and its collections:

First, the present sales tax rate of 2 percent should be applied to hotels and motels, which is common among most states and which would raise the revenue by nearly $1 million dollars per year.

Also, monthly sales tax reports and payments should be made to the Tax Commission by retailers who collect more than $300 per month. This latter recommendation can be done efficiently with the use of modern equipment and forms which will not increase the burden upon the retailers for bookkeeping. It can be done in the form of deposit with the Tax Commission much in the same manner as the Federal monthly deposit of withholding and social security taxes. This would have the effect of leveling out the collections for the state and also would substantially eliminate many of the collection problems now encountered by the Tax Commission. The monthly reporting of sales tax will provide in the first year of the biennium about $5.4 million.

LIQUOR TAX

Throughout the campaign and in my inaugural address, I have recommended legalizing liquor by the drink in Iowa under a system of strict licensure and control. Every survey that has been taken in the past year indicates that an overwhelming majority of the citizens of Iowa desire such a change in the present liquor law. This is not a partisan matter and the legislation implementing it should incorporate the important points of licensing, enforcement, liability and responsibility clauses, and provision for rehabilitation.

The prospective added revenue to the state from a system of legalized liquor by the drink is submitted in this budget at a figure so conservative that I think no reasonable person could question it. I have every reason to believe that revenue from this source would be substantially greater than the $2.5 million a year indicated. There would also be an increase in revenues to local government which would be property tax relief of the most direct kind. However, since this is a highly controversial matter with many indeterminate factors involved, I thought it well to set the revenue estimate at the very minimum.

This will also serve to emphasize the point I have made repeatedly in the past—that law enforcement, rather than revenue, is the principal reason that our liquor control law should be changed.

GENERAL FUND BALANCE

The estimated unencumbered balance at June 30, 1963, is $21 million. Based on estimates made by the comptroller for the ensuing biennium, the balance at June 30, 1965, will be at approximately this same figure.

There has been wide divergence of opinion in the past few years with reference to what constitutes a "safe" minimum balance in the state general fund. With all due respect to opposing views, it will be the objective of this administration to maintain a minimum working balance of not less than $21 million in the state general fund. My study of the state financial picture in the past two months has confirmed my opinion that a balance of this amount is needed to assure efficiency of fiscal operation and to meet such emergencies as may occur.

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SUMMARY

I present to you today a balanced budget—one in which the receipts slightly exceed the proposed appropriations and which totals approximately $230 million. I believe the citizens of Iowa want this type of balanced budget which is realistic in its spendings and which provides the revenue to carry out these askings. It will be noted that the proposed budget incorporates both tax increases and tax equalizations.

It is always easier to provide revenue by raising those existing taxes that are comparatively easy to collect than to attempt tax equalizations. It is also easier to concentrate exclusively on taxes that provide large amounts of revenue in one piece—rather than to put together a multiple-tax program composed of items that are comparatively small individually but are substantial in the aggregate.

In this reference, it will be noted that I have not recommended a general sales tax increase. I would be less than realistic, however, if I were not aware that there is considerable sentiment in this Assembly, and about the state, for using an increase in the sales tax rate as a means of revenue to relieve property taxes.

In general I do not favor taxes that are regressive and hidden. I lean toward those taxes that are levied in accordance with ability to pay and that leave the taxpayer at the end of the year with a clear understanding of what he has paid in taxes.

I am aware, however, that this session is faced with unusually weighty revenue problems by comparison with recent sessions, and I am also aware that both political parties are strictly pledged to providing appreciable local property tax relief—not in the distant future but in the course of this session. Unquestionably we all have a mandate from the people along these lines.

I therefore repeat the statement I made during my campaign that I would not necessarily close the door on a sales tax increase if, in the considered judgment of this Assembly, it is absolutely necessary to provide the substantial local property tax relief to which we are all committed.

I would not, however, be receptive to a one or two-shot tax program that failed to take advantage of new revenue potentials which offer opportunities for sensible, equitable and long overdue tax equalization.

I think I should make it clear that I am strongly opposed to proposals for a flat tax on adjusted gross income. While such a tax would raise substantial revenue, it would be manifestly unfair to a large percentage of taxpayers in this state who are least able to bear a heavy tax load. An income tax that is based on a single rate, regardless of ability to pay, and that fails to take into consideration such factors as a taxpayer's dependents and medical expenses, would approach the ultimate in regressive and unfair taxation, as I view it.

In addressing this Assembly on budgetary matters, it seems to me that I would be remiss in my duty if I did not call attention once again to the potentials for economy that lie in reorganizing and modernizing a number of areas of the state government. Several excellent studies have been made along these lines in the past 20 years by legislative committees and other authoritative groups. Outstanding among these have been the report made in 1950 by the Governmental Reorganization Commission of the legislature, commonly known as the Little Hoover Commission and the Governor's Commission on Economic and Social Trends of 1958. It is worth noting that Democratic Governor Loveless and Republican Governor Erbe were in substantial agreement on a number of proposals for reorganization contained in these reports.

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The point I am making—which is in the nature of a general suggestion rather than a specific recommendation—is this: While receptiveness to change is an accepted fact in the business world, there is an overwhelmingly negative attitude towards change in government. I am suggesting that organizational improvements that streamline government operation and pinpoint responsibility are as desirable in government as they are in private enterprise. I would respectfully recommend that the Governmental Affairs Committee of the Senate and the Consolidation and Coordination of State Government Committee of the House give serious consideration to bipartisan proposals for basic government reorganizations that perennially come before the Assembly.

In his State of the State Message shortly before his retirement from the governorship, Governor Erbe generously and wisely recommended that legislation authorizing staff, office and supplies for a Governor-elect between election and inauguration should be adopted.

In the interests of good government and bi-partisan fair play, I sincerely subscribe to this recommendation.

Furthermore, I would like to recommend that in setting up the bi-partisan revenue study committee for the next biennium, it should be indicated by the Assembly that the findings of this legislative study group—at least so far as the state's revenue needs—should be made public prior to the general election.

I hope I will not be misunderstood. I do not make this recommendation in criticism of the Fifty-ninth Assembly's revenue study committee or the majority party. We are dealing here with system and long-established custom, applicable to both political parties. I simply believe that the system should be changed in the public interest.

The most realistic possible view of the revenue needs of the state should be public information for the electorate—since the fiscal policy of candidates and parties is a sound and fundamental issue on which elections should be decided.

My recommendations in the fields of revenues and expenditures in this budget are generally consistent with the stands I took during the recent campaign. Yet, it is obvious that some information was made available to me after the election that was not available prior to it. It would seem to me that it would be consistent with our democratic traditions and free elections to make the best available data concerning revenue needs available to both parties, both candidates and to the general public prior to the election—and I respectfully recommend that this be done.

I want you to know, ladies and gentlemen, that I have the greatest respect for the momentous problems that loom before this session in the areas of appropriations and ways and means. I have noted with admiration the business-like procedures of this session and the capacity for hard work you have already shown. In dealing with the citizen pocket book, it is certain that however fairly and wisely you legislate, you will not please everyone. This is the third certainty in life—to go with the other two certainties of death and taxes.

I am deeply grateful to you for the extraordinary courtesy and co-operation you have extended to a chief executive rich with the experience of two weeks in office. Many of you have paid me personal visits in my office; and I sincerely hope that you will feel free to do this at all times. The door is open at all hours to you and I am even investigating the possibility of building a fire in the fireplace. Those wiser in government than I tell me that any administration can profit by having a fire built under it from time to time.

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In summary, let me state that the budget I have presented to you today does provide for property tax relief in the form of increases in agricultural land tax credits for the rural citizen, additional homestead credit for the urban citizen, and additional school aids for the benefit of all. Needless to say, this is only a step in the right direction. Looking to the future, we must provide the room and the resources for future property tax relief—in the face of the realization that local property taxes are increasing at the present time at the rate of from 15 to 20 million dollars per year.

We live in a great state—the greatest of all, in my book—a state with unlimited assets and great traditions. Not the least of our traditions is that of fiscal soundness in our state government. And not the least of our responsibilities is to preserve this heritage.

Sound financial policy is the backbone of our agricultural and industrial economy. It is an attraction to new industry and a firm foundation for general economic growth. By comparison with other states, Iowa has no financial problems. Certainly we have a problem of financing.

We face this problem together—with the heavier burden of it falling upon you of the General Assembly at this time. I pledge to you my complete co-operation in our common goal of arriving at financial legislation that will benefit all of our people and will assure the continuation of sound fiscal policies in Iowa.

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

Mowry of Marshall moved that the joint convention be now dissolved.

The motion prevailed.

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

On motion of Senator Rigler, the Senate recessed until 2:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

The Senate resumed consideration of the amendment filed by Senator Fulton to Senate File 1, and the point of order raised by Senator Nolan.

The Chair ruled the point well taken, and the amendment out of order.

Senator Lucken moved that Senate File 1 be referred to the committee on highways.

Roll call was requested.

On the question "Shall Senate File 1 be referred to the committee on highways?" the vote was:

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Ayes, 9:

Buck	Hill	Lucken	Shaff
Curran	Lisle	Scott	Wiley
Fulton			

Nays, 36:

Benda	Elijah	Lodwick	Shivvers
Beneke	Elthon	Long	Shoeman
Brown	Elvers	Main	Stephens
Burrows	Fisher	Mincks	Turner
Campbell	Flatt	Nolan	Vance
Coleman	Frommelt	O'Malley	Vincent
Cowden	Getting	Phelps	Walter
Dodds	Griffin	Rigler	Wearin
Doran	Grimstead	Schroeder	Wilson

Absent or not voting, 5:

Dykhouse	Kyhl	Van Eaton	Walker
Hansen			

The motion was lost.

Senator Vance moved that the bill be read a third 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:

Benda	Elijah	Lodwick	Shivvers
Beneke	Elthon	Long	Shoeman
Brown	Elvers	Main	Stephens
Burrows	Fisher	Mincks	Turner
Campbell	Flatt	Nolan	Vance
Coleman	Frommelt	O'Malley	Vincent
Cowden	Getting	Phelps	Walter
Curran	Griffin	Rigler	Wearin
Dodds	Grimstead	Schroeder	Wilson
Doran	Hansen	Scott	

Nays, 7:

Buck	Hill	Lucken	Wiley
Fulton	Lisle	Shaff	

Absent or not voting, 4:

Dykhouse	Kyhl	Van Eaton	Walker

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

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

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

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Senate Concurrent Resolution 6, extending an invitation to the National Commander of The American Legion to address a joint convention on Monday, February 18, 1963.

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 rules of administrative agencies.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File 17, a bill for an act relating to rules of administrative agencies.

Read first and second times and passed on file.

BILLS ASSIGNED TO COMMITTEE

President Mooty announced the following assignment of bills to committee:

S. F. 107 Judiciary 2
S. F. 108 Judiciary 1
S. F. 109 Conservation
S. F. 110 Public health
S. F. 111 Compensation of public officers and employees
S. F. 112 Appropriations
H. F. 17 Judiciary 1

REPORTS OF COMMITTEES

Senator Burrows submitted the following report:

MR. PRESIDENT: Your committee on printing to which was referred **Senate File 69**, a bill for an act relating to publication of real property assessments, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

Amend Senate File 69 as follows:

1. Amend Senate File 69 by striking from lines 9, 10, 11, the following: "All real property owned by governmental bodies shall be exempt from the provisions of this Act."

R. O. BURROWS, *Chairman.*

Ordered passed on file.

Senator Nolan submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **Senate File 55**, a bill for an act repealing the provision requiring the county registrar to transmit copies of all death certificates to the county auditor, begs leave to report it has had the same under consideration and recommends the same **do pass.**

D. C. NOLAN, *Chairman.*

Ordered passed on file.

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Also:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **Senate File 58**, a bill for an act relating to paroles by courts, and to amend various sections of the Code relating thereto, begs leave to report it has had the same under consideration and **returns the bill without recommendation.**

D. C. NOLAN, *Chairman.*

Ordered passed on file.

Senator Grimstead submitted the following report:

MR. PRESIDENT: Your committee on governmental affairs to which was referred **Senate File 42**, a bill for an act to change the title of county, municipal and school examiner to auditor and to amend certain sections of the Code to conform to the change, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACOB GRIMSTEAD, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 43, section 3, by adding after line 18 the following:

"Any member chosen to fill a vacancy occurring otherwise than by expiration of term, shall be appointed for the unexpired term of the member whom he is to succeed. A majority of the then".

Further amend Senate File 43, section 3, by striking from line 19 the word "Members" and inserting in lieu thereof the word "members".

JACK SCHROEDER.

Amend Senate File 46 as follows:

1. Amend section 1 by striking the word "Chapter" in line 1 and insert in lieu thereof the word, "Section".
2. Amend section 2 by striking the word "Chapter" in line 1 and insert in lieu thereof the word, "Section".
3. Amend section 3 by striking the word "Chapter" in line 1 and insert in lieu thereof the word, "Section".

HOWARD C. BUCK.

Amend Senate File 83 as follows:

1. Amend section 4, line 25, by striking the figures "1961" and inserting in lieu thereof the figures "1963".

EUGENE M. HILL.

Amend Senate File 49 as follows:

By adding to line 9 after the word "system," the words "except primary road extensions,".

MARTIN WILEY.

On motion of Senator Rigler, the Senate adjourned until 9:30 Friday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 1, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Richard G. Mohr, pastor of the Bethany Baptist Church, Des Moines, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lisle for the day on request of Senator Griffin; Senator Beneke for the day on request of Senator Shoeman; Senator Walker for the day on request of Senator Scott; Senator Shaff for the day on request of Senator Getting; Senator Van Eaton for the day on request of Senator Dykhouse.

PETITIONS

The following petitions, favoring proposed legislation relating to Iowa Public Employees Retirement System without amendment, were received and placed on file by:

Senator Curran, from twenty-six residents of Cerro Gordo County.

Senator Van Eaton, from fourteen residents of Woodbury County.

The following petitions, favoring liquor by the drink under license control, were received and placed on file by:

Senator Elijah, from four hundred twenty-eight residents of Cedar County.

Senator Hansen, from eight hundred seventy-two residents of Carroll County.

Senator Getting, from one hundred forty-four residents of Dickinson County.

Senator Lodwick, from forty-three residents of Lee County.

Senator Lucken, from one hundred seventy-four residents of Plymouth County.

Senator Shoeman, from two hundred sixty residents of Audubon County.

Senator Walters, from two hundred twenty-three residents of Adams County.

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The following petitions, opposing liquor by the drink, were received and placed on file by:

Senator Burrows, from fifteen residents of Tama County.

Senator Elijah, from eighteen residents of Muscatine County.

Senator Lucken, from eighteen residents of Ida County.

Senator Stephens, from four residents of Washington County.

INTRODUCTION OF BILLS

Senate File 114, by committee on judiciary 1, a bill for an act relating to voluntary retirement of judges and retirement for cause.

Read first and second times and placed on the calendar.

Senate File 115, by Senators Wiley and Schroeder. a bill for an act to regulate the practice of architecture and to amend chapter one hundred eighteen (118), Code 1962.

Read first and second times and passed on file.

Senate File 116, by Senator Phelps, Elvers, Walker, Mincks and Buck, a bill for an act relating to bait advertising in the field of corrective eyeglasses, their components, and related services.

Read first and second times and passed on file.

Senate File 117, by Senators Schroeder, Nolan and O'Malley, a bill for an act relating to the ownership of individual apartment units.

Read first and second times and passed on file.

Senate File 118, by Senator Coleman, a bill for an act relating to pipe lines and underground gas storage.

Read first and second times and passed on file.

Senate File 119, by Senator Hansen, a bill for an act relating to the control and protection of muskrats.

Read first and second times and passed on file.

Senate File 120, by Senators Coleman, Wilson, Long, Doran, Brown, Frommelt, O'Malley and Griffin, a bill for an act relating to the marketing of dairy products and imitations thereof.

Read first and second times and passed on file.

Senate File 121, by Senator Coleman, a bill for an act relating to abandoned railroad right of way.

Read first and second times and passed on file.

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THIRD READING OF BILLS

On motion of Senator Shoeman, Senate Joint Resolution 4, a joint resolution to appropriate to the board of control over and above its usual appropriation, sufficient funds from the general fund of the State of Iowa to be used for the purchase of real estate located in Jasper County which is to be used as a prison honor farm, and to retain sufficient proceeds from the sale of the Clive prison honor farm located in Polk County, Iowa, to reimburse the general fund for such appropriation, with report of the committee on public lands and buildings recommending passage, and the report of the committee on appropriations recommending amendment and passage, was taken up, considered, and the reports of the committees adopted.

The following amendment, filed by the committee on appropriations, was considered:

Amend Senate Joint Resolution 4 as follows:

1. Amend the preamble by striking all of division 4 and by striking from division 5 the following words "and construct and equip needed facilities for inmates".

2. Amend the resolving clause by striking the word "Resolved" and inserting in lieu thereof the word "Enacted".

3. Strike all of section 2 and insert in lieu thereof the following:

"Three hundred thirty-four thousand (334,000) dollars of the proceeds to be derived from the sale of the Clive prison honor farm located in Polk County, Iowa, and recorded in Polk County, Iowa, as 'State Farm Addition Plat One (1)' shall go to the general fund of the State of Iowa and any excess is to be expended pursuant to section two hundred eighteen point ninety-four (218.94), Code 1962, unless further encumbered by other legislative action."

4. Further amend Senate Joint Resolution 4 by adding thereto the following:

"Sec. 3. This Act being deemed of immediate importance shall be in full force and effect from and after its publication in The Fayette County Union, a newspaper published in West Union, Iowa, and The Atlantic News-Telegraph, a newspaper published in Atlantic, Iowa."

On motion of Senator Shoeman, divisions 1, 2 and 3 of the amendment were adopted.

Senator Shoeman asked and received unanimous consent to withdraw division 4 of the amendment.

Senator Shoeman offered the following amendment and moved its adoption:

Amend Senate Joint Resolution 4 by striking all of section 3 and inserting in lieu thereof the following:

"Sec. 3. This Act being deemed of immediate importance shall be in full force and effect from and after its publication in The Fayette County Union, a newspaper published in West Union, Iowa, and The Atlantic News-Telegraph, a newspaper published in Atlantic, Iowa."

The amendment was adopted.

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

On the question "Shall the resolution be adopted?" the vote was:

Ayes, 40:

Benda	Dykhouse	Hansen	Rigler
Brown	Elijah	Hill	Scott
Buck	Elthon	Kyhl	Shivvers
Burrows	Elvers	Lodwick	Shoeman
Campbell	Fisher	Long	Stephens
Coleman	Flatt	Lucken	Turner
Cowden	Fulton	Main	Vance
Curran	Getting	Nolan	Vincent
Dodds	Griffin	O'Malley	Walter
Doran	Grimstead	Phelps	Wilson

Nays, none.

Absent or not voting, 10:

Beneke	Mincks	Van Eaton	Wearin
Frommelt	Schroeder	Walker	Wiley
Lisle	Shaff		

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

Senator Shoeman asked and received unanimous consent that Senate Joint Resolution 4 be immediately messaged to the House, which request was complied with.

On motion of Senator Grimstead, Senate File 9, a bill for an act to exempt casual sales by persons not regularly engaged in the business of selling from sales tax, with report of committee recommending amendment in accordance with the following amendment filed by Senator Grimstead and passage, was taken up, considered, and the report of the committee adopted.

Senator Grimstead offered the following amendment and moved its adoption:

Amend Senate 9 by striking from section 1 all of lines 10 to 14, inclusive.

Further amend Senate File 9 by adding as a new section the following:

Sec. 3. This Act being deemed of immediate importance shall be in full force and effect from and after its publication in the Lake Mills Graphic, a newspaper published at Lake Mills, Iowa, and in the Algona Kossuth County Advance, a newspaper published at Algona, Iowa.

The amendment was adopted.

Senator Grimstead offered the following amendment and moved its adoption:

Amend section 1, line 2, by adding after the figures "(422.42)" the following: ", Code 1962,".

The amendment was adopted.

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Senator Grimstead moved that the bill be read a third 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:

Benda	Elijah	Hill	Rigler
Brown	Elthon	Kyhl	Scott
Buck	Elvers	Lodwick	Shivvers
Burrows	Fisher	Long	Shoeman
Campbell	Flatt	Lucken	Stephens
Coleman	Frommelt	Main	Turner
Cowden	Fulton	Mincks	Vance
Curran	Getting	Nolan	Vincent
Dodds	Griffin	O'Malley	Walter
Doran	Grimstead	Phelps	Wilson
Dykhouse	Hansen		

Nays, none.

Absent or not voting, 8:

Beneke	Schroeder	Van Eaton	Wearin
Lisle	Shaff	Walker	Wiley

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

Senator Grimstead asked and received unanimous consent that Senate File 9 be immediately messaged to the House, which request was complied with.

On motion of Senator Turner, Senate File 11, a bill for an act to authorize the Iowa state commerce commission to regulate the rates and services of public utilities, to define public utilities to include those engaged in the furnishing of electricity, gas, water or communications services to the public for compensation, and to provide for appeals from orders and decisions of the Iowa state commerce commission, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Turner asked and received unanimous consent that action on Senate File 11 be deferred and that the bill be placed on the calendar under "Unfinished Business."

On motion of Senator Vincent, Senate File 12, a bill for an act to legalize and validate the proceedings of the board of directors of the Chariton Community School District, in the County of Lucas, State of Iowa, authorizing and providing for the issuance of school building bonds and for the levy of taxes for the payment of said bonds and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said school district, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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Senator Vincent offered the following amendment and moved its adoption:

Amend Senate File 12, section 1, line 7, by striking the "." in the figure "($690.000)" and inserting in lieu thereof a ",".

The amendment was adopted.

Senator Vincent moved that the bill be read a third 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:

Benda	Elijah	Hill	Rigler
Brown	Elthon	Kyhl	Scott
Buck	Elvers	Lodwick	Shivvers
Burrows	Fisher	Long	Shoeman
Campbell	Flatt	Lucken	Stephens
Coleman	Frommelt	Main	Turner
Cowden	Fulton	Mincks	Vance
Curran	Getting	Nolan	Vincent
Dodds	Griffin	O'Malley	Walter
Doran	Grimstead	Phelps	Wilson
Dykhouse	Hansen		

Nays, none.

Absent or not voting, 8:

Beneke	Schroeder	Van Eaton	Wearin
Lisle	Shaff	Walker	Wiley

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

On motion of Senator Wilson, Senate File 20, a bill for an act to legalize and validate the special election of the independent school district of Centerville, in the County of Appanoose, State of Iowa, held on December 12, 1961, for the issuance of sixty-nine thousand (69,000) dollars of school bonds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wilson moved that the bill be read a third 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:

Benda	Elijah	Hill	Rigler
Brown	Elthon	Kyhl	Scott
Buck	Elvers	Lodwick	Shivvers
Burrows	Fisher	Long	Shoeman
Campbell	Flatt	Lucken	Stephens
Coleman	Frommelt	Main	Turner
Cowden	Fulton	Mincks	Vance
Curran	Getting	Nolan	Vincent
Dodds	Griffin	O'Malley	Walter
Doran	Grimstead	Phelps	Wilson
Dykhouse	Hansen		

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Nays, none.

Absent or not voting, 8:

Beneke	Schroeder	Van Eaton	Wearin
Lisle	Shaff	Walker	Wiley

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

On motion of Senator O'Malley, Senate File 50, a bill for an act relating to tax sale of public property, 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, 42:

Benda	Elijah	Hill	Rigler
Brown	Elthon	Kyhl	Scott
Buck	Elvers	Lodwick	Shivvers
Burrows	Fisher	Long	Shoeman
Campbell	Flatt	Lucken	Stephens
Coleman	Frommelt	Main	Turner
Cowden	Fulton	Mincks	Vance
Curran	Getting	Nolan	Vincent
Dodds	Griffin	O'Malley	Walter
Doran	Grimstead	Phelps	Wilson
Dykhouse	Hansen		

Nays, none.

Absent or not voting, 8:

Beneke	Schroeder	Van Eaton	Wearin
Lisle	Shaff	Walker	Wiley

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

On motion of Senator O'Malley, Senate File 103, a bill for an act to fix the responsibility for maintenance of an extension of either a primary or a secondary highway which both enters and exits from the state park at separate points, was taken up and considered.

Senator O'Malley offered the following amendment and moved its adoption:

Amend Senate File 103 as follows:

1. By inserting a "comma (,)" before the word, "reconstruction" in line 4 of section 1.

2. By inserting the word, "the" after the word "adding" in line 2 of section 2.

The amendment was adopted.

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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:

Benda	Elijah	Hill	Rigler
Brown	Elthon	Kyhl	Scott
Buck	Elvers	Lodwick	Shivvers
Burrows	Fisher	Long	Shoeman
Campbell	Flatt	Lucken	Stephens
Coleman	Frommelt	Main	Turner
Cowden	Fulton	Mincks	Vance
Curran	Getting	Nolan	Vincent
Dodds	Griffin	O'Malley	Walter
Doran	Grimstead	Phelps	Wilson
Dykhouse	Hansen		

Nays, none.

Absent or not voting, 8:

Beneke	Schroeder	Van Eaton	Wearin
Lisle	Shaff	Walker	Wiley

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

On motion of Senator Flatt, Senate File 104, a bill for an act to define the interstate system, was taken up and considered.

Senator Flatt moved that the bill be read a third 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:

Benda	Elijah	Hill	Rigler
Brown	Elthon	Kyhl	Scott
Buck	Elvers	Lodwick	Shivvers
Burrows	Fisher	Long	Shoeman
Campbell	Flatt	Lucken	Stephens
Coleman	Frommelt	Main	Turner
Cowden	Fulton	Mincks	Vance
Curran	Getting	Nolan	Vincent
Dodds	Griffin	O'Malley	Walter
Doran	Grimstead	Phelps	Wilson
Dykhouse	Hansen		

Nays, none.

Absent or not voting, 8:

Beneke	Schroeder	Van Eaton	Wearin
Lisle	Shaff	Walker	Wiley

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

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RESIGNATION OF EMPLOYEES

Senator Scott announced the resignation of Frank Edwards of Polk County as a janitor in the custodian's office, effective January 31, 1963.

Senator Turner announced the resignation of his committee clerk, Virginia Orr of Polk County, effective January 22, 1963.

APPOINTMENT OF EMPLOYEE

Senator Scott announced the appointment of Thomas Randle of Polk County as a janitor in the custodian's office, effective February 1, 1963.

On motion of Senator Rigler, the Senate adjourned until 10:30 a.m., Monday, February 4, 1963.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 4, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Doctor W. M. Pfautz, pastor of the Union Presbyterian Church, Fort Madison, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Shoeman for the day on account of illness on request of Senator Vance; Senator Burrows for the day on request of Senator Cowden; Senator Stephens for the day on request of Senator Getting; Senator Walker for the day on request of Senator Scott; Senator Lisle on acount of illness on request of Senator Wiley; Senator Elthon for day on request of Senator Long.

PETITIONS

By Senator Frommelt, from one hundred seventy-eight residents of Dubuque County in opposition to Sunday sales.

By Senator Rigler, from thirty-seven residents of Floyd County favoring proposed legislation relating to Iowa Public Employees Retirement System; and from twenty-seven residents of Floyd County favoring proposed legislation relating to increase in pensions under the retirement system for policemen and firemen.

The following petitions, favoring liquor by the drink under license control, were received and placed on file by:

Senator Beneke, from one hundred fourteen residents of Pocahontas County.

Senator Dodds, from twelve hundred thirty-two residents of Des Moines County.

Senator Doran, from seventy-six residents of Boone County.

Senator Elvers, from three hundred thirty-eight residents of Clayton County.

Senator Getting, from twenty-three residents of Dickinson County.

Senator Lucken, from one hundred sixty-two residents of Plymouth County.

Senator O'Malley, from one hundred thirty-six residents of Polk County.

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Senator Hansen, from one thousand sixty residents of Carroll and Crawford Counties.

Senator Rigler, from fifty-five residents of Chickasaw County.

Senator Schroeder, from one hundred twenty-eight residents of Scott County.

Senator Turner, from eighty-four residents of Pottawattamie County.

Senator Van Eaton, from one hundred fifteen residents of Woodbury County.

The following petitions, opposing liquor by the drink, were received and placed on file by:

Senator Dodds, from twenty-four residents of Des Moines County.

Senator Elijah, from thirty-six residents of Cedar County.

Senator Lisle, from nineteen residents of Mills County.

INTRODUCTION OF BILLS

Senate File 122, by Senator Shaff, a bill for an act relating to the issuance of bonds for school purposes.

Read first and second times and passed on file.

Senate File 123, by Senator O'Malley, a bill for an act to amend section two hundred ninety-four point twelve (294.12), Code 1962, to permit the board of directors in school districts which have, pursuant to section two hundred ninety-four point eleven (294.11), Code 1962, terminated a previously existing pension and annuity retirement system to increase by fifty percent (50%) the retirement benefits to each surviving beneficiary entitled to receive benefits at date of termination of said system and to provide for the levy of an annual tax to supplement the retirement reserve fund to the extent necessary to pay the increase in retirement benefits.

Read first and second times and passed on file.

Senate File 124, by Senator Lucken, a bill for an act relating to refund of tax on special fuel consumed in the operation of corn shellers, roller mills and feed grinders mounted on trucks.

Read first and second times and passed on file.

Senate File 125, by Senator Benda, a bill for an act to appropriate from the general fund of the state for the biennium beginning July 1, 1963, and ending June 30, 1965, to the board of regents for the psycho-

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pathic hospital at Iowa City for establishment of new community mental health centers.

Read first and second times and passed on file.

Senate File 126, by Senators Hansen, Shaff, Schroeder, O'Malley and Nolan, a bill for an act relating to the use of vending machines in the sale of cigarettes and providing for the licensing of such machines.

Read first and second times and passed on file.

Senate File 127, by Senator Wiley, a bill for an act to amend section four hundred twenty-two point forty-five (422.45), Code 1962, relating to exemptions from the imposition of the retail sales tax.

Read first and second times and passed on file.

Senate File 128, by Senator Mincks, a bill for an act to amend chapter ninety-six (96), Code 1962, to provide for temporary extended duration benefits during periods of substantial unemployment.

Read first and second times and passed on file.

Senate File 129, by committee on banks, building and loan, a bill for an act relating to investments by savings banks and state banks and trust companies.

Read first and second times and placed on the calendar.

Senate File 130, by Senator Shaff, a bill for an act to add a new section to chapter four hundred eight (408), Code 1962, relating to the issuance of sewer bonds by cities and towns.

Read first and second times and passed on file.

THIRD READING OF BILLS

On motion of Senator Benda, Senate File 96, a bill for an act to prevent subsidizing retail beer permittees by the extension of credit on beer from Class "A" permit holders, was taken up and considered.

Senator Rigler offered the following amendment and moved its adoption:

Amend Senate File 96, section 1, line 3, by inserting after the word "credit" the following: "for more than thirty (30) days".

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 12:

Cowden	**Hill**	**Phelps**	**Shaff**
Doran	**Kyhl**	**Rigler**	**Walter**
Grimstead	**Nolan**	**Scott**	**Wearin**

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Nays, 30:

Benda	Elijah	Lodwick	Shivvers
Beneke	Elvers	Long	Turner
Buck	Fisher	Lucken	Vance
Campbell	Frommelt	Main	Van Eaton
Coleman	Fulton	Mincks	Vincent
Curran	Getting	O'Malley	Wiley
Dodds	Griffin	Schroeder	Wilson
Dykhouse	Hansen		

Absent or not voting, 8:

Brown	Elthon	Lisle	Stephens
Burrows	Flatt	Shoeman	Walker

The amendment was lost.

Senator Benda moved that the bill be read a third 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:

Benda	Elvers	Long	Shaff
Beneke	Fisher	Lucken	Shivvers
Buck	Frommelt	Main	Turner
Coleman	Fulton	Mincks	Vance
Cowden	Getting	O'Malley	Van Eaton
Curran	Griffin	Phelps	Vincent
Doran	Hansen	Schroeder	Wiley
Dykhouse	Kyhl	Scott	Wilson
Elijah	Lodwick		

Nays, 8:

Campbell	Grimstead	Nolan	Walter
Dodds	Hill	Rigler	Wearin

Absent or not voting, 8:

Brown	Elthon	Lisle	Stephens
Burrows	Flatt	Shoeman	Walker

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

On motion of Senator Wiley, Senate File 102, a bill for an act to amend section three hundred twenty-one point four hundred seventy-five (321.475), Code 1962, relating to responsibility for damage to highways and highway structures, was taken up and considered.

Senator Nolan asked and received unanimous consent that action on Senate File 102 be deferred and that the bill be placed on the calendar under "Unfinished Business."

On motion of Senator Frommelt, Senate File 42, a bill for an act to change the title of county, municipal and school examiner to auditor and to amend certain sections of the Code to conform to the change, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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Senator Frommelt asked and received unanimous consent that action on Senate File 42 be deferred and that the bill be placed on the calendar under "Unfinished Business."

On motion of Senator Mincks, Senate File 55, a bill for an act repealing the provision requiring the county registrar to transmit copies of all death certificates to the county auditor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Shaff asked and received unanimous consent that action on Senate File 55 be deferred and that the bill be placed on the calendar under "Unfinished Business."

On motion of Senator Van Eaton, Senate File 106, a bill for an act relating to license fees and taxation of urban transit systems and companies, 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, 42:

Benda	Elvers	Long	Shaff
Beneke	Fisher	Lucken	Shivvers
Buck	Flatt	Main	Turner
Campbell	Fulton	Mincks	Vance
Coleman	Getting	Nolan	Van Eaton
Cowden	Griffin	O'Malley	Vincent
Curran	Grimstead	Phelps	Walter
Dodds	Hansen	Rigler	Wearin
Doran	Hill	Schroeder	Wiley
Dykhouse	Kyhl	Scott	Wilson
Elijah	Lodwick		

Nays, none.

Absent or not voting, 8:

Brown	Elthon	Lisle	Stephens
Burrows	Frommelt	Shoeman	Walker

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 106 be immediately messaged to the House, which request was complied with.

On motion of Senator O'Malley, Senate File 58, a bill for an act relating to paroles by courts, and to amend various sections of the Code relating thereto, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

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Senator Turner offered the following amendment and moved its adoption:

Amend Senate File 58, section 1, by striking from lines 5 and 6 the following: "or narcotic drug violations,".

The amendment was lost.

Senator Schroeder offered the following amendment and moved its adoption:

Amend Senate File 58 as follows:

1. Amend section 2 by adding the following after the figures "(247.21)" in line 2: ", Code 1962,".
2. Amend section 3 by adding the following after the figures "(247.22)" in line 2: ", Code 1962,".
3. Amend section 4 by adding the following after the figures "(247.23)" in line 2: ", Code 1962,".
4. Amend section 5 by adding the following after the figures "(247.24)" in line 2: ", Code 1962,".
5. Amend section 6 by adding the following after the figures "(247.25)" in line 2: ", Code 1962,".
6. Amend section 7 by adding the following after the figures "(247.27)" in line 2: ", Code 1962,".

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, 39:

Benda	Elvers	Long	Shivvers
Beneke	Fisher	Main	Turner
Buck	Flatt	Mincks	Vance
Campbell	Frommelt	Nolan	Van Eaton
Coleman	Fulton	O'Malley	Vincent
Cowden	Getting	Phelps	Walter
Curran	Grimstead	Rigler	Wearin
Dodds	Hansen	Schroeder	Wiley
Doran	Kyhl	Scott	Wilson
Elijah	Lodwick	Shaff	

Nays, 4:

Dykhouse	Griffin	Hill	Lucken

Absent or not voting, 7:

Brown	Elthon	Shoeman	Walker
Burrows	Lisle	Stephens	

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

On motion of Senator Rigler, the Senate recessed until 3:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

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MESSAGES FROM 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 20, a bill for an act to legalize and validate the special election of the independent school district of Centerville, in the county of Appanoose, for the issuance of school bonds.

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 to provide equal population for city and town wards.

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

House File 67, a bill for an act authorizing a patent to issue to the northwest quarter of the northwest quarter of the southeast quarter of Section one, Township seventy-four, Range seventeen, west of the Fifth Principal Meridian, Mahaska County, Iowa.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 8, a bill for an act to provide equal population for city and town wards.

Read first and second times and passed on file.

House File 67, a bill for an act authorizing a patent to issue to the northwest quarter of the northwest quarter of the southeast quarter of section one (1), Township seventy-four (74), Range seventeen (17), west of the Fifth Principal Meridian, Mahaska County, Iowa.

Read first and second times and passed on file.

Senator Turner asked and received unanimous consent that the following communication requesting an opinion from the Attorney General be printed in the Senate Journal:

Des Moines, Iowa.
January 28, 1963.

Honorable Evan Hultman,
Attorney General,
State House,
Des Moines, Iowa.

Re: Request for official opinion

Dear General:

Chapter 344, Laws of the Fifty-ninth G. A. and S. J. R. 1 of the Sixtieth G. A. (the proposed constitutional amendment known as the "Shaff Plan") commences as follows:

Be It Resolved by the General Assembly of the State of Iowa:

Section 1. The following amendment to the Constitution of the
line 2 State of Iowa is hereby *proposed.*

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"Section six (6) of Article three (III), section thirty-four (34) of Article three (III) and the 1904 and 1928 amendments thereto, sections thirty-five (35) and thirty-six (36) of Article three (III) and the 1904 amendment to each such section, and section thirty-seven (37) of Article three (III) are hereby repealed and the
line 8 following *proposed* in lieu thereof:

"Section 6. * * *"

In order to clarify your opinion to Senator Shaff dated January 25, 1963, I ask your official opinion as to the following:

1. If the people of Iowa are called upon in an election to "approve and ratify" this *proposed* amendment under the provisions of Article X, Section 1, of the Constitution of Iowa, will the ballot be in the following form?:

"Shall the following amendment to the constitution be adopted?"

Section six (6) of Article three (III), section thirty-four (34) of Article three (III) and the 1904 and 1928 amendments thereto, (etc., as above) are hereby repealed and the following proposed in lieu thereof:

"Section 6. (everything quoted on ballot from line 3-81, Ch. 344, Fifty-ninth G. A.)

2. If such is the wording of the ballot, won't the people be voting on the question of whether or not to *propose* the amendment rather than whether or not to *adopt* it?

3. Does "proposed" as used in line 8 mean "adopted"?

4. You say in your opinion of January 25, 1963, that the legislature "proposes" and the people "adopt". Isn't it true that the only place where the legislature "proposes" is found in line 2 and that the place where the people "adopt" must derive, if it derives at all, from the word "proposed" in line 8?

5. Wouldn't "adopted" be better terminology than "proposed" in line 8? In this regard, see Chapter 345, Laws of the Fifty-ninth G. A., page 347 where the legislature "proposed" a constitutional amendment in which the word "adopted" *is* used in the same place "proposed" is used in the Shaff plan. See also the Constitution of Iowa wherein the word adopted is used repeatedly and the word "proposed" is *never* used.

6. Isn't it true that if the present terminology is upheld, the word "proposed" will be printed in the Code of Iowa under Amendments to the Constitution, *for the first time?* Won't these words actually appear as the people's and *literally* be printed thereunder for the first time: "are hereby repealed and the following proposed in lieu thereof"?

7. Isn't it true that if the present terminology is upheld, any of the words in the following right hand column could be held to "approve and ratify" as well as those in the left? What would be the effect of the words in between?

adopt	see	propose
approve	recognize	suggest
amend	hear	contemplate
substitute	observe	offer
enact	acknowledge	consider
affirm		speculate
insert		move
add		tender
decree		
put in		
inject		
pass		

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Wouldn't a proposal of marriage then constitute a marriage so that the action for breach of promise would be abolished enabling the woman scorned to sue directly for divorce?

Your very truly,
RICHARD C. TURNER.

RCT/r

* * * * *

No reply to date, February 4, 1963.

EXPLANATION OF VOTE

We, the undersigned, desire to explain our vote in opposition to Senate File 96, a bill prohibiting the extension of credit to permittees authorized to sell beer at retail. It was our conclusion that this measure was not a "dry" bill, that it would in no way reduce the amount of beer sold or in any other way promote the cause of temperance. It would, in our opinion, deny normal, reasonable, and necessary credit to certain Iowa citizens and set a dangerous precedent which might well encourage other groups to request similar consideration. In our opinion, the bill simply bails out beer distributors who are having difficulty making collections and who hesitate to cut off credit for fear a competitor with a more liberal credit policy would take business away from them.

JACOB GRIMSTEAD.
EUGENE M. HILL.

BILLS ASSIGNED TO COMMITTEE

President Mooty announced the following assignment of bills to committee:

S. F. 115	Manufacturing, commerce and trade
S. F. 116	Printing
S. F. 117	Judiciary 2
S. F. 118	Public utilities
S. F. 119	Conservation
S. F. 120	Manufacturing, commerce and trade
S. F. 121	Judiciary 2
S. F. 122	Schools and educational institutions
S. F. 123	Schools and educational institutions
S. F. 124	Tax revision
S. F. 125	Public health
S. F. 126	Manufacturing, commerce and trade
S. F. 127	Tax revision
S. F. 128	Industrial relations
S. F. 130	Cities and towns
H. F. 8	Cities and towns
H. F. 67	Judiciary 2

AMENDMENTS FILED

Amend Senate File 11 as follows:
1. By adding the following to section 2:

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"The commission is hereby authorized and empowered to intervene in any proceedings before the Federal Power Commission or any other federal or state body when it finds that any decision of such tribunal would adversely affect the costs of any public utility service within the State of Iowa."

D. C. NOLAN.

Amend Senate File 19 by inserting after the word "company," in line 1 of section 6 the following words "levee or drainage district,".

Further amend Senate File 19 by adding an additional section as follows:

"Anything in chapter four hundred fifty-five (455) of the Code to the contrary, county boards of supervisors and trustees having control of any levee or drainage district established thereunder, including joint levee or drainage districts, may enter into contracts and agreements with muncipalities, individuals or corporations authorized to establish water recreational areas under the provisions of this Act. Such contracts or agreements shall be in writing and may be made prior to or after the establishment of a water recreational area. If made prior to the establishment of a water recreational area they may be made conditional upon the final establishment of such area and if conditional upon such final establishment may be entered into prior to the hearing provided for in section four (4) of this Act.

Such contracts or agreements may embrace any of the following subjects:

1. For the impoundment of drainage waters to create artificial lakes or ponds.

2. For compensation to drainage districts for drainage improvements destroyed or rendered useless by the establishment of water recreational areas and the structures, waters or works thereof.

3. For the diversion of waters from established drainage ditches or tile drains to other channels.

4. For sanitary measures and precautions.

5. For the control of water levels in lakes, ponds or impoundments of water to avoid damage to or malfunction of drainage facilities.

6. For the construction of additional drainage facilities promoting the interests of either or both of the contracting parties.

7. For the granting of easements or licenses by one party to the other.

8. For the payment of money by one contracting party to the other in consideration of acts or performance of the other party required by such contract or agreement.

When any expenditure of levee or drainage district funds is proposed by the authority contained in this section and where the estimated expenditure will exceed fifty percent of the original total cost of the district and subsequent improvements therein as defined by section four hundred fifty-five point one hundred thirty-five (455.135) of the Code, the same procedure respecting notice and hearing shall be followed as is provided in said section four hundred fifty-five point one hundred thirty-five (455.135) for repair proposals where the estimated cost of

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the repair exceeds fifty percent of the original total cost of the district and subsequent improvements therein."

DONALD G. BENEKE.

Amend Senate File 102 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section three hundred twenty-one point four hundred seventy-five (321.475), Code 1962, is amended by striking from lines three (3), four (4) and five (5) the words 'or highway structure shall be liable for all damage which said highway or structure' and inserting in lieu thereof the following: 'shall be liable for all damage which said highway or any structure on, under or above said highway'."

Further amend said section by inserting at the end of line twelve (12) the following:

"The measure of damage referred to in this section shall include the cost of repair or replacement of the damaged highway or highway structure together with the initial cost of construction of any temporary structure including approaches, to serve traffic during the time required for the repair or replacement of the damaged structure or highway."

D. C. NOLAN.

Amend Senate File 113 by striking lines 1 to 5 inclusive, and inserting in lieu thereof the following:

Section 1. Section two hundred forty-one point twenty (241.20), Code 1962, is amended by striking all of said section after the word "county" in line six (6) and inserting in lieu thereof the following: "of that portion of all assistance and benefits payable with".

HOWARD C. BUCK.

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

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 5, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Clyde Record, pastor of the Grandview Community Church, Grandview, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Shoeman on account of illness on request of Senator Vance; Senator Elthon for the day on request of Senator Cowden; Senator Burrows on account of illness on request of Senator Benda; Senator Stephens on account of illness on request of Senator Getting.

PETITIONS

The following petitions, favoring liquor by the drink under license control, were received and placed on file by:

Senator Beneke, from eight hundred twenty-five residents of Humboldt, Pocahontas and Buena Vista Counties.

Senator Flatt, from sixteen residents of Madison County.

Senator Getting, from thirty residents of Dickinson County.

Senator O'Malley, from two hundred twenty residents of Polk County.

Senator Rigler, from one hundred fifty-two residents of Floyd County.

Senator Turner, from one hundred fifty-two residents of Pottawattamie County.

The following petitions, favoring proposed legislation relating to the Iowa Public Employees Retirement System, without any amendment, were received and placed on file by:

Senator Lisle, from twenty-two residents of Mills County.

Senator Schroeder, from seventeen residents of Scott County.

By Senator Schroeder, from one hundred one residents of Scott County favoring proposed legislation relating to increase in pensions under the retirement system for policemen and firemen.

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PRESENTATION OF VISITORS

Senator Buck asked and received unanimous consent to present to the Senate seventy students from the West Marshall High School who were present in the balcony accompanied by their instructors, Larry Gehring and Robert W. Denton.

Senator O'Malley asked and received unanimous consent to present to the Senate ninety students from the Warren Harding Junior High School, who were present in the balcony accompanied by their instructors, Leo Willadsen and Marjorie Andrews.

INTRODUCTION OF BILLS

Senate File 131, by Senator Mincks, Coleman and Dodds, a bill for an act to amend section ninety-six point five (96.5), subsection one (1), Code 1962, relating to disqualification for employment security benefits due to voluntarily leaving work.

Read first and second times and passed on file.

Senate File 132, by Senators Mincks and Coleman, a bill for an act relating to the definition of an employer under the Employment Security Law and to the termination of coverage thereunder.

Read first and second times and passed on file.

Senate File 133, by Senators Mincks and Frommelt, a bill for an act to amend section ninety-six point five (96.5), Code 1962, so as to eliminate the provision that vacation pay shall be deducted from employment security benefits.

Read first and second times and passed on file.

Senate File 134, by Senators Mincks, Coleman and Dodds, a bill for an act to amend section ninety-six point five (96.5), subsection one (1), Code 1962, relating to disqualification for employment security benefits of individuals required by company policy to retire.

Read first and second times and passed on file.

Senate File 135, by Senators Mincks, Wiley and Coleman, a bill for an act to amend section ninety-six point six (96.6), subsection two (2), Code 1962, so as to provide that notices of determination shall not be given to employers which fail to notify the employment security commission of disqualifiable separations from employment.

Read first and second times and passed on file.

Senate File 136, by Senators Frommelt, Vance, Scott, O'Malley and Shoeman, a bill for an act relating to the executive council contingent fund and to amend various sections of the Code relating thereto.

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Read first and second times and passed on file.

Senate File 137, by Senators Hansen and Van Eaton, a bill for an act to prohibit the posting of advertising and campaign posters on utility poles.

Read first and second times and passed on file.

Senate File 138, by Senator Dykhouse, a bill for an act to amend section three hundred twenty-one point one (321.1), Code 1962, relating to the definition of unauthorized signs and signals.

Read first and second times and passed on file.

Senate File 139, by Senator Beneke, a bill for an act relating to bail.

Read first and second times and passed on file.

Senate File 140, by Senator Van Eaton, a bill for an act relating to employment and other privileges for certain prisoners.

Read first and second times and passed on file.

SENATE CONCURRENT RESOLUTION 8

Senator Main called up Senate Concurrent Resolution 8, filed by him and found on page 131 of the Senate Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

THIRD READING OF BILLS

On motion of Senator Buck, Senate File 70, a bill for an act to amend chapter ninety-seven B (97B), Code 1962, relating to the Iowa Public Employees Retirement System, was taken up and considered.

Senator Buck offered the following amendment, filed by Senators Buck and Doran, and moved its adoption:

Amend Senate File 70 as follows:

1. By striking from lines 10 and 11 of section 1 the words and figures, "forty-eight hundred dollars (4,800.00)" and by inserting in lieu thereof the words and figures, "forty-four hundred dollars (4,400.00)".

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 21:

Benda	Campbell	Elijah	Kyhl
Beneke	Doran	Fisher	Lisle
Buck	Dykhouse	Getting	Lucken

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Nolan	Scott	Vance	Vincent
Phelps	Shivvers	Van Eaton	Wilson
Rigler			

Nays, 24:

Brown	Flatt	Hill	Shaff
Coleman	Frommelt	Lodwick	Turner
Cowden	Fulton	Main	Walker
Curran	Griffin	Mincks	Walter
Dodds	Grimstead	O'Malley	Wearin
Elvers	Hansen	Schroeder	Wiley

Absent or not voting, 5:

Burrows	Long	Shoeman	Stephens
Elthon			

The amendment was lost.

Senator Schroeder offered the following amendment and moved its adoption:

Amend Senate File 70 by adding the following new sections:

1. Section ninety-seven B point fifty-four (97B.54), Code 1962, is amended by striking all of said section after the word and period "made." in line twenty-four (24) and inserting in lieu thereof the following: "No obligation shall inure to this system from the general fund of the State of Iowa under this section."

2. Section ninety-seven B point fifty-five (97B.55), Code 1962, is hereby repealed.

The amendment was adopted.

Senator Buck moved that the bill be read a third 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:

Benda	Elvers	Lisle	Scott
Beneke	Fisher	Lodwick	Shaff
Brown	Flatt	Long	Shivvers
Buck	Frommelt	Lucken	Turner
Campbell	Fulton	Main	Van Eaton
Coleman	Getting	Mincks	Vincent
Cowden	Griffin	Nolan	Walker
Curran	Grimstead	O'Malley	Walter
Dodds	Hansen	Phelps	Wearin
Doran	Hill	Rigler	Wiley
Elijah	Kyhl	Schroeder	Wilson

Nays, 2:

Dykhouse	Vance

Absent or not voting, 4:

Burrows	Elthon	Shoeman	Stephens

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

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Senator Buck asked and received unanimous consent that Senate File 70 be immediately messaged to the House, which request was complied with.

SPECIAL ORDER

Senator Rigler asked unanimous consent that Senate File 11 be made a special order of business for Thursday, February 7, 1963, at 9:00 a.m.

Objection was raised.

Senator Rigler moved that Senate File 11 be made a special order of business for Thursday, February 7, 1963, at 9:00 a.m., which motion prevailed.

ADDITIONAL COPIES

Senator Turner asked and received unanimous consent to have 300 additional copies of Senate File 11 printed.

Senator Coleman asked and received unanimous consent to have 300 additional copies of Senate File 120 printed.

President pro tempore Vance took the chair at 11:45 a.m.

UNFINISHED BUSINESS

On motion of Senator Wiley, Senate File 102, a bill for an act to amend section three hundred twenty-one point four hundred seventy-five (321.475), Code 1962, relating to responsibility for damage to highways and highways structures, was taken up for further consideration.

Senator Nolan offered the following amendment and moved its adoption:

Amend Senate File 102 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section three hundred twenty-one point four hundred seventy-five (321.475), Code 1962, is amended by striking from lines three (3), four (4) and five (5) the words 'or highway structure shall be liable for all damage which said highway or structure' and inserting in lieu thereof the following: 'shall be liable for all damage which said highway or any structure on, under or above said highway'."

Further amend said section by inserting at the end of line twelve (12) the following:

"The measure of damage referred to in this section shall include the cost of repair or replacement of the damaged highway or highway structure together with the initial cost of construction of any temporary structure including approaches, to serve traffic during the time required for the repair or replacement of the damaged structure or highway."

The amendment was adopted.

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

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

Ayes, 9:

Benda	Lucken	Rigler	Vincent
Hill	Nolan	Turner	Wiley
Lisle			

Nays, 34:

Beneke	Fisher	Lodwick	Shaff
Buck	Flatt	Long	Shivvers
Campbell	Frommelt	Main	Vance
Coleman	Fulton	Mincks	Van Eaton
Cowden	Getting	O'Malley	Walker
Dodds	Griffin	Phelps	Walter
Doran	Grimstead	Schroeder	Wearin
Elijah	Hansen	Scott	Wilson
Elvers	Kyhl		

Absent or not voting, 7:

Brown	Curran	Elthon	Stephens
Burrows	Dykhouse	Shoeman	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Rigler, the Senate recessed until 3:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

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 temporary rules of the Senate of the Sixtieth General Assembly be amended as follows:

Amend Rule 16 by adding thereto the following:

"All committee bills shall be placed on the calendar under the heading of 'Committee Bills' and shall not be considered by the Senate until such bill or bills have been on such calendar for a period of three (3) legislative days after which they shall be placed on the regular calendar in the order in which they have been read; provided, however, that this rule shall not apply to bills introduced under Rule 22 or bills introduced after the arrangement of the calendar has been turned over to a steering committee or a sifting committee."

Amend Rule 22 by striking "23rd" and inserting in lieu thereof "27th".

Strike Rule 37 and insert in lieu thereof the following:

Rule 37

Steering Committee and Sifting Committee

A steering committee and a sifting committee may be appointed by the President of the Senate. Bills and resolutions may be committed to the steering committee or sifting committee only upon motion from the floor

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of the Senate and when approved by a constitutional majority of the Senate.",

and when so amended the temporary rules become the permanent rules of the Senate of the Sixtieth General Assembly.

CLIFFORD M. VANCE,
Chairman of Rules Committee.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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 20.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 20.

BILL SENT TO THE GOVERNOR

Senator Benda, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 5th day of February, 1963, sent to the Governor for his approval: Senate File 20.

KENNETH BENDA, *Chairman.*

Passed on file.

BILLS ASSIGNED TO COMMITTEE

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

S. F. 131 Industrial relations
S. F. 132 Industrial relations
S. F. 133 Industrial relations
S. F. 134 Industrial relations
S. F. 135 Industrial relations
S. F. 136 Judiciary 1
S. F. 137 Judiciary 2
S. F. 138 Judiciary 1
S. F. 139 Judiciary 1
S. F. 140 Judiciary 1

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AMENDMENTS FILED

Amend Senate File 11 as follows:

1. Amend section 8, lines 7, 8, 9 and 10, by striking the words "The rates prescribed by the commission for any public utility shall provide a fair return upon the fair value of the utility's property actually used and useful for the convenience of the public." and by inserting in lieu thereof the following:

"The value of the property of a public utility, as determined by the commission for rate making purposes, shall be the money honestly and prudently invested therein by the utility less accrued depreciation. Such property shall be that actually used and useful for the convenience of the public. The value of public utility property for rate making purposes shall not include or be affected by good will value; going concern value; or franchise value in excess of payments made therefor. The commission in determining the rates to be charged by any utility under its jurisdiction shall ascertain whether an advanced or fictitious cost price, or a price in excess of the fair market value of any commodity, machinery, equipment, material, or service has been paid or is being paid, or charged, by said public utility. If it shall appear that any such fictitious or advanced price has been or is being paid or charged, the commission shall fix and allow as a part of the valuation or rate basis only the reasonable and fair market price of such items, at the time of purchase, eliminating all such fictitious or excessive prices or values."

EUGENE M. HILL.

Amend Senate File 11 as follows:

1. Amend section 23 by striking lines 10 through 12 thereof and inserting in lieu thereof the following: "and jurisdiction conferred upon the commission in this Act. Whenever the corporate boundaries of any city or town are extended utility service, as defined in section 1 hereof, shall be provided in such extended area by the public utility or the municipally owned utility serving such city or town immediately prior to the extension of such boundaries. In the event service is provided, in such extended area, at the time of the extension of the corporate boundaries, by a public utility which does not have a municipal franchise for such city or town, the facilities located within such extended area shall be purchased within four (4) years from the date the corporate boundaries shall have been extended by the franchised public utility of such city or town or by the municipal utility serving such city or town and the municipal franchised public utility or municipally owned utility shall furnish such service without interruption upon the acquisition thereof. If the purchase price cannot be agreed upon between the parties the commission, upon written application, by either party, and after due notice and hearing shall determine such purchase price. Pending the determination of such purchase price, by the commission, the facilities shall remain in place and service to the public shall be maintained by the owner thereof. Any party aggrieved by the decision of the commission may appeal therefrom, within thirty (30) days, to the district court

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wherein said city or town is located. Such appeal shall be triable by a jury, if so requested, the same as an appeal in eminent domain proceedings as provided in chapter four hundred seventy-two (472), Code of Iowa 1962. All other laws and parts of laws inconsistent with this Act are hereby repealed."

D. C. NOLAN.

Amend Senate File 42 by adding a new section following section 8, as follows:

Sec. 9. Section eleven point nine (11.9), Code 1962, is hereby amended by striking from lines one (1) and two (2) the word "examiners" and inserting in lieu thereof the word "auditors".

ANDREW G. FROMMELT.

Amend Senate File 51 as follows:

1. Section 1, line 4, by inserting after the word "watershed" the following: ", drainage".

2. Section 2, line 5, by inserting after the word "government" the following: "and in projects of drainage districts organized under the provisions of chapters four hundred fifty-five (455), four hundred fifty-seven (457), four hundred sixty-one (461), four hundred sixty-six (466) and four hundred sixty-seven C (467C) of the Code".

KENNETH BENDA.

Amend Senate File 11, section 3, line 3, by striking the word "by" and inserting in lieu thereof the word "with".

JOE N. WILSON

APPOINTMENT OF EMPLOYEE

Senator Turner announced the appointment of Shirley Millett of Polk County as his committee clerk effective February 5, 1963.

On motion of Senator Rigler, the Senate adjourned until 9:00 a.m., Wednesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 6, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend C. C. Farley, pastor of St. Thomas Catholic Church, Emmetsburg, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Burrows for the day on account of illness on request of Senator Cowden; Senator Stephens for the day on account of illness on request of Senator Van Eaton; Senator Elthon for the day on account of illness on request of Senator Long; Senator Wearin for the day on account of illness on request of Senator Rigler; Senator Shoeman for the day on account of illness on request of Senator Vance.

NEW ASSIGNMENT FOR SENATOR SCHROEDER

With the cooperation of Senator Campbell, and in the very best interest of Virginia, Sandra, Walter and the State Senate of Iowa, "Jack" is restricted and assigned to new quarters, Seat No. 10 "Limited Access Area."

Senator Campbell will occupy Seat No. 25.

PETITIONS

The following petitions, favoring liquor by the drink under license control, were received and placed on file by:

Senator Beneke, from ninety-eight residents of Pocahontas County.

Senator Doran, from twenty-eight residents of Boone County.

Senator Fulton, from six hundred twenty-six residents of Black Hawk County.

Senator Coleman, from one hundred sixty-two residents of Webster County.

Senator Lisle, from seventy-nine residents of Mills County and from five hundred forty-eight residents of Page and Fremont Counties.

Senator Rigler, from fifty-four residents of Floyd County.

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Senator Shaff, from three thousand one hundred forty-one residents of Clinton County.

Senator Turner, from sixty-four residents of Pottawattamie County.

Senator Van Eaton, from thirty-two residents of Woodbury County.

Senator Walker, from sixty-eight residents of Hardin County and from six hundred eighty-eight residents of Hamilton County.

By Senator Lisle, from six residents of Mills County opposing liquor by the drink.

By Senator Kyhl, from twenty-nine residents of Bremer County, opposing liquor by the drink.

By Senator Frommelt, from thirty-four residents of Dubuque County in opposition to Sunday sales.

PRESENTATION OF VISITORS

Senator Coleman asked and received unanimous consent to present to the Senate twenty students, members of the senior class in government from the Boone Valley Community School, Renwick, who were present in the balcony accompanied by their instructor, C. M. Gillespie.

Senator Flatt asked and received unanimous consent to present to the Senate twelve students from the Earlham High School who were present in the balcony.

Senator Flatt also asked and received unanimous consent to present to the Senate ten students from the Greenfield High School who were present in the balcony accompanied by their instructor, Darlene Love.

Senator O'Malley asked and received unanimous consent to present to the Senate ninety-six students from the Warren Harding Junior High School who were present in the balcony accompanied by their instructors, Leo Willadsen and Marjorie Andrews.

Senator Wilson asked and received unanimous consent to present to the Senate twenty-seven students from the Howard Junior High School, Centerville, who were present in the balcony accompanied by their librarian, Mrs. Celia Starchevich.

Senator Lisle asked and received unanimous consent to present to the Senate twenty-one students from the Shenandoah High School who were present in the balcony.

INTRODUCTION OF BILLS

Senate File 141, committee on highways, a bill for an act to amend

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chapter three hundred fourteen point three (314.3), Code 1962, for the partial elimination of the requirement of a sworn statement on all claims for reimbursement from the primary road fund.

Read first and second times and placed on the calendar.

Senate File 142, by Senator Schroeder, a bill for an act relating to rate of interest allowable on loans to corporations.

Read first and second times and passed on file.

Senate File 143, by Senators O'Malley and Schroeder, a bill for an act to authorize city and town councils to finance the acquisition of sites, books and equipment from the proceeds of a bond issue.

Read first and second times and passed on file.

Senate File 144, by Senators Wiley, Lisle, Long, Rigler, Nolan, Dykhouse and Shaff, a bill for an act to amend chapter four hundred twenty-two (422), Code 1962, so as to provide certain credits to individual taxpayers against corporate taxes on income represented by dividends paid to the individual taxpayer.

Read first and second times and passed on file.

Senate File 145, by committee on cities and towns, a bill for an act to authorize cities and towns to incur indebtedness for the purchase of sites for certain public utilities and other improvements.

Read first and second times and placed on the calendar.

Senate File 146, by committee on cities and towns, a bill for an act relating to approval of plats in cities and towns and to expressly authorize improvement bonds for the protection of the public.

Read first and second times and placed on the calendar.

Senate File 147, by committee on military affairs, a bill for an act relating to the state military forces.

Read first and second times and placed on the calendar.

UNFINISHED BUSINESS

On motion of Senator Frommelt, Senate File 42, a bill for an act to change the title of county, municipal and school examiner to auditor and to amend certain sections of the Code to conform to the change, was taken up for further consideration.

Senator Frommelt offered the following amendment and moved its adoption:

Amend Senate File 42 by adding a new section following section 8, as follows:

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Sec. 9. Section eleven point nine (11.9), Code 1962, is hereby amended by striking from lines one (1) and two (2) the word "examiners" and inserting in lieu thereof the word "auditors".

The amendment was adopted.

Senator Frommelt moved that the bill be read a third 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:

Benda	Elvers	Lodwick	Shaff
Beneke	Fisher	Long	Shivvers
Buck	Frommelt	Lucken	Turner
Campbell	Fulton	Main	Vance
Coleman	Getting	Mincks	Van Eaton
Cowden	Griffin	Nolan	Vincent
Curran	Grimstead	O'Malley	Walker
Dodds	Hansen	Phelps	Walter
Doran	Hill	Rigler	Wearin
Dykhouse	Kyhl	Schroeder	Wiley
Elijah	Lisle	Scott	Wilson

Nays, none.

Absent or not voting, 6:

Brown	Elthon	Shoeman	Stephens
Burrows	Flatt		

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

REPORT OF COMMITTEE ON RULES ADOPTED

Senator Vance asked and received unanimous consent to take up the report of the committee on rules, filed by him and found on pages 176 and 177 of the Senate Journal.

On motion of Senator Vance, the report was accepted.

Senator Vance offered the following amendment to the committee amendment to rule 16, contained in the report, and moved its adoption:

Amend the amendment by striking the following: "bills introduced under rule 22", and inserting in lieu thereof "appropriations committee bills and ways and means committee bills".

The motion prevailed and the amendment to the amendment was adopted.

On motion of Senator Vance, the amendment to rule 22 was adopted.

On motion of Senator Vance, the amendment to rule 37 was adopted.

Senator Fulton offered the following amendment to rule 34, moved its adoption, and requested a roll call:

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Amend the report of the rules committee by adding the following as a new division:

Amend Rule 34 by adding the following paragraph:

All votes of all senate committees to place or arrange a bill on the calendar, or any other motion or question relating to the schedule or order in which the Senate may consider any bill or bills, the roll of the committee shall be called and the ayes and nays entered in the minutes of the meeting. The votes of the committee members on such motions or question shall be filed with the Secretary of the Senate by the chairman no later than 10:00 a.m. of the next legislative day. Such record shall be available to the public.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 13:

Coleman	Frommelt	Hill	O'Malley
Dodds	Fulton	Main	Walter
Elijah	Hansen	Mincks	Wilson
Elvers			

Nays, 31:

Benda	Fisher	Long	Shivvers
Beneke	Flatt	Lucken	Turner
Buck	Getting	Nolan	Vance
Campbell	Griffin	Phelps	Van Eaton
Cowden	Grimstead	Rigler	Vincent
Curran	Kyhl	Schroeder	Walker
Doran	Lisle	Scott	Wiley
Dykhouse	Lodwick	Shaff	

Absent or not voting, 6:

Brown	Elthon	Stephens	Wearin
Burrows	Shoeman		

The amendment was lost.

Senator Vance moved the adoption of the committee amendment as amended, which motion prevailed.

On motion of Senator Vance, the report of the committee on rules and the amendments as amended contained therein were adopted; and the temporary rules of the Fifty-ninth General Assembly as amended became the permanent rules of the Sixtieth General Assembly.

ADOPTION OF JOINT RULES

Senator Vance moved that the joint rules of the Senate and the House of the Fifty-ninth General Assembly be made the permanent joint rules of the Sixtieth General Assembly, which motion prevailed.

THIRD READING OF BILLS

On motion of Senator Rigler, Senate File 69, a bill for an act relating to publication of real property assessments, with report of

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committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Rigler asked and received unanimous consent that action on Senate File 69 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Nolan, Senate File 114, a bill for an act relating to voluntary retirement of judges and retirement for cause, was taken up and considered.

Senator Nolan offered the following amendment:

Amend Senate File 114 as follows:

1. Amend line 5 of section 3 by inserting after the word "Code" the following ", as amended by this Act,".

2. By adding a new subsection to section 3, as follows:

"Section six hundred five A point seven (605A.7), Code 1962, be amended by striking all of line four (4) and insert in lieu thereof: 'basic salary for his last three (3) years as a judge of one (1) or more of the'."

On motion of Senator Nolan, divisions 1 and 2 of the amendment were adopted.

Senator Nolan asked and received unanimous consent that action on Senate File 114 be temporarily deferred in order for Senator Beneke to file an amendment thereto.

On motion of Senator Buck, Senate File 113, a bill for an act relating to county appropriations and reimbursement to the state from fund for aid to the blind, was taken up and considered.

Senator Buck offered the following amendment and moved its adoption:

Amend Senate File 113 by striking lines 1 to 5 inclusive, and inserting in lieu thereof the following:

Section 1. Section two hundred forty-one point twenty (241.20), Code 1962, is amended by striking all of said section after the word "county" in line six (6) and inserting in lieu thereof the following: "of that portion of all assistance and benefits payable with".

The amendment was adopted.

Senator Buck moved that the bill be read a third 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:

Benda	Cowden	Elvers	Griffin
Beneke	Curran	Fisher	Grimstead
Brown	Dodds	Flatt	Hansen
Buck	Doran	Frommelt	Hill
Campbell	Dykhouse	Fulton	Kyhl
Coleman	Elijah	Getting	Lisle

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Lodwick	Nolan	Shaff	Vincent
Long	O'Malley	Shivvers	Walker
Lucken	Phelps	Turner	Walter
Main	Rigler	Vance	Wilson
Mincks	Scott	Van Eaton	

Nays, 2:

Schroeder	Wiley

Absent or not voting, 5:

Burrows	Shoeman	Stephens	Wearin
Elthon			

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

On motion of Senator Rigler, the Senate recessed until 3:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty 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 passed the following bill in which the concurrence of the Senate is asked:

House File 28, a bill for an act to abolish the death penalty as a punishment for certain crimes and to substitute therefor imprisonment for life or a term of years.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File 28, a bill for an act to abolish the death penalty as a punishment for certain crimes and to substitute therefor imprisonment for life or a term of years.

Read first and second times, and passed on file.

UNFINISHED BUSINESS

Senator Nolan stated that Senator Beneke had filed an amendment to Senate File 114, and asked and received unanimous consent that action on the bill be deferred and that the bill be taken up for further consideration prior to the special order of business on Thursday.

SENATE CONCURRENT RESOLUTION 9

By Long

Whereas, the Sixtieth General Assembly is advised of a meeting of the Pioneer Lawmakers Association to be held in the Historical Building on

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Thursday, March 28, 1963, and of their consent to formally meet with the General Assembly.

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, March 28, 1963, at 2:00 p.m. and that the Pioneer Lawmakers be invited to attend and present a program on that occasion.

ADDITIONAL COPIES

Senator Buck asked and received unanimous consent to have 500 additional copies of Senate File 70 printed.

Senator Flatt asked and received unanimous consent to have 300 additional copies of Senate File 26 printed.

Senator Shivvers asked and received unanimous consent to have 500 additional copies of Senate Files 86, 87 and 94 printed.

BILLS ASSIGNED TO COMMITTEE

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

S. F. 142 Banks, building and loan
S. F. 143 Cities and towns
S. F. 144 Tax revision
H. F. 28 Judiciary 1

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on February 5, 1963, the Governor had approved the following bill:

Senate File 20, relating to the special election of the independent school district of Centerville, in the county of Appanoose.

AMENDMENTS FILED

Amend Senate File 11 as follows:

1. Amend section 1 by striking lines 4 through 6 and inserting in lieu thereof the following: "As used in this Act, 'public utility' shall include any person, partnership, business association or corporation, domestic or foreign (but excluding cooperative corporations or associations) owning or operating any facilities for:".

2. Amend section 1 by striking lines 13 through 17 and inserting in lieu thereof the following: "Mutual telephone companies in which at least fifty percent (50%) of the users are owners, telephone companies having less than two thousand (2,000) stations and municipally-owned utilities shall not be subject to the rate regulation provided for in this Act;".

MARTIN WILEY.

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Amend Senate File 55, section 1, line 3, by striking the word "paragraphs" and inserting in lieu thereof the word "subsection".

JAKE MINCKS.

Amend Senate File 114, section 2, by striking all of lines 3 through 11 and inserting in lieu thereof the following:

A. Retirement for cause: A judge of the supreme court or district court may be retired from office for any of the following reasons:

1. Permanent physical or mental disability rendering him incapable of properly performing his duties, or

2. When he ceases to have the qualifications required for the office of judge.

DONALD G. BENEKE.

Amend Senate File 26 as follows:

1. Strike all of sections 1 through 5, inclusive, and insert in lieu thereof the following:

"Section 1. That if any person be found on the first day of the week, commonly called Sunday, engaged in buying or selling property of any kind (articles of necessity and charity excepted) every person so offending, shall on conviction be subject to the penalties provided under this Act. Nothing herein contained shall be construed to extend to those who conscientiously observe the seventh day of the week as a day of worship."

2. Renumber sections 6, 7, 8 and 9.

3. Amend the title by striking the following words from line 1 "offering for sale" and inserting in lieu thereof the word "purchase"; and by striking from line 2 the words "certain specified items".

EUGENE M. HILL.

Amend Senate File 11 as follows:

Amend section 2 by adding the following:

The commission shall adopt comprehensive rules and regulations relative to all inspections, tests, audits and investigations.

The commission shall have authority to inquire into the management of the business of all public utilities, and shall keep itself informed as to the manner and method in which the same is conducted, and may obtain from any public utility all necessary information to enable the commission to perform its duties.

DAVID O. SHAFF.

Amend Senate File 11 by repealing section 8 and inserting in lieu thereof the following:

Sec. 8. Utility charges and services. Every public utility is required to furnish reasonably adequate service and facilities. The charge made by any public utility for any heat, light, water or power produced, transmitted, delivered or furnished or any telephone message conveyed or for any service rendered or to be rendered in connection therewith shall be reasonable and just, and every unjust or unreasonable charge for such service is prohibited and declared unlawful. In determining reasonable and just rates, the commission shall

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consider all factors relating to value and shall not be bound by rate base decisions or rulings made prior to the adoption of this Act.

DAVID O. SHAFF.

Amend Senate File 11 by adding to section ten (10) the following:

"Such amounts shall be spent in accordance with the provisions of chapter eight (8) of the Code."

DAVID O. SHAFF.

Amend Senate File 11 by adding the following as a new section:

Sec. 25. Section four hundred seventy-four point one (474.1), Code 1962, is hereby repealed and the following substituted in lieu thereof: "No person in the employ of any common carrier or other public utility, or owning any bonds, stock, or property in any railroad company or other public utility shall be eligible to the office of Iowa state commerce commissioner or secretary of the commission; and the entering into the employ of any common carrier or other public utility or the acquiring of any stock or other interest in any common carrier or other public utility by such commissioner or secretary after his appointment shall disqualify him to hold the office or perform the duties thereof.

DAVID O. SHAFF.

Senate File 11 is amended by striking section 9 and inserting in lieu thereof the following:

Sec. 9.

1. Every public utility shall keep and render to the commission in the manner and form prescribed by the commission unform accounts of all business transacted.

2. Every public utility engaged directly or indirectly in any other business than that of the production, transmission or furnishing of heat, light, water or power or the conveyance of telephone messages shall, if required by the commission, keep and render separately to the commission in like manner and form the accounts of all such other business, in which case all the provisions of this chapter shall apply to the books, accounts, papers and records of such other business.

3. Every public utility is required to keep and render its books, accounts, papers and records accurately and faithfully in the manner and form prescribed by the commission, and to comply with all directions of the commission relating to such books, accounts, papers and records.

4. The commission shall consult with other state and federal regulatory bodies for the purpose of eliminating accounting discrepancies with regard to the keeping of public utility accounts before prescribing any system of accounts to be kept by the public utility.

DAVID O. SHAFF.

On motion of Senator Rigler, the Senate adjourned until 9:00 a.m., Thursday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 7, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Glen Lamb, pastor of the Methodist Church, Indianola, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Wearin for the day on account of illness on request of Senator Rigler; Senator Burrows for the day on account of illness on request of Senator Cowden; Senator Stephens for the day on account of illness on request of Senator Getting; Senator Elthon for the day on account of illness on request of Senator Getting.

PETITIONS

The following petitions, favoring liquor by the drink under license control, were received and placed on file by:

Senator Flatt, from fifty-one residents of Madison County.

Senator Frommelt, from one thousand six hundred thirty-seven residents of Dubuque County.

Senator Curran, from fifty residents of Hancock County.

Senator Hansen, from thirty-two residents of Carroll County.

Senator Kyhl, from seventy-two residents of Butler County.

Senator Lisle, from ninety-seven residents of Page County.

Senator Shoeman, from twenty-one residents of Audubon County and from seventy-six residents of Cass County.

Senator Van Eaton, from sixty-six residents of Woodbury County.

Senator Fulton, from eighty-one residents of Black Hawk County.

The following petitions, opposing liquor by the drink, were received and placed on file by:

Senator Beneke, from sixty-six residents of Pocahontas County.

Senator Brown, from forty-three residents of Emmet County.

Senator Curran, from fifty-one residents of Cerro Gordo County.

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Senator Lisle, from twenty-eight residents of Mills County.

Senator Long, from twenty-one residents of Buchanan County.

Senator Rigler, from eleven residents of Mitchell County.

Senator Stephens, from thirty-seven residents of Washington County and from twenty residents of Louisa County.

By Senator Lisle, from nine residents of Page County, favoring proposed legislation relating to the Iowa Public Employees Retirement System.

By Senator Nolan, from two hundred thirty-six residents of Johnson County, urging the passage of a good liquor control act.

PRESENTATION OF VISITORS

Senator O'Malley asked and received unanimous consent to present to the Senate sixty students, members of the fourth grade classes of the Wright Community School, who were present in the balcony accompanied by their instructors, Ruth Foster and Florence Benshoof.

Senator Dykhouse rose on a point of personal privilege and presented to the Senate the Honorable John R. Hattery, a former member of the Senate from Story County who was present in the Senate chamber.

INTRODUCTION OF BILLS

Senate File 148, by Senators O'Malley and Dykhouse, a bill for an act to waive immunity of the State of Iowa from any action at law or in equity brought to enforce, or to determine a controversy rising out of any contract in which the Iowa State Highway Commission is a party and to prescribe the venue, the manner of service of notice thereof and the time limitation for instituting action.

Read first and second times and passed on file.

Senate File 149, by Senator Curran, a bill for an act to legalize the proposed sale of certain real estate owned by the County of Cerro Gordo, State of Iowa, and to authorize conveyance of legal title thereto.

Read first and second times and passed on file.

Senate File 150, by committee on conservation, a bill for an act relating to the elimination of the necessity of fire extinguishers for certain boats.

Read first and second times and placed on the calendar.

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Senate File 151, by Sentor Dykhouse, a bill for an act relating to altering boundary rivers.

Read first and second times and passed on file.

Senate File 152, by Senators Buck, Frommelt, Doran, O'Malley and Schroeder, a bill for an act relating to parolees and court probationers.

Read first and second times and passed on file.

Senate File 153, by Senator Griffin, a bill for an act relating to the use of the term "drug" and related terms.

Read first and second times and passed on file.

SENATE CONCURRENT RESOLUTION 9

Senator Long asked and received unanimous consent to take up Senate Concurrent Resolution 9, relative to the meeting of the Pioneer Lawmakers, filed by him and found on pages 186 and 187 of the Senate Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

UNFINISHED BUSINESS

On motion of Senator Nolan, Senate File 114, a bill for an act relating to voluntary retirement of judges and retirement for cause, was taken up for further consideration.

Senator Beneke offered the following amendment and moved its adoption:

Amend Senate File 114, section 2, by striking all of lines 3 through 11 and inserting in lieu thereof the following:

A. Retirement for cause: A judge of the supreme court or district court may be retired from office for any of the following reasons:

1. Permanent physical or mental disability rendering him incapable of properly performing his duties, or

2. When he ceases to have the qualifications required for the office of judge.

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, 44:

Benda	Coleman	Dykhouse	Fulton
Beneke	Cowden	Elijah	Getting
Brown	Curran	Elvers	Griffin
Buck	Dodds	Fisher	Grimstead
Campbell	Doran	Flatt	Hansen

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Hill	Mincks	Scott	Van Eaton
Kyhl	Nolan	Shaff	Vincent
Lisle	O'Malley	Shivvers	Walker
Lodwick	Phelps	Shoeman	Walter
Long	Rigler	Turner	Wiley
Lucken	Schroeder	Vance	Wilson

Nays, none.

Absent or not voting, 6:

Burrows	Frommelt	Stephens	Wearin
Elthon	Main		

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

SPECIAL ORDER

The time having arrived, the Chair announced the Special Order of Business for the consideration of Senate File 11.

On motion of Senator Turner, Senate File 11, a bill for an act to authorize the Iowa state commerce commission to regulate the rates and services of public utilities, to define public utilities to include those engaged in the furnishing of electricity, gas, water or communications services to the public for compensation, and to provide for appeals from orders and decisions of the Iowa state commerce commission, was taken up for further consideration.

Senator Wiley offered the following amendment:

Amend Senate File 11 as follows:

1. Amend section 1 by striking lines 4 through 6 and inserting in lieu thereof the following: "As used in this Act, 'public utility' shall include any person, partnership, business association or corporation, domestic or foreign (but excluding cooperative corporations or associations) owning or operating any facilities for:".

2. Amend section 1 by striking lines 13 through 17 and inserting in lieu thereof the following: "Mutual telephone companies in which at least fifty percent (50%) of the users are owners, telephone companies having less than two thousand (2,000) stations and municipally-owned utilities shall not be subject to the rate regulation provided for in this Act;".

Senator Wiley moved the adoption of division 1 of the amendment and requested a roll call.

On the question "Shall division 1 of the amendment be adopted?" the vote was:

Ayes, 13:

Buck	Frommelt	Lucken	Vance
Coleman	Hill	Main	Walter
Elijah	Long	O'Malley	Wiley
Fisher			

Nays, 33:

Benda	Campbell	Dodds	Elvers
Beneke	Cowden	Doran	Flatt
Brown	Curran	Dykhouse	Fulton

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Getting	Lodwick	Schroeder	Turner
Griffin	Mincks	Scott	Van Eaton
Grimstead	Nolan	Shaff	Vincent
Hansen	Phelps	Shivvers	Walker
Kyhl	Rigler	Shoeman	Wilson
Lisle			

Absent or not voting, 4:

Burrows	Elthon	Stephens	Wearin

Division 1 of the amendment was lost.

Senate Wiley asked and received unanimous consent to withdraw division 2 of the amendment.

Senator Nolan offered the following amendment and moved its adoption:

Amend Senate File 11 as follows:

1. By adding the following to section 2:

"The commission is hereby authorized and empowered to intervene in any proceedings before the Federal Power Commission or any other federal or state body when it finds that any decision of such tribunal would adversely affect the costs of any public utility service within the State of Iowa."

The amendment was adopted.

Senator Shaff asked and received unanimous consent to withdraw the following amendment filed by him:

Amend Senate File 11 as follows:

Amend section 2 by adding the following:

The commission shall adopt comprehensive rules and regulations relative to all inspections, tests, audits and investigations.

The commission shall have authority to inquire into the management of the business of all public utilities, and shall keep itself informed as to the manner and method in which the same is conducted, and may obtain from any public utility all necessary information to enable the commission to perform its duties.

Senator Shaff offered the following amendment:

Amend Senate File 11 as follows:

Amend section 2 by adding the following:

The commission shall have authority to inquire into the management of the business of all public utilities, and shall keep itself informed as to the manner and method in which the same is conducted, and may obtain from any public utility all necessary information to enable the commission to perform its duties.

On motion of Senator Shaff, the amendment was adopted.

Senator Wilson offered the following amendment and moved its adoption:

Amend Senate File 11, section 3, line 3, by striking the word "by" and inserting in lieu thereof the word "with".

The amendment was adopted.

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Senator Fulton offered the following amendment and moved its adoption:

Amend Senate File 11 by deleting lines 37 through 43 in section 6.

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 29:

Brown	Elvers	Hansen	O'Malley
Buck	Flatt	Hill	Phelps
Coleman	Frommelt	Kyhl	Shivvers
Cowden	Fulton	Lisle	Vincent
Curran	Getting	Lodwick	Walker
Dodds	Griffin	Lucken	Walter
Doran	Grimstead	Main	Wilson
Elijah			

Nays, 15:

Benda	Fisher	Schroeder	Vance
Beneke	Long	Scott	Van Eaton
Campbell	Nolan	Shoeman	Wiley
Dykhouse	Rigler	Turner	

Absent or not voting, 6:

Burrows	Mincks	Stephens	Wearin
Elthon	Shaff		

The amendment was adopted.

Seator Shaff offered the following amendment:

Amend Senate File 11 by repealing section 8 and inserting in lieu thereof the following:

Sec. 8. Utility charges and services. Every public utility is required to furnish reasonably adequate service and facilities. The charge made by any public utility for any heat, light, water or power produced, transmitted, delivered or furnished or any telephone message conveyed or for any service rendered or to be rendered in connection therewith shall be reasonable and just, and every unjust or unreasonable charge for such service is prohibited and declared unlawful. In determining reasonable and just rates, the commission shall consider all factors relating to value and shall not be bound by rate base decisions or rulings made prior to the adoption of this Act.

Senator Turner offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking all of said amendment after the word "value" in line 12 and inserting in lieu thereof a period (.).

The amendment to the amendment was lost.

Senator Hill offered the following amendment to the amendment:

Amend the amendment as follows:

Strike everything after the period (.) in line 5 and insert in lieu thereof the following:

"The value of the property of a public utility, as determined by the commission for rate making purposes, shall be the money honestly and prudently invested therein by the utility less accrued depreciation. Such property shall be that actually used and useful for the convenience of the

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public. The value of public utility property for rate making purposes shall not include or be affected by good will value; going concern value; or franchise value in excess of payments made therefor. The commission in determining the rates to be charged by any utility under its jurisdiction shall ascertain whether an advanced or fictitious cost price, or a price in excess of the fair market value of any commodity, machinery, equipment, material, or service has been paid or is being paid, or charged, by said public utility. If it shall appear that any such fictitious or advanced price has been or is being paid or charged, the commission shall fix and allow as a part of the valuation or rate basis only the reasonable and fair market price of such items, at the time of purchase, eliminating all such fictitious or excessive prices or values."

Senator Hill 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, 7:

Brown	Elvers	Mincks	Walter
Coleman	Hill	Vincent	

Nays, 38:

Benda	Fisher	Long	Shaff
Beneke	Flatt	Lucken	Shivvers
Buck	Fulton	Main	Shoeman
Campbell	Getting	Nolan	Turner
Cowden	Griffin	O'Malley	Vance
Curran	Grimstead	Phelps	Van Eaton
Dodds	Hansen	Rigler	Walker
Doran	Kyhl	Schroeder	Wiley
Dykhouse	Lisle	Scott	Wilson
Elijah	Lodwick		

Absent or not voting, 5:

Burrows	Frommelt	Stephens	Wearin
Elthon			

The amendment to the amendment was lost.

Senator Shaff moved the adoption of his amendment, which motion prevailed, and the amendment was adopted.

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

EXECUTIVE SESSION

The Senate arose from executive session and resumed regular session.

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

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

Under the special order of business, the Senate resumed consideration of Senate File 11.

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Senator Hill asked and received unanimous consent to withdraw the amendment filed by him to Senate File 11 and found on page 178 of the Senate Journal.

Senator Coleman offered the following amendment and moved its adoption:

Amend Senate File 11 as follows:

Amend section 7, line 2, by inserting after the word "utility", the words "person or body politic".

Division was called for.

The amendment was adopted.

Senator Shaff offered the following amendment and moved its adoption:

Senate File 11 is amended by striking section 9 and inserting in lieu thereof the following:

Sec. 9.

1. Every public utility shall keep and render to the commission in the manner and form prescribed by the commission uniform accounts of all business transacted.

2. Every public utility engaged directly or indirectly in any other business than that of the production, transmission or furnishing of heat, light, water or power or the conveyance of telephone messages shall, if required by the commission, keep and render separately to the commission in like manner and form the accounts of all such other business, in which case all the provisions of this chapter shall apply to the books, accounts, papers and records of such other business.

3. Every public utility is required to keep and render its books, accounts, papers and records accurately and faithfully in the manner and form prescribed by the commission, and to comply with all directions of the commission relating to such books, accounts, papers and records.

4. The commission shall consult with other state and federal regulatory bodies for the purpose of eliminating accounting discrepancies with regard to the keeping of public utility accounts before prescribing any system of accounts to be kept by the public utility.

The amendment was adopted.

Senator Shaff offered the following amendment and moved its adoption:

Amend Senate File 11 by adding to section ten (10) the following:

"Such amounts shall be spent in accordance with the provisions of chapter eight (8) of the Code."

The amendment was adopted.

Senator Nolan offered the following amendment:

Amend Senate File 11 as follows:

1. Amend section 23 by striking lines 10 through 12 thereof and inserting in lieu thereof the following: "and jurisdiction conferred upon the commission in this Act. Whenever the corporate boundaries of any city or town are extended utility service, as defined in section 1 hereof, shall be provided

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in such extended area by the public utility or the municipally owned utility serving such city or town immediately prior to the extension of such boundaries. In the event service is provided, in such extended area, at the time of the extension of the corporate boundaries, by a public utility which does not have a municipal franchise for such city or town, the facilities located within such extended area shall be purchased within four (4) years from the date the corporate boundaries shall have been extended by the franchised public utility of such city or town or by the municipal utility serving such city or town and the municipal franchised public utility or municipally owned utility shall furnish such service without interruption upon the acquisition thereof. If the purchase price cannot be agreed upon between the parties the commission, upon written application, by either party, and after due notice and hearing shall determine such purchase price. Pending the determination of such purchase price, by the commission, the facilities shall remain in place and service to the public shall be maintained by the owner thereof. Any party aggrieved by the decision of the commission may appeal therefrom, within thirty (30) days, to the district court wherein said city or town is located. Such appeal shall be triable by a jury, if so requested, the same as an appeal in eminent domain proceedings as provided in chapter four hundred seventy-two (472), Code of Iowa 1962. All other laws and parts of laws inconsistent with this Act are hereby repealed."

Senator Wiley offered the following amendment to the amendment:

Amend the amendment by inserting after the word "area" the following: ", except production, generation, high voltage transmission facilities and high voltage transformers owned by a utility in territory annexed to a city or town shall be exempt from the operation of this section,".

On motion of Senator Wiley, the amendment to the amendment was adopted.

Senator Elijah offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking the word and figure "four (4)" in line 14 and inserting in lieu thereof the word and figure "ten (10)".

The amendment to the amendment was lost.

Senator Fulton offered the following amendment to the amendment:

Amend the amendment by striking all after the colon (:) in line 3 and inserting in lieu thereof the following:

"and jurisdiction conferred upon the commission in this Act.

If the boundaries of any city or town shall be extended to include property owned and operated by another utility, the commission after notice and hearing shall determine whether the utility then serving the area shall continue to serve such annexed area or whether the utility holding a franchise in such city or town shall serve such area.

If the commission determines that the utility holding such franchise shall furnish services within the extended boundaries, then the utility holding the franchise from said city or town shall furnish service within such extended boundaries upon payment to the other utility of a fair and reasonable price for the properties to be agreed upon by each of said utilities or upon a fair and reasonable exchange of properties to be agreed upon by each of said utilities, which agreement in either event shall be submitted to the

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commission for approval and be approved prior to the furnishing of said utility service by said utility holding said franchise.

In the event that no agreement is reached between said utilities as to a price or exchange of properties then the utility holding such franchise shall make an offer in writing to the other utility to pay a fair and reasonable fixed price for the involved properties owned by the other utility, and at the same time file an application with the commission requesting approval of such price. If the application is granted, then the commission shall order the utility owning the properties to cease operation in the area upon tender of such price."

Senator Fulton asked and received unanimous approval to withdraw the amendment to the amendment.

Senator Coleman offered the following amendment to the Nolan amendment and moved its adoption:

Amend the amendment by striking all after the colon (:) in line 3 and inserting in lieu thereof the following:

"and jurisdiction conferred upon the commission in this Act.

1. No public utility shall construct or extend facilities, or furnish or offer to furnish electric service, to any premises which are already receiving electric service from another electric public utility or which are not receiving such service but are located closer to a distribution line of another electric public utility, except with the consent in writing of such other electric public utility. This section shall not preclue (a) the electric public utility, whose distribution line is located in closest proximity to premises not already being served, from furnishing electric service thereto, or (b) any electric public utility from extending electric service to its own property and facilities or to another electric public utility for resale.

2. In case an area has been or shall be included, as a result of incorporation, annexation, or otherwise, within the boundaries of a city, town or village, all electric public utilities furnishing electric service or operating electric facilities in such area, prior to such inclusion, shall subject to the provisions of this act, be granted a franchise, without further act and have the right to continue and extend the furnishing of electric service and to construct, maintain and operate electric facilities in such area, and to utilize public lands and thoroughfares therein for such purpose, but shall comply with lawful safety requirements as to the manner of constructing and maintaining electric facilities on such public lands and thoroughfares, and shall further comply with all terms and conditions of any existing franchise from such city, town or municipality insofar as such may be practicable. Providing, however, that if the city, town or other municipality shall provide electric service to its citizens through a municipally owned and operated electric system, such municipally owned and operated electric system shall be entitled to serve all area which shall be included as a result of incorporation, annexation or otherwise within the boundaries of such city, town or village, and in such event any other public utility electric supplier in such area shall cease and terminate its electric service within the area of such municipality as promptly as may reasonably be done. In such event, the municipally owned utility shall pay to the other public utility the fair and reasonable value of the properties of such other utility located within the annexed area. If the said utilities shall not agree upon the fair and reasonable value of such properties, either utility may file an application with the commission requesting that the commission fix and determine such value. When the commission shall determine such value, it

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shall order the utility owning the properties in the annexed area to cease operation thereof upon tender of such price.

3. In the case of a franchise granted an existing electric public utility in an area included in a city or town through incorporation, annexation or otherwise, the franchise to the existing electric public utility in the area shall continue for a term of ten years. At the expiration of such ten year term, the commission, on application of the city or town involved, but not otherwise, shall investigate as to whether the annexed utility should be permitted to continue to operate within the annexed area. If the commission after notice and hearing finds that the annexed utility has failed to furnish adequate service or has failed to reasonably comply with the terms and conditions of the existing electric utility franchise, or has operated in an unsafe manner, the commission shall order the annexed utility to cease operation within the annexed area.

Senator Coleman asked and received unanimous consent to withdraw the amendment.

On motion of Senator Nolan, the amendment as amended was adopted.

Senator Shaff offered the following amendment and moved its adoption:

Amend Senate File 11 by adding the following as a new section:

Sec. 25. Section four hundred seventy-four point one (474.1), Code 1962, is hereby repealed and the following substituted in lieu thereof: "No person in the employ of any common carrier or other public utility, or owning any bonds, stock, or property in any railroad company or other public utility shall be eligible to the office of Iowa state commerce commissioner or secretary of the commission; and the entering into the employ of any common carrier or other public utility or the acquiring of any stock or other interest in any common carrier or other public utility by such commisisoner or secretary after his appointment shall disqualify him to hold the office or perform the duties thereof.

The amendment was adopted.

Senator Shaff offered the following amendment and moved its adoption:

Amend Senate File 11, section 10, by inserting a period (.) after the word "service" in line 8 and striking the remainder of the sentence.

The amendment was adopted.

Sentor Rigler offered the following amendment and moved its adoption:

Amend Senate File 11, section 20, line 2, by striking the word "in" and inserting in lieu thereof the word "is".

The amendment was adopted.

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

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

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Ayes, 26:

Benda	Flatt	Mincks	Shaff
Campbell	Frommelt	Nolan	Shoeman
Cowden	Fulton	O'Malley	Turner
Curran	Hansen	Rigler	Vance
Doran	Lisle	Schroeder	Van Eaton
Dykhouse	Lodwick	Scott	Wiley
Fisher	Long		

Nays, 20:

Beneke	Elijah	Hill	Shivvers
Brown	Elvers	Kyhl	Vincent
Buck	Getting	Lucken	Walker
Coleman	Griffin	Main	Walter
Dodds	Grimstead	Phelps	Wilson

Absent or not voting, 4:

Burrows	Elthon	Stephens	Wearin

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

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

STATEMENT OF LEGISLATIVE INTENT

The amendment filed by me to section 23 of Senate File 11, on February 5, 1963, and adopted by the Senate on February 7, 1963, was for the purpose of permitting franchised utilities by any city or town or municipally owned utilities to purchase the utility facilities of any public utility, including municipally owned, which are located in any territory which may in the future, after the effective date of the Act, be included within the corporate limits of such city or town where such franchised utility or municipal utility is located. Such proposal is prospective and not retroactive.

D. C. NOLAN.

EXPLANATION OF VOTE

I voted for Senate File 11 as amended to keep the question of the Utility Commission alive for this session, for if the bill had failed the Chair informed the Senate that another utility bill would have been out of order.

GEORGE E. O'MALLEY.

MESSAGES FROM 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 1, a joint resolution proposing an amendment to the constitution relative to the composition of the General Assembly and the basis of representation of the members thereof.

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

Senate Concurrent Resolution 8, a concurrent resolution designating October 15 in each year as "Poetry Day."

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

Senate File 61, a bill for an act relating to installment payments of subdistrict soil conservation district assessments.

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 the powers of subdistricts of soil conservation districts, regarding tax methods to be used.

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

Senate File 106, a bill for an act relating to license fees and taxation of urban transit systems and companies.

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

House File 1, a bill for an act relating to creeper lanes on certain roads.

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 place-name signs on primary roads.

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 hunting and fishing upon cultivated or inclosed lands and waters.

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

House File 21, a bill for an act relating to subsidiary companies of life insurance companies.

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 altering, vacating, or closing roads.

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

House File 25, a bill for an act to permit the writing of multiple peril insurance policies by fire insurance companies.

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 the limitation of expenditures on bridges on secondary roads.

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

House File 107, a bill for an act to make an additional transfer of fees, taxes, interest and penalties to the division of motor vehicle registration.

WILLIAM R. KENDRICK, *Chief Clerk.*

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HOUSE MESSAGES CONSIDERED

House File 1, a bill for an act relating to creeper lanes on certain roads.

Read first and second times and passed on file.

House File 2, a bill for an act relating to place-name signs on primary roads.

Read first and second times and passed on file.

House File 107, a bill for an act to make an additional transfer of fees, taxes, interest and penalties imposed under chapter four hundred twenty-two (422), Code 1962, to the division of motor vehicle registration of the department of public safety for the purpose of purchasing supplies and materials and for the cost of manufacture of motor vehicle registration plates at the prison industries.

Read first and second times and passed on file.

House File 4, a bill for an act relating to hunting and fishing upon cultivated or inclosed lands and waters.

Read first and second times and passed on file.

House File 23, a bill for an act relating to altering, vacating, or closing roads.

Read first and second times and passed on file.

House File 21, a bill for an act relating to subsidiary companies of life insurance companies.

Read first and second times and passed on file.

House File 25, a bill for an act to permit the writing of multiple peril insurance policies by fire insurance companies.

Read first and second times and passed on file.

House File 63, a bill for an act relating to the limitation of expenditures on bridges on secondary roads.

Read first and second times and passed on file.

ADDITIONAL COPIES

Senator Turner asked and received unanimous consent to have 500 copies of Senate File 11, as passed by the Senate, printed.

Senator Buck asked and received unanimous consent to have 300 additional copies of Senate File 21 printed.

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PROOF OF PUBLICATION

Published copy of Senate File 149 and verified proof of publication of said bill in The Mason City Globe Gazette on January 30, 1963, 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 the Senate.

BILLS ASSIGNED TO COMMITTEE

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

S. F. 148 Judiciary 1
S. F. 149 Judiciary 2
S. F. 151 Conservation
S. F. 152 Judiciary 1
S. F. 153 Public health
H. F. 1 Highways
H. F. 2 Highways
H. F. 4 Conservation
H. F. 21 Insurance
H. F. 23 Highways
H. F. 25 Insurance
H. F. 63 Highways
H. F. 107 Appropriations

REPORT OF COMMITTEE

Senator Dykhouse submitted the following report:

MR. PRESIDENT: Your committee on conservation to which was referred **Senate File 51**, a bill for an act relating to county conservation boards, begs leave to report it has had the same under consideration and recommends the same **be amended in accordance with the Benda amendment filed February 5 and found on page 179 of the Senate Journal; and when so amended the bill do pass.**

J. T. DYKHOUSE, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 117, section 4, line 9, by striking the word "date" and inserting in lieu thereof the word "data".

GEORGE E. O'MALLEY.

Amend Senate File 129, section 1, line 6, by striking the period (.) after the word "prescribe" and adding thereto the following: "and provided that said investments shall in no event exceed in the aggregate twenty per cent (20%) of the total resources of said bank.".

JACK SCHROEDER.

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Amend Senate File 69, section 1, by striking the following in lines 30, 31, and 32 ", item of an assessment list together with the location of the real property and the name of the owner" and inserting in lieu thereof the following: "description of each parcel".

ROBERT R. RIGLER.

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

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 8, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend George Pennington, pastor of the First Methodist Church, Osceola, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Wearin for the day on account of illness on request of Senator Rigler; Senator Elthon for the day on account of illness on request of Senator Getting; Senator Walter for the day on the death of his mother on request of Senator Rigler; Senator Stephens for the day on account of illness on request of Senator Van Eaton; Senator Fulton for the day on request of Senator Dodds; Senator Burrows for the day on acount of illness on request of Senator Cowden.

PETITIONS

The following petitions, favoring liquor by the drink under license control, were received and placed on file by:

Senator Elvers, from one hundred sixty-one residents of Clayton County.

Senator Kyhl, from sixty-seven residents of Franklin County.

Senator Scott, from eighty-one residents of Fayette County.

Senator Schroeder, from eighteen residents of Scott County.

Senator Van Eaton, from the Board of Directors of the Sioux City Chamber of Commerce.

Senator Vincent, from twenty-four residents of Lucas County.

Senator Hill, from one hundred thirty-five residents of Jasper County.

The following petitions, opposing liquor by the drink, were received and placed on file by:

Senator Cowden, from thirty residents of Guthrie County.

Senator Curran, from sixteen residents of Wright County.

Senator Scott, from nineteen residents of Winneshiek County.

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The following petitions, opposing Sunday sales, were received and placed on file by:

Senator Buck, from fifty residents of Marshall County.

Senator Hill, from one hundred residents of Jasper County.

ANNOUNCEMENTS

Senator O'Malley announced to the Senate the death of the wife of Allan Hoschar, Senate press representative for the Des Moines Register.

Senator Rigler announced the death of the mother of Senator Walter, and asked and received unanimous consent that the Assistant Secretary of the Senate be directed to arrange for floral tributes in behalf of the members of the Senate to Mrs. Walter and Mrs. Hoschar.

INTRODUCTION OF BILLS

Senate File 154, by Senator Doran, a bill for an act allowing road authorities to take immediate possession of the land under the power of eminent domain.

Read first and second times and passed on file.

Senate File 155, by Senator Lodwick, a bill for an act relating to the exemption of farm land from zoning ordinance.

Read first and second times and passed on file.

Senate File 156, by Senator Lisle, a bill for an act to permit the erection of junior college buildings and provide for equipment and to permit indebtedness and issuance of bonds therefor.

Read first and second times and passed on file.

Senate File 157, by Senators Walker and Getting, a bill for an act relating to the duties of the sheriff in the execution of the death penalty.

Read first and second times and passed on file.

Senate File 158, by Senators Flatt, Shoeman, Turner, Campbell, Van Eaton, Fisher and Curran, a bill for an act relating to the time the state comptroller shall close out biennial appropriations.

Read first and second times and passed on file.

Senate File 159, by Senators Flatt, Shoeman, Turner, Campbell, Van Eaton, Fisher and Curran, a bill for an act to amend chapter

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nineteen (19), Code 1962, relating to the executive council furnishing supplies to various state departments.

Read first and second times and passed on file.

UNFINISHED BUSINESS

On motion of Senator Mincks, Senate File 55, a bill for an act repealing the provision requiring the county registrar to transmit copies of all death certificates to the county auditor, was taken up for further consideration.

Senator Mincks offered the following amendment and moved its adoption:

Amend Senate File 55, section 1, line 3, by striking the word "paragraphs" and inserting in lieu thereof the word "subsection".

The amendment was adopted.

Senator Mincks moved that the bill be read a third 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:

Benda	Dykhouse	Kyhl	Scott
Beneke	Elijah	Lodwick	Shoeman
Brown	Elvers	Long	Turner
Buck	Fisher	Lucken	Vance
Campbell	Flatt	Main	Van Eaton
Coleman	Getting	Mincks	Vincent
Cowden	Griffin	Nolan	Walker
Curran	Grimstead	O'Malley	Wiley
Dodds	Hansen	Phelps	Wilson
Doran	Hill	Rigler	

Nays, none.

Absent or not voting, 11:

Burrows	Fulton	Shaff	Walter
Elthon	Lisle	Shivvers	Wearin
Frommelt	Schroeder	Stephens	

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

REPORT OF COMMITTEE

Senator Cowden submitted the following report:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **Senate File 57**, a bill for an act relating to compensation of members of election boards and counting judges and clerks, begs leave to report it has had the same under consideration and recommends the same **do pass.**

HARRY L. COWDEN, *Chairman.*

Ordered passed on file.

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REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Joint Resolution 1, and Senate Files 61, 64 and 106.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate Joint Resolution 1 and Senate Files 61, 64 and 106.

BILLS SENT TO THE GOVERNOR

Senator Benda, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 8th day of February, 1963, sent to the Governor for his approval: Senate Files 61, 64 and 106.

KENNETH BENDA, *Chairman.*

Passed on file.

JOINT RESOLUTION SENT TO THE SECRETARY OF STATE

Senator Benda, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 8th day of February, 1963, sent to the Secretary of State for his approval: Senate Joint Resolution 1.

KENNETH BENDA, *Chairman.*

Passed on file.

AMENDMENTS FILED

Amend Senate File 124 as follows:
1. By inserting the following after the word "trucks" in line 6 of section 1:
"and auxiliary unloading devices mounted on or about vehicles".

J. HENRY LUCKEN.

Amend Senate File 149 as follows:
1. By striking the comma (,) after the word "Patrol" in line 14 of section 1.

LEIGH R. CURRAN.

On motion of Senator Rigler, the Senate adjourned until 11:00 a.m., Monday, February 11, 1963.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 11, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Alvin Volle, pastor of the Peace United Church of Christ, Elkader, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Kyhl for the day on request of Senator Lodwick; Senator Long for the day on request of Senator Elvers; Senator Walter for the day on request of Senator Wilson.

PETITIONS

By Senator Coleman, the following resolution from the local board of the National Conference of Christians and Jews, Fort Dodge, Iowa:

"That this group go on record in sympathy with the group of Amish in and around Oelwein; and that because of this feeling that their religious liberty is being curtailed, that a resolution be directed to the legislature in the State of Iowa that our laws be so changed that people of religious conviction may still practice their religions freely in this state and bring up their children as they believe proper in that same religion."

By Senator Dodds, from the members of the town council of the town of Mediapolis, Iowa, favoring a state public utilities commission as proposed by the league of Iowa municipalities legislative committee.

By Senator Frommelt, from fifty-five residents of Dubuque County opposing Sunday sales.

By Senator Frommelt, from thirty-one residents of Dubuque County opposing proposed legislation which would place a tax on insurance premiums of members of fraternal benefit societies.

By Senator Hansen, from forty-eight residents of Carroll County favoring school bus transportation for all children.

By Senator O'Malley, from four hundred sixty-two residents of Polk County favoring proposed legislation relating to increase in pensions under the retirement system for policemen and firemen.

The following petitions, favoring liquor by the drink under license control, were received and placed on file by:

Senator Dodds, from forty-one residents of Des Moines County.

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Senator Elijah, from sixty-eight residents of Cedar County.

Senator Frommelt, from three hundred fifty-nine residents of Dubuque County.

Senator Hansen, from one hundred sixty residents of Carroll County, and from seventy-nine residents of Crawford County.

Senator Hill, from one hundred thirty-seven residents of Jasper County.

Senator Lisle, from thirty-six residents of Fremont County.

Senator Scott, from sixty-three residents of Winneshiek County.

Senator Shoeman, from sixty-one residents of Cass County.

Senator Turner, from seventy-five residents of Pottawattamie County.

Senator Van Eaton, from fifteen residents of Woodbury County.

The following petitions, opposing liquor by the drink, were received and placed on file by:

Senator Beneke, from one hundred fifty residents of Buena Vista County.

Senator Dodds, from twenty-one residents of Des Moines County.

Senator Fisher, from twelve residents of Warren County.

Senator Frommelt, from nineteen residents of Dubuque County.

Senator Fulton, from ninety residents of Black Hawk County.

Senator Hill, from twenty residents of Jasper County.

Senator Scott, from twenty-three residents of Fayette County.

Senator Shivvers, from sixty-three residents of Monroe County.

Senator Stephens, from thirty-four residents of Washington County.

Senator Vincent, from sixty-one residents of Lucas County.

PRESENTATION OF VISITORS

Senator O'Malley asked and received unanimous consent to present to the Senate forty-two students, members of the seventh and eighth grade classes of the St. Joseph Catholic School, Des Moines, who were present in the balcony accompanied by their instructor, Sister Mary Doris.

Senator Elvers asked and received unanimous consent to present

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to the Senate fifteen students, members of the senior class of the Elkader High School who were present in the balcony.

DISTINGUISHED GUEST

The Chair announced the arrival of the Honorable Jack Miller, United States Senator, in the Senate chamber and requested our distinguished guest to come to the rostrum.

President Mooty presented Senator Miller, who addressed the Senate briefly on the nation's financial problems.

INTRODUCTION OF BILLS

Senate File 160, by Senator Wiley, a bill for an act relating to facsimile signatures of mayors.

Read first and second times and passed on file.

Senate File 161, by Senator Schroeder, a bill for an act to regulate industrial loan companies, to provide for the licensing of such businesses, to specify the powers of industrial loan companies, to prescribe penalties for violations and to provide for the administration and enforcement of the Act.

Read first and second times and passed on file.

Senate File 162, by Senator Wiley, a bill for an act authorizing cities to establish zoos.

Read first and second times and passed on file.

Senate File 163, by Senator Beneke, a bill for an act relating to fish and game law violations.

Read first and second times and passed on file.

Senate File 164, by committee on agriculture, a bill for an act to create a state agricultural products utilization research committee and to make an appropriation to carry out the act.

Read first and second times and referred to committee on appropriations (under Rule 21).

RESIGNATION OF EMPLOYEE

Senator Scott announced the resignation of Ada Jolley of Dallas County as Assistant Enrolled Bills Clerk, effective February 9, 1963.

APPOINTMENT OF EMPLOYEE

Senator Scott announced the appointment of Marsella Elliott of Polk County as Assistant Enrolled Bills Clerk, effective February 11, 1963.

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

SUPPLEMENTAL REPORT OF JOINT COMMITTEE ON JOINT LEGISLATIVE EMPLOYEES

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

CUSTODIAN

Policeman:
Daniel W. Crees, Polk County

GEORGE L. SCOTT,
On the Part of the Senate.
SAMUEL E. ROBINSON,
On the Part of the House.

The motion prevailed and the report was adopted.

UNFINISHED BUSINESS

On motion of Senator Rigler, Senate File 69, a bill for an act relating to publication of real property assessments, was taken up for further consideration.

The following committee amendment was considered:

Amend Senate File 69 as follows:
1. Amend Senate File 69 by striking from lines 9, 10, 11, the following: "All real property owned by governmental bodies shall be exempt from the provisions of this Act."

On motion of Senator Burrows, the committee amendment was adopted.

Senator Rigler offered the following amendment and moved its adoption:

Amend Senate File 69, section 1, by striking the following in lines 30, 31, and 32 ", item of an assessment list together with the location of the real property and the name of the owner" and inserting in lieu thereof the following: "description of each parcel".

The amendment was adopted.

Senator Flatt offered the following amendment:

Amend Senate File 69 as follows:
Amend section 1, line 11, after the word "listed" by adding "with evaluation".

On motion of Senator Rigler, the Senate recessed until 3:00 p.m.

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AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 35, a bill for an act relating to speed limits for motor vehicles in cities.

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 reimbursement for use by county conservation boards of county-owned real estate, materials, equipment, or operators; and relating to the power of such boards to issue bonds in anticipation of tax receipts; and relating to violation of rules and regulations of such boards.

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

House File 52, a bill for an act to amend chapter seven hundred ninety-five (795), Code 1962, relating to criminal indictments.

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

House File 84, a bill for an act to enable the executive council to exchange real estate conveyances on certain land in Cerro Gordo County.

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

House File 85, a bill for an act relating to erecting, rebuilding or repairing of fences.

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 suspension or revocation of insurance agents' licenses.

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

House File 134, a bill for an act to more specifically provide for collection of medical fees for private patients at the University Hospital.

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

House File 135, a bill for an act to more specifically provide for collection of medical fees for private patients with the State Psychopathic Hospital at Iowa City.

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

House File 152, a bill for an act to change the name of the Iowa child welfare research station at the State University of Iowa.

WILLIAM R. KENDRICK, *Chief Clerk.*

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HOUSE MESSAGES CONSIDERED

House File 35, a bill for an act relating to speed limits for motor vehicles in cities.

Read first and second times and passed on file.

House File 43, a bill for an act relating to reimbursement for use by county conservation boards of county-owned real estate, materials, equipment, or operators; and relating to the power of such boards to issue bonds in anticipation of tax reecipts; and relating to violation of rules and regulations of such boards.

Read first and second times and passed on file.

House File 52, a bill for an act to amend chapter seven hundred ninety-five (795), Code 1962, relating to criminal indictments.

Read first and second times and passed on file.

House File 84, a bill for an act to enable the executive council acting for the State of Iowa, to exchange real estate conveyances with Ellen M. Peterson, widow and heir of Harry A. Peterson, deceased, of Cerro Gordo County, thereby placing on record correct descriptions of lands occupied by the respective parties.

Read first and second times and passed on file.

House File 85, a bill for an act relating to erecting, rebuilding or repairing of fences.

Read first and second times and passed on file.

House File 132, a bill for an act relating to suspension or revocation of insurance agents' licenses.

Read first and second times and passed on file.

House File 134, a bill for an act to amend chapter two hundred fifty-five (255), Code 1962, to more specifically provide for collection of medical fees for private patients at the University Hospital.

Read first and second times and passed on file.

House File 135, a bill for an act to amend chapter two hundred twenty-five (225), Code 1962, to more specifically provide for collection of medical fees for private patients with the State Psychopathic Hospital at Iowa City.

Read first and second times and passed on file.

House File 152, a bill for an act to change the name of the Iowa child welfare research station at the State University of Iowa.

Read first and second times and passed on file.

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ASSIGNMENT OF BILL TO COMMITTEE

President Mooty announced that, under Senate Rule 21, Senate File 147, now on the calendar, was being referred to the appropriations committee.

ASSIGNMENT OF BILLS TO COMMITTEE

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

S. F. 154 Highways
S. F. 155 Agriculture
S. F. 156 Schools and educational institutions
S. F. 157 Judiciary 1
S. F. 158 Governmental affairs
S. F. 159 Governmental affairs
S. F. 160 Cities and towns
S. F. 161 Banks, building and loan
S. F. 162 Cities and towns
S. F. 163 Conservation
S. F. 164 Appropriations (under Senate Rule 21)
H. F. 35 Transportation and highway safety
H. F. 43 Conservation
H. F. 52 Judiciary 1
H. F. 84 Judiciary 2
H. F. 85 Agriculture
H. F. 132 Insurance
H. F. 134 Schools and educational institutions
H. F. 135 Schools and educational institutions
H. F. 152 Schools and educational institutions

REPORTS OF COMMITTEES

Senator Schroeder submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **Senate File 80**, a bill for an act to legalize and validate the special election of Guthrie County, Iowa, held on June 4, 1962, for the construction of a court house and the issuance of $417,000 bonds for such purpose and the levy of an annual tax of not to exceed one and one-half mills to pay the principal and interest on such bonds, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JACK SCHROEDER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **Senate File 89**, a bill for an act to enable the executive council acting for the State of Iowa to exchange real estate conveyances with Ellen M. Peterson, widow and heir of Harry A. Peterson, deceased, of Cerro Gordo County thereby placing on record correct description of lands occupied by the

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respective parties, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACK SCHROEDER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **House File 15,** a bill for an act to legalize and validate the proceedings for the organization, establishment of boundaries, and operation of Area Six Community School District, in County of Muscatine, State of Iowa, and declaring said district a duly and legally organized and operating corporate body as provided by law, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACK SCHROEDER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **House File 16,** a bill for an act to legalize and validate proceedings of board of directors of Area Six Community School District in Muscatine County authorizing issuance of school building bonds and for levy of taxes for payment of said bonds and declaring bonds issued pursuant to said proceedings to be enforceable obligations of said school district, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACK SCHROEDER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **House File 67,** a bill for an act authorizing a patent to issue to the northwest quarter of the northwest quarter of the southeast quarter of section one (1), Township seventy-four (74), Range seventeen (17), west of the Fifth Principal Meridian, Mahaska County, Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACK SCHROEDER, *Chairman.*

Ordered passed on file.

Senator Wearin submitted the following report:

MR. PRESIDENT: Your committee on schools and educational institutions to which was referred **Senate File 97,** a bill for an act to amend chapter two hundred eighty-one point two (281.2), Code 1962, relating to children requiring special education, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EDWARD A. WEARIN, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 69 as follows:

1. Amend Senate File 69 by adding to section 1, line 13 immediately preceding the word "Each" the following: "Prior to May 10th in each year of quadrennial assessment".

DONALD G. BENEKE.

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Amend Senate File 69, section 1, as follows:

1. Line 18 by striking the word "a" and inserting in lieu thereof "that".

2. Further amend line 18 by striking the word "of" and inserting in lieu thereof the words "with the largest ".

3. Line 19 by striking the word "county" and inserting in lieu thereof the words "township, city or town".

DAVID O. SHAFF.

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

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 12, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend John Alexander, pastor of the First Congregational Church, Marshalltown, Iowa.

PETITIONS

The following petitions, favoring liquor by the drink under license control, were received and placed on file by:

Senator Doran, from eighty-four residents of Boone County.

Senator Dodds, from fourteen residents of Des Moines County.

Senator Elijah, from two hundred thirteen residents of Muscatine County.

Senator Elthon, from two hundred eighteen residents of Howard County.

Senator Elvers, from four hundred seventeen residents of Clayton County.

Senator Flatt, from one hundred twenty-four residents of Adair County.

Senator Frommelt, from ninety-two residents of Dubuque County.

Senator Griffin, from fifty-three residents of Harrison County.

Senator Hansen, from twenty-six residents of Carroll County.

Senator Lucken, from thirty-three residents of Plymouth County.

Senator Shaff, from thirty-six residents of Clinton County.

Senator Turner, from fifty-nine residents of Pottawattamie County, and from the members of the board of supervisors of Pottawattamie County.

The following petitions, opposing liquor by the drink, were received and placed on file by:

Senator Benda, from twenty-seven residents of Poweshiek County.

Senator Coleman, from thirty-three residents of Webster County.

Senator Cowden, from nine residents of Guthrie County.

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Senator Doran, from ten residents of Greene County.

Senator Flatt, from nineteen residents of Madison County.

Senator Hill, from forty-five residents of Jasper County.

Senator Kyhl, from seventy-five residents of Butler County.

Senator Lucken, from ten residents of Plymouth County.

Senator Shivvers, from thirty-four residents of Marion County, and from seventy-four residents of Monroe County .

Senator Stephens, from forty residents of Washington County.

EXPRESSION OF THANKS AND APPRECIATION

Senator Walter rose on a point of personal privilege and thanked the members of the Senate for their expression of sympathy in the death of his mother, and for the beautiful floral tribute.

PRESENTATION OF VISITORS

Senator O'Malley asked and received unanimous consent to present to the Senate thirty-seven students, members of the fifth grade class of the Park Avenue School, Des Moines, who were present in the balcony accompanied by their instructor, Janette Walker.

Senator Hansen asked and received unanimous consent to present to the Senate forty-four students, members of the senior government class of the Coon Rapids Community High School who were present in the balcony accompanied by their instructor, Loren Vale.

INTRODUCTION OF BILLS

Senate File 165, by committee on judiciary 2, a bill for an act to amend, revise and codify the law relating to probate, including descent and distribution, wills, administration and distribution of estates of decedents, trusts, administration of estates of persons under conservatorship, custody of persons under guardianship and to establish a probate code.

Read first and second times and placed on the calendar.

Senate File 166, by Senators Turner, Schroeder, Fulton and Coleman, a bill for an act to make contributory negligence an affirmative defense in civil actions.

Read first and second times and passed on file.

Senate File 167, by Senators Elijah, Walker, Rigler, Getting, Campbell, Beneke, Kyhl, Wilson, Fisher, Vance, Doran, Cowden, Curran,

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Hansen, Phelps, O'Malley, Shoeman, Long, Main, Vincent, Flatt and Elthon, a bill for an act to authorize examinations of the financial condition and transactions of county and memorial hospitals by certified or registered public accountants in lieu of examinations by the auditor of state.

Read first and second times and passed on file.

Senate File 168, by Senator Shaff, a bill for an act to amend section four hundred twenty-two point forty-two (422.42) and section four hundred twenty-three point one (423.1), Code 1962, relating to sales and use taxes and expendable chemicals, solvents and reagents used in processing personal property.

Read first and second times and passed on file.

Senate File 169, by Senators Walker, Coleman, Flatt, Mincks, Dodds and Van Eaton, 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.

Read first and second times and passed on file.

Senate File 170, by Senator Shaff, a bill for an act relating to nonprofit corporations and the formation, merger, consolidation, dissolution, liquidation, admission to do business in this state and withdrawal therefrom, authority, powers and rights thereof, and requirements therefor, and the regulation and conduct of affairs thereof.

Read first and second times and passed on file.

Senate File 171, by committee on cities and towns, a bill for an act relating to inspection of multiple dwellings.

Read first and second times and placed on the calendar.

Senate File 172, by committee on cities and towns, a bill for an act to provide that the state-required retirement and pension systems for policemen and firemen, required by chapter four hundred eleven (411), Code 1962, shall be optional for any city which adopts, or has adopted, civil service after January 1, 1960.

Read first and second times and placed on the calendar.

Senate File 173, by committee on cities and towns, a bill for an act to amend chapter four hundred four (404), Code 1962, relating to millage limitations upon the several functional funds therein provided.

Read first and second times and placed on the calendar.

Senate File 174, by committee on cities and towns, a bill for an act to define the residence requirement for policemen and firemen under

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municipal civil service and to amend section three hundred sixty-five point seventeen (365.17), Code 1962, relating thereto.

Read first and second times and placed on the calendar.

Senate File 175, by Senator Mincks, a bill for an act relating to salaries of the board of trustees of public utility plants in cities.

Read first and second times and passed on file.

Senate File 176, by Senator Fulton, a bill for an act to legalize the proposed sale of certain real estate owned by the City of Cedar Falls, County of Black Hawk, State of Iowa, and to authorize conveyance of legal title thereto.

Read first and second times and passed on file.

Senate File 177, by committee on board of control, a bill for an act to give the superintendents of the hospitals for the mentally ill authority to designate a qualified person to examine prisoners believed to be mentally ill.

Read first and second times and placed on the calendar.

Senate File 178, by Senator Shaff, a bill for an act to amend section four hundred fifty point seven (450.7), Code 1962, relating to liens for inheritance taxes and prescribing the duration thereof.

Read first and second times and passed on file.

Senate File 179, by Senator Van Eaton, a bill for an act to abolish individual liquor permits.

Read first and second times and passed on file.

Senate File 180, by committee on printing, a bill for an act relating to the state printing board.

Read first and second times and placed on the calendar.

Senate Joint Resolution 14, by Senators Lucken and Stephens, a joint resolution proposing a constitutional amendment to increase the term of members of the House of Representatives to four (4) years and providing for staggered terms.

Read first and second times and passed on file.

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

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SENATE CONCURRENT RESOLUTION 7
By Flatt and Hill

Whereas, the Fifty-eighth General Assembly established the Iowa Civil War Centennial Commission to plan for and conduct programs in connection with the centennial and events of the Civil War, and

Whereas, the Civil War was the greatest test our country has ever faced, built of the heroism and endurance that were drawn from men and women of both sections by devotion to principles valued more than life itself, and the loss, the gain, and the experience itself is a common national possession, and

Whereas, the Fifty-ninth General Assembly made an appropriation to conduct appropriate programs and prepare permanent printed publications in connection with the centennial; now therefore,

Be It Resolved by the Senate, the House Concurring, that the Superintendent of Printing be instructed to reserve space in the next issue of the Iowa Official Register for an appropriate commemoration of the Civil War Centennial.

The motion prevailed and the resolution was adopted.

On motion of Senator Rigler, the Senate stood at ease until the fall of the gavel.

The Senate reconvened, President Mooty 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.

In accordance with House Concurrent Resolution 6 duly adopted, the Senate proceeded to the House under the direction of the Sergeant-at-Arms.

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 6 duly adopted, the joint convention was called to order, President Mooty presiding.

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

Rigler of Chickasaw moved that a committee of three, consisting of one member from the Senate and two members from the House, be appointed to notify the Honorable Fred Schwengel, Congressman from the First Congressional District, that the joint convention was ready to receive him.

Motion prevailed and the President appointed as such committee Senator Elijah of Cedar, on the part of the Senate, and Representatives Dietz of Scott and Knowles of Scott, on the part of the House.

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The committee waited upon the Honorable Fred Schwengel and escorted him to the Speaker's station.

President Mooty presented the Honorable Jack Schroeder, Senator from Scott, who presented the Honorable Fred Schwengel, who addressed the joint convention on "Lincoln Today."

President Mooty presented the Honorable Eugene Halling, who presented to the joint convention the Orient-Macksburg Community School Chorus and their director, Mr. Robert Martin, and pianist, Dorothy Krabeil. The chorus sang two selections, "The Battle Hymn of the Republic" and "God Bless America."

President Mooty expressed the appreciation of the legislature to the Honorable Fred Schwengel and members of the Orient-Macksburg School Chorus for participating in the Lincoln Memorial Service.

Mowry of Marshall moved that the joint convention be now dissolved.

The motion prevailed.

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

On motion of Senator Rigler, the Senate recessed until 3:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

SENATE CONCURRENT RESOLUTION 10
By Appropriations Committee

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 1962:

Des Moines Rubber Stamp Co., dater and badges (Senate)	$ 73.65
Ditto, Inc., paper and supplies (Senate)	24.06
Koch Bros., office equipment (Senate)	81.19
Carroll A. Lane, postage, telephone, supplies (Senate)	67.58
Office Machine Supply Co., 4 new typewriters (Senate)	640.00
Office Machine Supply Co., clean and repair typewriters (Senate)	379.15
Royal McBee Corporation, 4 new typewriters (Senate)	774.00
Storey Kenworthy Company, supplies (Senate)	42.50
Utica, jackets for pages (Senate)	172.70
Executive Council, supplies and postage (Senate)	414.29
William R. Kendrick, postage, keys, supplies (House)	100.00
Frankel Clothing Store, jackets for pages (House)	275.00
Des Moines Rubber Stamp Co., stamps and badges (House)	216.75
Executive Council, supplies and postage (House)	820.09
Electrolux Corporation, vacuum cleaner (Senate)	139.50

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Storey Kenworthy Co., chairs for legislators (Joint)	1,248.00
Northwestern Bell Telephone Company, installation and service (Senate)	102.25
	$5,570.71

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.

PROOF OF PUBLICATION

Published copy of Senate File 176 and verified proof of publication of said bill in the Cedar Falls Daily Record on February 5, 1963, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

CARROLL A. LANE, *Secretary of Senate.*

REPORTS OF COMMITTEES

Senator Walker submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred **Senate File 7**, a bill for an act to establish requirements for installation of bulk tanks on farms for milk produced for manufacturing purposes, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

Amend Senate File 7 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Any producer using a bulk tank for cooling and storage of milk to be used for manufacturing purposes shall have an enclosed milk room which shall conform to the standards provided by this Act. The floor shall be constructed of concrete or other impervious material, maintained in good repair, and graded to provide proper drainage. The walls and ceilings of the room shall be sealed and constructed of smooth easily cleaned material. All windows shall be screened and doors shall be self-closing. It shall be well ventilated and must meet the following requirements:

1. The bulk tank shall not be located over a drain or under a ventilator.
2. The hose port shall be located in an exterior wall and fitted with a tight self-closing door.
3. A two hundred twenty (220) volt lock type electrical connection with ground and weatherproof type receptacle and switchbox shall be provided near the hose port.
4 Each milk room shall have an adequate supply of water readily accessible with facilities for heating the water, to insure the cleaning and sanitizing of the bulk tank, utensils and equipment and the keeping of the milk room clean.
5. No lights shall be placed directly over the bulk tank.
6. The bulk tank shall be properly located in the milk room for easy access to all areas for cleaning and servicing.
7. This Act shall become effective July 4, 1963, for all subsequent installations of bulk tanks for milk produced for manufacturing purposes.
8. On and after July 1, 1965, all bulk tank installations existing prior to July 4, 1963, must comply with the provisions of this Act.
9. The enforcement of this Act shall be administered by the Iowa department of agriculture.

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10. Any person violating any provision of this Act shall be punished by a fine of not more than fifty dollars ($50.00)."

JOHN A. WALKER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture to which was referred **Senate File 87**, a bill for an act relating to infectious and contagious diseases among animals, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JOHN A. WALKER, *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 37**, a bill for an act relating to the annexation of territory to cities and towns, 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 37 as follows:

1. Amend section 1, line 4, by striking the first comma.

C. S. VAN EATON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred **Senate File 81**, a bill for an act relating to audits of cities and towns, begs leave to report it has had the same under consideration and recommends the same **do pass.**

C. S. VAN EATON, *Chairman.*

Ordered passed on file.

Senator Getting submitted the following report:

MR. PRESIDENT: Your committee on water rights to which was referred **Senate File 105**, a bill for an act to amend certain sections of the subdistricts of soil conservation districts law, begs leave to report it has had the same under consideration and recommends the same **do pass.**

LEROY GETTING, *Chairman.*

Ordered passed on file.

Senator Shoeman submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 107**, a bill for an act to make an additional transfer of fees, taxes, interest and penalties imposed under chapter four hundred twenty-two (422), Code 1962, to the division of motor vehicle registration of the department of public safety for the purpose of purchasing supplies and materials and for the cost of manufacture of motor vehicle registration plates at the prison industries, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JOHN D. SHOEMAN, *Chairman.*

Ordered passed on file.

Senator Cowden submitted the following report:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **Senate File 35**, a bill for an act to amend chapter eleven (11), Code 1962, relating to county, municipal and school

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examiners' and their assistants' salaries, begs leave to report it has had the same under consideration and recommends the same **do pass.**

HARRY L. COWDEN, *Chairman.*

Ordered passed on file.

Senator Elijah submitted the following report:

MR. PRESIDENT: Your committee on tax revision to which was referred **Senate File 73,** a bill for an act relating to the assessment of shares of mutual funds, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EARL ELIJAH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on tax revision to which was referred **Senate File 124,** a bill for an act relating to refund of tax on special fuel consumed in the operation of corn shellers, roller mills and feed grinders mounted on trucks, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

Amend Senate File 124 by adding the following as a new section:

"This Act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Le Mars Daily Sentinel, a newspaper published at Le Mars, Iowa, and in the Marshalltown Times-Republican, a newspaper published at Marshalltown, Iowa.

EARL ELIJAH, *Chairman.*

Ordered passed on file.

BILLS ASSIGNED TO COMMITTEE

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

S.J.R. 14 Judiciary 2
S. F. 166 Judiciary 2
S. F. 167 Governmental affairs
S. F. 168 Tax revision
S. F. 169 Transportation and highway safety
S. F. 170 Judiciary 1
S. F. 175 Cities and towns
S. F. 176 Judiciary 2
S. F. 178 Judiciary 1
S. F. 179 Judiciary 2

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on February 11, 1963, the Governor had approved the following bills:

Senate File 61, relating to installment payments of subdistrict of soil conservation district assessments.

Senate File 64, relating to the powers of subdistricts of soil conservation districts, regarding tax methods to be used.

Senate File 106, relating to license fees and taxation of urban transit systems and companies.

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AMENDMENTS FILED

Amend Senate File 69 as follows:

Strike from lines 1, 3, 32 and 35 the word "assessment" and insert in lieu thereof the word "evaluation" in each instance.

Strike from lines 9, 18, and 30 the word "assessment" and insert in lieu thereof the word "valuation" in each instance.

Strike from line 15 the word "assessed" and insert in lieu thereof the word "evaluated".

Strike from line 33 the word "assessments" and insert in lieu thereof the word "valuations".

Amend the title by striking the word "assessments" and inserting in lieu thereof the word "valuations".

A. V. DORAN.
JOSEPH B. FLATT.
SEELEY G. LODWICK.

Amend Senate File 69, section 1, line 13, by striking the word "Each" and inserting in lieu thereof the following: "Prior to May 10th in each year of quadrennial assessment each".

DONALD G. BENEKE.

Amend House File 28 by adding thereto the following new section:

"Any adult, who is a prisoner in any penal institution, may be punished by death if he kills any person while in the process of escaping or attempting to escape from such penal institution."

JACOB GRIMSTEAD.

Amend Senate File 69, section 1, line 33 by inserting after the word "changes" the words and figures "in excess of two thousand dollars ($2,000) of actual value".

ROBERT R. RIGLER.

Amend Senate File 69, section 1, as follows:

By striking lines 18 and 19 and inserting in lieu thereof the following:

"assessment list, the County Auditor shall select that newspaper which in his judgment has the largest general circulation within the township, city or town in which to publish the".

DAVID O. SHAFF.

Amend Senate File 69 by striking from lines 11, 12, and 13 the words "Real property which is tax exempt shall be listed and the publication shall state that such real property is tax exempt and has no assessed value." and inserting in lieu thereof the following:

"Real property which is tax exempt shall be listed with valuation except governmental owned property other than agricultural land and such governmental property leased or otherwise used with a view to pecuniary profit. The publication shall state that such listed property is tax exempt."

JOSEPH B. FLATT.

On motion of Senator Rigler, the Senate adjourned until 9:00 a.m., Wednesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 13, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Harry L. Brower, pastor of the First Reformed Church, Sioux Center, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Curran for the day on request of Senator Phelps.

PETITIONS

By Senator Hansen, from sixty-six residents of Carroll County favoring school bus transportation for all children.

By Senator O'Malley, from forty-eight residents of Polk County favoring proposed legislation relating to increase in pensions under the retirement system for policemen and firemen.

The following petitions, favoring liquor by the drink under license control, were received and placed on file by:

Senator Dodds, from twenty-five residents of Des Moines County.

Senator Elijah, from forty-seven residents of Jones County.

Senator Elvers, from one hundred forty-two residents of Clayton County.

Senator Fulton, from two hundred eighty-nine residents of Black Hawk County.

Senator Hansen, from twenty-two residents of Crawford County.

Senator Lisle, from sixty-nine residents of Page and Fremont Counties.

Senator Nolan, from thirty-five residents of Johnson County.

Senator O'Malley, from thirty residents of Polk County.

Senator Rigler, from forty-eight residents of Chickasaw County.

Senator Vance, from two hundred thirty-five residents of Henry County.

Senator Van Eaton, from thirty-four residents of Woodbury County.

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Senator Walker, from sixty-seven residents of Hardin County.

The following petitions, opposing liquor by the drink, were received and placed on file:

Senator Burrows, from ninety-two residents of Tama County.

Senator Coleman, from nine residents of Humboldt County.

Senator Elvers, from twenty-one residents of Clayton County.

Senator Fulton, from fifty-seven residents of Black Hawk County.

Senator Getting, from seven residents of Clay County, and from thirty-six residents of Dickinson County.

Senator Phelps, from thirty-two residents of Jefferson County.

Senator Shivvers, from twenty-one residents of Marion County.

Senator Stephens, from fifteen residents of Washington County.

By Senator Walker, from twenty residents of Wright County opposing proposed legislation which would place a tax on insurance premiums of members of fraternal benefit societies.

PRESENTATION OF VISITORS

Senator O'Malley asked and received unanimous consent to present to the Senate seventy students from the Hubbell Elementary School who were present in the balcony accompanied by their instructors, Melva Chisholm and Don Shaw.

Senator O'Malley asked and received unanimous consent to present to the Senate fifty students from Valley High School who were present in the balcony accompanied by their instructors, Margaret Dixon, Robert Way and Florence Stephens.

Senator Walter asked and received unanimous consent to present to the Senate nine students from the Corning High School who were present in the balcony.

Senator Getting asked and received unanimous consent to present to the Senate ten students from the Milford High School who were present in the balcony.

Senator Vincent asked and received unanimous consent to present to the Senate five students from the Allerton High School who were present in the balcony.

Senator Main asked and received unanimous consent to present to the Senate ten students from the Creston High School who were

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present in the balcony accompanied by their librarian, Ruth Van Tress.

Senator Shoeman asked and received unanimous consent to present to the Senate five students from the Atlantic High School who were present in the balcony.

Senator Shaff asked and received unanimous consent to present to the Senate twenty-two junior and senior high school students from Clinton County who were present in the Senate chamber accompanied by their instructors, James Miller and Helen Whittington.

INTRODUCTION OF BILLS

Senate File 181, by Senators Cowden and Phelps, a bill for an act relating to care, treatment, and habilitation of mentally retarded persons.

Read first and second times and passed on file.

Senate File 182, by Senator Schroeder, a bill for an act to amend section eighty-five point twenty-two (85.22), subsection three (3), Code 1962, granting authority to the industrial commissioner to compromise and settle workmen's compensation cases on behalf of the State of Iowa.

Read first and second times and passed on file.

Senate File 183, by Senator Schroeder, a bill for an act to amend section eighty-six point two (86.2), Code 1962, increasing the number of deputies from three (3) to four (4) that the industrial commissioner may hire.

Read first and second times and passed on file.

Senate File 184, by Senator Schroeder, a bill for an act to amend section eighty-six point nineteen (86.19), Code 1962, by granting the industrial commissioner authority to require a shorthand reporter to report proceedings of any hearing before the commissioner or one of his deputies, or board of arbitration.

Read first and second times and passed on file.

Senate File 185, by Senators Hill and Griffin, a bill for an act relating to the regulation of trading stamps, and repealing certain statutes relating to gift enterprises.

Read first and second times and passed on file.

Senate File 186, by Senators Frommelt, Buck, Elijah and Dodds, a bill for an act to amend section seventy-nine point one (79.1), Code

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1962, to provide for the payment of accrued vacation pay to employees of the state whose employment is terminated.

Read first and second times and passed on file.

Senate File 187, by Senator Coleman, a bill for an act relating to credit unions of state, county, city and town government employees.

Read first and second times and passed on file.

Senator Rigler asked and received unanimous consent that the following bills be considered:

THIRD READING OF BILLS

On motion of Senator Cowden, Senate File 80, a bill for an act to legalize and validate the special election of Guthrie County, Iowa, held on June 4, 1962, for the construction of a court house and the issuance of $417,000.00 bonds for such purpose and the levy of an annual tax of not to exceed one and one-half mills to pay the principal and interest on such bonds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Cowden moved that the bill be read a third 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:

Benda	Elvers	Lodwick	Shivvers
Beneke	Fisher	Long	Shoeman
Brown	Flatt	Lucken	Stephens
Burrows	Frommelt	Main	Turner
Campbell	Fulton	Mincks	Vance
Coleman	Getting	Nolan	Van Eaton
Cowden	Griffin	O'Malley	Vincent
Dodds	Grimstead	Phelps	Walker
Doran	Hansen	Rigler	Walter
Dykhouse	Hill	Schroeder	Wearin
Elijah	Kyhl	Scott	Wiley
Elthon	Lisle	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Buck	Curran

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

Senator Cowden asked and received unanimous consent that Senate File 80 be immediately messaged to the House, which request was complied with.

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On motion of Senator Elijah, House File 15, a bill for an act to legalize and validate the proceedings for the organization, establishment of boundaries, and operation of the Area Six Community School District, in the County of Muscatine, State of Iowa, and declaring said district a duly and legally organized and operating corporate body as provided by law, 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, 48:

Benda	Elvers	Lodwick	Shivvers
Beneke	Fisher	Long	Shoeman
Brown	Flatt	Lucken	Stephens
Burrows	Frommelt	Main	Turner
Campbell	Fulton	Mincks	Vance
Coleman	Getting	Nolan	Van Eaton
Cowden	Griffin	O'Malley	Vincent
Dodds	Grimstead	Phelps	Walker
Doran	Hansen	Rigler	Walter
Dykhouse	Hill	Schroeder	Wearin
Elijah	Kyhl	Scott	Wiley
Elthon	Lisle	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Buck	Curran

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

On motion of Senator Elijah, House File 16, a bill for an act to legalize and validate the proceedings of the board of directors of the Area Six Community School District, in the County of Muscatine, State of Iowa, authorizing and providing for the issuance of school building bonds and for the levy of taxes for the payment of said bonds and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said school district, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator 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, 48:

Benda	Campbell	Doran	Elvers
Beneke	Coleman	Dykhouse	Fisher
Brown	Cowden	Elijah	Flatt
Burrows	Dodds	Elthon	Frommelt

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Fulton	Lodwick	Rigler	Vance
Getting	Long	Schroeder	Van Eaton
Griffin	Lucken	Scott	Vincent
Grimstead	Main	Shaff	Walker
Hansen	Mincks	Shivvers	Walter
Hill	Nolan	Shoeman	Wearin
Kyhl	O'Malley	Stephens	Wiley
Lisle	Phelps	Turner	Wilson

Nays, none.

Absent or ont voting, 2:

Buck	Curran

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 Rigler, Senate File 69, a bill for an act relating to publication of real property assessments, was taken up for further consideration.

President pro tempore Vance took the chair at 9:30 a.m.

Senator Flatt asked and received unanimous consent to withdraw the amendment offered by him and considered on February 11, and found on page 213 of the Senate Journal. Also, the amendment filed by him and found on page 228 of the Senate Journal.

Senator Flatt offered the following amendment, moved its adoption and requested a roll call:

Amend Senate File 69 by striking from lines 11, 12 and 13 the words "Real property which is tax exempt shall be listed and the publication shall state that such real property is tax exempt and has no assessed value." and inserting in lieu thereof the following:

"Real property which is tax exempt shall be listed with valuation. Governmental-owned property need not be listed unless it is agricultural land or is governmental property leased or otherwise used with a view to pecuniary profit. The publication shall state that such listed property is tax exempt."

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 38:

Benda	Flatt	Lodwick	Shoeman
Burrows	Frommelt	Long	Stephens
Campbell	Fulton	Lucken	Turner
Cowden	Getting	Main	Van Eaton
Doran	Griffin	Mincks	Vincent
Dykhouse	Grimstead	Phelps	Walter
Elijah	Hansen	Rigler	Wearin
Elthon	Hill	Schroeder	Wiley
Elvers	Kyhl	Scott	Wilson
Fisher	Lisle		

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Nays, 9:

Beneke	Dodds	O'Malley	Shivvers
Brown	Nolan	Shaff	Walker
Coleman			

Absent or not voting, 2:

Buck Curran

Voting present, 1:

Vance

The amendment was adopted.

Senator Rigler offered the following amendment and moved its adoption:

Amend Senate File 69, section 1, line 33 by inserting after the word "changes" the words and figures "in excess of two thousand dollars ($2,000) of actual value".

The amendment was adopted.

Senator Shaff asked and received unanimous consent to withdraw the amendment filed by him and found on page 218 of the Senate Journal.

Senator Shaff offered the following amendment and moved its adoption:

Amend Senate File 69, section 1, as follows:

By striking lines 18 and 19 and inserting in lieu thereof the following: "assessment list, the County Auditor shall select that newspaper which in his judgment has the largest general circulation within the township, city or town in which to publish the".

The amendment was adopted.

Senator Doran offered the following amendment, filed by Senators Doran, Flatt and Lodwick, and moved its adoption:

Amend Senate File 69, as follows:

Strike from lines 1, 3, 32 and 35 the word "assessment" and insert in lieu thereof the word "evaluation" in each instance.

Strike from lines 9, 18, and 30 the word "assessment" and insert in lieu thereof the word "valuation" in each instance.

Strike from line 15 the word "assessed" and insert in lieu thereof the word "evaluated".

Strike from line 33 the word "assessments" and insert in lieu thereof the word "valuations".

Amend the title by striking the word "assessments" and inserting in lieu thereof the word "valuations".

The amendment was adopted.

Senator Beneke asked and received unanimous consent to withdraw the amendment filed by him and found on page 217 of the Senate Journal.

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Senator Beneke offered the following amendment and moved its adoption:

Amend Senate File 69, section 1, line 13, by striking the word "Each" and inserting in lieu thereof the following: "Prior to May 10th in each year of quadrennial assessment each".

The amendment was adopted.

Senator Rigler moved that the bill be read a third 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:

Benda	Elvers	Long	Stephens
Beneke	Fisher	Lucken	Turner
Brown	Flatt	Main	Vance
Burrows	Griffin	Mincks	Vincent
Campbell	Grimstead	Nolan	Walker
Coleman	Hansen	Phelps	Walter
Cowden	Hill	Rigler	Wearin
Doran	Kyhl	Scott	Wilson
Dykhouse	Lisle	Shivvers	
Elthon	Lodwick	Shoeman	

Nays, 10:

Buck	Frommelt	O'Malley	Van Eaton
Dodds	Fulton	Shaff	Wiley
Elijah	Getting		

Absent or not voting, 2:

Curran	Schroeder

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

SENATE FILE 69 PRINTED AS PASSED BY THE SENATE

Senator Rigler asked and received unanimous consent to have 500 copies of Senate File 69 (as passed by the Senate) printed.

THIRD READING OF BILLS

On motion of Senator Scott, Senate File 129, a bill for an act relating to investments by savings banks and state banks and trust companies, was taken up and considered.

Senator Schroeder offered the following amendment and moved its adoption:

Amend Senate File 129, section 1, line 6, by striking the period (.) after the word "prescribe" and adding thereto the following: "and provided that said investments shall in no event exceed in the aggregate twenty percent (20%) of the total resources of said bank.".

The amendment was adopted.

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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, 48:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Dodds	Grimstead	Rigler	Walter
Doran	Hansen	Schroeder	Wearin
Dykhouse	Kyhl	Scott	Wiley
Elijah	Lisle	Shaff	Wilson

Nays, 1:

Hill

Absent or not voting, 1:

Curran

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

On motion of Senator Wiley, Senate File 141, a bill for an act to amend chapter three hundred fourteen point three (314.3), Code 1962, for the partial elimination of the requirement of a sworn statement on all claims for reimbursement from the primary road fund, was taken up and considered.

Senator Wiley moved that the bill be read a third 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:

Benda	Elvers	Lodwick	Shoeman
Beneke	Fisher	Long	Stephens
Brown	Flatt	Lucken	Turner
Buck	Frommelt	Main	Vance
Burrows	Getting	Mincks	Van Eaton
Campbell	Griffin	Nolan	Vincent
Coleman	Grimstead	O'Malley	Walker
Cowden	Hansen	Phelps	Walter
Doran	Hill	Rigler	Wearin
Dykhouse	Kyhl	Schroeder	Wiley
Elijah	Lisle	Shivvers	Wilson
Elthon			

Nays, none.

Absent or not voting, 5:

Curran	Fulton	Scott	Shaff
Dodds			

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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 145, a bill for an act to authorize cities and towns to incur indebtedness for the purchase of sites for certain public utilities and other improvements, was taken up and considered.

Senator Frommelt moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shivvers
Beneke	Elvers	Lodwick	Shoeman
Brown	Fisher	Long	Stephens
Buck	Flatt	Lucken	Turner
Burrows	Frommelt	Main	Vance
Campbell	Fulton	Mincks	Van Eaton
Coleman	Getting	Nolan	Vincent
Cowden	Griffin	O'Malley	Walker
Dodds	Grimstead	Phelps	Walter
Doran	Hansen	Rigler	Wearin
Dykhouse	Hill	Schroeder	Wiley
Elijah	Kyhl	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Curran	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 Dykhouse, Senate File 150, a bill for an act relating to the elimination of the necessity of fire extinguishers for certain boats, was taken up and considered.

Senator Campbell moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Coleman	Griffin	O'Malley	Vincent
Cowden	Grimstead	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Schroeder	Wearin
Dykhouse	Kyhl	Scott	Wiley
Elijah	Lisle	Shaff	Wilson

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Nays, 1:
Frommelt

Absent or not voting, 1:
Curran

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

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

AFTERNOON SESSION

The Senate reconvened, President Mooty 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 joint resolution in which the concurrence of the House was asked:

Senate Joint Resolution 4, a joint resolution to make an appropriation to the board of control for the purchase of certain real estate in Jasper County which is to be used as a prison honor farm.

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

Senate Concurrent Resolution 9, a concurrent resolution inviting the Pioneer Lawmakers to a joint session March 28, 1963.

Also: That the House has adopted the Supplemental Report of the Joint Committee on Joint Legislative Employees.

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

Senate File 24, a bill for an act to legalize and validate the proceedings of the board of directors of the HLV Community School District, in the Counties of Iowa and Poweshiek.

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 speed limit on trucks.

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 county conservation boards and the powers of boards of supervisors and trustees of certain drainage districts.

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 temporary motor vehicle instruction permits.

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

House File 54, a bill for an act relating to workmen's compensation so

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as to liberalize certain benefits, to provide for certain credits and the administration thereof.

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 foster care services for children.

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

House File 66, a bill for an act relating to the method of payment of municipal court judges and other municipal court officers.

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

House File 93, a bill for an act relating to employment and other privileges for certain prisoners.

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 funds for the manufacture of motor vehicle registration plates.

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 powers of the director of the state conservation commission.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 9, a bill for an act relating to the speed limit on trucks.

Read first and second times and passed on file.

House File 14, a bill for an act relating to county conservation boards and the powers of boards of supervisors and trustees of certain drainage districts.

Read first and second times and passed on file.

House File 46, a bill for an act relating to temporary motor vehicle instruction permits.

Read first and second times and passed on file.

House File 54, a bill for an act to amend chapter eighty-five (85), Code 1962, relating to workmen's compensation so as to liberalize certain benefits, to provide for certain credits, and the administration thereof.

Read first and second times and passed on file.

House File 57, a bill for an act relating to foster care services for children.

Read first and second times and passed on file.

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House File 66, a bill for an act relating to the method of payment of municipal court judges and other municipal court officers.

Read first and second times and passed on file.

House File 93, a bill for an act relating to employment and other privileges for certain prisoners.

Read first and second times and passed on file.

House File 157, a bill for an act to amend section four hundred twenty-two point sixty-two (422.62), Code 1962, relating to funds for the manufacture of motor vehicle registration plates.

Read first and second times and passed on file.

House File 175, a bill for an act relating to the powers of the director of the state conservation commission.

Read first and second times and passed on file.

THIRD READING OF BILLS

On motion of Senator O'Malley, Senate File 57, a bill for an act relating to the compensation of members of election boards and counting judges and clerks, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 46:

Benda	Elthon	Lisle	Shaff
Beneke	Elvers	Lodwick	Shivvers
Brown	Fisher	Long	Shoeman
Buck	Flatt	Lucken	Turner
Burrows	Frommelt	Main	Van Eaton
Campbell	Fulton	Mincks	Vincent
Coleman	Getting	Nolan	Walker
Cowden	Griffin	O'Malley	Walter
Dodds	Grimstead	Phelps	Wearin
Doran	Hansen	Rigler	Wiley
Dykhouse	Hill	Schroeder	Wilson
Elijah	Kyhl		

Nays, none.

Absent or not voting, 4:

Curran	Scott	Stephens	Vance

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

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On motion of Senator Grimstead, House File 67, a bill for an act authorizing a patent to issue to the northwest quarter of the northwest quarter of the southeast quarter of section one (1), Township seventy-four (74), Range seventeen (17), west of the Fifth Principal Meridian, Mahaska County, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Grimstead moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shoeman
Beneke	Elvers	Lodwick	Stephens
Brown	Fisher	Lucken	Turner
Buck	Flatt	Main	Vance
Burrows	Frommelt	Mincks	Van Eaton
Campbell	Fulton	Nolan	Vincent
Coleman	Getting	O'Malley	Walker
Cowden	Griffin	Phelps	Walter
Dodds	Grimstead	Rigler	Wearin
Doran	Hansen	Schroeder	Wiley
Dykhouse	Hill	Shaff	Wilson
Elijah	Kyhl	Shivvers	

Nays, none.

Absent or not voting, 3:

Curran	Long	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 Wearin, Senate File 97, a bill for an act to amend chapter two hundred eighty-one point two (281.2), Code 1962, relating to children requiring special education, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wearin moved that the bill be read a third 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:

Benda	Doran	Getting	Lucken
Beneke	Dykhouse	Griffin	Main
Brown	Elijah	Grimstead	Mincks
Buck	Elthon	Hansen	Nolan
Burrows	Elvers	Hill	O'Malley
Campbell	Fisher	Kyhl	Phelps
Coleman	Flatt	Lisle	Rigler
Cowden	Frommelt	Lodwick	Schroeder
Dodds	Fulton	Long	Shaff

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Shivvers	Turner	Walker	Wiley
Shoeman	Van Eaton	Walter	Wilson
Stephens	Vincent	Wearin	

Nays, none.

Absent or not voting, 3:

Curran	Scott	Vance

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

On motion of Senator Dykhouse, Senate File 51, a bill for an act relating to county conservation boards, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Dykhouse asked and received unanimous consent that House File 14 be substituted for Senate File 51.

On motion of Senator Benda, House File 14, a bill for an act relating to county conservation boards and the powers of boards of supervisors and trustees of certain drainage districts, was taken up and considered.

Senator Hill offered the following amendment:

Amend House File 14 by adding thereto the following new sections:

1. Section one hundred eleven A point one (111A.1), Code 1962, is hereby amended by striking from line two (2) the word "conservation" and inserting in lieu thereof the word "recreation".

2. Section one hundred eleven A point two (111A.2), Code 1962, is hereby amended as follows:

a. By striking from line six (6) the word "conservation" and inserting in lieu thereof the word "recreation".

b. By striking from line nine (9) the word "conservation" and inserting in lieu thereof the word "recreation".

c. By striking from lines eleven (11) and twelve (12) the word "conservation" and inserting in lieu thereof the word "recreation".

d. By striking from line thirty-three (33) the word "conservation" and inserting in lieu thereof the word "recreation".

3. Section one hundred eleven A point three (111A.3), Code 1962, is hereby amended as follows:

a. By striking from lines fourteen (14) and fifteen (15) the word "conservation" and inserting in lieu thereof the word "recreation".

b. By striking from line nineteen (19) the word "conservation" and inserting in lieu thereof the word "recreation".

c. By striking from line twenty-three (23) the word "conservation" and inserting in lieu thereof the word "recreation".

4. Section one hundred eleven A point four (111A.4) Code 1962, is hereby amended as follows:

a. By striking from lines one (1) and two (2) the word "conservation" and inserting in lieu thereof the word "recreation".

b. By striking from line twelve (12) of subsection two (2) of such section the word "conservation" and inserting in lieu thereof the word "recreation".

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c. By striking from line thirteen (13) of subsection two (2) of such section the word "conservation" and inserting in lieu thereof the word "recreation".

d. By striking from line one (1) of subsection three (3) of such section the word "conservation" and inserting in lieu thereof the word "recreation".

e. By striking from line three (3) of subsection six (6) of such section the word "conservation" and inserting in lieu thereof the word "recreation".

5. Section one hundred eleven A point five (111A.5), Code 1962, is hereby amended by striking from line two (2) the word "conservation" and inserting in lieu thereof the word "recreation".

6. Section one hundred eleven A point six (111A.6), Code 1962, is hereby amended as follows:

a. By striking from line seven (7) the word "conservation" and inserting in lieu thereof the word "recreation".

b. By striking from lines fourteen (14) and fifteen (15) the word "conservation" and inserting in lieu thereof the word "recreation".

c. By striking from line twenty (20) the word "conservation" and inserting in lieu thereof the word "recreation".

d. By striking from lines twenty-two (22) and twenty-three (23) the word "conservation" and inserting in lieu thereof the word "recreation".

e. By striking from line twenty-five (25) the word "conservation" and inserting in lieu thereof the word "recreation".

f. By striking from lines twenty-five (25) and twenty-six (26) the word "conservation" and inserting in lieu thereof the word "recreation".

g. By striking from line thirty-seven (37) the word "conservation" and inserting in lieu thereof the word "recreation".

h. By striking from line forty-five (45) the word "conservation" and inserting in lieu thereof the word "recreation".

i. By striking from line fifty-two (52) the word "conservation" and inserting in lieu thereof the word "recreation".

j. By striking from line seventy-nine (79) the word "conservation" and inserting in lieu thereof the word "recreation".

k. By striking from lines seventy-nine (79) and eighty (80) the word "conservation" and inserting in lieu thereof the word "recreation".

l. By striking from lines one hundred eleven (111) and one hundred twelve (112) the word "conservation" and inserting in lieu thereof the word "recreation".

m. By striking from line one hundred twenty-seven (127) the word "conservation" and inserting in lieu thereof the word "recreation".

n. By striking from line one hundred twenty-nine (129) the word "conservation" and inserting in lieu thereof the word "recreation".

o. By striking from line one hundred fifty-six (156) the word "conservation" and inserting in lieu thereof the word "recreation".

7. Section one hundred eleven A point seven (111A.7), Code 1962, is hereby amended as follows:

a. By striking from lines one (1) and two (2) the word "conservation" and inserting in lieu thereof the word "recreation".

b. By striking from line six (6) the word "conservation" and inserting in lieu thereof the word "recreation".

c. By striking from lines fourteen (14) and fifteen (15) the word "conservation" and inserting in lieu thereof the word "recreation".

d. By striking from line twenty-seven (27) the word "conservation" and inserting in lieu thereof the word "recreation".

8. Section one hundred eleven A point eight (111A.8), Code 1962, is hereby amended by striking from line four (4) the word "conservation" and inserting in lieu thereof the word "recreation".

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Senator Dykhouse raised a point of order on the amendment as to whether or not it was germane to the bill.

Senator Dykhouse asked and received unanimous consent that action on House File 14 be deferred and that the bill be placed on the calendar under unfinished business.

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

EXECUTIVE SESSION

The Senate, in executive session, confirmed the following appointments:

Henry E. Carter of Burlington, Des Moines County, Iowa, as a member of the Iowa Employment Security Commission for the term ending June 30, 1969.

Waldo F. Wheeler of Des Moines, Polk County, Iowa, as a member of the Iowa Commerce Commission for the unexpired term ending June 30, 1963, and for the regular term ending June 30, 1967.

The Senate arose from executive session and resumed regular session.

BILLS ASSIGNED TO COMMITTEE

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

S. F. 181	Public health
S. F. 182	Industrial relations
S. F. 183	Industrial relations
S. F. 184	Industrial relations
S. F. 185	Judiciary 2
S. F. 186	Governmental affairs
S. F. 187	Banks, building and loan
H. F. 9	Transportation and highway safety
H. F. 46	Transportation and highway safety
H. F. 54	Industrial relations
H. F. 66	Judiciary 1
H. F. 93	Judiciary 1
H. F. 157	Appropriations
H. F. 175	Conservation

AMENDMENTS FILED

Amend Senate File 43 as follows:

1. Amend section 6, line 59, by striking the words "or the complainant".

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2. Further amend Senate File 43 by striking all of section 12.

JAKE B. MINCKS.

Amend House File 23, section 1 as follows:

Amend section 1, line 8, by striking the word "adjoin" and inserting in lieu thereof the words "are on".

MARTIN WILEY.

Amend Senate File 60 by adding the following new section:

"Sec. 12. Revenue bonds and revenues therefrom are exempt from state and local taxes."

C. S. VAN EATON.

Amend Senate File 37 by adding the following new section:

Sec. 2. Section three hundred sixty-two point thirty-one (362.31), Code 1962, is amended by inserting in line two (2), immediately following the word "territory", the words, ", located in any county, or in two or more counties lying contiguous to each other,".

ADOLPH ELVERS.

On motion of Senator Rigler, the Senate adjourned until 9:30 a.m., Thursday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 14, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend John A. Lewis, pastor of the First United Presbyterian Church, Lake City, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Wearin for the day on request of Senator Turner.

PETITIONS

By Senator Frommelt, from seventy-seven residents of Dubuque County opposing Sunday sales.

The following petitions, favoring liquor by the drink under license control, were received and placed on file by:

Senator Curran, from one hundred thirteen residents of Cerro Gordo County.

Senator Kyhl, from ten residents of Bremer County.

Senator Rigler, from ten residents of Bremer County.

Senator Scott, from six hundred sixty-one residents of Fayette County and from thirty-nine residents of Winneshiek County.

The following petitions, opposing liquor by the drink, were received and placed on file by:

Senator Curran, from thirteen residents of Cerro Gordo County.

Senator Fulton, from seventeen residents of Black Hawk County.

Senator Mincks, from fourteen residents of Wapello County.

Senator Walker, from seven residents of Hamilton County.

PRESENTATION OF VISITORS

Senator O'Malley asked and received unanimous consent to present to the Senate sixty students from the Benjamin Franklin Junior High School, Des Moines, who were present in the balcony accompanied by their instructors, Virginia Stover, Lily Ann Askegaard and Wayne A. Bowen.

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Senator Wiley asked and received unanimous consent to present to the Senate one hundred one students from the Marion High School who were present in the balcony accompanied by their instructor, Charles Boquist.

Senator Wiley asked and received unanimous consent to present to the Senate fifty students, members of the government class from the Cedar Rapids High School, who were present in the balcony accompanied by their instructor, Mr. Anderson.

Senator Flatt asked and received unanimous consent to present to the Senate twenty-eight students from the East Union Community School, Lorimor, accompanied by their instructor, James Ainslie.

Senator Beneke asked and received unanimous consent to present to the Senate thirty-five students, members of the government class of the Palmer Junior High School, who were present in the balcony accompanied by their instructors, Edna Stoltzfus and Gordon Felker.

INTRODUCTION OF BILLS

Senate File 188, by Senator Beneke, a bill for an act abolishing the special courses fund of school districts.

Read first and second times and passed on file.

Senate File 189, by Senators O'Malley, Nolan and Frommelt, a bill for an act to amend chapter one hundred fifty-seven (157), Code 1962, relating to cosmetology shop licenses.

Read first and second times and passed on file.

Senate File 190, by committee on conservation, a bill for an act to amend chapter one hundred six (106), Code 1962, relating to registration period for motorboats to be used in Iowa waters.

Read first and second times and placed on the calendar.

Senate File 191, by Senators Stephens, Scott, Van Eaton and Walter, a bill for an act relating to elections on bond issue proposals.

Read first and second times and passed on file.

Senate File 192, by Senators Dodds and Coleman, a bill for an act relating to compensation of appointive members of the marketing board.

Read first and second times and passed on file.

Senate File 193, by Senator Dodds, a bill for an act relating to compensation of the elected members of the fair board.

Read first and second times and passed on file.

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Senate File 194, by Senators Shoeman, Elthon, Turner, Long, Hansen, Walker, Walter and Lucken, a bill for an act relating to the creation of a single examining and licensing board for physicians and surgeons, osteopaths, and osteopathic physicians and surgeons and matters relating thereto.

Read first and second times and passed on file.

REPORT OF COMMITTEE

Senator Schroeder submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **House File 84**, a bill for an act to enable the executive council acting for the State of Iowa, to exchange real estate conveyances with Ellen M. Peterson, widow and heir of Harry A. Peterson, deceased, of Cerro Gordo County thereby placing on record correct descriptions of land occupied by the respective parties, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JACK SCHROEDER, *Chairman*.

Ordered passed on file.

Senator Shoeman called up the following resolution, moved its adoption and requested a roll call.

SENATE CONCURRENT RESOLUTION 10

By Appropriations Committee

Be It Resolved by the Senate, the House Concurring: That the following bils, authorized by legislative action, are hereby approved and ordered paid as provided by section two point twenty (2.20), Code 1962:

Des Moines Rubber Stamp Co., dater and badges (Senate)	$ 73.65
Ditto, Inc., paper and supplies (Senate)	24.06
Koch Bros., office equipment (Senate)	81.19
Carroll A. Lane, postage, telephone, supplies (Senate)	67.58
Office Machine Supply Co., 4 new typewriters (Senate)	640.00
Office Machine Supply Co., clean and repair typewriters (Senate)	379.15
Royal McBee Corporation, 4 new typewriters (Senate)	774.00
Storey Kenworthy Company, supplies (Senate)	42.50
Utica, jackets for pages (Senate)	172.70
Executive Council, supplies and postage (Senate)	414.29
William R. Kendrick, postage, keys, supplies (House)	100.00
Frankel Clothing Store, jackets for pages (House)	275.00
Des Moines Rubber Stamp Co., stamps and badges (House)	216.75
Executive Council, supplies and postage (House)	820.09
Electrolux Corporation, vacuum cleaner (Senate)	139.50
Storey Kenworthy Co., chairs for legislators (Joint)	1,248.00
Northwestern Bell Telephone Company, installation and service (Senate)	102.25
	$5,570.71

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.

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On the question "Shall the resolution be adopted?" the vote was:

Ayes, 48:

Benda	Elijah	Lisle	Shaff
Beneke	Elthon	Lodwick	Shivvers
Brown	Elvers	Long	Shoeman
Buck	Fisher	Lucken	Stephens
Burrows	Flatt	Main	Turner
Campbell	Frommelt	Mincks	Vance
Coleman	Fulton	Nolan	Van Eaton
Cowden	Getting	O'Malley	Vincent
Curran	Grimstead	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Schroeder	Wiley
Dykhouse	Kyhl	Scott	Wilson

Nays, none.

Absent or not voting, 2:

Griffin	Wearin

The resolution having received a constitutional majority was declared to have been adopted.

Senator Shoeman asked and received unanimous consent to take up the following bill.

THIRD READING OF BILLS

On motion of Senator Shoeman, House File 107, a bill for an act to make an additional transfer of fees, taxes, interest and penalties imposed under chapter four hundred twenty-two (422), Code 1962, to the division of motor vehicle registration of the department of public safety for the purpose of purchasing supplies and materials and for the cost of manufacture of motor vehicle registration plates at the prison industries, 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, 45:

Benda	Elvers	Lodwick	Shaff
Beneke	Fisher	Long	Shivvers
Brown	Flatt	Lucken	Shoeman
Buck	Frommelt	Main	Stephens
Campbell	Fulton	Mincks	Turner
Coleman	Getting	Nolan	Vance
Cowden	Grimstead	O'Malley	Van Eaton
Curran	Hansen	Phelps	Vincent
Dodds	Hill	Rigler	Walker
Doran	Kyhl	Schroeder	Walter
Dykhouse	Lisle	Scott	Wiley
Elthon			

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Nays, none.

Absent or not voting, 5:

Burrows	Griffin	Wearin	Wilson
Elijah			

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 Benda, House File 14, a bill for an act relating to county conservation boards and the powers of boards of supervisors and trustees of certain drainage districts, was taken up for further consideration.

Senator Dykhouse called up the point of order raised by him on the amendment filed by Senator Hill.

The Chair ruled the point well taken and the amendment out of order.

Senator Beneke offered the following amendment and moved its adoption:

Amend House File 14 as follows:

1. By adding the following paragraph at the end of section 2:

"Any agreement for such participation by or with a board of supervisors or trustees concerning drainage districts shall be in writing, shall be duly adopted by a resolution of the board of supervisors or trustees and shall be spread in its entirety upon the permanent records of the drainage district or districts affected.".

2. Amend section 3 by inserting after the word "charged" in line 5 the words "or assessed".

3. Further amend section 3, lines 5 and 6 by striking "outside this state".

The amendment was adopted.

Senator Benda moved that the bill be read a third 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:

Benda	Elijah	Lisle	Shaff
Beneke	Elthon	Lodwick	Shivvers
Brown	Elvers	Long	Shoeman
Buck	Fisher	Lucken	Stephens
Burrows	Flatt	Main	Turner
Campbell	Frommelt	Mincks	Vance
Coleman	Fulton	Nolan	Van Eaton
Cowden	Getting	O'Malley	Vincent
Curran	Grimstead	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Schroeder	Wiley
Dykhouse	Kyhl	Scott	Wilson

Nays, none.

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Absent or not voting, 2:
Griffin Wearin

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

Senator Benda asked and received unanimous consent that Senate File 51 be withdrawn from further consideration of the Senate.

THIRD READING OF BILLS

On motion of Senator Elvers, Senate File 7, a bill for an act to establish requirements for installation of bulk tanks on farms for milk produced for manufacturing purposes, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Beneke asked and received unanimous consent to withdraw the amendment filed by him and found on page 134 of the Senate Journal.

The following committee amendment was considered:

Amend Senate File 7 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Any producer using a bulk tank for cooling and storage of milk to be used for manufacturing purposes shall have an enclosed milk room which shall conform to the standards provided by this Act. The floor shall be constructed of concrete or other impervious material, maintained in good repair, and graded to provide proper drainage. The walls and ceilings of the room shall be sealed and constructed of smooth easily cleaned material. All windows shall be screened and doors shall be self-closing. It shall be well ventilated and must meet the following requirements:

1. The bulk tank shall not be located over a drain or under a ventilator.
2. The hose port shall be located in an exterior wall and fitted with a tight self-closing door.
3. A two hundred twenty (220) volt lock type electrical connection with ground and weatherproof type receptacle and switchbox shall be provided near the hose port.
4. Each milk room shall have an adequate supply of water readily accessible with facilities for heating the water, to insure the cleaning and sanitizing of the bulk tank, utensils and equipment and the keeping of the milk room clean.
5. No lights shall be placed directly over the bulk tank.
6. The bulk tank shall be properly located in the milk room for easy access to all areas for cleaning and servicing.
7. This Act shall become effective July 4, 1963, for all subsequent installations of bulk tanks for milk produced for manufacturing purposes.
8. On and after July 1, 1965, all bulk tank installations existing prior to July 4, 1963, must comply with the provisions of this Act.
9. The enforcement of this Act shall be administered by the Iowa department of agriculture.
10. Any person violating any provision of this Act shall be punished by a fine of not more than fifty dollars ($50.00)."

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On motion of Senator Elvers, the amendment was adopted.

Senator Elvers moved that the bill be read a third 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:

Benda	Elthon	Long	Shivvers
Beneke	Elvers	Lucken	Stephens
Buck	Fisher	Main	Van Eaton
Coleman	Flatt	Mincks	Vincent
Cowden	Grimstead	O'Malley	Walker
Curran	Hill	Phelps	Walter
Dodds	Kyhl	Rigler	Wiley
Dykhouse	Lisle	Schroeder	Wilson
Elijah	Lodwick		

Nays, 10:

Brown	Doran	Nolan	Shaff
Burrows	Fulton	Scott	Shoeman
Campbell	Hansen		

Absent or not voting, 5:

Griffin	Turner	Vance	Wearin
Getting			

Voting present, 1:

Frommelt

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

Senator Elvers asked unanimous consent that Senate File 7 be immediately messaged to the House.

Objection was raised.

Senator Elvers moved that Senate File 7 be immediately messaged to the House, which motion prevailed, and the request was complied with.

On motion of Senator Curran, Senate File 89, a bill for an act to enable the executive council acting for the State of Iowa, to exchange real estate conveyances with Ellen M. Peterson, widow and heir of Harry A. Peterson, deceased, of Cerro Gordo County, thereby placing on record correct descriptions of lands occupied by the respective parties, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Curran asked and received unanimous consent that House File 84 be substituted for Senate File 89.

On motion of Senator Curran, House File 84, a bill for an act to enable the executive council acting for the State of Iowa, to exchange real estate conveyances with Ellen M. Peterson, widow and heir of

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Harry A. Peterson, deceased, of Crro Gordo County, thereby placing on record correct descriptions of lands occupied by the respective parties, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Curran moved that the bill be read a third 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:

Benda	Elthon	Lisle	Scott
Brown	Elvers	Lodwick	Shaff
Buck	Fisher	Long	Shivvers
Burrows	Flatt	Lucken	Shoeman
Campbell	Frommelt	Main	Stephens
Coleman	Fulton	Mincks	Van Eaton
Cowden	Getting	Nolan	Vincent
Curran	Grimstead	O'Malley	Walker
Dodds	Hansen	Phelps	Walter
Doran	Hill	Rigler	Wiley
Dykhouse	Kyhl	Schroeder	Wilson
Elijah			

Nays, none.

Absent or not voting, 5:

Beneke	Turner	Vance	Wearin
Griffin			

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

Senator Curran asked and received unanimous consent that Senate File 89 be withdrawn from further consideration of the Senate.

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

The Senate arose from executive session and resumed regular session.

On motion of Senator Rigler, the Senate stood at ease until the fall of the gavel.

The Senate reconvened, President Mooty presiding.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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-

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ports that it has examined and finds correctly enrolled: Senate File 24, Senate Joint Resolution 4, and House Files 15 and 16.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 24, Senate Joint Resolution 4, and House Files 15 and 16.

BILLS SENT TO THE GOVERNOR

Senator Benda, 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 February, 1963, sent to the Governor for his approval: Senate File 24 and Senate Joint Resolution 4.

KENNETH BENDA, *Chairman.*

Passed on file.

ANNOUNCEMENT

At the request of the members of the press, Senator Rigler announced that the Biennial Newspapermen's Legislative Award dinner will be held at the Fort Des Moines Hotel at 6:00 p.m., Wednesday, April 23, 1963.

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

House File 173, a bill for an act relating to retirement systems for policemen and firemen.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File 173, a bill for an act to amend chapter four hundred eleven (411), Code 1962, relating to retirement systems for policemen and firemen.

Read first and second times and passed on file.

REPORTS OF COMMITTEES

Senator Dykhouse submitted the following report:

MR. PRESIDENT: Your committee on conservation to which was referred

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Senate File 19, a bill for an act to provide for establishment of water recreational areas and facilities normally associated therewith, 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 Beneke on February 4, and found on page 169 of the Senate Journal, and when so amended the bill do pass.**

J. T. DYKHOUSE, *Chairman.*

Ordered passed on file.

Senator Nolan submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **Senate File 15**, a bill for an act to make a license a right, begs leave to report it has had the same under consideration and recommends the same **do pass.**

D. C. NOLAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **Senate File 54**, a bill for an act requiring that the cause of death and attending physician's name be typewritten or legibly printed on all death certificates, begs leave to report it has had the same under consideration and recommends the same **do pass.**

D. C. NOLAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **Senate File 139**, a bill for an act relating to bail, begs leave to report it has had the same under consideration and recommends the same **do pass.**

D. C. NOLAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **Senate File 148**, a bill for an act to waive immunity of the State of Iowa from any action at law or in equity brought to enforce, or to determine a controversy arising out of any contract in which the Iowa State Highway Commission is a party and to prescribe the venue, the manner of service of notice thereof and time limitation for taking action, begs leave to report it has had the same under consideration and recommends the same **do pass.**

D. C. NOLAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **Senate File 178**, a bill for an act to amend section four hundred fifty point seven (450.7), Code 1962, relating to liens for inheritance taxes and prescribing the duration thereof, begs leave to report it has had the same under consideration and recommends the same **do pass.**

D. C. NOLAN, *Chairman.*

Ordered passed on file.

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Senator Buck submitted the following report:

MR. PRESIDENT: Your committee on social security to which was referred **Senate File 21**, a bill for an act relating to foster care services for children, begs leave to report it has had the same under consideration and recommends the same **do pass.**

HOWARD C. BUCK, *Chairman.*

Ordered passed on file.

Senator Schroeder submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **Senate File 117**, a bill for an act relating to the ownership of individual apartment units, 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 O'Malley and found on page 204 of the Senate Journal, and when so amended, the bill do pass.**

JACK SCHROEDER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **Senate File 149**, a bill for an act to legalize the proposed sale of certain real estate owned by the County of Cerro Gordo, State of Iowa, and to authorize conveyance of legal title thereto, 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 Curran and found on page 209 of the Senate Journal, and when so amended, the bill do pass.**

JACK SCHROEDER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **Senate File 176**, a bill for an act to legalize the proposed sale of certain real estate owned by the City of Cedar Falls, County of Black Hawk, State of Iowa, and to authorize conveyance of legal title thereto, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACK SCHROEDER, *Chairman.*

Ordered passed on file.

Senator Grimstead submitted the following report:

MR. PRESIDENT: Your committee on governmental affairs to which was referred **House Joint Resolution 1**, a joint resolution proposing a constitutional amendment relating to constitutional convention, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACOB GRIMSTEAD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on governmental affairs to which was referred **House File 11**, a bill for an act relating to notice for public hearing on county zoning changes, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACOB GRIMSTEAD, *Chairman.*

Ordered passed on file.

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Also:

MR. PRESIDENT: Your committee on governmental affairs to which was referred **House File 22**, a bill for an act relating to the duties of county recorders, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JACOB GRIMSTEAD, *Chairman*.

Ordered passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on February 14, 1963, the Governor had approved the following bills:

Senate Joint Resolution 4, relating to an appropriation to the Board of Control over and above its usual appropriation, sufficient funds from the general fund of the State of Iowa to be used for the purchase of real estate located in Jasper County which is to be used as a prison honor farm.

Senate File 24, relating to the proceedings of the board of directors of the HLV Community School District, in the Counties of Iowa and Poweshiek, State of Iowa.

ADDITIONAL COPIES

Senator Turner asked and received unanimous consent to have 500 copies of Senate File 11 as passed by the Senate printed.

Senator Elvers asked and received unanimous consent to have 500 copies of Senate File 7 (as passed by the Senate) printed.

AMENDMENTS FILED

Amend Senate File 84 by striking from line 6 the words "it to" and inserting in lieu thereof the words "whether or not it".

JACOB GRIMSTEAD.

On motion of Senator Rigler, the Senate adjourned until 9:30 a.m., Friday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 15, 1968.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Calvin Caughey, pastor of the Baptist Church, Bedford, Iowa.

PETITIONS

By Senator Kyhl, from thirty-five residents of Grundy County favoring proposed legislation relating to increase in pensions under the retirement system for policemen and firemen.

By Senator Schroeder, from nine residents of Scott County favoring school bus transportation for all children.

The following petitions, favoring liquor by the drink under license control, were received and placed on file by:

Senator Elvers, from three hundred forty-six residents of Clayton County.

Senator Fulton, from one hundred eight residents of Black Hawk County.

Senator Lisle, from twenty-seven residents of Fremont County.

Senator Schroeder, from four residents of Scott County.

Senator Van Eaton, from fifteen residents of Woodbury County.

The following petitions, opposing liquor by the drink, were received and placed on file by:

Senator Dodds, from fifty-two residents of Des Moines County.

Senator Long, from twenty-two residents of Buchanan County.

Senator Shivvers, from twenty-four residents of Marion County.

Senator Walker, from eighty-three residents of Hamilton County.

PRESENTATION OF VISITORS

Senator Elijah rose on a point of personal privilege and presented to the Senate the Honorable D. A. Donohue, a former member of the House of Representatives from Cedar County, who was present in the Senate chamber.

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President Mooty announced the arrival in the Senate chamber of Deputy Chairman Forestry Commission, The Earl Waldegrave and Lady Waldegrave from England. He recently joined Parliament as a member of the House of Lords, is also Under Secretary of Agriculture, and is in Des Moines attending the National Farm Institute.

INTRODUCTION OF BILLS

Senate File 195, by committee on judiciary 2, a bill for an act to amend sections five hundred thirty-five point two (535.2) and five hundred thirty-five point three (535.3), Code 1962, relating to the rate of interest which domestic or foreign corporations may contract in writing to pay and interest on judgments and decrees.

Read first and second times and placed on the calendar.

Senate File 196, by Senators Buck, Long, Fulton, Beneke, Frommelt, Vance, Doran, Elijah, Mincks, Wiley and Van Eaton, a bill for an act relating to the salaries and duties of county attorneys.

Read first and second times and passed on file.

Senate Joint Resolution 15, by Senators Rigler and Frommelt, a joint resolution proposing to amend Article three (III) of the Constitution of the State of Iowa to provide home rule for city and town governments.

Read first and second times and passed on file.

THIRD READING OF BILLS

On motion of Senator Frommelt, Senate File 35, a bill for an act to amend chapter eleven (11), Code 1962, relating to county, municipal and school examiners' and their assistants' salaries, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Frommelt moved that the bill be read a third 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:

Buck	Elthon	Lodwick	Stephens
Burrows	Elvers	Long	Turner
Campbell	Frommelt	Lucken	Vance
Coleman	Fulton	Main	Van Eaton
Cowden	Getting	Mincks	Vincent
Curran	Griffin	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shivvers	Wilson
Elijah	Lisie	Shoeman	

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Nays, none.

Absent or not voting, 11:

Benda	Fisher	Nolan	Shaff
Beneke	Flatt	O'Malley	Wearin
Brown	Grimstead	Schroeder	

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

On motion of Senator Elvers, Senate File 37, a bill for an act relating to the annexation of territory to cities and towns, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Turner asked and received unanimous consent that action on Senate File 37 be deferred and that the bill be placed on the calendar under unfinished business.

On motion of Senator Hansen, Senate File 81, a bill for an act relating to audits of cities and towns, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hansen 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 Getting, Senate File 87, a bill for an act relating to infectious and contagious diseases among animals, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Getting moved that the bill be read a third 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:

Buck	Elthon	Lisle	Shoeman
Burrows	Elvers	Lodwick	Stephens
Campbell	Flatt	Long	Turner
Coleman	Frommelt	Lucken	Vance
Cowden	Fulton	Main	Van Eaton
Curran	Getting	Mincks	Vincent
Dodds	Griffin	Phelps	Walker
Doran	Hansen	Rigler	Walter
Dykhouse	Hill	Scott	Wiley
Elijah	Kyhl	Shivvers	Wilson

Nays, none.

Absent or not voting, 10:

Benda	Fisher	O'Malley	Shaff
Beneke	Grimstead	Schroeder	Wearin
Brown	Nolan		

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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 Long, Senate File 105, a bill for an act to amend certain sections of the subdistricts of soil conservation districts law, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 40:

Buck	Elthon	Lisle	Shivvers
Burrows	Elvers	Lodwick	Shoeman
Campbell	Flatt	Long	Stephens
Coleman	Frommelt	Lucken	Turner
Cowden	Fulton	Main	Vance
Curran	Getting	Mincks	Van Eaton
Dodds	Griffin	Nolan	Vincent
Doran	Hansen	Phelps	Walter
Dykhouse	Hill	Rigler	Wiley
Elijah	Kyhl	Scott	Wilson

Nays, none.

Absent or not voting, 10:

Benda	Fisher	Schroeder	Walker
Beneke	Grimstead	Shaff	Wearin
Brown	O'Malley		

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

On motion of Senator Lucken, Senate File 124, a bill for an act relating to refund of tax on special fuel consumed in the operation of corn shellers, roller mills and feed grinders mounted on trucks, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Lucken offered the following amendment and moved its adoption:

Amend Senate File 124 as follows:

1. By inserting the following after the word "trucks" in line 6 of section 1:

"and auxiliary unloading devices mounted on or about vehicles".

The amendment was adopted.

The following committee amendment was considered:

Amend Senate File 124 by adding the following as a new section:

"This Act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Le Mars Daily Sentinel, a newspaper published at Le Mars, Iowa, and in the Marshalltown Times-Republican, a newspaper published at Marshalltown, Iowa.

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On motion of Senator Elijah, the committee amendment was adopted.

Senator Lucken offered the following amendment and moved its adoption:

Amend the title to Senate File 124, line 3, by inserting after the word "trucks" the following: "and auxiliary unloading devices mounted on or about vehicles".

The amendment was adopted.

Senator Lucken moved that the bill be read a third 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:

Burrows	Elthon	Kyhl	Shivvers
Campbell	Elvers	Lisle	Shoeman
Coleman	Flatt	Lodwick	Stephens
Cowden	Getting	Lucken	Van Eaton
Dodds	Griffin	Main	Vincent
Doran	Grimstead	Nolan	Walker
Dykhouse	Hansen	Phelps	Walter
Elijah	Hill	Rigler	Wilson

Nays, 7:

Buck	Fulton	Scott	Wiley
Frommelt	Mincks	Turner	

Absent or not voting, 9:

Benda	Fisher	O'Malley	Shaff
Beneke	Long	Schroeder	Wearin
Brown			

Voting present, 2:

Curran	Vance

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 Hansen, Senate File 73, a bill for an act relating to the assessment of shares of mutual funds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Turner offered the following amendment and moved its adoption:

Amend Senate File 73 as follows:
By striking in line 4 the words "first day of January of each year" and inserting in lieu thereof the words "last trading day of the preceding year".

The amendment was adopted.

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

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

Ayes, 41:

Buck	Elvers	Lodwick	Shoeman
Burrows	Flatt	Long	Wilson
Campbell	Fulton	Lucken	Stephens
Colleman	Getting	Main	Turner
Cowden	Griffin	Mincks	Vance
Curran	Grimstead	Nolan	Van Eaton
Dodds	Hansen	Phelps	Vincent
Doran	Hill	Rigler	Walker
Dykhouse	Kyhl	Scott	Walter
Elijah	Lisle	Shivvers	Wiley
Elthon			

Nays, none.

Absent or not voting, 9:

Benda	Fisher	O'Malley	Shaff
Beneke	Frommelt	Schroeder	Wearin
Brown			

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

Senator Rigler asked and received unanimous consent that the following bills be taken up out of order:

On motion of Senator Curran, Senate File 149, a bill for an act to legalize the proposed sale of certain real estate owned by the County of Cerro Gordo, State of Iowa, and to authorize conveyance of legal title thereto, with report of committee recommending amendment in accordance with the amendment filed by Senator Curran and found on page 209 of the Senate Journal, and passage, was taken up, considered, and the report of the committee adopted.

Senator Curran offered the following amendment and moved its adoption:

Amend Senate File 149 as follows:

1. By striking the comma (,) after the word "Patrol" in line 14 of section 1.

The amendment was adopted.

Senator Curran moved that the bill be read a third 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:

Buck	Doran	Griffin	Lucken
Burrows	Dykhouse	Grimstead	Main
Campbell	Elthon	Hansen	Mincks
Coleman	Elvers	Hill	Nolan
Cowden	Flatt	Kyhl	Phelps
Curran	Fulton	Lisle	Rigler
Dodds	Getting	Lodwick	Scott

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Shivvers	Turner	Vincent	Wiley
Shoeman	Vance	Walker	Wilson
Stephens	Van Eaton	Walter	

Nays, none.

Absent or not voting, 11:

Benda	Elijah	Long	Shaff
Beneke	Fisher	O'Malley	Wearin
Brown	Frommelt	Schroeder	

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

On motion of Senator Fulton, Senate File 176, a bill for an act to legalize the proposed sale of certain real estate owned by the City of Cedar Falls, County of Black Hawk, State of Iowa, and to authorize conveyance of legal title thereto, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Fulton moved that the bill be read a third 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:

Buck	Elthon	Lucken	Stephens
Burrows	Elvers	Main	Turner
Campbell	Fulton	Mincks	Vance
Coleman	Getting	Nolan	Van Eaton
Cowden	Griffin	Phelps	Vincent
Curran	Hansen	Rigler	Walker
Dodds	Hill	Scott	Walter
Doran	Kyhl	Shivvers	Wiley
Dykhouse	Lisle	Shoeman	Wilson
Elijah	Lodwick		

Nays, none.

Absent or not voting, 12:

Benda	Fisher	Grimstead	Schroeder
Beneke	Flatt	Long	Shaff
Brown	Frommelt	O'Malley	Wearin

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

Senator Benda submitted the following report and moved its adoption:

REPORT OF COMMITTEE ON MEMORIAL RESOLUTIONS

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:

Frank C. Byers, Linn County

I. G. Chrystal, Carroll County

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John Gray, Mahaska County
Harry Samuel Love, Adair County
J. Kendall Lynes, Bremer County
Fred Maytag II, Jasper County
Clifford N. Nystrom, Boone County
John M. Slosson, Worth County
Clyde H. Topping, Des Moines County
Francis A. Turner, Adams County

KENNETH BENDA, *Chairman.*
EARL ELIJAH.
R. O. BURROWS.

The motion prevailed and the report was adopted.

President Mooty announced the appointment of the following committees:

SENATORS	MEMORIAL RESOLUTION COMMITTEES
Frank C. Byers	Martin Wiley Irving D. Long R. O. Burrows
I. G. Chrystal	Peter F. Hansen Donald G. Beneke Charles F. Griffin
John Gray	John L. Campbell Kenneth Benda Vera H. Shivvers
Harry Samuel Love	Joseph B. Flatt Harry L. Cowden John D. Shoeman
J. Kendall Lynes	Vernon Kyhl Robert R. Rigler George L. Scott
Fred Maytag II	D. C. Nolan Eugene M. Hill J. T. Dykhouse
Clifford N. Nystrom	Harry L. Cowden C. Joseph Coleman John A. Walker
John M. Slosson	Leo Elthon Jacob Grimstead Leigh R. Curran
Clyde H. Topping	Robert R. Dodds Clifford M. Vance Seeley G. Lodwick
Francis A. Turner	Edward A. Wearin Orval C. Walter John D. Shoeman

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

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MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files 67, 84 and 107.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 67, 84 and 107.

AMENDMENTS FILED

Amend Senate File 19 as follows:

1. Amend section 3, by striking all of subsection 8 and inserting in lieu thereof the following:

"Sec. 4. A copy of the petition and such applications, plans, and specifications as are required under the provisions of chapter four hundred fifty-five A (455A) of the Code shall be filed with the Iowa natural resources council and any approval or permit required thereunder shall be obtained prior to the establishment of said water recreational area or the granting of a permit therefor by the state conservation commission."

2. Further amend Senate File 19 by renumbering the remaining sections.

LEROY GETTING.

Amend Senate File 92 as follows:

1. Section 3, line 6, by inserting after the word "husbandry" the words "or household appliances".

2. Further amend Senate File 92 by adding the following new sections:

A. "Section four hundred twenty-two point forty-five (422.45), Code 1962, is hereby amended by adding the following new subsection:

'That part of the gross receipts from the sale of household appliances which represents trade-in allowances to purchasers of household appliances in sales in Iowa.'."

B. "Section four hundred twenty-two point forty-two (422.42), Code 1962, is hereby amended by adding thereto the following new subsection:

'Household appliance means every piece of equipment ordinarily used in the home and which is operated by the use of gas, oil, electricity or any combination thereof.'."

LEIGH R. CURRAN.

On motion of Senator Rigler, the Senate adjourned until 10:00 a.m., Monday, February 18, 1963.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 18, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Wilbur Fisher, assistant pastor of the Central Lutheran Church, Des Moines, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Fisher for the day on request of Senator Shoeman.

PETITIONS

By Senator Benda, from twenty-one residents of Poweshiek County urging legislation prohibiting the manufacture and sale of adulterated or deleterious meat and meat products, and regulating labeling and advertising thereon.

By Senator Burrows, from twenty-four residents of Tama County opposing taxation of fraternal beneficiary associations.

By Senator O'Malley, from ninety-nine residents of Polk County favoring legislation relating to increase in pensions under the retirement system for policemen and firemen.

The following petitions, favoring liquor by the drink under license control, were received and placed on file by:

Senator Brown, from forty-three residents of Kossuth County.

Senator Elijah, from fifty residents of Cedar County.

Senator Frommelt, from one hundred fifty residents of Dubuque County.

Senator Lisle, from thirteen residents of Page County.

Senator Nolan, from fifteen residents of Johnson County.

Senator O'Malley, from seventy-five residents of Polk County.

Senator Van Eaton, from eleven residents of Woodbury County.

The following petitions, opposing liquor by the drink, were received and placed on file by:

Senator Beneke, from twenty-five residents of Pocahontas County.

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Senator Cowden, from thirty-six residents of Dallas County.

Senator Curran, from two hundred seven residents of Cerro Gordo County.

Senator Dodds, from thirteen residents of Des Moines County.

Senator Doran, from seventy-nine residents of Story County.

Senator Kyhl, from seventy-nine residents of Grundy County.

Senator Shoeman, from thirty-nine residents of Shelby County.

Senator Van Eaton, from sixty-four residents of Woodbury County.

Senator Walker, from twenty-six residents of Hardin County.

PRESENTATION OF OF VISITORS

Senator Curran asked and received unanimous consent to present to the Senate twenty-three students, members of the senior government class of the Goldfield High School, who were present in the balcony accompanied by their superintendent, Alvin F. Huisman, and their instructor, Dixey Morrison.

INTRODUCTION OF BILLS

Senate File 197, by Senators Curran and Dykhouse, a bill for an act to repeal the tax on moneys and credits except that tax necessary to retire Korean veterans' bonus bonds.

Read first and second times and passed on file.

Senate File 198, by Senator Hill, a bill for an act to amend chapter one hundred eleven A (111A), Code 1962, to change the name county conservation board to county recreation board.

Read first and second times and passed on file.

Senate File 199, by Senators Wiley and O'Malley, a bill for an act to provide for the reservation of right-of-way for future streets and providing for relief in cases of undue hardships caused by right-of-way reservation.

Read first and second times and passed on file.

Senate File 200, by Senator Wiley, a bill for an act relating to matching funds for interstate highways.

Read first and second times and passed on file.

Senate File 201, by Senator Brown, a bill for an act relating to annual reports on trusts established for pre-arranged funeral plans.

Read first and second times and passed on file.

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Senate File 202, by committee on schools and educational institutions, a bill for an act to amend section two hundred sixty point twenty-three (260.23), Code 1962, relating to revocation of certificates.

Read first and second times and placed on the calendar.

UNFINISHED BUSINESS

On motion of Senator Elvers, Senate File 37, a bill for an act relating to the annexation of territory to cities and towns, was taken up for further consideration.

Senator Van Eaton asked and received unanimous consent to withdraw the committee amendment.

Senator Elvers offered the following amendment and moved its adoption:

Amend Senate File 37 by adding the following new section:

Sec. 2. Section three hundred sixty-two point thirty-one (362.31), Code 1962, is amended by inserting in line two (2), immediately following the word "territory", the words, ", located in any county, or in two or more counties lying contiguous to each each other,".

The amendment was adopted.

Senator Elvers moved that the bill be read a third 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:

Benda	Elthon	Long	Stephens
Beneke	Elvers	Lucken	Turner
Brown	Flatt	Main	Vance
Burrows	Frommelt	Mincks	Van Eaton
Campbell	Getting	O'Malley	Vincent
Coleman	Grimstead	Phelps	Walker
Cowden	Hansen	Rigler	Walter
Curran	Hill	Scott	Wearin
Dodds	Kyhl	Shaff	Wiley
Doran	Lisle	Shivvers	Wilson
Dykhouse	Lodwick	Shoeman	

Nays, none.

Absent or not voting, 7:

Buck	Fisher	Griffin	Schroeder
Elijah	Fulton	Nolan	

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

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THIRD READING OF BILLS

On motion of Senator Van Eaton, Senate File 146, a bill for an act relating to approval of plats in cities and towns and to expressly authorize improvement bonds for the protection of the public, 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:

Benda	Elthon	Lisle	Shivvers
Beneke	Elvers	Lodwick	Shoeman
Brown	Flatt	Long	Stephens
Buck	Frommelt	Lucken	Turner
Burrows	Fulton	Main	Vance
Campbell	Getting	Mincks	Van Eaton
Coleman	Griffin	O'Malley	Walker
Cowden	Grimstead	Phelps	Walter
Curran	Hansen	Rigler	Wearin
Dodds	Hill	Scott	Wiley
Doran	Kyhl	Shaff	Wilson
Dykhouse			

Nays, none.

Absent or not voting, 5:

Elijah	Nolan	Schroeder	Vincent
Fisher			

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

On motion of Senator Wearin, Senate File 174, a bill for an act to define the residence requirement for policemen and firemen under municipal civil service and to amend section three hundrd sixty-five point seventeen (365.17), Code 1962, relating thereto, was taken up and considered.

Senator Wearin moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shoeman
Beneke	Elvers	Long	Stephens
Brown	Flatt	Lucken	Turner
Buck	Frommelt	Main	Vance
Burrows	Fulton	Mincks	Van Eaton
Campbell	Getting	O'Malley	Vincent
Coleman	Griffin	Phelps	Walker
Cowden	Grimstead	Rigler	Walter
Curran	Hansen	Scott	Wearin
Dodds	Hill	Shaff	Wiley
Doran	Kyhl	Shivvers	Wilson
Dykhouse	Lisle		

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Nays, none.

Absent or not voting, 4:

Elijah	Fisher	Nolan	Schroeder

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

On motion of Senator Lucken, Senate File 177, a bill for an act to give the superintendents of the hospitals for the mentally ill authority to designate a qualified person to examine prisoners believed to be mentally ill, was taken up and considered.

Senator Grimstead moved that the bill be read a third 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:

Benda	Elvers	Lodwick	Shivvers
Brown	Flatt	Long	Shoeman
Buck	Frommelt	Lucken	Vance
Burrows	Fulton	Main	Van Eaton
Campbell	Griffin	Mincks	Vincent
Coleman	Grimstead	O'Malley	Walter
Cowden	Hansen	Phelps	Wearin
Curran	Hill	Rigler	Wiley
Dodds	Lisle	Scott	Wilson
Dykhouse			

Nays, 7:

Beneke	Elthon	Kyhl	Turner
Doran	Getting	Stephens	

Absent or not voting, 5:

Elijah	Nolan	Schroeder	Walker
Fisher			

Voting present, 1:

Shaff

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

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 Sergeant-at-Arms.

JOINT CONVENTION

In accordance with law and Senate Concurrent Resolution 6 duly adopted, the joint convention was called to order, President Mooty presiding.

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

Senator Rigler of Chickasaw moved that a committee of five be appointed to notify Governor Harold E. Hughes, Mr. James E. Powers, National Commander of The American Legion, Macon, Georgia, Mr. Don Birkett, State Department Commander, and Mr. John Moore, National Committeeman of The American Legion for Iowa, that the joint convention was ready to receive them.

Motion prevailed and the President appointed Senator Benda of Poweshiek and Senator Flatt of Madison on the part of the Senate and Representatives LeRoy Chalupa of Jefferson, James Briles of Adams and Elmer Lange of Sac on the part of the House.

The committee waited upon Governor Harold E. Hughes, Mr. James E. Powers, Mr. Don Birkett and Mr. John Moore and escorted them to the Speaker's station.

The color guard advanced the colors.

President Mooty presented to the joint convention fifty-five members of the Y. M. C. A. Boys Chorus and Bell Ringers and their director, Mrs. Marlow Cowan, and pianist, Mr. Marlow Cowan. The Bell Choir sang five numbers, concluding with "The Battle Hymn of the Republic."

President Mooty expressed the appreciation of the members of the legislature and guests to the Y. M. C. A. Chorus and Mr. and Mrs. Cowan for appearing at the joint convention.

President Mooty presented to the joint convention Governor Harold E. Hughes.

President Mooty presented to the joint convention the Honorable James Briles who presented Mr. Don Birkett, State Department Commander, and Mr. John Moore, National Committeeman of The American Legion for Iowa.

The Honorable James Briles presented the Honorable Frances G. Hakes, Past National Vice President of the American Legion Auxiliary, who presented Mrs. H. P. Balks, Hull, Iowa, Department President of the American Legion Auxiliary, and three Past Department Presidents: Mrs. G. M. Brown, Whiting, Iowa, Mrs. R. P. Monk, Sheldon, Iowa, and Mrs. R. H. Wheat, Waukon, Iowa.

President Mooty presented to the joint convention the Honorable Kenneth Benda who presented Mr. James E. Powers, National Commander of The American Legion, preceded by the following remarks:

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GOVERNOR HUGHES, LIEUTENANT GOVERNOR MOOTY, LEGISLATORS, LADIES AND GENTLEMEN:

It gives me great personal pleasure to introduce to you the man who has been chosen by his fellow American Legionnaires to lead the world's largest veterans' organization.

The National Commander of The American Legion does not occupy any official position in the affairs of state. As leader of an organization of some two and three-quarter million veterans of World War I, World War II, and the Korean conflict, he is a man whose advice and counsel on matters of national government are widely sought and highly valued.

The man who accepts the position of National American Legion Commander is, without question, a true and dedicated patriot devoted to the ideals upon which this republic was founded. If he were not this type of individual, his fellow Legionnaires would never have elected him to represent them.

Born and reared in Georgia, a veteran of World War II, our speaker is a man with firm convictions that the American way of life and our form of government are the best ever devised by man under the guidance of God.

I am pleased and proud to present to you the gentleman from Georgia, Mr. James E. Powers, National Commander of The American Legion.

Mr. James E. Powers, National Commander of The American Legion, addressed the joint convention as follows:

On behalf of The American Legionnaires of this great state, and Legionnaires everywhere, I am deeply grateful for the honor you have accorded the Legion in taking time from your crowded schedules, and a moment away from the weighty problems of state government, to permit me to speak briefly with you today.

It is gratifying to me to know that I can appear in the legislative halls of any of the fifty states and, on behalf of the leaders and members of The American Legion in any given state, say a sincere and heartfelt "thank you" for the many services that every state legislature has rendered to the veteran population, and to all of its citizens.

From years of personnel experience with groups such as this, I know that your compensation for the long and tedious hours which you devote to making your communities and your state better places in which to live must come from beyond the mere monetary rewards which you receive.

You must be motivated by a sincere desire to serve, and in this respect I assure you that you find kindred spirits among The American Legionnaires of this state.

The Legion, by virtue of its Constitution, is non-political in nature, but we do not surrender our interest in public affairs, nor any of the rights and responsibilities of adult citizenship because of our organizational membership. Quite the contrary—our interest is heightened and our sense of citizenship responsibility sharpened because we are American Legionnaires.

We know that many of the accomplishments of The Legion over the years would have been utterly impossible without the excellent working relationships which exist between The Legion and the Congress of the United States and the several state legislatures.

We believe that you, our chosen representatives at all levels of government, want to hear from us and from all of your constituents, for we believe that you want to serve the will of the people, and unless that will is made known to you—you are without guidance.

Therefore, there exists the mutual responsibility between those who serve, and those whom we serve, to keep the channels of communication open and to use those channels.

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The American Legion never has been guilty of failure to express its wishes, and when and if that day should arrive I believe we will have outlived our usefulness as an organization, and as individuals we shall have forfeited one of man's most priceless possessions—the right of self-government. We do not propose to let that happen.

When The American Legion proposes, or lends its support to, any given piece of legislation, it is only after careful consideration of all aspects of the problem, with the final decision based upon whether or not we believe the measure to be for the good of the nation, and germane to the programs and in keeping with the policies of The American Legion.

While the vast majority of the Legion's legislative program is carried on at the national level, it involves many matters of concern to both state and local governmental units. When you consider that some 643 resolutions came before our 1962 National Convention, and that the 1962-63 program of the Legion evolved primarily from Convention action, you know that some of those must involve state and local legislation, and action.

The Civil Defense program is an example of specifics in this field, for while you look to the federal government for advice and guidance, the actual implementation of the program is a matter to be decided by each state and local community. Perpetuation of high school R. O. T. C. programs also falls into this category, barring a change in policy at the national level.

These are but isolated examples of the broad and complex program of legislation which The Legion seeks to advance, and which we know would be impossible of achievement in the absence of a fine working relationship with our lawmakers.

Again, may we thank you for the splendid cooperation you always have given to us, and we are confident that we may serve together in this same spirit of cooperation in the years ahead.

The American Legion was paid high tribute during our 1962 Convention by the distinguished soldier-statesman General Lucius D. Clay, who said, if the United States "had followed more closely the views and recommendations of The American Legion with respect to foreign policy over the years, our position in the world would be stronger than it is."

We trust that the same accolade holds true with respect to domestic affairs, for our objective always is service to God and country, and to our fellow man—and we know that yours is the same.

President Mooty thanked Mr. Powers for taking time from his busy schedule to appear before the joint convention.

The committee previously appointed came forward and escorted Governor Harold E. Hughes, Mr. James E. Powers, Mr. Don Birkett and Mr. John Moore from the House chamber.

The color guard retired the colors.

Mowry of Marshall moved that the joint convention be now dissolved.

The motion prevailed.

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

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REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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 14.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 14.

REPORTS OF COMMITTEE

Senator Wiley submitted the following report:

MR. PRESIDENT: Your committee on highways to which was referred **House File 23**, a bill for an act relating to altering, vacating, or closing roads, begs leave to report it has had the same under consideration and recommends the same **do pass**.

MARTIN WILEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways to which was referred **House File 63**, a bill for an act relating to the limitation of expenditures on bridges on secondary roads, begs leave to report it has had the same under consideration and recommends the same **do pass**.

MARTIN WILEY, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 15 as follows:

1. By striking the period (.) after the word "law" in line 6, and inserting in lieu thereof the following: ", including notice and hearing before suspension or revocation."

RICHARD C. TURNER.

Amend Senate File 19, section 3, line 6, by inserting after the word and comma "area," the following: "a showing that seventy-five (75) percent of the area is either owned or under option for purchase by the applicant,".

IRVING D. LONG.

Amend Senate File 148, section 4, by striking the period (.) in line 3 after the word "later" and inserting the following: ", except that this should not apply to contracts completed and accepted previous to the enactment of this act."

MARTIN WILEY.

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Amend Senate File 188, lines 16 and 17 by striking everything after the word "sections" in line 16, and adding thereto the following: "two hundred ninety-four point eight (294.8) to two hundred ninety-four point fourteen (294.14) inclusive, of the Code."

DONALD G. BENEKE.

On motion of Senator Rigler, the Senate adjourned until 9:00 a.m., Tuesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 19, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Howard Eldrenkamp, pastor of the St. Luke's Methodist Church, Monticello, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Fisher for the day on account of illness on request of Senator Elijah.

PETITIONS

By Senator Scott, from members of the Valley Community Education Association opposing proposed legislation relating to the qualifications of teachers.

The following petitions, favoring liquor by the drink under license control, were received and placed on file by:

Senator Campbell, from sixteen residents of Keokuk County.

Senator Elthon, from twenty-one residents of Howard County.

Senator Fulton, from fifty-four residents of Black Hawk County.

Senator Nolan, from five hundred residents of Johnson County.

Senator Rigler, from one hundred sixty-four residents of Floyd County.

Senator Van Eaton, a resolution from the members of the board of directors of the Chamber of Commerce, Muscatine, Iowa.

The following petitions, opposing liquor by the drink, were received and placed on file by:

Senator Campbell, from twenty residents of Keokuk County and from one hundred twelve residents of Mahaska County.

Senator Coleman, from seventeen residents of Webster County.

Senator Curran, from sixty-three residents of Cerro Gordo County.

Senator Doran, from twenty-six residents of Boone County.

Senator Elvers, from thirteen residents of Clayton County.

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Senator Fulton, from one hundred twenty residents of Black Hawk County.

Senator Mincks, from fifty-two residents of Wapello County.

Senator O'Malley, from twenty-two residents of Polk County.

Senator Rigler, from one hundred eight residents of Floyd County.

Senator Scott, from twenty-five residents of Winneshiek County.

Senator Van Eaton, from sixty-seven residents of Woodbury County.

Senator Vincent, from ninety residents of Lucas County.

PRESENTATION OF VISITORS

Senator O'Malley asked and received unanimous consent to present to the Senate forty-five students from the Park Avenue Elementary School, Des Moines, who were present in the balcony accompanied by their instructors, Janette Walker and Bonnie Gillis.

Senator O'Malley asked and received unanimous consent to present to the Senate fifty-three students from the Mitchell Elementary School, Des Moines, who were present in the balcony accompanied by their instructors, Sarah McCabe and LaVeda Fasnaugh.

SPECIAL ORDER OF BUSINESS

Senator Rigler asked and received unanimous consent that Senate File 165 be made a "Special Order of Business" for Tuesday, February 26, 1963, at 9:00 a.m.

SENATE FILE WITHDRAWN

Senator Wiley asked and received unanimous consent that Senate File 200 be withdrawn from further consideration of the Senate.

ADDITIONAL COPIES

Senator Shoeman asked and received unanimous consent to have 700 additional copies of Senate File 194 printed.

INTRODUCTION OF BILLS

Senate File 203, by Senator Doran, a bill for an act relating to the maintenance of certain roads.

Read first and second times and passed on file.

Senate File 204, by committee on banks, building and loan, a bill

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for an act relating to loans by savings and state banks secured by direct obligations of the United States.

Read first and second times and placed on the calendar.

Senate File 205, by Senator O'Malley, a bill for an act to permit cities to enter into long-term leases for libraries, library sites, books, and equipment and to authorize contributions to the support thereof by other public bodies.

Read first and second times and passed on file.

Senate File 206, by Senator O'Malley, a bill for an act relating to the use of parking meter revenue.

Read first and second times and passed on file.

Senate File 207, by Senator Mincks, a bill for an act to authorize and directing the issuance of a patent to certain real estate to board of park commissioners of the city of Ottumwa, Iowa, by the governor and secretary of state.

Read first and second times and passed on file.

Senate File 208, by Senator Mincks, a bill for an act to authorize and directing the issuance of a patent to certain real estate to Edith F. Hoskinson and Hessel LaVerne Hoskinson, by the governor and secretary of state.

Read first and second times and passed on file.

Senate File 209, by committee on board of control, a bill for an act relating to the selection of the chairman of the board of control.

Read first and second times and placed on the calendar.

Senate File 210, by committee on board of control, a bill for an act relating to placement of patients, who have no county of legal settlement and who have been confined in a state mental institute, on convalescent leave or in custodial or nursing homes, and to provide for the payment of support of such patients.

Read first and second times and placed on the calendar.

Senate File 211, by committee on board of control, a bill for an act to consolidate industry revolving funds for the state reformatory and the state penitentiary.

Read first and second times and placed on the calendar.

Senate File 212, by Senators Lisle and Long, a bill for an act to grant relief to long-term mentally ill persons or persons liable for their support by providing funds to grant cash credit for prompt

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payment for such claims; to grant property tax relief to counties by accelerating collection of billings for cost of care and treatment through reduction of total cost to responsible relatives with the credit being provided from the state mentally ill assistance fund and to make an appropriation therefor.

Read first and second times and passed on file.

Senate File 213, by Senators Lisle, Schroeder, Long, Wiley, Van Eaton, Curran, Kyhl and Fulton, a bill for an act to amend section four hundred twenty-seven point one (427.1), Code 1962, subsection twenty (20), relating to the exemption from taxation of shares of stock of manufacturing companies having a manufacturing plant in Iowa.

Read first and second times and passed on file.

Senate File 214, by Senators Cowden and Phelps, a bill for an act to revise and reorganize the statutes providing for the treatment, training, instruction, care, habilitation, and support of mentally retarded persons in state hospital-schools.

Read first and second times and passed on file.

Senate File 215, by committee on highways, a bill for an act relating to bids on farm-to-market and primary road construction projects.

Read first and second times and placed on the calendar.

Senate File 216, by committee on highways, a bill for an act to amend section five hundred seventy-three point thirteen (573.13), Code 1962, to clarify obligations of the public corporations with regard to retained percentage.

Read first and second times and placed on the calendar.

UNFINISHED BUSINESS

On motion of Senator Hansen, Senate File 81, a bill for an act relating to audits of cities and towns, was taken up for further consideration.

Senator Hansen offered the following amendment and moved its adoption:

Amend Senate File 81, section 1, by striking all after the period in line 5.

The amendment was adopted.

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

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

Ayes, 24:

Beneke	Doran	Griffin	O'Malley
Brown	Dykhouse	Grimstead	Schroeder
Burrows	Elijah	Hansen	Shaff
Coleman	Elthon	Hill	Shoeman
Cowden	Frommelt	Main	Van Eaton
Dodds	Fulton	Mincks	Walter

Nays, 23:

Benda	Kyhl	Rigler	Vincent
Campbell	Lisle	Scott	Walker
Curran	Lodwick	Shivvers	Wearin
Elvers	Long	Stephens	Wiley
Flatt	Nolan	Turner	Wilson
Getting	Phelps	Vance	

Absent or not voting, 3:

Buck	Fisher	Lucken

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

THIRD READING OF BILLS

On motion of Senator Van Eaton, Senate File 171, a bill for an act relating to inspection of multiple dwellings, was taken up and considered.

Senator Schroeder moved that the bill be read a third 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:

Benda	Elthon	Long	Shivvers
Beneke	Elvers	Lucken	Shoeman
Brown	Flatt	Main	Stephens
Buck	Frommelt	Mincks	Turner
Burrows	Fulton	Nolan	Van Eaton
Campbell	Getting	O'Malley	Vincent
Coleman	Grimstead	Phelps	Walker
Cowden	Hansen	Rigler	Walter
Dodds	Hill	Schroeder	Wearin
Doran	Kyhl	Scott	Wiley
Dykhouse	Lisle	Shaff	Wilson
Elijah	Lodwick		

Nays, 1:

Griffin

Absent or not voting, 3:

Curran	Fisher	Vance

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

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On motion of Senator Van Eaton, Senate File 172, a bill for an act to provide that the state-required retirement and pension systems for policemen and firemen, required by chapter four hundred eleven (411), Code 1962, shall be optional for any city which adopts, or has adopted, civil service after January 1, 1960, was taken up and considered.

Senator Shaff asked and received unanimous consent that Senate File 172 be returned to the committee on cities and towns for further study.

On motion of Senator Van Eaton, Senate File 173, a bill for an act to amend chapter four hundred four (404), Code 1962, relating to millage limitations upon the several functional funds therein provided, was taken up and considered.

Senator Shaff took the chair at 10:00 a.m.

Senator Schroeder moved that the bill be read a third 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:

Benda	Elvers	Lodwick	Scott
Brown	Flatt	Lucken	Shaff
Buck	Frommelt	Main	Turner
Campbell	Fulton	Mincks	Van Eaton
Coleman	Griffin	Nolan	Vincent
Cowden	Grimstead	O'Malley	Walter
Curran	Hansen	Phelps	Wearin
Dodds	Hill	Rigler	Wiley
Elijah	Kyhl	Schroeder	Wilson
Elthon	Lisle		

Nays, 9:

Burrows	Getting	Shoeman	Vance
Doran	Long	Stephens	Walker
Dykhouse			

Absent or not voting, 2:

Beneke	Fisher

Voting present, 1:

Shivvers

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

On motion of Senator Burrows, Senate File 180, a bill for an act relating to the state printing board, was taken up and considered.

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

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

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Ayes, 48:

Benda	Elthon	Lodwick	Shivvers
Brown	Elvers	Long	Shoeman
Buck	Flatt	Lucken	Stephens
Burrows	Frommelt	Main	Turner
Campbell	Fulton	Mincks	Vance
Coleman	Getting	Nolan	Van Eaton
Cowden	Griffin	O'Malley	Vincent
Curran	Grimstead	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Schroeder	Wearin
Dykhouse	Kyhl	Scott	Wiley
Elijah	Lisle	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Beneke Fisher

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

On motion of Senator Turner, Senate File 15, a bill for an act to make a license a right, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Turner offered the following amendment and moved its adoption:

Amend Senate File 15 as follows:

1. By striking the period (.) after the word "law" in line 6, and inserting in lieu thereof the following: ", including notice and hearing before suspension or revocation."

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 24:

Benda	Cowden	Main	Shaff
Beneke	Curran	Mincks	Shoeman
Brown	Dodds	Nolan	Turner
Burrows	Doran	O'Malley	Van Eaton
Campbell	Elvers	Rigler	Walker
Coleman	Frommelt	Schroeder	Wearin

Nays, 25:

Buck	Griffin	Lodwick	Stephens
Dykhouse	Grimstead	Long	Vance
Elijah	Hansen	Lucken	Vincent
Elthon	Hill	Phelps	Walter
Flatt	Kyhl	Scott	Wiley
Fulton	Lisle	Shivvers	Wilson
Getting			

Absent or not voting, 1:

Fisher

The amendment was lost.

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Senator Nolan offered the following amendment, filed by Senators Nolan and Long, and moved its adoption:

Amend Senate File 15, section 1, by striking all of said section after the period (.) in line 6.

Division was called for.

The amendment was adopted.

Senator Walker took the chair at 11:20 a.m.

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

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

Ayes, 21:

Benda	Dodds	Main	Shaff
Beneke	Doran	Mincks	Shoeman
Brown	Elvers	Nolan	Van Eaton
Burrows	Frommelt	O'Malley	Walker
Coleman	Kyhl	Schroeder	Wearin
Cowden			

Nays, 28:

Buck	Fulton	Lodwick	Stephens
Campbell	Getting	Long	Turner
Curran	Griffin	Lucken	Vance
Dykhouse	Grimstead	Phelps	Vincent
Elijah	Hansen	Rigler	Walter
Elthon	Hill	Scott	Wiley
Flatt	Lisle	Shivvers	Wilson

Absent or not voting, 1:

Fisher

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Cowden, Senate File 19, a bill for an act to provide for the establishment of water recreational areas and facilities normally associated therewith, with report of committee recommending amendment in accordance with the amendment filed by Senator Beneke and found on page 169 of the Senate Journal and passage, was taken up, considered, and the report of the committee adopted.

Senator Beneke offered the following amendment:

Amend Senate File 19 by inserting after the word "company," in line 1 of section 6 the following words "levee or drainage district,".

Further amend Senate File 19 by adding an additional section as follows:

"Anything in chapter four hundred fifty-five (455) of the Code to the contrary, county boards of supervisors and trustees having control of any levee or drainage district established thereunder, including joint levee or drainage districts, may enter into contracts and agreements with municipalities, individuals or corporations authorized to establish water recreational areas

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under the provisions of this Act. Such contracts or agreements shall be in writing and may be made prior to or after the establishment of a water recreational area. If made prior to the establishment of a water recreational area they may be made conditional upon the final establishment of such area and if conditional upon such final establishment may be entered into prior to the hearing provided for in section four (4) of this Act.

Such contracts or agreements may embrace any of the following subjects:

1. For the impoundment of drainage waters to create artificial lakes or ponds.

2. For compensation to drainage districts for drainage improvements destroyed or rendered useless by the establishment of water recreational areas and the structures, waters or works thereof.

3. For the diversion of waters from established drainage ditches or tile drains to other channels.

4. For sanitary measures and precautions.

5. For the control of water levels in lakes, ponds or impoundments of water to avoid damage to or malfunction of drainage facilities.

6. For the construction of additional drainage facilities promoting the interests of either or both of the contracting parties.

7. For the granting of easements or licenses by one party to the other.

8. For the payment of money by one contracting party to the other in consideration of acts or performance of the other party required by such contract or agreement.

When any expenditure of levy or drainage district funds is proposed by the authority contained in this section and where the estimated expenditure will exceed fifty percent of the original total cost of the district and subsequent improvements therein as defined by section four hundred fifty-five point one hundred thirty-five (455.135) of the Code, the same procedure respecting notice and hearing shall be followed as is provided in said section four hundred fifty-five point one hundred thirty-five (455.135) for repair proposals where the estimated cost of the repair exceeds fifty percent of the original total cost of the district and subsequent improvements therein."

Senator Beneke offered the following amendment to the amendment and moved its adoption:

Amend the amendment, line 49, by inserting after "(455.135)" the following: "of the Code".

The amendment to the amendment was adopted.

On motion of Senator Beneke, the amendment as amended was adopted.

Senator Getting offered the following amendment and moved its adoption:

Amend Senate File 19 as follows:

1. Amend section 3, by striking all of subsection 8 and inserting in lieu thereof the following:

"Sec. 4. A copy of the petition and such applications, plans, and specifications as are required under the provisions of chapter four hundred fifty-five A (455A) of the Code shall be filed with the Iowa natural resources council and any approval or permit required thereunder shall be obtained prior to the establishment of said water recreational area or the granting of a permit therefor by the state conservation commission."

2. Further amend Senate File 19 by renumbering the remaining sections.

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The amendment was adopted.

Senator Long offered the following amendment and moved its adoption:

Amend Senate File 19, section 3, line 6, by inserting after the word and comma "area,"the following: "a showing that seventy-five (75) percent of the area is either owned or under option for purchase by the applicant,".

The amendment was adopted.

Senator Hill offered the following amendment:

Amend Senate File 19, section 15, as follows:
1. Strike from line 1 ", corporation or" and from line 2 "individual".

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

AFTERNOON SESSION

The Senate reconvened, President Mooty 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 12, a bill for an act to legalize the proceedings of the board of directors of the Chariton Community School District in the County of Lucas.

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 investments by savings banks and trust companies.

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

House Joint Resolution 3, a joint resolution proposing an amendment to the constitution of the state relating to the effective date of laws of the General Assembly passed at a general session.

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

House Joint Resolution 7, a joint resolution proposing an amendment to the constitution of the State of Iowa relating to the sessions of the General Assembly.

Also: That the House has concurred in Senate amendment to and passed House File 14, a bill for an act relating to county conservation boards.

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 commercial driving schools and instructors and providing penalties for violation of the provisions thereof.

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

House File 56, a bill for an act relating to the establishment of community mental health centers and providing for the payment therefor from the state institution fund.

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 authorizing and directing the issuance of a patent to certain real estate to Howard J. Greene and Alice E. Greene.

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

House File 113, a bill for an act to legalize and validate the proceedings for the organization and establishment of the Benton-Linn Benefited Fire District, in the counties of Benton and Linn.

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

House File 188, a bill for an act relating to the attendance at approved public high schools of children from institutions under jurisdiction of the board of control.

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 to allow prisoners who volunteer to be sent to the State University Hospital for medical research.

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

House File 196, a bill for an act relating to regulation of securities agents and dealers under the Iowa securities law.

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

House File 197, a bill for an act relating to the penalty charges imposed on counties delinquent in the payment of their billings for mental health care.

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 compensation of the members of the aeronautics commission.

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

House File 218, a bill for an act relating to airports and the period of leases with respect thereto.

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

House File 219, a bill for an act relating to loans by savings and state banks secured by direct obligations of the United States.

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 insurance other than life.

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

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House File 231, a bill for an act relating to annual license fees of domestic and foreign corporations.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House Joint Resolution 3, a joint resolution proposing an amendment to the constitution of the State of Iowa relating to the effective date of laws of the General Assembly passed at a general session.

Read first and second times and passed on file.

House Joint Resolution 7, 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.

House File 44, a bill for an act relating to commercial driving schools and instructors and providing penalties for violation of the provisions thereof.

Read first and second times and passed on file.

House File 56, a bill for an act relating to the establishment of community mental health centers and providing for the payment therefor from the state institution fund.

Read first and second times and passed on file.

House File 72, a bill for an act authorizing and directing the issuance of a patent to certain real estate to Howard J. Greene and Alice E. Greene.

Read first and second times and passed on file.

House File 113, a bill for an act to legalize and validate the proceedings for the organization and establishment of the Benton-Linn Benefited Fire District, in the Counties of Benton and Linn, State of Iowa, and declaring said district a duly and legally organized corporate body as provided by law.

Read first and second times and passed on file.

House File 188, a bill for an act relating to the attendance at approved public high schools of children from institutions under jurisdiction of the board of control.

Read first and second times and passed on file.

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House File 190, a bill for an act to allow prisoners who volunteer to be sent to the State University Hospital for medical research.

Read first and second times and passed on file.

House File 196, a bill for an act relating to regulation of securities agents and dealers under the Iowa Securities Law.

Read first and second times and passed on file.

House File 197, a bill for an act relating to the penalty charges imposed on counties delinquent in the payment of their billings for mental health care.

Read first and second times and passed on file.

House File 213, a bill for an act to amend chapter three hundred twenty-eight (328), Code 1962, relating to compensation of the members of the aeronautics commission.

Read first and second times and passed on file.

House File 218, a bill for an act to amend chapter three hundred thirty (330), Code 1962, relating to airports and the period of leases with respect thereto.

Read first and second times and passed on file.

House File 219, a bill for an act relating to loans by savings and state banks secured by direct obligations of the United States.

Read first and second times and passed on file.

House File 222, a bill for an act to amend chapter five hundred fifteen (515), Code 1962, relating to insurance other than life.

Read first and second times and passed on file.

House File 231, a bill for an act relating to annual license fees of domestic and foreign corporations.

Read first and second times and passed on file.

Senator Grimstead took the chair at 1:50 p.m.

The Senate resumed consideration of Senate File 19 and the amendment by Senator Hill filed thereto.

Senator Hill moved the adoption of the amendment and requested a roll call.

On the question "Shall the amendment be adopted?" the vote was:

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Ayes, 19:

Brown	Fulton	Lodwick	Stephens
Coleman	Griffin	Lucken	Vincent
Dodds	Grimstead	Main	Walter
Doran	Hill	Mincks	Wilson
Frommelt	Kyhl	Rigler	

Nays, 27:

Benda	Dykhouse	Long	Turner
Beneke	Elijah	Nolan	Vance
Buck	Elthon	Phelps	Van Eaton
Burrows	Elvers	Scott	Walker
Campbell	Flatt	Shaff	Wearin
Cowden	Getting	Shivvers	Wiley
Curran	Lisle	Shoeman	

Absent or not voting, 3:

Fisher	Hansen	Schroeder

Voting present, 1:

O'Malley

The amendment was lost.

Senator Cowden offered the following amendment and moved its adoption:

Amend Senate File 19 as follows:

1. Section 11, lines 5 and 6, by striking ", corporation or individual" and inserting in lieu thereof the following: "or corporation".

2. Section 14, lines 1 and 2, by striking ", corporation or individual" and inserting in lieu thereof the following: "or corporation".

3. Section 15, lines 1 and 2, by striking ", corporation or individual" and inserting in lieu thereof the following: "or corporation".

The amendment was adopted.

Senator Doran offered the following amendment:

Amend Senate File 19 as follows:

1. Amend section 11 by inserting after the word "chairman" in line 8 the words "and all other members".

2. Amend section 12 by inserting after the period in line 1 the following: "Conditional upon the issuing of a permit shall be the transfer of title to twenty-five percent of the water frontage of the proposed water recreational area to the state conservation commission to be opened to use of the general public as prescribed by the commission."

On motion of Senator Doran, division 1 of the amendment was adopted.

Senator Nolan offered the following amendment:

Amend Senate File 19 as follows:

Amend section 11 by adding at the end thereof the following:

"Said permit shall further provide that not less than five (5) percent of the water frontage of said recreational area shall be made and kept available for public access and use."

Senator Turner offered the following amendment to the amendment:

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Amend the amendment, lines 3 and 4, by striking the words "five (5) percent" and inserting in lieu thereof the following: "twenty-five percent (25%)".

Senator Frommelt 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."

President Mooty took the chair at 2:35 p.m.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 131, a bill for an act authorizing cities to establish zoos.

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

House File 139, a bill for an act relating to public libraries.

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 corporation stock taxation.

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

House File 201, a bill for an act relating to the duties of the sheriff in the execution of the death penalty.

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 election of state board of public instruction members.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 131, a bill for an act authorizing cities to establish zoos.

Read first and second times and passed on file.

House File 139, a bill for an act relating to public libraries.

Read first and second times and passed on file.

House File 162, a bill for an act relating to corporation stock taxation.

Read first and second times and passed on file.

House File 201, a bill for an act relating to the duties of the sheriff in the execution of the death penalty.

Read first and second times and passed on file.

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House File 232, a bill for an act relating to election of state board of public instruction members.

Read first and second times and passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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 12 and 129.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 12 and 129.

BILLS ASSIGNED TO COMMITTEE

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

S.J.R. 15	Cities and towns
S. F. 188	Schools and educational institutions
S. F. 189	Public health
S. F. 191	Judiciary 1
S. F. 192	Compensation of public officers and employees
S. F. 193	Compensation of public officers and employees
S. F. 194	Public health
S. F. 196	Compensation of public officers and employees
S. F. 197	Ways and means
S. F. 198	Conservation
S. F. 199	Cities and towns
S. F. 201	Judiciary 2
S. F. 203	Highways
S. F. 205	Cities and towns
S. F. 206	Cities and towns
S. F. 207	Judiciary 2
S. F. 208	Judiciary 2
S. F. 212	Board of control
S. F. 213	Ways and means
S. F. 214	Board of control

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H.J.R. 3 Governmental affairs
H.J.R. 7 Judiciary 1
H. F. 44 Transportation and highway safety
H. F. 56 Public health
H. F. 72 Judiciary 2
H. F. 113 Judiciary 2
H. F. 131 Cities and towns
H. F. 139 Governmental affairs
H. F. 162 Judiciary 1
H. F. 173 Cities and towns
H. F. 188 Board of control
H. F. 190 Board of control
H. F. 196 Insurance
H. F. 197 Board of control
H. F. 201 Judiciary 1
H. F. 213 Compensation of public officers and employees
H. F. 218 Cities and towns
H. F. 222 Insurance
H. F. 231 Judiciary 1
H. F. 232 School and educational institutions

REPORTS OF COMMITTEES

Senator Walker submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred **Senate File 32**, a bill for an act relating to the distribution of earnings of cooperative associations organized under chapter four hundred ninety-nine (499) of the Code, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JOHN A. WALKER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture to which was referred **Senate File 155**, a bill for an act relating to the exemption of farm land from zoning ordinance, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JOHN A. WALKER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture to which was referred **Senate File 86**, a bill for an act relating to scabies control in sheep and eradication with penalty provision, 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 86 by striking all after the enacting clause and inserting in lieu thereof the following:

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"Section 1. Definitions.

1. 'Department' means the department of agriculture of the State of Iowa.

2. 'Division' means the animal disease eradication division of the agricultural research service of the United States department of agriculture.

3. 'Scabies' means a communicable skin disease caused by infestation with mites of the species psoroptes, sarcoptes, chorioptes or psorergates.

4. 'Infected animal' means an animal of the ovine species which shows clinical evidence of scabies or in which the presence of the scabies mite is demonstrated.

5. 'Approved stockyard or livestock market' means any place where sheep are assembled for public auction, private sale, or on a commission basis which is under state or federal supervision.

6. 'Licensed dealer' means any person who is licensed by the Iowa department of agriculture who is engaged in the business of buying for resale, selling, or exchanging sheep as a principal or agent or who holds himself out as so engaged but does not include employees of a licensed sheep dealer doing business in the name of such dealer or the owner or operator of a farm who exchanges only sheep which have been kept by him solely for feeding or breeding purposes and does not hold himself out as so engaged, or as a livestock auction market acting strictly on a consignment basis.

7. 'Accredited veterinarian' means a veterinarian who is licensed by the state in which he practices, is approved by the department of agriculture or the livestock sanitary authority of that state, and is accredited by the United States department of agriculture.

8. 'Official health certificate' means a legal record covering the requirement of the State of Iowa and approved by the proper livestock sanitary official of the state of origin and issued by an accredited veterinarian.

9. 'Certified scabies free area' means an area in which all sheep have been inspected by a representative of the Iowa department of agriculture or of the animal disease eradication division of the United States department of agriculture and are found to be free of any evidence of scabies and such fact is certified to by both agencies.

10. 'Area' means one or more counties or portions thereof.

Sec. 2. All breeding and feeding sheep offered for sale or exchange at any market or at any dealer's premises, or otherwise moved or released from any market or dealer's premises, vehicle or conveyance, shall, within ten (10) days prior to sale, exchange, release, or movement, be dipped in an approved dip under the supervision of the Iowa department of agriculture or of the animal disease eradication division of the United States department of agriculture.

Sec. 3. All sheep so dipped shall be accompanied by a certificate showing that the sheep were dipped under supervision.

Sec. 4. Market operators and dealers in sheep shall provide satisfactory dipping facilities approved by the department and shall maintain records which show the true origin of the sheep including name and address of the seller or consignor, number, date of receipt, date of dipping, and including all certificates, permits, waybills, bills of lading for each consignment of sheep consigned to and leaving the market or dealer's premises. All records shall be retained for a period of one (1) year and made available upon demand by a representative of the department.

Sec. 5. Animals may be sold for slaughter without dipping. Sheep when inspected at the market or dealer's premises and found free of scabies or no known exposure thereto, may be sold for slaughter purposes without dipping if consigned directly and immediately on a slaughter affidavit to a slaughtering establishment operating under federal, state or municipal

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meat inspection service. Such sheep shall be identified with the letter 'K' in red branding paint at least four inches high on their back except those consigned to such slaughtering establishment by the original owner.

Sec. 6. Sheep found to be infected with or exposed to scabies at a market, dealer's premises or elsewhere, shall be immediately dipped, as directed by and under the supervision of the department, at owner's expense. Such sheep shall remain under quarantine until released by the department, except that sheep infected with or exposed to scabies may be moved, without dipping, directly to a slaughter establishment under federal inspection, under permit from the department. No sheep shall be moved into or within the State of Iowa for any purpose except as provided in this chapter and the regulations of the department.

Sec. 7. When all flocks of sheep within a county have been inspected by a representative of the department and are found to be free of scabies, the department may certify the county as a 'scabies free area'.

Sec. 8. Sheep from noncertified scabies free areas within Iowa shall not enter certified scabies free areas unless they have been dipped in an approved dip under supervision within ten (10) days preceding movement and satisfactory evidence of dipping accompanies the shipment, except such sheep may move into certified scabies free areas if consigned directly to a stockyard market, auction market or slaughter establishment, under federal inspection, provided the sheep are accompanied by a certificate stating number, description, consignor and consignee.

Sec. 9. All sheep entering the state for breeding or feeding purposes shall be accompanied by a permit and by a health certificate stating the sheep are from a certified scabies free area or if not from a certified scabies free area that they have been dipped in an approved dip within ten (10) days prior to movement. All livestock markets, dealers and individuals shall retain all incoming waybills, permits and health certificates for a period of one year, same to be made available upon demand by the department.

Sec. 10. All persons engaged in the shearing of sheep shall immediately report any suspicion of or evidence of scabies to the department.

Sec. 11. The department is empowered to make and promulgate rules and regulations necessary for the eradication of scabies in sheep.

Sec. 12. Any person, firm or partnership or corporation violating the provisions of this chapter shall upon conviction thereof be fined not less than one hundred dollars ($100.00) and not to exceed five hundred dollars ($500.00)."

JOHN A. WALKER, *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 175**, a bill for an act relating to salaries of the board of trustees of public utility plants in cities, begs leave to report it has had the same under consideration and recommends the same **do pass.**

C. S. VAN EATON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred **House File 8**, a bill for an act to provide equal population for city and town wards, begs leave to report it has had the same under consideration and recommends the same **do pass.**

C. S. VAN EATON, *Chairman.*

Ordered passed on file.

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Senator Elthon submitted the following report:

MR. PRESIDENT: Your committee on public health to which was referred **Senate File 23**, a bill for an act to amend chapter one hundred sixty-nine (169), Code 1962, relating to veterinary medicine and surgery, 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 Shoeman; and when so amended the bill do pass.**

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public health to which was referred **Senate File 27**, a bill for an act to amend sections one hundred fifty-five point two (155.2) and one hundred fifty-five point six (155.6), Code 1962, regarding the right of unlicensed persons to fill prescriptions, 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 Griffin; and when so amended the bill do pass.**

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public health to which was referred **Senate File 28**, a bill for an act to amend section one hundred forty-seven point eighty (147.80), Code 1962, relating to pharmacy license fees, begs leave to report it has had the same under consideration and recommends the same **do pass.**

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public health to which was referred **Senate File 153**, a bill for an act relating to the use of the term "drug" and related terms, begs leave to report it has had the same under consideration and recommends the same **do pass.**

LEO ELTHON, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 65 as follows:

1. By adding in line 13 after the word "may" the words "as lessor".

2. By inserting in line 18 after the word "section." the sentence:

"Such property shall not be exempt from property taxes."

JOE N. WILSON.

Amend Senate File 148 by striking all of section 6 and inserting in lieu thereof the following:

"Sec. 6. Section five hundred seventy-three point fifteen (573.15), Code 1962, is amended by inserting in line thirteen (13) after the word "improvement" the following: ', and no part of such unpaid fund due the contractor shall be retained as

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provided in this chapter because of the commencement of any action by the contractor against the Iowa state highway commission under authority granted in section one (1) of this Act' ".

GEORGE E. O'MALLEY.

Amend Senate File 148, section 4, by striking the period in line 4 after the word "later" and inserting the following: ", except that this should not apply to contracts completed and accepted previous to the enactment of this act."

MARTIN WILEY.

Amend Senate File 190 as follows:

1. By striking the word "the" in line 3 of section 2, and by inserting in lieu thereof the word "The".

J. T. DYKHOUSE.

On motion of Senator Rigler, the Senate adjourned until 9:00 a.m., Wednesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 20, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Orville Rinehart, pastor of the First Baptist Church, Mt. Ayr, Iowa.

PETITIONS

The following petitions, in opposition to proposed legislation which would place a tax on insurance premiums of members of fraternal benefit societies, were received and placed on file by:

Senator Dodds, from Camp No. 2368 of the Royal Neighbors of America (membership of one hundred nineteen) of Des Moines County.

By Senator Phelps, from sixty-five residents of Van Buren County.

By Senator Stephens, from nine residents of Washington County in opposition to furnishing transportation for children who attend private schools.

The following petitions, favoring liquor by the drink under license control, were received and placed on file by:

Senator Fulton, from fifty-four residents of Black Hawk County.

Senator Nolan, from thirty-four residents of Johnson County.

Senator Van Eaton, from fourteen residents of Woodbury County.

Senator Walker, from sixty-eight residents of Hardin County.

The following petitions, opposing liquor by the drink, were received and placed on file by:

Senator Benda, from twenty-four residents of Poweshiek County.

Senator Campbell, from thirty-seven residents of Mahaska County.

Senator Dykhouse, from two hundred eighty-five residents of Sioux County.

Senator Fulton, from eighty-eight residents of Black Hawk County.

Senator Lucken, from ninety-eight residents of Plymouth County.

Senator Mincks, from fifty-six residents of Wapello County.

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Senator Nolan, from fifty-nine residents of Johnson County.

Senator Stephens, from sixty-six residents of Washington County.

PRESENTATION OF VISITORS

Senator O'Malley asked and received unanimous consent to present to the Senate seventy students from the Ankeny High School who were present in the balcony accompanied by their instructors, Maurice Kramer and Betty Friedmeyer.

Senator Lisle asked and received unanimous consent to present to the Senate twelve students from the South Page High School who were present in the balcony accompanied by their instructor, Wilma Whigham.

Senator Lisle also asked and received unanimous consent to present to the Senate fifteen students from the Clarinda High School who were present in the balcony accompanied by their instructor, Marjorie Stillians. Senator Lisle also presented to the Senate Anne Hansen of Odense, Denmark, an American Field Service Exchange student, who is attending the Clarinda High School.

Senator Wearin asked and received unanimous consent to present to the Senate sixteen students from the Villisca High School who were present in the balcony accompanied by their instructor, Doretta Youngman.

Senator Getting asked and received unanimous consent to present to the Senate six students from the Spencer High School who were present in the balcony.

Senator Campbell asked and received unanimous consent to present to the Senate thirty students from the Peoria Christian School who were present in the balcony accompanied by their principal, Roger Ericks.

SENATE FILE 19 PRINTED AS PASSED BY THE SENATE

Senator Cowden asked and received unanimous consent to have 500 copies of Senate File 19 (as passed by the Senate) printed.

INTRODUCTION OF BILLS

Senate File 217, by committee on cities and towns, a bill for an act relating to motor vehicle testing stations in cities and towns.

Read first and second times and placed on the calendar.

Senate File 218, by Senator Schroeder, a bill for an act relating to the movement of mobile homes over the highways of this state.

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Read first and second times and passed on file.

Senate File 219, by committee on printing, a bill for an act relating to deposits to be made by bidders for public printing contracts.

Read first and second times and placed on the calendar.

Senate File 220, by Senators Nolan, Turner, Wiley, Schroeder, Frommelt, Campbell, O'Malley, Shaff, Van Eaton, Cowden, Wearin and Buck, a bill for an act to provide for the construction and reconstruction of state and interstate highways, to provide for the payment of the cost thereof from road use tax funds, and to authorize the borrowing of money and the issuance of bonds in anticipation of the collection of such funds.

Read first and second times and passed on file.

Senate File 221, by Senator Wiley, a bill for an act relating to the registration of mobile homes, house trailers and travel trailers.

Read first and second times and passed on file.

Senate File 222, by committee on judiciary 1, a bill for an act to amend section six hundred seventeen point three (617.3), Code 1962, relating to services of process on foreign corporations.

Read first and second times and placed on the calendar.

Senate File 223, by Senators Buck, Elijah, Mincks, Wilson, Walter, Getting, Elvers, Scott and Grimstead, a bill for an act to amend, revise, and codify the statutes relating to adoption.

Read first and second times and passed on file.

Senate File 224, by Senators Schroeder, Wiley, O'Malley, Fisher, Dodds, Flatt and Van Eaton, a bill for an act to amend chapter ninety-seven A (97A), Code 1962, relating to public safety peace officers' retirement, accident and disability system.

Read first and second times and passed on file.

Senate File 225, by Senator O'Malley, a bill for an act relating to the grand jury.

Read first and second times and passed on file.

Senate File 226, by Senator Nolan, a bill for an act to enable and empower the State of Iowa to convey certain easements and rights in, to and over certain easements for highway purposes, owned by the State of Iowa in Marion, Polk, and Warren Counties, Iowa, in furtherance of the Red Rock reservoir project.

Read first and second times and passed on file.

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Senate File 227, by Senator Lisle, a bill for an act relating to life, health and accident insurance by employees of the state, county, city, town or institution supported by public funds.

Read first and second times and passed on file.

Senate File 228, by Senator Wiley, a bill for an act establishing a street research fund and regulating the use of such fund.

Read first and second times and passed on file.

Senate File 229, by Senator Lisle, a bill for an act to empower the mayor in all cities and towns where the council is composed of only four members to vote on any and all matters where the vote of the council is evenly divided.

Read first and second times and passed on file.

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

EXECUTIVE SESSION

The Senate arose from executive session and resumed regular session.

UNFINISHED BUSINESS

On motion of Senator Cowden, Senate File 19, a bill for an act to provide for the establishment of water recreational areas and facilities normally associated therewith, was taken up for further consideration.

The Senate resumed consideration of the amendment filed by Senator Turner to the amendment filed by Senator Nolan (pages 291 and 292 of the Senate Journal).

On motion of Senator Turner, the amendment to the amendment was adopted.

On motion of Senator Nolan, the amendment as amended was adopted.

Senator Doran asked and received unanimous consent to withdraw division 2 of the amendment filed by him and found on page 291 of the Senate Journal.

Senator Hansen moved the previous question on the bill, which motion prevailed.

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

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

Ayes, 33:

Benda	Elijah	Lisle	Schroeder
Beneke	Elthon	Long	Scott
Brown	Elvers	Lucken	Shoeman
Buck	Fisher	Mincks	Turner
Burrows	Flatt	Nolan	Vance
Coleman	Getting	O'Malley	Van Eaton
Cowden	Griffin	Phelps	Wiley
Curran	Hansen	Rigler	Wilson
Dykhouse			

Nays, 17:

Campbell	Grimstead	Main	Vincent
Dodds	Hill	Shaff	Walker
Doran	Kyhl	Shivvers	Walter
Frommelt	Lodwick	Stephens	Wearin
Fulton			

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 Buck, Senate File 21, a bill for an act relating to foster care services for children, with report of committee recommending passage, was taken up and considered.

Senator Buck asked and received unanimous consent that House File 57 be substituted for Senate File 21.

Senator Elthon took the chair at 10:10 a.m.

Senator Buck asked and received unanimous consent that action on House File 57 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Schroeder, Senate File 117, a bill for an act relating to the ownership of individual apartment units, with report of committee recommending amendment in accordance with the amendment filed by Senator O'Malley and 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 117, section 4, line 9, by striking the word "date" and inserting in lieu thereof the word "data".

The amendment was adopted.

Senator Schroeder offered the following amendment and moved its adoption:

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Amend Senate File 117 as follows:

1. By striking the word "Sec." in line 2 of section 4 and inserting in lieu thereof the word "section".

2. By striking line 3 of section 13 and by inserting in lieu thereof the following:

"(a) The provisions of chapter six hundred fifty-one (651), Code 1962, relating to".

The amendment was adopted.

Senator Schroeder moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Campbell	Frommelt	Mincks	Vance
Coleman	Fulton	Nolan	Van Eaton
Cowden	Getting	O'Malley	Vincent
Curran	Griffin	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Schroeder	Wearin
Dykhouse	Kyhl	Scott	Wiley
Elijah	Lisle	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Burrows	Grimstead

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

On motion of Senator Mincks, Senate File 54, a bill for an act requiring that the cause of death and attending physician's name be typewritten or legibly printed on all death certificates, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Walker offered the following amendment, filed by Senators Walker and Coleman, and moved its adoption:

Amend Senate File 54 as follows:

1. Section 1, line 5, by striking the words "or legibly printed".
2. Section 2, lines 4 and 5, by striking the words "or legibly printed".
3. Amend the title, line 2, by striking the words "or legibly printed".

The amendment was adopted.

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

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

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Ayes, 48:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Campbell	Frommelt	Mincks	Vance
Coleman	Fulton	Nolan	Van Eaton
Cowden	Getting	O'Malley	Vincent
Curran	Griffin	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Schroeder	Wearin
Dykhouse	Kyhl	Scott	Wiley
Elijah	Lisle	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Burrows	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 O'Malley, Senate File 148, a bill for an act to waive immunity of the State of Iowa from any action at law or in equity brought to enforce, or to determine a controversy rising out of any contract in which the Iowa State Highway Commission is a party and to prescribe the venue, the manner of service of notice thereof and the time limitation for instituting action, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wiley asked and received unanimous consent to withdraw the amendment filed by him and found on page 276 of the Senate Journal.

Senator Wiley offered the following amendment and moved its adoption:

Amend Senate File 148, section 4, by striking the period in line 4 after the word "later" and inserting the following: ", except that this should not apply to contracts completed and accepted previous to the enactment of this act."

The amendment was adopted.

Senator O'Malley offered the following amendment and moved its adoption:

Amend Senate File 148 by striking all of section 6 and inserting in lieu thereof the following:

"Sec. 6. Section five hundred seventy-three point fifteen (573.15), Code 1962, is amended by inserting in line thirteen (13) after the word "improvement" the following: ', and no part of such unpaid fund due the contractor shall be retained as provided in this chapter because of the commencement of any action by the contractor against the Iowa state highway commission under authority granted in section one (1) of this Act' ".

The amendment was adopted.

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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:

Benda	Elthon	Lisle	Shaff
Beneke	Elvers	Lodwick	Shoeman
Brown	Fisher	Long	Stephens
Buck	Flatt	Lucken	Turner
Campbell	Frommelt	Main	Vance
Coleman	Fulton	Mincks	Van Eaton
Cowden	Getting	Nolan	Vincent
Curran	Griffin	O'Malley	Walker
Dodds	Grimstead	Phelps	Walter
Doran	Hansen	Rigler	Wearin
Dykhouse	Hill	Schroeder	Wiley
Elijah	Kyhl	Scott	Wilson

Nays, none.

Absent or not voting, 2:

Burrows	Shivvers

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

On motion of Senator Beneke, Senate File 139, a bill for an act relating to bail, was report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Beneke offered the following amendment and moved its adoption:

Amend Senate File 139 as follows:

By striking the word "appear" in lines 7 and 11 and substituting in lieu thereof the word "answer" in each place.

The amendment was adopted.

Senator Coleman offered the following amendment and moved its adoption:

Amend Senate File 139, section 1, by striking all of said section after the period (.) in line 7 and inserting in lieu thereof the following: "Any promise made by the defendant under this section shall be in writing signed by the defendant."

Division was called for.

The amendment was adopted.

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

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

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Ayes, 47:

Benda	Elvers	Long	Shoeman
Beneke	Fisher	Lucken	Stephens
Brown	Flatt	Main	Turner
Buck	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Coleman	Griffin	O'Malley	Vincent
Cowden	Grimstead	Phelps	Walker
Curran	Hansen	Rigler	Walter
Dodds	Hill	Schroeder	Wearin
Doran	Kyhl	Scott	Wiley
Dykhouse	Lisle	Shaff	Wilson
Elthon	Lodwick	Shivvers	

Nays, none.

Absent or not voting, 2:

Burrows	Elijah

Voting present, 1:

Frommelt

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

On motion of Senator Shaff, Senate File 178, a bill for an act to amend section four hundred fifty point seven (450.7), Code 1962, relating to liens for inheritance taxes and prescribing the duration thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Shaff moved that the bill be read a third 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:

Benda	Elvers	Lodwick	Shivvers
Beneke	Fisher	Long	Shoeman
Brown	Flatt	Lucken	Stephens
Buck	Frommelt	Main	Turner
Campbell	Fulton	Mincks	Vance
Coleman	Getting	Nolan	Van Eaton
Cowden	Griffin	O'Malley	Vincent
Curran	Grimstead	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Schoeder	Wearin
Dykhouse	Kyhl	Scott	Wiley
Elijah	Lisle	Shaff	Wilson
Elthon			

Nays, none.

Absent or not voting, 1:

Burrows

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

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On motion of Senator Dykhouse, Senate File 190, a bill for an act to amend chapter one hundred six (106), Code 1962, relating to registration period for motorboats to be used in Iowa waters, was taken up and considered.

Senator Dykhouse offered the following amendment and moved its adoption:

Amend Senate File 190 as follows:
1. By striking the word "the" in line 3 of section 2, and by inserting in lieu thereof the word "The".

The amendment was adopted.

Senator Long asked and received unanimous consent that action on Senate File 190 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Grimstead, House Joint Resolution 1, a joint resolution proposing a constitutional amendment relating to constitutional convention, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

House Joint Resolution 1, a joint resolution proposing a constitutional amendment relating to constitutional convention.

Be It Resolved by the General Assembly of the State of Iowa:

Section 1. The following amendment to the Constitution of the State of Iowa is hereby proposed:

Section three (3) of Article ten (X) of the Constitution of the State of Iowa is repealed and the following adopted in lieu thereof:

Section 3. At the general election to be held in the year one thousand nine hundred and seventy, and in each tenth year thereafter, and also at such times as the General Assembly may, by law, provide, the question, "Shall there be a Convention to revise the Constitution, and propose amendment or amendments to same?" shall be decided by the electors qualified to vote for members of the General Assembly; and in case a majority of the electors so qualified, voting at such election, for and against such proposition, shall decide in favor of a Convention for such purpose, the General Assembly, at its next session, shall provide by law for the election of delegates to such Convention, and for submitting the results of said Convention to the people, in such manner and at such time as the General Assembly shall provide; and if the people shall approve and ratify such amendment or amendments, by a majority of the electors qualified to vote for mem-

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bers of the General Assembly, voting thereon, such amendment or amendments shall become a part of the constitution of this state. If two or more amendments shall be submitted at the same time, they shall be submitted in such a manner that electors may vote for or against each such amendment separately.

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

Yeas, 49:

Benda	Elvers	Lodwick	Shivvers
Beneke	Fisher	Long	Shoeman
Brown	Flatt	Lucken	Stephens
Buck	Frommelt	Main	Turner
Campbell	Fulton	Mincks	Vance
Coleman	Getting	Nolan	Van Eaton
Cowden	Griffin	O'Malley	Vincent
Curran	Grimstead	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Schroeder	Wearin
Dykhouse	Kyhl	Scott	Wiley
Elijah	Lisle	Shaff	Wilson
Elthon			

Nays, none.

Absent or not voting, 1:

Burrows

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

On motion of Senator Fulton, House File 11, a bill for an act relating to notice for public hearing on county zoning changes, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Fulton moved that the bill be read a third 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:

Benda	Elvers	Long	Shoeman
Beneke	Fisher	Lucken	Stephens
Brown	Frommelt	Main	Turner
Buck	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Coleman	Griffin	O'Malley	Vincent
Cowden	Grimstead	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Schroeder	Wearin
Dykhouse	Kyhl	Scott	Wiley
Elijah	Lisle	Shaff	Wilson
Elthon	Lodwick	Shivvers	

Nays, none.

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Absent or not voting, 2:

Burrows	Curran

Voting present, 1:

Flatt

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

On motion of Senator Doran, House File 23, a bill for an act relating to altering, vacating, or closing roads, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wiley offered the following amendment and moved its adoption:

Amend House File 23, section 1 as follows:

Amend section 1, line 8, by striking the word "adjoin" and inserting in lieu thereof the words "are on".

The amendment was adopted.

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

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

Ayes, 49:

Benda	Elvers	Lodwick	Shivvers
Beneke	Fisher	Long	Shoeman
Brown	Flatt	Lucken	Stephens
Buck	Frommelt	Main	Turner
Campbell	Fulton	Mincks	Vance
Coleman	Getting	Nolan	Van Eaton
Cowden	Griffin	O'Malley	Vincent
Curran	Grimstead	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Schroeder	Wearin
Dykhouse	Kyhl	Scott	Wiley
Elijah	Lisle	Shaff	Wilson
Elthon			

Nays, none.

Absent or not voting, 1:

Burrows

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

Senator Doran asked and received unanimous consent that Senate File 71 be withdrawn from further consideration of the Senate.

Senator Lucken asked and received unanimous consent that Senate File 25 be withdrawn from further consideration of the Senate.

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

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AFTERNOON SESSION

The Senate reconvened, President Mooty 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 58, a bill for an act relating to paroles by courts.

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 regarding the right of unlicensed persons to fill prescriptions.

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

House File 76, a bill for an act relating to hours of duty of members of fire departments.

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

House File 78, a bill for an act relating to the distribution of earnings of cooperative associations organized under chapter four hundred ninety-nine (499), Code 1962.

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

House File 80, a bill for an act to preserve and protect the lien for special assessments in certain cities where the property subject to assessment is sold at tax sale, redeemed, or conveyed by tax deed.

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

House File 136, a bill for an act to authorize the board of regents to establish and administer a sabbatical-leave program for college professors.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 58

Amend Senate File 58 as follows:

1. Section 1 by striking in lines 5 and 6 the words "or narcotic drug violations" and inserting in lieu thereof the words "or manufacturing, selling, administering to another person, or dispensing a narcotic drug".
2. Section 1 by inserting after the period in line 8 the following: "This section shall prevail over any inconsistent provision of section two hundred four point twenty-two (204.22) of the Code."
3. Section 1 by inserting in line 21 after the word "for" the words "or against".

HOUSE MESSAGES CONSIDERED

House File 26, a bill for an act to amend sections one hundred fifty-five point two (155.2) and one hundred fifty-five point six (155.6),

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Code 1962, regarding the right of unlicensed persons to fill prescriptions.

Read first and second times and passed on file.

House File 76, a bill for an act relating to hours of duty of members of fire departments.

Read first and second times and passed on file.

House File 78, a bill for an act relating to the distribution of earnings of cooperative associations organized under chapter four hundred ninety-nine (499), Code 1962.

Read first and second times and passed on file.

House File 80, a bill for an act to preserve and protect the lien for special assessments in certain cities where the property subject to the assessment is sold at tax sale, redeemed, or conveyed by tax deed.

Read first and second times and passed on file.

House File 136, a bill for an act to authorize the board of regents to establish and administer a sabbatical-leave program for college professors.

Read first and second times and passed on file.

THIRD READING OF BILLS

On motion of Senator Dykhouse, House File 63, a bill for an act relating to the limitation of expenditures on bridges in secondary roads, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Lisle took the chair at 1:50 p.m.

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

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

Ayes, 46:

Benda	Elijah	Lisle	Shaff
Beneke	Elthon	Lodwick	Shivvers
Brown	Elvers	Long	Shoeman
Buck	Fisher	Lucken	Stephens
Burrows	Flatt	Main	Turner
Campbell	Frommelt	Nolan	Vance
Coleman	Getting	O'Malley	Van Eaton
Cowden	Griffin	Phelps	Vincent
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl		

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Nays, none.

Absent or not voting, 2:

Fulton Mincks

Voting present, 2:

Walker Wilson

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

On motion of Senator Fulton, House File 22, a bill for an act relating to the duties of county recorders, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Schroeder offered the following amendment and moved its adoption:

Amend House File 22 by adding the following:

"Sec. 2. Section three hundred thirty-five point two (335.2), Code 1962, is further amended by adding the following to section three hundred thirty-five point two (335.2):

"No instrument by which the title to real estate is conveyed shall be received for record by the county recorder unless the name of the person who, or governmental agency which, prepared such instrument appears at the conclusion of such instrument and such name is either printed, typewritten, stamped or signed in a legible manner. An instrument will be in compliance with this section if it contains a statement in the following form: 'This instrument was prepared by (name).'

"This section does not apply to any instruments executed prior to the effective date of this section, or any instrument prepared, executed or acknowledged outside this state. Failure to insert the statement as herein designated shall not invalidate the instrument."

Senator Walker raised a point of order on the amendment for the reason as to whether or not it was germane to the bill.

The Chair ruled the amendment germane to the bill and the point not well taken.

Senator Shaff offered the following amendment to the amendment and moved its adoption:

Amend line 6 of the amendment by inserting after the word "conveyed" the following: "other than a mortgage or deed of trust".

The amendment to the amendment was adopted.

Senator Schroeder moved the adoption of the amendment as amended.

Roll call was requested.

On the question "Shall the amendment as amended be adopted," the vote was:

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Ayes, 18:

Buck	Kyhl	Shaff	Van Eaton
Cowden	Long	Shivvers	Vincent
Curran	Lucken	Shoeman	Walter
Fulton	Nolan	Turner	Wearin
Hill	Schroeder		

Nays, 29:

Benda	Elijah	Grimstead	Rigler
Beneke	Elthon	Hansen	Scott
Brown	Elvers	Lisle	Stephens
Campbell	Fisher	Lodwick	Vance
Coleman	Flatt	Main	Walker
Dodds	Frommelt	O'Malley	Wiley
Doran	Getting	Phelps	Wilson
Dykhouse			

Absent or not voting, 2:

Burrows	Mincks

Voting present, 1:

Griffin

The amendment as amended was lost.

Senator Schroeder moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shivvers
Beneke	Elvers	Lodwick	Shoeman
Brown	Fisher	Long	Stephens
Buck	Flatt	Lucken	Turner
Burrows	Frommelt	Main	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah			

Nays, none.

Absent or not voting, 1:

Mincks

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 Buck, House File 57, a bill for an act relating to foster care services for children, was taken up and considered.

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Senator Buck offered the following amendment and moved its adoption:

Amend House File 57, section 3, by adding the following new subsection: "By striking from line thirteen (13) the words 'a temporary period' and inserting in lieu thereof the words 'thirty (30) days or less per year'."

The amendment was adopted.

Senator Buck moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shoeman
Beneke	Elvers	Lodwick	Stephens
Brown	Fisher	Lucken	Turner
Buck	Flatt	Main	Vance
Campbell	Frommelt	Nolan	Van Eaton
Coleman	Fulton	O'Malley	Vincent
Cowden	Getting	Phelps	Walker
Curran	Griffin	Rigler	Walter
Dodds	Grimstead	Schroeder	Wearin
Doran	Hansen	Scott	Wiley
Dykhouse	Hill	Shaff	Wilson
Elijah	Kyhl	Shivvers	

Nays, 1:

Burrows

Absent or not voting, 2:

Long Mincks

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

Senator Buck asked and received unanimous consent that Senate File 21 be withdrawn from further consideration of the Senate.

Senator Buck asked and received unanimous consent that House File 57 be immediately messaged to the House, which request was complied with.

Senator Rigler asked and received unanimous consent that Senate File 195 be taken up at this time.

THIRD READING OF BILLS

On motion of Senator Schroeder, Senate File 195, a bill for an act to amend sections five hundred thirty-five point two (535.2) and five hundred thirty-five point three (535.3), Code 1962, relating to the rate of interest which domestic or foreign corporations may contract in writing to pay and interest on judgments and decrees, was taken up and considered.

Senator Hill asked and received unanimous consent that action on

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Senate File 195 be deferred and that the bill be placed on the calendar under "unfinished business."

SENATE CONCURRENT RESOLUTION 11

Whereas, the Shriners of America, through the Shriners' Hospital for Crippled Children, propose to build three hospitals for the care of children severely burned, and

Whereas, one of such hospitals is to be located in the midwest, and

Whereas, such hospitals are to be located at the medical centers, and

Whereas, the University of Iowa has one of the outstanding medical centers in America, and

Whereas, it is felt that the State of Iowa through its University can make a substantial contribution in assisting in the care and well-being of children so injured.

Now, Therefore, Be It Resolved by the Senate, the House Concurring, that the Shriners of America be and they are hereby invited to locate one of its hospitals at Iowa City, for the care of children suffering from burns, with the assurance that those who will be associated with the hospital will be most welcome by us.

D. C. NOLAN.
GEORGE E. O'MALLEY.
ANDREW FROMMELT.
CLIFFORD M. VANCE.
ROBERT R. RIGLER.
LEO ELTHON.
JACK SCHROEDER.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 15 failed to pass the Senate.

RICHARD TURNER.

BILLS SENT TO THE GOVERNOR

Senator Benda, 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, 1963, sent to the Governor for his approval: Senate Files 12 and 129.

KENNETH BENDA, *Chairman*.

Passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on February 20, 1963, the Governor had approved the following bills:

Senate File 12, relating to the Chariton Community School District, in the County of Lucas, State of Iowa.

Senate File 129, relating to investments by savings banks and state banks and trust companies.

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REPORTS OF COMMITTEES

Senator Phelps submitted the following report:

MR. PRESIDENT: Your committee on public lands and buildings to which was referred **Senate File 36**, 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, begs leave to report it has had the same under consideration and recommends the same **do pass.**

DEWEY PHELPS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public lands and buildings to which was referred **Senate File 101**, a bill for an act to authorize the public safety department, highway safety patrol division, to use money provided by chapter one (1), section fifty-one (51), Acts of the Fifty-ninth General Assembly, begs leave to report it has had the same under consideration and recommends the same **do pass.**

DEWEY PHELPS, *Chairman.*

Ordered passed on file.

Senator Long submitted the following report:

MR. PRESIDENT: Your committee on insurance to which was referred **House File 21**, a bill for an act relating to subsidiary companies of life insurance companies, begs leave to report it has had the same under consideration and recommends the same **do pass.**

IRVING D. LONG, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on insurance to which was referred **House File 132**, a bill for an act relating to suspension or revocation of insurance agents' licenses, begs leave to report it has had the same under consideration and recommends the same **do pass.**

IRVING D. LONG, *Chairman.*

Ordered passed on file.

Senator Schroeder submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **Senate File 207**, a bill for an act to authorize and directing the issuance of a patent to certain real estate to board of park commissioners of the City of Ottumwa, Iowa, by the Governor and Secretary of State, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACK SCHROEDER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **Senate File 208**, a bill for an act to authorize and directing the issuance of a patent to certain real estate to Edith F. Hoskinson and Hessel LaVerne Hoskinson, by the Governor and Secretary of State, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACK SCHROEDER, *Chairman.*

Ordered passed on file.

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Also:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **House File 72**, a bill for an act authorizing and directing the issuance of a patent to certain real estate to Howard J. Greene and Alice E. Greene, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACK SCHROEDER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **House File 113**, a bill for an act to legalize the organization and establishment of the Benton-Linn Benefited Fire District, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACK SCHROEDER, *Chairman.*

Ordered passed on file.

Senator Lisle submitted the following report:

MR. PRESIDENT: Your committee on manufacturing, commerce and trade to which was referred **Senate File 126**, a bill for an act relating to the use of vending machines in the sale of cigarettes and providing for the licensing of such machines, begs leave to report it has had the same under consideration and **returns the bill without recommendation.**

VERN LISLE, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 56 as follows:
1. Amend section 1, line 3, by striking the words "board action" and inserting in lieu thereof the words "a vote of the electors".
2. Amend section 2, line 4, by inserting after the word "who" the words "by a vote of the electors".

JAKE B. MINCKS.

Amend Senate File 165 as follows:
By striking from section four hundred thirty-nine (439), line three (3), the word "may" and by inserting in lieu thereof the word "shall".

J. T. DYKHOUSE.

On motion of Senator Rigler, the Senate adjourned until 9:00 a.m., Thursday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 21, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Ralph Anderson, pastor of the Immanuel Lutheran Church, Kimballton, Iowa.

PETITIONS

By Senator Fulton, from nineteen residents of Black Hawk County favoring proposed legislation relating to increase in pensions under the retirement system for policemen and firemen.

By Senator Fulton, from thirty-one residents of Black Hawk County favoring school bus transportation for all children.

By Senator Mincks, from four hundred twenty-five residents of Wapello County in opposition to Sunday closing legislation.

By Senator Wilson, from ten thousand one hundred fifty-eight residents of Iowa, members of the Methodist Churches, in opposition to legalizing liquor by the drink; also, urging the passage of effective key club legislation and the passage on an implied consent law.

The following petitions, favoring liquor by the drink under license control, were received and placed on file by:

Senator Flatt, from thirty-three residents of Adair County.

Senator O'Malley, from ninety-five residents of Polk County.

The following petitions, opposing liquor by the drink, were received and placed on file by:

Senator Fisher, from forty-one residents of Warren County.

Senator Fulton, from twenty-three residents of Black Hawk County.

Senator Hill, from twenty residents of Jasper County.

Senator Lisle, from forty-three residents of Page County.

The following petitions, opposing proposed legislation which would place a tax on insurance premiums of members of fraternal benefit societies, were received and placed on file by:

Senator Rigler, from sixty-five residents of Chickasaw County and from one hundred nine residents of Floyd County.

Senator Van Eaton, from twenty residents of Woodbury County.

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PRESENTATION OF VISITORS

Senator O'Malley asked and received unanimous consent to present to the Senate forty-five students from the Visitation School, Des Moines, who were present in the balcony accompanied by their instructor, Sister Mary Magdaletta.

Senator O'Malley asked and received unanimous consent to present to the Senate twenty-two students from the St. Ambrose School, Des Moines, who were present in the balcony accompanied by their instructor, Sister Mary Timothena.

Senator O'Malley asked and received unanimous consent to present to the Senate fifty-three sixth grade students and twenty-two fifth grade students from the Mitchell Elementary School, Des Moines, who were present in the balcony accompanied by their instructors, Laveeda Fosnaugh and Sarah McCabe.

Senator Rigler rose on a point of personal privilege and presented to the Senate the Honorable Marion Cagley, a former member of the House of Representatives from Chickasaw County, who was present in the Senate chamber.

INTRODUCTION OF BILLS

Senate File 230, by Senator Elijah, a bill for an act to legalize the proceedings of the town council of the town of Mechanicsville, Iowa, in the passing of a resolution of necessity, as amended, and in connection with the making of a contract for street improvements with the Iowa Road Building Company in connection therewith, and to legalize said contract, and authorize its performance by said town council, and the financing thereof.

Read first and second times and passed on file.

Senate File 231, by Senator Shaff, a bill for an act to amend chapter four hundred ninety-six A (496A), Code 1962, relating to corporations for profit.

Read first and second times and passed on file.

Senate File 232, by Senators Fulton and Beneke, a bill for an act to amend chapter seven hundred fourteen point one (714.1), Code 1962, relating to malicious injury of building and fixtures.

Read first and second times and passed on file.

Senate File 233, by Senator Walker, a bill for an act relating to selection of newspapers for official publications.

Read first and second times and passed on file.

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Senate File 234, by Senator Mincks, a bill for an act to amend section eighty-five A point twelve (85A.12), Code 1962, relative to occupational diseases.

Read first and second times and passed on file.

Senate File 235, by Senator Mincks, a bill for an act relating to the public employees of the State of Iowa.

Read first and second times and passed on file.

Senate File 236, by Senator Long, a bill for an act to legalize and validate the purchase, platting and sale of certain real estate owned by the West Delaware County Community School District in the County of Delaware, State of Iowa, and to authorize conveyance of legal title thereto.

Read first and second times and passed on file.

Senate File 237, by committee on agriculture, a bill for an act relating to the distribution, sale, transportation and use of pesticides and devices and to provide for registration and examination of such materials and regulation of their use.

Read first and second times and placed on the calendar.

Senate File 238, by committee on conservation, a bill for an act to amend section one hundred eleven point twenty-seven (111.27), Code 1962, relating to management of state-owned areas by municipalities.

Read first and second times and placed on the calendar.

Senate File 239, by Senator Wiley, a bill for an act relating to the platting of rural subdivisions.

Read first and second times and passed on file.

Senate File 240, by Senator Wiley, a bill for an act relating to speed restrictions of certain motor vehicles.

Read first and second times and passed on file.

Senate File 241, by committee on banks, building and loan, a bill for an act to amend section five hundred twenty-four point seven (524.7), Code 1962, relating to salaries of the deputy superintendent of banking and bank examiners and enabling the state banking board to compensate said employees on a basis comparable to the compensation provided to those in positions of similar responsibility by federal bank supervisory departments.

Read first and second times and placed on the calendar.

Senate File 242, by Senator Van Eaton, a bill for an act to permit

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any municipal corporation in Iowa to contract for sewage disposal with any similar area in an adjoining state.

Read first and second times and passed on file.

Senate File 243, by Senator Shaff, a bill for an act relating to mobile home parks and mobile homes and travel trailers and to provide fees and taxes thereon and to provide for an appropriation.

Read first and second times and passed on file.

Senate File 244, by Senator Lisle, a bill for an act to legalize and validate the establishment and operation of the public junior college department of the Clarinda Community School District, in the County of Page, State of Iowa.

Read first and second times and passed on file.

Senate File 245, by Senators Shaff, Shoeman and Van Eaton, a bill for an act relating to the regulation of the practice and teaching of cosmetology.

Read first and second times and passed on file.

Senate File 246, by committee on governmental affairs, a bill for an act requiring the submission of the social security number and/or tax number by those persons or corporations registered or licensed by the state.

Read first and second times and placed on the calendar.

Senate Joint Resolution 16, by Senator Wearin, a joint resolution ratifying a proposed amendment to the Constitution of the United States of America relating to qualifications of electors.

Read first and second times and passed on file.

SENATE CONCURRENT RESOLUTION ADOPTED

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

SENATE CONCURRENT RESOLUTION 11

By Nolan, O'Malley, Frommelt, Vance, Rigler, Elthon and Schroeder

Whereas, the Shriners of America, through the Shriners' Hospital for Crippled Children, propose to build three hospitals for the care of children severely burned, and

Whereas, one of such hospitals is to be located in the midwest, and

Whereas, such hospitals are to be located at the medical centers, and

Whereas, the University of Iowa has one of the outstanding medical centers in America, and

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Whereas, it is felt that the State of Iowa through its University can make a substantial contribution in assisting in the care and well-being of children so injured.

Now, Therefore, Be It Resolved by the Senate, the House Concurring, that the Shriners of America be and they are hereby invited to locate one of its hospitals at Iowa City, for the care of children suffering from burns, with the assurance that those who will be associated with the hospital will be most welcome by us.

The motion prevailed and the resolution was adopted.

UNFINISHED BUSINESS

On motion of Senator Dykhouse, Senate File 190, a bill for an act to amend chapter one hundred six (106), Code 1962, relating to registration period for motorboats to be used in Iowa waters, was taken up for further consideration.

Senator Long offered the following amendment, filed by Senators Long and Mincks, and moved its adoption:

Amend Senate File 190 as follows:

Amend Senate File 190 by striking lines 4, 5, 6 and 7 of section 1, and inserting in lieu thereof the following:

"Beginning March 1, 1963, any vessels unregistered or registration renewals may be so registered for the subsequent biennium and placed in the waters of the state upon receiving the registration certificate and will expire as stated above. Registrations during the second year of the biennium shall be at the rate of two dollars ($2.00)."

The amendment was adopted.

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

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

Ayes, 49:

Benda	Elvers	Lodwick	Shivvers
Beneke	Fisher	Long	Shoeman
Brown	Flatt	Lucken	Stephens
Buck	Frommelt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Coleman	Griffin	O'Malley	Vincent
Cowden	Grimstead	Phelps	Walker
Curran	Hansen	Rigler	Walter
Doran	Hill	Schroeder	Wearin
Dykhouse	Kyhl	Scott	Wiley
Elijah	Lisle	Shaff	Wilson
Elthon			

Nays, none.

Absent or not voting, 1:

Dodds

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

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On motion of Senator Schroeder, Senate File 195, a bill for an act to amend sections five hundred thirty-five point two (535.2) and five hundred thirty-five point three (535.3), Code 1962, relating to the rate of interest which domestic or foreign corporations may contract in writing to pay and interest on judgments and decrees, was taken up for further consideration.

Senator Schroeder offered the following amendment and moved its adoption:

Amend Senate File 195 by striking line 3 of section 1 and by inserting in lieu thereof the following:
"one (1) thereof the word 'The' and inserting in lieu thereof".

Senator Van Eaton took the chair at 9:40 a.m.

The amendment was adopted.

Senator Schroeder moved that the bill be read a third 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:

Benda	Elvers	Long	Turner
Beneke	Fisher	Lucken	Vance
Campbell	Flatt	Nolan	Van Eaton
Cowden	Fulton	Rigler	Vincent
Curran	Getting	Schroeder	Walker
Doran	Griffin	Scott	Walter
Dykhouse	Kyhl	Shaff	Wearin
Elijah	Lisle	Shivvers	Wiley
Elthon	Lodwick	Shoeman	Wilson

Nays, 12:

Brown	Dodds	Hill	O'Malley
Burrows	Grimstead	Main	Phelps
Coleman	Hansen	Mincks	Stephens

Absent or not voting, none.

Voting present, 2:

Buck	Frommelt

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

Senator Schroeder moved that the 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 Flatt rose on a point of personal privilege and offered the following remarks:

Four mornings a week my committee, a sub-committee of the committee on appropriations, has been receiving reports and budgetary requests from some fifty state departments. Of necessity only thirty to sixty minutes are allowed to each department, consequently, members of the committee have

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been working directly with personnel of the various departments to become better acquainted with the activities of the departments and to ascertain how valid are the appropriation askings. May I bring to your attention a situation which is most amazing. I should like to quote to you from a directive by one department head to all employees. "No employee of the ..... department nor their emissaries shall contact or offer information to any member of the legislature without first clearing such action with the director."

Does our highest truth come only from the department heads? It might be assumed that the lower eschelon of employees just don't know about their respective operation or maybe they know too much. This sounds like Washington not Iowa.

Government should do for the people that which they cannot do for themselves. Our responsibility is not to promote various departments of government, but to determine the amount of government the people need. It is imperative we have free exchange of information at all levels to accomplish this end.

May I make a further observation. The various departments are created by the General Assembly and receive authority to implement their programs from this body. It is difficult for me to understand why they should be out campaigning for new programs, in some cases rather radical changes in government, when we here in the General Assembly have not passed on these measures. To illustrate I have an article from the Omaha World Herald, Sunday, February 17, where an employee of one of our state departments was promoting legislation. Also some departments keep employees constantly in this chamber. I hasten to say these are isolated cases and most of the state employees in the chamber are here on invitation of the legislators. There seems to be an overall tendency for employees in the state government to decide what they want in new programs for their department and begin selling this program to the people even to the extent of utilizing government agencies. Now we find an effort to control the expressions of their subordinates, as one department head said, "to have a solid front with the legislature." This is a most concerning situation. The people and not the department heads should call for new programs, and shouldn't we have complete freedom of expression on all levels?

Senator Scott asked and received unanimous consent that the foregoing remarks by Senator Flatt be printed in the Senate Journal.

THIRD READING OF BILLS

On motion of Senator Elijah, Senate File 23, a bill for an act to amend chapter one hundred sixty-nine (169), Code 1962, relating to veterinary medicine and surgery, with report of committee recommending amendment in accordance with the amendment filed by Senator Shoeman and passage, was taken up, considered, and the report of the committee adopted.

Senator Shoeman offered the following amendment and moved its adoption:

Amend Senate File 23 by striking all of section 1 and renumbering the remaining sections.

The amendment was adopted.

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Senator Shoeman asked and received unanimous consent to withdraw the amendment filed by him and found on page 134 of the Senate Journal.

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, 48:

Benda	Elijah	Kyhl	Shaff
Beneke	Elthon	Lisle	Shivvers
Brown	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Turner
Campbell	Frommelt	Mincks	Vance
Coleman	Fulton	Nolan	Van Eaton
Cowden	Getting	O'Malley	Walker
Curran	Griffin	Phelps	Walter
Dodds	Grimstead	Rigler	Wearin
Doran	Hansen	Schroeder	Wiley
Dykhouse	Hill	Scott	Wilson

Nays, 1:

Absent or not voting, none.

Vincent

Voting present, 1:

Main

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

Senator Elijah asked and received unanimous consent that Senate File 23 be immediately messaged to the House, which request was complied with.

On motion of Senator Griffin, Senate File 27, a bill for an act to amend sections one hundred fifty-five point two (155.2) and one hundred fifty-five point six (155.6), Code 1962, regarding the right of unlicensed persons to fill prescriptions, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Griffin asked and received unanimous consent that House File 26 be substituted for Senate File 27.

On motion of Senator Griffin, House File 26, a bill for an act to amend sections one hundred fifty-five point two (155.2) and one hundred fifty-five point six (155.6), Code 1962, regarding the right of unlicensed persons to fill prescriptions, was taken up and considered.

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

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

Ayes, 47:

Benda	Elijah	Kyhl	Shivvers
Beneke	Elthon	Lodwick	Shoeman
Brown	Elvers	Long	Stephens
Buck	Fisher	Main	Turner
Burrows	Flatt	Mincks	Vance
Campbell	Frommelt	Nolan	Van Eaton
Coleman	Fulton	O'Malley	Vincent
Cowden	Getting	Phelps	Walker
Curran	Griffin	Rigler	Walter
Dodds	Grimstead	Schroeder	Wearin
Doran	Hansen	Scott	Wiley
Dykhouse	Hill	Shaff	

Nays, none.

Absent or not voting, 3:

Lisle	Lucken	Wilson

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

Senator Griffin asked and received unanimous consent that Senate File 27 be withdrawn from further consideration of the Senate.

On motion of Senator Griffin, Senate File 28, a bill for an act to amend section one hundred forty-seven point eighty (147.80), Code 1962, relating to pharmacy license fees, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Griffin moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shivvers
Brown	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Turner
Campbell	Frommelt	Main	Vance
Coleman	Fulton	Mincks	Van Eaton
Cowden	Getting	O'Malley	Vincent
Curran	Griffin	Phelps	Walker
Dodds	Grimstead	Rigler	Walter
Doran	Hill	Scott	Wearin
Dykhouse	Kyhl	Shaff	Wiley
Elijah			

Nays, none.

Absent or not voting, 4:

Beneke	Hansen	Nolan	Schroeder

Voting present, 1:

Wilson

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

President Mooty took the chair at 11:45 a.m.

On motion of Senator Getting, Senate File 86, a bill for an act relating to scabies control in sheep and eradication with penalty provision, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Getting asked and received unanimous consent to withdraw the amendment filed by him and found on page 117 of the Senate Journal.

The following committee amendment was considered:

Amend Senate File 86 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Definitions.

1. 'Department' means the department of agriculture of the State of Iowa.

2. 'Division' means the animal disease eradication division of the agricultural research service of the United States department of agriculture.

3. 'Scabies' means a communicable skin disease caused by infestation with mites of the species psoroptes, sarcoptes, chorioptes or psorergates.

4. 'Infected animal' means an animal of the ovine species which shows clinical evidence of scabies or in which the presence of the scabies mite is demonstrated.

5. 'Approved stockyard or livestock market' means any place where sheep are assembled for public auction, private sale, or on a commission basis which is under state or federal supervision.

6. 'Licensed dealer' means any person who is licensed by the Iowa department of agriculture who is engaged in the business of buying for resale, selling, or exchanging sheep as a principal or agent or who holds himself out as so engaged but does not include employees of a licensed sheep dealer doing business in the name of such dealer or the owner or operator of a farm who exchanges only sheep which have been kept by him solely for feeding or breeding purposes and does not hold himself out as so engaged or as a livestock auction market acting strictly on a consignment basis.

7. 'Accredited veterinarian' means a veterinarian who is licensed by the state in which he practices, is approved by the department of agriculture or the livestock sanitary authority of that state, and is accredited by the United States department of agriculture.

8. 'Official health certificate' means a legal record covering the requirement of the State of Iowa and approved by the proper livestock sanitary official of the state of origin and issued by an accredited veterinarian.

9. 'Certified scabies free area' means an area in which all sheep have been inspected by a representative of the Iowa department of agriculture or of the animal disease eradication division of the United States department of agriculture and are found to be free of any evidence of scabies and such fact is certified to by both agencies.

10. 'Area' means one or more counties or portions thereof.

Sec. 2. All breeding and feeding sheep offered for sale or exchange at any market or at any dealer's premises, or otherwise moved or released from

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any market or dealer's premises, vehicle or conveyance, shall, within ten (10) days prior to sale, exchange, release, or movement, be dipped in an approved dip under the supervision of the Iowa department of agriculture or of the animal disease eradication division of the United States department of agriculture.

Sec. 3. All sheep so dipped shall be accompanied by a certificate showing that the sheep were dipped under supervision.

Sec. 4. Market operators and dealers in sheep shall provide satisfactory dipping facilities approved by the department and shall maintain records which show the true origin of the sheep including name and address of the seller or consignor, number, date of receipt, date of dipping, and including all certificates, permits, waybills, bills of lading for each consignment of sheep consigned to and leaving the market or dealer's premises. All records shall be retained for a period of one (1) year and made available upon demand by a representative of the department.

Sec. 5. Animals may be sold for slaughter without dipping. Sheep when inspected at the market or dealer's premises and found free of scabies or no known exposure thereto, may be sold for slaughter purposes without dipping if consigned directly and immediately on a slaughter affidavit to a slaughtering establishment operating under federal, state or municipal meat inspection service. Such sheep shall be identified with the letter 'K' in red branding paint at least four inches high on their back except those consigned to such slaughtering establishment by the original owner.

Sec. 6. Sheep found to be infected with or exposed to scabies at a market, dealer's premises or elsewhere, shall be immediately dipped, as directed by and under the supervision of the department, at owner's expense. Such sheep shall remain under quarantine until released by the department, except that sheep infected with or exposed to scabies may be moved, without dipping, directly to a slaughter establishment under federal inspection, under permit from the department. No sheep shall be moved into or within the State of Iowa for any purpose except as provided in this chapter and the regulations of the department.

Sec. 7. When all flocks of sheep within a county have been inspected by a representative of the department and are found to be free of scabies, the department may certify the county as a 'scabies free area'.

Sec. 8. Sheep from noncertified scabies free areas within Iowa shall not enter certified scabies free areas unless they have been dipped in an approved dip under supervision within ten (10) days preceding movement and satisfactory evidence of dipping accompanies the shipment, except such sheep may move into certified scabies free areas if consigned directly to a stockyard market, auction market or slaughter establishment, under federal inspection, provided the sheep are accompanied by a certificate stating number, description, consignor and consignee.

Sec. 9. All sheep entering the state for breeding or feeding purposes shall be accompanied by a permit and by a health certificate stating the sheep are from a certified scabies free area or if not from a certified scabies free area that they have been dipped in an approved dip within ten (10) days prior to movement. All livestock markets, dealers and individuals shall retain all incoming waybills, permits and health certificates for a period of one year, same to be made available upon demand by the department.

Sec. 10. All persons engaged in the shearing of sheep shall immediately report any suspicion of or evidence of scabies to the department.

Sec. 11. The department is empowered to make and promulgate rules and regulations necessary for the eradication of scabies in sheep.

Sec. 12. Any person, firm or partnership or corporation violating the provisions of this chapter shall upon conviction thereof be fined not less

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than one hundred dollars ($100.00) and not to exceed five hundred dollars ($500.00)."

Senator Main offered the following amendment to the amendment and moved its adoption:

Amend the committee amendment as follows:
1. By striking from line (45) the words "at any market or at any dealer's premises,".
2. By striking from line 46 the words "market or dealer's".
3. By striking from line 47 the word "sale,".

The amendment to the amendment was adopted.

On motion of Senator Rigler, the Senate recessed until 3:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

The Senate resumed consideration of Senate File 86.

Senator Beneke offered the following amendment to the committee amendment and moved its adoption:

Amend the amendment as follows:
Amend Senate File 86 by striking from lines 109 and 110 of the committee amendment filed February 19 the words "the eradication of scabies in sheep." and substituting therefor the words "carrying out the provisions of this Act."

The amendment to the amendment was adopted.

On motion of Senator Getting, the amendment as amended was adopted.

Senator Getting moved that the bill be read a third 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:

Benda	Elijah	Kyhl	Scott
Beneke	Elthon	Lisle	Shivvers
Brown	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Turner
Campbell	Frommelt	Main	Vance
Coleman	Fulton	Mincks	Van Eaton
Cowden	Getting	Nolan	Vincent
Curran	Griffin	O'Malley	Walker
Dodds	Grimstead	Phelps	Walter
Doran	Hansen	Rigler	Wearin
Dykhouse	Hill	Schroeder	Wilson

Nays, none.

Absent or not voting, 2:

Shaff	Wiley

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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, a concurrent resolution directing space be reserved in the next issue of the Iowa Official Register for appropriate commemoration of the Civil War Centennial.

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 relating to the improvement of primary roads by amending section three hundred thirteen point eight (313.8), Code 1962, referring to diagonal highways.

WILLIAM R. KENDRICK, *Chief Clerk.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files 11, 22 and 63 and House Joint Resolution 1.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: House Files 11, 22 and 63 and House Joint Resolution 1.

BILLS ASSIGNED TO COMMITTEES

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

S. F. 218 Transportation and highway safety
S. F. 220 Highways
S. F. 221 Transportation and highway safety
S. F. 223 Social security
S. F. 224 Compensation of public officers and employees
S. F. 225 Judiciary 1
S. F. 226 Judiciary 2
S. F. 227 Insurance

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S. F. 228 Cities and towns
S. F. 229 Cities and towns
S. F. 230 Judiciary 2
S. F. 231 Manufacturing, commerce and trade
S. F. 232 Judiciary 1
S. F. 233 Printing
S. F. 234 Industrial relations
S. F. 235 Industrial relations
S. F. 236 Judiciary 2
H. F. 76 Cities and towns
H. F. 80 Cities and towns
H. F. 136 Schools and educational institutions
S.J.R. 16 Governmental affairs
S. F. 239 Governmental affairs
S. F. 240 Transportation and highway safety
S. F. 242 Judiciary 2
S. F. 243 Transportation and highway safety
S. F. 244 Judiciary 2
S. F. 245 Public health

REPORTS OF COMMITTEES

Senator Walker submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred **Senate File 65**, a bill for an act relating to erection of buildings by soil conservation districts and the renting of space in such buildings, begs leave to report it has had the same under consideration and recommends the same **be amended in accordance with the amendment filed February 19, 1963, by Senator Wilson and when so amended the bill do pass.**

JOHN A. WALKER, *Chairman.*

Ordered passed on file.

Senator Dykhouse submitted the following report:

MR. PRESIDENT: Your committee on conservation to which was referred **Senate File 151**, a bill for an act relating to altering boundary rivers, begs leave to report it has had the same under consideration and recommends the same **do pass.**

J. T. DYKHOUSE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on conservation to which was referred **House File 43**, a bill for an act relating to reimbursement for use by county conservation boards of county owned real estate, materials, equipment, or operators, begs leave to report it has had the same under consideration and recommends the same **do pass.**

J. T. DYKHOUSE, *Chairman.*

Ordered passed on file.

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Senator Nolan submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **House File 231**, a bill for an act relating to annual license fees of domestic and foreign corporations, begs leave to report it has had the same under consideration and recommends the same **do pass.**

D. C. NOLAN, *Chairman.*

Ordered passed on file.

Senator Schroeder submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **Senate File 242**, a bill for an act to permit any municipal corporation in Iowa to contract for sewage disposal with any similar area in an adjoining state, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACK SCHROEDER, *Chairman.*

Ordered passed on file.

Senator Grimstead submitted the following report:

MR. PRESIDENT: Your committee on governmental affairs to which was referred **Senate File 85**, a bill for an act to provide uniforms for sheriffs and their deputies, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

Amend section 1, line one, by striking the word "shall" and inserting in lieu thereof the word "may".

JACOB GRIMSTEAD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on governmental affairs to which was referred **Senate File 158**, a bill for an act relating to the time the state comptroller shall close out biennial appropriations, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACOB GRIMSTEAD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on governmental affairs to which was referred **House File 24**, a bill for an act to amend chapter three hundred thirty-one point twenty-five (331.25), Code 1962, relating to supervisor districts in counties, 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 24 by striking all of section 2 and renumbering the remaining section.

JACOB GRIMSTEAD, *Chairman.*

Ordered passed on file.

Senator Fisher submitted the following report:

MR. PRESIDENT: Your committee on transportation and public safety to which was referred **Senate File 38**, a bill for an act relating to notification of expiration of motor vehicle operator's license, 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:**

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Amend Senate File 38 as follows:

1. Add as sections 2 and 3 the following:

Sec. 2. Section three hundred twenty-one point one hundred ninety-six (321.196), Code 1962, is amended by adding at the end thereof the following:

"Any resident of Iowa holding a valid operator's or chauffeur's license who is temporarily absent from the state, or incapacitated, may, at the time for renewal for such license, obtain from the sheriff of the county of his residence a form to apply for a temporary extension of his license. The department upon receipt of such application form properly filled out shall, upon a showing of good cause, issue a temporary extension of such license for not to exceed six months. The department shall prescribe and furnish such forms to each county sheriff."

Sec. 3. This Act being deemed of immediate importance shall be in full force and effect from and after its publication in the Oskaloosa Daily Herald, a newspaper published at Oskaloosa, Iowa, and The Garner Leader and Signal and Herald, a newspaper published at Garner, Iowa.

2. Amend the title by adding at the end thereof the words "and extensions of such licenses in certain cases".

J. LOUIS FISHER, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend the House amendment to Senate File 58 as follows:

1. Line 3, by inserting preceding the word "or" the following: "or murder,".

2. Line 4, by striking the word "or" and inserting in lieu thereof the following: ", murder, or violation of law concerning the".

3. By striking all of division 2 of the House amendment.

GEORGE O'MALLEY.

Amend House File 43 by striking all of section 3.

KENNETH BENDA.

Amend Senate File 153 as follows:

1. Amend Senate File 153, section 1, line 3 by inserting after the word "licensed" the word "drug".

CHARLES F. GRIFFIN.

Amend Senate File 46 as follows:

1. Amend Senate File 46 by striking sections 1 and 2 and renumbering the remaining sections.

2. By inserting after the word July in line 6 of section 3, the words, "commencing July 1, 1964,".

3. By striking the word "further" in line 2 of section 3 and inserting in lieu thereof the word "hereby".

4. By striking the words "and to each beneficiary, except children of a deceased member" in line 7 and 8.

5. By striking the words "or beneficiary's" in lines 11 and 12.

6. By striking the words "or death" in line 12.

7. By striking the words "or deceased" in line 15.

8. By striking the words "or death" in line 16.

9. By striking the words "or deceased" in line 17.

10. By striking the words "or death" in lines 18 and 19.

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11. By striking lines 20 through 31 inclusive.
12. By striking the words "or deceased" in line 38.
13. By striking the words "or death" in lines 39 and 40.
14. By striking the words "or deceased" and "or death" in line 41.
15. By striking the words "or his widow's or children's" in lines 42 and 43.
16. By striking the word "pensions" in lines 43, and inserting in lieu thereof the word "pension".
17. By adding a new section as follows:

Sec. 5. Section four hundred eleven point eight (411.8), subsection one (1), Code 1962, is hereby amended by adding one percent (1%) to the rate of contribution for all active members, effective July 1, 1963."

DAVID O. SHAFF.

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

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 22, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Doctor Deane E. Chapman, pastor of the Grandview Avenue Methodist Church, Dubuque, Iowa.

PETITIONS

The following petitions, favoring liquor by the drink under license control, were received and placed on file by:

Senator Shaff, from eight hundred residents of Clinton County.

Senator Turner, from fifty-one residents of Pottawattamie County.

The following petitions, opposing liquor by the drink, were received and placed on file by:

Senator Hansen, from thirty residents of Sac County.

Senator Scott, from eight residents of Fayette County.

Senator Van Eaton, from thirty-eight residents of Woodbury County.

By Senator Scott, from ten residents of Fayette County favoring implied consent legislation.

INTRODUCTION OF BILLS

Senate File 247, by Senators Hansen, Van Eaton and Brown, a bill for an act relating to the use of certain state parks.

Read first and second times and passed on file.

Senate File 248, by Senator Hill, a bill for an act relating to the formula by which income of corporations is to be apportioned between the State of Iowa and other states for purposes of the Iowa income tax on corporations.

Read first and second times and passed on file.

Senate File 249, by Senators Flatt, Fulton, Walker and Van Eaton, a bill for an act to permit cities and towns to donate real estate to the state for public use.

Read first and second times and passed on file.

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Senate File 250, by Senators Lisle, Shaff, Doran, Brown, Walker, Main, Dodds and Wilson, a bill for an act to amend section two hundred eighty-six A point four (286A.4), Code 1962, relating to the allocation of general school aid funds to junior college districts.

Read first and second times and passed on file.

Senate File 251, by Senators Rigler and Wearin, a bill for an act to provide for the establishment of a minimum foundation program for the State of Iowa.

Read first and second times and passed on file.

THIRD READING OF BILLS

On motion of Senator Getting, Senate File 202, a bill for an act to amend section two hundred sixty point twenty-three (260.23), Code 1962, relating to revocation of certificates, was taken up and considered.

Senator Getting moved that the bill be read a third 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:

Benda	Elvers	Lisle	Shoeman
Beneke	Fisher	Lodwick	Stephens
Burrows	Flatt	Long	Turner
Campbell	Frommelt	Lucken	Vance
Coleman	Getting	Mincks	Van Eaton
Cowden	Griffin	O'Malley	Vincent
Curran	Grimstead	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Scott	Wearin
Dykhouse	Kyhl	Shivvers	Wilson
Elthon			

Nays, none.

Absent or not voting, 9:

Brown	Fulton	Nolan	Shaff
Buck	Main	Schroeder	Wiley
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 Walker, Senate File 32, a bill for an act relating to the distribution of earnings of co-operative associations organized under chapter four hundred ninety-nine (499) of the Code, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Walker asked and received unanimous consent that House File 78 be substituted for Senate File 32.

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On motion of Senator Walker, House File 78, a bill for an act relating to the distribution of earnings of cooperative associations organized under chapter four hundred ninety-nine (499), Code 1962, was taken up and considered.

Senator Rigler asked and received unanimous consent that action on House File 78 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Griffin, Senate File 153, a bill for an act relating to the use of the term "drug" and related terms, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Griffin offered the following amendment and moved its adoption:

Amend Senate File 153 as follows:

1. Amend Senate File 153, section 1, line 3 by inserting after the word "licensed" the word "drug".

The amendment was adopted.

Senator Griffin moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shoeman
Beneke	Elvers	Lodwick	Stephens
Burrows	Fisher	Long	Turner
Campbell	Flatt	Lucken	Vance
Coleman	Frommelt	Main	Van Eaton
Cowden	Getting	Mincks	Vincent
Curran	Griffin	O'Malley	Walker
Dodds	Grimstead	Phelps	Walter
Doran	Hansen	Rigler	Wearin
Dykhouse	Hill	Scott	Wilson
Elijah	Kyhl	Shivvers	

Nays, none.

Absent or not voting, 7:

Brown	Fulton	Schroeder	Wiley
Buck	Nolan	Shaff	

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

On motion of Senator Lodwick, Senate File 155, a bill for an act relating to the exemption of farm land from zoning ordinance, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Lodwick asked and received unanimous consent that action

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on Senate File 155 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator O'Malley, Senate File 175, a bill for an act relating to salaries of the board of trustees of public utility plants in cities, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 43:

Benda	Elijah	Kyhl	Shivvers
Beneke	Elthon	Lisle	Shoeman
Buck	Elvers	Lodwick	Turner
Burrows	Fisher	Long	Vance
Campbell	Flatt	Lucken	Van Eaton
Coleman	Frommelt	Main	Vincent
Cowden	Getting	Mincks	Walker
Curran	Griffin	O'Malley	Walter
Dodds	Grimstead	Phelps	Wearin
Doran	Hansen	Rigler	Wilson
Dykhouse	Hill	Scott	

Nays, none.

Absent or not voting, 6:

Brown	Nolan	Shaff	Wiley
Fulton	Schroeder		

Voting present, 1:

Stephens

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 8, a bill for an act to provide equal population for city and town wards, with report of committee recommending passage, was taken up, considered, and the report of 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, 45:

Benda	Dodds	Frommelt	Lodwick
Beneke	Doran	Getting	Long
Buck	Dykhouse	Griffin	Lucken
Burrows	Elijah	Grimstead	Main
Compbell	Elthon	Hansen	Mincks
Coleman	Elvers	Hill	Nolan
Cowden	Fisher	Kyhl	O'Malley
Curran	Flatt	Lisle	Phelps

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Rigler	Stephens	Van Eaton	Walter
Scott	Turner	Vincent	Wearin
Shivvers	Vance	Walker	Wilson
Shoeman			

Nays, none.

Absent or not voting, 5:

Brown	Schroeder	Shaff	Wiley
Fulton			

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

On motion of Senator Flatt, Senate File 36, 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, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Flatt asked and received unanimous consent that action on Senate File 36 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Hansen, Senate File 126, a bill for an act relating to the use of vending machines in the sale of cigarettes and providing for the licensing of such machines, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Hansen asked and received unanimous consent that action on Senate File 126 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Rigler, Senate File 207, a bill for an act to authorize and directing the issuance of a patent to certain real estate to board of park commissioners of the city of Ottumwa, Iowa, by the governor and secretary of state, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Rigler moved that the bill be read a third 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:

Benda	Dodds	Frommelt	Lodwick
Beneke	Doran	Getting	Long
Buck	Dykhouse	Griffin	Lucken
Burrows	Elijah	Grimstead	Main
Campbell	Elthon	Hansen	Mincks
Coleman	Elvers	Hill	Nolan
Cowden	Fisher	Kyhl	O'Malley
Curran	Flatt	Lisle	Phelps

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Rigler	Stephens	Van Eaton	Walter
Scott	Turner	Vincent	Wearin
Shivvers	Vance	Walker	Wilson
Shoeman			

Nays, none.

Absent or not voting, 5:

Brown	Schroeder	Shaff	Wiley
Fulton			

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

On motion of Senator Fisher, Senate File 101, a bill for an act to authorize the public safety department, highway safety patrol division, to use money provided by chapter one (1), section fifty-one (51), Acts of the Fifty-ninth General Assembly, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Fisher moved that the bill be read a third 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:

Benda	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Turner
Coleman	Frommelt	Main	Vance
Cowden	Griffin	Mincks	Van Eaton
Curran	Grimstead	Nolan	Vincent
Dodds	Hansen	Phelps	Walter
Dykhouse	Hill	Rigler	Wearin
Elijah	Kyhl	Scott	Wilson
Elthon	Lisle	Shivvers	

Nays, 4:

Beneke	Doran	Getting	Walker

Absent or not voting, 7:

Brown	Fulton	Schroeder	Wiley
Campbell	O'Malley	Shaff	

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

On motion of Senator Rigler, Senate File 208, a bill for an act to authorize and directing the issuance of a patent to certain real estate to Edith F. Hoskinson and Hessel LaVerne Hoskinson, by the governor and secretary of state, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 44:

Benda	Elthon	Lisle	Shivvers
Beneke	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Turner
Coleman	Frommelt	Main	Vance
Cowden	Getting	Mincks	Van Eaton
Curran	Griffin	Nolan	Vincent
Dodds	Grimstead	O'Malley	Walker
Doran	Hansen	Phelps	Walter
Dykhouse	Hill	Rigler	Wearin
Elijah	Kyhl	Scott	Wilson

Nays, none.

Absent or not voting, 6:

Brown	Fulton	Shaff	Wiley
Campbell	Schroeder		

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

On motion of Senator Long, House File 21, a bill for an act relating to subsidiary companies of life insurance companies, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Frommelt moved that the bill be read a third 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:

Benda	Elijah	Kyhl	Shivvers
Beneke	Elthon	Lisle	Shoeman
Buck	Elvers	Lodwick	Stephens
Burrows	Fisher	Long	Turner
Campbell	Flatt	Lucken	Vance
Coleman	Frommelt	Main	Van Eaton
Cowden	Getting	Mincks	Vincent
Curran	Griffin	Nolan	Walker
Dodds	Grimstead	Phelps	Walter
Doran	Hansen	Rigler	Wearin
Dykhouse	Hill	Scott	Wilson

Nays, none.

Absent or not voting, 6:

Brown	O'Malley	Shaff	Wiley
Fulton	Schroeder		

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

On motion of Senator Stephens, House File 72, a bill for an act authorizing and directing the issuance of a patent to certain real estate to Howard J. Greene and Alice E. Greene, with report of

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committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Stephens moved that the bill be read a third 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:

Benda	Elijah	Lisle	Shoeman
Beneke	Elthon	Lodwick	Stephens
Buck	Elvers	Long	Turner
Burrows	Fisher	Lucken	Vance
Campbell	Frommelt	Main	Van Eaton
Coleman	Getting	Mincks	Vincent
Cowden	Griffin	Nolan	Walker
Curran	Grimstead	Phelps	Walter
Dodds	Hansen	Rigler	Wearin
Doran	Hill	Scott	Wilson
Dykhouse	Kyhl	Shivvers	

Nays, none.

Absent or not voting, 7:

Brown	Fulton	Schroeder	Wiley
Flatt	O'Malley	Shaff	

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

Senator Long asked and received unanimous consent that Senate File 16 be withdrawn from further consideration of the Senate.

On motion of Senator Burrows, House File 113, a bill for an act to legalize and validate the proceedings for the organization and establishment of the Benton-Linn Benefited Fire District, in the Counties of Benton and Linn, State of Iowa, and declaring said district a duly and legally organized corporate body as provided by law, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Burrows moved that the bill be read a third 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:

Benda	Elijah	Kyhl	Shivvers
Beneke	Elthon	Lisle	Shoeman
Buck	Elvers	Lodwick	Stephens
Burrows	Fisher	Long	Turner
Campbell	Flatt	Lucken	Vance
Coleman	Frommelt	Main	Van Eaton
Cowden	Getting	Mincks	Vincent
Curran	Griffin	Nolan	Walker
Dodds	Grimstead	Phelps	Walter
Doran	Hansen	Rigler	Wearin
Dykhouse	Hill	Scott	Wilson

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Nays, none.

Absent or not voting, 6:

Brown	O'Malley	Shaff	Wiley
Fulton	Schroeder		

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

On motion of Senator Long, House File 132, a bill for an act relating to suspension or revocation of insurance agents' licenses, 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, 42:

Benda	Elijah	Kyhl	Shoeman
Beneke	Elthon	Lisle	Stephens
Buck	Elvers	Lodwick	Turner
Burrows	Fisher	Long	Vance
Campbell	Flatt	Lucken	Van Eaton
Coleman	Frommelt	Nolan	Vincent
Cowden	Getting	Phelps	Walker
Curran	Griffin	Rigler	Walter
Dodds	Grimstead	Scott	Wearin
Doran	Hansen	Shivvers	Wilson
Dykhouse	Hill		

Nays, none.

Absent or not voting, 8:

Brown	Main	O'Malley	Shaff
Fulton	Mincks	Schroeder	Wiley

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

Senator Rigler asked and received unanimous consent that the following bill be taken up.

On motion of Senator Van Eaton, Senate File 242, a bill for an act to permit any municipal corporation in Iowa to contract for sewage disposal with any similar area in an adjoining state, 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 242 as follows:

1. By striking the word "similiar" in line 2 of the title and inserting in lieu thereof the word "similar".

The amendment was adopted.

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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, 43 :

Benda	Elijah	Kyhl	Shoeman
Beneke	Elthon	Lisle	Stephens
Buck	Elvers	Lodwick	Turner
Burrows	Fisher	Long	Vance
Campbell	Flatt	Lucken	Van Eaton
Coleman	Frommelt	Main	Vincent
Cowden	Getting	Nolan	Walker
Curran	Griffin	Phelps	Walter
Dodds	Grimstead	Rigler	Wearin
Doran	Hansen	Scott	Wilson
Dykhouse	Hill	Shivvers	

Nays, none.

Absent or not voting, 7:

Brown	Mincks	Schroeder	Wiley
Fulton	O'Malley	Shaff	

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 242 be immediately messaged to the House, which request was complied with.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate Concurrent Resolution 10, a concurrent resolution authorizing payment of legislative expenses.

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

Senate Concurrent Resolution 11, a concurrent resolution inviting the Shriners of America to locate one of its hospitals at Iowa City.

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

Senate File 63, a bill for an act relating to the powers of subdistricts of soil conservation districts.

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 to prevent subsidizing retail beer permittees by the extension of credit on beer from Class "A" permit holders.

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 the rate of interest which

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domestic or foreign corporations may contract in writing to pay and interest on judgments and decrees.

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

House File 10, a bill for an act relating to the operation of a motor vehicle while intoxicated.

Also : That the House has concurred in Senate amendments to and passed House File 23, a bill for an act relating to altering, vacating, or closing roads.

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

House File 77, a bill for an act to authorize the governing bodies of the cities and counties of Iowa and adjoining states to create regional or metropolitan planning commissions.

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 public health nurses.

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

House File 109, a bill for an act relating to listing of tax exempt real property.

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

House File 257, a bill for an act making it a misdemeanor to obtain or attempt to obtain goods, property or service by false or fraudulent use of credit cards or other false or fraudulent means.

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

House File 258, a bill for an act relating to the licensing of itinerant practitioners.

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

House File 259, a bill for an act relating to the legal settlement of a mentally ill person at the time of admission to a state institution.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 10, a bill for an act relating to the operation of a motor vehicle while intoxicated; providing for the testing of body substances; providing for the administration of tests, revocation of operator's license, administrative hearings, judicial review, interpretation of tests, and proof in civil or criminal actions.

Read first and second times and passed on file.

House File 77, a bill for an act to authorize the governing bodies of the cities and counties of Iowa and adjoining states to create re-

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gional or metropolitan planning commissions, and for school districts and other such bodies to participate in such commissions.

Read first and second times and passed on file.

House File 83, a bill for an act relating to public health nurses.

Read first and second times and passed on file.

House File 109, a bill for an act relating to listing of tax exempt real property.

Read first and second times and passed on file.

House File 257, a bill for an act making it a misdemeanor to obtain or attempt to obtain goods, property or service by false or fraudulent use of credit cards or other false or fraudulent means, and providing penalties therefor.

Read first and second times and passed on file.

House File 258, a bill for an act relating to the licensing of itinerant practitioners.

Read first and second times and passed on file.

House File 259, a bill for an act relating to the legal settlement of a mentally ill person at the time of admission to a state institution.

Read first and second times and passed on file.

The following communication was received from the office of the State Comptroller:

OFFICE
STATE COMPTROLLER

No.	Name of Claimant and Nature of Claim	Amount of Claim
40-60	William A. Sundrup, Arcadia, Iowa—Overpayment on truck tractor license	$ 120.00
95-60	Brown Bros., Inc., Electrical Contractors, 2905 Delaware, Des Moines, Iowa—Sales Tax Refund	2,629.87
162-60	Legreid Farm Service Company, Highway 106, Mason City, Iowa—Refund on truck licenses	760.00
165-60	Linn County Treasurer, Cedar Rapids, Iowa — Ag. Land Tax Credit	1,847.61
182-60	Albert W. Elling, Route 2, Hampton, Iowa — Outdated warrant	26.40
184-60	Pitney Bowes, Inc., 69 Walnut St., Stamford, Conn.—Invoices submitted after time limit of 90 days	285.12

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No.	Name of Claimant and Nature of Claim	Amount of Claim
185-60	Pitney Bowes, Inc., 69 Walnut St., Stamford, Conn.—Invoices submitted after time limit of 90 days	35.10
188-60	Mervin Robbins Estate by Mina E. Robbins Extx., 707 Main, Woodward, Iowa—Out-dated warrant	13.84
189-60	Roy Edwards, Primghar, Iowa—Refund of tractor fees	15.00
190-60	Stanley E. Ziesmer, 645 West 7th St., Garner, Iowa—Refund of registration permits	30.00
195-60	Woodside Lumber Company, E. 14th & Howard Drive, Des Moines, Iowa—Material furnished for improvement of State property	381.45
197-60	Albert Lindgren, Kingsley, Iowa—Refund of tax on special fuels	256.74
198-60	Town of Adair, Adair, Iowa—Sales and Use Tax Refund	957.77
199-60	City of Estherville, City Hall, Estherville, Iowa—Sales and Use Tax Refund	598.44
200-60	Marjorie Anna Leslie, Oxford Junction, Iowa—Refund on license	4.00
201-60	Jesup Community School District, Jesup, Iowa—Sales and Use Tax Refund	128.51
202-60	Town of Adair, Adair, Iowa — Special assessment against property owned by Highway Commission	3,129.50
203-60	Adams County, Court House, Corning, Iowa—Additional Ag Land Tax Credit	303.58
204-60	Pottawattamie County, Council Bluffs, Iowa—Fees for survey of state-owned and county-owned land	4,521.40
206-60	Joseph C. Hall and Mabel E. Hall, 4441 Kester, Sherman Oaks, California—Out-dated warrant	74.60
208-60	Winterset Community School District, 110 West Washington, Winterset, Iowa—Refund of sales tax	309.58
210-60	Karl Kemery as Adm. of Estate of Roy Kemery, Deceased, Route 2, Bedford, Iowa—Out-dated warrant	10.96
212-60	Washington County, Washington, Iowa—Sales Tax Refund	25.68
214-60	David Lowell Olds, Penitentiary, Fort Madison, Iowa—Personal Injury	2,000.00
215-60	City of Spencer, P. O. Box 470, Spencer, Iowa—Refund of Sales Tax	261.66
217-60	Marion Municipal Water Dept., 534 11th St., Marion, Iowa—Refund of Sales Tax	149.29

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No.	Name of Claimant and Nature of Claim	Amount of Claim
218-60	Mr. Marvin Christenson, RFD, Redman, Iowa—Gas Tax Refund	18.00
219-60	William J. Nugent, 1204 East Call Street, Algona, Iowa—Homestead and Veterans Exemptions	105.73
220-60	Cherokee County, Court House, Cherokee, Iowa—Agricultural Land Tax Credit	31.88
222-60	Joe Dixon, 1655 10th Ave. N., Fort Dodge, Iowa—Salary for November 1952	275.00
224-60	Mrs. Etta Goodwin, 610 Chestnut St., LaPorte City, Iowa—Accident, fell on faulty sidewalk	182.90
225-60	Town of Calmar, Calmar, Iowa—Refund Sales and Use Tax	1,125.41
226-60	Henry Cameron, c/o Morris & Morris, Attorneys, 223½ Locust St., Des Moines, Iowa—Unlawful incarceration	1,000.00
227-60	Bob Gartland No. 27477, Box 316, Iowa State Prison, Fort Madison, Iowa—Injury to arm	50,000.00
228-60	Thomas Feed & Service, Corydon, Iowa—Overpayment of license fee	460.00
230-60	Edmund Ruff, Jr., Farmersburg, Iowa—Gas Tax Refund	30.00
231-60	W. Harry Christy Funeral Home, 1801 Morningside Ave., Sioux City, Iowa—Funeral Service, Mary W. E. Craig	205.00
232-60	City of Keokuk, 415 Blondeau St., Keokuk, Iowa—Use Tax	393.99
237-60	County Treasurer, Tama County, Toledo, Iowa—Agricultural Land Tax Credit	76.07
238-60	W. Harry Christy Funeral Home, 1801 Morningside Ave., Sioux City, Iowa—Funeral Service, Will Franzen	175.00
H- 6-60	John C. Moore, R. 4, Jefferson, Iowa—Fence	81.00
H- 9-60	Lee Ray Waite, Route 2, Marion, Iowa—Garden	200.00
H-13-60	Leonard Bessman, 202 Highway 3, Dumont, Iowa—Tile line	126.79
H-16-60	Roy E. Burns and Maude E. Burns, 322 E. McLane St., Osceola, Iowa—Damages to property	5,500.00
H-20-60	Cherokee Concrete Products, 740 East Spruce St., Cherokee, Iowa—Automobile damages	77.40
H-30	William C. Arn, 302 W. Benton St., Iowa City, Iowa—Calf	60.00

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No.	Name of Claimant and Nature of Claim	Amount of Claim
H-32-60	Everett Fetters, R.F.D., Humeston, Iowa—Crop damage	65.00
H-36-60	Jimmy Jack Hodges, 712 B Avenue, Vinton, Iowa — 1956 International Truck	100.00
H-37-60	Continental Casualty Company, 210 Insurance Exchange Bldg., Des Moines 9, Iowa—(subrogation) on damage to 1956 International Truck	1,700.00
H-39	Adron Carter, 1103 Lyon, Des Moines, Iowa—Personal Injury, Medical Expense and Loss of Wages	8,400.00
H-41	Floyd R. Brown, Route 2, Farragut, Iowa — Snow Fence	62.50
H-43	Sam K. Smith, Route 3, Guthrie Center, Iowa — Crop damage	300.00
H-44-60	Otto L. and Beverly A. Boeck, 718 Main Street, Janesville, Iowa—Trees	150.00
H-46-60	Arnold Maass, Route No. 1, Remsen, Iowa — Weed spray-soybeans	70.85
H-47-60	Kenneth H. Buck, R.R. 2, Denison, Iowa — Eye Glasses	29.48
H-49-60	Merle E. Elliott, Route 4, Waterloo, Iowa—Weed spray soybeans	282.24
H-51-63	Federated Mutual Implement and Hardware Insurance, 2323 Grand Ave., Des Moines, Iowa—Sandblast damage	519.24

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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 76 and House File 26.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 76 and House File 26.

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BILL SENT TO THE GOVERNOR

Senator Benda, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 22nd day of February, 1963, sent to the Governor for his approval: Senate File 76.

KENNETH BENDA, *Chairman.*

Passed on file.

REPORTS OF COMMITTEE

Senator Wearin submitted the following report:

MR. PRESIDENT: Your committee on schools and educational institutions to which was referred **House File 134**, a bill for an act to amend chapter two hundred fifty-five (255), Code 1962, to more specifically provide for collection of medical fees for private patients at the University Hospital, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EDWARD A. WEARIN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on schools and educational institutions to which was referred **House File 135**, a bill for an act to amend chapter two hundred twenty-five (225), Code 1962, to more specifically provide for collection of medical fees for private patients with the State Psychopathic Hospital at Iowa City, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EDWARD A. WEARIN, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 92 by adding thereto the following new section:

Sec. 4. Section four hundred twenty-two point forty-five (422.45), Code 1962, subsection four (4), is hereby amended by inserting in line two (2) thereof after the word "property" the words "except implements of husbandry".

GEORGE E. O'MALLEY.

Amend Senate File 126 by inserting the following before the word "shall" in line 14 of section 2: "of the Code".

PETER F. HANSEN.

On motion of Senator Rigler, the Senate adjourned until 10:00 a.m., Monday, February 25, 1963.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 25, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend John Biotto, pastor of the Chester Friends Church, Union, Iowa.

PETITIONS

The following petitions, opposing taxation of insurance premiums of members of fraternal benefit societies, were received and placed on file by:

Senator Beneke, from fifty-three residents of Buena Vista County.

Senator Rigler, from one hundred eighty-three residents of Chickasaw County and from two hundred thirty residents of Floyd County.

Senator Shaff, from thirty-three residents of Clinton County.

Senator Stephens, from twenty-eight residents of Washington County.

Senator Van Eaton, from two hundred seventy-five residents of Woodbury County.

The following petitions, favoring liquor by the drink under license control, were received and placed on file by:

Senator Elijah, from ninety-five residents of Cedar County.

Senator Flatt, from fifty-nine residents of Adair County.

Senator Frommelt, from ninety residents of Dubuque County.

Senator Lodwick, from eight hundred sixty-two residents of Lee County.

Senator Nolan, from nineteen residents of Johnson County.

Senator O'Malley, from seventy-eight residents of Polk County.

Senator Rigler, from forty-three residents of Floyd County.

Senator Shaff, from twenty-nine residents of Clinton County.

Senator Schroeder, from five hundred fifty-five residents of Scott County.

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The following petitions, opposing liquor by the drink, were received and placed on file by:

Senator Beneke, from forty-eight residents of Pocahontas and Calhoun Counties.

Senator Cowden, from seventeen residents of Dallas County.

Senator Dodds, from one hundred fifty-seven residents of Des Moines County.

Senator Doran, from nine residents of Greene County.

Senator Elijah, from twelve residents of Muscatine County.

Senator Lucken, from fifty-seven residents of Plymouth County.

Senator Shoeman, from twenty-six residents of Shelby County.

Senator Walker, from forty-nine residents of Hamilton County.

By Senator Fulton, from seventy-five residents of Black Hawk County favoring proposed legislation relating to the Iowa Public Employees Retirement System.

By Senator Fulton, from eleven residents of Black Hawk County, relating to increase in pensions under the retirement system for policemen and firemen.

By Senator Turner, a resolution from the Council Bluffs Board of Realtors recommending that a state university or college be located in southwestern Iowa in or adjacent to Council Bluffs.

PRESENTATION OF VISITORS

Senator Long asked and received unanimous consent to present to the Senate thirty-four students, representing all Scott County high schools, who were present in the balcony.

REASSIGNMENT OF BILL

The Chair announced the reassignment of Senate File 231 from the committee on manufacturing, commerce and trade to the committee on judiciary 1.

ANNOUNCEMENT

Senator Burrows announced to the Senate that Archie A. Martin, cloakroom attendant for the Senate, had been stricken and was critically ill in Mercy Hospital.

Senator Rigler expressed the sympathy of the Senate.

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INTRODUCTION OF BILLS

Senate File 252, by committee on Iowa development, a bill for an act authorizing the Iowa development commission to form a nonprofit corporation and to accept grants from the federal government and gifts from other sources.

Read first and second times and placed on the calendar.

Senate File 253, by Senators Elijah and Wearin, a bill for an act pertaining to safety regulations in the operation of school buses.

Read first and second times and passed on file.

Senate File 254, by Senators Turner and Vincent, a bill for an act to amend chapter four hundred eighty-nine (489), Code 1962, relating to electric transmission lines to clarify the authority of the commerce commission to determine whether such lines serve the public use before authorization of franchise or eminent domain.

Read first and second times and passed on file.

Senate File 255, by Senators Dodds, Coleman, Curran and Phelps, a bill for an act relating to the agricultural land tax credit.

Read first and second times and passed on file.

Senate File 256, by Senator Dodds, a bill for an act relating to municipal public utility plants.

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 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 pharmacy license fees.

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

Senate File 103, a bill for an act to fix the responsibility for maintenance of an extension of either a primary or a secondary highway which both enters and exits from the state park at separate points.

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

Senate File 104, a bill for an act to define the interstate system.

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

Senate File 124, a bill for an act relating to refund of tax on special fuel consumed in the operation of corn shellers, roller mills and feed grinders mounted on trucks and auxiliary unloading devices mounted on or about vehicles.

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

House File 29, a bill for an act relating to boiler inspection.

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

House File 59, a bill for an act relating to real estate brokers' licenses.

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 compensation of county supervisors in counties of over one hundred fifty thousand population.

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

House File 68, a bill for an act to increase the maximum millage levy which may be levied for county public hospitals in counties having a population of more than one hundred thirty-five thousand.

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 holders for registration certificates of motor vehicles.

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

House File 100, a bill for an act to provide uniforms for sheriffs and their deputies.

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 bounties on wild animals.

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

House File 128, a bill for an act to permit free distribution of copies of the Code of Iowa to Iowa members in the congress of the United States.

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 to ratify the sale by installment contract of certain real estate owned by the Ames Community School District in Story County, State of Iowa.

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

House File 211, a bill for an act to provide that the whole of the real and personal property tax of fifteen dollars or less may not be paid in installments.

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

House File 234, a bill for an act to legalize the proceedings of the board of supervisors of Wright County in connection with a contract made with the D. C. Taylor Company of Cedar Rapids, Iowa.

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

House File 237, a bill for an act relating to the terms of office for members of the Iowa civil defense administration.

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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 relating to temporary extensions of motor vehicle operators' licenses in certain instances.

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

House Concurrent Resolution 8, a concurrent resolution requesting the Governor to return House File 26 for correction.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 28

Amend Senate File 28 by adding thereto the following new section:

This Act being deemed of immediate importance shall take effect and be in full force from and after its passage and publication in The Belle Plaine Union, a newspaper published at Belle Plaine, Iowa, and in the Cedar Valley Daily Times, a newspaper published at Vinton, Iowa.

HOUSE CONCURRENT RESOLUTION 8

Whereas, an error has been discovered in House File 26, a bill for an act regarding the right of unlicensed persons to fill prescriptions, which has passed both houses of the General Assembly and has been delivered to the Governor.

Now, Therefore, Be It Resolved by the House, the Senate Concurring; That the Governor be respectfully requested to return House File 26 or correction.

HOUSE MESSAGES CONSIDERED

House File 29, a bill for an act to amend chapter eighty-nine (89), Code 1962, relating to boiler inspections, to permit biennial inspections of certain boilers.

Read first and second times and passed on file.

House File 59, a bill for an act relating to real estate brokers' licenses.

Read first and second times and passed on file.

House File 65, a bill for an act relating to compensation of county supervisors in counties of over one hundred fifty thousand (150,000) population.

Read first and second times and passed on file.

House File 68, a bill for an act to increase the maximum millage levy which may be levied for county public hospitals in counties having a population of more than one hundred thirty-five thousand (135,000) inhabitants.

Read first and second times and passed on file.

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House File 71, a bill for an act relating to holders for registration certificates of motor vehicles.

Read first and second times and passed on file.

House File 100, a bill for an act to provide uniforms for sheriffs and their deputies.

Read first and second times and passed on file.

House File 117, a bill for an act relating to bounties on wild animals.

Read first and second times and passed on file.

House File 128, a bill for an act to permit free distribution of copies of the Code of Iowa to Iowa members in the Congress of the United States.

Read first and second times and passed on file.

House File 159, a bill for an act to ratify the sale by installment contract of certain real estate owned by the Ames Community School District in Story County, State of Iowa, and to authorize conveyance of legal title in exchange for performance of the purchasers' remaining obligations thereunder.

Read first and second times and passed on file.

House File 211, a bill for an act to provide that the whole of the real and personal property tax of fifteen dollars or less may not be paid in installments.

Read first and second times and passed on file.

House Fle 234, a bill for an act to legalize the proceedings of the board of supervisors of Wright County in connection with a contract made with the D. C. Taylor Company of Cedar Rapids, Iowa, for the repair of the west and north elevations of the Wright County courthouse located in Clarion, Iowa.

Read first and second times and passed on file.

House File 237, a bill for an act relating to the term of office for members of the Iowa civil defense administration.

Read first and second times and passed on file.

House File 298, a bill for an act relating to temporary extensions of motor vehicle operators' licenses in certain instances.

Read first and second times and passed on file.

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HOUSE CONCURRENT RESOLUTION 8

Senator Rigler asked and received unanimous consent to take up House Concurrent Resolution 8, a resolution requesting the Governor to return House File 26 for correction, and moved its adoption.

The motion prevailed and the resolution was adopted.

Senator Rigler asked and received unanimous consent that the Secretary be instructed to recall from the House House File 26, for further consideration of the Senate.

UNFINISHED BUSINESS

On motion of Senator Elvers, House File 78, a bill for an act relating to the distribution of earnings of cooperative associations organized under chapter four hundred ninety-nine (499), Code 1962, was taken up for further consideration.

Senator Elvers moved that the bill be read a third 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:

Benda	Elijah	Lisle	Shoeman
Beneke	Elthon	Lodwick	Stephens
Brown	Elvers	Long	Turner
Buck	Fisher	Lucken	Vance
Burrows	Flatt	Main	Van Eaton
Campbell	Frommelt	Mincks	Vincent
Coleman	Fulton	O'Malley	Walker
Cowden	Getting	Phelps	Walter
Curran	Grimstead	Rigler	Wearin
Dodds	Hansen	Scott	Wiley
Doran	Hill	Shivvers	Wilson
Dykhouse	Kyhl		

Nays, 2:

Nolan	Shaff

Absent or not voting, 2:

Griffin	Schroeder

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

Senator Elvers asked and received unanimous consent that Senate File 32 be withdrawn from further consideration of the Senate.

On motion of Senator Hansen, Senate File 126, a bill for an act relating to the use of vending machines in the sale of cigarettes and providing for the licensing of such machines, was taken up for further consideration.

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Senator Hansen offered the following amendment and moved its adoption:

Amend Senate File 126 by inserting the following before the word "shall" in line 14 of section 2: "of the Code".

The amendment was adopted.

Senator Hansen moved that the bill be read a third 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:

Benda	Elvers	Lisle	Shaff
Beneke	Fisher	Lodwick	Shoeman
Brown	Flatt	Long	Turner
Burrows	Frommelt	Lucken	Vance
Campbell	Fulton	Mincks	Van Eaton
Cowden	Getting	Nolan	Walker
Dodds	Griffin	O'Malley	Walter
Doran	Hansen	Rigler	Wearin
Dykhouse	Kyhl	Scott	Wiley

Nays, 12:

Coleman	Elthon	Main	Stephens
Curran	Grimstead	Phelps	Vincent
Elijah	Hill	Shivvers	Wilson

Absent or not voting, 2:

Buck	Schroeder

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

MOTION TO RECONSIDER

Senator Turner called up the following motion filed by him and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 15 failed to pass the Senate.

Senator Coleman moved the previous question on the motion, which motion prevailed.

Roll call was requested.

On the question "Shall the Senate reconsider the vote by which Senate File 15 failed to pass the Senate?" the vote was:

Ayes, 27:

Benda	Doran	Long	Turner
Beneke	Elvers	Mincks	Vance
Brown	Fisher	Nolan	Van Eaton
Burrows	Frommelt	O'Malley	Walker
Campbell	Fulton	Rigler	Wearin
Coleman	Hansen	Shaff	Wiley
Dodds	Kyhl	Shoeman	

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Nays, 22:

Buck	Flatt	Lodwick	Shivvers
Cowden	Getting	Lucken	Stephens
Curran	Griffin	Main	Vincent
Dykhouse	Grimstead	Phelps	Walter
Elijah	Hill	Scott	Wilson
Elthon	Lisle		

Absent or not voting, 1:

Schroeder

The motion prevailed.

Senator Turner moved to reconsider the vote by which Senate File 15, a bill for an act to make a license a right, went to its third reading, which motion prevailed.

Senator Turner offered the following amendment and moved its adoption:

Amend Senate File 15 as follows:

By striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Amend section three hundred twenty-one point one hundred eighty-nine (321.189), Code 1962, by adding thereto the following paragraph:

'The issuance of such license shall create, in the operator or chauffeur, a right which shall not be abridged without due process of law, including notice and hearing prior to suspension or revocation.'

"Sec. 2. Amend section three hundred twenty-one point two hundred ten (321.210), Code 1962, by striking, in line three (3), the words "without preliminary hearing" and by striking subsection one (1) thereof, and renumbering the remaining subsections."

Senator Hill raised a point of order on the amendment for the reason that the subject matter contained therein had already been considered and rejected by the Senate in failing to adopt the amendment by Senator Turner on February 19, 1963.

The Chair ruled the point not well taken and the amendment in order.

Senator Long moved the previous question on the amendment and the main bill, which motion prevailed.

The amendment was adopted.

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

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

Ayes, 30:

Benda	Burrows	Cowden	Doran
Beneke	Campbell	Curran	Elvers
Brown	Coleman	Dodds	Fisher

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Frommelt	Long	Shaff	Van Eaton
Fulton	Mincks	Shoeman	Walker
Hansen	Nolan	Turner	Wearin
Kyhl	O'Malley	Vance	Wiley
Lodwick	Rigler		

Nays, 19:

Buck	Getting	Lucken	Stephens
Dykhouse	Griffin	Main	Vincent
Elijah	Grimstead	Phelps	Walter
Elthon	Hill	Scott	Wilson
Flatt	Lisle	Shivvers	

Absent or not voting, 1:

Schroeder

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

Senator Beneke submitted the following report and moved its adoption:

SUPPLEMENTAL REPORT OF THE COMMITTEE ON MEMORIAL RESOLUTIONS

MR. PRESIDENT: Your committee on memorial resolutions begs leave to report that a committee should be appointed to prepare suitable memorial resolution for the following deceased member of the Senate:

Guy G. Butler, Pocahontas County.

KENNETH BENDA, *Chairman.*
EARL ELIJAH.
R. O. BURROWS.

The motion prevailed and the report was adopted.

President Mooty announced the appointment of the following committee:

SENATOR	MEMORIAL RESOLUTION COMMITTEE
Guy G. Butler	Donald G. Beneke
	Peter F. Hansen
	John D. Shoeman

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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, 96, 195 and House Files 8, 21, 23, 72, 113 and 132.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
Chairman House Committee.

Report adopted.

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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, 96, 195 and House Files 8, 21, 23, 72, 113 and 132.

BILLS SENT TO THE GOVERNOR

Senator Benda, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 25th day of February, 1963, sent to the Governor for his approval: Senate Files 63, 96 and 195.

KENNETH BENDA, *Chairman.*

Passed on file.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that, on February 25, the Governor had approved the following bill:

Senate File 76, relating to the improvement of primary roads.

PROOF OF PUBLICATION

Published copy of Senate File 230 and verified proof of publication of said bill in The Pioneer Press and Stanwood Herald, on February 21, 1963, 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.*

RESIGNATION OF EMPLOYEE

Senator Scott announced the resignation of Tom Randle of Polk County as a Janitor on the Custodian's staff, effective February 21, 1963.

BILLS ASSIGNED TO COMMITTEE

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

S. F. 247 Conservation
S. F. 248 Ways and means
S. F. 249 Cities and towns
S. F. 250 Schools and educational institutions
S. F. 251 Schools and educational institutions
S. F. 253 Transportation and highway safety
S. F. 254 Public utilities
S. F. 255 Tax revision
S. F. 256 Public utilities
H. F. 10 Judiciary 1

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H. F. 29 Industrial relations
H. F. 59 Judiciary 2
H. F. 65 Compensation of public officers and employees
H. F. 68 Tax revision
H. F. 71 Transportation and highway safety
H. F. 77 Governmental affairs
H. F. 83 Public health
H. F. 109 Tax revision
H. F. 117 Conservation
H. F. 128 Printing
H. F. 159 Judiciary 2
H. F. 211 Tax revision
H. F. 234 Judiciary 2
H. F. 237 Governmental affairs
H. F. 257 Judiciary 1
H. F. 258 Public health
H. F. 259 Board of control
H. F. 298 Transportation and highway safety

REPORTS OF COMMITTEES

Senator Wearin submitted the following report:

MR. PRESIDENT: Your committee on schools and educational institutions to which was referred **Senate File 122**, a bill for an act relating to the issuance of bonds for school purposes, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EDWARD A. WEARIN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on schools and educational institutions to which was referred **House File 152**, a bill for an act to change the name of the Iowa child welfare research station at the State University of Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EDWARD A. WEARIN, *Chairman*.

Ordered passed on file.

Senator Wiley submitted the following report:

MR. PRESIDENT: Your committee on highways to find which was referred **Senate File 91**, a bill for an act relating to road use tax funds allotted for interstate highways, begs leave to report it has had the same under consideration and recommends the same **do pass**.

MARTIN WILEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on highways to which was referred **Senate File 154**, a bill for an act allowing road authorities to take immediate possession of the land under the power of eminent domain, begs leave to

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report it has had the same under consideration and recommends the same do pass.

MARTIN WILEY, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 65 by striking the comma after the word "building" in section one (1), line thirteen (13), and inserting in lieu thereof the words, "to other governmental agencies,".

JOHN L. CAMPBELL.

Amend Senate File 33 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section five hundred sixty-six point twenty-one (566.21), Code 1962, is hereby repealed and the following enacted in lieu thereof:

'A presumption that a cemetery lot or plot has been abandoned shall be created and established upon:

1. The continued failure by the owner or other person having right in or to a lot or plot, to care for or maintain such lot or plot for a period of ten (10) years.

2. The continued failure by the owner or other person having right in or to a lot or plot, to pay annual care charges for a period of five (5) years under an agreement to pay for annual care.'

"Sec. 2. Section five hundred sixty-six point twenty-two (566.22), Code 1962, is hereby amended by striking from line three (3) thereof the words "ten-year'."

DEWEY B. PHELPS.

Amend Senate File 226 as follows:

1. Amend the title by striking all after the word "the" in line one (1) and inserting in lieu thereof the following: "board or commission which has control and jurisdiction over any highway or highway system to convey certain easements and rights in, to and over certain easements for highway purposes."

2. Further amend Senate File 226 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. The board or commission which has control and jurisdiction over any highway or highway system which may be affected by a federal water resources project may grant, sell, exchange, or convey to the United States of America, the perpetual right, power, privilege and easement to overflow, flood, and submerge all of the portion of easements for highway purposes under the control and jurisdiction of such board or commission.

Sec. 2. Where such easement is conveyed in connection with any primary road or state park or institutional road, written conveyances containing the conditions as prescribed by the executive council shall be made in the name of the state and signed by the governor and secretary of state, and the seal of the State of Iowa attached thereto. Where such easement is conveyed in connection with any secondary road, written conveyances containing the provisions prescribed by the board of

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supervisors shall be made in the name of the county and signed by the chairman of the board and the county auditor."

D. C. NOLAN.

Amend House File 10 by adding the following as a new section following section 11 and re-numbering the remaining sections:

"Any right heretofore maintainable in a civil action shall not be denied, abrogated or abridged by this act or any part thereof."

DONALD G. BENEKE.

Amend Senate File 165 by striking sections 197 and 198.

JOSEPH B. FLATT.

Amend Senate File 165 as follows:

Sec. 2. Change the date in line 3 from "July 4, 1963" to "January 1, 1964".

Add in line 11 after the word "accrued" the words "or vested".

Sec. 3. Add at the end of line 64 the words "by a court".

Sec. 11. Strike all beginning with the words "The same" in line 10 and ending with the words "other actions." in line 12.

Sec. 20. Add a new sentence after the word "clerk" in line 6 as follows: "No person shall be appointed as referee in any matter where he is acting as a fiduciary or as the attorney."

Sec. 45. Strike from line 2 the word "may" and insert in lieu thereof the word "shall".

Strike from line 3 the word "or" and insert in lieu thereof the word "and".

Strike from lines 4 and 5 the words "Such service shall be as effectual as if personally made on the fiduciary."

Sec. 64. Insert in line 1 after the word "age" the following "and any corporation authorized to act in a fiduciary capacity".

Sec. 85. Insert after the word "and" and before the last comma in line 5 the word "that".

Sec. 114. Insert in line 2 after the word "may" the words ", subject to approval of the court,".

Sec. 115. Insert in line 4 after the word "estate" the words ", subject to approval of the court".

Sec. 123. Strike all of this section.

Sec. 124. Strike all of this section.

Sec. 125. Strike all of this section.

Sec. 126. Strike all of this section.

Sec. 159. Insert in line 2 after the word "himself," the words "except on order of court after notice to all interested persons,".

Sec. 179. Insert in line 3 after the word "creditors" the words "and distributees".

Sec. 201. Strike from lines 1 and 2 the words "referees in probate,".

Sec. 204. Strike all of lines 2, 3 and 4 and insert in lieu thereof the following:

"all fees to which his personal representative and his attorney are entitled shall be a charge against the estate assets until paid."

Sec. 223. Strike all of lines 6 through 11, inclusive.

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Sec. 237. Strike after the word "will." in line 2 and all of lines 3 and 4 and insert in lieu thereof the following:

"Where a voluntary election to take or refuse to take under a will has not been filed by a surviving spouse within sixty days from the date the will of the decedent has been admitted to probate, and the surviving spouse is not the executor of such will, it shall be the duty of the executor to cause to be served a written notice upon the surviving spouse in the manner required for service of an original notice, advising the surviving spouse that the will of such decedent has been admitted to probate, stating the name of the court where the will was admitted and the date when the will was admitted to probate, and notifying such spouse that unless within four months after the completed service of such notice, he files an election in writing with the clerk of such court refusing to take under the provisions of such will,".

Add at the end of line 14 the following: "The qualification of the surviving spouse as executor of a will shall constitute a presumption that such spouse takes under the will."

Sec. 242. Insert at the end thereof the following:

"If the surviving spouse dies prior to filing an election to take against the will, it shall be conclusively presumed that the surviving spouse takes under the provisions of this will."

Sec. 272. Add in line 8 after the word "payment" the words "of its proportionate share".

Sec. 293. Strike all after the word "petition." in line 1 and insert the following:

"Upon the filing of a petition for probate of a will, the date for proving it shall be fixed by the court or the clerk, and the clerk shall give notice addressed TO ALL WHOM IT MAY CONCERN, signed by him, of such time fixed, by one publication in a daily or weekly newspaper published in the county where the will is filed, the publication to be at least seven days prior to the time fixed for such hearing."

Sec. 303. Strike all beginning with the words "in which" in line 7 to and including the word "and" in line 10 and insert in lieu thereof a period.

Strike from line 10 the word "also".

Insert at the beginning of line 17 the word "Notice".

Strike all beginning with the words "Any action" in line 27 to and including all of line 30.

Strike from line 31 the word "further".

Sec. 304. Strike all after the word "probate" in line 5 and all of lines 6, 7 and 8.

Strike all of line 10 and insert in lieu thereof the words "Notice of Proof of Will without Administration".

Strike all beginning with the words "Any action" in line 20 and ending with the words "forever barred." in line 23.

Sec. 308. Strike from line 4 the words "six months" and insert in lieu thereof the words "one year".

Sec. 318. Strike from line 1 the word "Presumptions" and insert in lieu thereof the words "Proof of execution".

Strike all beginning with the words "the burden" in line 2 and ending with the word "and" in line 5.

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Sec. 331. Add at the end thereof the following: "Provided, however, that the limitation herein provided shall not apply to the probate of a will of a decedent who died prior to January 1, 1964."

Sec. 333. Insert in line 2 after the word "payable" the words "to the decedent's estate".

Sec. 336. Strike from lines 5 and 6 the words "except debts and charges of the first, second, third and fifth classes".

Sec. 351. Strike all after the word "property." in line 1 and insert in lieu thereof the following:

"If there is no distributee of the real estate present and competent to take possession, or if there is a lease of such real estate outstanding, or if the distributees present and competent consent thereto, the personal representative shall take possession of such real estate, except the homestead and other property exempt to the surviving spouse. Every personal representative shall take possession of all the personal property of the decedent, except the property exempt to the surviving spouse. The personal representative may maintain an action for the possession of such real and personal property or to determine the title to any property of the decedent."

Sec. 390. Strike all beginning with the word "The" in line 1 and ending with the word "notice." in line 4 and inserting in lieu thereof the following:

"The personal representative may under order of court lease any property not specifically devised for a period of not to exceed one year."

Sec. 411. Strike all of this section and insert the following:

"Pleading statute of limitations. It shall be within the discretion of the personal representative to determine whether or not the applicable statute of limitations shall be pleaded to bar a claim which he believes to be just, provided, however, that this section shall not apply where the personal representative was appointed upon the application of a creditor."

Sec. 557. Strike from line 2 the words "or the clerk".

Strike from lines 5 and 6 the words "or the clerk".

Sec. 637. Add at the end thereof after the word "will" the words "if he possesses the requisite testamentary capacity".

Sec. 644. Strike all of this section.

Sec. 645. Strike from line 4 the following "or six hundred forty-four (644)".

Strike from line 5 the word "shall" and insert in lieu thereof the word "may".

Sec. 646. Strike from line 4 the following: "or section six hundred forty-four (644)".

Sec. 699. Strike all of lines 11 and 16, inclusive and insert in lieu thereof the following:

2. To acquire, manage, invest, reinvest, exchange and retain any or all property, real or personal, at any time, forming a part of the trust estate, as the court may direct; to grant options on, contract to sell, to sell, convey and transfer or lease any or all property, real or personal, at any time forming a part of the trust estate in the same manner and by the same procedure that is provided in this Code for sale, mortgage,

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exchange, pledge, and lease by personal representatives in administration of estates of decedents.

DAVID O. SHAFF.
IRVING D. LONG.

Amend Senate File 121 as follows:

1. By striking from lines 3, 4 and 5 the words and figures "where any portion of a railway has not been operated for four (4) consecutive years, such portion of the railway shall be treated as abandoned for the purpose of this section".

2. By striking the word "section" in line 7 and inserting in lieu thereof the word "chapter".

3. Further amend by adding the following:

"The property thus acquired by the Iowa State Highway Commission shall be held in trust by it as a right of way property for the exclusive users of said highway and the total cost of acquisition, construction, maintenance and all the taxes on such property shall be paid by the said exclusive users".

RICHARD C. TURNER.

On motion of Senator Rigler, the Senate adjourned until 9:00 a.m., Tuesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 26, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend D. D. Harding, pastor of the First Lutheran Church, Chariton, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Schroeder for the day on request of Senator Rigler.

PETITIONS

The following petitions, favoring liquor by the drink under license control, were received and placed on file by:

Senator Doran, from one thousand seven hundred sixty-nine residents of Boone and Story Counties and from one hundred seventy residents of Boone County.

Senator Elijah, from seventeen residents of Jones County and eighty-three residents of Jackson County.

Senator Griffin, from eighty-four residents of Monona County.

Senator Nolan, from eighty-three residents of Johnson County.

Senator Shaff, from twenty-eight residents of Clinton County.

Senator Walker, from forty-two residents of Hamilton County and from forty-two residents of Hardin County.

The following petitions, opposing liquor by the drink, were received and placed on file by:

Senator Cowden, from eighteen residents of Guthrie County.

Senator Fisher, from one hundred twelve residents of Clarke County.

Senator Hill, from sixteen residents of Poweshiek County.

Senator Lisle, from ten residents of Page County.

Senator Nolan, from thirty-seven residents of Washington County.

Senator Walker, from one hundred thirty-three residents of Hardin County.

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The following petitions, opposing taxation of insurance premiums of members of fraternal benefit societies, were received and placed on file by:

Senator Burrows, from one hundred forty-three residents of Benton County.

Senator Beneke, from ninety-three residents of Buena Vista County.

Senator Curran, from fifty residents of Cerro Gordo County and fifty-five residents of Hancock County.

Senator Doran, from forty-five residents of Boone County.

Senator Dykhouse, from sixty-eight residents of Osceola County.

Senator Elijah, from eleven residents of Jones County and from sixteen residents of Cedar County.

Senator Fisher, from thirty-four residents of Clarke County.

Senator Getting, from sixty-one residents of O'Brien County.

Senator Lucken, from fifty-four residents of Cherokee County.

Senator Shaff, from seventy-six residents of Clinton County.

Senator Lisle, from seventeen residents of Ringgold and Taylor Counties.

Senator Walker, from one hundred forty-seven residents of Hardin County.

The following resolutions, opposing taxation of insurance premiums of members of fraternal benefit societies, were received and placed on file by:

Senator Brown, from Royal Neighbors of America in Palo Alto County.

Senator Elvers, from three camps of Royal Neighbors of America in Clayton County.

Senator Scott, from Royal Neighbors of America in Fayette and Winneshiek Counties, and from Knights of Columbus Council in Fayette County.

Senator Walker, from Modern Woodmen of America of Hamilton County.

By Senator Elijah, from eighteen residents of Jackson County favoring bus transportation for all children.

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By Senator Elijah, from twenty residents of Muscatine County favoring implied consent legislation.

PRESENTATION OF VISITORS

Senator Walker asked and received unanimous consent to present to the Senate thirty-five students from the Iowa Falls Junior High School who were present in the balcony.

Senator Flatt asked and received unanimous consent to present to the Senate one hundred thirteen students, members of the junior and senior classes of the Interstate 35 School, Truro, who were present in the balcony accompanied by their instructors, Dorothy Jordan, LaVenia Davis, Darrel Jensen, Robert Hicks, Darrel Acker and Frank Munch.

Senator Wilson asked and received unanimous consent to present to the Senate twenty-six students, members of the senior class of the Centerville High School, who were present in the balcony accompanied by their instructor, David Brees.

Senator Fisher asked and received unanimous consent to present to the Senate fifty students, members of the government class of the Carlisle High School, who were present in the balcony accompanied by their instructors, Kelvin Schuchart and George Plager.

Senator O'Malley asked and received unanimous consent to present to the Senate nine American Field Service students who are attending the Des Moines high schools, who were present in the balcony accompanied by instructor, Mrs. Brown.

ADDITIONAL COPIES

Senator Flatt asked and received unanimous consent to have 300 additional copies of Senate File 26 printed.

INTRODUCTION OF BILLS

Senate File 257, by Senator O'Malley, a bill for an act relating to the practice of accountancy.

Read first and second times and passed on file.

Senate File 258, by Senator Frommelt, a bill for an act to amend subsection four (4) of section four hundred twenty-five point one (425.1), Code 1962, relating to homestead tax credit.

Read first and second times and passed on file.

Senate File 259, by Senators Shaff, Fisher, Schroeder, Nolan and

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Rigler, a bill for an act to amend section seventy-five point six (75.6), Code 1962, relating to employment of a fiscal agent.

Read first and second times and passed on file.

Senate File 260, by Senators Nolan and Turner, a bill for an act relating to the Rules of Civil Procedure.

Read first and second times and passed on file.

Senate File 261, by Senator Fulton, a bill for an act to increase the rates of state corporation income tax.

Read first and second times and passed on file.

Senate File 262, by Senator Fulton, a bill for an act to eliminate the deduction of federal income taxes in computing taxable income for the state corporation income tax.

Read first and second times and passed on file.

Senate File 263, by Senator O'Malley, a bill for an act to amend section two hundred ninety-eight point one (298.1), Code 1962, relating to the dollars that can be levied per census child.

Read first and second times and passed on file.

Senate File 264, by Senators Campbell, Long, Elthon and Frommelt, a bill for an act relating to the registration of motorboats.

Read first and second times and passed on file.

Senate File 265, by committee on banks, building and loan, a bill for an act relating to the appointment of alternate members of credit committees of credit unions.

Read first and second times and placed on the calendar.

Senate File 266, by committee on banks, building and loan, a bill for an act relating to the authority of the Board of Directors of a credit union to appoint a membership committee or a membership officer.

Read first and second times and placed on the calendar.

Senate File 267, by Senator O'Malley, a bill for an act to amend chapter seven hundred thirty-six B (736B), Code 1962, relating to persons or agencies engaging in the traffic of professional strike breakers.

Read first and second times and passed on file.

Senate File 268, by committee on board of control, a bill for an act to allow counties to provide county care for patients or inmates from

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mental health institutes, hospital-schools, training schools, and homes for children from the state institution fund.

Read first and second times and placed on the calendar.

Senate File 269, by Senator Nolan, a bill for an act to amend section six hundred twenty-four point one (624.1), Code 1962, relating to the examination and cross-examination of witnesses.

Read first and second times and passed on file.

Senate File 270, by Senators Shoeman, Flatt and Scott, a bill for an act to revert to the general fund of the State of Iowa the unexpended balances of the Fifty-eighth General Assembly board of regents institution appropriations for support, maintenance, equipment, repairs, replacements and alterations retained by the institutions.

Read first and second times and passed on file.

Senate File 271, by Senators Shoeman, Flatt and Scott, a bill for an act relating to the reversion of appropriations for capital improvements to the general fund of the state.

Read first and second times and passed on file.

Senate File 272, by Senator Fulton, a bill for an act to amend chapter two hundred ninety-four point fifteen (294.15), Code 1962, relating to state teachers' pensions.

Read first and second times and passed on file.

Senate File 273, by Senator Shaff, a bill for an act to legalize and validate proceedings providing for the organization, reorganization, enlargement, or change in the boundaries of school corporations.

Read first and second times and passed on file.

Senate File 274, by committee on highways, a bill for an act relating to the purchase of secondary road equipment.

Read first and second times and placed on the calendar.

Senate File 275, by committee on transportation and highway safety, a bill for an act relating to the overall length of combinations of vehicles.

Read first and second times and placed on the calendar.

Senate File 276, by Senators Flatt and Lisle, a bill for an act to amend section eight point sixteen (8.16), Code of Iowa, 1962, relating to the office of the state comptroller.

Read first and second times and passed on file.

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Senate File 277, by committee on printing, a bill for an act to amend section sixteen point thirty-one (16.31), Code 1962, relating to the indexing of bills.

Read first and second times and placed on the calendar.

Senate File 278, by Senator Wiley, a bill for an act relating to mileage and fees of municipal court bailiffs and deputy bailiffs.

Read first and second times and passed on file.

Senate File 279, by Senators Curran, Wiley, Burrows and Walter, a bill for an act increasing the fuel tax one (1) cent per gallon.

Read first and second times and passed on file.

Senate File 280, by committee on printing, a bill for an act relating to publication of financial matters by school districts.

Read first and second times and placed on the calendar.

Senate File 281, by Senator Frommelt, a bill for an act to amend section five hundred thirty-three B point three (533B.3), Code 1962, relating to the sale of certain instruments for payment of money.

Read first and second times and passed on file.

Senate File 282, by Senator O'Malley, a bill for an act relating to maximum millage rates for taxes caused to be levied by cities and towns and to clarify chapter four hundred four (404), Code 1962, relating thereto.

Read first and second times and passed on file.

Senate File 283, by Senator O'Malley, a bill for an act relating to bids on public improvements made by cities and towns.

Read first and second times and passed on file.

Senate File 284, by Senators Turner and Nolan, a bill for an act to provide for law clerks for judges of the supreme court.

Read first and second times and passed on file.

Senate File 285, by Senator O'Malley, a bill for an act to raise the annual salary of the county attorney and his assistants in counties having a population of one hundred fifty thousand (150,000) and over.

Read first and second times and passed on file.

Senate File 286, by Senator Buck, a bill for an act relating to the taking of certain tax deeds by the state board of social welfare.

Read first and second times and passed on file.

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Senate File 287, by Senator Griffin, a bill for an act relating to pharmacies and licenses to operate pharmacies.

Read first and second times and passed on file.

Senate File 288, by committee on board of control, a bill for an act relating to admission to mental health institutes.

Read first and second times and placed on the calendar.

Senate File 289, by Senators Elthon, Stephens, Van Eaton, Beneke, Hansen, Burrows, Getting, Elvers, Elijah, Curran, Phelps, Walter and Wilson, a bill for an act to repeal certain taxes on personal property and moneys and credits and to enact substitutes therefor in taxes on individual incomes, business taxes on corporations, sales taxes and excise taxes on the sales of property for use in Iowa.

Read first and second times and passed on file.

Senate File 290, by Senator Hansen, a bill for an act to provide for the depositing of sales tax receipts by retailers if the total amount collected in preceding month exceeds three hundred dollars ($300.00).

Read first and second times and passed on file.

Senate File 291, by Senators Shaff and Long, a bill for an act to require county recorders to compile a list of deeds.

Read first and second times and passed on file.

Senate File 292, by Senator Benda, a bill for an act to amend section three hundred twenty-one point fifty (321.50) Code 1962, relating to notation and release of liens on motor vehicles.

Read first and second times and passed on file.

Senate File 293, by Senator Wiley, a bill for an act to amend section three hundred sixty-eight point thirty-five (368.35), Code 1962, relating to the leasing of municipal property.

Read first and second times and referred to the committee on cities and towns.

Senate File 294, by Senator Hill, a bill for an act to amend section four hundred twenty-two point four (422.4), section four hundred twenty-two point seventeen (422.17) and section four hundred twenty-two point sixteen (422.16), Code 1962, to provide for withholding of state income taxes on income earned in Iowa; to provide for payment of estimated income tax by self-employed individuals having self-employment income derived from sources within the State of Iowa.

Read first and second times and passed on file.

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Senate File 295, by Senator Hill, a bill for an act to provide amendments to various sections of chapter four hundred twenty-two (422), Code 1962, to adjust income tax rates, exemptions and manner of payment so as to provide funds for the biennium beginning July 1, 1963, and ending June 30, 1965.

Read first and second times and passed on file.

Senate File 296, by Senators Nolan and Wiley, a bill for an act to empower the Iowa State Highway Commission to make emergency repairs to any highway under its jurisdiction, estimated to cost not more than five thousand (5000.00) dollars without submitting the work for bids, and to make emergency repairs estimated to be in excess of five thousand (5000.00) dollars, but not more than fifty thousand (50,000.00) dollars, through contract submitted to informal bids of not less than three (3) qualified persons.

Read first and second times and passed on file.

Senate File 297, by Senator Wiley, a bill for an act relating to registration of voters in cities having permanent registration.

Read first and second times and passed on file.

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

EXECUTIVE SESSION

The Senate arose from executive session and resumed regular session.

The time having arrived, the Chair announced the special order of business for the consideration of Senate File 165.

THIRD READING OF BILLS

On motion of Senator Shaff, Senate File 165, a bill for an act to amend, revise and codify the law relating to probate, including descent and distribution, wills, administration and distribution of estates of decedents, trusts, administration of estates of persons under conservatorship, custody of persons under guardianship and to establish a probate code, was taken up and considered.

Senator Dykhouse took the chair at 9:30 a.m.

Senator Shaff called up for consideration the amendment filed by Senators Shaff and Long and found on pages 365 to 368, inclusive, of the Senate Journal.

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On motion of Senator Shaff, all of the amendment up to section 237 was adopted.

On motion of Senator Shaff, section 242 and the balance of the amendment with the exception of section 237 was adopted.

Senator Flatt asked and received unanimous consent to withdraw the amendment filed by him to Senate File 165 and found on page 365 of the Senate Journal.

Senator Shaff offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking following the ":" in line 58 and striking lines 59 and 60, and in lieu thereof add the following:

"If such surviving spouse shall be the executor of the will and fails, within six months after the will is admitted to probate, to file with the clerk of the court an election to refuse to take under the provisions of the will of the deceased, it shall be conclusively presumed that such survivor consents to the provisions of the will and elects to take thereunder."

The amendment to the amendment was adopted.

On motion of Senator Shaff, section 237 of the amendment as amended was adopted.

On motion of Senator Shaff, the following amendment filed by Senator Dykhouse was adopted:

Amend Senate File 165 as follows:

By striking from section four hundred thirty-nine (439), line three (3), the word "may" and by inserting in lieu thereof the word "shall".

Senator Scott moved that Senate File 165 be referred to the committee on judiciary 1 for further study.

Senator O'Malley moved as a substitute motion that action on Senate File 165 be deferred and that the bill be placed on the calendar under "unfinished business."

Roll call was requested.

On the question "Shall the substitute motion be adopted?" the vote was:

Ayes, 16:

Beneke	Curran	Fulton	Lodwick
Brown	Dodds	Grimstead	Mincks
Buck	Elvers	Hansen	O'Malley
Burrows	Frommelt	Hill	Walker

Nays, 30:

Benda	Dykhouse	Flatt	Lucken
Campbell	Elijah	Getting	Main
Cowden	Elthon	Lisle	Nolan
Doran	Fisher	Long	Phelps

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Rigler	Shoeman	Van Eaton	Wearin
Scott	Stephens	Vincent	Wiley
Shaff	Turner	Walter	Wilson
Shivvers	Vance		

Absent or not voting, 1:

Schroeder

Voting present, 3:

Coleman	Griffin	Kyhl

The substitute motion was lost.

Senator Wiley took the chair at 11:10 a.m.

On the motion by Senator Scott to refer Senate File 165 to the committee on judiciary 1, roll call was requested.

On the question "Shall Senate File 165 be referred to the committee on judiciary 1?" the vote was:

Ayes, 5:

Getting	Scott	Stephens	Walker
Lucken			

Nays, 43:

Benda	Elijah	Kyhl	Shivvers
Beneke	Elthon	Lisle	Shoeman
Brown	Elvers	Lodwick	Turner
Buck	Fisher	Long	Vance
Burrows	Flatt	Main	Van Eaton
Campbell	Frommelt	Mincks	Vincent
Cowden	Fulton	Nolan	Walter
Curran	Griffin	O'Malley	Wearin
Dodds	Grimstead	Phelps	Wiley
Doran	Hansen	Rigler	Wilson
Dykhouse	Hill	Shaff	

Absent or not voting, 1:

Schroeder

Voting present, 1:

Coleman

The motion was lost.

Senator Shaff asked and received unanimous consent that the Secretary be authorized to correct section numbers and cross references and to remove comments.

Senator Shaff moved that the bill be read a third 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:

Benda	Buck	Coleman	Dodds
Beneke	Burrows	Cowden	Elijah
Brown	Campbell	Curran	Elvers

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Fisher	Hill	Phelps	Vincent
Flatt	Kyhl	Rigler	Walker
Frommelt	Lisle	Shaff	Walter
Fulton	Lodwick	Shivvers	Wearin
Griffin	Main	Turner	Wiley
Grimstead	Mincks	Van Eaton	Wilson
Hansen	O'Malley		

Nays, 11:

Doran	Getting	Nolan	Stephens
Dykhouse	Long	Scott	Vance
Elthon	Lucken	Shoeman	

Absent or not voting, 1:

Schroeder

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

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

On motion of Senator Scott, Senate File 204, a bill for an act relating to loans by savings and state banks secured by direct obligations of the United States, was taken up and considered.

Senator Scott asked and received unanimous consent that House File 219 be substituted for Senate File 204.

On motion of Senator Scott, House File 219, a bill for an act relating to loans by savings and state banks secured by direct obligations of the United States, was taken up and considered.

Senator Rigler moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shoeman
Beneke	Elvers	Lodwick	Stephens
Brown	Fisher	Long	Turner
Buck	Flatt	Lucken	Vance
Burrows	Frommelt	Main	Van Eaton
Campbell	Fulton	Mincks	Vincent
Cowden	Getting	O'Malley	Walker
Curran	Griffin	Phelps	Walter
Dodds	Grimstead	Rigler	Wearin
Doran	Hansen	Scott	Wiley
Dykhouse	Hill	Shivvers	Wilson
Elijah	Kyhl		

Nays, 1:

Coleman

Absent or not voting, 3:

Nolan	Schroeder	Shaff

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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 Scott asked and received unanimous consent that Senate File 204 be withdrawn from further consideration of the Senate.

HOUSE AMENDMENTS CONSIDERED

Senator Griffin called up for consideration Senate File 28, a bill for an act to amend section one hundred forty-seven point eighty (147.80), Code 1962, relating to pharmacy license fees, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 28 by adding thereto the following new section:

This Act being deemed of immediate importance shall take effect and be in full force from and after its passage and publication in The Belle Plaine Union, a newspaper published at Belle Plaine, Iowa, and in the Cedar Valley Daily Times, a newspaper published at Vinton, Iowa.

The Senate concurred in the House amendment.

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

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

Ayes, 45:

Benda	Elvers	Lodwick	Shivvers
Beneke	Fisher	Long	Shoeman
Brown	Flatt	Lucken	Stephens
Buck	Fulton	Main	Turner
Campbell	Getting	Mincks	Vance
Coleman	Griffin	Nolan	Van Eaton
Cowden	Grimstead	O'Malley	Vincent
Curran	Hansen	Phelps	Walker
Dodds	Hill	Rigler	Walter
Doran	Kyhl	Scott	Wearin
Dykhouse	Lisle	Shaff	Wiley
Elthon			

Nays, none.

Absent or not voting, 5:

Burrows	Frommelt	Schroeder	Wilson
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 Brown, Senate File 210, a bill for an act relating to placement of patients, who have no county of legal settlement and who have been confined in a state mental institute, on convalescent leave or in custodial or nursing homes, and to provide for the payment of support of such patients, was taken up and considered.

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Senator Brown asked and received unanimous consent that action on Senate File 210 be deferred and that the bill be placed on the calendar under "unfinished business."

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 70, a bill for an act relating to the Iowa Public Employees Retirement System.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 70

Amend Senate File 70 as follows:

1. Amend Senate File 70 by adding a new section as follows:

Sec. 10. Section ninety-seven B point nine (97B.9), Code 1962, is hereby amended by adding to subsection two (2) thereof the following: "; provided however, the tax shall be paid from the same fund as the employee salary."

Further amend said section by striking the period in line four (4) of subsection three (3) thereof and adding the following: "if any tax is needed."

2. Further amend Senate File 70 by adding as Sec. 11 the following:

Sec. 11. There is hereby appropriated out of the Iowa Public Employees Retirement System Fund, the sum of one million dollars to the general fund of the State of Iowa to replace a like amount which was advanced to Iowa Public Employees Retirement System Fund under Section 54, Chapter 72, Acts of the Fifty-fifth General Assembly.

3. Further amend Senate File 70 by adding as Sec. 12 the following:

Sec. 12. Chapter ninety-seven B (97B), Code 1962, is amended by adding a new section as follows: A claim may be filed by any employee for repayment of any taxes withheld over the first forty-eight hundred dollars in earnings in any one year, by one or more employers. The commisison shall if a claim is allowed to the employee, also mail a refund check for the taxes paid by the employer for the employee on which the employee is allowed a refund. The commission shall have power and authority to require the filing of a proper application by the employee before the claim shall be allowed. Any claim for such refund shall be made within three years of date of payment and not thereafter. For lack of time and cause, adjustments, compromises or refunds may be made by the commission on its own initiative.

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

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

SENATE CONCURRENT RESOLUTION 12

By Beneke

Whereas, it is deemed advisable to fix a final date for the filing of claims against the State of Iowa to be considered by the Sixtieth General Assembly;

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Therefore, Be It Resolved by the Senate, the House Concurring: **That the 28th day of February, 1963, be fixed as the final date for the filing of all claims to be considered by the Sixtieth General Assembly of Iowa. Any claim which has not been filed with the State Appeal Board office before the said date will not be considered by the Sixtieth General Assembly.**

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: In accordance with the request of the Senate, the House is hereby returning, for further consideration by the Senate, House File 26, regarding the right of unlicensed persons to fill prescriptions.

WILLIAM R. KENDRICK, *Chief Clerk.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 103, 104 and 124.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate Files 103, 104 and 124.

BILLS SENT TO THE GOVERNOR

Senator Benda, 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, 1963, sent to the Governor for his approval: Senate Files 103, 104 and 124.

KENNETH BENDA, *Chairman.*

Passed on file.

BILLS ASSIGNED TO COMMITTEE

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

S. F. 257 Manufacturing, commerce and trade
S. F. 258 Ways and means
S. F. 259 Judiciary 2
S. F. 260 Judiciary 1

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S. F. 261 Ways and means
S. F. 262 Ways and means
S. F. 263 Ways and means
S. F. 264 Conservation
S. F. 267 Industrial relations
S. F. 269 Judiciary 1
S. F. 270 Appropriations
S. F. 271 Appropriations
S. F. 272 Schools and educational institutions
S. F. 273 Schools and educational institutions
S. F. 276 Governmental affairs
S. F. 278 Compensation of public officers and employees
S. F. 279 Highways
S. F. 281 Judiciary 1
S. F. 282 Cities and towns
S. F. 283 Cities and towns
S. F. 284 Judiciary 1
S. F. 285 Compensation of public officers and employees
S. F. 286 Social security
S. F. 287 Public health
S. F. 289 Ways and means
S. F. 290 Tax revision
S. F. 291 Ways and means
S. F. 292 Judiciary 1
S. F. 294 Ways and means
S. F. 295 Ways and means
S. F. 296 Highways
S. F. 297 Cities and towns

PROOF OF PUBLICATION

Published copy of Senate File 244 and verified proof of publication of said bill in The Clarinda Herald-Journal on February 25, 1963, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

CARROLL A. LANE, *Secretary of Senate.*

REPORTS OF COMMITTEES

Senator Stephens submitted the following report:

MR. PRESIDENT: Your committee on industrial relations to which was referred **House File 36**, a bill for an act relating to workmen's compensation benefits payable to a minor employee, begs leave to report it has had the same under consideration and recommends the same **do pass.**

RICHARD STEPHENS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on industrial relations to which was referred **House File 54**, a bill for an act to amend chapter eighty-five (85),

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Code 1962, relating to workmen's compensation so as to liberalize certain benefits, to provide for certain credits, and waivers, and the administration thereof, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

1. Amend section 1 by striking lines 22, 23 and 24.

2. Amend section 4 by inserting the following after the period (.) in line 13: "Such amount so credited shall be deducted from the payments made under these chapters. Any nonoccupational plan shall be reimbursed in the amount so deducted."

RICHARD STEPHENS, *Chairman.*

Ordered passed on file.

Senator Wearin submitted the following report:

MR. PRESIDENT: Your committee on schools and educational institutions to which was referred **Senate File 156,** a bill for an act to permit the erection of junior college buildings and provide for equipment and to permit indebtedness and issuance of bonds 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 the title to Senate File 156, line 1 by inserting after the word "erection" the following: ", furnishing, reconstructing, repairing, improving or remodeling".

2. Amend Senate File 156, section 1, line 5 by inserting after the word "build" the following: ", furnish, reconstruct, repair, improve or remodel".

EDWARD A. WEARIN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on schools and educational institutions to which was referred **House File 232,** a bill for an act relating to election of state board of public instruction members, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EDWARD A. WEARIN, *Chairman.*

Ordered passed on file.

Senator Shoeman submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate File 147,** a bill for an act relating to the military forces, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

Amend Senate File 147, section 4, by striking from lines 6 and 7 the words and figures "five hundred dollars ($500.00)" and inserting in lieu thereof "four hundred and fifty dollars ($450.00)".

JOHN D. SHOEMAN, *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 293,** a bill for an act to amend section three hundred sixty-eight point thirty-five (368.35), Code 1962, relating to the leasing of municipal property, 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.

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Senator Elijah submitted the following report:

MR. PRESIDENT: Your committee on tax revision to which was referred **Senate File 144**, a bill for an act to amend chapter four hundred twenty-two (422), Code 1962, so as to provide certain credits to individual taxpayers against corporate taxes on income represented by dividends paid to the individual taxpayer, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EARL ELIJAH, *Chairman.*

Ordered passed on file.

Senator Grimstead submitted the following report:

MR. PRESIDENT: Your committee on governmental affairs to which was referred **Senate File 159**, a bill for an act to amend chapter nineteen (19), Code 1962, relating to the executive council furnishing supplies to various state departments, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACOB GRIMSTEAD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on governmental affairs to which was referred **Senate File 167**, a bill for an act to authorize examinations of the financial condition and transactions of county and memorial hospitals by certified or registered public accountants in lieu of examinations by the auditor of state, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

1. By adding to section 1 thereof the following:

"The report of such examination of a county or memorial hospital filed by the accountant employed with the auditor of state, as required by section eleven point nineteen (11.19) of the Code, shall be in the form prescribed by the auditor of state."

JACOB GRIMSTEAD, *Chairman.*

Ordered passed on file.

Senator Elthon submitted the following report:

MR. PRESIDENT: Your committee on public health to which was referred **Senate File 181**, a bill for an act relating to care, treatment and habilitation of mentally retarded persons, begs leave to report it has had the same under consideration and recommends the same **do pass.**

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public health to which was referred **House File 48**, a bill for an act relating to the licensing and the annual inspection of county homes, 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 48 by striking everything after the enacting clause, and inserting in lieu thereof the following:

"Section 1. Section one hundred thirty-five C point twenty-two (135C.22), Code 1962, is hereby amended by inserting in line four (4) after the word 'institutions', the words, 'or county homes'.

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"Sec. 2. Chapter two hundred fifty-three (253), Code 1962, is hereby amended by adding thereto the following section, 253.12:

" 'County homes shall be annually inspected by the state fire marshal and the commissioner of public health or their duly authorized representatives who shall report their findings to the county grand jury and the board of supervisors.' "

LEO ELTHON, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 123, section 1, line 18 by placing a period after the word "required" and inserting the following:

"In order to provide the additional amounts required".

GEORGE O'MALLEY.

Amend Senate File 209 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section two hundred seventeen point seven (217.7), Code 1962, is amended by striking all of said section after the word "period." in line three (3).

Further amend said Senate File 209 by striking from the title all after the words "relating to" and inserting in lieu thereof the words "the secretary of the board of control."

RICHARD STEPHENS.

On motion of Senator Elthon, the Senate adjourned until 9:30 a.m., Wednesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 27, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend W. F. Schneck, pastor of the First Presbyterian Church, Grand Junction, Iowa.

PETITIONS

The following petitions, favoring liquor by the drink under license control, were received and placed on file by:

Senator Benda, from sixty-nine residents of Poweshiek County.

Senator Elijah, from fifty-seven residents of Muscatine County.

Senator Lodwick, from twenty residents of Lee County.

Senator Van Eaton, from six residents of Woodbury County.

Senator Walker, from ninety-six residents of Hardin County.

The following petitions, opposing liquor by the drink, were received and placed on file by:

Senator Cowden, from thirty-one residents of Dallas County.

Senator Flatt, from twenty-nine residents of Polk County.

Senator Kyhl, from forty-three residents of Grundy County.

Senator Long, from eighty-eight residents of Delaware County.

Senator Stephens, from twenty-two residents of Washington County.

Senator Vance, from nine residents of Henry County.

Senator Walker, from sixty-five residents of Hardin County.

The following petitions, favoring proposed legislation relating to increase in pensions under the retirement system for policemen and firemen, were received and placed on file by:

Senator Doran, from sixty-six residents of Story County.

Senator Nolan, from thirty residents of Johnson County.

The following petitions, opposing taxation of insurance premiums of members of fraternal benefit societies, were received and placed on file by:

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Senator Beneke, from thirty-three residents of Buena Vista County.

Senator Brown, from seventy-three residents of Emmet County.

Senator Hansen, from twenty-one residents of Carroll County.

Senator Rigler, from twenty-five residents of Floyd County and from thirteen residents of Chickasaw County.

The following resolutions, opposing taxation of insurance premiums of members of fraternal benefit societies, were received and placed on file by:

Senator Rigler, from Knights of Columbus Council in Chickasaw County.

Senator Walker, from Royal Neighbors of America in Hardin County.

By Senator Lisle, from one hundred eighty-two residents of Page County in opposition to legalizing of a public junior college as part of the Clarinda community school district.

By Senator Schroeder, from thirty-six residents of Scott County favoring proposed legislation relating to children who require special education.

PRESENTATION OF VISITORS

Senator Hill asked and received unanimous consent to present to the Senate thirty-seven students from the Mingo High School who were present in the balcony accompanied by their instructors, Larry Powell and Edgar Darling.

Senator O'Malley asked and received unanimous consent to present to the Senate two hundred students from the Meredith Junior High School, Des Moines, who were present in the balcony accompanied by their instructor, Victor E. Mastin.

Senator Campbell asked and received unanimous consent to present to the Senate forty-nine students, members of the senior class from the North Mahaska High School, New Sharon, who were present in the balcony accompanied by their instructor, Anita Seitsinger, and their principal, Merle Sharp.

Senator Getting asked and received unanimous consent to present to the Senate eight students from the Arnolds Park High School who were present in the balcony accompanied by their instructor, Eugenia Mitchell.

Senator Vincent asked and received unanimous consent to present

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to the Senate eight students from the Chariton High School who were present in the balcony accompanied by their instructor, Mary Lowe.

Senator Fisher asked and received unanimous consent to present to the Senate fifteen students from the Indianola High School who were present in the balcony.

Senator Lisle asked and received unanimous consent to present to the Senate nine students from the Essex High School who were present in the balcony accompanied by their instructor, Grace Updike.

Senator Rigler asked and received unanimous consent to present to the Senate fifty-six students from the Nora Springs-Rock Falls High School who were present in the balcony accompanied by their instructors, Frank Altman and Miles Tyler.

Senator Brown rose on a point of personal privilege and presented to the Senate the Honorable Duane E. Dewel, a former member of the Senate from Kossuth County who was present in the Senate chamber.

Senator Lisle rose on a point of personal privilege and presented to the Senate the Honorable William H. Harbor, a former member of the Senate from Mills County who was present in the Senate chamber.

Senator Dykhouse rose on a point of personal privilege and presented to the Senate the Honorable Hugh Lundy, a former member of the Senate from Monroe County who was present in the Senate chamber.

INTRODUCTION OF BILLS

Senate File 298, by Senators Stephens, Elthon and Vincent, a bill for an act relating to minimum course standards in public high schools.

Read first and second times and passed on file.

Senate File 299, by Senator Mincks, a bill for an act to increase homestead tax credit for eligible people who are retired.

Read first and second times and passed on file.

Senate File 300, by Senator Mincks, a bill for an act relating to the creation of an Iowa state labor relations board and the repeal of chapter seven hundred thirty-six A (736A), Code 1962.

Read first and second times and passed on file.

Senate File 301, by Senator Dykhouse, a bill for an act relating to the exemption from taxation of personal property used in private homes.

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Read first and second times and passed on file.

Senate File 302, by Senators Rigler, Getting and Kyhl, a bill for an act to provide state aid to persons or corporations first discovering crude oil in this state and making an appropriation therefor.

Read first and second times and passed on file.

Senate File 303, by Senators Fulton and Turner, a bill for an act relating to the establishment of the office of public defender by boards of supervisors.

Read first and second times and passed on file.

Senate File 304, by Senators Main, Flatt and Coleman, a bill for an act relating to the taxable value of farm buildings.

Read first and second times and passed on file.

Senate File 305, by Senators Walker, O'Malley, Van Eaton and Mincks, a bill for an act relating to health and safety appliances for railway and express employees.

Read first and second times and passed on file.

Senate File 306, by committee on tax revision, a bill for an act relating to retail sales tax and use tax on leases or rentals of equipment.

Read first and second times and placed on the calendar.

Senate File 307, by committee on highways, a bill for an act relating to registration fees for antique motor vehicles.

Read first and second times and placed on the calendar.

Senate File 308, by committee on tax revision, a bill for an act relating to retail sales taxes on vending machines and amusement devices.

Read first and second times and placed on the calendar.

Senate File 309, by committee on tax revision, a bill for an act relating to retail sales tax definition of "gross receipts".

Read first and second times and placed on the calendar.

Senate File 310, by committee on tax revision, a bill for an act relating to the retail sales tax imposed on amusement devices.

Read first and second times and placed on the calendar.

Senate File 311, by Senators Flatt, Main, Coleman and Shaff, a bill for an act relating to deer hunting.

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Read first and second times and passed on file.

Senate File 312, by Senator Fulton, a bill for an act relating to the regulation and licensure by cities and towns of door-to-door solicitation for purpose of tree trimming, insect or pest extermination, and sale or repair of furnaces.

Read first and second times and passed on file.

Senate File 313, by Senator Fulton, a bill for an act to extend the present sales tax to include receipts from the renting of hotel and motel rooms.

Read first and second times and passed on file.

Senate File 314, by Senators Fulton, Grimstead and Mincks, a bill for an act to establish a merit system of personnel administration for the civil service of the state, and to repeal acts and parts of acts in conflict therewith.

Read first and second times and passed on file.

Senate File 315, by Senators Frommelt, Shaff, O'Malley and Shoeman, a bill for an act relating to the declaration of interest refunds by the board of directors of credit unions.

Read first and second times and passed on file.

Senate File 316, by Senator Turner, a bill for an act to amend section four hundred point three (400.3), Code 1962, relating to waterworks employees group insurance.

Read first and second times and passed on file.

Senate File 317, by Senator Dodds, a bill for an act to amend the filing date of individual and corporate income tax returns to coincide with the federal filing date.

Read first and second times and passed on file.

Senate File 318, by Senators Fulton, Shaff and Dodds, a bill for an act authorizing the governor to prepare plans for the reorganization of the executive branch of the government of the State of Iowa which shall become law unless disapproved by both houses of the general assembly within sixty (60) days of being submitted thereto by the governor, and to make an appropriation therefor.

Read first and second times and passed on file.

Senate File 319, by Senators Long, O'Malley and Vance, a bill for an act to amend the statutes relating to the bonds of distributors of motor fuel, special fuel dealers and special fuel users.

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Read first and second times and passed on file.

Senate File 320, by Senators Dykhouse, O'Malley, Fisher and Brown, a bill for an act to provide for the advance purchase of primary road right-of-way and authorizing payment for such purchase by the issuance of anticipatory primary road warrants.

Read first and second times and passed on file.

Senate File 321, by Senators Buck, O'Malley, Elijah, Shaff, Frommelt and Fulton, a bill for an act to amend, revise, and codify the statutes relating to juvenile court structure and dependent, neglected, and delinquent children.

Read first and second times and passed on file.

Senate File 322, by Senator Beneke, a bill for an act relating to insuring of property owned by recipient of old age assistance.

Read first and second times and passed on file.

Senate File 323, by Senator Schroeder, a bill for an act relating to school districts.

Read first and second times and passed on file.

Senate File 324, by Senator Schroeder, a bill for an act relating to fines collected for violation of municipal parking ordinances.

Read first and second times and passed on file.

Senate File 325, by committee on cities and towns, a bill for an act relating to street finances and reports in cities and towns.

Read first and second times and placed on the calendar.

Senate File 326, by Senator Shaff, a bill for an act to amend section three hundred sixty-two point twenty-six (362.26), Code 1962, relating to agreements between cities and towns to refrain from annexing territory under said section.

Read first and second times and passed on file.

Senate File 327, by Senators Walker, Coleman, Getting and Kyhl, a bill for an act relating to truck operators and contract carriers.

Read first and second times and passed on file.

Senate File 328, by Senators Doran, Rigler, Schroeder and Shoeman, a bill for an act relating to the registration of interstate authority with the Iowa state commerce commission.

Read first and second times and passed on file.

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Senate File 329, by Senator Turner, a bill for an act to amend chapter four hundred three (403), Code 1962, relating to urban renewal projects.

Read first and second times and passed on file.

Senate File 330, by Main, a bill for an act to authorize the superintendent of public buildings and grounds and the executive council to accept federal monies as reimbursements for expenses incurred in the maintenance of public buildings.

Read first and second times and passed on file.

Senate File 331, by Senator Hansen, a bill for an act to provide for the reconstruction and hard surfacing of state park roads around Black Hawk Lake in Sac County, Iowa, and to make an appropriation therefor.

Read first and second times and passed on file.

Senate File 332, by Senators O'Malley and Coleman, a bill for an act to authorize county boards of supervisors to enter into contractual agreements with cities, towns, private corporations or private individuals, for the use of dumps, disposal grounds, and sanitary land fills, operated by such cities, towns, private corporations or private individuals, for the use of residents residing outside of cities and towns.

Read first and second times and passed on file.

Senate File 333, by Senator O'Malley, a bill for an act relating to compensation of county officers.

Read first and second times and passed on file.

Senate File 334, by Senator Shaff, a bill for an act to provide for the creation of a local improvement guaranty fund, by cities and towns, including cities under special charter, through taxation, for the purpose of guaranteeing the payment of special improvement bonds and interest thereon, and providing for the payment of said bonds and interest thereon out of such guaranty fund in the event there are no funds on hand in the special improvement fund to pay the bonds and interest thereon as the same become due.

Read first and second times and passed on file.

Senate File 335, by Senators Lucken, Walker and Griffin, a bill for an act relating to watchmakers licenses.

Read first and second times and passed on file.

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Senate File 336, by Senator Shaff, a bill for an act to amend chapter three hundred ninety-one (391), Code 1962, relating to street improvements and sewers to eliminate the right of the owner of property assessed therefor to prepay such assessment or any installment thereof unless such assessment is paid within thirty days after the date of levy of such assessment.

Read first and second times and passed on file.

Senate File 337, by Senators Flatt and Mincks, a bill for an act to amend chapter eighty-five (85), Code 1962, to provide additional death benefits for employees without dependents.

Read first and second times and passed on file.

Senate File 338, by Senators Schroeder, Long, Shoeman, Scott, Campbell and Lisle, a bill for an act to amend chapter ninety-six (96), Code 1962, relating to unemployment compensation benefits, the eligibility therefor, causes for disqualification, changes in the contribution rates for certain employers, increases in weekly benefit amounts, and the administration thereof.

Read first and second times and passed on file.

Senate File 339, by Senator Buck, a bill for an act relating to the disposal of certain buildings and property by cities, towns, and counties.

Read first and second times and passed on file.

Senate File 340, by Senators Vance and Beneke, a bill for an act relating to the confidential character of research studies for the purpose of reducing morbidity or mortality.

Read first and second times and passed on file.

Senate File 341, by Senators Schroeder and Turner, a bill for an act to amend section three hundred twenty-one point four hundred ninety-four (321.494), Code 1962, relating to guest passengers.

Read first and second times and passed on file.

Senate File 342, by Senators Beneke, Brown, Flatt and Hill, a bill for an act relating to an extension of time for filing application for Korean veterans' bonus.

Read first and second times and passed on file.

Senate File 343, by Senators Nolan and Wearin, a bill for an act relating to the licensing and qualifications of physical therapists.

Read first and second times and passed on file.

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Senate File 344, by Senator Doran, a bill for an act to amend section two hundred seventy-five point forty (275.40), Code 1962, relating to the merger of school districts.

Read first and second times and passed on file.

Senate File 345, by Senator Fulton, a bill for an act relating to intra-city routes of an urban transit system and to amend section four hundred four point ten (404.10), Code 1962.

Read first and second times and passed on file.

Senate File 346, by Senators Doran and Coleman, a bill for an act to amend section one hundred twenty-five point two (125.2), Code 1962.

Read first and second times and passed on file.

Senate File 347, by Senators Kyhl and Wearin, a bill for an act establishing a historical markers commission.

Read first and second times and passed on file.

Senate File 348, by Senators Lucken, Getting and Elvers, a bill for an act to authorize the secretary of agriculture of the State of Iowa to provide regulations setting forth minimum general safety standards for design, construction, location, installation and operation of storage facilities, the handling of transportation and utilization of anhydrous ammonia as an agricultural fertilizer; to provide for penalties for violation of this Act and the rules and regulations enacted thereunder.

Read first and second times and passed on file.

Senate File 349, by Senators Getting, Dodds, Elijah and Elvers, a bill for an act relating to the amendment of the articles or bylaws of cooperative associations.

Read first and second times and passed on file.

Senate File 350, by Senators Frommelt, Brown and Coleman, a bill for an act to amend chapter two hundred eighty-five (285), Code 1962, and to provide for the health, safety, welfare, and transportation of school children to and from school other than a public school.

Read first and second times and passed on file.

Senate File 351, by Senator Wiley, a bill for an act relating to the acquisition of vehicles and equipment by cities and towns.

Read first and second times and passed on file.

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Senate File 352, by Senators Walker and Stephens, a bill for an act relating to agricultural land tax credit.

Read first and second times and passed on file.

Senate File 353, by Senator O'Malley, a bill for an act relating to powers of a local board of health and providing criminal penalties.

Read first and second times and passed on file.

Senate File 354, by Senator Wiley, a bill for an act relating to classification of highways, and responsibility therefor.

Read first and second times and passed on file.

Senate File 355, by Senator Shaff, a bill for an act relating to the office of city clerk and to make such office a civil service position.

Read first and second times and passed on file.

Senate File 356, by Senator Curran, a bill for an act to legalize the proposed sale of certain real estate owned by the County of Cerro Gordo, State of Iowa, and to authorize conveyance of legal title thereto.

Read first and second times and passed on file.

Senate File 357, by Senator Mincks, a bill for an act to amend chapter three hundred thirty-two (332), Code 1962, relating to the power of boards of supervisors to adopt building codes.

Read first and second times and passed on file.

Senate File 358, by Senators Lodwick and Schroeder, a bill for an act relating to the adoption of an interstate compact to authorize cooperation in providing library services.

Read first and second times and passed on file.

Senate File 359, by Senators Nolan, Shaff, Elijah, Phelps, Scott and Getting, a bill for an act relating to the personnel administration of state employees by the executive council.

Read first and second times and passed on file.

Senate File 360, by Senators Buck and Frommelt, a bill for an act relating to the licensing and bonding of persons, corporations, partnerships, copartnerships and agencies engaged in the collection of claims owed or due or asserted to be owed or due to another and prescribing penalties for the violation thereof.

Read first and second times and passed on file.

Senate File 361, by Senator Campbell, a bill for an act relating to

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county zoning and to repeal section three hundred fifty-eight A point one (358A.1), Code 1962.

Read first and second times and passed on file.

Senate File 362, by Senator Beneke, a bill for an act to amend chapter two hundred seventy-five (275), Code 1962, relating to reorganization of school districts.

Read first and second times and passed on file.

Senate File 363, by Senators Flatt, Walker and O'Malley, a bill for an act relating to size, weight, and load vehicle permits.

Read first and second times and passed on file.

Senate File 364, by Senator Turner, a bill for an act to amend chapter two hundred thirty-nine (239), Code 1962, relating to aid to dependent children.

Read first and second times and passed on file.

Senate File 365, by Senator Wearin, a bill for an act to repeal section two hundred seventy-nine point thirty-one (279.31), Code 1962, relating to the powers and duties of school boards.

Read first and second times and passed on file.

Senate File 366, by Senator Walker, a bill for an act to legalize and validate the proceedings for the organization and establishment of the Northeast Hamilton Community School District in the counties of Hamilton and Wright, State of Iowa, and fixing the boundaries thereof and declaring said district a duly and legally organized corporate body as provided by law.

Read first and second times and passed on file.

Senate File 367, by Senator Shaff (by request), a bill for an act to provide for recovery of damages against parents of minors for malicious or willful injury to property by minors.

Read first and second times and passed on file.

Senate File 368, by Senators Main, Walker, Coleman and Kyhl, a bill for an act relating to repurchase of equipment and parts by wholesalers from dealers when the dealer and wholesalers discontinue contract relations affecting farm implement and automotive businesses.

Read first and second times and passed on file.

Senate File 369, by Senators Walker, Getting, Stephens and Elvers,

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a bill for an act to provide an indemnity for the owner of hogs contracting hog cholera.

Read first and second times and passed on file.

Senate File 370, by Senators Fulton and Schroeder, a bill for an act relating to the exemption of certain nonprofit organizations providing special educational facilities not provided in chapter two hundred eighty-one (281), Code 1962, from the motor vehicle registration fees and the state motor fuel tax.

Read first and second times and passed on file.

Senate File 371, by Senators Walker, Stephens, Coleman, Getting, Lucken, Scott, Beneke, Main, Doran, Turner, Shoeman, Dykhouse, Burrows, Elthon, Walter, Vance, Wilson, Griffin, Vincent, Nolan and Flatt, a bill for an act to make the superintendent of public instruction elective and establish qualifications.

Read first and second times and passed on file.

Senate File 372, by Senators Frommelt, Dodds, Coleman and Mincks, a bill for an act to amend sections seven hundred thirty-six A point one (736A.1), seven hundred thirty-six A point two (736A.2) and seven hundred thirty-six A point three (736A.3), Code 1962, providing for the union shop.

Read first and second times and passed on file.

Senate File 373, by Senator Turner, a bill for an act to amend section seven hundred thirty-one point one (731.1), Code 1962, relating to desertion and abandonment of children.

Read first and second times and passed on file.

Senate File 374, by Senator Main, a bill for an act relating to valuation of stocks of merchandise of retail merchants for taxation.

Read first and second times and passed on file.

Senate File 375, by Senators Flatt and Elijah, a bill for an act relating to highway signs.

Read first and second times and passed on file.

Senate File 376, by Senator Shaff, a bill for an act relating to municipal elections.

Read first and second times and passed on file.

Senate File 377, by Senators Beneke, Doran, Fulton, Long, Nolan, O'Malley, Schroeder, Shaff, Turner and Vance, a bill for an act to

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create and establish a state tort claims act; defining terms and conferring upon each state agency in behalf of the state the power to consider, ascertain, adjust, determine, and settle claims against the state; providing for the maximum amount of the claim; permitting the state to be sued; conferring jurisdiction in the district court to hear, determine, and render judgment; and generally providing for the practice and procedure to establish liability of the state.

Read first and second times and passed on file.

Senate File 378, by Senator Buck, a bill for an act relating to joint county-city or town buildings.

Read first and second times and passed on file.

Senate File 379, by Senators Turner and Schroeder, a bill for an act to amend section six hundred thirteen point eleven (613.11), Code 1962, relating to measure of damages.

Read first and second times and passed on file.

Senate File 380, by Senator Frommelt, a bill for an act to set the dates general aid to schools is to be paid.

Read first and second times and passed on file.

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

SENATE CONCURRENT RESOLUTION 12

By Beneke

Whereas, it is deemed advisable to fix a final date for the filing of claims against the State of Iowa to be considered by the Sixtieth General Assembly; *Therefore, Be It Resolved by the Senate, the House Concurring:* That the 28th day of February, 1963, be fixed as the final date for the filing of all claims to be considered by the Sixtieth General Assembly of Iowa. Any claim which has not been filed with the State Appeal Board office before the said date will not be considered by the Sixtieth General Assembly.

The motion prevailed and the resolution was adopted.

Senator Beneke asked and received unanimous consent that Senate Concurrent Resolution 12 immediately messaged to the House, which request was complied with.

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

EXECUTIVE SESSION

The Senate arose from executive session and resumed regular session.

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UNFINISHED BUSINESS

On motion of Senator Lodwick, Senate File 155, a bill for an act relating to the exemption of farm land from zoning ordinance, was taken up for further consideration.

Senator Lodwick moved that the bill be read a third 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:

Benda	Elvers	Lisle	Shivvers
Burrows	Fisher	Lodwick	Shoeman
Campbell	Flatt	Lucken	Stephens
Cowden	Fulton	Nolan	Vance
Curran	Getting	Phelps	Vincent
Dodds	Griffin	Rigler	Walker
Doran	Grimstead	Schroeder	Walter
Dykhouse	Hill	Scott	Wearin
Elijah	Kyhl	Shaff	Wilson
Elthon			

Nays, 10:

Brown	Frommelt	O'Malley	Van Eaton
Buck	Long	Turner	Wiley
Coleman	Mincks		

Absent or not voting, 2:

Beneke	Hansen

Voting present, 1:

Main

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

On motion of Senator Brown, Senate File 210, a bill for an act relating to placement of patients, who have no county of legal settlement and who have been confined in a state mental institute, on convalescent leave or in custodial or nursing homes, and to provide for the payment of support of such patients, was taken up for further consideration.

Senator Brown offered the following amendment and moved its adoption:

Amend Senate File 210 as follows:

Amend line 6, section 1, by adding after the word "leave" the following "to a private sponsor".

The amendment was adopted.

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

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

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Ayes, 50:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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 CONSIDERED

Senator Buck called up for consideration Senate File 70, a bill for an act to amend chapter ninety-seven B (97B), Code 1962, relating to the Iowa Public Employees Retirement System, amended by the House, and moved that the Senate concur in the following amendment:

HOUSE AMENDMENT TO SENATE FILE 70

Amend Senate File 70 as follows:

1. Amend Senate File 70 by adding a new section as follows:

Sec. 10. Section ninety-seven B point nine (97B.9), Code 1962, is hereby amended by adding to subsection two (2) thereof the following: "; provided however, the tax shall be paid from the same fund as the employee salary."

Further amend said section by striking the period in line four (4) of subsection three (3) thereof and adding the following: "if any tax is needed."

2. Further amend Senate File 70 by adding as Sec. 11 the following:

Sec. 11. There is hereby appropriated out of the Iowa Public Employees Retirement System Fund, the sum of one million dollars to the general fund of the State of Iowa to replace a like amount which was advanced to Iowa Public Employees Retirement System Fund under Section 54, Chapter 72, Acts of the Fifty-fifth General Assembly.

3. Further amend Senate File 70 by adding as Sec. 12 the following:

Sec. 12. Chapter ninety-seven B (97B), Code 1962, is amended by adding a new section as follows: A claim may be filed by any employee for repayment of any taxes withheld over the first forty-eight hundred dollars in earnings in any one year, by one or more employers. The commission shall, if a claim is allowed to the employee, also mail a refund check for the taxes paid by the employer for the employee on which the employee is allowed a refund. The commission shall have power and authority to require the filing of a proper application by the employee before the claim shall be allowed. Any claim for such refund shall be made within three years of date of payment and not thereafter. For lack of time and cause, adjust-

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ments, compromises or refunds may be made by the commission on its own initiative.

The Senate concurred in the House amendment.

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

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

Ayes, 48:

Benda	Elthon	Lisle	Shaff
Beneke	Elvers	Lodwick	Shivvers
Brown	Fisher	Long	Shoeman
Buck	Flatt	Lucken	Stephens
Burrows	Frommelt	Main	Turner
Campbell	Fulton	Mincks	Van Eaton
Coleman	Getting	Nolan	Vincent
Cowden	Griffin	O'Malley	Walker
Curran	Grimstead	Phelps	Walter
Dodds	Hansen	Rigler	Wearin
Doran	Hill	Schroeder	Wiley
Elijah	Kyhl	Scott	Wilson

Nays, 1:

Dykhouse

Absent or not voting, 1:

Vance

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 the motion of Senator Lucken, Senate File 209, a bill for an act relating to the selection of the chairman of the board of control, was taken up and considered.

Senator Stephens offered the following amendment and moved its adoption:

Amend Senate File 209 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section two hundred seventeen point seven (217.7), Code 1962, is amended by striking all of said section after the word "period." in line three (3).

Further amend said Senate File 209 by striking from the title all after the words "relating to" and inserting in lieu thereof the words "the secretary of the board of control."

The amendment was adopted.

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

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

Ayes, 50:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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 Lucken, Senate File 211, a bill for an act to consolidate industry revolving funds for the state reformatory and the state penitentiary, was taken up and considered.

Senator Lucken offered the following amendment and moved its adoption:

Amend Senate File 211 as follows:

1. By inserting the following as an additional subsection of section 2:

"4. By adding the following after the word "control." in line fourteen (14): 'This fund shall not be used for the operation of farms under the jurisdiction of the board of control.' "

The amendment was adopted.

Senator Cowden moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

Nays, none.

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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 Wiley, Senate File 215, a bill for an act relating to bids on farm-to-market and primary road construction projects, was taken up and considered.

Senator Wiley moved that the bill be read a third 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:

Benda	Elijah	Lisle	Shivvers
Beneke	Elthon	Lodwick	Shoeman
Brown	Elvers	Long	Stephens
Buck	Fisher	Lucken	Turner
Burrows	Frommelt	Main	Vance
Campbell	Fulton	Mincks	Van Eaton
Coleman	Getting	Nolan	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Flatt	O'Malley

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

On motion of Senator Wiley, Senate File 216, a bill for an act to amend section five hundred seventy-three point thirteen (573.13), Code 1962, to clarify obligations of the public corporations with regard to retained percentage, 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:

President pro tempore Vance took the chair at 11:05 a.m.

Ayes, 49:

Benda	Curran	Flatt	Kyhl
Beneke	Dodds	Frommelt	Lisle
Brown	Doran	Fulton	Lodwick
Buck	Dykhouse	Getting	Long
Burrows	Elijah	Griffin	Lucken
Campbell	Elthon	Grimstead	Main
Coleman	Elvers	Hansen	Mincks
Cowden	Fisher	Hill	Nolan

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O'Malley	Shaff	Turner	Walker
Phelps	Shivvers	Vance	Walter
Rigler	Shoeman	Van Eaton	Wearin
Schroeder	Stephens	Vincent	Wiley
Scott			

Nays, none.

Absent or not voting, none.

Voting present, 1:
Wilson

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

On motion of Senator Fulton, Senate File 217, a bill for an act relating to motor vehicle testing stations in cities and towns, was taken up and considered.

Senator Hansen asked and received unanimous consent that action on Senate File 217 be deferred and that the bill be placed on the calendar under "unfinished business."

HOUSE AMENDMENT CONSIDERED

Senator Schroeder called up for consideration Senate File 58, a bill for an act relating to paroles by courts, and to amend various sections of the Code relating thereto, amended by the House as follows:

HOUSE AMENDMENT TO SENATE FILE 58

Amend Senate File 58 as follows:

1. Section 1 by striking in lines 5 and 6 the words "or narcotic drug violations" and inserting in lieu thereof the words "or manufacturing, selling, administering to another person, or dispensing a narcotic drug".
2. Section 1 by inserting after the period in line 8 the following: "This section shall prevail over any inconsistent provision of section two hundred four point twenty-two (204.22) of the Code."
3. Section 1 by inserting in line 21 after the word "for" the words "or against".

Senator O'Malley offered the following amendment to the House amendment and moved its adoption:

Amend the House amendment to Senate File 58 as follows:

1. Line 3, by inserting preceding the word "or" the following "or murder,".
2. Line 4, by striking the word "or" and inserting in lieu thereof the following: ", murder, or violation of law concerning the".
3. By striking all of division 2 of the House amendment.

The amendment to the amendment was adopted.

On motion of Senator O'Malley, the Senate concurred in the House amendment as amended.

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

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

Ayes, 45:

Benda	Elthon	Lucken	Shoeman
Beneke	Elvers	Main	Stephens
Brown	Fisher	Mincks	Turner
Buck	Flatt	Nolan	Vance
Burrows	Frommelt	O'Malley	Van Eaton
Campbell	Fulton	Phelps	Vincent
Coleman	Getting	Rigler	Walker
Cowden	Griffin	Schroeder	Walter
Dodds	Kyhl	Scott	Wearin
Doran	Lodwick	Shaff	Wiley
Dykhouse	Long	Shivvers	Wilson
Elijah			

Nays, 1:

Hill

Absent or not voting, 4:

Curran	Grimstead	Hansen	Lisle

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

Senator O'Malley asked and received unanimous consent that Senate File 58 be immediately messaged to the House, which request was complied with.

On motion of Senator Burrows, Senate File 219, a bill for an act relating to deposits to be made by bidders for public printing contracts, was taken up and considered.

Senator Burrows moved that the bill be read a third 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:

Benda	Elthon	Long	Shoeman
Beneke	Elvers	Lucken	Stephens
Brown	Fisher	Main	Turner
Buck	Flatt	Mincks	Vance
Burrows	Frommelt	Nolan	Van Eaton
Campbell	Fulton	O'Malley	Vincent
Coleman	Getting	Phelps	Walker
Cowden	Griffin	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lodwick		

Nay, none.

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Absent or not voting, 4:

Curran	Grimstead	Lisle	Shivvers

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

On motion of Senator Shoeman, Senate File 38, a bill for an act relating to notification of expiration of motor vehicle operator's licence, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Shoeman asked and received unanimous consent to withdraw the committee amendment filed and found on pages 333 and 334 of the Senate Journal.

Senator Shoeman moved that the bill be read a third 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:

Benda	Elthon	Long	Shoeman
Beneke	Elvers	Lucken	Stephens
Burrows	Fisher	Mincks	Turner
Campbell	Frommelt	Nolan	Vance
Coleman	Getting	O'Malley	Van Eaton
Cowden	Griffin	Rigler	Walker
Dodds	Grimstead	Schroeder	Walter
Doran	Hansen	Scott	Wearin
Dykhouse	Kyhl	Shaff	Wiley
Elijah	Lodwick	Shivvers	Wilson

Nays, 8:

Brown	Flatt	Hill	Phelps
Buck	Fulton	Main	Vincent

Absent or not voting, 2:

Curran	Lisle

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

Senator Shoeman asked and received unanimous consent that Senate File 38 be immediately messaged to the House, which request was complied with.

On motion of Senator Wilson, Senate File 65, a bill for an act relating to erection of buildings by soil conservation districts and the renting of space in such buildings, with report of committee recommending amendment in accordance with the amendment filed by Senator Wilson and passage, was taken up, considered, and the report of the committee adopted.

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Senator Wilson offered the following amendment and moved its adoption:

Amend Senate File 65 as follows:
1. By adding in line 13 after the word "may" the words "as lessor".
2. By inserting in line 18 after the word "section." the sentence: "Such property shall not be exempt from property taxes."

The amendment was adopted.

Senator Campbell offered the following amendment and moved its adoption:

Amend Senate File 65 by striking the comma after the word "building" in section one (1), line thirteen (13), and inserting in lieu thereof the words, "to other governmental agencies,".

The amendment was adopted.

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

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

THIRD READING OF BILLS

The Senate resumed consideration of Senate File 65.

Senator Nolan offered the following amendment and moved its adoption:

Amend Senate File 65 as follows:
1. Amend section 1, line 9 by inserting after the word "shall" the word "not".
2. Further amend section 1 by adding at the end of line 9 the following: "and shall be payable solely from the rents, income and profits of such building,".

The amendment was adopted.

Senator Wilson moved that the bill be read a third 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:

Brown	Elijah	Long	Stephens
Buck	Elthon	Main	Van Eaton
Burrows	Elvers	Mincks	Vincent
Coleman	Fisher	Nolan	Walker
Cowden	Getting	Phelps	Walter
Curran	Grimstead	Scott	Wearin
Dodds	Lodwick	Shivvers	Wilson

Nays, 15:

Benda	Campbell	Frommelt	Hansen
Beneke	Doran	Fulton	Hill

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Kyhl	Rigler	Shoeman	Wiley
O'Malley	Schroeder	Turner	

Absent or not voting, 5:

Dykhouse	Griffin	Lisle	Shaff
Flatt			

Voting present, 2:

Lucken	Vance

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 222, a bill for an act to amend section six hundred seventeen point three (617.3), Code 1962, relating to services of process on foreign corporations, was taken up and considered.

Senator Nolan offered the following amendment and moved its adoption:

Amend Senate File 222 as follows:

1. Amend the title by striking the period (.) and inserting in lieu thereof the following: ", and non-resident persons."
2. Amend section 1, line 4 by inserting after the word "corporation" the following: "or a non-resident person".
3. Amend section 1, line 6 by inserting after the word "corporation" the following: "or person".
4. Amend section 1, line 8 by inserting after the word "corporation" the following: "or such person".
5. Amend section 1, line 10 by inserting before the word "does" the following: "or person".
6. Amend section 1, line 17 by inserting after the word "corporation" the following: "or such person".

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, 48:

Benda	Elijah	Lodwick	Shivvers
Beneke	Elthon	Long	Shoeman
Brown	Elvers	Lucken	Stephens
Buck	Fisher	Main	Turner
Burrows	Flatt	Mincks	Vance
Campbell	Frommelt	Nolan	Van Eaton
Coleman	Fulton	O'Malley	Vincent
Cowden	Getting	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hill	Schroeder	Wearin
Doran	Kyhl	Scott	Wiley
Dykhouse	Lisle	Shaff	Wilson

Nays, none.

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Absent or not voting, 2:

Griffin	Hansen

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 Long, Senate File 85, a bill for an act to provide uniforms for sheriffs and their deputies, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Long asked and received unanimous consent that House File 100 be substituted for Senate File 85.

On motion of Senator Long, House File 100, a bill for an act to provide uniforms for sheriffs and their deputies, was taken up and considered.

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

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

Ayes, 43:

Benda	Elvers	Long	Stephens
Beneke	Fisher	Lucken	Turner
Brown	Flatt	Mincks	Vance
Buck	Frommelt	Nolan	Van Eaton
Burrows	Getting	O'Malley	Vincent
Campbell	Grimstead	Phelps	Walker
Coleman	Hansen	Rigler	Walter
Curran	Hill	Schroeder	Wearin
Dodds	Kyhl	Scott	Wiley
Elijah	Lisle	Shivvers	Wilson
Elthon	Lodwick	Shoeman	

Nays, 4:

Doran	Dykhouse	Fulton	Main

Absent or not voting, 3:

Cowden	Griffin	Shaff

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

Senator Long asked and received unanimous consent that Senate File 85 be withdrawn from further consideration of the Senate.

On motion of Senator Flatt, Senate File 158, a bill for an act relating to the time the state comptroller shall close out biennial appropriations, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Rule 8 was invoked.

Ayes, 27:

Buck	Fisher	Lodwick	Stephens
Campbell	Flatt	Long	Turner
Cowden	Getting	Lucken	Van Eaton
Curran	Grimstead	Main	Walker
Dykhouse	Hill	Phelps	Walter
Elijah	Kyhl	Scott	Wilson
Elvers	Lisle	Shoeman	

Nays, 22:

Benda	Doran	Mincks	Shaff
Beneke	Elthon	Nolan	Shivvers
Brown	Frommelt	O'Malley	Vincent
Burrows	Fulton	Rigler	Wearin
Coleman	Griffin	Schroeder	Wiley
Dodds	Hansen		

Absent or not voting, 1:

Vance

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

On motion of Senator Dykhouse, Senate File 151, a bill for an act relating to altering boundary rivers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Schroeder offered the foregoing amendment and moved its adoption:

Amend Senate File 151 by inserting after the word "any" in line 6 the word "non-navigable".

The amendment was adopted.

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

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

Ayes, 43:

Benda	Elthon	Lodwick	Shivvers
Brown	Elvers	Long	Stephens
Buck	Fisher	Lucken	Turner
Campbell	Flatt	Main	Van Eaton
Coleman	Frommelt	Mincks	Vincent
Cowden	Getting	Nolan	Walker
Curran	Griffin	O'Malley	Walter
Dodds	Grimstead	Rigler	Wearin
Doran	Hansen	Schroeder	Wiley
Dykhouse	Kyhl	Scott	Wilson
Elijah	Lisle	Shaff	

Nays, none.

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Absent or not voting, 7:

Beneke	Fulton	Phelps	Vance
Burrows	Hill	Shoeman	

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

On motion of Senator Walker, Senate File 237, a bill for an act relating to the distribution, sale, transportation and use of pesticides and devices and to provide for registration and examination of such materials and regulation of their use, was taken up and considered.

Senator Walker asked and received unanimous consent that action on Senate File 237 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Dykhouse, Senate File 238, a bill for an act to amend section one hundred eleven point twenty-seven (111.27), Code 1962, relating to management of state-owned areas by municipalities, 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, 47:

Benda	Elthon	Lisle	Shivvers
Beneke	Elvers	Lodwick	Shoeman
Brown	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Turner
Campbell	Frommelt	Mincks	Van Eaton
Coleman	Fulton	Nolan	Vincent
Cowden	Getting	O'Malley	Walker
Curran	Griffin	Phelps	Walter
Dodds	Grimstead	Rigler	Wearin
Doran	Hansen	Schroeder	Wiley
Dykhouse	Hill	Scott	Wilson
Elijah	Kyhl	Shaff	

Nays, none.

Absent or not voting, 3:

Buck	Main	Vance

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

On motion of Senator Grimstead, Senate File 246, a bill for an act requiring the submission of the social security number and/or tax number by those persons or corporations registered or licensed by the state, was taken up and considered.

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

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

Ayes, 48:

Benda	Elthon	Lisle	Shivvers
Brown	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Turner
Campbell	Frommelt	Main	Vance
Coleman	Fulton	Mincks	Van Eaton
Cowden	Getting	Nolan	Vincent
Curran	Griffin	Phelps	Walker
Dodds	Grimstead	Rigler	Walter
Doran	Hansen	Schroeder	Wearin
Dykhouse	Hill	Scott	Wiley
Elijah	Kyhl	Shaff	Wilson

Nays, 1:

Beneke

Absent or not voting, 1:

O'Malley

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

On motion of Senator Grimstead, House File 24, a bill for an act to amend chapter three hundred thirty-one point twenty-five (331.25), Code 1962, relating to supervisor districts in counties, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Grimstead asked and received unanimous consent that action on House File 24 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Elthon, House File 43, a bill for an act relating to reimbursement for use by county conservation boards of county-owned real estate, materials, equipment, or operators; and relating to the power of such boards to issue bonds in anticipation of tax receipts; and relating to violation of rules and regulations of such boards, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Benda offered the following amendment and moved its adoption:

Amend House File 43 by striking all of section 3.

The amendment was adopted.

Senator Beneke asked and received unanimous consent that action on House File 43 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Nolan, House File 231, a bill for an act

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relating to annual license fees of domestic and foreign corporations, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Nolan asked and received unanimous consent that action on House File 231 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Rigler, the Senate recessed until 4:25 p.m.

The Senate reconvened, President Mooty presiding.

ADDITIONAL COPIES

Senator Coleman asked and received unanimous consent to have 300 additional copies of Senate File 120 printed.

Senator Rigler asked and received unanimous consent to have 300 additional copies of Senate File 69 printed.

Senator O'Malley asked and received unanimous consent to have 300 additional copies of Senate File 189 printed.

APPROPRIATION BILL CALENDAR

Senator Shoeman asked and received unanimous consent that the Secretary be instructed to set up an "Appropriation Bill Calendar."

BILLS ASSIGNED TO COMMITTEE

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

S. F. 298 Schools and educational institutions
S. F. 299 Ways and means
S. F. 300 Industrial relations
S. F. 301 Ways and means
S. F. 302 Iowa development
S. F. 303 Judiciary 1
S. F. 304 Ways and means
S. F. 305 Industrial relations
S. F. 311 Conservation
S. F. 312 Manufacturing, commerce and trade
S. F. 313 Ways and means
S. F. 314 Governmental affairs
S. F. 315 Banks, building and loan
S. F. 316 Cities and towns
S. F. 317 Tax revision
S. F. 318 Governmental affairs
S. F. 319 Judiciary 1

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S. F. 320 Highways
S. F. 321 Social security
S. F. 322 Insurance
S. F. 323 Schools and educational institutions
S. F. 324 Cities and towns
S. F. 326 Cities and towns
S. F. 327 Transportation and highway safety
S. F. 328 Transportation and highway safety
S. F. 329 Cities and towns
S. F. 330 Public lands and buildings
S. F. 331 Highways
S. F. 332 Governmental affairs
S. F. 333 Compensation of public officers and employees
S. F. 334 Cities and towns
S. F. 335 Manufacturing, commerce and trade
S. F. 336 Cities and towns
S. F. 337 Social security
S. F. 338 Social security
S. F. 339 Cities and towns
S. F. 340 Public health
S. F. 341 Judiciary 1
S. F. 342 Military affairs
S. F. 343 Public health
S. F. 344 Schools and educational institutions
S. F. 345 Cities and towns

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on February 27, 1963, the Governor had approved the following bills:

Senate File 103, relating to responsibility for maintenance of highway which both enters and exits from state park at separate points.

Senate File 104, relating to the interstate system.

Senate File 124, relating to refund of tax on special fuel.

AMENDMENTS FILED

Amend Senate File 91 as follows:

Amend section 1, line 9, by striking the word "allotment" and inserting the word "apportionment".

MARTIN WILEY.

Amend Senate File 194, section 30, by striking lines 3, 4 and 5 and inserting in lieu thereof the following: "in the Hampton Chronicle, a newspaper published at Hampton, Iowa, and in The Atlantic News-Telegraph, a newspaper published at Atlantic, Iowa."

JOHN D. SHOEMAN.

Amend Senate File 237 as follows:

1. Amend section 3, line 1 by inserting ", give,"

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after the word "distribute".

2. Amend section 3, line 30 by striking the words "Unless it bears a" and by inserting in lieu thereof the word "A".

3. Amend section 3, line 87 by inserting "at a rate" after the word "or".

4. Amend section 5, by adding a new subsection:

"A person claiming injury or loss due to improper application of a pesticide to crops or livestock shall notify the applicator within thirty (30) days of the date of application before he can maintain an action for damages."

5. Amend section 6, line 4 by striking the word "men" and inserting "man".

6. Amend section 6 by adding a new subsection:

"After public hearing, the secretary is empowered to ban the sale of a pesticide or formulation of a pesticide in specific areas or during certain periods upon evidence that the pesticide caused widespread serious damage to crops or livestock."

LEROY GETTING.

Amend Senate File 241 by adding at the end thereof a new section as follows:

Sec. 2. The provisions of this act shall not be applicable to the present incumbent deputy superintendent of banking.

C. JOSEPH COLEMAN.

Amend Senate File 275 by adding the following:

"Sec. 4. There shall be imposed upon any combination of vehicles provided for by chapter three hundred twenty-one (321) in excess of fifty (50) feet in length using the streets and highways of this state, except farm tractors or motor vehicles towing implements of farm husbandry, or wagon box trailers used by farmers in transporting farm produce, a highway use tax for the privilege of using the streets and highways of Iowa as follows:

"(1) One (1) cent for each mile of operation for any combination of truck tractor or road tractor and semi-trailer;

"(2) Two (2) cents for each mile of operation for any combination of truck tractor or road tractor and semi-trailer used exclusively for the transportation of vehicles and boats;

"(3) Three (3) cents for each mile of operation for any combination of three (3) vehicles as provided by section three hundred twenty-one point three hundred ten (321.310), Code of Iowa 1962.

"Sec. 5. The tax imposed by this Act shall be in addition to all other taxes, fees, or licenses paid by the owner or operator of such vehicle either directly or indirectly.

"Sec. 6. The tax imposed by this Act shall be paid to the department of public safety and applied to the Road Use Fund and shall be paid monthly by the owner or operator of the vehicle on the basis of records kept by him on returns provided by the department. Falsification of any information or records shall be a misdemeanor."

KENNETH BENDA.

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Senate File 282 is amended by striking from section 1 all of lines 4 through 6, inclusive, and inserting in lieu thereof the following:

"The aforesaid maximum and aggregate millage rates shall be exclusive of all sources of income received or receivable by cities and towns other than taxes caused to be levied under the provisions of sections four hundred four point six (404.6) to four hundred four point twelve (404.12), inclusive, and those taxes in lieu of which allocations may be made under said sections by express authorization contained therein."

GEORGE E. O'MALLEY.

Amend House File 26 as follows:

1. Amend section 2, line 8, by inserting following the word "examiners" the words "pursuant to the practical experience requirements of this chapter and".

CHARLES F. GRIFFIN.

Amend House File 54 as follows:

1. Amend section 5, line 7, by striking the words "Forty-six" and inserting in lieu thereof the words "Forty-seven".

2. Amend section 1, line 9, by striking the words "Forty-two" and inserting in lieu thereof the words "Forty-four".

3. Amend section 5, line 11, by striking the words "Thirty-eight" and inserting in lieu thereof the words "Forty-one".

2. Amend section 5, line 13, by striking the words "Thirty-four" and inserting in lieu thereof the words "Thirty-eight".

GEORGE E. O'MALLEY.

Amend House File 54, as follows:

1. By adding the following after the word "benefits." in line 6 of section 3.

"If the employer or carrier shall decline to pay a claim on or before the twenty-first (21) day after they have notice of same or otherwise shall resist unsuccessfully the payment of compensation, and the injured person shall have employed an attorney at law in the successful prosecution of his or her claim, there shall, in addition to the award for compensation, be awarded a reasonable attorney fee, to be approved by the industrial commissioner, which may be paid directly to the attorney for the claimant, in a lump sum. For services rendered in the district court and supreme court, the attorney's fee shall be subject to the approval of a judge of a district court, which fees shall be in addition to the compensation paid the claimant, and shall be paid as the court may direct, provided:

"If the employer or carrier submits a written offer of settlement to the claimant or his duly appointed representative, and said offer is of a definite amount and made prior to a hearing before either the deputy commissioner, commissioner or district court, and if the subsequent award is not in excess of the written offer of settlement, then and in that event, the attorney

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fee shall not be assessed against the employer or carrier.

"Any person who receives any fees, other consideration, or any gratuity on account of services rendered, unless such consideration or gratuity is approved by the industrial commissioner or district court, or who makes it a business to solicit employment for a lawyer or for himself in respect of any claim or award for compensation, shall be guilty of a misdemeanor and upon conviction thereof, shall, for each offense, be punished by a fine of not more than one thousand dollars ($1,000.00) or by imprisonment in the county jail not exceeding one year, or by both such fine and imprisonment, in the discretion of the court."

JACK SCHROEDER.

Amend Senate File 241, section 1, line 12 by inserting after the word "department" a period (.) and quotation (") and striking the remainder of the section.

ANDREW G. FROMMELT.

On motion of Senator Rigler, the Senate adjourned until 9:30 a.m., Thursday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 28, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Roger D. Patton, pastor of the Olivet Presbyterian Church, Cedar Rapids, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Dykhouse for the day on request of Senator Stephens.

PETITIONS

By Senator Coleman, from sixty residents of Webster County opposing liquor by the drink.

By Senator Doran, from one hundred ten residents of Boone County favoring legislation for extending the length of trucks.

By Senator Elijah, from ten residents of Jackson County in opposition to the utility legislation as passed by the Senate.

The following petitions, opposing taxation of insurance premiums of members of fraternal benefit societies, were received and placed on file by:

Senator Brown, from twenty-five residents of Kossuth County.

Senator Curran, from fifteen residents of Cerro Gordo County.

By Senator Van Eaton, a resoluton from Royal Neighbors of America in Woodbury County opposing taxation of insurance premiums of members of fraternal benefit societies.

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

EXECUTIVE SESSION

The Senate arose from executive session and resumed regular session.

INTRODUCTION OF BILLS

Senate File 381, by committee on highways, a bill for an act to clarify the definition of an implement of husbandry.

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Read first and second times and placed on the calendar.

Senate File 382, by committee on highways, a bill for an act to amend section three hundred six point thirteen (306.13), Code 1962, relating to the purchase or condemnation of right of way by commission or board having jurisdiction.

Read first and second times and placed on the calendar.

Senate File 383, by committee on highways, a bill for an act relating to fire protection for highway commission property.

Read first and second times and placed on the calendar.

Senate File 384, by committee on highways, a bill for an act to amend chapter three hundred fourteen (314), Code 1962, relating to entry upon private property for surveys.

Read first and second times and placed on the calendar.

RECONSIDERATION OF HOUSE FILE 26

Senator Griffin called up for further consideration House File 26, which had been recalled from the Governor.

On motion of Senator Griffin, the Senate reconsidered the vote by which House File 26, a bill for an act to amend sections one hundred fifty-five point two (155.2) and one hundred fifty-five point six (155.6), Code 1962, regarding the right of unlicensed persons to fill prescriptions, passed the Senate.

On motion of Senator Griffin, the Senate reconsidered the vote by which House File 26 went to its third reading.

Senator Griffin offered the following amendment and moved its adoption:

Amend House File 26 as follows:

1. Amend section 2, line 8, by inserting following the word "examiners" the words "pursuant to the practical experience requirements of this chapter and".

The amendment was adopted.

Senator Griffin moved that the bill be read a third 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:

Benda	Campbell	Dodds	Fisher
Beneke	Coleman	Elijah	Flatt
Brown	Cowden	Elthon	Frommelt
Burrows	Curran	Elvers	Fulton

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Getting	Long	Rigler	Vance
Griffin	Lucken	Scott	Van Eaton
Grimstead	Main	Shaff	Vincent
Hansen	Mincks	Shivvers	Walker
Hill	Nolan	Shoeman	Walter
Kyhl	O'Malley	Stephens	Wearin
Lisle	Phelps	Turner	Wilson
Lodwick			

Nays, 1:

Doran

Absent or not voting, 4:

Buck	Dykhouse	Schroeder	Wiley

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 Grimstead, House File 24, a bill for an act to amend chapter three hundred thirty-one point twenty-five (331.25), Code 1962, relating to supervisor districts in counties, was taken up for further consideration.

The following committee amendment was considered:

Amend House File 24 by striking all of section 2 and renumbering the remaining section.

On motion of Senator Grimstead, the amendment was adopted.

Senator Grimstead moved that the bill be read a third 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:

Benda	Elthon	Long	Shoeman
Beneke	Fisher	Lucken	Stephens
Brown	Flatt	Main	Turner
Burrows	Getting	Mincks	Vance
Campbell	Griffin	Nolan	Van Eaton
Coleman	Grimstead	O'Malley	Vincent
Cowden	Hansen	Phelps	Walker
Curran	Hill	Rigler	Walter
Dodds	Kyhl	Scott	Wearin
Doran	Lisle	Shaff	Wilson
Elijah	Lodwick	Shivvers	

Nays, 2:

Frommelt	Fulton

Absent or not voting, 5:

Buck	Elvers	Schroeder	Wiley
Dykhouse			

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

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On motion of Senator Elthon, House File 43, a bill for an act relating to reimbursement for use by county conservation boards of county-owned real estate, materials, equipment or operators; and relating to the power of such boards to issue bonds in anticipation of tax receipts; and relating to violation of rules and regulations of such boards, was taken up for further consideration.

Senator Beneke offered the following amendment and moved its adoption:

Amend House File 43 by striking all of section 2.

The amendment was adopted.

Senator Benda offered the following amendment and moved its adoption:

Amend the title to House File 43, line 3, by striking all after the word "operators", and inserting in lieu thereof ".".

The amendment was adopted.

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

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

Ayes, 46:

Benda	Fisher	Long	Shoeman
Beneke	Flatt	Lucken	Stephens
Brown	Frommelt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Coleman	Griffin	O'Malley	Vincent
Cowden	Grimstead	Phelps	Walker
Curran	Hansen	Rigler	Walter
Dodds	Hill	Scott	Wearin
Doran	Kyhl	Shaff	Wiley
Elijah	Lisle	Shivvers	Wilson
Elthon	Lodwick		

Nays, none.

Absent or not voting, 4:

Buck	Dykhouse	Elvers	Schroeder

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 Shaff, House File 231, a bill for an act relating to annual license fees of domestic and foreign corporations, was taken up for further consideration.

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

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

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Ayes, 46:

Benda	Fisher	Long	Shoeman
Beneke	Flatt	Lucken	Stephens
Brown	Frommelt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Coleman	Griffin	O'Malley	Vincent
Cowden	Grimstead	Phelps	Walker
Curran	Hansen	Rigler	Walter
Dodds	Hill	Scott	Wearin
Doran	Kyhl	Shaff	Wiley
Elijah	Lisle	Shivvers	Wilson
Elthon	Lodwick		

Nays, none.

Absent or not voting, 4:

Buck	Dykhouse	Elvers	Schroeder

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 Benda, Senate File 241, a bill for an act to amend section five hundred twenty-four point seven (524.7), Code 1962, relating to salaries of the deputy superintendent of banking and bank examiners and enabling the state banking board to compensate said employees on a basis comparable to the compensation provided to those in positions of similar responsibility by federal bank supervisory departments, was taken up and considered.

Senator Frommelt offered the following amendment and moved its adoption:

Amend Senate File 241, section 1, line 12 by inserting after the word "department" a period (.) and quotation (") and striking the remainder of the section.

The amendment was adopted.

Senator Coleman offered the following amendment and moved its adoption:

Amend Senate File 241 by adding at the end thereof a new section as follows:

Sec. 2. The provisions of this act shall not be applicable to the present incumbent deputy superintendent of banking.

The amendment was adopted.

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

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

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Ayes, 46:

Benda	Elvers	Lodwick	Shoeman
Brown	Fisher	Long	Stephens
Buck	Flatt	Lucken	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Scott	Wearin
Doran	Hill	Shaff	Wiley
Elijah	Kyhl	Shivvers	Wilson
Elthon	Lisle		

Nays, none.

Absent or not voting 4:

Beneke	Dykhouse	Main	Schroeder

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

Senator Benda asked and received unanimous consent that Senate File 241 be immediately messaged to the House, which request was complied with.

On motion of Senator Wearin, House File 134, a bill for an act to amend chapter two hundred fifty-five (255), Code 1962, to more specifically provide for collection of medical fees for private patients at the University Hospital, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Kyhl moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shivvers
Beneke	Elvers	Lodwick	Shoeman
Brown	Fisher	Long	Stephens
Buck	Flatt	Lucken	Turner
Burrows	Frommelt	Main	Vance
Campbell	Fulton	Mincks	Van Eaton
Coleman	Getting	Nolan	Vincent
Cowden	Griffin	O'Malley	Walker
Curran	Grimstead	Phelps	Walter
Dodds	Hansen	Rigler	Wearin
Doran	Hill	Scott	Wiley
Elijah	Kyhl	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Dykhouse	Schroeder

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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 Wearin, House File 135, a bill for an act to amend chapter two hundred twenty-five (225), Code 1962, to more specifically provide for collection of medical fees for private patients with the State Psychopathic Hospital at Iowa City, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Kyhl moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shivvers
Beneke	Elvers	Lodwick	Shoeman
Brown	Fisher	Long	Stephens
Buck	Flatt	Lucken	Turner
Burrows	Frommelt	Main	Vance
Campbell	Fulton	Mincks	Van Eaton
Coleman	Getting	Nolan	Vincent
Cowden	Griffin	O'Malley	Walker
Curran	Grimstead	Phelps	Walter
Dodds	Hansen	Rigler	Wearin
Doran	Hill	Scott	Wiley
Elijah	Kyhl	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Dykhouse	Schroeder

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

On motion of Senator Shoeman, Senate File 147, a bill for an act relating to the state military forces, with report of committee on appropriations recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered:

Amend Senate File 147, section 4, by striking from lines 6 and 7 the words and figures "five hundred dollars ($500.00)" and inserting in lieu thereof "four hundred and fifty dollars ($450.00)".

On motion of Senator Shoeman, the amendment was adopted.

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

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

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Ayes, 46:

Benda	Elvers	Long	Shoeman
Beneke	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Coleman	Griffin	O'Malley	Vincent
Cowden	Grimstead	Phelps	Walker
Curran	Hansen	Rigler	Walter
Dodds	Hill	Scott	Wearin
Doran	Kyhl	Shaff	Wiley
Elijah	Lisle	Shivvers	Wilson
Elthon	Lodwick		

Nays, none.

Absent or not voting, 3:

Dykhouse	Frommelt	Schroeder

Voting present, 1:

Brown

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

On motion of Senator Wiley, Senate File 91, a bill for an act relating to road use tax funds allotted for interstate highways, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wiley offered the following amendment and moved its adoption:

Amend Senate File 91 as follows:

Amend section 1, line 9, by striking the word "allotment" and inserting the word "apportionment".

The amendment was adopted.

Senator Stephens asked and received unanimous consent that action on Senate File 91 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Doran, Senate File 154, a bill for an act allowing road authorities to take immediate possession of the land under the power of eminent domain, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

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Ayes, 47:

Benda	Elthon	Lodwick	Shoeman
Beneke	Elvers	Long	Stephens
Brown	Fisher	Lucken	Turner
Buck	Flatt	Main	Vance
Burrows	Fulton	Mincks	Van Eaton
Campbell	Getting	Nolan	Vincent
Coleman	Griffin	O'Malley	Walker
Cowden	Grimstead	Phelps	Walter
Curran	Hansen	Rigler	Wearin
Dodds	Hill	Scott	Wiley
Doran	Kyhl	Shaff	Wilson
Elijah	Lisle	Shivvers	

Nays, none.

Absent or not voting, 3:

Dykhouse	Frommelt	Schroeder

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

On motion of Senator Shaff, Senate File 122, a bill for an act relating to the issuance of bonds for school purposes, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Shaff offered the following amendment and moved its adoption:

Amend Senate File 122 by striking section 3 and inserting in lieu thereof the following:

"Sec. 3. This Act being deemed of immediate importance shall take effect and be in full force from and after its passage and publication in The Clinton Herald, a newspaper published in Clinton, Iowa, and in The Muscatine Journal, a newspaper published in Muscatine, Iowa."

The amendment was adopted.

Senator Shaff moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shivvers
Beneke	Elvers	Lodwick	Shoeman
Brown	Fisher	Long	Stephens
Buck	Flatt	Lucken	Turner
Burrows	Frommelt	Main	Vance
Campbell	Fulton	Mincks	Van Eaton
Coleman	Getting	Nolan	Vincent
Cowden	Griffin	O'Malley	Walker
Curran	Grimstead	Phelps	Walter
Dodds	Hansen	Rigler	Wearin
Doran	Hill	Scott	Wiley
Elijah	Kyhl	Shaff	Wilson

Nays, none.

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Absent or not voting, 2:

Dykhouse Schroeder

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

On motion of Senator Lisle, House File 152, a bill for an act to change the name of the Iowa child welfare research station at the State University of Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Lisle moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shivvers
Beneke	Elvers	Lodwick	Shoeman
Brown	Fisher	Long	Stephens
Buck	Flatt	Lucken	Turner
Burrows	Frommelt	Main	Vance
Campbell	Fulton	Mincks	Van Eaton
Coleman	Getting	Nolan	Vincent
Cowden	Griffin	O'Malley	Walker
Curran	Grimstead	Phelps	Walter
Dodds	Hansen	Rigler	Wearin
Doran	Hill	Scott	Wiley
Elijah	Kyhl	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Dykhouse Schroeder

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

On motion of Senator Wiley, Senate File 144, a bill for an act to amend chapter four hundred twenty-two (422), Code 1962, so as to provide certain credits to individual taxpayers against corporate taxes on income represented by dividends paid to the individual taxpayer, 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 144 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Flatt, Senate File 159, a bill for an act to amend chapter nineteen (19), Code 1962, relating to the executive council furnishing supplies to various state departments, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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Senator Flatt asked and received unanimous consent that action on Senate File 159 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Elijah, Senate File 167, a bill for an act to authorize examinations of the financial condition and transactions of county and memorial hospitals by certified or registered public accountants in lieu of examinations by the auditor of state, 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 167 as follows:

1. By adding to section 1 thereof the following:

"The report of such examination of a county or memorial hospital filed by the accountant employed with the auditor of state, as required by section eleven point nineteen (11.19) of the Code, shall be in the form prescribed by the auditor of state."

On motion of Senator Grimstead, the committee amendment was 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, 48:

Benda	Elthon	Lisle	Shivvers
Beneke	Elvers	Lodwick	Shoeman
Brown	Fisher	Long	Stephens
Buck	Flatt	Lucken	Turner
Burrows	Frommelt	Main	Vance
Campbell	Fulton	Mincks	Van Eaton
Coleman	Getting	Nolan	Vincent
Cowden	Griffin	O'Malley	Walker
Curran	Grimstead	Phelps	Walter
Dodds	Hansen	Rigler	Wearin
Doran	Hill	Scott	Wiley
Elijah	Kyhl	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Dykhouse	Schroeder

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

Senator Rigler asked and received unanimous consent that Senate File 167 be immediately messaged to the House, which request was complied with.

On motion of Senator Cowden, Senate File 181, a bill for an act relating to care, treatment, and habilitation of mentally retarded

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persons, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Phelps moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shivvers
Beneke	Elvers	Lodwick	Shoeman
Brown	Fisher	Long	Stephens
Buck	Flatt	Lucken	Turner
Burrows	Frommelt	Main	Vance
Campbell	Fulton	Mincks	Van Eaton
Coleman	Getting	Nolan	Vincent
Cowden	Griffin	O'Malley	Walker
Curran	Grimstead	Phelps	Walter
Dodds	Hansen	Rigler	Wearin
Doran	Hill	Scott	Wiley
Elijah	Kyhl	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Dykhouse	Schroeder

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

On motion of Senator Wiley, Senate File 293, a bill for an act to amend section three hundred sixty-eight point thirty-five (368.35), Code 1962, relating to the leasing of municipal property, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wiley offered the following amendment and moved its adoption:

Amend Senate File 293 by adding the following new section:

"Sec. 2. This Act being deemed of immediate importance shall take effect and be in force from and after its passage and publication in the Cedar Rapids Gazette, a newspaper published in Cedar Rapids, Iowa and The Sentinel, a newspaper published in Marion, Iowa."

The amendment was adopted.

Senator Wiley moved that the bill be read a third 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:

Benda	Burrows	Dodds	Elvers
Beneke	Campbell	Doran	Fisher
Brown	Cowden	Elijah	Frommelt
Buck	Curran	Elthon	Fulton

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Getting	Long	Scott	Van Eaton
Griffin	Lucken	Shaff	Vincent
Grimstead	Main	Shivvers	Walker
Hansen	Mincks	Shoeman	Walter
Hill	Nolan	Stephens	Wearin
Kyhl	O'Malley	Turner	Wiley
Lisle	Phelps	Vance	Wilson
Lodwick	Rigler		

Nays, none.

Absent or not voting, 3:

Dykhouse	Flatt	Schroeder

Voting present, 1:

Coleman

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

Senator Wiley asked and received unanimous consent that Senate File 293 be immediately messaged to the House, which request was complied with.

On motion of Senator Lisle, Senate File 156, a bill for an act to permit the erection of junior college buildings and provide for equipment and to permit indebtedness and issuance of bonds therefor, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee admendment was considered:

1. Amend the title to Senate File 156, line 1 by inserting after the word "erection" the following: ", furnishing, reconstructing, repairing, improving or remodeling".
2. Amend Senate File 156, section 1, line 5 by inserting after the word "build" the following: ", furnish, reconstruct, repair, improve or remodel".

On motion of Senator Lisle, the committee amendment was adopted.

Senator Long offered the following amendment and moved its adoption:

Amend Senate File 156 by inserting the following after the word "building" in line 5 of section 1: "and purchase a site therefor".

The amendment was adopted.

Senator Lisle moved that the bill be read a third 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:

Benda	Buck	Coleman	Dodds
Beneke	Burrows	Cowden	Doran
Brown	Campbell	Curran	Elijah

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Elthon	Hill	Phelps	Vance
Elvers	Kyhl	Rigler	Van Eaton
Fisher	Lisle	Scott	Vincent
Frommelt	Lodwick	Shaff	Walker
Fulton	Long	Shivvers	Walter
Getting	Lucken	Shoeman	Wearin
Griffin	Mincks	Stephens	Wiley
Grimstead	Nolan	Turner	Wilson
Hansen	O'Malley		

Nays, none.

Absent or not voting, 4:

Dykhouse	Flatt	Main	Schroeder

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 Beneke, House File 36, a bill for an act relating to workmen's compensation benefits payable to a minor employee, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Beneke moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shoeman
Beneke	Elvers	Long	Stephens
Brown	Fisher	Lucken	Turner
Buck	Frommelt	Main	Vance
Burrows	Fulton	Mincks	Van Eaton
Campbell	Getting	Nolan	Vincent
Coleman	Griffin	O'Malley	Walker
Cowden	Grimstead	Phelps	Walter
Curran	Hansen	Rigler	Wearin
Dodds	Hill	Scott	Wiley
Doran	Kyhl	Shaff	Wilson
Elijah	Lisle	Shivvers	

Nays, none.

Absent or not voting, 3:

Dykhouse	Flatt	Schroeder

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 12, a concurrent resolution fixing February 28, 1963, as the final date for filing claims to be considered by the Sixtieth General Assembly.

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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 to regulate the practice of architecture.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 114, a bill for an act relating to voluntary retirement of judges and retirement for cause.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 114

Amend Senate File 114 by adding the following new section:

"This Act, being deemed of immediate importance, shall be in full force and effect from and after its passage and publication in The Tipton Conservative, a newspaper published at Tipton, Iowa, and in The Parkersburg Eclipse, a newspaper published at Parkersburg, Iowa."

HOUSE MESSAGE CONSIDERED

House File 39, a bill for an act to regulate the practice of architecture and to amend chapter one hundred eighteen (118), Code 1962.

Read first and second times, and passed on file.

HOUSE AMENDMENT CONSIDERED

Senator Nolan called up for consideration Senate File 114, a bill for an act relating to voluntary retirement of judges and retirement for cause, amended by the House, and moved that the Senate concur in the 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 third 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:

Benda	Elthon	Lisle	Shivvers
Beneke	Elvers	Lodwick	Shoeman
Brown	Fisher	Long	Stephens
Buck	Flatt	Lucken	Turner
Burrows	Frommelt	Main	Vance
Campbell	Fulton	Mincks	Van Eaton
Coleman	Getting	Nolan	Vincent
Cowden	Griffin	O'Malley	Walker
Curran	Grimstead	Phelps	Walter
Dodds	Hansen	Rigler	Wearin
Doran	Hill	Scott	Wiley
Elijah	Kyhl	Shaff	Wilson

Nays, none.

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Absent or not voting, 2:
Dykhouse Schroeder

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

SENATE CONCURRENT RESOLUTION 13
By Rigler

Whereas, both houses of the legislature see fit to open their day's work with prayer, and it is unseemly that they should work during the time in which is commemorated the passion and death of the Lord to whom they dedicate their daily efforts;

Whereas, many members will absent themselves from the legislative halls during that time to attend services in their respective churches;

Therefore, Be It Resolved by the Senate, the House Concurring: That a special recess be held on Good Friday afternoon, April 12, 1963, during the hours of twelve to three o'clock, out of reverence to the passion and death of our Lord.

SENATE CONCURRENT RESOLUTION 14
By Flatt, Walker, Nolan, Turner, Shoeman and Wilson

Be It Resolved by the Senate, the House Concurring: That the General Assembly of the State of Iowa respectfully requests the Congress of the United States to propose to the people the following article as an amendment to the Constitution of the United States or to call a convention to propose such amendment as provided by Article V of the Constitution:

"Section 1. The Government of the United States shall not engage in any business, professional, commercial, financial or industrial enterprise except as specified in the Constitution.

"Sec. 2. The Constitution or laws of any State, or the laws of the United States shall not be subject to the terms of any foreign or domestic agreement which would abrogate this amendment.

"Sec. 3. The activities of the United States government which violate the intent and purposes of this amendment shall, within a period of three (3) years from the date of ratification of this amendment, be liquidated and the properties and facilities affected shall be sold.

"Sec. 4. Three (3) years after the ratification of this amendment, the sixteenth Article of amendments to the Constitution of the United States shall stand repealed and thereafter Congress shall not levy taxes on personal incomes, estates, and/or gifts."

Be It Further Resolved, That a certified copy of this Resolution be forwarded by the Secretary of State to the President of the United States Senate, the Speaker of the House of Representatives, and to each Member of Congress from the State of Iowa.

EXPLANATION OF SENATE CONCURRENT RESOLUTION 14

Senate Concurrent Resolution 14 pertaining to the Liberty Amendment is being introduced jointly with House Concurrent Resolution 9 in answer to public request. The sponsors are aware that seven of the several states have adopted this resolution and twenty-four additional states presently have it under consideration. The sponsors' initial purpose is to cause the General Assembly and the public to become properly informed concerning this proposed action.

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MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 26 passed the Senate.

DAVID O. SHAFF.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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 28 and House Files 78 and 219.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 28 and House Files 78 and 219.

BILL SENT TO THE GOVERNOR

Senator Benda, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 28th day of February, 1963, sent to the Governor for his approval: Senate File 28.

KENNETH BENDA, *Chairman.*

Passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on February 27, 1963, the Governor had approved the following bills:

Senate File 63, relating to the powers of subdistricts of soil conservation districts.

Senate File 96, relating to the extension of credit on beer for Class "A" permit holders.

Senate File 195, relating to rate of interest by corporations.

BILLS ASSIGNED TO COMMITTEES

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

S. F. 346 Judiciary 2
S. F. 347 Iowa development
S. F. 348 Agriculture

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S. F. 349 Agriculture
S. F. 350 Schools and educational institutions
S. F. 351 Cities and towns
S. F. 352 Ways and means
S. F. 353 Public health
S. F. 354 Highways
S. F. 355 Cities and towns
S. F. 356 Judiciary 2
S. F. 357 Governmental affairs
S. F. 358 Governmental affairs
S. F. 359 Governmental affairs
S. F. 360 Judiciary 1
S. F. 361 Governmental affairs
S. F. 362 Schools and educational institutions
S. F. 363 Transportation and highway safety
S. F. 364 Social security
S. F. 365 Schools and educational institutions
S. F. 366 Judiciary 2
S. F. 367 Judiciary 1
S. F. 368 Transportation and highway safety
S. F. 369 Agriculture
S. F. 370 Tax revision
S. F. 371 Governmental affairs
S. F. 372 Industrial relations
S. F. 373 Judiciary 1
S. F. 374 Ways and means
S. F. 375 Highways
S. F. 376 Cities and towns
S. F. 377 Judiciary 1
S. F. 378 Cities and towns
S. F. 379 Judiciary 1
S. F. 380 Schools and educational institutions
H. F. 39 Manufacturing, commerce and trade

REPORT OF COMMITTEE

Senator Schroeder submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **House File 59**, a bill for an act relating to real estate brokers' licenses, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACK SCHROEDER, *Chairman.*

Ordered passed on file.

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AMENDMENTS FILED

Amend Senate File 59 as follows:

1. By striking, in line 3 of section 1 the words "twelve-grade district" and inserting in lieu thereof the words "twelve-grade ditsricts".

2. By striking, in line 3 of section 2 the word "same" and inserting in lieu thereof the words "said system".

3. By striking, in line 3 of section 3 the word "such".

4. By striking everything after the word "which" in line 4 of section 3 and inserting in lieu thereof the words "are authorized by law".

RICHARD C. TURNER.

Amend House File 54 by adding after line 21, section 2, the following:

"no employer shall show partiality between any licensed practicing physician selected by the employee but may require that any treatment, diagnosis, or determination be verified by another licensed practicing physician."

"If any employer finds reason to object to the competency of a particular physician for a specific treatment, diagnosis, or determination, the industrial commission shall review any medical statements or other facts and make determinations as to the type of physician or specialist necessary for the specific treatment, diagnosis, or determination."

JOE N. WILSON.

On motion of Senator Rigler, and in accordance with House Concurrent Resolution 4, duly adopted, the Senate adjourned until 11:00 a.m., Monday, March 11, 1963.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, March 11, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Rabbi Edward Zerin, President of the Des Moines Area Ministerial Association and of the Temple B'Nai Jeshurun, Des Moines, Iowa.

PETITIONS

The following petitions were received and placed on file:

Favoring liquor by the drink under license control by:

Senator Doran, from twenty residents of Story County.

Senator Lodwick, from fifty-six residents of Lee County.

Senator O'Malley, from sixty-five residents of Polk County.

In opposition to liquor by the drink by:

Senator Curran, from sixty-eight residents of Cerro Gordo County.

Senator Doran, from twelve residents of Boone County and twenty-seven residents of Story County.

Senator Hansen, from fifty-two residents of Greene County.

Senator Hill, from one hundred forty-two residents of Jasper County.

Senator Lisle, from fifty-eight residents of Page County.

Senator Nolan, from thirty-six residents of Johnson County.

Senator O'Malley, from two hundred ten residents of Polk County.

Senator Vance, from sixty-four residents of Henry County.

Senator Walter, from eighty-seven residents of Taylor County.

In opposition to taxation of fraternal benefit societies by:

Senator Beneke, from thirty-two residents of Humboldt County.

Senator Brown, from seventy-three residents of Kossuth County.

Senator Doran, from Royal Neighbors of Story County.

Senator Curran, from thirteen residents of Cerro Gordo County.

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Senator Hansen, from forty-one residents of Crawford County and from ninety-four residents of Sac County.

Senator Lisle, from twenty-six residents of Marion County.

Senator Shaff, from twenty-three residents of Clinton County.

Senator Scott, from fifty residents of Winneshiek County and from twenty-two residents of Fayette County.

Senator Van Eaton, from thirty-five residents of Woodbury County.

By Senator Lisle, the following resolution from eleven junior citizens, residents of Coin, Page County: "We want you to vote against liquor by the drink. We are not old enough to vote, but we will have to live tomorrow in a world you are helping to create today."

By Senator Van Eaton, a resolution from the directors of the Iowa Broadcasters Association in opposition to proposed legislation relating to bait advertising.

By Senator Curran, from twenty-eight residents of Cerro Gordo County in opposition to relaxing present laws of capital punishment.

ANNOUNCEMENT

Senator Rigler announced to the Senate the death of the father of Senator Campbell and expressed the sympathy of the members and officers of the Senate.

On moton of Senator Rigler, the Senate resolved itself into executive session.

EXECUTIVE SESSION

The Senate arose from executive session and resumed regular session.

PRESENTATION OF VISITOR

Senator Fulton rose on a point of personal privilege and presented to the Senate the Honorable Melvin H. Wolf, a former member of the Senate from Black Hawk County who was present in the Senate chamber.

UNFINISHED BUSINESS

On motion of Senator Flatt, Senate File 36, 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 for further consideration.

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Senator Long asked and received unanimous consent that action on Senate File 36 be deferred and that the bill remain on the calendar under "unfinished business."

On motion of Senator Fulton, Senate File 217, a bill for an act relating to motor vehicle testing stations in cities and towns, was taken up for further consideration.

Senator Fulton offered the following amendment and moved its adoption:

Amend Senate File 217 by striking the period (.) from line 5 of section 1 and inserting in lieu thereof the following:

"and inserting in lieu thereof the words, ', not exceeding one dollar per test and not more than two dollars per year,'."

The amendment was adopted.

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

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

Ayes, 18:

Benda	Fisher	Long	Stephens
Campbell	Fulton	Lucken	Van Eaton
Cowden	Getting	Main	Walter
Dodds	Kyhl	O'Malley	Wearin
Elvers	Lodwick		

Nays, 24:

Beneke	Doran	Lisle	Turner
Brown	Dykhouse	Phelps	Vance
Buck	Frommelt	Rigler	Vincent
Burrows	Griffin	Scott	Walker
Coleman	Hansen	Shivvers	Wiley
Curran	Hill	Shoeman	Wilson

Absent or not voting, 6:

Elthon	Mincks	Schroeder	Shaff
Grimstead	Nolan		

Voting present, 2:

Elijah	Flatt

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Wiley, Senate File 91, a bill for an act relating to road use tax funds allotted for interstate highways, was taken up for further consideration.

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

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

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Ayes, 27 :

Benda	Dykhouse	Hanson	Rigler
Buck	Elijah	Hill	Turner
Burrows	Flatt	Kyhl	Van Eaton
Campbell	Frommelt	Lisle	Walker
Coleman	Fulton	Lucken	Wearin
Curran	Griffin	Mincks	Wiley
Dodds	Grimstead	O'Malley	

Nays, 19:

Beneke	Fisher	Phelps	Vance
Brown	Getting	Scott	Vincent
Cowden	Lodwick	Shivvers	Walter
Doran	Long	Shoeman	Wilson
Elvers	Main	Stephens	

Absent or not voting, 4:

Elthon	Nolan	Schroeder	Shaff

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

On motion of Senator Rigler, the Senate recessed until 3:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty 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 9, a bill for an act to exempt casual sales by persons not regularly engaged in the business of selling from sales tax.

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

Senate File 80, a bill for an act to legalize and validate the special election of Guthrie County for the construction of a court house and the issuance of bonds for such purpose.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 117, a bill for an act relating to the ownership of individual apartment units.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 167, a bill for an act to authorize examinations of the financial condition and transactions of county and memorial hospitals by certified or registered public accountants in lieu of examinations by the auditor of state.

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 registration period for motorboats to be used in Iowa waters.

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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 to permit any municipal corporation in Iowa to contract for sewage disposal with any similar area in an adjoining state.

Also: That the House has amended Senate amendment and concurred in said amendment as amended, and passed, House File 57, a bill for an act relating to foster care services for children.

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 certified common carriers of passengers operating on charter.

Also: That the House has concurred in Senate amendments to and passed House File 43, a bill for an act relating to reimbursement for use by county conservation boards of county-owned real estate, materials, equipment, or operators; and relating to the power of such boards to issue bonds in anticipation of tax receipts; and relating to violation of rules and regulations of such 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 to legalize the proceedings of the City of Denison, in Crawford County.

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

House File 189, a bill for an act to adopt the Interstate Compact on Mental Health and designate an administrator with other states.

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 to provide for the issuance of special mobile equipment certificate and plates.

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

House File 280, a bill for an act relating to the place of holding election meetings to elect members of the county agricultural extension council.

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

House File 291, a bill for an act to set speed limits on roadways at institutions under the control of the state board of regents.

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

House File 320, a bill for an act relating to definitions under the Iowa Securities Law.

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

House File 321, a bill for an act relating to registration exemptions under the Iowa Securities Law.

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

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House File 332, a bill for an act to enable the exchange of inheritance tax information with the federal government.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 117

Amend Senate File 117 as follows:

1. Amend section 4, line 11, by striking the words "common areas" and inserting in lieu thereof the words "general common elements".

2. Amend section 4, line 12, by striking the word "areas" and inserting in lieu thereof the word "elements".

HOUSE AMENDMENT TO SENATE FILE 167

Amend Senate File 167, section 1, line 8, by adding after the second comma the following: "but not more than four (4) years in succession,".

HOUSE AMENDMENT TO SENATE FILE 190

Amend Senate File 190 as follows:

1. Amend section 1 by striking lines 4 through 9 and inserting in lieu thereof the following:

On or after the first day of March in odd-numbered years any unregistered vessels and renewals of registrations may be so registered for the subsequent biennium beginning July 4. On or after the first day of March in even-numbered years any unregistered vessels may be registered for the remainder of the current biennium and such registration shall be at the rate of two dollars ($2.00). All registrations shall expire as hereinabove stated.

2. Amend by inserting the following as section 2:

The provisions of this Act shall be retroactive to March 1, 1963.

3. Amend by renumbering section 2 as section 3.

HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE FILE 57

Amend the Senate amendment to House File 57 by striking the words "thirty (30) days or less per year" and inserting in lieu thereof the following: "a period of less than thirty (30) days".

HOUSE MESSAGES CONSIDERED

House File 41, a bill for an act relating to certified common carriers of passengers operating on charter.

Read first and second times, and passed on file.

House File 168, a bill for an act to legalize and validate the proceedings of the city council of the city of Denison, in Crawford County, Iowa, authorizing and providing for the issuance of airport 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 city.

Read first and second times and passed on file.

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House File 189, a bill for an act to adopt the Interstate Compact on Mental Health and designate an administrator with other states.

Read first and second times and passed on file.

House File 247, a bill for an act to amend chapter three hundred twenty-one (321), Code 1962, to provide for the issuance of special mobile equipment certificate and plates.

Read first and second times and passed on file.

House File 280, a bill for an act relating to the place of holding election meetings to elect members of the county agricultural extension council.

Read first and second times and passed on file.

House File 291, a bill for an act to set speed limits on roadways at institutions under the control of the state board of regents.

Read first and second times and passed on file.

House File 320, a bill for an act relating to definitions under the Iowa Securities Law.

Read first and second times and passed on file.

House File 321, a bill for an act relating to registration exemptions under the Iowa Securities Law.

Read first and second times and passed on file.

House File 332, a bill for an act to enable the exchange of inheritance tax information with the federal government.

Read first and second times and passed on file.

PROOFS OF PUBLICATION

Published copy of Senate File 236 and verified proof of publication of said bill in The Manchester Press on February 28, 1963, 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 356 and verified proof of publication of said bill in The Mason City Globe-Gazette on February 28, 1963, 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.*

ADDITIONAL COPIES

Senator Buck asked and received unanimous consent to have 300 additional copies of Senate File 321 printed.

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MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 217 failed to pass the Senate.

ANDREW G. FROMMELT.

APPOINTMENT OF EMPLOYEE

Senator Scott announced the appointment of Ronald Brown of Polk County as a Janitor in the Custodian's department, effective February 26, 1963.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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 70 and 114 and House Files 36, 43, 100, 134, 135, 152 and 231.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 70 and 114 and House Files 36, 43, 100, 134, 135, 152 and 231.

BILLS SENT TO THE GOVERNOR

Senator Benda, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 11th day of March, 1963, sent to the Governor for his approval: Senate Files 70 and 114.

KENNETH BENDA, *Chairman.*

Passed on file.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 4, 1963, the Governor had approved the following bill:

Senate File 28, relating to pharmacy license fees.

REPORT OF COMMITTEE

Senator Dykhouse submitted the following report:

MR. PRESIDENT: Your committee on conservation to which was referred House File 4, a bill for an act relating to hunting and fishing upon cultivated

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or inclosed lands and waters, begs leave to report it has had the same under consideration and recommends the same **do pass.**

J. T. DYKHOUSE, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend the Wilson amendment filed February 28 to House File 54, line 2, by striking the numeral "2" and inserting in lieu thereof the numeral "1".

JOE WILSON.

Amend the committee amendment to House File 54 by striking line 1 and substituting the following in lieu thereof:

"1. Amend section 1 by striking lines 22, 23 and 24 and substituting the following paragraph therefor:

'Except in emergencies, it shall be the prerogative of the employee to select his medical, surgical and hospital services. If the employer can prove to a reasonable degree of medical certainty either that the services selected by the employee were not reasonably necessary or that the same or better services and results could have been obtained at lesser cost had the employee accepted the employer's recommendation in the selection of such services, the employer shall be liable only for the fair and reasonable value of the services reasonably necessary. In no event shall the employer be liable for transporting the employee beyond the nearest city or town in which a hospital is located or for any medical, surgical or hospital services if the employee refuses to submit to examination by any licensed practicing physician selected by the employer.'"

RICHARD C. TURNER.

Amend House File 93 as follows:

1. Strike line 2 of section 1 and insert in lieu thereof the following: "to a county jail in counties with a population in excess of 75,000 the privilege of leaving the jail during the".

D. C. NOLAN.

Amend House File 17 as follows:

1. Insert after section 3 the following new section:

"Any rule hereafter filed as provided in section three (3) of this Act during the last ten (10) days of any legislative session or during the legislative interim following, may be reviewed by the legislative research committee at any time during that interim. The research committee shall review such rule to determine if the legislative intent is being correctly followed. Upon concluding the review of any rule, if the research committee shall determine by resolution adopted by the affirmative vote of two-thirds (⅔) of the members of the committee that such rule contravenes the legislative intent, the committee shall transmit a copy of the resolution to the agency which filed the rule. Such agency shall immediately suspend such rule and all proceedings pending thereunder until such time as the rule is reviewed and determination is made thereon by the general assembly at the next succeeding session. Copies of such rule shall be trans-

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mitted to the speaker of the house and the president of the senate prior to the convening of the next succeeding general assembly. If the legislature shall fail to adopt a resolution requiring the abrogation or revision of the rule, the rule shall again be effective as of the adjournment sine die of the session of the general assembly."

2. Amend section 4 by inserting in line 2 after the word "Act" the words "including rules suspended as provided in subsection one (1) of this amendment".

3. Amend section 4 by adding in line 6 after the word "assembly." the following:

"Each committee shal review all rules referred to it to determine if such rules contravene the legislative intent and shall report its findings to the general assembly.

"If the general assembly shall find by concurrent resolution that the rule is without the legislative intent, the agency which shall have filed the rule shall abrogate the rule and the rule shall not thereafter be refiled. If the general assembly shall, in like manner, find that the rule may be revised to bring such rule within the legislative intent, the agency shall either abrogate or revise and refile the rule."

4. Add the following new section:

"If any provision of this Act or the application thereof to any person shall be invalid, such invalidity shall not affect the provisions or application of this Act which can be given effect without the invalid provisions or application, and to this end the provisions of the Act are declared severable."

5. Amend by renumbering the sections in conformity with this amendment.

RICHARD C. TURNER.

Amend House File 175, section 2, by striking the period (.) in line 4 thereof and by adding the following: ", and by inserting in lieu thereof the following: 'except that after twelve (12) months of service, no member of the department who shall have been appointed after having passed the examination as a conservation officer, shall be subject to dismissal unless charges have been filed with the chairman of the commission and a hearing held before the commission, if requested by said member of the department, at which he shall have an opportunity to present his defense to such charges. The decision of the commission by majority vote shall be final' ".

EUGENE M. HILL.

Amend House File 232 by adding the following sections:

Sec. 2. Section two hundred fifty-seven point one (257.1), Code 1962, is hereby amended by striking from line five (5) the word "nine" and inserting in lieu thereof the word "seven".

Sec. 3. Section two hundred fifty-seven point two (257.2), Code 1962, is hereby amended by inserting in line three (3) of said section after the word "state" the words "and of the congressional district from which they are elected".

Sec. 4. Section two hundred fifty-seven point three (257.3), Code 1962, is hereby repealed and the following enacted in lieu thereof:

"The state is hereby divided into seven (7) state board of

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public instruction districts, hereinafter called public instruction districts, the boundaries of which shall be conterminous with the seven (7) congressional districts as they existed on January 1, 1963. The public instruction districts shall be numbered from one (1) through seven (7) and their numbers shall be the same as the numbers of the seven (7) congressional districts as they existed on January 1, 1963. There shall be one (1) member of the state board elected from each such district, except that all state board members elected or appointed prior to January 1, 1963, shall serve until the term for which they were elected or appointed has expired and their successors have been elected and qualified. State board members elected after January 1, 1963, shall be elected for a term of six (6) years beginning on the second secular day in January following their election.

"The election of state board members shall take place at the general election on ballots which shall not reflect a nominee's political affiliation. Nominations shall be made by petition in accordance with chapter forty-five (45) of the Code. The petition form shall be furnished by the secretary of state, signed by a number of qualified electors of the public instruction district equal to or greater than one (1) percent of the vote cast for governor by both political parties in said public instruction district in the last previous general election, which nomination petition shall be filed with the secretary of state at least seventy (70) days prior to the date of the general election to be held in November.

"In the event that no person files a nomination petition in a public instruction district as required by this section, a convention, at which the president of the school board or his duly authorized representative from each school district within said public instruction district shall be an authorized delegate, shall be convened and make nominations of not less than two (2) nor more than four (4) candidates. Nominations shall be certified to the secretary of state in accordance with chapter forty-four (44) of the Code. It shall be the responsibility of the state board member in each public instruction district to determine the time and place of such convention.

"A plurality shall be sufficient to elect state board members, it being the intent that there be no primary election.

"If any provisions of this section shall be in conflict with any of the laws of this state, then the provisions of this section shall prevail.

"At the general election in 1964 one (1) member of the state board from each of the following numbered public instruction districts shall be elected: districts four (4) and six (6). At the general election in 1966 one (1) member of the state board from each of the following numbered public instruction districts shall be elected: districts five (5) and seven (7). At the general election in 1968 one (1) member of the state board from each of the following numbered public instruction districts shall be elected: districts one (1), two (2) and three (3). Thereafter, successors shall be elected at the general election immediately preceding completion of each six (6) year term. No member of the state board shall

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succeed himself in office for more than one (1) term.

"At the first meeting of the state board, after January 1 each odd-numbered year, the board shall elect a president and vice-president who shall serve for two (2) years."

Sec. 5. Section two hundred fifty-seven point four (257.4), Code 1962, is hereby repealed and the following enacted in lieu thereof.

"The members of the state board shall qualify by taking the regular oath of office as prescribed by law for state officers. Vacancies occurring on the state board shall be filled by the remainder of the board by appointment for the unexpired term.

Sec. 6. Section two hundred fifty-seven point five (257.5), Code 1962, is hereby repealed.

JOHN A. WALKER.

Amend Senate File 275 by adding the following:

Sec. 6. For the enforcement of this act and the provisions of chapter three hundred twenty-one (321), Code 1962, there is hereby created a port of entry board hereafter called the board. The board shall consist of:

1. The secretary of agriculture.
2. The commissioner of public safety.
3. A member of the highway commission to be selected by the commission members.
4. A member of the Iowa state commerce commission to be selected by the commission members.
5. The director of the motor vehicle fuel-tax division.

A majority of the board shall constitute a quorum for the transaction of business. No deputy shall act on the board for his principal. The terms of the members of the board shall be co-extensive with the term of office on the commission or in the department which they represent.

Sec. 7. The board shall designate the main highways upon which commercial vehicles that are transporting passengers for hire or property for hire or resale shall enter and leave this state, and shall establish registration stations or places where inspection and registration service shall be maintained.

Sec. 8. All commercial motor vehicles transporting into or through this state any passengers for hire or property for hire or resale by means of the public highways of this state must enter the state on a highway designated by the board, and shall stop at such registration place as shall be designated by the board, and obtain a clearance sticker.

Sec. 9. The operators of any motor vehicles described in section seven (7) of this Act shall make out and deliver to the agent of the board a manifest showing the name of the owner of the vehicle, the name of the operator, or driver, the name of the forwarding or other company in whose service said vehicle is licensed, the license number, the state in which said vehicle has been granted a common or contract motor carrier permit, if any, and number of such permit, the motor number, the serial number of the vehicle, and a description of such vehicle, the point of origin of the shipment, the ultimate destination of the shipment, the gross weight of the vehicle and cargo, and the factory list capacity or the actual capacity if rebuilt, and the number of miles to be traveled within the state and the nature, amount and coverage of all public liability and other insurance car-

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ried upon said vehicle and upon the cargo thereon. The operator of said vehicle shall declare upon said manifest the number of the highway or highways which he intends to use within the state and the place where he intends to leave the state. The manifest shall be signed by the operator and filed with the person in charge of said registration station. The operator of said vehicle shall present for inspection to the person in charge of the registration station a copy of billing or invoice describing the contents of the cargo and the weight thereof.

The person in charge of such registration station shall verify the information contained upon billing or invoice and shall check the license, permit, motor and serial numbers, weight and description of the vehicle. Such person shall likewise inspect said vehicle and ascertain whether the same is in safe and roadworthy condition, properly equipped with all lights, brakes and other appliances required by any statute of this state, in such condition as to be safe for operation upon the public highways of this state.

The person in charge of said registration station shall likewise satisfy himself as to the contents of the cargo, the weight thereof, and is authorized to interview operators to obtain information in respect thereto, and if in doubt as to the declared weight may order the cargo weighed before issuing any clearance certificate for such motor vehicle.

The person in charge of said registration station shall further inspect the contents of such vehicle to determine whether or not all taxes on gasoline and motor fuel, highway use, and all taxes on any other property have been fully paid.

The person in charge of said registration station shall further inspect such vehicle and its contents to determine whether or not all laws and all rules and regulations of the departments of this state with respect to public safety, health, welfare and comfort have been fully complied with.

No commercial motor vehicle transporting passengers for hire or property for hire or resale shall be allowed to proceed from inspection stations designated by the board until it has been registered and inspected and a clearance certificate issued therefor.

Sec. 10. The powers and duties of the board shall be as follows:

1. To make all necessary rules and regulations for the enforcement of this Act, such rules to comply with chapter seventeen A (17A) of the Code.

2. To designate a sufficient number of highways entering this state to reasonably meet the needs and requirements of persons, firms, and corporations operating motor vehicles for the transportation of passengers and property for compensation who enter this state from beyond boundaries. The board shall establish ports of entry at points as near the borders of this state as is practicable.

3. To acquire land necessary for such stations by purchase or condemnation and construct such station subject to the approval of the executive council. The board may also enter into lease-purchase agreements in operating the property and buildings for such stations.

4. The board may employ such staff as it deems necessary to

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manage properly and to give service to all persons required to be inspected and required to give information at port of entry stations. Inspection procedures and items to be inspected shall be prescribed by the port of entry board.

5. The board shall set up facilities and personnel capable of combining the inspections at the port of entry which would normally be performed upon motor carriers traveling in this state by the state commission, the highway commission, the public safety department, the gas tax division of the state treasurer's office and the department of agriculture. Inspections to be combined shall include, but not be limited to, the checking of routes and rates charged by carriers; the weight, length and size of the vehicle; the license and registration of the vehicle; the compliance with the gas-tax laws of the state; the inspection by the agricultural department in enforcing the laws of this state pertaining to transportation of agricultural produce or livestock; inspection of mileage reports required for highway use tax and/or collection thereof.

6. The port of entry board shall cause to be printed clearance certificates which may readily be fastened to the windshield of a motor carrier. The clearance certificate shall be of such design, color, and printing so that it can be readily identified.

Sec. 11. The clearance certificate shall be issued to the motor carrier after the person in charge of such port of entry station is satisfied that all the various inspections have been carried out. Motor carriers displaying such certificates shall not be unnecessarily detained for the purpose of performing any inspection previously performed at a port of entry station.

Sec 12. The following vehicles shall be issued exempt stickers and shall pass through ports of entry without delay:

1. Motor carriers of passengers operating on regular routes between contiguous cities of this and other states where the routes in this state do not extend beyond the corporate limits of the city in this state or beyond the urban territory within three miles of such corporate limits; nor shall the provisions of this Act apply to the motor carriers of passengers operating on regular routes between any such city and adjoining state and urban territory in this state within three miles of corporate limits thereof where such operations are part of the general local transportation system in such cities.

2. The trucks used exclusively in delivering newspapers directly from the publishers thereof to distributors.

3. Trucks hauling United States mail.

Sec. 13. Owners of exempted vehicles shall upon application to the board be issued sufficient stickers to mark each vehicle owned.

Sec. 14. Violations of any provisions of this Act shall be punishable by a fine not more than one hundred dollars or by imprisonment in the county jail for a period not exceeding thirty days.

RICHARD C. TURNER.

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

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 12, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Robert W. Harvey, pastor of the First Presbyterian Church, Sanborn, Iowa.

PETITIONS

The following petitions were received and placed on file:

Favoring liquor by the drink under license control by:

Senator Frommelt, from thirty residents of Dubuque County.

Senator Lisle, from fifty-nine residents of Page and Fremont Counties.

In opposition to liquor by the drink by:

Senator Benda, from ninety residents of Poweshiek County.

Senator Brown, from thirty-nine residents of Palo Alto County.

Senator Burrows, from thirty-eight residents of Benton County.

Senator Coleman, from thirty-four residents of Webster County.

Senator Cowden, from twenty-eight residents of Madison County.

Senator Doran, from twenty-seven residents of Boone County and from eighty-four residents of Story County.

Senator Fisher, from thirty residents of Warren County.

Senator Flatt, from two hundred thirty-four residents of Polk County.

Senator Lodwick, from four junior citizens, residents of Henry County, and from thirty-three residents of Lee County.

Senator Mincks, from twenty-nine residents of Wapello County.

Senator Phelps, from thirty-eight residents of Jefferson County.

Senator Vance, from seventy-two residents of Jefferson and Keokuk Counties.

Senator Walter, from thirty-five residents of Taylor County.

In opposition to taxation of fraternal benefit societies by:

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Senator Brown, from sixty-five residents of Kossuth County.

Senator Dodds, from sixteen residents of Des Moines County.

Senator Flatt, from seven residents of Adair County.

Senator Hansen, from seventeen residents of Crawford County and from twenty-one residents of Sac County.

By Senator Coleman, from eight residents of Webster County, in opposition to Sunday sales.

By Senator Schroeder, from eighty-one residents of Scott County, favoring proposed legislation relating to children requiring special education.

By Senator Schroeder, from thirty-two residents of Scott County, in opposition to proposed legislation relating to the licensing and qualifications of physical therapists.

COMMUNICATION

The following communication was received:

TO THE MEMBERS OF THE SENATE AND FRIENDS OF ARCHIE:

On behalf of Archie who loved his association with the Senate, I thank you for your thoughtfulness and generous contribution to him. God bless everyone of you. Your kindness shall never be forgotten.

s/MRS. ARCHIE MARTIN.

PRESENTATION OF VISITORS

Senator Benda asked and received unanimous consent to present to the Senate twenty-three students, members of the state government class of Grinnell College, who were present in the balcony accompanied by their instructor, Professor C. Edwin Gilmour, a former member of the Senate from Poweshiek County who was present in the Senate chamber.

INTRODUCTION OF BILL

Senate File 385, by committee on agriculture, a bill for an act to regulate the distribution of commercial feeds and customer-formula feeds in the State of Iowa.

Read first and second times and placed on the calendar.

Senator Nolan, upon request, moved that the Senate resolve itself into executive session.

EXECUTIVE SESSION

The Senate arose from executive session and resumed regular session.

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HOUSE AMENDMENT CONSIDERED

Senator Buck called up for consideration House File 57, a bill for an act relating to foster care services for children, amended by the Senate and further amended by the House, and moved that the Senate concur in the following amendment:

HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE FILE 57

Amend the Senate amendment to House File 57 by striking the words "thirty (30) days or less per year" and inserting in lieu thereof the following: "a period of less than thirty (30) days".

The Senate concurred in the House amendment to the Senate amendment.

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

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

Ayes, 48:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Frommelt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Coleman	Griffin	O'Malley	Vincent
Cowden	Grimstead	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Schroeder	Wearin
Dykhouse	Kyhl	Scott	Wiley
Elijah	Lisle	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Curran	Flatt

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

Senator Elijah called up for consideration Senate File 167, a bill for an act to authorize examinations of the financial condition and transactions of county and memorial hospitals by certified or registered public accountants in lieu of examinations by the auditor of state, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 167, section 1, line 8, by adding after the second comma the following: "but not more than four (4) years in succession,".

The Senate concurred in the House amendment.

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

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

Ayes, 48:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Frommelt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Coleman	Griffin	O'Malley	Vincent
Cowden	Grimstead	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Schroeder	Wearin
Dykhouse	Kyhl	Scott	Wiley
Elijah	Lisle	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Curran	Flatt

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

Senator Dykhouse called up for consideration Senate File 190, a bill for an act to amend chapter one hundred six (106), Code 1962, relating to registration period for motorboats to be used in Iowa waters, amended by the House, and moved that the Senate concur in the following amendment:

HOUSE AMENDMENT TO SENATE FILE 190

Amend Senate File 190 as follows:

1. Amend section 1 by striking lines 4 through 9 and inserting in lieu thereof the following:

On or after the first day of March in odd-numbered years any unregistered vessels and renewals of registrations may be so registered for the subsequent biennium beginning July 4. On or after the first day of March in even-numbered years any unregistered vessels may be registered for the remainder of the current biennium and such registration shall be at the rate of two dollars ($2.00). All registrations shall expire as hereinbefore stated.

2. Amend by inserting the following as section 2:

The provisions of this Act shall be retroactive to March 1, 1963.

3. Amend by renumbering section 2 as section 3.

The Senate concurred in the House amendment.

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

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

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Ayes, 47:

Benda	Elthon	Lodwick	Shoeman
Beneke	Elvers	Long	Stephens
Brown	Fisher	Lucken	Turner
Buck	Frommelt	Mincks	Vance
Burrows	Fulton	Nolan	Van Eaton
Campbell	Getting	O'Malley	Vincent
Coleman	Griffin	Phelps	Walker
Cowden	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle	Shivvers	

Nays, none.

Absent or not voting, 3:

Curran	Flatt	Main

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 117, a bill for an act relating to the ownership of individual apartment units, amended by the House, and moved that the Senate concur in the following amendment:

HOUSE AMENDMENT TO SENATE FILE 117

Amend Senate File 117 as follows:

1. Amend section 4, line 11, by striking the words "common areas" and inserting in lieu thereof the words "general common elements".

2. Amend section 4, line 12, by striking the word "areas" and inserting in lieu thereof the word "elements".

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 third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Frommelt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Coleman	Griffin	O'Malley	Vincent
Cowden	Grimstead	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Schroeder	Wearin
Dykhouse	Kyhl	Scott	Wiley
Elijah	Lisle	Shaff	Wilson

Nays, none

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Absent or not voting, 2:

Curran	Flatt

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

RECONSIDERATION OF SENATE FILE 217

Senator Frommelt called up the following motion filed by him and moved its adoption:

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 217 failed to pass the Senate.

The motion prevailed.

On motion of Senator Fulton, the Senate reconsidered the vote by which Senate File 217 went to its third reading.

THIRD READING OF BILLS

On the motion of Senator Fulton, Senate File 217, a bill for an act relating to motor vehicle testing stations in cities and towns, was taken up for further consideration.

Senator Fulton moved that the bill be read a third 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:

Benda	Elvers	Lisle	Shaff
Brown	Fisher	Lodwick	Shivvers
Buck	Flatt	Long	Shoeman
Burrows	Frommelt	Lucken	Stephens
Campbell	Fulton	Main	Vance
Coleman	Getting	Mincks	Van Eaton
Cowden	Griffin	Nolan	Vincent
Dodds	Grimstead	O'Malley	Walker
Doran	Hansen	Phelps	Walter
Elijah	Kyhl	Scott	Wearin
Elthon			

Nays, 7:

Beneke	Hill	Turner	Wilson
Dykhouse	Rigler	Wiley	

Absent or not voting, 2:

Curran	Schroeder

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

On motion of Senator Frommelt, Senate File 265, a bill for an act

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relating to the appointment of alternate members of credit committees of credit unions, was taken up and considered.

Senator Frommelt moved that the bill be read a third 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:

Benda	Elvers	Lodwick	Shivvers
Beneke	Fisher	Long	Shoeman
Brown	Flatt	Lucken	Stephens
Buck	Frommelt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Coleman	Griffin	O'Malley	Vincent
Cowden	Grimstead	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Schroeder	Wearin
Dykhouse	Kyhl	Scott	Wiley
Elijah	Lisle	Shaff	Wilson
Elthon			

Nays, none.

Absent or not voting, 1:

Curran

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

On motion of Senator Scott, Senate File 266, a bill for an act relating to the authority of the Board of Directors of a credit union to appoint a membership committee or a membership officer, was taken up and considered.

Senator Scott offered the following amendment and moved its adoption:

Amend Senate File 266 as follows:

1. By striking the words "Board of Directors" in line 1 of the title, and by inserting in lieu thereof the words "board of directors".

2. By inserting before the word "section" in line 1 the word and figure "section 1."

The amendment was adopted.

Senator Frommelt moved that the bill be read a third 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:

Benda
Beneke
Brown
Buck
Burrows

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Grimstead	Main	Scott	Van Eaton
Hansen	Mincks	Shaff	Vincent
Hill	Nolan	Shivvers	Walker
Kyhl	O'Malley	Shoeman	Walter
Lisle	Phelps	Stephens	Wearin
Lodwick	Rigler	Turner	Wiley
Long	Schroeder	Vance	Wilson
Lucken			

Nays, none.

Absent or not voting, 1:

Curran

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 passed the following bill in which the concurrence of the House was asked:

Senate File 293, a bill for an act relating to the leasing of municipal property.

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 to permit school districts to accept gifts, devises and bequests and to utilize the same for general or schoolhouse fund expenditures.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File 308, a bill for an act to permit school districts to accept gifts, devises and bequests and to utilize the same for general or schoolhouse fund expenditures.

Read first and second times and passed on file.

On motion of Senator Rigler, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

THIRD READING OF BILLS

On motion of Senator Wiley, Senate File 274, a bill for an act relating to the purchase of secondary road equipment, was taken up and considered.

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

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

Ayes, 47:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Turner
Buck	Flatt	Main	Vance
Burrows	Frommelt	Mincks	Van Eaton
Campbell	Fulton	Nolan	Vincent
Coleman	Getting	O'Malley	Walker
Cowden	Griffin	Phelps	Walter
Dodds	Grimstead	Rigler	Wearin
Doran	Hansen	Schroeder	Wiley
Dykhouse	Hill	Scott	Wilson
Elijah	Kyhl	Shaff	

Nays, none.

Absent or not voting, 3:

Curran	Lisle	Stephens

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

On motion of Senator Elthon, Senate File 275, a bill for an act relating to the overall length of combinations of vehicles, was taken up and considered.

Senator Benda asked and received unanimous consent to withdraw the amendment filed by him and found on page 416 of the Senate Journal.

Senator Turner asked and received unanimous consent to withdraw the amendment filed by him and found on pages 449-451, inclusive, of the Senate Journal.

Senator Burrows moved the previous question on the bill, which motion was lost.

SENATE CONCURRENT RESOLUTION 15

By Shaff and O'Malley

Whereas, the distinguished President Elect of the American Bar Association, Mr. Walter Craig of Phoenix, Arizona, will be in Des Moines, Iowa, on March 15, 1963; therefore,

Be It Resolved by the Senate, the House Concurring, that an invitation be extended to Mr. Craig to address a joint convention of both Houses at 9:00 a.m., on Friday, March 15, 1963.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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

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that it has examined and finds correctly enrolled: Senate Files 9, 80 and 242.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate Files 9, 80 and 242.

BILLS SENT TO THE GOVERNOR

Senator Benda, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 12th day of March, 1963, sent to the Governor for his approval: Senate Files 9, 80 and 242.

KENNETH BENDA, *Chairman.*

Passed on file.

ASSIGNMENT OF BILLS TO COMMITTEE

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

H. F. 41 Transportation and highway safety
H. F. 168 Judiciary 2
H. F. 189 Public health
H. F. 247 Transportation and highway safety
H. F. 280 Agriculture
H. F. 291 Transportation and highway safety
H. F. 308 Judiciary 2
H. F. 320 Insurance
H. F. 321 Insurance
H. F. 332 Tax revision

REPORTS OF COMMITTEES

Senator Stephens submitted the following report:

MR. PRESIDENT: Your committee on industrial relations to which was referred **Senate File 183**, a bill for an act to amend section eighty-six point two (86.2), Code 1962, increasing the number of deputies from three (3) to four (4) that the industrial commissioner may hire, begs leave to report it has had the same under consideration and recommends the same **do pass.**

RICHARD STEPHENS, *Chairman.*

Ordered passed on file.

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Also:

MR. PRESIDENT: Your committee on industrial relations to which was referred **Senate File 182**, a bill for an act to amend section eighty-five point twenty-two (85.22), subsection three (3), Code 1962, granting authority to the industrial commissioner to compromise and settle workmen's compensation cases on behalf of the State of Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass.**

RICHARD STEPHENS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on industrial relations to which was referred **Senate File 184**, a bill for an act to amend section eighty-six point nineteen (86.19), Code 1962, by granting the industrial commissioner authority to require a shorthand reporter to report proceedings of any hearing before the commissioner or one of his deputies, or board of arbitration, begs leave to report it has had the same under consideration and recommends the same **do pass.**

RICHARD STEPHENS, *Chairman.*

Ordered passed on file.

Senator Schroeder submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **Senate File 179**, a bill for an act to abolish individual liquor permits, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACK SCHROEDER, *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 enable and empower the State of Iowa to convey certain easements and rights in, to and over certain easements for highway purposes, owned by the State of Iowa in Marion, Polk and Warren Counties, Iowa, in furtherance of the Red Rock Reservoir project, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACK SCHROEDER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **Senate File 236**, a bill for an act to legalize and validate the purchase, platting and sale of certain real estate owned by the West Delaware County Community School District in the County of Delaware, State of Iowa, and to authorize legal title thereto, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACK SCHROEDER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **House File 159**, a bill for an act to ratify the sale by installment contract of certain real estate owned by the Ames Community School District in

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Story County, State of Iowa, and to authorize conveyance of legal title in exchange for performance of the purchasers' remaining obligations, etc., begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACK SCHROEDER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **House File 234**, a bill for an act to legalize the proceedings of the board of supervisors of Wright County in connection with a contract made with the D. C. Taylor Company of Cedar Rapids, Iowa, for the repair of the west and north elevations of the Wright County courthouse located in Clarion, Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACK SCHROEDER, *Chairman.*

Ordered passed on file.

Senator Shoeman submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 157**, a bill for an act to amend section four hundred twenty-two point sixty-two (422.62), Code 1962, relating to the funds for the manufacture of motor vehicle registration plates, 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:**

By striking in section 1, subsection 1, all of said subsection after the colon in line 3, and inserting in lieu thereof the following:

"'four hundred and fifty thousand dollars'".

JOHN D. SHOEMAN, *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 143**, a bill for an act to authorize city and town libraries to finance the acquisition of sites, books and equipment from the proceeds of a bond issue, begs leave to report it has had the same under consideration and recommends the same **do pass.**

C. S. VAN EATON, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 252 as follows:

1. By striking all of section 1 and inserting in lieu thereof the following:

"Section 1. The Iowa Development Commission is hereby authorized to form a corporation under the provisions of chapter five hundred four (504) of the Code for the purpose of evaluating the commercial possibilities of scientific developments in all of the sciences, arts and technologies useful to the public, received from applicants residing in Iowa, and to aid in the financing and promotion for manufacture in the State of Iowa of said developments; and where appropriate to provide assistance to applicants in arranging for the production and marketing of their developments."

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2. By adding thereto the following sections as sections 2 and 3:

"Sec. 2. The corporation is without authority to acquire any legal interest whatsoever in said developments, by way of license, assignment, sale or any other manner from applicants.

"Sec. 3. 1. The corporation shall not involve itself in any way with the acquisition of letters patent in the carrying out of the provisions of this Act.

"2. The corporation, prior to any commitments made by applicants to it, shall fully inform applicants in writing that the submission of their developments, ideas or inventions does not create nor afford any legal protection therefor under the U. S. patent laws, and that the acquisition of such protection is the sole responsibility of applicants."

3. By renumbering sections 2, 3, and 4 to be sections 4, 5 and 6, respectively.

DAVID O. SHAFF.

Amend Senate File 268 as follows:

1. By inserting the following after the comma (,) in line 2 of Section 1, "Code 1962,".

2. By inserting the following before the word "or" in line 17 of Section 1, "of the Code".

J. HENRY LUCKEN.

Amend Senate File 322 as follows:

By inserting after the word "property" in line 5 the following, "upon notice to the insurer and endorsement of the policy".

DONALD G. BENEKE.

Amend the committee amendment to House File 54 by striking line 1 and substituting the following in lieu thereof:

"1. Amend section 1 by striking lines 22, 23 and 24 and substituting the following paragraph therefor:

'Except in emergencies, it shall be the prerogative of the employee to select his medical, surgical and hospital services. If the employer can prove to a reasonable degree of medical certainty either that the services selected by the employee were not reasonably necessary or that the same or better services and results could have been obtained at lesser cost had the employee accepted the employer's recommendation in the selection of such services, the employer shall be liable only for the fair and reasonable value of the services reasonably necessary. Unless the employer requests it, the employer shall not be liable for transporting the employee beyond the nearest city or town in which hospital services are obtainable. In no event shall the employer be liable for any medical, surgical or hospital services if the employee refuses to submit to examination by any licensed practicing physician selected by the employer.' "

RICHARD TURNER.

Amend House File 26 as follows:

Amend section 2, line 7 by inserting after the word "physicians," the words "osteopath, osteopathic physician and surgeon,".

JACK SCHROEDER.

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Amend Senate File 275 by adding the following new section:
"No vehicles or combination of vehicles in excess of fifty (50) feet in overall length shall be operated on any highways of this state which has an improved or paved surface of less than twenty-two (22) feet in width."

D. C. NOLAN.

Amend Senate File 275 by striking from section 2, lines 4 and 5, the words and figures "fifty-five (55) feet" and inserting in lieu thereof the following: "fifty (50) feet except when used exclusively on the interstate highway system, in which event the overall length shall not be in excess of fifty-five (55) feet."

Also by striking the word "No" in section 3, line 4, and inserting in lieu thereof the words: "When used exclusively on the interstate highway system, no".

Also by striking the word "No" in section 3, line 8, and inserting in lieu thereof the words: "When used exclusively on the interstate system, no".

EDWARD A. WEARIN.

Amend Senate File 224 as follows:

1. Amend section 1 by inserting in line 5 after the word "death" the words ", if such member has held his rank or classification for at least six (6) months before the date of his retirement or death".

2. Amend section 3 by striking from lines 16, 17, and 18 the following:
", except at no time shall this monthly pension be less than it was at the time of member's retirement or death".

JOSEPH B. FLATT.

Amend the Nolan amendment to Senate File 275 filed March 12, 1963, by inserting after the word "width" in line 5 the following:
"except for pickups and deliveries, but not to exceed ten (10) miles in any direction from such highway".

C. JOSEPH COLEMAN.

On motion of Senator Vance, the Senate adjourned until 9:30 a.m., Wednesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 13, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Eugene Wekander, pastor of the Elk Horn Lutheran Church, Elk Horn, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Curran for the day on request of Senator Phelps.

PETITIONS

The following petitions were received and placed on file:

In opposition to taxation of fraternal benefit societies by:

Senator Burrows, from sixteen residents of Benton County.

Senator Dodds, a resolution from residents of Des Moines County.

Senator Hansen, from twenty-nine residents of Crawford County.

Senator O'Malley, from ninety-eight residents of Polk County.

Senator Rigler, from fifty-seven residents of Chickasaw County, from fourteen residents of Floyd County and from twenty-one residents of Mitchell County.

Senator Van Eaton, from eighteen residents of Woodbury and Monona Counties.

Favoring furnishing transportation for all school children:

Senator Burrows, from sixty-five residents of Benton County.

Senator Rigler, from eighty-five residents of Floyd County.

In favor of liquor by the drink under license control by:

Senator Lodwick, from seventeen residents of Lee County.

Senator Rigler, from thirty-one residents of Floyd County.

Senator Van Eaton, a resolution from the Petroleum Bureau of Sioux City and a resolution from the board of directors of the Davenport Chamber of Commerce.

In opposition to liquor by the drink by:

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Senator Kyhl, from sixteen residents of Grundy County.

Senator Lodwick, from eighty-two residents of Lee County.

Senator O'Malley, from one thousand eighty-nine residents of Polk County.

Senator Rigler, from sixteen residents of Chickasaw County and from forty residents of Hardin County.

Senator Van Eaton, from one hundred sixty-three residents of Woodbury County.

Senator Walker, from five hundred seventeen residents of Hamilton County.

By Senator O'Malley, from three hundred four residents of Polk County favoring legislation to abolish the death penalty in Iowa.

By Senator Van Eaton, a resolution from the members of the Advertising Club of Des Moines in opposition to any sales tax on services.

PRESENTATION OF VISITORS

Senator Fisher asked and received unanimous consent to present to the Senate thirty-four students, members of the seventh and eighth grade classes of the Hartford Consolidated School, who were present in the balcony accompanied by their instructors, Beulah Hildman and Thelma Halterman.

Senator Benda asked and received unanimous consent to present to the Senate thirty-six students from the Montezuma Community School, Montezuma, who were present in the balcony accompanied by their instructor, George Case.

Senator Turner asked and received unanimous consent to present to the Senate thirty-two students from the Iowa School for the Deaf, Council Bluffs, who were present in the balcony accompanied by their instructors, Sue Dement and Helen Sweem.

Senator Turner asked and received unanimous consent to present to the Senate twelve students from the Abraham Lincoln High School, Council Bluffs, who were present in the balcony accompanied by their instructors, Grace Thompson and Gloria Sinnett.

Senator Turner asked and received unanimous consent to present to the Senate seven students from the Thomas Jefferson High School, Council Bluffs, who were present in the balcony accompanied by their instructor, Barbara Hansen.

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INTRODUCTION OF BILLS

Senate File 386, by committee on cities and towns, a bill for an act to amend section eighty-nine point seven (89.7), Code 1962, relating to shop and special inspections.

Read first and second times and placed on the calendar.

Senate File 387, by committee on appropriations, a bill for an act to authorize the Iowa development commission to use money appropriated by chapter one (1), section forty-two (42), Acts of the Fifty-ninth General Assembly.

Read first and second times and placed on the calendar.

Senate File 388, by committee on governmental affairs, a bill for an act to amend chapter three hundred twenty-one (321), Code 1962, relating to license plates.

Read first and second times and placed on the calendar.

Senate File 389, by committee on judiciary 2, a bill for an act to legalize and validate the proceedings for the attachment of certain land in Hamilton County, Iowa, to the South Hamilton Community School District, in the counties of Hamilton and Boone, State of Iowa, and declaring the boundaries of said school district to be legally established.

Read first and second times and placed on the calendar.

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

SENATE CONCURRENT RESOLUTION 15
By Shaff and O'Malley

Whereas, the distinguished President Elect of the American Bar Association, Mr. Walter Craig of Phoenix, Arizona, will be in Des Moines, Iowa, on March 15, 1963; therefore,

Be It Resolved by the Senate, the House Concurring, that an invitation be extended to Mr. Craig to address a joint convention of both Houses at 9:00 a.m., on Friday, March 15, 1963.

The motion prevailed and the resolution was adopted.

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

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

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EXECUTIVE SESSION

The Senate in executive session confirmed the following appointments:

Norbert Baltes of Charles City, Floyd County, Iowa, as a member of the Iowa Aeronautics Commission for the term ending June 30, 1969.

John Chrystal of Coon Rapids, Carroll County, Iowa, as a member of the State Board of Regents for the term ending June 30, 1969.

Louis P. Culver of Dunlap, Harrison County, Iowa, as a member of the Iowa Natural Resources Council for the term ending June 30, 1969.

Stephen G. Darling of Iowa City, Johnson County, Iowa, as a member of the Iowa Real Estate Commission for the term ending June 30, 1967.

George C. Foerstner of Middle Amana, Iowa County, Iowa, as a member of the Advisory Investment Board of the Iowa Public Employees' Retirement System for the term ending June 30, 1969.

Dr. N. K. Kinney, D.V.M., of Ida Grove, Ida County, Iowa, as a member of the State Conservation Commission for the term ending June 30, 1969.

Dale Parkins of Urbandale, Polk County, Iowa, as Labor Commissioner for the term ending June 30, 1965.

Mrs. Irene M. Smith of Ottumwa, Wapello County, Iowa, as a member of the State Board of Social Welfare for the term ending June 30, 1969.

William F. Sueppel of Iowa City, Johnson County, Iowa, as Commissioner of Public Safety for the term ending June 30, 1967.

Wiliam E. Timmons of Dubuque, Dubuque County, Iowa, as Commissioner of Insurance for the term ending June 30, 1967.

Bryan Weberg of Kiron, Crawford County, Iowa, as a member of the State Soil Conservation Committee for the term ending June 30, 1969.

Melvin H. Wolf of Waterloo, Black Hawk County, Iowa, as a member of the State Board of Regents for the term ending June 30, 1969.

The Senate arose from executive session and resumed regular session.

SENATE FILE 58 RECALLED FROM THE HOUSE

Senator O'Malley asked and received unanimous consent that the Secretary be instructed to recall from the House Senate File 58 for further consideration of the Senate.

UNFINISHED BUSINESS

The Senate resumed consideration of Senate File 275, a bill for an act relating to the overall length of combinations of vehicles.

Senator Wearin offered the following amendment and moved its adoption:

Amend Senate File 275 by striking from section 2, lines 4 and 5, the words and figures "fifty-five (55) feet" and inserting in lieu thereof the following: "fifty (50) feet except when used exclusively on the interstate highway system, in which event the overall length shall not be in excess of fifty-five (55) feet."

Also by striking the word "No" in section 3, line 4, and inserting in lieu

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thereof the words: "When used exclusively on the interstate highway system, no".

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 17:

Benda	Elvers	Lucken	Turner
Buck	Griffin	Mincks	Vincent
Campbell	Hill	Scott	Walter
Cowden	Lisle	Shivvers	Wearin
Dodds			

Nays, 30:

Beneke	Fisher	Long	Shoeman
Brown	Flatt	Nolan	Stephens
Burrows	Fulton	O'Malley	Vance
Coleman	Getting	Phelps	Van Eaton
Doran	Grimstead	Rigler	Walker
Dykhouse	Hansen	Schroeder	Wiley
Elijah	Kyhl	Shaff	Wilson
Elthon	Lodwick		

Absent or not voting, 2:

Curran	Main

Voting present, 1:

Frommelt

The amendment was lost.

Senator Nolan offered the following amendment:

Amend Senate File 275 by adding the following new section:

"No vehicles or combination of vehicles in excess of fifty (50) feet in overall length shall be operated on any highway of this state which has an improved or paved surface of less than twenty-two (22) feet in width."

Senator Coleman offered the following amendment to the amendment and moved its adoption:

Amend by inserting after the word "width" in line 5 the following:

"except for pickups and deliveries, but not to exceed ten (10) miles in any direction from such highway".

The amendment to the amendment was adopted.

Senator Shoeman moved the previous question on the amendment as amended, which motion prevailed.

Senator Nolan moved the adoption of the amendment as amended.

The motion prevailed and the amendment as amended was adopted.

Senator Long moved that Senate File 275 be laid on the table.

Roll call was requested.

On the question "Shall Senate File 275 be laid on the table?" the vote was:

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Ayes, 20:

Benda	Cowden	Lodwick	Rigler
Beneke	Frommelt	Long	Scott
Brown	Griffin	Main	Turner
Buck	Hill	Mincks	Walter
Campbell	Lisle	Phelps	Wearin

Nays, 26:

Burrows	Elvers	Kyhl	Stephens
Coleman	Fisher	Lucken	Van Eaton
Dodds	Flatt	Nolan	Vincent
Doran	Fulton	O'Malley	Walker
Dykhouse	Getting	Shaff	Wiley
Elijah	Grimstead	Shoeman	Wilson
Elthon	Hansen		

Absent or not voting, 4:

Curran	Schroeder	Shivvers	Vance

The motion to table was lost.

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

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

Ayes, 21:

Burrows	Elthon	Grimstead	O'Malley
Coleman	Elvers	Hansen	Shoeman
Dodds	Fisher	Kyhl	Stephens
Doran	Fulton	Lucken	Van Eaton
Dykhouse	Getting	Nolan	Wiley
Elijah			

Nays, 25:

Benda	Frommelt	Main	Turner
Beneke	Griffin	Mincks	Vincent
Brown	Hill	Phelps	Walker
Buck	Lisle	Rigler	Walter
Campbell	Lodwick	Scott	Wearin
Cowden	Long	Shaff	Wilson
Flatt			

Absent or not voting, 4:

Curran	Schroeder	Shivvers	Vance

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Long moved that the vote by which the bill failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table.

Senator Elthon requested a division on the motion by Senator Long.

Senator Long raised a point of order on the request for the reason that the motion was not divisible.

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The Chair ruled that the motion was divisible and the point not well taken, and the motion to lay on the table in order.

The Chair announced the following Call of the Senate on file at the desk:

CALL OF THE SENATE

MR. PRESIDENT: We, the undersigned, request a Call of the Senate on Senate File 275, and the motion to lay on the table.

C. JOSEPH COLEMAN.
A. V. DORAN.
GEO. E. O'MALLEY.
ROBERT D. FULTON.
ROBERT R. DODDS.
PETER F. HANSEN.
D. C. NOLAN.
J. T. DYKHOUSE.
CHAS. S. VAN EATON.
LEROY GETTING.
VERNON H. KYHL.
R. O. BURROWS.
JOSEPH B. FLATT.
MARTIN WILEY.
LEO ELTHON.
JOHN A. WALKER.

Senator Rigler moved that the Senate recess until 3:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

MESSAGES FROM THE HOUSE

MR. PRESIDENT: I am directed to return herewith, as requested by the Senate, Senate File 58, a bill for an act relating to paroles by courts, and to amend various sections of the Code relating thereto.

Also: That the House has concurred in Senate amendments to and passed House File 24, a bill for an act relating to supervisor districts in counties.

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

House File 264, a bill for an act relating to mandatory retirement and temporary service by retired judges.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File 264, a bill for an act relating to mandatory retirement and temporary service by retired judges.

Read first and second times and passed on file.

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MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 275 failed to pass the Senate.

JOHN A. WALKER.

ADDITIONAL COPIES

Senator Getting asked and received unanimous consent to have 300 additional copies of Senate File 237 printed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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 117, 167, 190 and 293, and House File 24.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 117, 167, 190 and 293, and House File 24.

BILLS SENT TO THE GOVERNOR

Senator Benda, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 13th day of March, 1963, sent to the Governor for his approval: Senate Files 117, 167, 190 and 293.

KENNETH BENDA, *Chairman.*

Passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 13, 1963, the Governor had approved the following bills:

Senate File 70, relating to the Iowa Public Employees Retirement System.
Senate File 114, relating to voluntary retirement of judges.
Senate File 242, relating to municipal corporations in Iowa.

REPORTS OF COMMITTEES

Senator Schroeder submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred House File 308, a bill for an act to enable and authorize the board of direc-

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tors of the Central Dallas Community School District, Dallas County, Iowa, to transfer to the schoolhouse fund of said community school district, certain funds now held by the community school under the name and style of the "Hoover Fund," begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACK SCHROEDER, *Chairman.*

Ordered passed on file.

Senator Long submitted the following report:

MR. PRESIDENT: Your committee on insurance to which was referred **House File 25**, a bill for an act to permit the writing of multiple peril insurance policies by fire insurance companies, begs leave to report it has had the same under consideration and recommends the same **do pass.**

IRVING D. LONG, *Chairman.*

Ordered passed on file.

Senator Grimstead submitted the following report:

MR. PRESIDENT: Your committee on governmental affairs to which was referred **House Joint Resolution 3**, a joint resolution proposing an amendment to the constitution of the State of Iowa relating to the effective date of laws of the General Assembly passed at a general session, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACOB GRIMSTEAD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on governmental affairs to which was referred **House File 139**, a bill for an act relating to public libraries, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACOB GRIMSTEAD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on governmental affairs to which was referred **House File 237**, a bill for an act relating to the terms of office for members of the Iowa civil defense administration, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACOB GRIMSTEAD, *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 228**, a bill for an act establishing a street research fund and regulating the use of such fund, begs leave to report it has had the same under consideration and recommends the same **do pass.**

CHAS. S. VAN EATON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred **Senate File 249**, a bill for an act to permit cities and towns to donate

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real estate to the state for public use, begs leave to report it has had the same under consideration and recommends the same **do pass.**

CHAS. S. VAN EATON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred **Senate File 282,** a bill for an act relating to maximum millage rates for taxes caused to be levied by cities and towns to clarify chapter four hundred four (404), Code 1962, relating thereto, begs leave to report it has had the same under consideration and recommends the same **be indefinitely postponed.**

CHAS. S. VAN EATON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred **Senate File 316,** a bill for and act to amend section four hundred point three (400.3), Code 1962, relating to waterworks employees group insurance, begs leave to report it has had the same under consideration and recommends the same **do pass.**

CHAS. S. VAN EATON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred **Senate File 351,** a bill for an act relating to the acquisition of vehicles and equipment by cities and towns, begs leave to report it has had the same under consideration and recommends the same **do pass.**

CHAS. S. VAN EATON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred **House File 76,** a bill for an act relating to hours of duty of members of fire departments, begs leave to report it has had the same under consideration and recommends the same **do pass.**

CHAS. S. VAN EATON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred **House File 173,** a bill for an act to amend chapter four hundred eleven (411), Code 1962, relating to retirement systems for policemen and firemen, begs leave to report it has had the same under consideration and recommends the same **do pass.**

CHAS. S. VAN EATON, *Chairman.*

Ordered passed on file.

Senator Turner submitted the following report:

MR. PRESIDENT: Your committee on public utilities to which was referred **Senate File 254,** a bill for an act to amend chapter four hundred eighty-nine (489), Code 1962, relating to electric transmission lines to clarify the authority of the commerce commission to determine whether such lines serve

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the public use before authorization of franchise or eminent domain, begs leave to report it has had the same under consideration and recommends the same **do pass.**

RICHARD C. TURNER, *Chairman.*

Ordered passed on file.

Senator Wearin submitted the following report:

MR. PRESIDENT: Your committee on schools and educational institutions to which was referred **Senate File 123,** a bill for an act relating to retirement benefits, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EDWARD A. WEARIN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on schools and educational institutions to which was referred **Senate File 188,** a bill for an act abolishing the special courses fund of school districts, 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 Beneke on February 18, and when so amended the bill do pass.**

EDWARD A. WEARIN, *Chairman.*

Ordered passed on file.

Senator Elthon submitted the following report:

MR. PRESIDENT: Your committee on public health to which was referred **House File 56,** a bill for an act relating to the establishment of community health centers, begs leave to report it has had the same under consideration and recommends the same **do pass.**

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public health to which was referred **House File 258,** a bill for an act relating to the licensing of itinerant practitioners, begs leave to report it has had the same under consideration and recommends the same **do pass.**

LEO ELTHON, *Chairman.*

AMENDMENTS FILED

Amend Senate File 127 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section four hundred twenty-two point forty-five (422.45), Code 1962, is amended by inserting after the comma (,) following the word "thereof" in line five (5) of subsection five (5) the following:

"including the state board of regents, board of control of state institutions, state highway commission and all divisions, boards, commissions, agencies or instrumentalities of state, federal, county or municipal government which derive disbursable funds from appropriations or allotments of funds raised by the levying and collection of taxes,".

Sec. 2. Section four hundred twenty-two point forty-five (422.45), Code 1962, is hereby further amended by inserting after

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the word "thereof" in line three (3) of subsection six (6) the following:

"including the state board of regents, board of control of state institutions, state highway commission and all divisions, boards, commissions, agencies or instrumentalities of state, federal, county or municipal government which derive disbursable funds from appropriations or allotments of funds raised by the levying and collection of taxes,".

Sec. 3. The refunds provided in the preceding section two (2) shall be retroactive and apply to any applications for refund now on file with the state tax commission, or hereafter filed therewith for projects now in process, upon which sales or use taxes are paid prior to the taking effect of this act. Any of the above mentioned governmental bodies shall be entitled to a refund of such taxes so paid upon making application to the state tax commission therefor.

MARTIN WILEY.

Amend Senate File 307 by adding after the period (.) in line 4 the following: "A permanent license may be purchased for eight dollars as long as a person retains possession."

MARTIN WILEY.

Amend Senate File 237 by adding to section 5, subsection 1, the following:

"Every public officer or foreman who applies pesticides on public property or supervises such application by another shall also secure such license and be issued a permit in like manner but the payment of fee therefor shall be waived by the department."

JOHN A. WALKER.

Amend House File 17 as follows:

1. Strike all of lines 1 through 3 after the enacting clause and insert in lieu thereof the following:

"Chapter seventeen A (17A), Code 1962, is hereby amended by striking all of sections seventeen A point one (17A.1) through seventeen A point ten (17A.10), inclusive, and sections one (1) through twelve (12) of this Act are enacted in lieu thereof:

2. Strike all of sections two (2), three (3) and four (4) and insert in lieu thereof the following:

"Sec. 2. There is hereby created a bipartisan legislative committee of six members which shall be designated the departmental rules review committee. The committee shall be composed of three members of 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. Members shall be appointed prior to the adjournment of each regular biennial session and shall serve for two-year terms beginning May 1 after the convening of the general assembly in regular session, provided, however, that members shall serve until their successors are appointed. Vacancies on the committee shall be filled by the original appointing authority. A vacancy shall exist whenever a committee member ceases to be a member of the general assembly.

"Sec. 3. The committee shall choose a chairman from its mem-

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bers and prescribe its rules of procedure. Regular meetings of the committee shall be held at the seat of government on the second Tuesday in July and on the second Tuesday of each second month thereafter during the interim between regular sessions to review all proposed departmental rules and make recommendations to the department proposing each such rule. The chairman may call special meetings at any time and at any place in the state and cause notice thereof to be published in two newspapers of general circulation in the area affected by the rule. All said meetings, regular or special, shall be open to the public and any interested person may be heard and present evidence. If any agency shall conduct public hearings in regard to any rules such agency shall notify the members of the departmental rules review committee ten (10) days prior to such meeting.

"Sec. 4. Members of the committee shall receive a per diem of thirty dollars per day for each day in attendance and shall be reimbursed for the actual necessary expenses incurred by them in the discharge of their duties. All such expenses and expense of publication shall be provided for by the budget and financial control committee from the contingent fund provided for the budget and financial control committee.

"Sec. 5. Any agency empowered by statute to make rules shall submit a copy of each proposed rule, or amendment thereto, citing their authority and the statute the rule is intended to implement and in the style and form prescribed by the code editor, to the attorney general who shall within thirty (30) days after receiving such copy give to the agency in writing his opinion on the form and legality of the proposed rule. Unless within the aforesaid thirty (30) day period the attorney general renders his opinion upholding the form and legality of the proposed rule, the proposed rule shall have no further force or effect.

"Sec. 6. Every agency shall, after receiving a favorable opinion from the attorney general on a proposed rule, submit six (6) copies of the proposed rule, together with a copy of the attorney general's opinion, to the chairman of the departmental rules review committee. If the committee finds objection to such rule, it shall report such finding to the department proposing such rule together with its suggestion of how the objectionable part may be removed. The agency shall receive a report from said committee prior to filing the proposed rule with the secretary of state.

"Sec. 7. Four (4) copies of all rules proposed, each with a copy of the attorney general's opinion attached thereto, shall be filed with the secretary of state. Temporary rules shall become effective upon such filing. Other rules, unless otherwise provided for, shall not become effective until thirty (30) days after such filing, but a later effective date may be specified in the rule. The secretary of state shall endorse upon the copies of rules so filed the date of filing and the date of the attorney general's opinion and index one (1) copy in the files of his office, transmit one (1) copy to the code editor, and transmit two (2) copies to the chairman of the departmental rules review committee.

"Sec. 8. All rules hereafter filed as provided in section seven (7) of this Act, with the committee's report attached

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thereto, shall be referred by the chairman of the departmental rules review committee to the speaker of the house and the president of the senate of the next regular session of the general assembly who shall refer rules to the appropriate committees of the general assembly.

"If the committee, to which a departmental rule has been referred, finds objection to such rule, it may report such finding to the general assembly together with its suggestion for the general assembly to proceed by law to overcome the objection. Any committee of the general assembly may at any time consider any departmental rule previously filed and, if it finds such rule objectionable, proceed as above.

"Nothing contained herein shall adversely affect the substantive rights of any person arising out of any rule adopted by any agency, including the right to review by the courts. Reporting or referral of rules to the general assembly or inaction by the general assembly on rules reported or referred shall not be construed as approval or enactment of the rules by the general assembly."

3. Strike all of section fifteen (15) after the word "striking" in line two (2) and insert in lieu thereof the following: "from lines three (3), four (4) and five (5) the words 'take effect, unless otherwise designated in the order, after the publication' and insert in lieu thereof the words 'be published'."

4. Insert the following new section after section twenty-six (26):

"In all cases where departmental rules have been filed by the administrative agencies pursuant to the provisions of section seventeen A point two (17A.2) of the Code the effect given such rules by such filing shall not have the force and effect of legislative enactment, anything in section seventeen A point two (17A.2) of the Code to the contrary notwithstanding, and they shall be subject to action thereon by any subsequent general assembly."

5. Renumber the sections.

A. V. DORAN.
DONALD G. BENEKE.
ROBERT D. FULTON.
GEORGE E. O'MALLEY
CLIFFORD M. VANCE.
JOHN A. WALKER.

Amend House File 232 by adding the following sections:

Sec. 2. Section two hundred fifty-seven point three (257.3), Code 1962, is hereby amended as follows:

1. By striking from line ten (10) the word "eight" and inserting in lieu thereof the word "seven (7)".

2. By striking from line twelve (12) the number "1953" and inserting in lieu thereof the number "1963".

3. By striking from line fourteen (14) the words "One member" and inserting in lieu thereof the words "Two members".

Sec. 3. Section two hundred fifty-seven point four (257.4), Code 1962, is hereby amended by striking from line seven (7) following the word "of" the word "the" and inserting in lieu thereof the word "a".

Sec. 4. Section two hundred fifty-seven point five (257.5),

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Code 1962, is hereby amended as follows:

1. By striking all of subsection one (1) of such section and inserting in lieu thereof the following:

"1. In each county of the state board of public instruction district where an election is to be held for a member of the state board, the county board of education or the board of education of the district which includes the county seat in the event that the county board of education no longer exists, shall call a caucus of the members of school boards of the county which maintain four year high schools. The purpose of this caucus shall be to elect delegates and alternates to represent the county at the district convention which will be held for the purpose of nominating two (2) candidates for the state board of public instruction. The following conditions shall apply to the election of delegates and alternates from the county:

"a. The county board of education shall elect one (1) member from among its membership as a delegate to the district convention.

"b. The boards of all school districts in the county currently operating four year high schools and which on the fifteenth day of September of the previous year each had a combined elementary and high school enrollment of fewer than one thousand (1,000) pupils shall collectively elect a total of two (2) delegates to the district convention provided that the number of delegates so elected from each county shall not exceed the number of such school districts in such county.

"c. The school board in each school district currently maintaining a four year high school and which on the fifteenth day of September of the previous school year had a combined elementary and high school enrollment of one thousand (1,000) or more pupils shall elect delegates to the district convention on the basis of the following allocation:

1,000- 2,999 pupils	one (1) delegate
3,000- 4,999 pupils	two (2) delegates
5,000- 6,999 pupils	three (3) delegates
7,000- 9,999 pupils	four (4) delegates
10,000-24,999 pupils	five (5) delegates
25,000 or more pupils	six (6) delegates

"d. If for any reason the county board of education has ceased to exist, the delegate allotted to that board as provided in paragraph a of this section shall be chosen as a delegate at large by a vote of those school boards of all the school districts maintaining high schools in the county. The delegate shall be in addition to those delegates allotted as provided in paragraphs b and c of this section.

"The county superintendent or in the event that such officer is unable to serve, the superintendent of the school district which includes the county seat shall serve as temporary chairman of the caucus. The temporary chairman shall immediately call for the election of a permanent chairman who shall be a member of one of the boards of education duly eligible to participate in the caucus. Upon election of a permanent chairman, the temporary chairman shall become secretary of the caucus.

"The caucus shall provide time for the various boards or groups of boards to meet for the purpose of electing their re-

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spective delegates and alternates to the district convention. Such delegates and alternates may be chosen from the membership of the respective boards or from residents of the respective delegate district or districts. In order to preserve the lay character of the district convention, no person, the majority of whose time is engaged in professional education or who derives a major portion of his income from any business or activity connected with education, shall be qualified to serve as a delegate.

"Board members assembled at the caucus shall determine if there is a person residing within the county or congressional district who the caucus desires to nominate for the position of member of the state board of public instruction to represent such congressional district. In the event that agreement is reached on an individual to represent the congressional district on the state board of public instruction and providing the individual agrees to serve, the caucus may elect or appoint an appropriate representative committee to solicit the candidacy of such an individual.

"The caucus shall be held on the second Monday in July of odd numbered years when necessary to elect members to the state board for unexpired terms where vacancies have been filled by appointment or when necessary to choose successors for members whose terms will expire the following January. The names of those chosen as delegates and alternates shall be certified to the secretary of state by the secretary of the caucus within ten (10) days after the caucus."

2. By inserting in subsection two (2) of such section in line ten (10) after the word "as" the word "temporary".

3. By inserting in subsection two (2) of such section in line eleven (11) after the word "convention." the following sentence:

"In the event the county superintendent is unable to act, the secretary of state shall designate the superintendent of the school district in which the convention is being held to act as temporary chairman."

4. By striking from subsection two (2) of such section all after the period in line twenty (20) and inserting in lieu thereof the following:

"At the designated time and place, the temporary chairman so appointed shall convene the meeting and cause a permanent chairman to be elected. Upon election of a permanent chairman, the temporary chairman shall become secretary of the convention. The convention shall then proceed to the nomination of not more than two (2) candidates known to be interested in education and willing to serve as members of the state board from that district. A quorum shall constitute sixty percent of those eligible to attend. The nominations shall be from the floor and voting by ballot. The secretary of the convention shall certify to the secretary of state the names of the candidates nominated. The secretary of state shall immediately send the names so certified to the secretary of every county board of education and to the secretary of every community, consolidated, and independent school district within the respective congressional district and specify that the names shall be placed on a special ballot at the regular school election to be held on the second Monday of September of that year. The results of the elections of each

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community, consolidated, and independent school district shall be certified within ten (10) days of said election to the secretary of state. The secretary of state shall tabulate the results of said elections and shall determine the persons elected in each congressional district in which an election has been held. The secretary of state shall issue certificates of election as prescribed in the statutes to successful candidates for election to the state board."

5. By adding the following subsection to such section:

"All members of the board of public instruction presently serving at the time this law takes effect shall continue to serve until the expiration of their respective terms. Elections of board members shall take place as termination of present board terms expire except that the successor to the member of the board of public instruction in the present third congressional district whose term expires in 1964 shall then and thereafter be appointed by the governor."

Sec. 5. Section two hundred fifty-seven point ten (257.10), Code 1962, is hereby amended by adding to subsection four (4) the following:

"In order to implement the intent of this subsection, the board shall call and constitute a meeting of the board in each congressional district in that year a member of the board is to be elected from said district. The meeting shall be called by the superintendent of public instruction at such time and place as seems most advantageous, but not later than the fourth Monday in August, in order to facilitate public understanding and acquaintance with board activities and candidacies of future board members, as same affects patrons of that congressional district.

"An invitation to attend the meeting shall be extended by the board to all school board members of the district wherein the meeting is to be held and to the public. The state superintendent, the board member representing that congressional district, the respective county and school district superintendents, and the respective local board presidents shall attend said meeting unless prevented by disability, in order to answer questions and receive suggestions concerning the educational goals and methods as such goals and methods apply to the state in general and as such goals and methods apply specifically to that congressional district.

ROBERT R. RIGLER.
EDWARD A. WEARIN.

On motion of Senator Rigler, the Senate adjourned until 9:30 a.m., Thursday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 14, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Duane E. Heap, pastor of the First Presbyterian Church, Grundy Center, Iowa.

PETITIONS

The following petitions were received and placed on file:

By Senator Walker, from twenty-four residents of Hamilton County, in favor of proposed legislation relating to the commission for the blind.

In opposition to taxation of fraternal benefit societies by:

Senator Hansen, from eleven residents of Carroll County.

Senator Rigler, from forty-three residents of Floyd County.

Senator Scott, from thirteen residents of Allamakee County and from four residents of Winneshiek County.

Senator Walker, from one hundred fifteen residents of Wright County.

In favor of liquor by the drink under license control by:

Senator Fulton, from fifteen residents of Black Hawk County.

Senator Shaff, from two hundred ten residents of Clinton County.

In opposition to liquor by the drink by:

Senator Beneke, from fifty residents of Calhoun County.

Senator Elijah, from twenty residents of Muscatine County.

Senator Flatt, from thirteen residents of Madison County.

Senator Fulton, from nineteen residents of Black Hawk County.

Senator Scott, from thirty-two residents of Fayette County.

Senator Vance, from fifty-five residents of Henry County.

By Senator Benda, from two hundred forty-seven residents of Poweshiek County, favoring legislation to provide home employment or workshops for adults who are handicapped.

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By Senator Walker, from thirty-eight residents of Tama County urging legislation prohibiting the manufacture and sale of adulterated or deleterious meat and meat products, and regulating labeling and advertising thereon.

PRESENTATION OF VISITORS

Senator Campbell asked and received unanimous consent to present to the Senate forty-three students, members of the government class from the Tri-County School, What Cheer, who were present in the balcony accompanied by their instructor, Gerald D. Hiatt.

Senator Curran asked and received unanimous consent to present to the Senate eighty-nine students from the Rockwell-Swaledale Schools who were present in the balcony accompanied by their instructors, James Lenguadoro and James Fredrickson.

Senator Elijah asked and received unanimous consent to present to the Senate fourteen students from the Bellevue parochial and public schools, essay contestants on "Why I would like to know more about my government," who were present in the balcony.

Senator Flatt asked and received unanimous consent to present to the Senate three students from the Winterset Community School and one student from the Macksburg-Orient School who were present in the balcony.

Senator Hansen asked and received unanimous consent to present to the Senate forty students from the Manilla Community School who were present in the balcony accompanied by their instructor, Richard Fix.

Senator Shaff asked and received unanimous consent to present to the Senate thirty-two students, members of the senior class of the Clinton High School, who were present in the balcony accompanied by their instructor, Gertrude Englert.

INTRODUCTION OF BILLS

Senate File 390, by committee on cities and towns, a bill for an act to amend chapters three hundred ninety-one (391), three hundred ninety-one A (391A) and four hundred seventeen (417), Code 1962, relating to resolutions of necessity and award of contracts for public improvements in 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 to amend chapter three hundred twenty-one (321), Code 1962, to provide for the issuance of registration certificates and license

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plates to urban transit companies or systems for use on urban transit busses.

Read first and second times and placed on the calendar.

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

EXECUTIVE SESSION

The Senate arose from executive session and resumed regular session.

The Chair announced the following Call of the Senate on Senate File 275 and the motion to lay on the table:

CALL OF THE SENATE

MR. PRESIDENT: We, the undersigned, request a Call of the Senate on Senate File 275, and the motion to lay on the table.

C. JOSEPH COLEMAN.
A. V. DORAN.
GEO. E. O'MALLEY.
ROBERT D. FULTON.
ROBERT R. DODDS.
PETER F. HANSEN.
D. C. NOLAN.
J. T. DYKHOUSE.
CHAS. S. VAN EATON.
LEROY GETTING.
VERNON H. KYHL.
R. O. BURROWS.
JOSEPH B. FLATT.
MARTIN WILEY.
LEO ELTHON.
JOHN A. WALKER.

The Chair declared the Call of the Senate in effect and directed the Secretary to call the roll.

Roll call revealed all members present.

The Senate proceeded with the consideration of Senate File 275, a bill for an act relating to the overall length of combinations of vehicles, and the motion to lay on the table offered by Senator Long.

Senator Long moved its adoption and requested a roll call.

On the question "Shall the motion to lay Senate File 275 on the table be adopted?" the vote was:

Ayes, 18:

Benda	Buck	Cowden	Frommelt
Beneke	Campbell	Curran	Griffin

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Hill	Mincks	Shivvers	Walter
Lisle	Rigler	Turner	Wearin
Long	Scott		

Nays, 32:

Brown	Elvers	Lodwick	Shoeman
Burrows	Fisher	Lucken	Stephens
Coleman	Flatt	Main	Vance
Dodds	Fulton	Nolan	Van Eaton
Doran	Getting	O'Malley	Vincent
Dykhouse	Grimstead	Phelps	Walker
Elijah	Hansen	Schroeder	Wiley
Elthon	Kyhl	Shaff	Wilson

Absent or not voting, none.

The motion to lay on the table was lost.

Senator Long moved to reconsider the vote by which Senate File 275 failed to pass the Senate, which motion prevailed.

Senator Elthon moved to reconsider the motion by which Senate File 275 went to its third reading, which motion prevailed.

Senator Nolan moved to reconsider the vote by which the amendment filed by him and amended by Senator Coleman was adopted, which motion prevailed.

Senator Coleman moved to reconsider the vote by which the amendment filed by him to the Nolan amendment was adopted, which motion prevailed.

Senator Coleman asked and received unanimous consent to withdraw the amendment to the amendment.

Senator Nolan moved the adoption of the amendment offered by him, which motion prevailed, and the amendment was adopted.

Senator Shoeman moved the previous question on the bill, which motion prevailed.

Senator Walker asked and received unanimous consent to withdraw the "Motion to Reconsider" filed by him and found on page 473 of the Senate Journal.

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

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

Ayes, 32:

Burrows	Elijah	Frommelt	Kyhl
Coleman	Elthon	Fulton	Lodwick
Dodds	Elvers	Getting	Lucken
Doran	Fisher	Grimstead	Nolan
Dykhouse	Flatt	Hansen	O'Malley

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Phelps	Shivvers	Vance	Walker
Schroeder	Shoeman	Van Eaton	Wiley
Shaff	Stephens	Vincent	Wilson

Nays, 18:

Benda	Cowden	Long	Scott
Beneke	Curran	Main	Turner
Brown	Griffin	Mincks	Walter
Buck	Hill	Rigler	Wearin
Campbell	Lisle		

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 FILE 282 RETURNED TO COMMITTEE ON CITIES AND TOWNS

Senator Long asked and received unanimous consent that Senate File 282 be returned to the committee on cities and towns.

HAPPY BIRTHDAY, SENATOR COLEMAN

President Mooty announced to the Senate that he had been assigned a very pleasant duty to perform by the legislative twin of Senator Coleman, Representative William J. Scherle, who today is also celebrating his fortieth birthday.

On behalf of Mr. Scherle, President Mooty directed his page, Lance Levis, to deliver a "Happy Birthday" cake to Joe.

President Mooty also wished Senator Coleman many more happy birthdays.

On motion of Senator Rigler, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

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

EXECUTIVE SESSION

The Senate, in executive session, confirmed the following appointments:

Mrs. Joseph Rosenfield of Des Moines, Polk County, Iowa, as a member of the State Board of Regents for the term ending July 1, 1969.

Mike F. Zack of Mason City, Cerro Gordo County, Iowa, as a member of the State Conservation Commission for the term ending June 30, 1969.

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The Senate, in executive session, refused to confirm the following appointment:

Corbin Crawford of Ainsworth, Washington County, Iowa, as a member of the Board of Control of State Institutions for the term ending July 1, 1969.

The Senate arose from executive session and resumed regular session.

SENATE FILE 91 RECALLED FROM THE HOUSE

Senator Wiley asked and received unanimous consent that the Secretary be directed to recall from the House Senate File 91 for further consideration of the Senate.

SENATE FILE 144 RETURNED TO COMMITTEE

Senator Wiley asked and received unanimous consent that Senate File 144 be returned to the committee on tax revision for further study.

MESSAGES FROM 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 15, a concurrent resolution inviting Mr. Walter Craig, President Elect of the American Bar Association, to address a joint convention at 9:00 a.m., on Friday, March 15, 1963.

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

Senate File 87, a bill for an act relating to the annexation of territory to cities and towns.

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 the possession of beer, malt liquor, or alcoholic liquor by persons under twenty-one years of age.

HOUSE MESSAGE CONSIDERED

House File 182, a bill for an act relating to the possession of beer, malt liquor, or alcoholic liquor by persons under twenty-one (21) years of age.

Read first and second times and passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

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MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House File 57.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 57.

REPORTS OF COMMITTEES

Senator Dykhouse submitted the following report:

MR. PRESIDENT: Your committee on conservation to which was referred **House File 117**, a bill for an act relating to bounties on wild animals, begs leave to report it has had the same under consideration and recommends the same **do pass.**

J. T. DYKHOUSE, *Chairman.*

Ordered passed on file.

Senator Nolan submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **Senate File 8**, a bill for an act relating to fees charged by the clerk of the district court in probate matters, begs leave to report it has had the same under consideration and recommends the same **do pass.**

D. C. NOLAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **Senate File 152**, a bill for an act relating to parolees and court probationers, begs leave to report it has had the same under consideration and recommends the same **do pass.**

D. C. NOLAN, *Chairman*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **House File 17**, a bill for an act relating to rules of administrative agencies, 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 Doran, et al., on March 13, and when so amended the bill do pass.**

D. C. NOLAN, *Chairman.*

Ordered passed on file.

Senator Fisher submitted the following report:

MR. PRESIDENT: Your committee on transportation and highway safety to which was referred **House File 71**, a bill for an act relating to holders for

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registration certificates of motor vehicles, begs leave to report it has had the same under consideration and recommends the same **do pass.**

J. LOUIS FISHER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on transportation and highway safety to which was referred **House File 298**, a bill for an act relating to temporary extensions of motor vehicle operators' licenses in certain instances, begs leave to report it has had the same under consideration and recommends the same **do pass.**

J. LOUIS FISHER, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 288 by striking the period (.) in line 19 of section 2.

J. HENRY LUCKEN.

Amend Senate File 373 by adding the following new section:

Sec. 2. Section seven hundred thirty-one point one (731.1), Code 1962, is hereby amended by striking all after the word "desertion" in line twelve (12) and by inserting in lieu thereof the following: ". Failure to observe the terms of an order or decree compelling support of such children shall be prima facie evidence of desertion. Upon conviction of any person for desertion such person shall be punished by imprisonment in the penitentiary for not more than one (1) year, or by imprisonment in the county jail for not more than six (6) months."

DONALD G. BENEKE.

Amend House File 76 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section four hundred ten point nineteen (410.19), Code 1962, is hereby amended by striking from line seven (7) thereof the words "sixty-eight (68) hours per week" and inserting in lieu thereof, "sixty-three (63) hours per week effective January 1, 1964, and fifty-six (56) hours per week effective January 1, 1966."

ROBERT D. FULTON.

Amend the House amendment to Senate File 58 as follows:

1. Line 3, by inserting preceding the word "or" the following: "or murder,".

2. Line 4, by striking the word "or" and inserting in lieu thereof the following: ", murder, or violation of law concerning the".

3. By striking all of division 2 of the House amendment and inserting in lieu thereof the following:

"2. Add a new section as follows:

'Sec. 8. Amend section two hundred four point twenty-two (204.22), Code 1962, by inserting in line two (2) of subsection four (4) after the word "chapter" the words "concerning the manu-

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facturing, selling, administering to another person, or dispensing a narcotic drug,".' "

GEORGE O'MALLEY.

Amend Senate File 8 by striking from lines 10 and 11 of section 1 the words "of the estate including real estate sold for the payment of debts" and inserting in lieu thereof the words "and real estate".

ADOLPH ELVERS.

HAPPY BIRTHDAY, SENATOR BENEKE

Senator Coleman rose on a point of personal privilege and announced that today was also the birthday of Senator Beneke.

President Mooty wished Senator Beneke many more happy birthdays.

On motion of Senator Rigler, the Senate adjourned until 9:00 a.m., Friday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 15, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend C. L. Oelfke, pastor of the First Methodist Church, Sheffield, Iowa.

PETITIONS

The following petitions were received and placed on file:

In favor of liquor by the drink under license control by:

Senator Curran, from nine residents of Cerro Gordo County.

Senator Fulton, from one hundred sixty-two residents of Black Hawk County.

Senator Walker, from fourteen residents of Hardin County.

In opposition to liquor by the drink by:

Senator Curran, from ten residents of Hancock County.

Senator Dykhouse, from twenty-two residents of Sioux County.

Senator Elvers, from forty-six residents of Clayton County.

Senator Fulton, from eighteen residents of Black Hawk County.

Senator Scott, from twenty-five residents of Fayette County.

Senator Shivvers, from twenty-six residents of Marion County.

Senator Vance, from sixteen residents of Jefferson County.

In opposition to taxation of fraternal benefit societies by:

Senator Hansen, from twenty-eight residents of Carroll County.

Senator Elvers, from nineteen residents of Clayton County.

By Senator Brown, from forty-one residents of Emmet County in opposition to increasing legal truck speed limits from fifty to sixty miles per hour.

By Senator Nolan, from fifty-four residents of Johnson County favoring proposed legislation relating to the commission for the blind.

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By Senator Fulton, from one hundred twenty residents of Black Hawk County in opposition to proposed legislation relating to the licensing and qualifications of physical therapists.

PRESENTATION OF VISITORS

Senator Main rose on a point of personal privilege and presented to the Senate five students, members of the business education class from the Madrid High School, who were present in the Senate chamber accompanied by their instructor, Nancy Main, the daughter of Senator Main.

INTRODUCTION OF BILLS

Senate File 392, by committee on Iowa development, a bill for an act to exempt personal property in transit from taxation.

Read first and second times and placed on the calendar.

Senate File 393, by committee on insurance, a bill for an act relating to valuation and nonforfeiture benefits of life insurance policies.

Read first and second times and placed on the calendar.

Senator Cowden asked and received unanimous consent to take up out of order House File 308.

THIRD READING OF BILLS

On motion of Senator Cowden, House File 308, a bill for an act to permit school districts to accept gifts, devises and bequests and to utilize the same for general or schoolhouse fund expenditures, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Cowden moved that the bill be read a third 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:

Benda	Elvers	Lodwick	Shivvers
Beneke	Fisher	Long	Shoeman
Brown	Flatt	Lucken	Stephens
Buck	Frommelt	Main	Turner
Burrows	Fulton	Mincks	Vance
Coleman	Getting	Nolan	Van Eaton
Cowden	Griffin	O'Malley	Walker
Curran	Grimstead	Phelps	Walter
Dodds	Hansen	Rigler	Wearin
Doran	Kyhl	Scott	Wiley
Dykhouse	Lisle	Shaff	Wilson
Elthon			

Nays, none.

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Absent or not voting, 5:

Campbell	Hill	Schroeder	Vincent
Elijah			

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

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 Senate Concurrent Resolution 15 duly adopted, the joint convention was called to order, President Mooty presiding.

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

Senator Rigler of Chickasaw moved that a committee of five consisting of two members from the Senate and three members from the House be appointed to notify Mr. Walter Craig of Phoenix, Arizona, President Elect of the American Bar Association, that the joint convention was ready to receive him.

Motion prevailed and the Speaker appointed as such committee Senator Shaff of Clinton and Senator O'Malley of Polk, on the part of the Senate, and Representatives Mowry of Marshall, Swisher of Johnson and Stanley of Muscatine, on the part of the House.

The committee waited upon Mr. Craig and escorted him to the Speaker's rostrum.

President Mooty presented the Honorable George O'Malley who presented to the House Mr. Walter Craig. Mr. Craig addressed the joint convention on "Education, the Bulwark of Communism."

President Mooty expressed to Mr. Craig the appreciation of the legislature for addressing the joint convention.

The committee previously appointed came forward and escorted Mr. Walter Craig from the House chamber.

Riley of Linn moved that the joint convention be now dissolved.

The motion prevailed.

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

ADDITIONAL COPIES

Senator Elvers asked and received unanimous consent to have 500 additional copies of Senate File 7, as passed by the Senate, printed.

UNFINISHED BUSINESS

On motion of Senator Flatt, Senate File 36, 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 for further consideration.

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

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

Ayes, 17:

Cowden	Hill	Phelps	Walker
Curran	Kyhl	Scott	Wearin
Fisher	Lodwick	Stephens	Wiley
Flatt	Lucken	Van Eaton	Wilson
Griffin			

Nays, 19:

Benda	Doran	Grimstead	Rigler
Brown	Dykhouse	Hansen	Turner
Burrows	Frommelt	Long	Vance
Coleman	Fulton	Nolan	Walter
Dodds	Getting	O'Malley	

Absent or not voting, 14:

Beneke	Elthon	Mincks	Shivvers
Buck	Elvers	Schroeder	Shoeman
Campbell	Lisle	Shaff	Vincent
Elijah	Main		

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Flatt, Senate File 159, a bill for an act to amend chapter nineteen (19), Code 1962, relating to the executive council furnishing supplies to various state departments, was taken up for further consideration.

Senator Flatt moved that the bill be read a third 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:

Benda	Burrows	Coleman	Curran
Brown	Campbell	Cowden	Dodds

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Doran	Grimstead	Main	Turner
Dykhouse	Hansen	Nolan	Vance
Elvers	Hill	O'Malley	Van Eaton
Fisher	Kyhl	Phelps	Walker
Flatt	Lisle	Rigler	Walter
Frommelt	Lodwick	Scott	Wearin
Fulton	Long	Shoeman	Wiley
Getting	Lucken	Stephens	Wilson
Griffin			

Nays, none.

Absent or not voting, 9:

Beneke	Elthon	Schroeder	Shivvers
Buck	Mincks	Shaff	Vincent
Elijah			

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 Curran, Senate File 252, a bill for an act authorizing the Iowa development commission to form a nonprofit corporation and to accept grants from the federal government and gifts from other sources, was taken up and considered.

Senator Curran 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."

On motion of Senator Flatt, Senate File 268, a bill for an act to allow counties to provide county care for patients or inmates from mental health institutes, hospital-schools, training schools, and homes for children from the state institution fund, was taken up and considered.

Senator Lucken offered the following amendment and moved its adoption:

Amend Senate File 268 as follows:

1. By inserting the following after the comma (,) in line 2 of section 1, "Code 1962,".

2. By inserting the following before the word "or" in line 17 of section 1, "of the Code".

The amendment was adopted.

Senator Flatt asked and received unanimous consent that action on Senate File 268 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Burrows, Senate File 277, a bill for an act to amend section sixteen point thirty-one (16.31), Code 1962, relating to the indexing of bills, was taken up and considered.

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

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

Ayes, 44:

Benda	Elvers	Lisle	Shoeman
Beneke	Fisher	Lodwick	Stephens
Brown	Flatt	Long	Turner
Burrows	Frommelt	Lucken	Vance
Campbell	Fulton	Main	Van Eaton
Coleman	Getting	Nolan	Vincent
Cowden	Griffin	O'Malley	Walker
Curran	Grimstead	Phelps	Walter
Dodds	Hansen	Rigler	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shivvers	Wilson

Nays, none.

Absent or not voting, 6:

Buck	Elthon	Schroeder	Shaff
Elijah	Mincks		

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

On motion of Senator Stephens, Senate File 288, a bill for an act relating to admission to mental health institutes, was taken up and considered.

Senator Lucken offered the following amendment and moved its adoption:

Amend Senate File 288 by striking the period (.) in line 19 of section 2.

The amendment was adopted.

Senator Stephens asked and received unanimous consent that action on Senate File 288 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Wearin, Senate File 387, a bill for an act to authorize the Iowa development commission to use money appropriated by chapter one (1), section forty-two (42), Acts of the Fifty-ninth General Assembly, was taken up and considered.

Senator Wearin moved that the bill be read a third 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:

Benda	Curran	Frommelt	Lodwick
Beneke	Dodds	Getting	Long
Brown	Doran	Griffin	Lucken
Buck	Dykhouse	Grimstead	Main
Burrows	Elthon	Hansen	Mincks
Campbell	Elvers	Hill	Nolan
Coleman	Fisher	Kyhl	O'Malley
Cowden	Flatt	Lisle	Phelps

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Rigler	Stephens	Vincent	Wearin
Scott	Turner	Walker	Wiley
Shivvers	Vance	Walter	Wilson
Shoeman	Van Eaton		

Nays, none.

Absent or not voting, 4:

Elijah	Fulton	Schroeder	Shaff

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 12, a concurrent resolution endorsing and recommending election of Donald E. Johnson to the post of National Commander of the American Legion.

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

House Concurrent Resolution 13, a concurrent resolution respectfully requesting the Governor to return House File 43 for correction.

Also: I am directed to return herewith, as requested by the Senate, SenateFile 91, relating to road use tax funds allotted for interstate highways.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 12

Whereas, the forces of Communism and subversive aggression are intensifying and increasingly threaten the dignity and freedom of man and his great institutions of justice and democracy; and

Whereas, to resist the forces of evil intent from without and within, all citizens and all organizations must meet those destructive forces with knowledge, searching vigilance and active resistance; and

Whereas, among the great patriotic organizations of the United States the American Legion through its nationwide membership of proven patriots stands as a bulwark to defense of freedom from oppression and tyranny; and

Whereas, our national defense posture and stature has been served by the American Legion with the able leadership of two distinguished sons of Iowa, the Honorable Hanford McNider and Ray Murphy who as National Commanders of the American Legion brought honor and distinction to their native state; and

Whereas, a distinguished citizen of the State of Iowa, who has demonstrated leadership qualities in service to community, state and nation, the Honorable Donald E. Johnson of West Branch, Iowa, has indicated his willingness to accept and perform the responsibilities and duties of National Commander of the American Legion; now, therefore,

Be It Resolved by the House of Representatives of the Sixtieth General Assembly of Iowa, With the Senate Concurring, that reposing full faith and

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trust in the patriotic and leadership qualities of the Honorable Donald E. Johnson of West Branch, Iowa, we endorse and recommend election of Donald E. Johnson to the post of National Commander of the American Legion.

Be It Further Resolved, that copies of this resolution be forwarded to the National Headquarters of the American Legion at Indianapolis, Indiana, to the Iowa Department of American Legion of Des Moines, Iowa, to Chauncey-Butler Post of Iowa Department of American Legion at West Branch, Iowa, and to Donald E. Johnson at West Branch, Iowa.

HOUSE CONCURRENT RESOLUTION 13

Whereas, an error has been discovered in the enrolled copy of House File 43, an act relating to reimbursement for use by county conservation boards of county-owned real estate, which has passed both houses of the General Assembly and has been delivered to the Governor.

Now, Therefore, Be It Resolved by the House, the Senate Concurring: That the Governor be respectfully requested to return House File 43 for correction.

Senator Rigler asked and received unanimous consent to take up House Concurrent Resolution 13 and moved its adoption.

The motion prevailed and the resolution was adopted.

RECONSIDERATION OF SENATE FILE 58

Senator O'Malley called up Senate File 58, a bill for an act relating to paroles by courts, and to amend various sections of the Code relating thereto, which had been recalled from the House for further consideration of the Senate.

Senator O'Malley moved to reconsider the vote by which Senate File 58 passed the Senate, which motion prevailed.

Senator O'Malley moved to reconsider the vote by which Senate File 58 went to its third reading, which motion prevailed.

Senator O'Malley moved to reconsider the vote by which the Senate adopted and concurred in the Senate amendment to the House amendment to Senate File 58, which motion prevailed.

Senator O'Malley asked and received unanimous consent to withdraw the amendment to the House amendment filed and found on page 405 of the Senate Journal.

RECONSIDERATION OF HOUSE AMENDMENT TO SENATE FILE 58

Amend Senate File 58 as follows:

1. Section 1 by striking in lines 5 and 6 the words "or narcotic drug violations" and inserting in lieu thereof the words "or manufacturing, selling, administering to another person, or dispensing a narcotic drug".

2. Section 1 by inserting after the period in line 8 the following: "This

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section shall prevail over any inconsistent provision of section two hundred four point twenty-two (204.22) of the Code."

3. Section 1 by inserting in line 21 after the word "for" the words "or against".

Senator O'Malley offered the following amendment to the House amendment and moved its adoption:

Amend the House amendment to Senate File 58 as follows:

1. Line 3, by inserting preceding the word "or" the following: "or murder,".

2. Line 4, by striking the word "or" and inserting in lieu thereof the following: ", murder, or violation of law concerning the".

3. By striking all of division 2 of the House amendment and inserting in lieu thereof the following:

"2. Add a new section as follows:

'Sec. 8. Amend section two hundred four point twenty-two (204.22), Code 1962, by inserting in line two (2) of subsection four (4) after the word "chapter" the words "concerning the manufacturing, selling, administering to another person, or dispensing a narcotic drug,"."

The motion prevailed and 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 further amended by the Senate, and concurred in by the Senate, be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 42:

Benda	Elthon	Long	Shoeman
Beneke	Elvers	Lucken	Stephens
Brown	Flatt	Main	Turner
Buck	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Grimstead	Phelps	Walker
Curran	Hansen	Rigler	Walter
Dodds	Kyhl	Scott	Wearin
Doran	Lisle	Shivvers	Wilson
Dykhouse	Lodwick		

Nays, 3:

Griffin	Hill	Wiley

Absent or not voting, 5:

Burrows	Schroeder	Shaff	Fisher
Elijah			

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

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THIRD READING OF BILLS

On motion of Senator Doran, Senate File 306, a bill for an act relating to retail sales tax and use tax on leases or rentals of equipment, was taken up and considered.

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

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

Ayes, 45:

Benda	Elvers	Lodwick	Shoeman
Beneke	Fisher	Long	Stephens
Brown	Flatt	Lucken	Turner
Buck	Frommelt	Main	Vance
Burrows	Fulton	Minoks	Van Eaton
Campbell	Getting	Nolan	Vincent
Coleman	Grimstead	O'Malley	Walker
Cowden	Hansen	Phelps	Walter
Dodds	Hill	Rigler	Wearin
Doran	Kyhl	Scott	Wiley
Dykhouse	Lisle	Shivvers	Wilson
Elthon			

Nays, none.

Absent or not voting, 4:

Curran	Elijah	Schroeder	Shaff

Voting present, 1:

Griffin

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

On motion of Senator Walker, House File 234, a bill for an act to legalize the proceedings of the board of supervisors of Wright County in connection with a contract made with the D. C. Taylor Company of Cedar Rapids, Iowa, for the repair of the west and north elevations of the Wright County courthouse located in Clarion, Iowa, was taken up out of order.

The report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Walker moved that the bill be read a third 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:

Benda	Campbell	Doran	Flatt
Beneke	Coleman	Dykhouse	Frommelt
Brown	Cowden	Elthon	Fulton
Buck	Curran	Elvers	Getting
Burrows	Dodds	Fisher	Griffin

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Grimstead	Lucken	Scott	Vincent
Hansen	Main	Shivvers	Walker
Hill	Mincks	Shoeman	Walter
Kyhl	O'Malley	Stephens	Wearin
Lisle	Phelps	Turner	Wiley
Lodwick	Rigler	Van Eaton	Wilson
Long			

Nays, 1:

Nolan

Absent or not voting, 4:

Elijah	Schroeder	Shaff	Vance

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

On motion of Senator Wiley, Senate File 307, a bill for an act relating to registration fees for antique motor vehicles, was taken up and considered.

Senator Wiley offered the following amendment and moved its adoption:

Amend Senate File 307 by adding after the period (.) in line 4 the following: "A permanent license may be purchased for eight dollars as long as a person retains possession."

The amendment was lost.

Senator Wiley moved that the bill be read a third 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:

Benda	Fisher	Lisle	Shivvers
Buck	Flatt	Lodwick	Shoeman
Burrows	Frommelt	Long	Stephens
Campbell	Fulton	Lucken	Vance
Cowden	Getting	Main	Vincent
Curran	Griffin	Nolan	Walter
Dykhouse	Grimstead	Phelps	Wearin
Elthon	Hansen	Rigler	Wiley
Elvers	Hill	Scott	Wilson

Nays, 9:

Beneke	Doran	Mincks	Van Eaton
Coleman	Kyhl	Turner	Walker
Dodds			

Absent or not voting, 5:

Brown	O'Malley	Schroeder	Shaff
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 Doran, Senate File 308, a bill for an act

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relating to retail sales taxes on vending machines and amusement devices, was taken up and considered.

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

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

Ayes, 45:

Benda	Elvers	Lodwick	Shoeman
Beneke	Fisher	Long	Stephens
Buck	Flatt	Lucken	Turner
Burrows	Frommelt	Main	Vance
Campbell	Fulton	Mincks	Van Eaton
Coleman	Getting	Nolan	Vincent
Cowden	Grimstead	O'Malley	Walker
Curran	Hansen	Phelps	Walter
Dodds	Hill	Rigler	Wearin
Doran	Kyhl	Scott	Wiley
Dykhouse	Lisle	Shivvers	Wilson
Elthon			

Nays, none.

Absent or not voting, 5:

Brown	Griffin	Schroeder	Shaff
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 Doran, Senate File 309, a bill for an act relating to retail sales tax definition of "gross receipts," was taken up and considered.

Senator Kyhl asked and received unanimous consent that action on Senate File 309 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 hte following bill in which the concurrence of the House was asked:

Senate File 94, a bill for an act relating to the eradication of bovine brucellosis.

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

House File 191, a bill for an act relating to reciprocal agreements for the supervision of mentally ill or mentally retarded persons on convalescent leave.

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

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House File 194, a bill for an act relating to the powers of the board of supervisors and relating to the powers of the county zoning commission.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 94

Amend Senate File 94 as follows:

1. Section 1, line 31, by striking the word "veterinarian's" and inserting in lieu thereof the word "veterinarian".

2. Section 2, line 7, by inserting after the comma the words "after reasonable time".

3. By inserting the following new section after section 2:

Sec. 3. All female cattle born after July 1, 1963, sold or otherwise disposed of, or moved to commingle with cattle of another owner for dairy or breeding purposes, after reaching the age of nine (9) months must have been officially vaccinated for brucellosis according to the method approved by the United States Department of Agriculture. In a hardship case the department may issue a permit for the movement of such animals providing it is warranted. This section does not apply to animals sold for movement direct to slaughter.

The expense of such compulsory vaccination shall be borne in the same manner as set forth in section five (5) of this Act.

4. Further amend Senate File 94 by renumbering all subsequent sections and correcting the cross references in sections 5 and 22.

5. Section 6, line 9, by striking the word and numbers "hundred (100)".

6. Section 7, line 4, by inserting after the word "request." the following: "This test must be made within twenty-four (24) hours from the time of sale."

7. Section 10, line 7, by inserting after the word "ear" the following: "either with a vaccination tattoo or the purebred identification tattoo".

8. Section 13, line 3, by striking the word and figures "eighteen (18)" and inserting in lieu thereof the word and figures "twenty-one (21)".

Further amend section 13, line 13, by striking the word and figures "eighteen (18)" and inserting in lieu thereof the word and figures "twenty-one (21)".

9. Section 14, line (2), by striking the word "untested".

10. Section 18, by striking from line 4 all after the word "disclosed", also all of line 5 and that part of line 6 preceding the word "shall".

11. By adding the following new section following section 28:

"A four (4) member legislative advisory committee of the Sixtieth General Assembly shall be established to be known as the "Brucellosis Advisory Committee" whose duties shall be to advise and confer with the chief of animal industry as requested by him in matters relating to implementing this Act. The powers of the committee shall be purely advisory. The committee shall be composed of two (2) members of the senate to be appointed by the president of the senate and two (2) members of the house of representatives to be appointed by the speaker of the house. It is preferable that such members shall have had experience in the production of cattle. Members shall serve until the next regular session of the general assembly. Any vacancy in the membership of the committee shall be filled by appointment by the authority originally appointing the member whose position is vacant. Committee members shall be reimbursed for actual and necessary expenses incurred in the discharge of their duties."

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HOUSE MESSAGES CONSIDERED

House File 191, a bill for an act relating to reciprocal agreements for the supervision of mentally ill or mentally retarded persons on convalescent leave.

Read first and second times and passed on file.

House File 194, a bill for an act relating to the powers of the board of supervisors and relating to the powers of the county zoning commission.

Read first and second times and passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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 37 and House File 43.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 37 and House File 43.

BILL SENT TO THE GOVERNOR

Senator Benda, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 15th day of March, 1963, sent to the Governor for his approval: Senate File 37.

KENNETH BENDA, *Chairman.*

Passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 15, 1963, the Governor had approved the following bills:

Senate File 9, relating to casual sales by persons not regularly engaged in the business of selling.

Senate File 80, relating to special election held in Guthrie County, Iowa, for the construction of a court house.

Senate File 293, relating to the leasing of municipal property.

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PROOF OF PUBLICATION

Published copy of House File 309 and verified proof of publication of said bill in The Daily Times, a newspaper published in the City of Davenport, Scott County, Iowa, on March 12, 1963, 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.*

AMENDMENTS FILED

Amend Senate File 386 by adding a new section as follows:

Sec. 2. Section eighty-nine point two (89.2), Code 1962, is amended by adding a new subsection as follows:

"5. The boiler inspector is hereby empowered to inspect boilers and tanks for other than steam pressure, manufactured in Iowa when requested by the manufacturer."

CHARLES S. VAN EATON.

House File 3 is hereby amended by adding a new section as follows:

"Sec. 3. Section ninety-three point six (93.6), paragraph nine (9), Code 1962, is hereby amended by adding after the period (.) in line three (3) the following sentence: 'Training in such centers shall be limited to persons who are sixteen (16) years of age or older, and the commission shall not provide or cause to be provided any academic education or training to children under the age of sixteen (16) except that the commission may provide library services to such children.'"

ROBERT R. RIGLER.
D. C. NOLAN.

Amend Senate File 252 by striking all of section one (1) and inserting in lieu thereof the following:

"Section 1. The Iowa development commission is hereby authorized to form a corporation under the provisions of chapter five hundred four (504) of the Code for the purpose of evaluating the commercial possibilities of scientific developments, ideas or inventions in all of the sciences, arts and technologies useful to the public, received from applicants residing in Iowa, and to aid in the financing and promotion for manufacture in the State of Iowa of said developments, ideas or inventions; and where appropriate to provide assistance to applicants in arranging for the production and marketing of their developments, ideas or inventions.

Sec. 2. The corporation is without authority to require the licensing, assignment or sale to the corporation of any legal interest whatsoever in said developments, ideas or inventions.

Sec. 3. 1. The corporation shall not involve itself in any way with the acquisition by applicants of letters patent in the carrying out of the provisions of this Act; provided, however, that the corporation shall not be prohibited, in its discretion, from providing funds to any applicant for the acquisition of letters patent on his own behalf.

2. The corporation, prior to any commitments made by applicants to it, shall fully inform applicants in writing that the

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submission of their developments, ideas or inventions does not create nor afford any legal protection thereof under the U. S. patent laws, and that the acquisition of such protection is the sole responsibility of applicants."

Further amend Senate File 252 by renumbering the sections in conformity with this amendment.

By COMMITTEE ON IOWA DEVELOPMENT,
LEIGH R. CURRAN, *Chairman*.

On motion of Senator Rigler, the Senate adjourned until 11:00 a.m., Monday, March 18, 1963.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 18, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Roger McMurry, pastor of the West Madison Church of Christ, Des Moines, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senators Doran, Frommelt, Fulton, Kyhl, Nolan, Schroeder, Scott, Shaff and Wearin for the day, on account of legislative business, on request of Senator Rigler.

PETITIONS

The following petitions were received and placed on file by:

Senator Curran, from twenty-six residents of Cerro Gordo County favoring increased direct state aid for public schools.

Senator Elijah, from one hundred seventy-seven residents of Muscatine County in opposition to Sunday sales.

Senator Frommelt, from twenty-four residents of Dubuque County in favor of proposed legislation relating to exemption from provisions of retail sales tax of certain dairy, poultry and produce containers.

By Senator Hansen, from forty-one residents of Carroll County favoring school bus transportation for all children.

Senator Long, from fifty-nine residents of Buchanan County favoring school bus transportation for all children.

Senator Nolan, from thirty-five residents of Johnson County in opposition to transportation for all school children.

Senator Rigler, from forty-five residents of Floyd County favoring proposed legislation relating to the commission for the blind.

In opposition to taxation of fraternal benefit societies:

Senator Curran, from six residents of Cerro Gordo County.

Senator Nolan, from six residents of Johnson County.

In favor of liquor by the drink under license control:

Senator Dykhouse, from sixty-one residents of Lyon County.

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Senator Griffin, from fourteen residents of Harrison County.

Senator Shoeman, from one hundred six residents of Cass County.

In opposition to liquor by the drink:

Senator Buck, from fifty-three residents of Marshall County.

Senator Campbell, from fifty-eight residents of Mahaska County.

Senator Doran, from forty-one residents of Boone County and from nine residents of Story County.

Senator Dykhouse, from sixteen residents of Lyon County and from two hundred thirty residents of Sioux County.

Senator Fisher, from one hundred seventy-seven residents of Clarke County.

Senator Vance, from thirty-six residents of Van Buren County.

Senator Walker, from twelve residents of Hardin County and from one hundred forty-nine junior citizens, residents of Hamilton County.

By Senator Walker, from nine residents of Hardin County in opposition to capital punishment.

PRESENTATION OF DISTINGUISHED GUEST

Senator Brown announced the arrival in the Senate chamber of the Honorable Noel LeMass, Deputy in the Lower House of the Irish Parliament.

President Mooty presented to the Senate Mr. LeMass, a Republican, who was elected in 1956 and represents the Dublin district. He is the son of the present Prime Minister of Ireland, Saen LeMass, and is on his first visit to the United States.

Mr. LeMass addressed the Senate briefly on the progress of his country, and thanked President Mooty and the members of the Senate for the honor accorded him.

RECONSIDERATION OF SENATE FILE 91

Senator Wiley called up Senate File 91, a bill for an act relating to road use tax funds allotted for interstate highways, passed by the Senate and recalled from the House for further consideration by the Senate.

Senator Wiley moved to reconsider the vote by which Senate File 91 passed the Senate, which motion prevailed.

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Senator Wiley moved to reconsider the vote by which Senate File 91 went to its third reading, which motion prevailed.

Senator Wiley moved to reconsider the vote by which the amendment to Senate File 91 filed by him was adopted on February 28, 1963, which motion prevailed.

Senator Wiley asked and received unanimous consent to withdraw the amendment.

Senator Wiley offered the following amendment and moved its adoption:

Amend Senate File 91, section 1, line 11, by striking the word "allotment" and inserting in lieu thereof the word "apportionment".

The amendment was adopted.

Senator Wiley moved that the bill be read a third 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:

Benda	Dykhouse	Grimstead	O'Malley
Buck	Elijah	Hansen	Rigler
Burrows	Elthon	Hill	Shoeman
Campbell	Elvers	Lisle	Turner
Cowden	Flatt	Long	Vance
Curran	Getting	Lucken	Van Eaton
Dodds	Griffin	Mincks	Wiley

Nays, 11:

Beneke	Fisher	Phelps	Walter
Brown	Lodwick	Stephens	Wilson
Coleman	Main	Vincent	

Absent or not voting, 10:

Doran	Kyhl	Scott	Walker
Frommelt	Nolan	Shaff	Wearin
Fulton	Schroeder		

Voting present, 1:

Shivvers

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 Long, Senate File 236, a bill for an act to legalize and validate the purchase, platting and sale of certain real estate owned by the West Delaware County Community School District in the County of Delaware, State of Iowa, and to authorize conveyance of legal title thereto, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 41:

Benda	Elijah	Lisle	Shoeman
Beneke	Elthon	Lodwick	Stephens
Brown	Elvers	Long	Turner
Buck	Fisher	Lucken	Vance
Burrows	Flatt	Main	Van Eaton
Campbell	Getting	Mincks	Vincent
Coleman	Griffin	O'Malley	Walker
Cowden	Grimstead	Phelps	Walter
Curran	Hansen	Rigler	Wiley
Dodds	Hill	Shivvers	Wilson
Dykhouse			

Nays, none.

Absent or not voting, 9:

Doran	Kyhl	Schroeder	Shaff
Frommelt	Nolan	Scott	Wearin
Fulton			

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

On motion of Senator Wiley, Senate File 381, a bill for an act to clarify the definition of an implement of husbandry, was taken up and considered.

Senator Wiley moved that the bill be read a third 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:

Benda	Elijah	Lisle	Shoeman
Beneke	Elthon	Lodwick	Stephens
Brown	Elvers	Long	Turner
Buck	Fisher	Lucken	Vance
Burrows	Flatt	Main	Van Eaton
Campbell	Getting	Mincks	Vincent
Coleman	Griffin	O'Malley	Walker
Cowden	Grimstead	Phelps	Walter
Curran	Hansen	Rigler	Wiley
Dodds	Hill	Shivvers	Wilson
Dykhouse			

Nays, none.

Absent or not voting, 9:

Doran	Kyhl	Schroeder	Shaff
Frommelt	Nolan	Scott	Wearin
Fulton			

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

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On motion of Senator Wiley, Senate File 382, a bill for an act to amend section three hundred six point thirteen (306.13), Code 1962, relating to the purchase or condemnation of right of way by commission or board having jurisdiction, was taken up and considered.

Senator Hill asked and received unanimous consent that action on Senate File 382 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Wiley, Senate File 383, a bill for an act relating to fire protection for highway commission property, was taken up and considered.

Senator Beneke asked and received unanimous consent that action on Senate File 383 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Elthon, House File 258, a bill for an act relating to the licensing of itinerant practitioners, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Griffin asked and received unanimous consent that action on House File 258 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator O'Malley, Senate File 143, a bill for an act to authorize city and town councils to finance the acquisition of sites, books and equipment from the proceeds of a bond issue, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 41:

Benda	Elijah	Lisle	Shoeman
Beneke	Elthon	Lodwick	Stephens
Brown	Elvers	Long	Turner
Buck	Fisher	Lucken	Vance
Burrows	Flatt	Main	Van Eaton
Campbell	Getting	Mincks	Vincent
Coleman	Griffin	O'Malley	Walker
Cowden	Grimstead	Phelps	Walter
Curran	Hansen	Rigler	Wiley
Dodds	Hill	Shivvers	Wilson
Dykhouse			

Nays, none.

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Absent or not voting, 9:

Doran	Kyhl	Schroeder	Shaff
Frommelt	Nolan	Scott	Wearin
Fulton			

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 386, a bill for an act to amend section eighty-nine point seven (89.7), Code 1962, relating to shop and special inspections, was taken up and considered.

Senator Van Eaton offered the following amendment:

Amend Senate File 386 by adding a new section as folows:
Sec. 2. Section eighty-nine point two (89.2), Code 1962, is amended by adding a new subsection as follows:
"5. The boiler inspector hereby empowered to inspect boilers and tanks for other than steam pressure, manufactured in Iowa when requested by the manufacturer."

Senator Van Eaton offered the following amendment to the amendment and moved its adoption:

Amend the amendment by adding the following:
"Further amend Senate File 386 by renumbering the remaining section.".

The amendment to the amendment was adopted.

On motion of Senator Van Eaton, the amendment as amended 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, 39:

Benda	Elijah	Lisle	Shoeman
Beneke	Elthon	Lodwick	Turner
Brown	Elvers	Long	Vance
Buck	Fisher	Lucken	Van Eaton
Burrows	Flatt	Main	Vincent
Campbell	Getting	Mincks	Walker
Cowden	Griffin	O'Malley	Walter
Curran	Grimstead	Phelps	Wiley
Dodds	Hansen	Rigler	Wilson
Dykhouse	Hill	Shivvers	

Nays, none.

Absent or not voting, 10:

Doran	Kyhl	Scott	Stephens
Frommelt	Nolan	Shaff	Wearin
Fulton	Schroeder		

Voting present, 1:

Coleman

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

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MESSAGES FROM 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 54, a bill for an act requiring that the cause of death and attending physician's name be typewritten on all death certificates.

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 assessment of shares of mutual funds.

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

Senate File 78, a bill for an act to prohibit bicycles or animal drawn vehicles from using the interstate system.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 149, a bill for an act to legalize the proposed sale of certain real estate owned by the County of Cerro Gordo, State of Iowa, and to authorize conveyance of legal title thereto.

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

Senate File 153, a bill for an act relating to the use of the term "drug" and related terms.

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

Senate File 176, a bill for an act to legalize the proposed sale of certain real estate owned by the City of Cedar Falls, County of Black Hawk, State of Iowa, and to authorize conveyance of legal title thereto.

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

Senate File 207, a bill for an act to authorize and directing the issuance of a patent to certain real estate to board of park commissioners of the City of Ottumwa, Iowa, by the Governor and Secretary of State.

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

Senate File 208, a bill for an act to authorize and directing the issuance of a patent to certain real estate to Edith F. Hoskinson and Hessel LaVerne Hoskinson, by the Governor and Secretary of State.

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 the practice of barbering.

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

House File 122, a bill for an act relating to housing regulations in cities and towns and in an area adjacent to and within one mile thereof.

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

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House File 252, a bill for an act in reference to workmen's compensation.

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

House File 412, a bill for an act transferring jurisdiction to Dallas County certain land now comprising a part of the Woodward state hospital and school at Woodward, Dallas County, Iowa.

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

House File 413, a bill for an act transferring jurisdiction to Boone County certain land now comprising a part of the Woodward state hospital and school at Woodward, Iowa.

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

House File 414, a bill for an act transferring jurisdiction to Boone County certain land now comprising a part of the Woodward state hospital and school at Woodward, Iowa.

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

House File 415, a bill for an act relating to the taking of certain tax deeds by the state board of social welfare.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 149

Amend Senate File 149 as follows:

1. By striking in line 6 of section 1 the number "80" and inserting in lieu thereof the number "60".

HOUSE MESSAGES CONSIDERED

House File 73, a bill for an act relating to the practice of barbering.

Read first and second times and passed on file.

House File 122, a bill for an act relating to housing regulations in cities and towns and in an area adjacent to and within one mile thereof.

Read first and second times and passed on file.

House File 252, a bill for an act to amend chapter eighty-five (85), Code 1962, in reference to workmen's compensation.

Read first and second times and passed on file.

House File 412, a bill for an act transferring jurisdiction to Dallas County certain land now comprising a part of the Woodward state hospital and school at Woodward, Dallas County, Iowa.

Read first and second times and passed on file.

House File 413, a bill for an act transferring jurisdiction to Boone

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County certain land now comprising a part of the Woodward state hospital and school at Woodward, Iowa.

Read first and second times and passed on file.

House File 414, a bill for an act transferring jurisdiction to Boone County certain land now comprising a part of the Woodward state hospital and school at Woodward, Iowa.

Read first and second times and passed on file.

House File 415, a bill for an act relating to the taking of certain tax deeds by the state board of social welfare.

Read first and second times and passed on file.

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

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

THIRD READING OF BILLS

On motion of Senator Turner, Senate File 316, a bill for an act to amend section four hundred point three (400.3), Code 1962, relating to waterworks employees group insurance, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Turner offered the following amendment and moved its adoption:

Amend Senate File 316 by adding the following after the word "striking" in line 2: "from lines five (5) and six (6),".

The amendment was adopted.

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

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

Ayes, 35:

Benda	Dykhouse	Hill	Rigler
Beneke	Elijah	Lisle	Shivvers
Brown	Elthon	Lodwick	Stephens
Buck	Elvers	Long	Turner
Burrows	Fisher	Lucken	Van Eaton
Campbell	Getting	Main	Vincent
Cowden	Griffin	Mincks	Wiley
Curran	Grimstead	O'Malley	Wilson
Dodds	Hansen	Phelps	

Nays, 3:

Shoeman	Walker	Walter

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Absent or not voting, 12:

Coleman	Frommelt	Nolan	Shaff
Doran	Fulton	Schroeder	Vance
Flatt	Kyhl	Scott	Wearin

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

On motion of Senator Main, House File 117, a bill for an act relating to bounties on wild animals, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Main moved that the bill be read a third 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:

Beneke	Elvers	Long	Stephens
Brown	Fisher	Lucken	Turner
Buck	Flatt	Main	Vance
Campbell	Getting	Mincks	Van Eaton
Coleman	Griffin	O'Malley	Vincent
Cowden	Grimstead	Phelps	Walker
Curran	Hill	Rigler	Walter
Dodds	Lisle	Shivvers	Wiley
Dykhouse	Lodwick	Shoeman	Wilson
Elijah			

Nays, 4:

Benda	Burrows	Elthon	Hansen

Absent or not voting, 9:

Doran	Kyhl	Schroeder	Shaff
Frommelt	Nolan	Scott	Wearin
Fulton			

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

On motion of Senator Grimstead, House Joint Resolution 3, a joint resolution proposing an amendment to the constitution of the State of Iowa relating to the effective date of laws of the General Assembly passed at a general session, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Beneke asked and received unanimous consent that action on House Joint Resolution 3 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Grimstead, House File 139, a bill for an act relating to public libraries, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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Senator Grimstead moved that the bill be read a third 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:

Benda	Elijah	Lisle	Shoeman
Beneke	Elthon	Lodwick	Stephens
Brown	Elvers	Long	Turner
Buck	Fisher	Lucken	Vance
Burrows	Flatt	Main	Van Eaton
Campbell	Getting	Mincks	Vincent
Coleman	Griffin	O'Malley	Walker
Cowden	Grimstead	Phelps	Walter
Curran	Hansen	Rigler	Wiley
Dodds	Hill	Shivvers	Wilson
Dykhouse			

Nays, none.

Absent or not voting, 9:

Doran	Kyhl	Schroeder	Shaff
Frommelt	Nolan	Scott	Wearin
Fulton			

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

On motion of Senator Flatt, Senate File 249, a bill for an act to permit cities and towns to donate real estate to the state for public use, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Flatt moved that the bill be read a third 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:

Benda	Elijah	Lisle	Shoeman
Beneke	Elthon	Lodwick	Stephens
Brown	Elvers	Long	Turner
Buck	Fisher	Lucken	Vance
Burrows	Flatt	Main	Van Eaton
Campbell	Getting	Mincks	Vincent
Coleman	Griffin	O'Malley	Walker
Cowden	Grimstead	Phelps	Walter
Curran	Hansen	Rigler	Wiley
Dodds	Hill	Shivvers	Wilson
Dykhouse			

Nays, none.

Absent or not voting, 9:

Nolan	Fulton	Schroeder	Shaff
Doran	Kyhl	Scott	Wearin
Frommelt			

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

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On motion of Senator Turner, House File 159, a bill for an act to ratify the sale by installment contract of certain real estate owned by the Ames Community School District in Story County, State of Iowa, and to authorize conveyance of legal title in exchange for performance of the purchasers' remaining obligations thereunder, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 41:

Benda	Elijah	Lisle	Shoeman
Beneke	Elthon	Lodwick	Stephens
Brown	Elvers	Long	Turner
Buck	Fisher	Lucken	Vance
Burrows	Flatt	Main	Van Eaton
Campbell	Getting	Mincks	Vincent
Coleman	Griffin	O'Malley	Walker
Cowden	Grimstead	Phelps	Walter
Curran	Hansen	Rigler	Wiley
Dodds	Hill	Shivvers	Wilson
Dykhouse			

Nays, none.

Absent or not voting, 9:

Doran	Kyhl	Schroeder	Shaff
Frommelt	Nolan	Scott	Wearin
Fulton			

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

On motion of Senator Beneke, Senate File 188, a bill for an act abolishing the special courses fund of school districts, with report of committee recommending amendment in accordance with the amendment filed by Senator Beneke and passage, was taken up, considered, and the report of the committee adopted.

Senator Beneke offered the following amendment and moved its adoption:

Amend Senate File 188, line 16 and 17 by striking everything after the word "sections" in line 16, and adding thereto the following: "two hundred ninety-four point eight (294.8) to two hundred ninety-four point fourteen (294.14) inclusive, of the Code."

The amendment was adopted.

Senator Hill asked and received unanimous consent that action on Senate File 188 be deferred and that the bill be placed on the calendar under "unfinished business."

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On motion of Senator Wiley, Senate File 351, a bill for an act relating to the acquisition of vehicles and equipment by cities and towns, with report of committee recommending passage, was taken up, consdered, and the report of the committee adopted.

Senator Wiley moved that the bill be read a third 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:

Benda	Elijah	Lisle	Shoeman
Beneke	Elthon	Lodwick	Stephens
Brown	Elvers	Long	Turner
Buck	Fisher	Lucken	Vance
Burrows	Flatt	Main	Van Eaton
Campbell	Getting	Mincks	Vincent
Coleman	Griffin	O'Malley	Walker
Cowden	Grimstead	Phelps	Walter
Curran	Hansen	Rigler	Wiley
Dodds	Hill	Shivvers	Wilson
Dykhouse			

Nays, none.

Absent or not voting, 9:

Doran	Kyhl	Schroeder	Shaff
Frommelt	Nolan	Scott	Wearin
Fulton			

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

On motion of Senator Fisher, House File 71, a bill for an act relating to holders for registration certificates of motor vehicles, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Fisher moved that the bill be read a third 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:

Benda	Elijah	Lisle	Shoeman
Beneke	Elthon	Lodwick	Stephens
Brown	Elvers	Long	Turner
Buck	Fisher	Lucken	Vance
Burrows	Flatt	Main	Van Eaton
Campbell	Getting	Mincks	Vincent
Coleman	Griffin	O'Malley	Walker
Cowden	Grimstead	Phelps	Walter
Curran	Hansen	Rigler	Wiley
Dodds	Hill	Shivvers	Wilson
Dykhouse			

Nays, none.

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Absent or not voting, 9:

Doran	Kyhl	Schroeder	Shaff
Frommelt	Nolan	Scott	Wearin
Fulton			

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

On motion of Senator Fisher, House File 298, a bill for an act relating to temporary extensions of motor vehicle operators' licenses in certain instances, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Fisher moved that the bill be read a third 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:

Benda	Elijah	Lisle	Shoeman
Beneke	Elthon	Lodwick	Stephens
Brown	Elvers	Long	Turner
Buck	Fisher	Lucken	Vance
Burrows	Flatt	Main	Van Eaton
Campbell	Getting	Mincks	Vincent
Coleman	Griffin	O'Malley	Walker
Cowden	Grimstead	Phelps	Walter
Curran	Hansen	Rigler	Wiley
Dodds	Hill	Shivvers	Wilson
Dykhouse			

Nays, none.

Absent or not voting, 9:

Doran	Kyhl	Schroeder	Shaff
Frommelt	Nolan	Scott	Wearin
Fulton			

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

On motion of Senator Buck, Senate File 152, a bill for an act relating to parolees and court probationers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Buck moved that the bill be read a third 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:

Benda	Coleman	Elijah	Getting
Brown	Cowden	Elthon	Griffin
Buck	Curran	Elvers	Grimstead
Burrows	Dodds	Fisher	Hansen
Campbell	Dykhouse	Flatt	Hill

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Lisle	Mincks	Shoeman	Vincent
Lodwick	O'Malley	Stephens	Walker
Long	Phelps	Turner	Walter
Lucken	Rigler	Vance	Wiley
Main	Shivvers	Van Eaton	Wilson

Nays, 1:

Beneke

Absent or not voting, 9:

Doran	Kyhl	Schroeder	Shaff
Frommelt	Nolan	Scott	Wearin
Fulton			

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

HOUSE CONCURRENT RESOLUTION 12 ADOPTED

Senator Benda called up the following resolution:

HOUSE CONCURRENT RESOLUTION 12

Whereas, the forces of Communism and subversive aggression are intensifying and increasingly threaten the dignity and freedom of man and his great institutions of justice and democracy; and

Whereas, to resist the forces of evil intent from without and within, all citizens and all organizations must meet those destructive forces with knowledge, searching vigilance and active resistance; and

Whereas, among the great patriotic organizations of the United States the American Legion through its nationwide membership of proven patriots stands as a bulwark to defense of freedom from oppression and tyranny; and

Whereas, our national defense posture and stature has been served by the American Legion with the able leadership of two distinguished sons of Iowa, the Honorable Hanford McNider and Ray Murphy who as National Commanders of the American Legion brought honor and distinction to their native state; and

Whereas, a distinguished citizen of the State of Iowa, who has demonstrated leadership qualities in service to community, state and nation, the Honorable Donald E. Johnson of West Branch, Iowa, has indicated his willingness to accept and perform the responsibilities and duties of National Commander of the American Legion; now, therefore,

Be It Resolved by the House of Representatives of the Sixtieth General Assembly of Iowa, With the Senate Concurring, that reposing full faith and trust in the patriotic and leadership qualities of the Honorable Donald E. Johnson of West Branch, Iowa, we endorse and recommend election of Donald E. Johnson to the post of National Commander of the American Legion.

Be It Further Resolved, that copies of this resolution be forwarded to the National Headquarters of the American Legion at Indianapolis, Indiana, to the Iowa Department of American Legion of Des Moines, Iowa, to Chauncey-Butler Post of Iowa Department of American Legion at West Branch, Iowa, and to Donald E. Johnson at West Branch, Iowa.

On motions by Senator Benda and Senator Elijah, the resolution was unanimously adopted.

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REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, from the joint committee on enrolled bills, submitted the following report and moved it adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files 234 and 308.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 234 and 308.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 15, 1963, the Governor had approved the following bills:

Senate File 117, relating to the ownership of individual apartment units.
Senate File 167, relating to examinations of financial conditions and transactions of county and memorial hospitals.
Senate File 190, relating to registration of motorboats.

Also, that on March 18, 1963, the Governor had approved the following bill:

Senate File 37, relating to the annexation of territory to cities and towns.

ASSIGNMENT OF BILLS TO COMMITTEE

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

H. F. 73 Public health
H. F. 122 Cities and towns
H. F. 182 Judiciary 2
H. F. 191 Board of control
H. F. 194 Governmental affairs
H. F. 252 Social security
H. F. 264 Judiciary 1
H. F. 412 Judiciary 2
H. F. 413 Judiciary 2
H. F. 414 Judiciary 2
H. F. 415 Social security

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REPORTS OF COMMITTEES

Senator Phelps submitted the following report:

MR. PRESIDENT: Your committee on public lands and buildings to which was referred **Senate File 330**, a bill for an act to authorize the superintendent of public buildings and grounds and the executive council to accept federal monies as reimbursements for expenses incurred in the maintenance of public buildings, begs leave to report it had the same under consideration and recommends the same **do pass.**

DEWEY PHELPS, *Chairman.*

Ordered passed on file.

Senator Stephens submitted the following report:

MR. PRESIDENT: Your committee on industrial relations to which was referred **House File 29**, a bill for an act to amend chapters eighty-nine (89), Code 1962, relating to boiler inspections, to permit biennial inspections of certain boilers, begs leave to report it has had the same under consideration and recommends the same **do pass.**

RICHARD STEPHENS, *Chairman.*

Ordered passed on file.

Senator Lucken submitted the following report:

MR. PRESIDENT: Your committee on board of control to which was referred **House File 190**, a bill for an act to allow prisoners who volunteer to be sent to the state university hospital for medical research, begs leave to report it has had the same under consideration and recommends the same **do pass.**

J. HENRY LUCKEN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on board of control to which was referred **House File 197**, a bill for an act relating to the penalty charges imposed on counties delinquent in the payment of their billings for mental health care, begs leave to report it has had the the same under consideration and recommends the same **do pass.**

J. HENRY LUCKEN, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 268 as follows:
Amend Senate File 268 by striking from lines 23 and 24 the following: "Mitchellville state training school for girls, Eldora training school for boys".

IRVING D. LONG.

Amend Senate File 288 by striking all of section 1 and renumbering the subsequent sections.

J. HENRY LUCKEN.

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

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 19, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Harry Stickle, pastor of the Shell Rock Baptist Church, Shell Rock, Iowa.

PETITIONS

The following petitions were received and placed on file by:

Senator Doran, from one hundred eighty-five residents of Boone County in opposition to proposed legislation relating to truck operators and contract carriers.

Senator Van Eaton, by the board of directors of the Sioux City Chamber of Commerce favoring proposed legislation authorizing cities and towns to assist in industrial expansion.

Senator Walker, from one hundred nine residents of Hamilton County in opposition to proposed legislation relating to agricultural marketing.

In opposition to Sunday sales:

Senator Fulton, from twenty-two residents of Black Hawk County.

Senator Getting, from forty residents of Clay County.

In opposition to taxation of fraternal benefit societies:

Senator Beneke, from thirty-one residents of Pocahontas County.

Senator Curran, from twenty-five residents of Cerro Gordo County.

Senator Schroeder, from thirty-two residents of Scott County.

In opposition to liquor by the drink:

Senator Doran, from thirteen residents of Boone County.

Senator Dykhouse, from forty-seven residents of Lyon County and from twenty-six residents of Sioux County.

Senator Kyhl, from sixteen residents of Butler County.

Senator Lisle, from seven residents of Fremont County.

Senator Lodwick, from seventeen residents of Lee County.

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Senator Shivvers, from forty-two residents of Marion County.

Senator Van Eaton, from fifty-six residents of Woodbury County.

Senator Walker, from fifty-nine residents of Hardin County.

Senator Walker, from thirty residents of Taylor County.

Senator Wilson, from one hundred eleven residents of Appanoose County.

Favoring school bus transportation for all children:

Senator Beneke, from fifty-one residents of Pocahontas County.

Senator Elvers, from seven hundred seventy-eight residents of Allamakee County.

Senator Hansen, from sixteen residents of Carroll County.

Senator Scott, from five hundred ninety-two residents of Allamakee County.

PRESENTATION OF VISITORS

Senator Vance rose on a point of personal privilege and presented to the Senate Niels P. Jensen, Pierre, South Dakota, Secretary of the Senate of the State of South Dakota who was present in the Senate chamber.

Senator Hansen asked and received unanimous consent to present to the Senate fifty-eight students, members of the senior class of the Manning Community High School, who were present in the balcony accompanied by their instructor, Letha Johnson.

Senator Hansen also presented to the Senate Anna Marie Schwortz, an exchange student from Switzerland who is a member of the class.

Senator O'Malley asked and received unanimous consent to present to the Senate thirty students from the Hillis Elementary School, Des Moines, who were present in the balcony accompanied by their instructor, Gladys Kephart.

Senator Burrows asked and received unanimous consent to present to the Senate thirty-three students from the Keystone High School, Keystone, who were present in the balcony accompanied by their instructor, Donald Andrews.

Senator Fulton asked and received unanimous consent to present to the Senate thirty-five students from the Price Laboratory School, State College of Iowa, Cedar Falls, who were present in the balcony accompanied by their instructor, Donald A. Scovel.

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Senator Campbell asked and received unanimous consent to present to the Senate thirty-five students from the Tri-County Community School, What Cheer, who were present in the balcony.

MOTION TO RECONSIDER

Senator Shaff called up the following motion filed by him:

MR. PRESIDENT: I move to reconsider the vote by which House File 26 passed the Senate.

Senator Schroeder asked and received unanimous consent to withdraw the motion to reconsider the vote by which House File 26 passed the Senate, filed by Senator Shaff.

Senator Schroeder asked and received unanimous consent to withdraw the amendment filed by him to House File 26 and found on page 464 of the Senate Journal.

UNFINISHED BUSINESS

On motion of Senator Curran, Senate File 252, a bill for an act authorizing the Iowa development commission to form a nonprofit corporation and to accept grants from the federal government and gifts from other sources, was taken up for further consideration.

Senator Shaff asked and received unanimous consent to withdraw the amendment filed by him and found on pages 463 and 464 of the Senate Journal.

The following committee amendment, filed by the committee on Iowa development, was considered:

Amend Senate File 252 by striking all of section one (1) and inserting in lieu thereof the following:

"Section 1. The Iowa development commission is hereby authorized to form a corporation under the provisions of chapter five hundred four (504) of the Code for the purpose of evaluating the commercial possibilities of scientific developments, ideas or inventions in all of the sciences, arts and technologies useful to the public, received from applicants residing in Iowa, and to aid in the financing and promotion for manufacture in the State of Iowa of said developments, ideas or inventions; and where appropriate to provide assistance to applicants in arranging for the production and marketing of their developments, ideas or inventions.

Sec. 2. The corporation is without authority to require the licensing, assignment or sale to the corporation of any legal interest whatsoever in said developments, ideas or inventions.

Sec. 3. 1. The corporation shall not involve itself in any way with the acquisition of applicants of letters patent in the carrying out of the provisions of this Act; provided, however, that the corporation shall not be prohibited, in its discretion, from providing funds to any applicant for the acquisition of letters patent on his own behalf.

2. The corporation, prior to any commitments made by applicants to it, shall fully inform applicants in writing that the submission of their develop-

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ments, ideas or inventions does not create nor afford any legal protection thereof under the U. S. patent laws, and that the acquisition of such protection is the sole responsibility of applicants."

Further amend Senate File 252 by renumbering the sections in conformity with this amendment.

President pro tempore Vance took the chair at 10:30 a.m.

Senator O'Malley 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."

On motion of Senator Stephens, Senate File 288, a bill for an act relating to admission to mental health institutes, was taken up for further consideration.

Senator Lucken offered the following amendment and moved its adoption:

Amend Senate File 288 by striking all of section 1 and renumbering the subsequent sections.

The amendment was adopted.

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

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

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

Ayes, 50:

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 Doran, Senate File 309, a bill for an act relating to retail sales tax definition of "gross receipts," was taken up for further consideration.

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

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

Ayes, 49:

Benda	Elvers	Lodwick	Shivvers
Brown	Fisher	Long	Shoeman
Buck	Flatt	Lucken	Stephens
Burrows	Frommelt	Main	Turner
Campbell	Fulton	Mincks	Vance
Coleman	Getting	Nolan	Van Eaton
Cowden	Griffin	O'Malley	Vincent
Curran	Grimstead	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Schroeder	Wearin
Dykhouse	Kyhl	Scott	Wiley
Elijah	Lisle	Shaff	Wilson
Elthon			

Nays, 1:

Beneke

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 Beneke, Senate File 188, a bill for an act abolishing the special courses fund of school districts, was taken up for further consideration.

Senator Beneke moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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 Grimstead, House Joint Resolution 3, a joint resolution proposing an amendment to the constitution of the State

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of Iowa relating to the effective date of laws of the General Assembly passed at a general session, was taken up for further consideration.

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

House Joint Resolution 3, a joint resolution proposing an amendment to the constitution of the State of Iowa relating to the effective date of laws of the General Assembly passed at a general session.

Be It Resolved by the General Assembly of the State of Iowa:

Section 1. The following amendment to the constitution of the State of Iowa is hereby proposed:

Section twenty-six (26) of Article III is amended by striking from line four (4) the word "fourth" and inserting in lieu thereof the word "first".

Sec. 2. The foregoing proposed amendment to the constitution of the State of Iowa is hereby referred to the General Assembly to be chosen at the next general election, and the secretary of state is directed to cause the same to be published as provided by law for three (3) months previous to the time of making such choice.

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

Yeas, 43:

Benda	Elijah	Lodwick	Shivvers
Brown	Elvers	Lucken	Shoeman
Buck	Fisher	Main	Stephens
Burrows	Flatt	Mincks	Turner
Campbell	Frommelt	Nolan	Vance
Coleman	Fulton	O'Malley	Van Eaton
Cowden	Getting	Phelps	Vincent
Curran	Grimstead	Rigler	Walker
Dodds	Hansen	Schroeder	Wearin
Doran	Kyhl	Scott	Wiley
Dykhouse	Lisle	Shaff	

Nays, 7:

Beneke	Griffin	Long	Wilson
Elthon	Hill	Walter	

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 Lodwick, House File 48, a bill for an act relating to the licensing and the annual inspection of county homes, was taken up and considered.

The following committee amendment was considered:

Amend House File 48 by striking everything after the enacting clause, and inserting in lieu thereof the following:

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"Section 1. Section one hundred thirty-five C point twenty-two (135C.22), Code 1962, is hereby amended by inserting in line four (4) after the word 'institutions', the words 'or county homes'.

"Sec. 2. Chapter two hundred fifty-three (253), Code 1962, is hereby amended by adding thereto the following section, 253.12:

" 'County homes shall be annually inspected by the state fire marshal and the commissioner of public health or their duly authorized representatives who shall report their findings to the county grand jury and the board of supervisors.' "

Senator Frommelt asked and received unanimous consent that action on House File 48 be deferred and that the bill be placed on the calendar under "unfinished business."

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

House File 149, a bill for an act authorizing cities and towns to acquire, purchase, construct, reconstruct, improve, extend and lease industrial buildings; authorize the issuance of revenue bonds of cities and towns for the purpose of securing and developing industry and provide for the payment of certain sums in lieu of taxes.

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 the printing of city council proceedings.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 149, a bill for an act authorizing cities and towns to acquire, purchase, construct, reconstruct, improve, extend and lease industrial buildings; authorize the issuance of revenue bonds of cities and towns for the purpose of securing and developing industry and provide for the payment of certain sums in lieu of taxes to the State of Iowa and to the county, city, town, school district and other political subdivisions.

Read first and second times and passed on file.

House File 216, a bill for an act relating to the printing of city council proceedings.

Read first and second times and passed on file.

PROOFS OF PUBLICATION

Published copy of House File 168 and verified proof of publication of said bill in the Denison Bulletin on January 31, 1963, was filed with the Secretary

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of the Senate prior to the time said bill was placed on passage in the Senate.

Published copy of House File 234 and verified proof of publication of said bill in The Wright County Monitor, a newspaper published in Clarion, Iowa, on February 7, 1963, 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 548 and verified proof of publication of said bill in the Traer Star-Clipper on March 1, 1963, 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 549 and verified proof of publication of said bill in the Traer Star-Clipper on March 1, 1963, 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 TO COMMITTEE

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

H. F. 149 Manufacturing, commerce and trade

H. F. 216 Printing

REPORTS OF COMMITTEES

Senator Walker submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred **Senate File 349**, a bill for an act relating to the amendment of the articles or bylaws of cooperative associations, 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 349, section 1, line 8, by striking the words "a majority of those" and inserting in lieu thereof the words "seventy-five percent (75%) of the".

Amend section 2, line 7, by striking the words "a majority" and inserting in lieu thereof "seventy-five percent (75%)".

JOHN A. WALKER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture to which was referred **House File 85**, a bill for an act relating to erecting, rebuilding or repairing of fences, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JOHN A. WALKER, *Chairman.*

Ordered passed on file.

Senator Wearin submitted the following report:

MR. PRESIDENT: Your committee on schools and educational institutions to which was referred **Senate File 273**, a bill for an act to legalize and validate proceedings providing for the organization, reorganization, enlargement, or change in the boundaries of school corporations, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

Amend section 1, line 4, of Senate File 273 by inserting after the word

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"state" the words "whether or not such corporation maintains a community or junior college".

EDWARD A. WEARIN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on schools and educational institutions to which was referred **Senate File 380**, a bill for an act to set the dates general aid to schools is to be paid, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EDWARD A. WEARIN, *Chairman.*

Ordered passed on file.

Senator Shoeman submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate File 270**, a bill for an act to revert to the general fund of the State of Iowa the unexpended balances of the Fifty-eighth General Assembly board of regents institution appropriations for support, maintenance, equipment, repairs, replacements and alterations retained by the institutions, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JOHN D. SHOEMAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate File 271**, a bill for an act relating to the reversion of appropriations for capital improvements to the general fund of the state, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JOHN D. SHOEMAN, *Chairman.*

Ordered passed on file.

Senator Van Eaton submitted the following report:

MR. PRESIDENT: Your committee on cities and town to which was referred **Senate File 345**, a bill for an act relating to intra-city routes of an urban transit system and to amend section four hundred four point ten (404.10), Code 1962, 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 town to which was referred **Senate File 378**, a bill for an act relating to joint county-city or town 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 Elijah submitted the following report:

MR. PRESIDENT: Your committee on tax revision to which was referred **Senate File 127**, a bill for an act to amend section four hundred twenty-two point forty-five (422.45), Code 1962, relating to exemptions from the impo-

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sition of the retail sales tax, begs leave to report it has had the same under consideration and recommends the same **be amended in accordance with the Wiley amendment filed March 13, 1963, and when so amended the bill do pass.**

EARL ELIJAH, *Chairman.*

Ordered passed on file.

Senator Grimstead submitted the following report:

MR. PRESIDENT: Your committee on governmental affairs to which was referred **Senate Joint Resolution 16**, a joint resolution ratifying a proposed amendment to the Constitution of the United States of America relating to qualifications of electors, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACOB GRIMSTEAD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on governmental affairs to which was referred **Senate File 239**, a bill for an act relating to the platting of rural subdivisions, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACOB GRIMSTEAD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on governmental affairs to which was referred **Senate File 276**, a bill for an act to amend section eight point sixteen (8.16), Code 1962, relating to the office of the state comptroller, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACOB GRIMSTEAD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on governmental affairs to which was referred **Senate File 371**, a bill for an act to make the superintendent of public instruction elective and establish qualifications, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACOB GRIMSTEAD, *Chairman.*

Ordered passed on file.

Senator Elthon submitted the following report:

MR. PRESIDENT: Your committee on public health to which was referred **House File 83**, a bill for an act relating to public health nurses, begs leave to report it has had the same under consideration and recommends the same **do pass.**

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public health to which was referred **House File 189**, a bill for an act to adopt the Interstate Compact on Mental Health and designate an administrator with other states, begs leave to

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report it has had the same under consideration and recommends the same **do pass.**

LEO ELTHON, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend House amendment to Senate File 94, division 5, line 2, by inserting after the numeral "(100)" the word "to".

JOHN A. WALKER.

Amend Senate File 182 by inserting a period (.) after the word "commissioner" in line 3 of section 1.

JACK SCHROEDER.

Amend Senate File 183 by striking all of lines 2, 3, and 4 of section 1, and by inserting in lieu thereof the following: "1962, is amended by striking the word 'three' in line two (2) and inserting in lieu thereof the following: 'four (4)' ".

JACK SCHROEDER.

Amend Senate File 243 as follows:

1. Amend section 1, line 26, by striking the period after the word "students" and adding the following new words: "nor shall the term 'mobile home park' be construed to include any state or county owned or leased land for outdoor recreational purposes."

DAVID O. SHAFF.

Amend the committee amendment to House File 48 by striking from line 8 the following: ", 253.12".

LEO ELTHON.

Amend the Schroeder amendment to House File 54 filed February 27 as follows:

1. By striking lines 4 through the word "compensation" in line 7 and inserting in lieu thereof the following:

"If the employer or carrier shall decline to pay a claim and appeal from a ruling of the industrial commissioner".

JACK SCHROEDER.

Amend House File 182 as follows:

1. Strike everything after line 2, section 1, and insert in lieu thereof the following:

"It shall be unlawful for any person under the age of twenty-one (21) years to knowingly drink, consume or possess with intent to drink or consume, any beer or intoxicating liquor, except:

1. When he drinks, consumes or possesses same for beverage or medicinal purposes under direction of his parent, guardian, adult spouse, physician or dentist in the presence and supervision of one of them, or

2. When he holds, carries, moves or transports same for his parent, guardian, adult spouse or under the written direction of an adult or

3. When he has such possession as a necessary incident of the performance of his regular duties

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during the course of his employment, unless said employment is prohibited by law, or

4. When he drinks, consumes or possesses beer within a private home with the knowledge and consent of his parent, guardian or adult spouse.

In all cases not excepted hereunder, possession of beer or intoxicating liquor by such a person shall be prima facie evidence of intent to drink or consume same. A violation hereof shall be punishable by a fine not exceeding fifty dollars ($50.00) or by imprisonment in the county jail for a term not exceeding ten (10) days. Chapter two hundred thirty-two (232), Code 1962, shall have no application to prosecutions of offenses committed in violation of this section."

2. Amend the title by striking everything following the word "Act" and inserting in lieu thereof the following: "relating to the consumption and possession of beer and intoxicating liquor by minors".

RICHARD C. TURNER.

Amend Senate File 237 as follows:

1. Section 2 by striking from lines 65 and 66 the words ", including an employee of a contractor or a public utility corporation".

2. Section 3, line 1, by inserting ", give," after the word "distribute".

3. Further amend section 3, line 30, by striking the words "unless it bears a" and by inserting in lieu thereof the word "A".

4. By adding to section 5, subsection 1, the following:

"Every public officer or foreman who applies pesticides on public property or supervises such application by another shall also secure such license and be issued a permit in like manner but the payment of fee therefor shall be waived by the department."

5. Further amend section 5, by adding a new subsection:

"A person claiming injury or loss due to improper application of a pesticide to crops or livestock shall notify the applicator within sixty (60) days of the date of application before he can maintain an action for damages."

6. Section 6, line 4, by striking the word "men" and inserting the word "man".

7. Further amend section 6 by adding a new subsection:

"After public hearing, the secretary is empowered to ban the use of a pesticide or formulation of a pesticide in specific areas or during certain periods upon evidence that the pesticide caused widespread serious damage to crops or livestock."

COMMITTEE ON AGRICULTURE,
JOHN A. WALKER, *Chairman*.

Amend Senate File 268, section 1, by inserting in line 29 after the word "institution." the following:

"Nothing in this Act or any other statute shall be construed to prohibit parents or other persons from voluntarily reimbursing the county or state for the reasonable cost of caring for an individual while he was a patient or inmate in the county hospital,

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county home, mental health institute, hospital-school, training school, or home for children."

JOSEPH B. FLATT.

Amend Senate File 384 as follows:

1. Strike line 6 of section 2 and insert in lieu thereof the following: "of the dwelling house or buildings on said land without".

D. C. NOLAN.

Amend the committee amendment to Senate File 252 as follows:

1. Strike the word "providing" in line 21 and substitute the word "loaning".

GEORGE E. O'MALLEY.

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

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 20, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Dwight C. Bonham, Minister of Methodist Churches of Thornburg and Keswick, Thornburg, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Vance for the day on request of Senator Shoeman.

PETITIONS

The following petitions were received and placed on file by:

Senator Benda, from twenty-five residents of Iowa County in favor of proposed legislation relating to the commission for the blind.

Senator Doran, from twenty residents of Story County in opposition to proposed legislation relating to truck operators and contract carriers.

Senator Vincent, from seven residents of Lucas County in favor of proposed legislation relating to children requiring special education.

In opposition to liquor by the drink by:

Senator Doran, from twelve residents of Boone County.

Senator Lisle, from fifty-nine residents of Page County.

Senator Phelps, from twenty-two residents of Jefferson County and from twenty-one residents of Van Buren County.

Senator Rigler, from nineteen residents of Chickasaw County.

Senator Shivvers, from twenty-six residents of Marion County.

Senator Vincent, from three hundred fifty-eight residents of Lucas County, from fifty-seven residents of Wayne County, and from two hundred ten residents of Johnson County.

Senator Wilson, from four thousand five hundred two church people of Iowa in opposition to liquor by the drink; favoring stricter control of key clubs and proposed implied consent legislation.

In opposition to taxation of fraternal benefit societies:

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Senator Curran, from twenty-five residents of Cerro Gordo County and from eighteen residents of Hancock County.

Senator Kyhl, from ten residents of Bremer County.

PRESENTATION OF VISITORS

Senator Burrows asked and received unanimous consent to present to the Senate twenty-nine students from the Shellsburg High School who were present in the balcony accompanied by their instructor, Joseph W. Staebell, and Superintendent Donald E. Breisch.

Senator Cowden asked and received unanimous consent to present to the Senate thirty-seven students, members of the senior class of the Dallas Center Community School, who were present in the balcony accompanied by their principal, William H. Lienemann, and their instructor, Harold D. Isley.

Senator O'Malley asked and received unanimous consent to present to the Senate eight students from the North High School, Des Moines, who were present in the balcony accompanied by their instructors, Daniel Kroloff, Wendell Miskimins, John Warren, Margaret Baldwin and Sally Vitteteaux. Among the group was Linda Lane, daughter of our Secretary.

Senator Fisher asked and received unanimous consent to present to the Senate twenty-five students from the Martensdale-St. Mary's Community School who were present in the balcony accompanied by their instructor, Donald C. Furrer.

INTRODUCTION OF BILLS

Senate File 394, by committee on appropriations, a bill for an act to appropriate from the general fund of the State of Iowa to the department of public instruction ten thousand dollars ($10,000.00) for use as a revolving fund for the Veterans Administration, and five thousand dollars ($5,000.00) for the school lunch program and fifteen thousand dollars ($15,000.00) for mentally retarded children and students who fail to complete their high school education and to make a study of mental retardation in Iowa.

Read first and second times and placed on the calendar.

Senate File 395, 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, 1963, and ending June 30, 1965, to the state fair board for the purpose of state aid to agricultural societies.

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Read first and second times and placed on the calendar.

Senate File 396, by committee on appropriations, a bill for an act to appropriate from the general fund of the State of Iowa to the state printing board for printing and binding.

Read first and second times and placed on the calendar.

Senate File 397, by committee on appropriations, a bill for an act relating to the Iowa tax commission's audit revolving fund.

Read first and second times and placed on the calendar.

Senate File 398, by committee on appropriations, a bill for an act to appropriate from the Iowa public employees retirement system fund five hundred twenty-one thousand dollars ($521,000.00) to the employment security commission for the costs of the administration of chapter ninety-seven B (97B), Code 1962.

Read first and second times and placed on the calendar.

Senate File 399, by committee on appropriations, a bill for an act to appropriate funds to defray expenses of the inaugural ceremonies.

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 section three hundred ninety-one point twenty-four (391.24) and section three hundred ninety-one point fifty-three (391.53), Code 1962, to require mailing of the notices provided for in said code sections to all property owners whose property is subject to assessment.

Read first and second times and placed on the calendar.

HOUSE AMENDMENTS CONSIDERED

Senator Walker called up for consideration Senate File 94, a bill for an act relating to the eradication of bovine brucellosis, amended by the House.

Senator Walker asked and received unanimous consent to withdraw the amendment to the House amendment filed by him and found on page 535 of the Senate Journal.

The following House amendment was considered:

HOUSE AMENDMENT TO SENATE FILE 94

Amend Senate File 94 as follows:

1. Section 1, line 31, by striking the word "veterinarian's" and inserting in lieu thereof the word "veterinarian".

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2. Section 2, line 7, by inserting after the comma the words "after reasonable time".

3. By inserting the following new section after section 2:

Sec. 3. All female cattle born after July 1, 1963, sold or otherwise disposed of, or moved to commingle with cattle of another owner for dairy or breeding purposes, after reaching the age of nine (9) months must have been officially vaccinated for brucellosis according to the method approved by the United States Department of Agriculture. In a hardship case the department may issue a permit for the movement of such animals providing it is warranted. This section does not apply to animals sold for movement direct to slaughter.

The expense of such compulsory vaccination shall be borne in the same manner as set forth in section five (5) of this Act.

4. Further amend Senate File 94 by renumbering all subsequent sections and correcting the cross references in sections 5 and 22.

5. Section 6, line 9, by striking the word and numbers "hundred (100)".

6. Section 7, line 4, by inserting after the word "request." the following: "This test must be made within twenty-four (24) hours from the time of sale."

7. Section 10, line 7, by inserting after the word "ear" the following: "either with a vaccination tattoo or the purebred identification tattoo".

8. Section 13, line 3, by striking the word and figures "eighteen (18)" and inserting in lieu thereof the word and figures "twenty-one (21)".

Further amend section 13, line 13, by striking the word and figures "eighteen (18)" and inserting in lieu thereof the word and figures "twenty-one (21)".

9. Section 14, line (2), by striking the word "untested".

10. Section 18, by striking from line 4 all after the word "disclosed", also all of line 5 and that part of line 6 preceding the word "shall".

11. By adding the following new section following section 28:

"A four (4) member legislative advisory committee of the Sixtieth General Assembly shall be established to be known as the "Brucellosis Advisory Committee" whose duties shall be to advise and confer with the chief of animal industry as requested by him in matters relating to implementing this Act. The powers of the committee shall be purely advisory. The committee shall be composed of two (2) members of the senate to be appointed by the president of the senate and two (2) members of the house of representatives to be appointed by the speaker of the house. It is preferable that such members shall have had experience in the production of cattle. Members shall serve until the next regular session of the general assembly. Any vacancy in the membership of the committee shall be filled by appointment by the authority originally appointing the member whose position is vacant. Committee members shall be reimbursed for actual and necessary expenses incurred in the discharge of their duties."

Senator Walker, chairman of the committee on agriculture, offered the following committee amendment to the House amendment and moved its adoption:

1. Amend the House amendment to Senate File 94 by inserting the following new division as division 8 and renumbering the remaining divisions:

"8. Section 12, subsection 6, line 2, by striking the word and figure 'eighteen (18)' and inserting in lieu thereof the following: 'twenty-one (21)'."

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2. Further amend the House amendment by striking all of the last division.

The amendment to the amendment was adopted.

The Senate concurred in the House amendment as amended.

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

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

Ayes, 49:

Benda	Elthon	Lisle	Shaff
Beneke	Elvers	Lodwick	Shivvers
Brown	Fisher	Long	Shoeman
Buck	Flatt	Lucken	Stephens
Burrows	Frommelt	Main	Turner
Campbell	Fulton	Mincks	Van Eaton
Coleman	Getting	Nolan	Vincent
Cowden	Griffin	O'Malley	Walker
Curran	Grimstead	Phelps	Walter
Dodds	Hansen	Rigler	Wearin
Doran	Hill	Schroeder	Wiley
Dykhouse	Kyhl	Scott	Wilson
Elijah			

Nays, none.

Absent or not voting, 1:

Vance

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

Senator Walker asked and received unanimous consent that Senate File 94 be immediately messaged to the House, which request was complied with.

Senator Curran called up for consideration Senate File 149, a bill for an act to legalize the proposed sale of certain real estate owned by the County of Cerro Gordo, State of Iowa, and to authorize conveyance of legal title thereto, amended by the House, and moved that the Senate concur in the following amendment:

HOUSE AMENDMENT TO SENATE FILE 149

Amend Senate File 149 as follows:

1. By striking in line 6 of section 1 the number "80" and inserting in lieu thereof the number "60".

The Senate concurred in the House amendment.

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

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

Ayes, 48:

Benda	Elijah	Kyhl	Shaff
Beneke	Elthon	Lisle	Shivvers
Brown	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Burrows	Flatt	Main	Turner
Campbell	Frommelt	Mincks	Van Eaton
Coleman	Fulton	Nolan	Vincent
Cowden	Getting	O'Malley	Walker
Curran	Griffin	Phelps	Walter
Dodds	Grimstead	Rigler	Wearin
Doran	Hansen	Schroeder	Wiley
Dykhouse	Hill	Scott	Wilson

Nays, none.

Absent or not voting, 2:

Lucken	Vance

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 Walker, Senate File 237, a bill for an act relating to the distribution, sale, transportation and use of pesticides and devices and to provide for registration and examination of such materials and regulation of their use, was taken up for further consideration.

Senator Getting asked and received unanimous consent to withdraw the amendment filed by him and found on pages 415 and 416 of the Senate Journal, with the exception of section 3 of the amendment.

On motion of Senator Getting, section 3 of the amendment was adopted.

Senator Walker asked and received unanimous consent to withdraw the amendment filed by him and found on page 477 of the Senate Journal.

The following committee amendment was considered:

Amend Senate File 237 as follows:

1. Section 2 by striking from lines 65 and 66 the words ", including an employee of a contractor or a public utility corporation".

2. Section 3, line 1, by inserting ", give," after the word "distribute".

3. Further amend section 3, line 30, by striking the words "unless it bears a" and by inserting in lieu thereof the word "A".

4. By adding to section 5, subsection 1, the following:

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"Every public officer or foreman who applies pesticides on public property or supervises such application by another shall also secure such license and be issued a permit in like manner but the payment of fee therefor shall be waived by the department."

5. Further amend section 5, by adding a new subsection:

"A person claiming injury or loss due to improper application of a pesticide to crops or livestock shall notify the applicator within sixty (60) days of the date of application before he can maintain an action for damages."

6. Section 6, line 4, by striking the word "men" and inserting the word "man".

7. Further amend section 6 by adding a new subsection:

"After public hearing, the secretary is empowered to ban the use of a pesticide or formulation of a pesticide in specific areas or during certain periods upon evidence that the pesticide caused widespread serious damage to crops or livestock."

On motion of Senator Elijah, the committee amendment was adopted.

Senator Shoeman offered the following amendment and moved its adoption:

Amend Senate File 237, section 4, line 6, by striking the word "may" and inserting in lieu thereof the word "shall."

The amendment was adopted.

RECONSIDERATION OF COMMITTEE AMENDMENT

Senator Walker moved to reconsider the motion by which the committee amendment was adopted, which motion prevailed.

Senator Walker asked and received unanimous consent to withdraw division 5 of the amendment.

On motion of Senator Walker, the committee amendment was 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, 45:

Benda	Elthon	Kyhl	Scott
Beneke	Elvers	Lisle	Shaff
Brown	Fisher	Lodwick	Shivvers
Burrows	Flatt	Long	Shoeman
Campbell	Frommelt	Lucken	Stephens
Coleman	Fulton	Main	Van Eaton
Cowden	Getting	Mincks	Vincent
Curran	Griffin	O'Malley	Walker
Dodds	Grimstead	Phelps	Walter
Doran	Hansen	Rigler	Wearin
Dykhouse	Hill	Schroeder	Wilson
Elijah			

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Nays, 3:

Nolan	Turner	Wiley

Absent or not voting, 2:

Buck	Vance

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

On motion of Senator Curran, Senate File 252, a bill for an act authorizing the Iowa development commission to form a nonprofit corporation and to accept grants from the federal government and gifts from other sources, was taken up for further consideration.

The following committee amendment was taken up for further consideration:

Amend Senate File 252 by striking all of section one (1) and inserting in lieu thereof the following:

"Section 1. The Iowa development commission is hereby authorized to form a corporation under the provisions of chapter five hundred four (504) of the Code for the purpose of evaluating the commercial possibilities of scientific developments, ideas or inventions in all of the sciences, arts and technologies useful to the public, received from applicants residing in Iowa, and to aid in the financing and promotion for manufacture in the State of Iowa of said developments, ideas or inventions; and where appropriate to provide assistance to applicants in arranging for the production and marketing of their developments, ideas or inventions.

Sec. 2. The corporation is without authority to require the licensing, assignment or sale to the corporation of any legal interest whatsoever in said developments, ideas or inventions.

Sec. 3. 1. The corporation shall not involve itself in any way with the acquisition of applicants of letters patent in the carrying out of the provisions of this Act; provided, however, that the corporation shall not be prohibited, in its discretion, from providing funds to any applicant for the acquisition of letters patent on his own behalf.

2. The corporation, prior to any commitments made by applicants to it, shall fully inform applicants in writing that the submission of their developments, ideas or inventions does not create nor afford any legal protection thereof under the U. S. patent laws, and that the acquisition of such protection is the sole responsibility of applicants."

Further amend Senate File 252 by renumbering the sections in conformity with this amentdment.

Senator O'Malley offered the following amendment to the amendment and moved its adoption:

Amend the amendment as follows:

1. Strike the word "providing" in line 21 and substitute the word "loaning".

The amendment to the amendment was adopted.

On motion of Senator Wearin, the committee amendment as amended was adopted.

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Senator Wearin moved that the bill be read a third 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:

Benda	Fisher	Long	Shoeman
Brown	Flatt	Mincks	Stephens
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Scott	Wearin
Dykhouse	Kyhl	Shaff	Wiley
Elijah	Lisle	Shivvers	Wilson
Elvers	Lodwick		

Nays, 7:

Beneke	Doran	Hill	Turner
Buck	Elthon	Lucken	

Absent or not voting, 5:

Burrows	Main	Schroeder	Vance
Frommelt			

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

On motion of Senator Flatt, Senate File 268, a bill for an act to allow counties to provide county care for patients or inmates from mental health institutes, hospital-schools, training schools, and homes for children from the state institution fund, was taken up for further consideration.

Senator Long offered the following amendment and moved its adoption:

Amend Senate File 268 as follows:

Amend Senate File 268 by striking from lines 23 and 24 the following: "Mitchellville state training school for girls, Eldora training school for boys".

The amendment was adopted.

Senator Flatt offered the following amendment and moved its adoption:

Amend Senate File 268, section 1, by inserting in line 29 after the word "institution." the following:

"Nothing in this Act or any other statute shall be construed to prohibit parents or other persons from voluntarily reimbursing the county or state for the reasonable cost of caring for an individual while he was a patient or inmate in the county hospital, county home, mental health institute, hospital-school, training school, or home for children."

The amendment was adopted.

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Senator Long offered the following amendment and moved its adoption:

Amend the title to Senate File 268 by striking the words "training schools,".

The amendment was adopted.

Senator Flatt moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shaff
Beneke	Elvers	Lodwick	Shivvers
Brown	Fisher	Long	Shoeman
Buck	Flatt	Lucken	Stephens
Burrows	Frommelt	Main	Turner
Campbell	Fulton	Mincks	Van Eaton
Coleman	Getting	Nolan	Vincent
Cowden	Griffin	O'Malley	Walker
Curran	Grimstead	Phelps	Walter
Dodds	Hansen	Rigler	Wearin
Doran	Hill	Schroeder	Wiley
Dykhouse	Kyhl	Scott	Wilson
Elijah			

Nays, none.

Absent or not voting, 1:

Vance

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 amendment to House amendment to and passed Senate File 58, a bill for an act relating to paroles by courts, and to amend various sections of the Code relating thereto.

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

House File 548, a bill for an act to legalize and validate the proceedings for the organization and establishment of the boundaries of the Traer-Clutier Community School District, in the County of Tama.

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

House File 549, a bill for an act to legalize and validate the proceedings of the board of directors of the Traer-Clutier Community School District, in the County of Tama.

WILLIAM R. KENDRICK, *Chief Clerk.*

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HOUSE MESSAGES CONSIDERED

House File 548, a bill for an act to legalize and validate the proceedings for the organization and establishment of the boundaries of the Traer-Clutier Community School District, in the County of Tama, State of Iowa, and declaring said district a duly and legally organized corporate body as provided by law.

Read first and second times and passed on file.

House File 549, a bill for an act to legalize and validate the proceedings of the board of directors of the Traer-Clutier Community School District, in the County of Tama, State of Iowa, authorizing and providing for the issuance of school building bonds and for the levy of taxes for the payment of said bonds and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said school district.

Read first and second times and passed on file.

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

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

UNFINISHED BUSINESS

On motion of Senator Wiley, Senate File 382, a bill for an act to amend section three hundred six point thirteen (306.13), Code 1962, relating to the purchase or condemnation of right of way by commission or board having jurisdiction, was taken up for further consideration.

Senator Wiley offered the following amendment and moved its adoption:

Amend Senate File 382 by striking from lines 3 and 4 the words "or for any other necessary and useful purpose," and inserting in lieu thereof the following: "or for repair shops, storage areas or radio towers,".

The amendment was adopted.

Senator Wiley moved that the bill be read a third 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:

Benda	Burrows	Doran	Elvers
Beneke	Campbell	Dykhouse	Fisher
Brown	Coleman	Elijah	Flatt
Buck	Dodds	Elthon	Frommelt

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Fulton	Long	Rigler	Van Eaton
Getting	Main	Shaff	Vincent
Griffin	Mincks	Shivvers	Walter
Hill	Nolan	Shoeman	Wearin
Kyhl	O'Malley	Stephens	Wiley
Lisle	Phelps	Turner	Wilson
Lodwick			

Nays, none.

Absent or not voting, 8:

Cowden	Grimstead	Lucken	Vance
Curran	Hansen	Schroeder	Walker

Voting present, 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 Wiley, Senate File 383, a bill for an act relating to fire protection for highway commission property, was taken up for further consideration.

Senator Beneke offered the following amendment and moved its adoption:

Amend Senate File 383 as follows:

Amend section 1, line 4, by inserting after the comma (,) following the word "town" the following: "benefited fire district established under chapter three hundred fifty-seven A (357A) of the Code, township, combinations of townships, cities or towns operating under the provisions of sections three hundred fifty-nine point forty-two (359.42) to three hundred fifty-nine point forty-five (359.45) of the Code, inclusive,".

The amendment was adopted.

Senator Wiley offered the following amendment and moved its adoption:

Amend Senate File 383 by striking from line 7 the word "contiguous" and inserting in lieu thereof the word "accessible".

The amendment was adopted.

Senator Wiley moved that the bill be read a third 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:

Benda	Doran	Fulton	Lodwick
Beneke	Dykhouse	Getting	Long
Brown	Elijah	Griffin	Lucken
Buck	Elthon	Grimstead	Main
Burrows	Elvers	Hansen	Mincks
Campbell	Fisher	Hill	Nolan
Coleman	Flatt	Kyhl	O'Malley
Dodds	Frommelt	Lisle	Phelps

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Rigler	Shivvers	Van Eaton	Wearin
Schroeder	Shoeman	Vincent	Wiley
Scott	Stephens	Walker	Wilson
Shaff	Turner	Walter	

Nays, none.

Absent or not voting, 3:

Cowden	Curran	Vance

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

On motion of Senator Lodwick, House File 48, a bill for an act relating to the licensing and the annual inspection of county homes, was taken up for further consideration.

The following committee amendment was considered:

Amend House File 48 by striking everything after the enacting clause, and inserting in lieu thereof the following:

"Section 1. Section one hundred thirty-five C point twenty-two (135C.22), Code 1962, is hereby amended by inserting in line four (4) after the word 'institutions', the words 'or county homes'.

"Sec. 2. Chapter two hundred fifty-three (253), Code 1962, is hereby amended by adding thereto the following section, 253.12:

" 'County homes shall be annually inspected by the state fire marshal and the commissioner of public health or their duly authorized representatives who shall report their findings to the county grand jury and the board of supervisors.' "

Senator Frommelt offered the following amendment to the committee amendment:

Senator Long took the chair at 2:15 p.m.

Amend the committee amendment by striking all of lines 8 through 10 inclusive and inserting in lieu thereof the following:

Section 1. Chapter two hundred fifty-three (253), Code 1962, is hereby amended by adding thereto the following section:

"County homes may be exempt from the licensing provisions of section one hundred thirty-five C point six (135C.6) of the Code, but shall be annually inspected by the state fire marshal and the commissioner of public health or their duly authorized representatives who shall report their finding to the county grand jury and the board of supervisors. Provided however that no transfers from state hospitals as provided in section two hundred twenty-seven point eleven (227.11) of the Code, shall be made to any county home exempted from th licensing provisions of section one hundred thirty-five C point six (135C.6) of the Code."

Senator Schroeder moved that House File 48 be laid on the table.

Roll call was requested.

On the question "Shall House File 48 be laid on the table?" the vote was:

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Ayes, 21:

Brown	Hansen	O'Malley	Walker
Dodds	Hill	Schroeder	Walter
Doran	Lisle	Stephens	Wearin
Flatt	Main	Turner	Wiley
Frommelt	Mincks	Van Eaton	Wilson
Fulton			

Nays, 25:

Benda	Elijah	Kyhl	Rigler
Beneke	Elthon	Lodwick	Scott
Buck	Fisher	Long	Shaff
Burrows	Getting	Lucken	Shivvers
Campbell	Griffin	Nolan	Shoeman
Cowden	Grimstead	Phelps	Vincent
Dykhouse			

Absent or not voting, 4:

Coleman	Curran	Elvers	Vance

The motion to table was lost.

Senator Lucken moved the previous question on the amendment to the amendment, which motion prevailed.

Senator Frommelt moved the adoption of the amendment to the committee amendment.

Roll call was requested.

On the question "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 13:

Brown	Hansen	Main	Stephens
Dodds	Hill	Mincks	Turner
Frommelt	Lisle	Schroeder	Walter
Fulton			

Nays, 33:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Buck	Fisher	Lucken	Van Eaton
Burrows	Flatt	Nolan	Vincent
Campbell	Getting	Phelps	Walker
Cowden	Griffin	Rigler	Wearin
Doran	Grimstead	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah			

Absent or not voting, 3:

Coleman	Curran	Vance

Voting present, 1:

O'Malley

The amendment to the amendment was lost.

Senator Elthon offered the following amendment to the committee amendment and moved its adoption:

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Amend the committee amendment by striking from line 8 the following: ", 253.12".

The amendment to the amendment was adopted.

On motion of Senator Lodwick, the committee amendment as amended was adopted.

Senator Lodwick moved that the bill be read a third 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:

Benda	Dykhouse	Grimstead	Scott
Beneke	Elijah	Kyhl	Shivvers
Buck	Elthon	Lodwick	Shoeman
Burrows	Elvers	Long	Van Eaton
Campbell	Fisher	Lucken	Vincent
Cowden	Getting	Nolan	Wiley
Doran	Griffin	Phelps	Wilson

Nays, 20:

Brown	Fulton	Mincks	Stephens
Coleman	Hansen	O'Malley	Turner
Dodds	Hill	Rigler	Walker
Flatt	Lisle	Schroeder	Walter
Frommelt	Main	Shaff	Wearin

Absent or not voting, 2:

Curran	Vance

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 controlled access highways.

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 the expenditure of tax funds for use in watershed projects.

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

House File 275, a bill for an act relating to brucellosis control in swine.

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

House File 310, a bill for an act relating to the investment and reinvestment of the Iowa Public Employees Retirement Fund.

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

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House File 316, a bill for an act relating to orders to return mental patients on convalescent leave to the hospital, and providing for payment of travel expenses incurred.

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

House Concurrent Resolution 14, a concurrent resolution respectfully requesting the Governor to return House File 308 for correction.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 14

Whereas, an error has been discovered in House File 308, an act to permit school districts to accept gifts, devises and bequests and to utilize the same for general or schoolhouse fund expenditures, which has passed both houses of the General Assembly and has been delivered to the Governor.

Now, Therefore, Be It Resolved by the House, the Senate Concurring: That the Governor be respectfully requested to return House File 308 for correction.

HOUSE MESSAGES CONSIDERED

House File 275, a bill for an act relating to brucellosis control in swine.

Read first and second times and passed on file.

House File 310, a bill for an act relating to the investment and reinvestment of the Iowa Public Employees Retirement Fund.

Read first and second times and passed on file.

House File 316, a bill for an act relating to orders to return mental patients on convalescent leave to the hospital, and providing for payment of travel expenses incurred.

Read first and second times and passed on file.

HOUSE CONCURRENT RESOLUTION 14

Senator Rigler called up House Concurrent Resolution 14 relative to House File 308 and moved its adoption.

The motion prevailed and the resolution was adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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-

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ports that it has examined and finds correctly enrolled: Senate Files 54, 78, 78, 153, 176, 207 and 208; also, House Files 71, 117, 139, 159 and 298.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 54, 73, 78, 153, 176, 207 and 208; also, House Files 71, 117, 139, 159 and 298.

BILLS SENT TO THE GOVERNOR

Senator Benda, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 20th day of March, 1963, sent to the Governor for his approval: Senate Files 54, 73, 78, 153, 176, 207 and 208.

KENNETH BENDA, *Chairman.*

Passed on file.

BILLS ASSIGNED TO COMMITTEE

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

H. F. 275 Agriculture
H. F. 310 Social security
H. F. 316 Board of control
H. F. 548 Judiciary 2
H. F. 549 Judiciary 2

REPORT OF COMMITTEE

Senator Long submitted the following report:

MR. PRESIDENT: Your committee on insurance to which was referred **Senate File 322**, a bill for an act relating to insuring of property owned by recipient of old age assistance, begs leave to report it has had the same under consideration and recommends the same **do pass.**

IRVING D. LONG, *Chairman.*

AMENDMENTS FILED

Amend Senate File 179 as follows:

1. By striking the period at the end of section 15 and by inserting in lieu thereof the following: "and by inserting in lieu thereof the following:

'The court shall after pronouncing sentence cause the

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clerk to certify a true copy of the judgment to the Iowa liquor control commission. Said commission upon receipt of such copy shall cause notice of such conviction and judgment be sent to the manager of each liquor store in the state which notice shall be posted therein.' "

2. By striking the period at the end of section 16 and by inserting in lieu thereof the following: "and by inserting in lieu thereof the following:

'The court shall after pronouncing sentence cause the clerk to certify a true copy of the judgment to the Iowa liquor control commission. Said commission upon receipt of such copy shall cause notice of such conviction and judgment be sent to the manager of each liquor store in the state which notice shall be posted therein.' "

CHARLES S. VAN EATON.

Amend Senate File 228 as follows:

1. Amend Senate File 228 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Chapter three hundred twelve (312), Code 1962, is hereby amended by adding thereto the following new section:

"There is hereby established a street and farm to market road research fund which fund shall be used by the state highway commission solely for the purpose of financing engineering studies and research projects which shall have as their objective the more efficient use of funds and materials that are available for the construction and maintenance of streets in cities and towns including bridges and culverts located thereon and farm to market roads including bridges and culverts located thereon. The research projects and engineering studies authorized by this Act shall be conducted in cooperation with the city and county engineers. Once each year the highway commission shall file a report with the governor, city and county engineers showing the work accomplished and projects undertaken under this Act.

On or before January 1 of each odd numbered year a report shall be filed with the chief clerk of the house of representatives and the secretary of the senate showing the work accomplished and projects undertaken during the past biennium."

Sec. 2. Section three hundred twelve point two (312.2), Code 1962, is hereby amended by adding thereto the following new subsection:

"The treasurer of state shall before making the allotment to the street construction fund of cities and towns and farm to market road fund credit annually one-half (½) of one (1) percent of such street construction fund to the street research fund and one (1) and one-half (½) percent of such farm to market road fund to the secondary road research fund."

Sec. 3. Sections three hundred ten point thirty-four (310.34), three hundred ten point thirty-five (310.35) and three hundred ten point thirty-six (310.36), Code 1962, are hereby repealed.

D. C. NOLAN.

Amend Senate File 399 by inserting after the period in line 5 of section 1 the following:

"Also there is hereby appropriated out of funds of the state

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treasury not otherwise appropriated the sum of four hundred five dollars and sixty cents (405.60) to Harold E. Hughes, Governor, to recompense him for monies paid by him in connection with the inaugural ceremonies."

APPROPRIATIONS COMMITTEE,
JOHN D. SHOEMAN, *Chairman.*

Amend House File 56, section 1, line 6, by striking the words and figures "forty thousand (40,000)" and inserting in lieu thereof the words and figures "thirty-five thousand (35,000)".

EUGENE M. HILL.

Amend House File 85, Section 1, by striking all after the word "shall" in line 5, and inserting in lieu thereof the following: "cause the fence to be erected, rebuilt and repaired".

LEROY GETTING.

On motion of Senator Rigler, the Senate adjourned until 9:30 a.m., Thursday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 21, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Albert Guthmiller, pastor of the Zion United Church of Christ, Garner, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Vance for the day on request of Senator Shoeman; Senator Getting asked and received unanimous consent to be excused Friday, March 22, 1963.

PETITIONS

The following petitions were received and placed on file by:

Senator Doran, from fifty-two residents of Pocahontas County in opposition to proposed legislation relating to truck operators and contract carriers.

Senator Frommelt, from forty residents of Dubuque County in favor of bus transportation for all school children.

Senator Hansen, from thirty-six residents of Sac County in favor of proposed legislation for a hard surface road around Black Hawk Lake.

Senator Shivvers, from seventy-two residents of Marion County in opposition to liquor by the drink.

PRESENTATION OF VISITORS

Senator Scott asked and received unanimous consent to present to the Senate seventeen students, members of the basketball squad from the North Fayette County High School, West Union, who were present in the balcony accompanied by their coaches, Steve B. Story and Robert D. Johnson.

Senator Kyhl asked and received unanimous consent to present to the Senate twenty-seven students, members of the senior class of the Allison High School, who were present in the balcony accompanied by their superintendent, Burton K. Mitchell, and their instructor, Stanley Wooster.

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Senator Beneke asked and received unanimous consent to present to the Senate twenty-two students, members of the Laurens basketball squad, who were present in the Senate chamber accompanied by their coach, Floyd H. Winter, and their principal, Jerry Hoenschel.

Senator Campbell asked and received unanimous consent to present to the Senate thirty-seven students, members of the eighth grade civics class of the North Mahaska Community school district, Lacey Unit, who were present in the balcony accompanied by their instructor, Mary Hayden.

Senator Elvers rose on a point of personal privilege and presented to the Senate his twin brother, Arthur Elvers, who was present in the Senate chamber.

Senator Fulton rose on a point of personal privilege and presented to the Senate the Honorable Bernard R. Balch, a former member of the House of Representatives from Black Hawk County who was present in the Senate chamber.

INTRODUCTION OF BILLS

Senate File 401, by committee on agriculture, a bill for an act to amend chapter one hundred ninety-nine (199), Code 1962, relating to agricultural seeds.

Read first and second times and placed on the calendar.

Senate File 402, by committee on judiciary 1, a bill for an act relating to judicial nominating commissions, terms of office, judicial elections, mandatory retirement, temporary service by retired judges and residence of supreme court judges.

Read first and second times and placed on the calendar.

Senate File 403, by committee on judiciary 1, a bill for an act to amend section three hundred twenty-one point two hundred fifty-nine (321.259), Code 1962, relating to unauthorized signs and signals.

Read first and second times and placed on the calendar.

THIRD READING OF BILLS

On motion of Senator Rigler, House File 54, a bill for an act to amend chapter eighty-five (85), Code 1962, relating to workmen's compensation so as to liberalize certain benefits, to provide for certain credits, and the administration thereof, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

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The following committee amendment was considered:

1. Amend section 1 by striking lines 22, 23 and 24.

2. Amend section 4 by inserting the following after the period (.) in line 13: "Such amounts so credited shall be deducted from the payments made under these chapters. Any nonoccupational plan shall be reimbursed in the amount so deducted."

Senator Turner offered the following amendment:

Amend the committee amendment by striking line 1 and substituting the following in lieu thereof:

"1. Amend section 1 by striking lines 22, 23 and 24 and substituting the following paragraph therefor:

'Except in emergencies, it shall be the prerogative of the employee to select his medical, surgical and hospital services. If the employer can prove to a reasonable degree of medical certainty either that the services selected by the employee were not reasonably necessary or that the same or better services and results could have been obtained at lesser cost had the employee accepted the employer's recommendation in the selection of such services, the employer shall be liable only for the fair and reasonable value of the services reasonably necessary. Unless the employer requests it, the employer shall not be liable for transporting the employee beyond the nearest city or town in which hospital services are obtainable. In no event shall the employer be liable for any medical, surgical or hospital services if the employee refuses to submit to examination by any licensed practicing physician selected by the employer.' "

Senator Turner asked and received unanimous consent to withdraw the amendment to House File 54 filed by him and found on page 446 of the Senate Journal.

Senator Turner 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, 16:

Beneke	Doran	Fulton	O'Malley
Brown	Elvers	Hill	Turner
Coleman	Flatt	Main	Walter
Dodds	Frommelt	Mincks	Wilson

Nays, 32:

Benda	Fisher	Long	Shivvers
Buck	Getting	Lucken	Shoeman
Burrows	Griffin	Nolan	Stephens
Campbell	Grimstead	Phelps	Van Eaton
Cowden	Hansen	Rigler	Vincent
Curran	Kyhl	Schroeder	Walker
Dykhouse	Lisle	Scott	Wearin
Elthon	Lodwick	Shaff	Wiley

Absent or not voting, 2:

Elijah	Vance

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The amendment to the amendment was lost.

Senator Beneke offered the following amendment:

Amend the committee amendment by striking line 1 and substituting the following in lieu thereof:

"1. Amend section 1 by striking lines 22, 23 and 24 and substituting the following paragraph therefor:

'Except in emergencies, it shall be the prerogative of the employer to select the medical, surgical and hospital services. Upon application by the employee the commissioner may require the employer to substitute such services, or any part thereof, with others if the commissioner determines that the service or services originally selected are inadequate to properly provide for the employee's recovery or relief, or if any person or persons performing such services is unqualified or incompetent to perform such services or if such person is hostile to the employee or prejudiced against him. No substitution of services shall be made by the commissioner without an opportunity for the employer to be heard following reasonable notice.'"

Senator Beneke 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, 6:

Beneke	Coleman	Hill	Mincks
Brown	Dodds		

Nays, 41:

Benda	Flatt	Long	Shivvers
Buck	Frommelt	Lucken	Shoeman
Burrows	Fulton	Main	Stephens
Campbell	Getting	Nolan	Turner
Cowden	Griffin	O'Malley	Van Eaton
Curran	Grimstead	Phelps	Vincent
Doran	Hansen	Rigler	Walter
Dykhouse	Kyhl	Schroeder	Wearin
Elthon	Lisle	Scott	Wiley
Elvers	Lodwick	Shaff	Wilson
Fisher			

Absent or not voting, 3:

Elijah	Vance	Walker

The amendment to the amendment was lost.

Senator Turner moved the adoption of division 1 of the committee amendment.

The motion prevailed and division 1 of the amendment was adopted.

On motion of Senator Turner, division 2 of the committee amendment was adopted.

Senator Wilson asked and received unanimous consent to with-

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draw the amendments to House File 54 filed by him and found on pages 437 and 446 of the Senate Journal.

Senator Schroeder asked and received unanimous consent to withdraw the amendments to House File 54 filed by him and found on pages 417-418 and 535 of the Senate Journal.

Senator Schroeder offered the following amendment:

Amend House File 54 as follows:

1. By adding the following after the word "benefits." in line 6 of section 3:

"If the employer or carrier shall decline to pay a claim and appeal from a ruling of the industrial commissioner and the injured person shall have employed an attorney at law in the successful prosecution of his or her claim, there shall, in addition to the award for compensation, be awarded a reasonable attorney fee, to be approved by the industrial commissioner, which may be paid directly to the attorney for the claimant, in a lump sum. For services rendered in the district court and supreme court, the attorney's fee shall be subject to the approval of a judge of a district court, which fees shall be in addition to the compensation paid the claimant, and shall be paid as the court may direct, provided:

"If the employer or carrier submits a written offer of settlement to the claimant or his duly appointed representative, and said offer is of a definite amount and made prior to a hearing before either the deputy commissioner, commissioner or district court, and if the subsequent award is not in excess of the written offer of settlement, then and in that event, the attorney fee shall not be assessed against the employer or carrier."

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

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

The Senate resumed consideration of House File 54 and the amendment filed thereto by Senator Schroeder.

Senator Nolan offered the following amendment to the amendment and moved its adoption:

Amend the amendment by inserting after the word "pay" the following: "without reasonable cause to be determined by the district court".

The amendment to the amendment was lost.

Senator Schroeder moved the adoption of the amendment.

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 23:

Beneke	Coleman	Elthon	Fulton
Brown	Dodds	Elvers	Grimstead
Burrows	Doran	Frommelt	Hansen

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Hill	Mincks	Shaff	Wearin
Lodwick	O'Malley	Turner	Wilson
Main	Schroeder	Walter	

Nays, 26:

Benda	Fisher	Lucken	Shoeman
Buck	Flatt	Nolan	Stephens
Campbell	Getting	Phelps	Van Eaton
Cowden	Griffin	Rigler	Vincent
Curran	Kyhl	Scott	Walker
Dykhouse	Lisle	Shivvers	Wiley
Elijah	Long		

Absent or not voting, 1:

Vance

The amendment was lost.

Senator O'Malley offered the following amendment:

Amend House File 54 as follows:

1. Amend section 5, line 7, by striking the words "Forty-six" and inserting in lieu thereof the words "Forty-seven".

2. Amend section 1, line 9, by striking the words "Forty-two" and inserting in lieu thereof the words "Forty-four".

3. Amend section 5, line 11, by striking the words "Thirty-eight" and inserting in lieu thereof the words "Forty-one".

4. Amend section 5, line 13, by striking the words "Thirty-four" and inserting in lieu thereof the words "Thirty-eight".

Senator O'Malley moved the adoption of the amendment.

Division was called for.

The amendment was lost.

Senator Turner offered the following amendment and moved its adoption:

Amend House File 54, section 1, lines 20 and 21, by striking "section eighty-six point thirty-eight (86.38)" and inserting in lieu thereof the following: "sections eighty-six point thirty-eight (86.38) and eighty-six point thirty-nine (86.39), Code 1962".

The amendment was adopted.

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

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

Ayes, 48:

Benda	Dodds	Fulton	Lucken
Beneke	Doran	Getting	Main
Brown	Dykhouse	Grimstead	Mincks
Buck	Elijah	Hansen	Nolan
Burrows	Elthon	Hill	O'Malley
Campbell	Elvers	Kyhl	Phelps
Coleman	Fisher	Lisle	Rigler
Cowden	Flatt	Lodwick	Schroeder
Curran	Frommelt	Long	Scott

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Shaff	Stephens	Vincent	Wearin
Shivvers	Turner	Walker	Wiley
Shoeman	Van Eaton	Walter	Wilson

Nays, none.

Absent or not voting, 2:

Griffin	Vance

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

EXPLANATION OF VOTE

Explanation of vote on division 1 of the committee amendment of February 26, 1963, to House File 54.

We take this opportunity to explain our vote of "yes" on division 1 of the committee amendment dated February 26, 1963, to section 1 of House File 54. The committee amendment removed the following language from House File 54:

"Except in emergencies, it shall be the prerogative of the employer to select the medical, surgical and hospital services to be furnished.".

We voted to remove that language from House File 54 because we were satisfied that the past interpretations of the Workman's Compensation Law do not require statutory amplification. It is our understanding that the interpretations have allowed the employer to select medical, surgical and hospital services but nonetheless reserving the authority in the Industrial Commissioner for reasonable cause to permit the use of other medical, surgical or hospital services. We believe that this interpretation should remain unchanged.

DAVID O. SHAFF.
ROBERT R. RIGLER.
S. G. LODWICK.
JOHN L. CAMPBELL.
IRVING D. LONG.
JOHN D. SHOEMAN.
J. T. DYKHOUSE.

MESSAGES FROM 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 amendment to House amendment to and passed Senate File 94, a bill for an act relating to the eradication of bovine brucellosis.

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

House File 315, a bill for an act to empower the board of control or an agent designated by the board to exercise at its discretion the authority normally vested in its employees when problems arise.

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 to legalize and validate the proceedings of the City Council of the City of Davenport, in Scott County, Iowa.

WILLIAM R. KENDRICK, *Chief Clerk.*

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HOUSE MESSAGES CONSIDERED

House File 315, a bill for an act to empower the board of control or an agent designated by the board to exercise at its discretion the authority normally vested in its employees when problems arise.

Read first and second times and passed on file.

House File 443, a bill for an act to legalize and validate the proceedings of the City Council of the City of Davenport, in Scott County, Iowa, authorizing and providing for the issuance, sale and delivery of motor vehicle parking facilities revenue bonds of said city to defray the cost of acquiring additional off-street motor vehicle parking facilities in and for said city and the provisions made for the payment of said bonds and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said city.

Read first and second times and passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 1, 58, 62 and 149; also, House File 308.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate Files 1, 58, 62 and 149; also, House File 308.

BILLS SENT TO THE GOVERNOR

Senator Benda, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 21st day of March, 1963, sent to the Governor for his approval: Senate Files 1, 58, 62 and 149.

KENNETH BENDA, *Chairman.*

Passed on file.

REPORTS OF COMMITTEES

Senator Curran submitted the following report:

MR. PRESIDENT: Your committee on Iowa development to which was referred Senate File 302, a bill for an act to provide state aid to persons or

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corporations first discovering crude oil in this state and making an appropriation therefor, begs leave to report it has had the same under consideration and recommends the same **do pass**.

LEIGH R. CURRAN, *Chairman.*

Ordered passed on file.

Senator Walker submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred **House File 275**, a bill for an act relating to brucellosis control in swine, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN A. WALKER, *Chairman.*

Ordered passed on file.

Senator Schroeder submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2, to which was referred **Senate File 356**, a bill for an act to legalize the proposed sale of certain real estate owned by Cerro Gordo County, State of Iowa, and to authorize conveyance of legal title thereto and to convey real estate owned by Cerro Gordo County to Mental Health Center of north Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JACK SCHROEDER, *Chairman.*

Ordered passed on file.

Senator Nolan submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **Senate File 39**, a bill for an act relating to enforcement of foreign judgments, begs leave to report it has had the same under consideration and recommends the same **do pass**.

D. C. NOLAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **Senate File 191**, a bill for an act relating to elections on bond issue proposals, 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 191 by striking from line 8 of section 1 the words "one (1) calendar year" and by inserting in lieu thereof the following: "a period of six (6) months".

D. C. NOLAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **Senate File 231**, a bill for an act to amend chapter four hundred ninety-six A (496A), Code 1962, relating to corporations for profit, begs leave to report it has had the same under consideration and recommends the same **do pass**.

D. C. NOLAN, *Chairman.*

Ordered passed on file.

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Also:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **Senate File 260**, a bill for an act relating to the Rules of Civil Procedure, begs leave to report it has had the same under consideration and recommends the same **do pass.**

D. C. NOLAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **Senate File 269**, a bill for an act to amend section six hundred twenty-four point one (624.1), Code 1962, relating to the examination and cross-examination of witnesses, begs leave to report it has had the same under consideration and recommends the same **do pass.**

D. C. NOLAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **Senate File 341**, a bill for an act to amend section three hundred twenty-one point four hundred ninety-four (321.494), Code 1962, relating to guest passengers, begs leave to report it has had the same under consideration and recommends the same **do pass.**

D. C. NOLAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **Senate File 377**, a bill for an act to create and establish a state tort claims act, etc., begs leave to report it has had the same under consideration and recommends the same **do pass.**

D. C. NOLAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **House File 52**, a bill for an act to amend chapter seven hundred ninety-five (795), Code 1962, relating to criminal indictments, begs leave to report it has had the same under consideration and recommends the same **do pass.**

D. C. NOLAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **House File 257**, a bill for an act making it a misdemeanor to obtain or attempt to obtain goods, property or service by false or fraudulent use of credit cards or other false or fraudulent means, and providing penalties therefor, begs leave to report it has had the same under consideration and recommends the same **do pass.**

D. C. NOLAN, *Chairman.*

Ordered passed on file.

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Senator Lisle submitted the following report:

MR. PRESIDENT: Your committee on manufacturing, commerce and trade to which was referred **Senate File 60**, a bill for an act authorizing cities and towns to acquire, purchase, construct, reconstruct, improve, extend and lease industrial buildings; authorize issuance of revenue bonds of cities and towns for the purpose of securing and developing industry and provide for the payment of certain sums in lieu of taxes to the State of Iowa and to the county, city, town, school district and other political subdivisions, begs leave to report it has had the same under consideration and recommends the same **do pass.**

VERN LISLE, *Chairman.*

Ordered passed on file.

BILL ASSIGNED TO COMMITTEE

President Mooty announced the assignment of the following bill to committee:

S. F. 302 Appropriations (under Senate Rule 21)

AMENDMENT FILED

Amend House File 258 by inserting in section 1 after the word "repealed" in line 6 of such section the words "and the following enacted in lieu thereof:

'Any person holding an itinerant practitioner's license on the effective date of this Act is hereby granted continuation of the rights and privileges granted under such license for as long as his regular license is maintained.'"

CHARLES GRIFFIN.

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

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 22, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Byron W. Ayers, pastor of the St. John's Methodist Church, Mapleton, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Vance for the day on request of Senator Shoeman.

PETITIONS

The following petitions were received and placed on file by:

Senator Buck, from twenty-two residents of Marshall County in opposition to taxation of fraternal benefit associations.

In opposition to liquor by the drink:

Senator Cowden, from thirteen residents of Dallas County.

Senator Curran, from thirty residents of Cerro Gordo County.

Senator Fisher, from twenty-eight residents of Clarke County.

Senator Phelps, from ninety-five residents of Van Buren County.

Senator Stephens, from seven residents of Washington County.

Senator Van Eaton, from forty-one residents of Woodbury County.

PRESENTATION OF QUEEN OF THE SENATE

Senator Rigler rose on a point of personal privilege and asked Pages David J. Foege, Vinson Jetter, William Mateer and Paul Van Steenwyk to escort the "Queen of the Senate," Miss Lynn Clark, and her attendants, Joy Davis, Isabel Fanning and Ruth Geil, to the rostrum.

President Mooty placed a crown on the head of Senate Queen Lynn Clark and, on behalf of the pages in the Senate, presented her with a bouquet of red roses, and a grandfatherly kiss on the cheek. To the three attendants President Mooty presented a box of candy and wished them well.

After the ceremony, Senator Doran praised Lynn highly and

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claimed the privilege of also bestowing a kiss on Miss Clark, who is the Senator's secretary.

Lynn, a native of Boone and lifetime friend of Senator Doran and his daughter Lynn, thanked the pages and the Lieutenant Governor for bestowing the honor upon her.

PRESENTATION OF VISITORS

Senator O'Malley rose on a point of personal privilege and announced the arrival in the Senate chamber of Mrs. M. J. Nolan, the mother of Senator Nolan. Mrs. Nolan celebrated her ninetieth birthday on February 28, 1963.

Senator Doran asked and received unanimous consent to present to the Senate thirty-four students, members of the fourth grade class of the Maxwell Community School, Maxwell, who were present in the balcony accompanied by their instructors, Dale Peters and Roy Miller.

Senator Curran asked and received unanimous consent to present to the Senate sixteen students, members of the eighth grade class of the Mason City Junior High School, who were present in the balcony accompanied by Mrs. Ronald Ives; also three students, members of the junior class of the Mason City High School, who were present in the Senate chamber.

Senator Campbell asked and received unanimous consent to present to the Senate eighteen students from the Oskaloosa Christian School who were present in the balcony accompanied by their principal, Robert Vogel.

Senator Vincent asked and received unanimous consent to present to the Senate thirty students from the Chariton High School who were present in the balcony.

INTRODUCTION OF BILLS

Senate File 404, by committee on manufacturing, commerce and trade, a bill for an act relating to the marketing of dairy products.

Read first and second times and placed on the calendar.

Senate File 405, by committee on Iowa development, a bill for an act relating to economic development corporations.

Read first and second times and placed on the calendar.

THIRD READING OF BILLS

Senator Shoeman, chairman of the committee on appropriations, called up the following bills:

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On motion of Senator Lodwick, Senate File 270, a bill for an act to revert to the general fund of the State of Iowa the unexpended balances of the Fifty-eighth General Assembly board of regents institution appropriations for support, maintenance, equipment, repairs, replacements and alterations retained by the institutions, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Lodwick moved that the bill be read a third 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:

Benda	Elijah	Kyhl	Scott
Beneke	Elthon	Lisle	Shivvers
Brown	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Turner
Campbell	Frommelt	Main	Van Eaton
Coleman	Fulton	Mincks	Vincent
Cowden	Griffin	Nolan	Walker
Curran	Grimstead	O'Malley	Walter
Dodds	Hansen	Phelps	Wiley
Doran	Hill	Rigler	Wilson
Dykhouse			

Nays, none.

Absent or not voting, 5:

Getting	Shaff	Vance	Wearin
Schroeder			

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

On motion of Senator Lodwick, Senate File 271, a bill for an act relating to the reversion of appropriations for capital improvements 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 Lodwick moved that the bill be read a third 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:

Benda	Curran	Flatt	Lisle
Beneke	Dodds	Frommelt	Lodwick
Brown	Doran	Fulton	Long
Buck	Dykhouse	Griffin	Lucken
Burrows	Elijah	Grimstead	Main
Campbell	Elthon	Hansen	Mincks
Coleman	Elvers	Hill	Nolan
Cowden	Fisher	Kyhl	O'Malley

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Phelps	Shoeman	Van Eaton	Walter
Rigler	Stephens	Vincent	Wiley
Scott	Turner	Walker	Wilson
Shivvers			

Nays, none.

Absent or not voting, 5:

Getting	Shaff	Vance	Wearin
Schroeder			

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

On motion of Senator Flatt, Senate File 394, a bill for an act to appropriate from the general fund of the State of Iowa to the department of public instruction ten thousand dollars ($10,000.00) for use as a revolving fund for the Veterans Administration, and five thousand dollars ($5,000.00) for the school lunch program and fifteen thousand dollars ($15,000.00) for mentally retarded children and students who fail to complete their high school education and to make a study of mental retardation in Iowa, was taken up and considered.

Senator Flatt moved that the bill be read a third 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:

Benda	Elijah	Kyhl	Scott
Beneke	Elthon	Lisle	Shivvers
Brown	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Turner
Campbell	Frommelt	Main	Van Eaton
Coleman	Fulton	Mincks	Vincent
Cowden	Griffin	Nolan	Walker
Curran	Grimstead	O'Malley	Walter
Dodds	Hansen	Phelps	Wiley
Doran	Hill	Rigler	Wilson
Dykhouse			

Nays, none.

Absent or not voting, 5:

Getting	Shaff	Vance	Wearin
Schroeder			

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

On motion of Senator Flatt, Senate File 395, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1963, and ending June 30, 1965, to the state fair board for the purpose of state aid to agricultural societies, was taken up and considered.

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Senator Flatt moved that the bill be read a third 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:

Benda	Elijah	Kyhl	Scott
Beneke	Elthon	Lisle	Shivvers
Brown	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Turner
Campbell	Frommelt	Main	Van Eaton
Coleman	Fulton	Mincks	Vincent
Cowden	Griffin	Nolan	Walker
Curran	Grimstead	O'Malley	Walter
Dodds	Hansen	Phelps	Wiley
Doran	Hill	Rigler	Wilson
Dykhouse			

Nays, none.

Absent or not voting, 5:

Getting	Shaff	Vance	Wearin
Schroeder			

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

On motion of Senator Flatt, Senate File 396, a bill for an act to appropriate from the general fund of the State of Iowa to the state printing board for printing and binding, was taken up and considered.

Senator Flatt moved that the bill be read a third 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:

Benda	Elijah	Kyhl	Scott
Beneke	Elthon	Lisle	Shivvers
Brown	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Turner
Campbell	Frommelt	Main	Van Eaton
Coleman	Fulton	Mincks	Vincent
Cowden	Griffin	Nolan	Walker
Curran	Grimstead	O'Malley	Walter
Dodds	Hansen	Phelps	Wiley
Doran	Hill	Rigler	Wilson
Dykhouse			

Nays, none.

Absent or not voting, 5:

Getting	Shaff	Vance	Wearin
Schroeder			

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

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On motion of Senator Rigler, Senate File 397, a bill for an act relating to the Iowa tax commission's audit revolving fund, was taken up and considered.

Senator Rigler moved that the bill be read a third 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:

Benda	Elijah	Kyhl	Scott
Beneke	Elthon	Lisle	Shivvers
Brown	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Turner
Campbell	Frommelt	Main	Van Eaton
Coleman	Fulton	Mincks	Vincent
Cowden	Griffin	Nolan	Walker
Curran	Grimstead	O'Malley	Walter
Dodds	Hansen	Phelps	Wiley
Doran	Hill	Rigler	Wilson
Dykhouse			

Nays, none.

Absent or not voting, 5:

Getting	Shaff	Vance	Wearin
Schroeder			

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

On motion of Senator O'Malley, Senate File 398, a bill for an act to appropriate from the Iowa public employees retirement system fund five hundred twenty-one thousand dollars ($521,000.00) to the employment security commission for the costs of the administration of chapter ninety-seven B (97B), Code 1962, 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:

Benda	Elijah	Kyhl	Scott
Beneke	Elthon	Lisle	Shivvers
Brown	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Turner
Campbell	Frommelt	Main	Van Eaton
Coleman	Fulton	Mincks	Vincent
Cowden	Griffin	Nolan	Walker
Curran	Grimstead	O'Malley	Walter
Dodds	Hansen	Phelps	Wiley
Doran	Hill	Rigler	Wilson
Dykhouse			

Nays, none.

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Absent or not voting, 5:

Getting	Shaff	Vance	Wearin
Schroeder			

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

On motion of Senator Elthon, Senate File 399, a bill for an act to appropriate funds to defray expenses of the inaugural ceremonies, was taken up and considered.

The following committee amendment was considered:

Amend Senate File 399 by inserting after the period in line 5 of section 1 the following:

"Also there is hereby appropriated out of funds of the state treasury not otherwise appropriated the sum of four hundred five dollars and sixty cents (405.60) to Harold E. Hughes, Governor, to recompense him for monies paid by him in connection with the inaugural ceremonies."

On motion of Senator Elthon, the committee amendment was adopted.

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

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

Ayes, 45:

Benda	Elijah	Kyhl	Scott
Beneke	Elthon	Lisle	Shivvers
Brown	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Turner
Campbell	Frommelt	Main	Van Eaton
Coleman	Fulton	Mincks	Vincent
Cowden	Griffin	Nolan	Walker
Curran	Grimstead	O'Malley	Walter
Dodds	Hansen	Phelps	Wiley
Doran	Hill	Rigler	Wilson
Dykhouse			

Nays, none.

Absent or not voting, 5:

Getting	Shaff	Vance	Wearin
Schroeder			

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 Burrows, Senate File 280, a bill for an act relating to publication of financial matters by school districts, was taken up and considered.

Senator Burrows asked and received unanimous consent that action on Senate File 280 be deferred and that the bill be placed on the calendar under "unfinished business."

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On motion of Senator Doran, Senate File 310, a bill for an act relating to the retail sales tax imposed on amusement devices, was taken up and considered.

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

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

Ayes, 45:

Benda	Elijah	Kyhl	Scott
Beneke	Elthon	Lisle	Shivvers
Brown	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Turner
Campbell	Frommelt	Main	Van Eaton
Coleman	Fulton	Mincks	Vincent
Cowden	Griffin	Nolan	Walker
Curran	Grimstead	O'Malley	Walter
Dodds	Hansen	Phelps	Wiley
Doran	Hill	Rigler	Wilson
Dykhouse			

Nays, none.

Absent or not voting, 5:

Getting	Shaff	Vance	Wearin
Schroeder			

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

On motion of Senator Long, House File 59, a bill for an act relating to real estate brokers' licenses, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Long asked and received unanimous consent that action on House File 59 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Dykhouse, House File 4, a bill for an act relating to hunting and fishing upon cultivated or inclosed lands and waters, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Coleman asked and received unanimous consent that action on House File 4 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Van Eaton, Senate File 179, a bill for an act to abolish individual liquor permits, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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Senator Hill asked and received unanimous consent that action on Senate File 179 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Beneke, Senate File 182, a bill for an act to amend section eighty-five point twenty-two (85.22), subsection three (3), Code 1962, granting authority to the industrial commissioner to compromise and settle workmen's compensation cases on behalf of the State of Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

On motion of Senator Beneke, the following amendment filed by Senator Schroeder was adopted:

Amend Senate File 182 by inserting a period (.) after the word "commissioner" in line 3 of section 1.

Senator Beneke moved that the bill be read a third 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:

Benda	Elijah	Kyhl	Scott
Beneke	Elthon	Lisle	Shivvers
Brown	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Turner
Campbell	Frommelt	Main	Van Eaton
Coleman	Fulton	Mincks	Vincent
Cowden	Griffin	Nolan	Walker
Curran	Grimstead	O'Malley	Walter
Dodds	Hansen	Phelps	Wiley
Doran	Hill	Rigler	Wilson
Dykhouse			

Nays, none.

Absent or not voting, 5:

Getting	Shaff	Vance	Wearin
Schroeder			

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

On motion of Senator Beneke, Senate File 183, a bill for an act to amend section eighty-six point two (86.2), Code 1962, increasing the number of deputies from three (3) to four (4) that the industrial commissioner may hire, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

On motion of Senator Beneke, the following amendment filed by Senator Schroeder was adopted:

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Amend Senate File 183 by striking all of lines 2, 3, and 4 of section 1, and by inserting in lieu thereof the following: "1962, is amended by striking the word 'three' in line two (2) and inserting in lieu thereof the following: 'four (4)' ".

Senator Dykhouse 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 Beneke, Senate File 184, a bill for an act to amend section eighty-six point nineteen (86.19), Code 1962, by granting the industrial commissioner authority to require a shorthand reporter to report proceedings of any hearing before the commissioner or one of his deputies, or board of arbitration, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Beneke moved that the bill be read a third 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:

Benda	Elijah	Kyhl	Scott
Beneke	Elthon	Lisle	Shivvers
Brown	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Turner
Campbell	Frommelt	Main	Van Eaton
Coleman	Fulton	Mincks	Vincent
Cowden	Griffin	Nolan	Walker
Curran	Grimstead	O'Malley	Walter
Dodds	Hansen	Phelps	Wiley
Doran	Hill	Rigler	Wilson
Dykhouse			

Nays, none.

Absent or not voting, 5:

Getting	Shaff	Vance	Wearin
Schroeder			

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 384, a bill for an act to amend chapter three hundred fourteen (314), Code 1962, relating to entry upon private property for surveys, was taken up and considered.

Senator Nolan offered the following amendment and moved its adoption:

Amend Senate File 384 as follows:

1. Strike line 6 of section 2 and insert in lieu thereof the following: "of the dwelling, house or buildings on said land without".

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The amendment was adopted.

Senator Beneke offered the following amendment and moved its adoption:

Amend Senate File 384 as follows:
By adding to section 2 the following:
"The findings and results of any surveys, soundings, drillings, appraisals or examinations made under the authority of this section shall be made available to the owner of the land upon his request."

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, 44:

Benda	Dykhouse	Hill	Scott
Beneke	Elijah	Kyhl	Shivvers
Brown	Elthon	Lodwick	Shoeman
Buck	Elvers	Long	Stephens
Burrows	Fisher	Lucken	Turner
Campbell	Flatt	Main	Van Eaton
Coleman	Frommelt	Mincks	Vincent
Cowden	Fulton	Nolan	Walker
Curran	Griffin	O'Malley	Walter
Dodds	Grimstead	Phelps	Wiley
Doran	Hansen	Rigler	Wilson

Nays, none.

Absent or not voting, 6:

Getting	Schroeder	Vance	Wearin
Lisle	Shaff		

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

Senator Rigler asked and received unanimous consent to take up Senate File 356.

On motion of Senator Curran, Senate File 356, a bill for an act to legalize the proposed sale of certain real estate owned by the County of Cerro Gordo, State of Iowa, and to authorize conveyance of legal title thereto, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

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Ayes, 45:

Benda	Elijah	Kyhl	Scott
Beneke	Elthon	Lisle	Shivvers
Brown	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Turner
Campbell	Frommelt	Main	Van Eaton
Coleman	Fulton	Mincks	Vincent
Cowden	Griffin	Nolan	Walker
Curran	Grimstead	O'Malley	Walter
Dodds	Hansen	Phelps	Wiley
Doran	Hill	Rigler	Wilson
Dykhouse			

Nays, none.

Absent or not voting, 5:

Getting	Shaff	Vance	Wearin
Schroeder			

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

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

SENATE CONCURRENT RESOLUTION 16
By Rigler

Whereas, an error has been discovered in Senate File 78, a bill for an act to prohibit bicycles or animal drawn vehicles from using the interstate system, which has passed both houses of the General Assembly and has been delivered to the Governor.

Now, Therefore, Be It Resolved by the Senate, the House Concurring: That the Governor be respectfully requested to return Senate File 78 for correction.

The motion prevailed and the resolution was adopted.

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

SPECIAL ORDER OF BUSINESS

Senator Rigler asked and received unanimous consent that Senate File 402 be made a special order of business for Wednesday, March 27, 1963, at 9:30 a.m.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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-

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ports that it has examined and finds correctly enrolled: House Joint Resolution 3.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
Chairman House Committee.

Report adopted.

BILL SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: House Joint Resolution 3.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 22, 1963, the Governor had approved the following bills:

Senate File 176, relating to certain real estate owned by the City of Cedar Falls, County of Black Hawk, State of Iowa.

Senate File 207, relating to certain real estate, City of Ottumwa, County of Wapello, State of Iowa.

Senate File 208, relating to certain real estate.

MESSAGE FROM THE HOUSE

The following message was received from the House:

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

Senate Concurrent Resolution 16, a concurrent resolution respectfully requesting the Governor to return Senate File 78 for correction.

WILLIAM R. KENDRICK, *Chief Clerk.*

STATEMENT OF LEGISLATIVE INTENT OF THE PROVISIONS OF SENATE FILE 73

It is the intention of the authors of Senate File 73 that for purposes of taxation the value of shares of mutual funds shall be the per share net asset value, not including any "handling or loading" charges commonly included in the total purchase price to the purchaser, as of the last day of business in the year preceding the assessment date for assessing such shares of mutual funds.

PETER F. HANSEN.
JOE N. WILSON.

PROOFS OF PUBLICATION

Published copy of House File 443 and verified proof of publication of said bill in The Daily Times, a newspaper published in Davenport, Iowa, on March 7, 1963, 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 558 and verified proof of publication of said

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bill in the Denison Review, a newspaper published in Denison, Iowa, on March 18, 1963, 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.*

AMENDMENTS FILED

Amend Senate File 329 as follows:

Amend section 1 by striking from line 9 the words "at least sixty percent (60%)" and inserting in lieu thereof the words "a majority".

RICHARD C. TURNER.

Amend Senate File 360 as follows:

Amend section 3, line 36, by striking the period (.) at the end thereof and inserting in lieu thereof the following: "; provided, however, that the aggregate liability of the surety to the state and to all such persons shall, in no event, exceed the sum of said bond."

ANDREW G. FROMMELT.

Amend Senate File 385, section 7, subsection 1, by inserting before the word "commercial" in line 10, the word "registered".

EUGENE M. HILL.

Amend Senate File 401 as follows:

1. Amend section 2, line fifteen (15), by striking all after the word "the" and inserting in lieu thereof the following: "kind or kind and variety of each".

2. Amend section 2, line twenty-one (21), by striking the word "Kinds" and inserting in lieu thereof the word "Grasses".

3. Amend section 2, line thirty-six (36), by inserting after the word "listed" the words "on the label", also by placing a period after the word "Kinds".

4. Amend section 2 by striking all of line thirty-seven (37).

5. Amend section 2, line fifty (50), by inserting after the word "laboratory" the following: ", Iowa department of agriculture seed laboratory,".

6. Amend section 6, line four (4), by inserting after the word "lets" the following: "of all kinds of agricultural seed, except seed corn,".

RICHARD L. STEPHENS.

Amend House File 4 as follows:

1. By striking the word "ten" in line 4 of section 1 and by inserting in lieu thereof the word "five".

2. By striking the words "one hundred" in line 5 of section 1 and by inserting in lieu thereof the word "fifty".

C. JOSEPH COLEMAN.

Amend the Walker amendment to House File 232 filed March 11, 1963, by striking all of line 1 and inserting in lieu thereof the following:

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"Amend House File 232 by striking all after the enacting clause and after renumbering the sections insert in lieu thereof the following:".

JOHN A. WALKER.

On motion of Senator Rigler, the Senate adjourned until 10:30 a.m., Monday, March 25, 1963.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 25, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Richard Steege, pastor of the Lutheran Church, Farmersburg, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Walker for the day on request of Senator Flatt.

PETITIONS

The following petitions were received and placed on file by:

Senator Lisle, from eleven residents of Page County in opposition to taxation of fraternal benefit associations.

Senator Getting, from five hundred fourteen residents of Clay County in opposition to restrictions on Sunday sales.

In favor of increased direct state aid for public schools and strengthening of local control by:

Senator Brown, from thirteen residents of Emmet County.

Senator Hansen, from forty residents of Carroll County.

In favor of proposed legislation relating to the commission for the blind by:

Senator Brown, from thirty residents of Polk County.

Senator Rigler, from thirty residents of Polk County.

By Senator Van Eaton, from the Sioux City Retail Grocers and Meat Dealers Association favoring legislation authorizing cities to issue revenue bonds for industrial development; also opposing a three percent sales tax.

Senator Lodwick, from twenty residents of Lee County favoring liquor by the drink under license control.

In opposition to liquor by the drink:

Senator Buck, from thirty-three residents of Marshall County.

Senator Fisher, from twelve residents of Clarke County.

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Senator Lisle, from forty-eight residents of Page County.

Senator Vance, from ninety-six residents of Henry County.

Senator Van Eaton, from twenty-six residents of Woodbury County.

Senator Vincent, from fifteen residents of Wayne County.

PRESENTATION OF VISITORS

Senator Wearin asked and received unanimous consent to present to the Senate sixty students from the Stanton and Villisca High Schools who were present in the balcony.

Senator Brown asked and received unanimous consent to present to the Senate twenty-five students, members of the junior and senior classes of the Ayrshire High School, who were present in the balcony accompanied by their instructors, Harvey T. King and Donald W. Pettengill.

Senator Curran asked and received unanimous consent to present to the Senate forty students from the Dows Community School who were present in the balcony accompanied by their superintendent, W. R. Burns, and their instructor, F. R. Richards.

Senator Fisher asked and received unanimous consent to present to the Senate forty-three students from the Clarke Community School, Osceola, and the Murray High School, Murray, who were present in the balcony.

Senator Flatt asked and received unanimous consent to present to the Senate twenty-seven students, members of the sixth grade class of the Greenfield Elementary School, who were present in the balcony.

INTRODUCTION OF BILLS

Senate File 406, by committee on judiciary 2, a bill for an act to legalize and validate the proceedings of the board of supervisors of Chickasaw County providing for the vacation of certain secondary highways within said county.

Read first and second times and placed on the calendar.

Senate File 407, by committee on transportation and highway safety, a bill for an act relating to special plates for motor vehicles to manufacturers, transporters and dealers.

Read first and second times and placed on the calendar.

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BILLS ASSIGNED TO COMMITTEE

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

H. F. 315 Board of control

H. F. 443 Judiciary 2

SENATE CONCURRENT RESOLUTION 13 ADOPTED

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

SENATE CONCURRENT RESOLUTION 13

Whereas, both houses of the legislature see fit to open their day's work with prayer, and it is unseemly that they should work during the time in which is commemorated the passion and death of the Lord to whom they dedicate their daily efforts;

Whereas, many members will absent themselves from the legislative halls during that time to attend services in their respective churches;

Therefore, Be It Resolved by the Senate, the House Concurring: That a special recess be held on Good Friday afternoon, April 12, 1963, 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.

MESSAGES FROM 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 23, a bill for an act relating to veterinary medicine and surgery.

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 to amend certain sections of the subdistricts of soil conservation districts law.

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

Senate File 145, a bill for an act to authorize cities and towns to incur indebtedness for the purchase of sites for certain public utilities and other improvements.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 148, a bill for an act to waive immunity of the State of Iowa from any action at law or in equity brought to enforce, or to determine a controversy rising out of any contact in which the Iowa State Highway Commission is a party.

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

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Senate File 150, a bill for an act relating to the elimination of the necessity of fire extinguishers for certain boats.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 156, a bill for an act to permit the erection, furnishing, reconstructing, repairing, improving or remodeling of junior college buildings and provide for equipment and to permit indebtedness and issuance of bonds therefor.

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

Senate File 178, a bill for an act relating to liens for inheritance taxes and prescribing the duration thereof.

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

House File 95, a bill for an act relating to the use and operation of school buses on the public highways.

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

House File 114, a bill for an act relating to the marking of ballots.

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

House File 148, a bill for an act to permit cities to enter into long-term leases for libraries, library sites, books, and equipment and to authorize contributions to the support thereof by other public bodies.

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 deposit of litter in or upon lands and waters under the jurisdiction of the state conservation commission.

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

House File 199, a bill for an act relating to delinquent uncollectible personal property taxes.

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

House File 205, a bill for an act to fix speed limits for motor vehicles on bridges or elevated structures where not sign-posted.

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

House File 215, a bill for an act relating to the imposition of special parking restrictions in cities and towns in aid of snow removal operations and to provide the manner for posting notice thereof.

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

House File 229, a bill for an act relating to compensation of county supervisors.

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

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House File 248, a bill for an act to permit specially qualified high school students to attend a college or university for advanced courses.

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

House File 250, a bill for an act relating to the denominations of public bonds issued by counties, cities, towns, and school districts.

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 to authorize the sale and conveyance of certain land in Scott County.

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 agricultural seeds.

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

House File 319, a bill for an act regulating the sale of mortgage guaranty insurance by licensed insurance companies.

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

House File 354, a bill for an act relating to corporations for profit.

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

House File 358, a bill for an act relating to the manner of estimating state aid for school budgeting purposes.

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

House File 401, a bill for an act relating to penalties for failure to file a sales or use tax return or failure to pay sales or use tax within the time required.

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

House File 425, a bill for an act to authorize the university hospital at Iowa City to collect and settle claims for the care of patients.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 23

Amend Senate File 23, section 1, line 8, by striking the words "associated with" and inserting in lieu thereof the words "employed by".

HOUSE AMENDMENT TO SENATE FILE 148

Amend Senate File 148, section 4, by striking all after the word "accepted" in line 5 and inserting in lieu thereof the following: "and for which final payment was made previous to the enactment of this Act."

HOUSE AMENDMENT TO SENATE FILE 156

Amend Senate File 156 by inserting the words "community or" before the word "junior" in line 6, section 1.

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Amend the title to Senate File 156 by inserting in line two (2) preceding the word "junior" the words "community or".

HOUSE MESSAGES CONSIDERED

House File 95, a bill for an act to amend chapter three hundred twenty-one (321), Code 1962, relating to the use and operation of school buses on the public highways.

Read first and second times and passed on file.

House File 114, a bill for an act relating to the marking of ballots.

Read first and second times and passed on file.

House File 148, a bill for an act to permit cities to enter into long-term leases for libraries, library sites, books, and equipment and to authorize contributions to the support thereof by other public bodies.

Read first and second times and passed on file.

House File 169, a bill for an act relating to the deposit of litter in or upon lands and waters under the jurisdiction of the state conservation commission.

Read first and second times and passed on file.

House File 199, a bill for an act relating to delinquent uncollectible personal property taxes.

Read first and second times and passed on file.

House File 205, a bill for an act to fix speed limits for motor vehicles on bridges or elevated structures where not sign-posted as provided by law, and to repeal section three hundred twenty-one point two hundred ninety-five (321.295), Code 1962, and to enact a substitute therefor.

Read first and second times and passed on file.

House File 215, a bill for an act relating to the imposition of special parking restrictions in cities and towns in aid of snow removal operations and to provide the manner for posting notice thereof.

Read first and second times and passed on file.

House File 229, a bill for an act to amend section three hundred thirty-one point twenty-two (331.22), Code 1962, relating to compensation of county supervisors.

Read first and second times and passed on file.

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House File 248, a bill for an act to permit specially qualified high school students to attend a college or university for advanced courses.

Read first and second times and passed on file.

House File 250, a bill for an act to amend chapter seventy-five (75), sections three hundred forty-six point one (346.1) and four hundred eight point two (408.2), Code 1962, relating to the denominations of public bonds issued by counties, cities, towns and school districts.

Read first and second times and passed on file.

House File 309, a bill for an act to authorize the sale and conveyance to Iowa-Illinois Gas and Electric Company of certain land in Scott County, Iowa, lying below the ordinary high-water mark of the Mississippi River.

Read first and second times and passed on file.

House File 317, a bill for an act to amend chapter one hundred ninety-nine (199), Code 1962, relating to agricultural seeds.

Read first and second times and passed on file.

House File 319, a bill for an act regulating the sale of mortgage guaranty insurance by licensed insurance companies.

Read first and second times and passed on file.

House File 354, a bill for an act to amend chapter four hundred ninety-six A (496A), Code 1962, relating to corporations for profit.

Read first and second times and passed on file.

House File 358, a bill for an act relating to the manner of estimating state aid for school budgeting purposes.

Read first and second times and passed on file.

House File 401, a bill for an act relating to penalties for failure to file a sales or use tax return or failure to pay sales or use tax within the time required.

Read first and second times and passed on file.

House File 425, a bill for an act to authorize the university hospital at Iowa City to collect and settle claims for the care of patients.

Read first and second times and passed on file.

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REPORT OF COMMITTEE

Senator Schroeder submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred House File 443, a bill for an act to legalize and validate the proceedings of the City Council of the City of Davenport, in Scott County, Iowa, authorizing and providing for the issuance, sale and delivery of motor vehicle parking facilities revenue bonds of said city to defray the cost of acquiring additional off-street motor vehicle parking facilities in and for said city and the provisions made for the payment of said bonds and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said city, begs leave to report it has had the same under consideration and recommends the same do pass.

JACK SCHROEDER, *Chairman.*

Ordered passed on file.

UNFINISHED BUSINESS

On motion of Senator Griffin, House File 258, a bill for an act relating to the licensing of itinerant practitioners, was taken up for further consideration.

Senator Griffin offered the following amendment and moved its adoption:

Amend House File 258 by inserting in section 1 after the word "repealed" in line 6 of such section the words "and the following enacted in lieu thereof:

'Any person holding an itinerant practitioner's license on the effective date of this Act is hereby granted continuation of the rights and privileges granted under such license for as long as his regular license is maintained.'"

The amendment was adopted.

Senator Griffin moved that the bill be read a third 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:

Benda	Elijah	Lisle	Shaff
Beneke	Elthon	Lodwick	Shivvers
Brown	Elvers	Long	Shoeman
Buck	Fisher	Lucken	Stephens
Burrows	Flatt	Main	Turner
Campbell	Fulton	Mincks	Vance
Coleman	Getting	Nolan	Van Eaton
Cowden	Griffin	O'Malley	Vincent
Curran	Grimstead	Phelps	Walter
Dodds	Hansen	Rigler	Wearin
Doran	Hill	Schroeder	Wiley
Dykhouse	Kyhl	Scott	Wilson

Nays, none.

Absent or not voting, 2:

Frommelt	Walker

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

THIRD READING OF BILLS

Senator Schroeder asked and received unanimous consent to take up the following bill.

On motion of Senator Schroeder, House File 443, a bill for an act to legalize and validate the proceedings of the City Council of the City of Davenport, in Scott County, Iowa, authorizing and providing for the issuance, sale and delivery of motor vehicle parking facilities revenue bonds of said city to defray the cost of acquiring additional off-street motor vehicle parking facilities in and for said city and the provisions made for the payment of said bonds and declaring the 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 Schroeder moved that the bill be read a third 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:

Benda	Elijah	Kyhl	Scott
Beneke	Elthon	Lisle	Shaff
Brown	Elvers	Lodwick	Shivvers
Buck	Fisher	Long	Shoeman
Burrows	Flatt	Lucken	Stephens
Campbell	Frommelt	Main	Turner
Coleman	Fulton	Mincks	Vance
Cowden	Getting	Nolan	Van Eaton
Curran	Griffin	O'Malley	Vincent
Dodds	Grimstead	Phelps	Walter
Doran	Hansen	Rigler	Wearin
Dykhouse	Hill	Schroeder	Wiley

Nays, none.

Absent or not voting, 1:

Walker

Voting present, 1:

Wilson

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 Schroeder, Senate File 183, a bill for an act to amend section eighty-six point two (86.2), Code 1962, increasing the number of deputies from three (3) to four (4) that the industrial commissioner may hire, was taken up for further consideration.

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Senator Schroeder moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shaff
Beneke	Elvers	Lodwick	Shivvers
Brown	Fisher	Long	Shoeman
Buck	Flatt	Lucken	Stephens
Burrows	Frommelt	Main	Turner
Campbell	Fulton	Mincks	Vance
Coleman	Getting	Nolan	Van Eaton
Cowden	Griffin	O'Malley	Vincent
Curran	Grimstead	Phelps	Walter
Dodds	Hansen	Rigler	Wearin
Doran	Hill	Schroeder	Wiley
Dykhouse	Kyhl	Scott	Wilson
Elijah			

Nays, none.

Absent or not voting, 1:

Walker

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

HOUSE AMENDMENT CONSIDERED

Senator Elijah called up for consideration Senate File 23, a bill for an act to amend chapter one hundred sixty-nine (169), Code 1962, relating to veterinary medicine and surgery, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 23, section 1, line 8, by striking the words "associated with" and inserting in lieu thereof the words "employed by".

The Senate concurred in the House amendment.

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

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

Ayes, 49:

Benda	Doran	Griffin	Mincks
Beneke	Dykhouse	Grimstead	Nolan
Brown	Elijah	Hansen	O'Malley
Buck	Elthon	Hill	Phelps
Burrows	Elvers	Kyhl	Rigler
Campbell	Fisher	Lisle	Schroeder
Coleman	Flatt	Lodwick	Scott
Cowden	Frommelt	Long	Shaff
Curran	Fulton	Lucken	Shivvers
Dodds	Getting	Main	Shoeman

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Stephens	Van Eaton	Walter	Wiley
Turner	Vincent	Wearin	Wilson
Vance			

Nays, none.

Absent or not voting, 1:

Walker

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

Senator Wearin took the chair at 11:30 a.m.

THIRD READING OF BILLS

On motion of Senator Nolan, Senate File 226, a bill for an act to enable and empower the State of Iowa to convey certain easements and rights in, to and over certain easements for highway purposes, owned by the State of Iowa in Marion, Polk, and Warren Counties, Iowa, in furtherance of the Red Rock reservoir project, 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 226 as follows:

1. Amend the title by striking all after the word "the" in line one (1) and inserting in lieu thereof the following: "board or commission which has control and jurisdiction over any highway or highway system to convey certain easements and rights in, to and over certain easements for highway purposes."

2. Further amend Senate File 226 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. The board or commission which has control and jurisdiction over any highway or highway system which may be affected by a federal water resources project may grant, sell, exchange, or convey to the United States of America, the perpetual right, power, privilege and easement to overflow, flood, and submerge all of the portion of easements for highway purposes under the control and jurisdiction of such board or commission.

Sec. 2. Where such easement is conveyed in connection with any primary road or state park or institutional road, written conveyances containing the conditions as prescribed by the executive council shall be made in the name of the state and signed by the governor and secretary of state, and the seal of the State of Iowa attached thereto. Where such easement is conveyed in connection with any secondary road, written conveyances containing the provisions prescribed by the board of supervisors shall be made in the name of the county and signed by the chairman of the board and 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.

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

Ayes, 49:

Benda	Elthon	Lisle	Shaff
Beneke	Elvers	Lodwick	Shivvers
Brown	Fisher	Long	Shoeman
Buck	Flatt	Lucken	Stephens
Burrows	Frommelt	Main	Turner
Campbell	Fulton	Mincks	Vance
Coleman	Getting	Nolan	Van Eaton
Cowden	Griffin	O'Malley	Vincent
Curran	Grimstead	Phelps	Walter
Dodds	Hansen	Rigler	Wearin
Doran	Hill	Schroeder	Wiley
Dykhouse	Kyhl	Scott	Wilson
Elijah			

Nays, none.

Absent or not voting, 1:

Walker

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 Shoeman, Senate File 385, a bill for an act to regulate the distribution of commercial feeds and customer-formula feeds in the State of Iowa, was taken up and considered.

Senator Hill offered the following amendment and moved its adoption:

Amend Senate File 385, section 7, subsection 1, by inserting before the word "commercial" in line 10, the word "registered".

The amendment was adopted.

Senator Shoeman moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shaff
Brown	Elvers	Lodwick	Shivvers
Buck	Fisher	Long	Shoeman
Burrows	Flatt	Lucken	Stephens
Campbell	Frommelt	Main	Turner
Coleman	Fulton	Mincks	Vance
Cowden	Getting	Nolan	Van Eaton
Curran	Griffin	O'Malley	Vincent
Dodds	Grimstead	Phelps	Walter
Doran	Hansen	Rigler	Wearin
Dykhouse	Hill	Schroeder	Wiley
Elijah	Kyhl	Scott	Wilson

Nays, none.

Absent or not voting, 1:

Walker

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Voting present, 1:
Beneke

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

On motion of Senator O'Malley, Senate File 123, a bill for an act to amend section two hundred ninety-four point twelve (294.12), Code 1962, to permit the board of directors in school districts which have, pursuant to section two hundred ninety-four point eleven (294.11), Code 1962, terminated a previously existing pension and annuity retirement system to increase by fifty percent (50%) the retirement benefits to each surviving beneficiary entitled to receive benefits at date of termination of said system and to provide for the levy of an annual tax to supplement the retirement reserve fund to the extent necessary to pay the increase in retirement benefits, 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 123, section 1, line 18 by placing a period after the word "required" and inserting the following:
"In order to provide the additional amounts required".

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:

Benda	Elthon	Lisle	Shaff
Beneke	Elvers	Lodwick	Shivvers
Brown	Fisher	Long	Shoeman
Buck	Flatt	Lucken	Stephens
Burrows	Frommelt	Main	Turner
Campbell	Fulton	Mincks	Vance
Coleman	Getting	Nolan	Van Eaton
Cowden	Griffin	O'Malley	Vincent
Curran	Grimstead	Phelps	Walter
Dodds	Hansen	Rigler	Wearin
Doran	Hill	Schroeder	Wiley
Dykhouse	Kyhl	Scott	Wilson
Elijah			

Nays, none.

Absent or not voting, 1:
Walker

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

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

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AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

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

SENATE CONCURRENT RESOLUTION 17
By Vance

Whereas, a motion to reconsider has been filed in the House of Representatives on Senate File 1, a bill for an Act relating to controlled access highways, which has passed both houses of the General Assembly and has been delivered to the Governor.

Now, Therefore, Be It Resolved by the Senate, the House Concurring: That the Governor be respectfully requested to return Senate File 1 for further consideration.

On motion of Senator Vance, the resolution was adopted.

Senator Vance asked and received unanimous consent that Senate Concurrent Resolution 17 be immediately messaged to the House, which request was complied with.

THIRD READING OF BILLS

On motion of Senator Wiley, Senate File 228, a bill for an act establishing a street research fund and regulating the use of such fund, 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 228 as follows:

1. Amend Senate File 228 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Chapter three hundred twelve (312), Code 1962, is hereby amended by adding thereto the following new section:

"There is hereby established a street and farm-to-market road research fund which fund shall be used by the state highway commission solely for the purpose of financing engineering studies and research projects which shall have as their objective the more efficient use of funds and materials that are available for the construction and maintenance of streets in cities and towns including bridges and culverts located thereon and farm-to-market roads including bridges and culverts located thereon. The research projects and engineering studies authorized by this Act shall be conducted in cooperation with the city and county engineers. Once each year the highway commission shall file a report with the governor, city and county engineers showing the work accomplished and projects undertaken under this Act.

On or before January 1 of each odd numbered year a report shall be filed with the chief clerk of the house of representatives and the secretary of the senate showing the work accomplished and projects undertaken during the past biennium."

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Sec. 2. Section three hundred twelve point two (312.2), Code 1962, is hereby amended by adding thereto the following new subsection:

"The treasurer of state shall before making the allotment to the street construction fund of cities and towns and farm-to-market road fund credit annually one-half (½) of one (1) percent of such street construction fund to the street research fund and one (1) and one-half (½) percent of such farm-to-market road fund to the secondary road research fund."

Sec. 3. Sections three hundred ten point thirty-four (310.34), three hundred ten point thirty-five (310.35) and three hundred ten point thirty-six (310.36), Code 1962, are hereby repealed.

The amendment was adopted.

Senator Nolan offered the following amendment and moved its adoption:

Amend the title to Senate File 228, line 1, by inserting after the word "street" the following: "and farm-to-market".

The amendment was adopted.

Senator Wiley moved that the bill be read a third 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:

Benda	Dykhouse	Lisle	Shivvers
Beneke	Elijah	Lodwick	Shoeman
Brown	Elthon	Long	Stephens
Buck	Elvers	Lucken	Turner
Burrows	Fisher	Mincks	Vance
Campbell	Flatt	Nolan	Van Eaton
Coleman	Fulton	Phelps	Vincent
Cowden	Getting	Rigler	Walter
Curran	Grimstead	Schroeder	Wearin
Dodds	Hansen	Scott	Wiley
Doran	Kyhl	Shaff	Wilson

Nays, none.

Absent or not voting, 6:

Frommelt	Hill	O'Malley	Walker
Griffin	Main		

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 Turner, Senate File 254, a bill for an act to amend chapter four hundred eighty-nine (489), Code 1962, relating to electric transmission lines to clarify the authority of the commerce commission to determine whether such lines serve the public use before authorization of franchise or eminent domain, 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:

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Amend Senate File 254 by adding the following as section 3:

The provisions of this Act shall not affect the rights of any persons in any pending actions in any courts of this state.

The amendment was adopted.

Senator Coleman asked and received unanimous consent that action on Senate File 254 be deferred and that the bill be placed on the calendar under "unfinished business."

Senator Rigler asked and received unanimous consent that the following statement by President Mooty be printed in the Senate Journal:

STATEMENT

The Chair would like to state that a motion to lay on the table or for the previous question cannot be made by a member who has been recognized for the purpose of asking a question.

The Chair further states that a motion to lay on the table or a motion for the previous question is in order at any time, but that senatorial tradition prevents its use by a member immediately after he has spoken on the question.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate Concurrent Resolution 17, a concurrent resolution respectfully requesting the Governor to return Senate File 1 for further consideration.

Also: 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 unlawful hunting on land of another.

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

Senate File 241, a bill for an act relating to salaries of the deputy superintendent of banking and bank examiners.

Also: That the House has concurred in Senate amendments to and passed House File 48, a bill for an act relating to the licensing and the annual inspection of county homes.

Also: That the House has concurred in Senate amendments to and passed House File 54, a bill for an act relating to workmen's compensation so as to liberalize certain benefits, to provide for certain credits, and the administration thereof.

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

House File 193, a bill for an act relating to speed limits on hard surfaced secondary roads.

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

House File 203, a bill for an act relating to the marketing of dairy products.

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

House File 217, a bill for an act relating to forfeiture of class "B" club beer permit bonds and class "C" beer permit bonds.

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

House File 236, a bill for an act relating to resolutions of necessity and award of contracts for public improvements in cities and towns.

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

House File 558, a bill for an act to legalize and validate the proceedings of the city council of Denison in Crawford County, Iowa.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 193, a bill for an act relating to speed limits on hard surfaced secondary roads.

Read first and second times and passed on file.

House File 203, a bill for an act relating to the marketing of dairy products.

Read first and second times and passed on file.

House File 217, a bill for an act relating to forfeiture of class "B" club beer permit bonds and class "C" beer permit bonds under chapter one hundred twenty-four (124) of the Code.

Read first and second times and passed on file.

House File 236, a bill for an act to amend chapters three hundred ninety-one (391), three hundred ninety-one A (391A) and four hundred seventeen (417), Code 1962, relating to resolutions of necessity and award of contracts for public improvements in cities and towns.

Read first and second times and passed on file.

House File 558, a bill for an act to legalize and validate the proceedings of the city council of Denison in Crawford County, Iowa, authorizing and providing for the issuance of street improvement bonds for paving, sanitary sewer and water mains and extensions, and for the levy of special assessments against benefited property for the payment of said bonds, and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of the City of Denison, Iowa.

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Read first and second times and passed on file.

APPOINTMENT OF COMMITTEE

President Mooty announced the appointment of the following committee:

CAPITOL PLANNING COMMISSION

Senate Members
John L. Campbell, Oskaloosa, for the unexpired term of the late John Gray ..... 2-year term
J. T. Dykhouse, Rock Rapids ..... 4-year term

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House File 26.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 26.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 22, 1963, the Governor had approved the following bills:

Senate File 54, relating to death certificates.
Senate File 73, relating to the assessment of shares of mutual funds.
Senate File 149, relating to legal title to certain land in Cerro Gordo County, State of Iowa.
Senate File 153, relating to the use of the term "drug".

A communication was also received announcing that on March 25, 1963, the Governor had approved the following bills:

Senate File 58, relating to paroles by courts.
Senate File 62, relating to tax funds for use in watershed projects.

REPORT OF COMMITTEE

Senator Lucken submitted the following report:

MR. PRESIDENT: Your committee on board of control to which was referred **Senate File 212**, a bill for an act to grant relief to long-term mentally ill persons or persons liable for their support by providing funds to grant

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cash credit for prompt payment for such claims; to grant property tax relief to counties by accelerating collection of billings for cost of care, etc., begs leave to report it has had the same under consideration and recommends the same do pass.

J. HENRY LUCKEN, *Chairman.*

Ordered passed on file.

BILL ASSIGNED TO COMMITTEE

President Mooty announced the assignment of the following bill to committee:

S. F. 212 Appropriations (under Senate Rule 21)

AMENDMENTS FILED

Amend Senate File 112 by striking from line 1 the word "appropriated" and inserting in lieu thereof the words "transferred from the liquor control Act fund".

EARL ELIJAH.

Amend Senate File 388 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section three hundred twenty-one point thirty-four (321.34), Code 1962, is hereby repealed and the following enacted in lieu thereof:

"Plate or emblem furnished. The county treasurer upon receiving application, accompanied by proper fee, for registration of a vehicle shall issue to the owner one registration plate for a motorcycle, truck tractor, trailer, or semitrailer and for every other motor vehicle except as hereinafter provided for renewal of registration.

The county treasurer shall also issue to applicants for registration of a truck or a truck tractor, not including in the lowest registration class, a decalcomania emblem for each plate and which emblem designates the gross weight for which the vehicle is registered by figures which show the gross weight in tons. Number plates and weight limitation emblems which are issued with registrations or registration increases are hereby declared to be integral parts of the registration of the vehicle for which issued.

In lieu of issuing a new registration plate each year for a vehicle renewing registration, the department shall reassign the registration plate previously issued to such vehicle and shall adopt and prescribe a distinctive type of emblem indicating payment of registration fee, which emblem shall be displayed in the upper right-hand corner of the plate.

Such emblem shall be of the adhesive nonmetallic type, three inches long and one inch wide and shall have printed thereon an outline map of the State of Iowa with the year number for which issued or the date of expiration thereof. Printed thereon shall also appear the serial registration number appearing on the registration card.

The owner of an automobile who holds an amateur radio license issued by the federal communications commission may, upon written application to the county treasurer accompanied by a fee of

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two dollars, order a special registration plate bearing the call letters authorized the radio station covered by his amateur radio license. When received by the county treasurer, such special registration plate shall be issued to the applicant in exchange for the registration plate previously issued to him. Not more than one special registration plate may be issued to an applicant. Said fee shall be in addition to and not in lieu of the fee for a regular registration plate.

Special registration plate must be surrendered upon expiration of the owner's amateur radio license or upon transfer of title to the automobile for which such plate has been issued; and the owner shall thereupon be entitled to his regular registration plate.

The county treasurer shall furnish the department of public safety an alphabetically arranged list of those to whom special plates have been issued."

Sec. 2. Section three hundred twenty-one point thirty-five (321.35), Code 1962, is amended by striking from the first paragraph all after the word "state" in line four (4).

Sec. 3. Section three hundred twenty-one point thirty-six (321.36), Code 1962, is amended by striking from lines three (3) and four (4) the words ", except the year number for which issued,".

Sec. 4. Section three hundred twenty-one point thirty-seven (321.37), Code 1962, is hereby repealed and the following enacted in lieu thereof:

"Display of plate. The registration plate issued for a motor vehicle other than a truck tractor shall be attached thereto in the rear. The registration plate issued for a truck tractor shall be attached to the front thereof.

Sec. 5. Section three hundred twenty-one point forty-one (321.41), Code 1962, is amended by adding thereto the following:

"If the removal is to a different county the registrant shall surrender the registration card and plate to the treasurer of the county of his new residence who shall destroy same and issue a new registration and plate for the vehicle. The registrant shall pay a fee of two dollars therefor."

Sec. 6. Section three hundred twenty-one point forty-six (321.46), Code 1962, is amended by adding at the end thereof the following:

"If the former registration was in another county, the treasurer shall demand the surrender of the registration plate and upon payment of an additional fee of two dollars, issue a new plate along with the new registration card."

Sec. 7. Section three hundred twenty-one point fifty-two (321.52), Code 1962, is amended as follows:

1. Strike from line five (5) of subsection one (1) the word "plates" and insert in lieu thereof the word "plate".

2. Strike from line twenty (20) of subsection one (1) the word "license" and insert in lieu thereof the word "registration".

3. Strike from lines four (4) and eight (8) of subsection two (2) the word "plates" and insert in lieu thereof the word "plate" in each instance.

4. Strike from line seventeen (17) of subsection two (2) the word "license" and insert in lieu thereof the word "regis-

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tration".

Sec. 8. Section three hundred twenty-one point sixty (321.60), Code 1962, is amended by striking from line five (5) the words "or pair of plates".

Further amend said section by striking from line ten (10) the words "pair of special plates" and insert in lieu thereof the words "special plate".

Sec. 9. Section three hundred twenty-one point one hundred sixty-six (321.166), Code 1962, is amended by striking all of lines one (1) through sixteen (16), inclusive, and inserting in lieu thereof the following:

"Such number plates shall be of steel, plastic or aluminum of such quality that they will last for a number of years and of a size not to exceed six inches in width by fifteen inches in length on which there shall be the word 'Iowa', and an embossed or debossed area one inch by three inches where a validating emblem may be placed. There shall be a marked contrast between the colors of the plates and the numerals or letters thereon. Said colors shall be designated by the department."

Said section is further amended by striking from line seventeen (17) the words "Number plates" and inserting in lieu thereof the words "Validating emblems".

Sec. 10. Section three hundred twenty-one point one hundred sixty-seven (321.167), Code 1962, is amended by inserting in line three (3) after the word "year" the words "in which new plates are to be issued".

Further amend said section by striking from line five (5) the word "duplicate".

Further amend said section by striking all of lines eleven (11) through thirteen (13), inclusive, and inserting in lieu thereof the following:

"In years when no new registration plates are to be issued the department shall cause appropriate adhesive validating emblems to be delivered to the county treasurers as provided in section one (1) of this Act.

Sec. 11. Section four hundred twenty-two point sixty-two (422.62), Code 1962, is amended by striking from said section all beginning with the words "Annually on" in line six (6) and ending with the word "fund" in line twenty (20).

Further amend said section by striking all beginning with the words ", less the amount" in line twenty-five (25) and ending with the word "section," in line twenty-eight (28).

Sec. 12. Schedule of effectiveness:

The provisions of this Act relative to number plates shall be effective as follows:

1. In the year 1965 the validating emblems shall be issued for application on the 1964 plates for both front and rear of the vehicle. The size shall be determined by the department.

2. In the year 1966 a new plate shall be issued made of the more durable material with reflector surface, one for each vehicle, with a validating emblem attached for that year.

3. Thereafter a validating emblem shall be issued each year to be attached to the 1966 plate.

4. The remaining provisions of this Act shall be effective

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December 1, 1964, provided no new plates shall be manufactured or issued for the year 1965.

Further amend Senate File 388 by striking from the title all after the word "Act" and inserting in lieu thereof the following: "relating to validating stickers to be issued to motorists in lieu of new registration plates each year and to limit the number of plates to one per vehicle."

By COMMITTEE ON GOVERNMENTAL AFFAIRS,
JACOB GRIMSTEAD, *Chairman.*

Amend Senate File 402 as follows:

1. Insert after the word "years" in section 26, line 6 the following: "if such judges have had six (6) years of service on said courts otherwise they remain in office until they have completed six (6) years of service subject, however, to the provisions of this Act".

2. Strike all of lines 1, 2 and 3 of section 27 and insert in lieu thereof the following: "Residence and office of supreme court judges. All judges of the supreme court shall, after January 1, 1968, be required to maintain their residence and office in Polk County, Iowa, provided further, however, all such judges appointed after the effective date of this Act shall be required to maintain their residence and office in Polk County, Iowa, upon their appointment. The executive council shall provide suitable offices for such judges."

D. C. NOLAN.
DAVID O. SHAFF.

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

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 26, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Norman Ullestad, pastor of the St. James Lutheran Church, Bettendorf, Iowa.

PETITIONS

The following petitions were received and placed on file by:

Senator Mincks, from sixteen residents of Wapello County favoring proposed legislation relating to the commission for the blind.

Senator Van Eaton, from eighty-five residents of Woodbury County favoring proposed legislation to abolish the death penalty.

In opposition to liquor by the drink:

Senator Flatt, from nine residents of Adair County.

Senator Mincks, from fifteen residents of Wapello County.

PRESENTATION OF VISITORS

Senator O'Malley asked and received unanimous consent to present to the Senate eighty-six students from Holy Trinity School, Des Moines, who were present in the balcony accompanied by their instructors, Sister Mary Rosalia and Sister Mary Magdalena.

Senator O'Malley asked and received unanimous consent to present to the Senate sixty students from Saint Theresa School, Des Moines, who were present in the balcony accompanied by their instructors, Sister Rosemary and Sister Miriam John.

Senator Beneke asked and received unanimous consent to present to the Senate sixty-nine students, members of the junior and senior classes of the Pocahontas Community School, who were present in the balcony accompanied by their instructors, Donald Conley and Richard Riggan, and their superintendent, Jack Hoenshel.

Senator Curran asked and received unanimous consent to present to the Senate forty-eight students from the Garner-Hayfield Community School, Garner, who were present in the balcony accompanied by their instructor, Gladys Specht, and their superintendent, E. J. Blumeyer.

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Senator Vincent asked and received unanimous consent to present to the Senate eighteen students from the Cambria-Corydon High School, Corydon, who were present in the balcony.

Senator Cowden asked and received unanimous consent to present to the Senate fifteen students, members of the seventh and eighth grade classes of the Bouton District School, Dallas County, who were present in the balcony accompanied by their instructor, Regina Eshouse.

Senator Burrows asked and received unanimous consent to present to the Senate forty-three students, members of the junior and senior classes of the Van Horne High School, who were present in the balcony accompanied by their instructors, Kermit Urbain and Dale Fry.

Senator Long asked and received unanimous consent to present to the Senate one hundred twenty students from the East Buchanan Community School, Winthrop, who were present in the balcony accompanied by their superintendent, Russell E. Stern.

Senator Lucken rose on a point of personal privilege and presented to the Senate the Honorable Laurence M. Boothby, a former member of the Senate from Cherokee County who was present in the Senate chamber.

COMMUNICATION

Senator Wearin rose on a point of personal privilege and asked and received unanimous consent that the following communication be printed in the Senate Journal:

Dear Senator Wearin:

In behalf of our whole family, I wish to express appreciation of the fine resolution which you and your committee prepared in memory of my late husband Francis A. Turner. I can assure you that all of us will treasure our individual copies through all the years remaining to us.

Sincerely yours,

/s/ LaNor H. Turner.

INTRODUCTION OF BILLS

Senate File 408, by committee on board of control, a bill for an act relating to the funds and support of mentally ill patients in the state mental health institutes.

Read first and second times and placed on the calendar.

Senate File 409, by committee on military affairs, a bill for an act to consolidate the functions of the boards paying bonuses for federal military service.

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Read first and second times and placed on the calendar.

Senate File 410, by committee on schools and educational institutions, a bill for an act to provide a tax levy for the purpose of securing schoolhouse sites in any school district.

Read first and second times and placed on the calendar.

MESSAGES FROM THE HOUSE

MR. PRESIDENT: Pursuant to the filing of a motion to reconsider, I am directed by the House to request the return of Senate File 1, a bill for an act relating to controlled access highways.

Also: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:
House File 187, a bill for an act relating to road use tax reporting requirements in cities and towns.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:
House File 243, a bill for an act relating to income tax deductions for aged persons and blind persons.

WILLIAM R. KENDRICK, *Chief Clerk.*

SENATE FILE 1 RETURNED TO THE HOUSE

In accordance with the request of the House, Senator Rigler asked and received unanimous consent that the Secretary be directed to return to the House Senate File 1 for further consideration.

HOUSE MESSAGES CONSIDERED

House File 187, a bill for an act relating to road use tax reporting requirements in cities and towns.

Read first and second times and passed on file.

House File 243, a bill for an act relating to income tax deductions for aged persons and blind persons.

Read first and second times and passed on file.

HOUSE AMENDMENTS CONSIDERED

Senator O'Malley called up for consideration Senate File 148, a bill for an act to waive immunity of the State of Iowa from any action at law or in equity brought to enforce, or to determine a controversy rising out of any contract in which the Iowa State Highway Commission is a party and to prescribe the venue, the manner of service of notice thereof and the time limitation for instituting action, amended by the House, and moved that the Senate concur in the following amendment:

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HOUSE AMENDMENT TO SENATE FILE 148

Amend Senate File 148, section 4, by striking all after the word "accepted" in line 5 and inserting in lieu thereof the following: "and for which final payment was made previous to the enactment of this Act."

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 third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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 Lisle called up for consideration Senate File 156, a bill for an act to permit the erection of junior college buildings and provide for equipment and to permit indebtedness and issuance of bonds therefor, amended by the House, and moved that the Senate concur in the following amendment:

HOUSE AMENDMENT TO SENATE FILE 156

Amend Senate File 156 by inserting the words "community or" before the word "junior" in line 6, section 1.

Amend the title to Senate File 156 by inserting in line two (2) preceding the word "junior" the words "community or".

The Senate concurred in the House amendment.

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

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

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Ayes, 50:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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.

UNFINISHED BUSINESS

On motion of Senator Beneke, House File 59, a bill for an act relating to real estate brokers' licenses, with report of committee recommending passage, was taken up for further consideration.

Senator Shaff offered the following amendment and moved its adoption:

Amend House File 59 by striking all after the enacting clause and substituting the following:

"Section 1. Section one hundred seventeen point fifteen (117.15), Code 1962, is amended by adding at the end thereof the following:

Every applicant for a license as a real estate broker shall have been a licensed real estate salesman for a period of at least twelve months preceding the date of application; or he shall have had experience substantially equal to that which a licensed real estate salesman would ordinarily receive during a period of twelve months, whether as a former broker or salesman, a manager of real estate, or otherwise. Notwithstanding the foregoing provisions, if the commission shall find that any applicant could not acquire employment as a licensed real estate salesman because of conditions existing in the area where he resides, then, the foregoing provisions shall be waived by the commission.

The foregoing paragraph shall not apply to persons licensed to practice law in the State of Iowa."

The amendment was adopted.

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

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

Ayes, 26:

Beneke	Buck	Curran	Elthon
Brown	Coleman	Dodds	Elvers

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Flatt	Lisle	O'Malley	Vincent
Frommelt	Lodwick	Rigler	Walker
Griffin	Main	Shaff	Wearin
Hansen	Mincks	Turner	Wiley
Kyhl	Nolan		

Nays, 24:

Benda	Elijah	Long	Shoeman
Burrows	Fisher	Lucken	Stephens
Campbell	Fulton	Phelps	Vance
Cowden	Getting	Schroeder	Van Eaton
Doran	Grimstead	Scott	Walter
Dykhouse	Hill	Shivvers	Wilson

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 Shivvers, House File 4, a bill for an act relating to hunting and fishing upon cultivated or inclosed lands and waters, was taken up for further consideration.

President pro tempore Vance took the chair at 11:25 a.m.

Senator Coleman offered the following amendment:

Amend House File 4 as follows:

1. By striking the word "ten" in line 4 of section 1 and by inserting in lieu thereof the word "five".

2. By striking the words "one hundred" in line 5 of section 1 and by inserting in lieu thereof the word "fifty".

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 10, 23, 105, 145, 150, 178 and 241; also, House Files 48 and 54.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate Files 10, 23, 105, 145, 150, 178 and 241; also, House Files 48 and 54.

BILLS SENT TO THE GOVERNOR

Senator Benda, from the committee on enrolled bills, submitted the following report:

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MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 26th day of March, 1963, sent to the Governor for his approval: Senate Files 10, 23, 105, 145, 150, 178 and 241.

KENNETH BENDA, *Chairman.*

Passed on file.

ASSIGNMENT OF BILLS TO COMMITTEE

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

H. F. 95 Transportation and highway safety
H. F. 114 Governmental affairs
H. F. 148 Cities and towns
H. F. 169 Conservation
H. F. 187 Cities and towns
H. F. 193 Transportation and highway safety
H. F. 199 Tax revision
H. F. 203 Manufacturing, commerce and trade
H. F. 205 Transportation and highway safety
H. F. 215 Cities and towns
H. F. 217 Judiciary 2
H. F. 229 Compensation of public officers and employees
H. F. 243 Tax revision
H. F. 248 Schools and educational institutions
H. F. 250 Governmental affairs
H. F. 309 Judiciary 2
H. F. 319 Insurance
H. F. 358 Schools and educational institutions
H. F. 401 Ways and means
H. F. 425 Board of control.
H. F. 558 Judiciary 2

REPORTS OF COMMITTEES

Senator Wearin submitted the following report:

MR. PRESIDENT: Your committee on schools and educational institutions to which was referred **Senate File 250**, a bill for an act to amend section two hundred eighty-six A point four (286A.4), Code 1962, relating to the allocation of general school aid funds to junior college districts, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EDWARD A. WEARIN, *Chairman.*

Ordered passed on file.

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Senator Van Eaton submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred **Senate File 336**, a bill for an act to amend chapter three hundred ninety-one (391), Code 1962, relating to street improvements and sewers to eliminate the right of the owner of property assessed therefor to prepay such assessment or any installment thereof unless such assessment is paid within thirty days after the date of levy of such assessment, 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 Cowden submitted the following report:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **Senate File 285**, a bill for an act relating to the salary raise for county attorney and assistants in counties having a population of one hundred fifty thousand (150,00) and over, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

Amend Senate File 285 as follows:

1. Amend section 4, line 4, by striking "eighty-five" and inserting in lieu thereof "seventy-five".

HARRY L. COWDEN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **House File 65**, a bill for an act relating to compensation of county supervisors in counties of over one hundred fifty thousand (150,000) population, begs leave to report it has had the same under consideration and recommends the same **do pass.**

HARRY L. COWDEN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **House File 213**, a bill for an act to amend chapter three hundred twenty-eight (328), Code 1962, relating to compensation of the members of the aeronautics commission, begs leave to report it has had the same under consideration and recommends the same **do pass.**

HARRY L. COWDEN, *Chairman.*

Ordered passed on file.

Senator Elijah submitted the following report:

MR. PRESIDENT: Your committee on tax revision to which was referred **Senate File 317**, a bill for an act to amend the filing date of individual and corporate income tax returns to coincide with the federal filing date, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EARL ELIJAH, *Chairman.*

Ordered passed on file.

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lso:

R. PRESIDENT: Your committee on tax revision to which was referred se File 68, a bill for an act to increase the maximum millage levy which be levied for county public hospitals in counties having a population of e than one hundred thirty-five thousand (135,000) inhabitants, begs e to report it has had the same under consideration and recommends same do pass.

EARL ELIJAH, *Chairman.*

rdered passed on file.

AMENDMENTS FILED

Amend Senate File 60 as follows:

1. By adding an additional section thereto as follows:

"This Act, being deemed of immediate importance, shall be in full force and effect from and after its publication in the Sioux City Journal, a newspaper published at Sioux City, Iowa, and in the Creston News Advertiser, a newspaper published at Creston, Iowa."

CHARLES S. VAN EATON.

Amend Senate File 243, line 11 of section 1 by adding at the end thereof, the following:

"The term 'mobile home' should not be construed to include facilities owned and maintained by educational institutions exclusively for the housing of students."

DAVID O. SHAFF.

Amend Senate File 254 as follows:

Amend section 2 by inserting, in line 5 between the words "may" and "find" the words "approve, prescribe and".

RICHARD C. TURNER.

Amend Senate File 402, section 9, by striking line 20 and inserting in lieu thereof the following:

"Iowa, not later than January 31, 19....
(specifying June 30, 1963, the first year, or the appropriate date under section 5 in case of an election to fill a vacancy)."

D. C. NOLAN.

Amend Senate File 404 by adding the following to section 2:

"The provisions of this Act shall apply only to those processors, distributors, or retailers who have actually paid to the producer of raw milk a price greater than the raw milk producer's cost of production; the costs of production for raw milk producers is to be determined in the same manner as the costs of processors, distributors, and retailers."

JOHN A. WALKER.

Amend Senate File 402 as follows:

1. By adding at the end of section 18 the following: "All voting procedures provided by chapter fifty-three (53), Code 1962, for absent voting by armed forces in general elections shall be applicable to judicial elections.".

2. Section 21, line 1, by striking "sixty (60)" and inserting in

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lieu thereof the following: "fifty-five (55)".

3. By adding at the end of section 22 the following: "Separate ballot boxes for the general election ballots and the judicial election ballots shall not be required."

4. By adding at the end of section 23 the following: "The sealed envelope transmitted by the absent voter to the auditor containing the absent voter general election ballot may also contain the judicial election ballot.".

5. By adding the following new paragraph at the end of section 24: "The state board of canvassers shall, at the time of canvassing the vote cast at a general election, open and canvass all of the returns for the judicial election. Each judge of the supreme court or district court who has received more affirmative than negative votes shall receive from the state board of canvassers an appropriate certificate so stating.".

DAVID O. SHAFF.

Amend Senate File 325 by striking section 1 and inserting in lieu thereof the following:

Section 1. Section three hundred twelve point eleven (312.11), Code 1962, is hereby repealed and the following enacted in lieu thereof:

"On and after January 1, 1963, each city or town shall keep accounts showing the amount spent on street construction and reconstruction on arterial streets and the amount spent on street construction and reconstruction on local streets. Such amounts proposed to be spent on arterial streets and such amounts proposed to be spent on local streets shall be shown on the street budget report required by section three hundred twelve point thirteen (312.13), Code 1962, and such amounts spent for such purposes shall be shown on the annual street report required by section three hundred twelve point fourteen (312.14), Code 1962.

"Of the total street construction and reconstruction expenditures made each year from road use tax funds by each city or town, at least seventy-five (75) percent shall be spent on the arterial streets of such city or town. However, if any city or town council by resolution declares that the seventy-five (75) percent is not needed on its arterial streets, then it may be used on any other streets in the city or town."

MARTIN WILEY.

Amend the Wiley amendment to Senate File 325 by striking all after the period (.) in line 17 and by inserting in lieu thereof a quotation mark (").

MARTIN WILEY.

Amend Senate File 402 as follows:

1. Amend section 26 by striking in line 5 the words "cease to hold office" and substituting in lieu thereof "be retired except as hereinafter provided."

2. By adding the following as a new paragraph after the figures "1965." in line 7 of section 26. "Upon retirement of any district judge, the office from which he is retired shall not be vacant for a period of five years thereafter unless the chief justice shall certify in writing to the governor that the judicial business in the district courts

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of this state requires that the office be filled for the effective administration of justice throughout the state and in the district affected. Active and retired judges shall be freely assigned by the chief justice for service in the various districts so to as near as possible equalize the work of all the judges and promote the effective administration of justice and prompt dispatch of the judicial business throughout all districts and areas in the state. He shall report biennially to the legislature or to any committee created by it, respecting such measures as in his opinion are needed for the effective administration of justice in the district courts, the re-arrangement of the judicial districts, the number of judges required in the various districts and such other matters as he may deem important to effect the purposes aforesaid."

3. Amend section 26 by striking lines 8 to 28 and substituting in lieu thereof the following:

"B. Temporary service by retired judges. A judge of the supreme or district court who shall have reached retirement age shall thereafter during good behavior continue to be a judicial officer of the state and of the court from which he is retired. Said judge shall not hold any public office, except as may be authorized by law, practice law, or engage in any business or profession incompatible with the office of judge. He shall not exercise any of the powers of office except that he may be designated by the supreme court or the chief justice thereof to execute the powers of the office from which he has been retired at such times as the business of the courts of this state shall require. When so designated he shall receive such compensation which together with any retirement annuity or compensation he is entitled to receive under the laws of this state shall equal the compensation of an active judge of the court to which he is assigned including such allowances for expense and transportation as is allowable for judges of said court. He may be authorized in the same manner to appoint a temporary court reporter who shall receive compensation, travel and expense allowances provided by law for a court reporter in the court and county to which said judge is assigned. The designation of a retired judge and his assignment to execute the powers of an active judge shall be filed in the office of the clerk in the county in which said judge is designated and assigned to serve."

4. Amend section 27 by adding thereto the following sentence:

"Each justice of the Iowa supreme court is authorized to employ the services of a law clerk."

5. Amend the title by striking the period at the end thereof and add thereto the following: ", and to provide law clerks.

RICHARD C. TURNER.

Amend House File 4 as follows:

By striking everything after the enacting clause and substituting the following in lieu thereof: "Section 1. Section seven hundred fourteen point twenty-five (714.25), Code 1962, is hereby amended by striking from line ten (10)

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of such section the word "ten" and inserting in lieu thereof the words "one hundred".

JOHN L. CAMPBELL.

Amend the Shaff amendment to Senate File 402 filed March 26, 1963, line 10, by inserting after the word and period "required." the following: "The general election ballot and the judicial election ballot may be voted in the same voting booth."

ROBERT R. RIGLER.

Amend Senate File 18 by striking all after the enacting clause and substituting the following in lieu thereof:

Section 1. Amend section two hundred fifty-seven point three (257.3), Code 1962, as follows:

1. By striking in line four (4) the words, "election or".

2. By striking in line five (5) the word "either" and the words "or elected".

3. By striking all of the second paragraph.

4. By striking the beginning words "One member" in paragraph three and inserting in lieu thereof the words "All members".

5. By adding the following paragraph:

"All members of the state board of public instruction presently serving at the time this law takes effect shall continue to serve until the expiration of their respective terms. Appointment of board members shall take place as termination of present terms expire but such appointment shall terminate at the end of thirty days after the convening of the next general assembly unless sooner confirmed by the Senate."

Sec. 2. Amend section two hundred fifty-seven point four (257.4), Code 1962, by striking all after the first sentence and substituting in lieu thereof:

"A vacancy occurring while the general assembly is in session shall be filled for the unexpired portion of the term in the manner that full-term appointments are made. Vacancies occurring while the general assembly is not in session shall be filled by the Governor, but such appointments shall terminate at the end of thirty days after the convening of the next general assembly, unless sooner confirmed by the Senate."

Sec. 3. By striking all of section two hundred fifty-seven point five (257.5), Code 1962.

Sec. 4. By striking all of section two hundred fifty-seven point eleven (257.11), Code 1962, and substituting in lieu thereof: "The state board shall appoint a superintendent of public instruction who shall serve at the discretion of the state board."

EDWARD A. WEARIN.
ROBERT R. RIGLER.

On motion of Senator Rigler, the Senate adjourned until 9:00 a.m., Wednesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 27, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Gary Thompson, pastor of the Community Presbyterian Church, Lawton, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Benda for the day on request of Senator Burrows.

PETITIONS

The following petitions were received and placed on file by:

Senator Brown, from seventy-one residents of Kossuth County favoring minimum course standards in public high schools, and favoring legislation to make the office of superintendent of public instruction elective.

Senator Buck, from twenty-six residents of Marshall County in favor of proposed legislation relating to the licensing and bonding of collection agencies.

Senator Curran, from sixteen residents of Cerro Gordo County favoring proposed legislation relating to the commission for the blind.

Senator Doran, from four hundred fifty-one residents of Boone and Story Counties favoring passage of a Sunday closing law.

Senator Dykhouse, from thirty-seven residents of Sioux County in favor of liquor by the drink under license control.

Senator Lisle, from twenty-nine residents of Mills County in favor of firemanship training facilities building at Iowa State University, and from twenty-one residents of Page County in opposition to any game laws permitting the shooting of hen pheasants.

Senator Shivvers, from thirty-two residents of Marion County in opposition to liquor by the drink, favoring the Sunday closing legislation and key club control.

PRESENTATION OF VISITORS

Senator O'Malley asked and received unanimous consent to present to the Senate one hundred ninety-five students, members of the senior

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class of the Dowling High School, Des Moines, who were present in the balcony accompanied by their instructor, Reverend Michael Churchman.

Senator Fulton asked and received unanimous consent to present to the Senate thirty students from the LaPorte City High School who were present in the balcony accompanied by their instructors, Delbert F. White and Eugene S. Johnson.

Senator Burrows asked and received unanimous consent to present to the Senate thirty-one students from the State Juvenile Home, Toledo, who were present in the balcony accompanied by their instructors, Calvin L. Peters, Donald Kilstofte and Mrs. Adolph Kriz.

Senator Cowden asked and received unanimous consent to present to the Senate fifty students, members of the eighth grade class of the Panora-Linden School, Panora, who were present in the balcony accompanied by their instructor, William K. Smith, and their principal, James E. Meiborg.

Senator Shoeman asked and received unanimous consent to present to the Senate twenty-five students, members of the eighth grade class of the Shelby Community School, Shelby, who were present in the balcony accompanied by their instructor, Larry Mikhill.

Senator Stephens asked and received unanimous consent to present to the Senate fifty students from the Riverside Public School, Riverside, who were present in the balcony accompanied by their instructor, Dale Strotman.

INTRODUCTION OF BILLS

Senate File 411, by committee on appropriations, a bill for an act to make appropriations to the state department of social welfare to be used for medical assistance to the aged.

Read first and second times and placed on the calendar.

Senate File 412, by committee on appropriations, a bill for an act to make appropriations to members and representatives of the committee on interstate cooperation, namely: W. L. Mooty, Jack Schroeder, Harold O. Fischer, D. C. Nolan, Robert R. Rigler, David O. Shaff, Ray C. Cunningham, Elmer H. Den Herder, Raymond Eveland, Robert W. Naden, Charles F. Eppers, Maurice B. Crabbe, C. Edwin Gilmour, John Gray (deceased), and Paul W. Knowles.

Read first and second times and placed on the calendar.

Senate File 413, by committee on tax revision, a bill for an act relating to the state tax commission and its powers and duties,

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county and city assessors, local boards of review, the valuation and assessment of property for purposes of taxation, county auditors and the state board of review and it powers and duties, and consultants to said state board of review.

Read first and second times and placed on the calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate File 351, a bill for an act relating to the acquisition of vehicles and equipment by cities and towns.

Also: I am directed by the House to request the return of Senate File 78, a bill for an act to prohibit bicycles or animal drawn vehicles from using the interstate system, for further consideration.

WILLIAM R. KENDRICK, *Chief Clerk.*

SENATE FILE 78 RETURNED TO HOUSE

Senator Rigler asked and received unanimous consent that the Secretary be directed to return to the House Senate File 78 for further consideration.

THIRD READING OF BILLS

The Senate resumed consideration of House File 4, a bill for an act relating to hunting and fishing upon cultivated or inclosed lands and waters.

Senator Coleman asked and received unanimous consent to withdraw the following amendment filed by him:

Amend House File 4 as follows:

1. By striking the word "ten" in line 4 of section 1 and by inserting in lieu thereof the word "five".

2. By striking the words "one hundred" in line 5 of section 1 and by inserting in lieu thereof the word "fifty".

Senator Campbell offered the following amendment:

Amend House File 4 as follows:

By striking everything after the enacting clause and substituting the following in lieu thereof: "Section 1. Section seven hundred fourteen point twenty-five (714.25), Code 1962, is hereby amended by striking from line ten (10) of such section the word "ten" and inserting in lieu thereof the words "one hundred".

Senator Lisle asked and received unanimous consent that action on House File 4 be deferred and that the bill be placed on the calendar under "unfinished business."

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SPECIAL ORDER OF BUSINESS

The time having arrived, the Chair announced the Special Order of Business for the consideration of Senate File 402.

On motion of Senator Nolan, Senate File 402, a bill for an act relating to judicial nominating commissions, terms of office, judicial elections, mandatory retirement, temporary service by retired judges and residence of supreme court judges, was taken up and considered.

Senator Elthon took the chair at 9:45 a.m.

Senator Nolan offered the following amendment and moved its adoption:

Amend Senate File 402, section 9, by striking line 20 and inserting in lieu thereof the following:

"Iowa, not later than January 13, 19.... (specifying June 30, 1963, the first year, or the appropriate date under section 5 in case of an election to fill a vacancy)."

The amendment was adopted.

Senator Shaff offered the following amendment:

Amend Senate File 402 as follows:

1. By adding at the end of section 18 the following: "All voting procedures provided by chapter fifty-three (53), Code 1962, for absent voting by armed forces in general elections shall be applicable to judicial elections.".

2. Section 21, line 1, by striking "sixty (60)" and inserting in lieu thereof the following: "fifty-five (55)".

3. By adding at the end of section 22 the following: "Separate ballot boxes for the general election ballots and the judicial election ballots shall not be required."

4. By adding at the end of section 23 the following: "The sealed envelope transmitted by the absent voter to the auditor containing the absent voter general election ballot may also contain the judicial election ballot.".

5. By adding the following new paragraph at the end of section 24:

"The state board of canvassers shall, at the time of canvassing the vote cast at a general election, open and canvass all of the returns for the judicial election. Each judge of the supreme court or district court who has received more affirmative than negative votes shall receive from the state board of canvassers an appropriate certificate so stating.".

Senator Rigler offered the following amendment to the amendment and moved its adoption:

Amend the amendment, line 10, by inserting after the word and period "required." the following: "The general election ballot and the judicial election ballot may be voted in the same voting booth."

On motion of Senator Shaff, the amendment to the amendment was adopted.

On motion of Senator Shaff, the amendment as amended was adopted.

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Senator Nolan offered the following amendment filed by Senators Nolan and Shaff:

Amend Senate File 402 as follows:

1. Insert after the word "years" in section 26, line 6 the following: "if such judges have had six (6) years of service on said courts otherwise they remain in office until they have completed six (6) years of service subject, however, to the provisions of this Act".

2. Strike all of lines 1, 2 and 3 of section 27 and insert in lieu thereof the following: "Residence and office of supreme court judges. All judges of the supreme court shall, after January 1, 1968, be required to maintain their residence and office in Polk County, Iowa, provided further, however, all such judges appointed after the effective date of this Act shall be required to maintain their residence and office in Polk County, Iowa, upon their appointment. The executive council shall provide suitable offices for such judges."

Senator Walker requested a division on the consideration of the amendment.

On motion of Senator Nolan, division 1 of the amendment was adopted.

Senator Schroeder offered the following amendment to the amendment:

Amend division 2 of the amendment by striking all after "Iowa," in line 5 and inserting in lieu thereof, ". The executive council shall provide suitable offices for such judges."

Senator Elijah moved the previous question on the amendment to the amendment, which motion prevailed.

On motion of Senator Schroeder, the amendment to the amendment was adopted.

Senator Nolan moved the adoption of division 2 of the amendment as amended.

Roll call was requested.

On the question "Shall division 2 of the amendment as amended be adopted?" the vote was:

Ayes, 38:

Brown	Elthon	Lucken	Shivvers
Buck	Elvers	Main	Shoeman
Campbell	Flatt	Mincks	Turner
Coleman	Frommelt	Nolan	Vance
Cowden	Fulton	O'Malley	Van Eaton
Curran	Griffin	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Lisle	Shaff	Wilson
Elijah	Long		

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Nays, 10:

Beneke	Grimstead	Phelps	Vincent
Burrows	Kyhl	Stephens	Walker
Getting	Lodwick		

Absent or not voting, 2:

Benda	Fisher

Division 2 of the amendment as amended was adopted.

Senator Walker asked and received unanimous consent to withdraw the following amendment filed by him:

Amend Senate File 402 by striking all of section 27 and by renumbering the remaining sections.

Senator Turner offered the following amendment:

Amend Senate File 402 as follows:

1. Amend section 26 by striking in line 5 the words "cease to hold office" and substituting in lieu thereof "be retired except as hereinafter provided."

2. By adding the following as a new paragraph after the figures "1965." in line 7 of section 26. "Upon retirement of any district judge, the office from which he is retired shall not be vacant for a period of five years thereafter unless the chief justice shall certify in writing to the governor that the judicial business in the district courts of this state requires that the office be filled for the effective administration of justice throughout the state and in the district affected. Active and retired judges shall be freely assigned by the chief justice for service in the various districts so to as near as possible equalize the work of all the judges and promote the effective administration of justice and prompt dispatch of the judicial business throughout all districts and areas in the state. He shall report biennially to the legislature or to any committee created by it, respecting such measures as in his opinion are needed for the effective administration of justice in the district courts, the re-arrangement of the judicial districts, the number of judges required in the various districts and such other matters as he may deem important to effect the purposes aforesaid."

3. Amend section 26 by striking lines 8 to 28 and substituting in lieu thereof the following:

"B. Temporary service by retired judges. A judge of the supreme or district court who shall have reached retirement age shall thereafter during good behavior continue to be a judicial officer of the state and of the court from which he is retired. Said judge shall not hold any public office, except as may be authorized by law, practice law, or engage in any business or profession incompatible with the office of judge. He shall not exercise any of the powers of office except that he may be designated by the supreme court or the chief justice thereof to execute the powers of the office from which he has been retired at such times as the business of the courts of this state shall require. When so designated he shall receive such compensation which together with any retirement annuity or compensation he is entitled to receive under the laws of this state shall equal the compensation of an active judge of the court to which he is assigned including such allowances for expense and transportation as is allowable for judges of said court. He may be authorized in the same manner to appoint a temporary court reporter who shall receive compensation, travel and expense allowances provided by law for a court reporter in the court and county to which said judge is assigned. The designation of a retired judge and his assignment to execute

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the powers of an active judge shall be filed in the office of the clerk in the county to which said judge is designated and assigned to serve."

4. Amend section 27 by adding thereto the following sentence:

"Each justice of the Iowa supreme court is authorized to employ the services of a law clerk."

5. Amend the title by striking the period at the end thereof and add thereto the following: ", and to provide law clerks.

Senator Turner asked and received unanimous consent to take up divisions 4 and 5 of the amendment.

Senator Elijah raised a point of order on divisions 4 and 5 of the amendment for the reason that the amendment was not germane to the bill.

The Chair ruled the point not well taken.

Senator Turner moved the adoption of divisions 4 and 5 of the amendment.

Roll call was requested.

On the question "Shall divisions 4 and 5 of the amendment be adopted?" the vote was:

Ayes, 11:

Campbell	Frommelt	Mincks	Turner
Coleman	Fulton	Nolan	Wearin
Dodds	Lisle	Shivvers	

Nays, 32:

Beneke	Elvers	Lucken	Stephens
Buck	Flatt	Main	Vance
Cowden	Getting	O'Malley	Van Eaton
Curran	Hansen	Phelps	Vincent
Doran	Hill	Rigler	Walker
Dykhouse	Kyhl	Scott	Walter
Elijah	Lodwick	Shaff	Wiley
Elthon	Long	Shoeman	Wilson

Absent or not voting, 7:

Benda	Burrows	Griffin	Schroeder
Brown	Fisher	Grimstead	

Divisions 4 and 5 of the amendment were lost.

Senator Turner moved the adoption of divisions 1, 2 and 3 of the amendment.

Senator Schroeder moved the previous question on the Turner amendment, which motion prevailed.

The amendment was lost.

Senator Nolan offered the following amendment and moved its adoption:

Amend Senate File 402, section 29, by striking all of lines 3, 4 and 5 and

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inserting in lieu thereof the following: "after its publication in the Iowa City Press-Citizen, a newspaper published at Iowa City, Iowa, and in The North English Record, a newspaper published at North English, Iowa.".

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, 46:

Beneke	Elthon	Lucken	Shoeman
Brown	Flatt	Main	Stephens
Buck	Frommelt	Mincks	Turner
Burrows	Fulton	Nolan	Vance
Campbell	Getting	O'Malley	Van Eaton
Coleman	Grimstead	Phelps	Vincent
Cowden	Hansen	Rigler	Walker
Curran	Hill	Schroeder	Walter
Dodds	Kyhl	Scott	Wearin
Doran	Lisle	Shaff	Wiley
Dykhouse	Lodwick	Shivvers	Wilson
Elijah	Long		

Nays, none.

Absent or not voting, 4:

Benda	Elvers	Fisher	Griffin

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 that Senate File 402 be messaged to the House upon its completion.

ADDITIONAL COPIES

Senator Nolan asked and received unanimous consent that 500 copies of Senate File 402 (as passed by the Senate) be printed.

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

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

PRESENTATION OF DISTINGUISHED GUESTS

Senator Lodwick rose on a point of personal privilege and presented to the Senate the Honorable Edward J. McManus, former member of the Senate from Lee County, former Lieutenant Governor of the State of Iowa and President of the Senate and now U. S. District Judge, Northern District of Iowa, who was present in the Senate chamber.

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Senator Elijah rose on a point of personal privilege and presented to the Senate the Honorable Henry E. Heideman, a former member of the Senate from Calhoun County who was present in the Senate chamber.

Senator Rigler rose on a point of personal privilege and presented to the Senate the Honorable E. P. Donohue, a former Republican floor leader of the Senate from Chickasaw County who was present in the Senate chamber.

COMMUNICATION

The Secretary announced the receipt of a Joint Memorial Resolution adopted by the Thirty-seventh session of the legislature of the State of Wyoming memorializing the United States Congress to oppose federal legislation which would encroach on state-administered workmen's compensation programs.

UNFINISHED BUSINESS

The Senate resumed consideration of House File 4, a bill for an act relating to hunting and fishing upon cultivated or inclosed lands and waters, and the amendment filed by Senator Campbell.

On motion of Senator Campbell, the amendment was adopted.

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

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

Rule 8 was invoked.

Ayes, 33:

Buck	Getting	Nolan	Vance
Campbell	Griffin	Phelps	Van Eaton
Coleman	Hill	Rigler	Vincent
Curran	Lodwick	Scott	Walker
Doran	Long	Shivvers	Walter
Elijah	Lucken	Shoeman	Wearin
Elthon	Main	Stephens	Wiley
Flatt	Mincks	Turner	Wilson
Fullton			

Nays, 14:

Beneke	Dykhouse	Hansen	O'Malley
Brown	Elvers	Kyhl	Schroeder
Burrows	Frommelt	Lisle	Shaff
Dodds	Grimstead		

Absent or not voting, 3:

Benda	Cowden	Fisher

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

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On motion of Senator Van Eaton, Senate File 179, a bill for an act to abolish individual liquor permits, was taken up for further consideration.

Senator Van Eaton offered the following amendment and moved its adoption:

Amend Senate File 179 as follows:

1. By striking the period at the end of section 15 and by inserting in lieu thereof the following: "and by inserting in lieu thereof the following:

'The court shall after pronouncing sentence cause the clerk to certify a true copy of the judgment to the Iowa liquor control commission. Said commission upon receipt of such copy shall cause notice of such conviction and judgment be sent to the manager of each liquor store in the state which notice shall be posted therein.' "

2. By striking the period at the end of section 16 and by inserting in lieu thereof the following:

'The court shall after pronouncing sentence cause the clerk to certify a true copy of the judgment to the Iowa liquor control commission. Said commission upon receipt of such copy shall cause notice of such conviction and judgment be sent to the manager of each liquor store in the state which notice shall be posted therein.' "

The amendment was adopted.

Senator Coleman offered the following amendment and moved its adoption:

Amend Senate File 179 by adding the following:

"Sec. 17. This Act being deemed of immediate importance shall be in full force and effect from and after its publication in the Sioux City Journal, a newspaper published at Sioux City, Iowa, and in the Fort Dodge Messenger, a newspaper published at Fort Dodge, 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, 35:

Beneke	Elvers	Long	Shoeman
Brown	Frommelt	Lucken	Stephens
Burrows	Fulton	Mincks	Turner
Campbell	Getting	Nolan	Vance
Coleman	Griffin	O'Malley	Van Eaton
Dodds	Hansen	Rigler	Walker
Doran	Kyhl	Schroeder	Wearin
Dykhouse	Lisle	Scott	Wiley
Elijah	Lodwick	Shaff	

Nays, 13:

Buck	Flatt	Main	Vincent
Cowden	Grimstead	Phelps	Walter
Curran	Hill	Shivvers	Wilson
Elthon			

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Absent or not voting, 2:
Benda Fisher

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 Doran, 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 148 and 156; also, House File 443.

A. V. DORAN,
Ranking Member Senate Committee.
FRED E. WIER,
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 148 and 156; also, House File 443.

BILLS SENT TO THE GOVERNOR

Senator Doran, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 27th day of March, 1963, sent to the Governor for his approval: Senate Files 148 and 156.

A. V. DORAN, *Ranking Member.*

Passed on file.

REPORTS OF COMMITTEES

Senator Schroeder submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred Senate File 230, a bill for an act to legalize proceedings of town council of Mechanicsville, Iowa, in passing a resolution of necessity, as amended, and in connection with making contract for street improvements with Iowa Road Building Company in connection therewith, and to legalize said contract and authorize its performance by said town council, and the financing thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

JACK SCHROEDER, *Chairman.*

Ordered passed on file.

Senator Van Eaton submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred House File 187, a bill for an act relating to road use tax reporting

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requirements in cities and towns, begs leave to report it has had the same under consideration and recommends the same do pass.

CHARLES VAN EATON, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 39 as follows:

1. By inserting the following in section 7, line 1 after the word "sixty": "(60)".

2. By inserting the following in section 8, line 5 after the word "sixty": "(60)", and by inserting in line 7 after the word "sixty": "(60)", and by striking the numeral "5" in line 8 and inserting in lieu thereof the following: "five (5)".

3. By inserting the following in section 12, line 2 after the word "sixty": "(60)", and by inserting the following in line 3 after the word "sixty": "(60)", and by striking the numeral "5" in line 4 and inserting in lieu thereof the following: "five (5)".

4. By striking from section 15, line 5, the numeral "14" and by inserting in lieu thereof the following: "fourteen (14)".

A. V. DORAN.

Amend Senate File 276 as follows:

1. By striking from line 1 of the title the words "of Iowa,".

2. By striking from line 1 of section 1 the words "of Iowa,".

3. By striking from line 4 of section 1 the word and numeral "Section 1.".

JOSEPH B. FLATT.

Amend Senate File 400 as follows:

1. Amend the title by striking the word "and" in line 2 and inserting in lieu thereof a comma (,).

2. Further amend the title by adding the following before the word ", Code" in line 3: "three hundred ninety-one A point thirteen (391A.13) and three hundred ninety-one A point twenty-five (391A.25)".

3. By adding thereto the following sections:

"Sec. 3. Section three hundred ninety-one A point thirteen (391A.13), Code 1962, is amended by striking all of the last paragraph of said section and by adding in lieu thereof the following:

'The clerk shall send by certified mail to each property owner, whose property is subject to assessment for said improvement, as shown by the records in the office of the county auditor, a copy of the above mentioned notice, said mailing to be made on or before the first publication of said notice. Failure to receive such mailed notice shall not constitute a defense to the special assessment.'

"Sec. 4. Section three hundred ninety-one A point twenty-five (391A.25), Code 1962, is amended by adding

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at the end of subsection five (5), line eight (8), the following:

'The clerk shall also send by certified mail to each property owner, whose property is subject to assessment for said improvement, as shown by the records in the office of the county auditor, a copy of said notice, said mailing to be made on or before the first publication of said notice. Failure to receive such mailed notice shall not constitute a defense to the special assessment.'"

A. V. DORAN.

Amend Senate File 254 as follows:

By adding a new section following section 2 and renumbering the remaining sections:

Section four hundred eighty-nine point fourteen (489.14), Code 1962, is amended by adding after the first sentence of said section, the following sentence: "The burden of proving the necessity for public use shall be on the person, company or corporation seeking the right of eminent domain."

RICHARD C. TURNER.

Amend Senate File 338, section 5, by striking lines 41 through 55 inclusive.

JOSEPH B. FLATT.

Amend House File 187 as follows:

1. By striking in section 1 the remainder of such section after the word "is" in line 2 and inserting in lieu thereof the following: "hereby repealed and the following enacted in lieu thereof:

'On and after January 1, 1963, each city or town shall keep accounts showing the amount spent on street construction and reconstruction on arterial streets and the amount spent on street construction and reconstruction on local streets. Such amounts proposed to be spent on arterial streets and such amounts proposed to be spent on local streets shall be shown on the street budget report required by section three hundred twelve point thirteen (312.13), Code 1962, and such amounts spent for such purposes shall be shown on the annual street report required by section three hundred twelve point fourteen (312.14), Code 1962.

'Of the total street construction and reconstruction expenditures made each year from road use tax funds by each city or town, at least seventy-five (75) percent shall be spent on the arterial streets of such city or town. However, if any city or town council by resolution declares that the seventy-five (75) percent is not needed on its arterial streets, then it may be used on any other streets in the city or town.'"

2. By striking section 2 and inserting in lieu thereof the following: "Section three hundred twelve point twelve (312.12), Code 1962, is hereby repealed and the following enacted in lieu thereof:

'Cities which receive allotments of funds from road use tax funds which have a population of at least five thousand (5,000) shall prepare and submit annually by December 10

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in each year to the state highway commission for examination and review, a program of street construction and reconstruction on both the arterial street system and the local street system of such city for a period of three (3) years subsequent to the year in which the program is submitted. Such cities and towns which have a population of less than five thousand (5,000) shall prepare and submit annually by December 10 each year to the state highway commission for examination and review, a program of proposed street construction and reconstruction for its arterial streets and local streets for the ensuing calendar year.' "

3. By striking in section 3 the remainder of such section after the word "amended" in line 2 and inserting in lieu thereof the following: "by striking the remainder of such section after the word 'submit' in line three and inserting in lieu thereof the following:

'by December 10 each year to the state highway commission for examination and review, a budget showing all proposed street receipts and expenditures for the city or town for the ensuing calendar year.' "

4. By striking in section 4 the remainder of such section after the word "by" in line 2 and inserting in lieu thereof the following: "striking the remainder of such section after the word 'prepare' in line 3 and inserting in lieu thereof the following:

'and submit by March 10 each year to the state highway commission an annual report showing all street receipts and expenditures for the city or town for the previous calendar year.' "

DAVID O. SHAFF.

On motion of Senator Rigler, the Senate adjourned until 9:30 a.m., Thursday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 28, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Jack Hanford, Wesley Foundation Methodist Pastor, State College of Iowa, Cedar Falls, Iowa.

PETITIONS

The following petitions were received and placed on file by:

Senator O'Malley, from sixty-eight Iowans for Progress of Polk County urging the enactment of a sound liquor control law for the betterment of Iowa.

In opposition to liquor by the drink:

Senator Curran, from sixty-four residents of Cerro Gordo County.

Senator Lisle, from thirty-six residents of Page County.

Senator Shivvers, from forty-seven residents of Monroe County.

PRESENTATION OF VISITORS

Senator Elthon rose on a point of personal privilege and presented to the Senate a distinguished group of students from the Fertile Public School consisting of Barbara, Ray, Don, and Tom Elthon; James, Bobby and Dorothy Ann Nelson who were present in the balcony accompanied by their personal instructors, Mrs. Ivene Elthon Nelson and Mrs. David Elthon and the senior Mrs. Elthon.

Senator Schroeder rose on a point of personal privilege and presented to the Senate the Honorable Philip T. Hedin, a former member of the Senate from Scott County who was present in the Senate chamber.

Senator Frommelt rose on a point of personal privilege and presented to the Senate the Honorable Robert C. Reilly, a former member of the Senate from Dubuque County who was present in the Senate chamber.

Senator O'Malley asked and received unanimous consent to present to the Senate ninety students from the Ankeny High School who were present in the balcony accompanied by their instructor, Dwayne G. Olsen.

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Senator Hansen asked and received unanimous consent to present to the Senate twelve students from the Manning High School who were present in the balcony accompanied by their instructors, Lester Moore and Beverly Mitchell.

Senator Curran asked and received unanimous consent to present to the Senate twenty-nine students from the Dows Community School who were present in the balcony accompanied by their instructor, Theodore W. Maakestad.

Senator O'Malley asked and received unanimous consent to present to the Senate thirty-six students from the North Polk Community School who were present in the balcony accompanied by their principal, B. G. Smith.

Senator Nolan asked and received unanimous consent to present to the Senate thirty-two students from the Coralville Junior High School who were present in the balcony accompanied by their instructors, Mary Allaire and Wayne Peters.

Senator Lodwick rose on a point of personal privilege and presented to the Senate the Honorable Ernest Palmer, Jr., a former member of the House of Representatives from Lee County who was present in the Senate chamber.

Senator Mincks rose on a point of personal privilege and presented to the Senate the Honorable Elmer K. Bekman, a former member of the Senate who was present in the Senate chamber.

Senator Mincks also presented the Honorable Paul A. Troeger, a former member of the House of Representatives who was present in the Senate chamber.

Senator Van Eaton rose on a point of personal privilege and presented to the Senate the Honorable A. D. Clem, a former member of the Senate from Woodbury County who was present in the Senate chamber.

Senator Cowden rose on a point of personal privilege and presented to the Senate the Honorable G. E. Whitehead, a former member of the Senate from Dallas County who was present in the Senate chamber.

Senator Coleman rose on a point of personal privilege and presented to the Senate the Honorable Edward Breen, a former member of the Senate from Webster County who was present in the Senate chamber.

Senator Nolan rose on a point of personal privilege and presented to the Senate the Honorable Daniel W. Turner of Adams County,

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a former Governor of the State of Iowa who was present in the Senate chamber.

Senator Nolan also presented to the Senate the Honorable Karl M. Le Compte of Wayne County, former Member of Congress who was present in the Senate chamber.

Senator Nolan also presented the Honorable Hugh W. Lundy, a former member of the Senate from Monroe County who was present in the Senate chamber.

President Mooty presented to the Senate the Honorable C. W. Ross, a former member of the House of Representatives from Grundy County who was present in the Senate chamber.

President Mooty also presented the Honorable Dewey S. Butterfield, a former member of the House of Representatives who was present in the Senate chamber.

INTRODUCTION OF BILLS

Senate File 414, by committee on conservation, a bill for an act to authorize and empower the state conservation commission to cooperate with the United States government and to accept federal funds for planning, acquisition and development of outdoor recreational areas.

Read first and second times and placed on the calendar.

Senate File 415, by committee on agriculture, a bill for an act to set octane rating number for regular and premium grade gasoline.

Read first and second times and placed on the calendar.

Senate File 416, by committee on schools and educational institutions, a bill for an act relating to the preparation and publication of the proposed budget for each school district.

Read first and second times and placed on the calendar.

Senate File 417, by committee on agriculture, a bill for an act to provide an indemnity for the owner of hogs contracting hog cholera.

Read first and second times and placed on the calendar.

Senate File 418, 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 placed on the calendar.

Senate File 419, by committee on compensation of public officers

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and employees, a bill for an act relating to salaries of county attorneys.

Read first and second times and placed on the calendar.

Senate File 420, 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 placed on the calendar.

Senate File 421, 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 placed on the calendar.

THIRD READING OF BILLS

On motion of Senator Beneke, Senate File 393, a bill for an act relating to valuation and nonforfeiture benefits of life insurance policies, was taken up and considered.

Senator Beneke moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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 Shaff, Senate File 273, a bill for an act to legalize and validate proceedings providing for the organization, reorganization, enlargement, or change in the boundaries of school corporations, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

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The following committee amendment was considered:

Amend section 1, line 4, of Senate File 273 by inserting after the word "state" the words "whether or not such corporation maintains a community or junior college".

On motion of Senator Shaff, the committee amendment was adopted.

Senator Shaff moved that the bill be read a third 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:

Benda	Elvers	Lodwick	Shivvers
Beneke	Fisher	Long	Shoeman
Brown	Flatt	Lucken	Stephens
Buck	Frommelt	Main	Turner
Campbell	Fulton	Mincks	Vance
Coleman	Getting	Nolan	Van Eaton
Cowden	Griffin	O'Malley	Vincent
Curran	Grimstead	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Schroeder	Wearin
Dykhouse	Kyhl	Scott	Wiley
Elijah	Lisle	Shaff	Wilson
Elthon			

Nays, none.

Absent or not voting, none.

Voting present, 1:

Burrows

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 Turner, Senate File 254, a bill for an act to amend chapter four hundred eighty-nine (489), Code 1962, relating to electric transmission lines to clarify the authority of the commerce commission to determine whether such lines serve the public use before authorization of franchise or eminent domain, was taken up for further consideration.

Senator Turner offered the following amendment and moved its adoption:

Amend Senate File 254 as follows:

Amend section 2 by inserting in line 5 between the words "may" and "find" the words "approve, prescribe and".

The amendment was adopted.

Senator Turner offered the following amendment and moved its adoption:

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Amend Senate File 254 as follows:

By adding a new section following section 2 and renumbering the remaining sections:

Section four hundred eighty-nine point fourteen (489.14), Code 1962, is amended by adding after the first sentence of said section, the following sentence: "The burden of proving the necessity for public use shall be on the person, company or corporation seeking the right of eminent domain."

The amendment was adopted.

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

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

Ayes, 49:

Benda	Elvers	Lodwick	Shivvers
Brown	Fisher	Long	Shoeman
Buck	Flatt	Lucken	Stephens
Burrows	Frommelt	Main	Turner
Campbell	Fulton	Mincks	Vance
Coleman	Getting	Nolan	Van Eaton
Cowden	Griffin	O'Malley	Vincent
Curran	Grimstead	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Schroeder	Wearin
Dykhouse	Kyhl	Scott	Wiley
Elijah	Lisle	Shaff	Wilson
Elthon			

Nays, none.

Absent or not voting, 1:

Beneke

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 Doran, House File 17, a bill for an act relating to rules of administrative agencies, with report of committee recommending amendment in accordance with the amendment filed by Senator Doran, et al., and passage, was taken up, considered, and the report of the committee adopted.

Senator Doran offered the following amendment filed by Senator Doran, et al.:

Amend House File 17 as follows:

1. Strike all of lines 1 through 3 after the enacting clause and insert in lieu thereof the following:

"Chapter seventeen A (17A), Code 1962, is hereby amended by striking all of sections seventeen A point one (17A.1) through seventeen A point ten (17A.10), inclusive, and sections one (1) through twelve (12) of this Act are enacted in lieu thereof:

2. Strike all of sections two (2), three (3) and four (4) and insert in lieu thereof the following:

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"Sec. 2. There is hereby created a bipartisan legislative committee of six members which shall be designated the dpartmental rules review committee. The committee shall be composed of three members of 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. Members shall be appointed prior to the adjournment of each regular biennial session and shall serve for two-year terms beginning May 1 after the convening of the general assembly in regular session provided, however, that members shall serve until their successors are appointed. Vacancies on the committee shall be filled by the original appointing authority. A vacancy shall exist whenever a committee member ceases to be a member of the general assembly.

"Sec. 3. The committee shall choose a chairman from its members and prescribe its rules of procedure. Regular meetings of the committee shall be held at the seat of government on the second Tuesday in July and on the second Tuesday of each second month thereafter during the interim between regular sessions to review all proposed departmental rules and make recommendations to the department proposing each such rule. The chairman may call special meetings at any time and at any place in the state and cause notice thereof to be published in two newspapers of general circulation in the area affected by the rule. All said meetings, regular or special, shall be open to the public and any interested person may be heard and present evidence. If any agency shall conduct public hearings in regard to any rules such agency shall notify the members of the departmental rules committee ten (10) days prior to such meeting.

"Sec. 4. Members of the committee shall receive a per diem of thirty dollars per day for each day in attendance and shall be reimbursed for the actual necessary expenses incurred by them in the discharge of their duties. All such expenses and expense of publication shall be provided for by the budget and financial control committee from the contingent fund provided for the budget and financial control committee.

"Sec. 5. Any agency empowered by statute to make rules shall submit a copy of each proposed rule, or amendment thereto, citing their authority and the statute the rule is intended to implement and in the style and form prescribed by the code editor, to the attorney general who shall within thirty (30) days after receiving such copy give to the agency in writing his opinion on the form and legality of the proposed rule. Unless within the aforesaid thirty (30) day period the attorney general renders his opinion upholding the form and legality of the proposed rule, the proposed rule shall have no further force or effect.

"Sec. 6. Every agency shall, after receiving a favorable opinion from the attorney general on a proposed rule, submit six (6) copies of the proposed rule, together with a copy of the attorney general's opinion, to the chairman of the departmental rules review committee. If the committee finds objection to such rule, it shall report such finding to the department proposing such rule together with its suggestion of how the objectionable part may be removed. The agency shall receive a report from said committee prior to filing the proposed rule with the secretary of state.

"Sec. 7. Four (4) copies of all rules proposed, each with a copy of the attorney general's opinion attached thereto, shall be filed with the secretary of state. Temporary rules shall become effective upon such filing. Other rules, unless otherwise provided for, shall not become effective until thirty (30) days after such filing, but a later effective date may be specified in the rule. The secretary of state shall endorse upon the copies of rules so filed the date of filing and the date of the attorney general's opinion and index one (1) copy in the files of his office, transmit one (1) copy to the

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code editor, and transmit two (2) copies to the chairman of the departmental rules review committee.

"Sec. 8. All rules hereafter filed as provided in section seven (7) of this Act, with the committee's report attached thereto, shall be referred by the chairman of the departmental rules review committee to the speaker of the house and the president of the senate of the next regular session of the general assmbly who shall refer rules to the appropriate committees of the general assembly.

"If the committee, to which a departmental rule has been referred, finds objection to such rule, it may report such finding to the general assembly together with its suggestion for the general assembly to proceed by law to overcome the objection. Any committee of the general assembly may at any time consider any departmental rule previously filed and, if it finds such rule objectionable, proceed as above.

"Nothing contained herein shall adversely affect the substantive rights of any person arising out of any rule adopted by any agency, including the right to review by the courts. Reporting or referral of rules to the general assembly or inaction by the general assembly on rules reported or referred shall not be construed as approval or enactment of the rules by the general assembly."

3. Strike all of section fifteen (15) after the word "striking" in line two (2) and insert in lieu thereof the following: "from lines three (3), four (4) and five (5) the words 'take effect, unless otherwise designated in the order, after the publication' and insert in lieu thereof the words 'be published'."

4. Insert the following new section after section twenty-six (26):

"In all cases where department rules have been filed by the administrative agencies pursuant to the provisions of section seventeen A point two (17A.2) of the Code the effect given such rules by such filing shall not have the force and effect of legislative enactment, anything in section seventeen A point two (17A.2) of the Code to the contrary notwithstanding, and they shall be subject to action thereon by any subsequent general assembly."

5. Renumber the sections.

On motion of Senator Doran, the amendment was adopted.

Senator Turner asked and received unanimous consent to withdraw the amendment filed by him and found on page 446 of the Senate Journal.

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

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

Ayes, 50:

Benda	Doran	Griffin	Mincks
Beneke	Dykhouse	Grimstead	Nolan
Brown	Elijah	Hansen	O'Malley
Buck	Elthon	Hill	Phelps
Burrows	Elvers	Kyhl	Rigler
Campbell	Fisher	Lisle	Schroeder
Coleman	Flatt	Lodwick	Scott
Cowden	Frommelt	Long	Shaff
Curran	Fulton	Lucken	Shivvers
Dodds	Getting	Main	Shoeman

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Stephens	Van Eaton	Walter	Wiley
Turner	Vincent	Wearin	Wilson
Vance	Walker		

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 Doran asked and received unanimous consent that House File 17 be immediately messaged to the House, which request was complied with.

On motion of Senator Rigler, House File 232, a bil for an act relating to election of state board of public instruction members, was taken up.

Senator Walker asked and received unanimous consent that action on House File 232 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Van Eaton, Senate File 325, a bill for an act relating to street finances and reports in cities and towns, was taken up and considered.

Senator Van Eaton asked and received unanimous consent that House File 187 be substituted for Senate File 325.

On motion of Senator Van Eaton, House File 187, a bill for an act relating to road use tax reporting requirements in cities and towns, was taken up and considered.

Senator Shaff asked and received unanimous consent that action on House File 187 be deferred and that the bill be placed on the calendar under "unfinished business."

Senator Van Eaton asked and received unanimous consent that Senate File 325 be withdrawn from further consideration of the Senate.

On motion of Senator Elthon, House File 56, a bill for an act relating to the establishment of community mental health centers and providing for the payment therefor from the state institution fund, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hill offered the following amendment and moved its adoption:

Amend House File 56, section 1, line 6, by striking the words and figures "forty thousand (40,000)" and inserting in lieu thereof the words and figures "thirty-five thousand (35,000)".

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The amendment was adopted.

Senator Cowden moved that the bill be read a third 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:

Benda	Elijah	Hill	Schroeder
Brown	Elthon	Kyhl	Shaff
Buck	Elvers	Lisle	Shivvers
Burrows	Fisher	Lodwick	Stephens
Campbell	Flatt	Lucken	Turner
Coleman	Frommelt	Main	Van Eaton
Cowden	Fulton	Mincks	Vincent
Curran	Getting	Nolan	Walker
Dodds	Griffin	O'Malley	Walter
Doran	Grimstead	Phelps	Wearin
Dykhouse	Hansen	Rigler	Wilson

Nays, 5:

Beneke	Shoeman	Vance	Wiley
Long			

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.

Senator Rigler asked and received unanimous consent to take up Senate File 230.

On motion of Senator Elijah, Senate File 230, a bill for an act to legalize the proceedings of the town council of the town of Mechanicsville, Iowa, in the passing of a resolution of necessity, as amended, and in connection with the making of a contract for street improvements with the Iowa Road Building Company in connection therewith, and to legalize said contract, and authorize its performance by said town council, and the financing thereof, 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:

Rule 8 was invoked.

Ayes, 35:

Benda	Cowden	Frommelt	Hansen
Brown	Dodds	Fulton	Hill
Buck	Elijah	Getting	Kyhl
Campbell	Elvers	Griffin	Lisle
Coleman	Fisher	Grimstead	Lodwick

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Lucken	Rigler	Turner	Wearin
Main	Schroeder	Van Eaton	Wiley
O'Malley	Shivvers	Vincent	Wilson
Phelps	Stephens	Walter	

Nays, 13:

Beneke	Flatt	Nolan	Shoeman
Burrows	Long	Scott	Vance
Doran	Mincks	Shaff	Walker
Elthon			

Absent or not voting, 2:

Curran	Dykhouse

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

Senator Elijah asked and received unanimous consent that Senate File 230 be immediately messaged to the House, which request was complied with.

On motion of Senator Wiley, House File 25, a bill for an act to permit the writing of multiple peril insurance policies by fire insurance companies, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Frommelt moved that the bill be read a third 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:

Benda	Fisher	Lodwick	Shivvers
Beneke	Flatt	Long	Shoeman
Buck	Frommelt	Lucken	Stephens
Burrows	Fulton	Main	Vance
Campbell	Getting	Mincks	Van Eaton
Coleman	Griffin	Nolan	Vincent
Cowden	Grimstead	O'Malley	Walter
Dodds	Hansen	Phelps	Wearin
Doran	Hill	Rigler	Wiley
Elijah	Kyhl	Schroeder	Wilson
Elvers	Lisle	Scott	

Nays, 3:

Shaff	Turner	Walker

Absent or not voting, 3:

Curran	Dykhouse	Elthon

Voting present, 1:

Brown

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 76, a bill for an act relating to hours of duty of members of fire departments, with report

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of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Van Eaton asked and received unanimous consent that action on House File 76 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Van Eaton, House File 173, a bill for an act to amend chapter four hundred eleven (411), Code 1962, relating to retirement systems for policemen and firemen, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Van Eaton asked and received unanimous consent that action on House File 173 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Van Eaton, House File 237, a bill for an act relating to the term of office for members of the Iowa civil defense administration, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Turner asked and received unanimous consent that action on House File 237 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Elvers, Senate File 8, a bill for an act relating to fees charged by the clerk of the district court in probate matters, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Elvers offered the following amendment and moved its adoption:

Amend Senate File 8 by striking from lines 10 and 11 of section 1 the words "of the estate including real estate sold for the payment of debts" and inserting in lieu thereof the words "and real estate".

The amendment was adopted.

Senator Elvers moved that the bill be read a third 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:

Benda	Dodds	Frommelt	Lodwiwck
Beneke	Doran	Fulton	Long
Brown	Dykhouse	Getting	Lucken
Buck	Elijah	Grimstead	Main
Burrows	Elthon	Hansen	Mincks
Campbell	Elvers	Hill	Nolan
Coleman	Fisher	Kyhl	O'Malley
Cowden	Flatt	Lisle	Phelps

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Rigler	Shivvers	Vance	Wearin
Schroeder	Shoeman	Van Eaton	Wiley
Scott	Stephens	Vincent	Wilson
Shaff	Turner	Walker	

Nays, none.

Absent or not voting, 3:

Curran	Griffin	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 Rigler, the Senate recessed until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty 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 78, a bill for an act to prohibit certain vehicles and implements from using the interstate system.

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

House File 70, a bill for an act relating to the keeping and consumption of alcoholic liquor upon the premises of clubs and to provide for the licensure, regulation and inspection thereof.

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

Senate Concurrent Resolution 13, a concurrent resolution providing that a special recess be held on Good Friday.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 78

Amend the title to Senate File 78 by striking from line 1 the words "bicycles or animal drawn vehicles" and inserting in lieu thereof the words "certain vehicles and implements".

HOUSE MESSAGE CONSIDERED

House File 70, a bill for an act relating to the keeping and consumption of alcoholic liquor upon the premises of clubs and to provide for the licensure, regulation and inspection thereof.

Read first and second times and passed on file.

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THIRD READING OF BILLS

On motion of Senator Frommelt, Senate File 390, a bill for an act to amend chapters three hundred ninety-one (391), three hundred ninety-one A (391A) and four hundred seventeen (417), Code 1962, relating to resolutions of necessity and award of contracts for public improvements in cities and towns, was taken up and considered.

Senator Frommelt asked and received unanimous consent that House File 236 be substituted for Senate File 390.

On motion of Senator Frommelt, House File 236, a bill for an act to amend chapters three hundred ninety-one (391), three hundred ninety-one A (391A) and four hundred seventeen (417), Code 1962, relating to resolutions of necessity and award of contracts for public improvements in cities and towns, was taken up and considered.

Senator Frommelt moved that the bill be read a third 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:

Benda	Elthon	Long	Shoeman
Beneke	Elvers	Main	Stephens
Brown	Fisher	Mincks	Turner
Buck	Flatt	Nolan	Vance
Burrows	Frommelt	O'Malley	Van Eaton
Campbell	Fulton	Phelps	Vincent
Coleman	Grimstead	Rigler	Walker
Cowden	Hansen	Schroeder	Walter
Dodds	Hill	Scott	Wearin
Doran	Kyhl	Shaff	Wiley
Dykhouse	Lisle	Shivvers	Wilson
Elijah	Lodwick		

Nays, none.

Absent or not voting, 4:

Curran	Getting	Griffin	Lucken

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

Senator Frommelt asked and received unanimous consent that Senate File 390 be withdrawn from further consideration of the Senate.

On motion of Senator Van Eaton, Senate File 391, a bill for an act to amend chapter three hundred twenty-one (321), Code 1962, to provide for the issuance of registration certificates and license plates to urban transit companies or systems for use on urban transit busses, 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.

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

Ayes, 46:

Benda	Elthon	Long	Shivvers
Beneke	Elvers	Lucken	Shoeman
Brown	Fisher	Main	Stephens
Buck	Flatt	Mincks	Turner
Burrows	Frommelt	Nolan	Vance
Campbell	Fulton	O'Malley	Van Eaton
Coleman	Grimstead	Phelps	Vincent
Cowden	Hansen	Rigler	Walker
Dodds	Hill	Schroeder	Walter
Doran	Kyhl	Scott	Wearin
Dykhouse	Lisle	Shaff	Wiley
Elijah	Lodwick		

Nays, none.

Absent or not voting, 4:

Curran	Getting	Griffin	Wilson

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 391 be immediately messaged to the House, which request was complied with.

On motion of Senator Frommelt, Senate File 392, a bill for an act to exempt personal property in transit from taxation, was taken up and considered.

Senator Frommelt asked and received unanimous consent that action on Senate File 392 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Main, Senate File 330, a bill for an act to authorize the superintendent of public buildings and grounds and the executive council to accept federal monies as reimbursements for expenses incurred in the maintenance of public buildings, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Main asked and received unanimous consent that action on Senate File 330 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Stephens, House File 29, a bill for an act to amend chapter eighty-nine (89), Code 1962, relating to boiler inspections, to permit biennial inspections of certain boilers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Stephens asked and received unanimous consent that action

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on House File 29 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Lisle, House File 190, a bill for an act to allow prisoners who volunteer to be sent to the State University Hospital for medical research, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Lisle asked and received unanimous consent that action on House File 190 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Lucken, House File 197, a bill for an act relating to the penalty charges imposed on counties delinquent in the payment of their billings for mental health care, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Stephens asked and received unanimous consent that action on House File 197 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Wearin, Senate Joint Resolution 16, a joint resolution ratifying a proposed amendment to the Constitution of the United States of America relating to qualifications of electors, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 48:

Benda	Elijah	Lisle	Shivvers
Beneke	Elthon	Lodwick	Shoeman
Brown	Elvers	Long	Stephens
Buck	Fisher	Lucken	Turner
Burrows	Flatt	Main	Vance
Campbell	Frommelt	Nolan	Van Eaton
Coleman	Fulton	O'Malley	Vincent
Cowden	Getting	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Griffin	Mincks

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

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On motion of Senator Wiley, Senate File 127, a bill for an act to amend section four hundred twenty-two point forty-five (422.45), Code 1962, relating to exemptions from the imposition of the retail sales tax, with report of committee recommending amendment in accordance with the amendment filed by Senator Wiley and passage, was taken up, considered, and the report of the committee adopted.

Senator Wiley offered the following amendment and moved its adoption:

Amend Senate File 127 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section four hundred twenty-two point forty-five (422.45), Code 1962, is amended by inserting after the comma (,) following the word "thereof" in line five (5) of subsection five (5) the following:

"including the state board of regents, board of control of state institutions, state highway commission and all divisions, boards, commissions, agencies or instumentalities of state, federal, county or municipal government which derive disbursable funds from appropriations or allotments of funds raised by the levying and collection of taxes,".

Sec. 2. Section four hundred twenty-two point forty-five (422.45), Code 1962, is hereby further amended by inserting after the word "thereof" in line three (3) of subsection six (6) the following:

"including the state board of regents, board of control of state institutions, state highway commission and all divisions, boards, commissions, agencies or instrumentalities of state, federal, county or municipal government which derive disbursable funds from appropriations or allotments of funds raised by the levying and collection of taxes,".

Sec. 3. The refunds provided in the preceding section two (2) shall be retroactive and apply to any applications for refund now on file with the state tax commission, or hereafter filed therewith for projects now in process, upon which sales or use taxes are paid prior to the taking effect of this act. Any of the above mentioned governmental bodies shall be entitled to a refund of such taxes so paid upon making application to the state tax commission therefor.

The amendment was adopted.

Senator Wiley moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shivvers
Beneke	Elvers	Lodwick	Shoeman
Brown	Fisher	Long	Stephens
Buck	Flatt	Lucken	Turner
Burrows	Frommelt	Main	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah			

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Nays, none.

Absent or not voting, 1:
Mincks

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

On motion of Senator Wiley, Senate File 239, a bill for an act relating to the platting of rural subdivisions, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wiley moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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.

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 Senate Concurrent Resolution 9 duly adopted, the joint convention was called to order, President Mooty presiding.

Hakes of Pocahontas rose on a point of personal privilege and presented to the joint convention a group of women, members of

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the Women's Legislative League, who were dressed in costumes of pioneer days.

Mensing of Cedar moved that a committee of four consisting of two members from the Senate and two members from the House be appointed to escort the Pioneer Lawmakers to the House chamber.

Motion prevailed and the President appointed as such committee Senator Grimstead of Winnebago and Senator Stephens of Washington, on the part of the Senate, and Representatives Mensing of Cedar and Hagedorn of Clay, on the part of the House.

The committee waited upon the Pioneer Lawmakers and escorted them to the well of the House.

President Mooty presented to the joint convention Mrs. Carroll Lane, wife of the Secretary of the Senate, who sang and played several medleys entitled "Musical Memories."

President Mooty presented to the joint convention Senator Robert R. Rigler, Majority Leader of the Iowa Senate, who on behalf of the Senate welcomed the Pioneer Lawmakers.

MR. PRESIDENT, MR. SPEAKER, DISTINGUISHED PIONEERS, FELLOW LEGISLATORS:

It is truly an honor for me to have the privilege of welcoming you, on behalf of the Iowa Senate, to this traditional meeting. Though I can make no claim to being a pioneer yet, this occasion holds special significance for me. Just ten years ago this day my wife and I came to the State House to make our first visit to the Legislature. We were disappointed to learn that we could not see any floor debate because of the Pioneer Lawmakers joint session. We decided to come over to the House and see what was going on. We sat on that bench in the corner to my far right. We heard the most fluent orator I had ever heard; I learned later his name was Congressman Burton Sweet of Waverly. The thing which I most remember about his address was how he stressed that in his mind's eye he could recall certain of his former legislative colleagues, just where they sat in this chamber, some of their characteristics, virtues and even a few frailties. This man, his message, these impressive chambers inspired me. From that day on I was a candidate for the State Senate.

I am reminded of a quotation I had to learn many years ago in English Literature. "The old order changeth, yielding place to new. And God fulfills himself in many ways, lest one good custom should corrupt the world." Your presence here reminds us that change is constantly taking place. We have new issues, new problems, even new philosophies. We have new faces in the same old seats, seats we sometimes come to regard as our personal possession and not belonging to the people of our great state.

While the old order does change, we are reminded on this occasion that there are certain fundamental truths which can never change. Truths such as integrity, personal responsibility, thrift, honor, liberty and freedom.

You pioneers practiced these virtues. May we never forget them. You left us a rich tradition and heritage. May your presence here remind us and our successors to think and act nobly, so that Iowans in the years to come can proudly hail us as Pioneer Lawmakers.

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President Mooty presented to the joint convention the Honorable Raymond Eveland, Minority Leader of the Iowa House of Representatives, who on behalf of the House of Representatives welcomed the Pioneer Lawmakers with these remarks:

MR. PRESIDENT, MR. SPEAKER, PIONEER LAWMKERS AND LEGISLATORS:

It is indeed a pleasure to welcome you, the Pioneers of Iowa Lawmaking. The word "pioneer" to all Americans is descriptive of courage, foresight, vision and leadership.

The courage and foresight of Iowa lawmakers of yesteryear has made possible great places of higher learning, which may be attended by all, regardless of class, color or creed. You have obtained good schools for the young people of Iowa, and paved Iowa out of the mud. You made possible great state institutions for the care and rehabilitation of the many unfortunate people.

It would be well for all of us present lawmakers, in our sometimes frustrating deliberations, to realize that these achievements did not come without tireless effort and foresight of you who served before us. We only hope that when we are Pioneer Lawmakers, we will be as highly regarded as you are. Thank you.

President Mooty presented the Honorable Stanley L. Hart, President of the Pioneer Lawmakers, and said:

I am pleased to present to you at this time a very good friend of mine who holds an enviable record in the Iowa Senate, where he served with distinction for eighteen years. During this time he was selected three times by his colleagues to serve as their President pro tem. It is my great pleasure to present Senator Stanley Hart of Keokuk.

The Honorable Stanley Hart presented to the joint convention the Honorable Leo Elthon, Senator of Worth and former Lieutenant Governor and Governor of Iowa, who addressed the joint convention as follows:

MR. PRESIDENT, MR. SPEAKER, PIONEER LAWMAKERS, MEMBERS OF THE SENATE, MEMBERS OF THE HOUSE, MEMBERS OF THE PRESS, STATE EMPLOYEES AND VISITORS:

After serving as a member of the Senate for 20 years, as Lieutenant Governor for four years, and after being your Governor for 52 days and now again, a member of the Iowa Senate, I appear before you in the humility of one who knows the caliber of you who have and now faithfully do your part in promoting the public welfare and in advancing the best interests of this great State of Iowa.

It is only those who have had this relationship with you who really know your sincerity and your devotion to the welfare of our great state.

At times in your service for the State of Iowa, you have been greatly disappointed and maybe somewhat chagrined. Many times you have plead your heart out for a bill, seemingly won all the arguments, but failed to get the majority vote. Other times when your bill was debated and amended, you could not support it on passage. All that was left of your bill was the file number. I remember one time I was going to be sure and get a certain bill passed. So, I got 30 sponsors for the measure. It only takes 26 votes in the Senate to pass a bill—but the bill lost. When you do get a bill passed sometimes, you wonder who the father really is. However, I am sure that your memories like mine are very pleasant and you wouldn't take a million

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for them. Especially, the memories of good fellowship—of friends and of foes the same. As the years go by, we forget who was for and who was against but remember only who was there.

This is as it should be for we all did what we thought was best.

Iowa is now well along on its second century of statehood. On December 28, 1846, it joined the other states and became the twenty-ninth state of the union and was admitted as a free state. In the first year of its statehood, the state motto was adopted: "Our Liberties We Prize and Our Rights We Will Maintain." Iowa has been faithful to this ideal.

The Indians named our land "Iowa" which means "beautiful land." On the east, the Father of Waters flows southward into the great ocean and on the west, the "Mighty Mo" goes in the same general direction, joining the Mississippi in our sister state which borders us on the south. To the north, we have Minnesota, the "land of 10,000 lakes." Within these borders live nearly 3,000,000 people.

These people, and a great people they are, are by ancestry, Indians, Swedes, Norwegians, Danes, Dutch, German, English, Irish, Scotch, Italians, Greeks, Hebrews, Negroes and in fact, their ancestors came from every corner of the globe. Here in Iowa, they have all been welcome and have been accepted without any question as to their ancestry, their political belief, or their creed. Today, we pride ourselves in our tolerance for each and every group.

Here, within our borders, we have developed the greatest agriculture economy in the world, producing more of the necessities of life than are produced in any like area. We supply many times the amount needed for our people and supply these commodities to all parts of the nation and the world.

Besides being the top agricultural state of the union, we are now growing in industry. Many new manufacturing plants have been established in the last few years. Iowa has an abundant supply of labor force. The newest interest in developing industry in Iowa is beginning to produce results. It is very evident that Iowa can become a powerful industrial area.

In appraising Iowa, we do not forget our educational advantages. We have three state educational institutions that rate well in our nation and are continuing to graduate men and women who are in much demand over the nation. We have graduated and I am sure shall continue to graduate those who lead in their fields of science, law, education, business, agriculture, engineering, and religion. Our secondary schools have made wonderful advancement in the last years. We have a high average of intelligence in our people. Besides all of these public schools, there are many church schools that are doing a wonderful job in preparing young men and women to face the problems of life.

Because of its geographical location in the heartland of the nation, we are the crossroads. Through Iowa flows much of the transcontinental transportation. Our rivers carry much of the barge freight. The railroads traverse our state carrying merchandise from north to south and from east to west.

We have a superb system of surfaced highways upon which trucks carry the products of the west coast to the east and from the St. Lawrence Waterway to the south and west. Through Iowa flows much of the commerce of the nation.

Our natural resources are immense, some of which are yet to be developed. And in this development, we shall certainly conserve them for those who follow us. Our water resources and our conservation projects must be handled in such a way that the coming generations will benefit by our prudent use and development of them.

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We are one state in a union of 50. We certainly have obligations to the nation and to the rest of the states, and to the world. However, as I stated earlier, our state motto is "Our Liberties We Prize and Our Rights We Will Maintain." When we think of the things that have made Iowa great and of the problems that we, the State of Iowa, and the nation face, we cannot but have some misgivings as to what the future holds for us. It seems to me we should at this time review the basic principles upon which our nation and our state have so gloriously prospered.

In the first place, we are a republic and under our bill of rights, we are guaranteed certain inalienable rights, among which is the right to own and hold property. Together with this particular right, we have an obligation to support our government. In other words, for the right to own property, the holding of this property carries with it the obligation to pay taxes. But the "power to tax is the power to destroy." When property taxes become so great, that it is no longer prudent to hold and to have property, then "the power to tax has become the power to destroy."

At this point, I want to commend those who have gone on before us, those who have had a part in developing this great state of ours. Those who so wisely forbid in our state constitution the contracting of a state debt of over $250,000.00 without providing means for the repayment thereof. This policy has been faithfully adhered to down through the years.

We are now faced with a serious situation calling upon us who are now trusted with the destiny of our state for a solution. Our state is still financially sound for which we are thankful. But in this last year, we have spent $10,000,000.00 more than sound finances should allow. Very seldom in the history of our state has this happened.

We only need to look at some of the states around us to see what course a state takes, if this matter is not quickly righted. Or let us look at the Federal Government that has increased its debt from four billion to over 300 billion in our lifetime. When any division of government like any business fails to balances its finances, it soon is in trouble and can only end in bankruptcy unless the remedy comes sure and quickly.

We here in Iowa have only a small voice in the affairs of our nation, but those we have sent to Washington, by and large, have used their voice against this dangerous trend and are to be commended for it. But we the people of Iowa, and especially those holding positions in the legislature, have a responsibility under our constitution to see that the finances of Iowa are put in order.

I was brought up to believe that one should never spend monies that belong to someone else. To do so certainly can only bring disaster. The people of Iowa are opposed to any increase in taxes. And most certainly, they are opposed to any increase in property tax. There have been several bills introduced in this session that would take some of the tax burden from property. But in order to do this, there has to be a shift of taxes to some other source. It is impossible to find a source that will be acceptable to all the people and bring the kind of revenue to the state treasury that we need for the purpose of replacement of property tax and for the reasonable needs of our state.

When a candidate for the Iowa Senate, I told my people that I would vote against any increased appropriations unless there was a substantial reduction in property taxes. I have not changed my mind. With cattle prices and hog prices as much at $5.00 per cwt. less than they were a year ago, we cannot expect the farmer who has paid a large share of the taxes in Iowa to be very happy about any increase in taxes, especially property taxes. And I might add that most people in Iowa are farm minded and directly prosper as the farmer prospers. This is the most important ques-

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tion that faces this session of the legislature and will have to be resolved either in more taxes or less spending.

The time is here, in fact, long past due, when those who believe in the principles upon which our republic was founded, to insist that those principles be re-stated with clarity and force. And that the individual again be given a chance to provide for himself.

Some of us believe that a function of government is to help make an opportunity for each of us to provide for himself and his family. There are others who believe that the government should simply provide for us. The one philosophy tends toward socialism. The other toward individualism and private enterprise.

Those who want socialism are for more government both state and federal, and they seem to believe that the day in which a young man can start with only a will to do and be a success is past. This, of course, is far from the truth.

There never was a time when there was more opportunity for one who is willing to work, save and advance himself.

In this connection, this trend toward socialism or stateism, or call it what you may, in each advancing stage penalizes the individual with more taxes, more rules, more regulation, less freedom, less opportunity, and less money for himself to use for the necessities of life.

It seems that we should have learned before this, that the price for financial security furnished by the government, whether it be state or federal, comes in exchange for the loss of liberty and freedom.

Our whole economy and most individuals in it groan with the load of taxes that are extracted by this process. But as the load gets heavier, we expect more help financially and the government obliges and we get another round of taxes.

Now, they speak of a tax cut when we are already billions off balance and, at the same time, want to pass out more doles and more so-called security, all in the name of expanding our economy.

How long can you fool the people? How long can you pile up a national debt? How much can you reduce the value of the dollar?

The strength of our republic and the position that it has held among the nations was because of its wealth, its productivity, its liberty, and the rights of the individual. As these factors diminish, so our position deteriorates and we become a socialistic nation, unable to retain the respect and admiration of the rest of the world.

I believe every man should have an opportunity to do and to dare, but I also believe that the government owes no man a living. We are fast becoming a nation of security minded people. A security provided by someone else.

Those of us who believe in providing our own security by hard work, careful spending, and prudent investment are becoming the minority. It is for us to expound the virtues and the principles of our republic and of the capitalistic system that made us the the greatest nation of all time.

I shall not leave this platform without expressing my faith in the ability and the desire of the legislature to solve this problem and the other problems which are before them.

I also want to praise you who are here today and have served the state in the same capacity. For you too stood up to the problems of your day and honorably and ably solved them.

There seems to be a tendency in our state as in all states, and the nation too, to continually expand the importance of government in our lives. There is no doubt that we need government, but I am reminded of the statement made by one of our peers, "the government that governs least governs

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best." And again, let me repeat our state motto, "Our Liberties We Prize and Our Rights We Will Maintain." Only a few years ago, the state built a fine office building, and by the way, Senator Stanley Hart was the prime promoter and builder of this fine building. We expected at that time that this structure would be sufficient to hold the departments of state. And it should. But now, we find it is overflowing and if the tendency toward more government is not curtailed, we will need another just like it only bigger. I believe it is time to quit creating more departments, commissions, and services. I think we should re-appraise the situation and reduce state government if at all possible. Therein lies the solution of tax reduction. This is the road to the realization of what is best for Iowa. This is the fulfillment of our state motto, "Our Liberties We Prize and Our Rights We Will Maintain."

Goodbye and God bless you—

Mowry of Marshall moved that the joint convention be now dissolved.

The motion prevailed.

The Senate returned to the Senate chamber and resumed regular session, President Mooty 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 passed the following bill in which the concurrence of the House was asked:

Senate File 275, a bill for an act relating to the overall length of combinations of vehicles.

WILLIAM R. KENDRICK, *Chief Clerk.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, from the joint committee on enrolled bills, submitted the following report and moved it adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 94 and 351.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate Files 94 and 351.

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BILLS SENT TO THE GOVERNOR

Senator Benda, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 28th day of March, 1963, sent to the Governor for his approval: Senate Files 94 and 351.

KENNETH BENDA, *Chairman.*

Passed on file

SENATE CONCURRENT RESOLUTION 18

By RIGLER

Be It Resolved by the Senate, the House Concurring: That the Sixtieth General Assembly adjourn sine die at five o'clock p.m., Tuesday, April 23, 1963.

PROOF OF PUBLICATION

Published copy of Senate File 389 and verified proof of publication of said bill in the Jewell Record, a newspaper published at Jewell, Iowa, on February 21, 1963, 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.

COMMUNICATION

The Secretary of the Senate announced the receipt of Senate Concurrent Resolution 13 which had been adopted by the Legislature of the State of South Dakota during its Thirty-eighth regular session, a concurrent resolution requesting the Congress of the United States of America to propose an amendment to the constitution of the United States to provide for the appointment of electors of the President and Vice President on a basis similar to the election of the Congress of the United States.

ASSIGNMENT OF BILLS TO COMMITTEE

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

S. F. 418 Appropriations
S. F. 420 Appropriations
S. F. 421 Appropriations
H. F. 70 Judiciary 2

REPORTS OF COMMITTEES

Senator Dykhouse submitted the following report:

MR. PRESIDENT: Your committee on conservation to which was referred Senate File 264, a bill for an act relating to the registration of motorboats,

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begs leave to report it has had the same under consideration and recommends the same **do pass.**

J. T. DYKHOUSE, *Chairman.*

Ordered passed on file.

Senator Walker submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred **Senate File 348,** a bill for an act to authorize the secretary of agriculture of the State of Iowa to provide regulations setting forth minimum general safety standards for design, construction, location, installation and operation of storage facilities, the handling of transportation and utilization of anhydrous ammonia as an agricultural fertilizer; to provide for penalties for violation of this act and the rules and regulations enacted thereunder, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JOHN A. WALKER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on agriculture to which was referred **House File 280,** a bill for an act relating to the place of holding election meetings to elect members of the county agricultural extension council, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JOHN A. WALKER, *Chairman.*

Ordered passed on file.

Senator Wearin submitted the following report:

MR. PRESIDENT: Your committee on schools and educational institutions to which was referred **Senate File 18,** a bill for an act to create an appointive state board of public instruction, begs leave to report it has had the same under consideration and recommends the same **be amended in accordance with the amendment filed March 26 by Wearin and Rigler and found on page 616 of the Senate Journal, and when so amended the bill do pass.**

EDWARD A. WEARIN, *Chairman.*

Ordered passed on file.

Senator Wilson submitted the following report:

MR. PRESIDENT: Your committee on military affairs to which was referred **Senate File 342,** a bill for an act relating to an extension of time for filing application for Korean veterans' bonus, 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 342, section 1, line 4, by striking the words "December 31, 1963" and inserting in lieu thereof the words "July 4, 1963".

2. Further amend Senate File 342 by adding the following section:

"Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Iowegian and Citizen, a newspaper published at Centerville, Iowa, and in The Brooklyn Chronicle, a newspaper published at Brooklyn, Iowa."

JOE N. WILSON, *Chairman.*

Ordered passed on file.

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Senator Schroeder submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **House File 168**, a bill for an act to legalize and validate the proceedings of the city council of the City of Denison, in Crawford County, Iowa, authorizing and providing for the issuance of airport 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 city, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACK SCHROEDER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **House File 413**, a bill for an act transferring jurisdiction to Boone County certain land now comprising a part of the Woodward state hospital and school at Woodward, Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACK SCHROEDER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **House File 548**, a bill for an act to legalize and validate the proceedings for the organiaztion and establishment of the boundaries of the Traer-Clutier Community School District, in the County of Tama, State of Iowa, and declaring said district a duly and legally organized corporate body as provided by law, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACK SCHROEDER, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 280 as follows:
1. Strike all of section 2.

COMMITTEE ON SCHOOLS AND EDUCATIONAL INSTITUTIONS, EDWARD A. WEARIN, *Chairman.*

Amend the committee amendment to Senate File 388 by inserting the following before the period (.) in line 54: "and by inserting in lieu thereof a period (.)".

JACOB GRIMSTEAD.

Amend the Shaff amendment to House File 187 by striking from line 20 the word "However," and striking all of lines 21, 22, 23, and 24 inclusive.

MARTIN WILEY.

Amend House File 275 as follows:
1. Amend section 1, line 1, by striking the numeral "2" and inserting in lieu thereof the word "two".
2. Amend section 2, line 1, by striking the numeral "3"

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and inserting in lieu thereof the word "three".

3. Amend section 3, line 1, by striking the numeral "4" and inserting in lieu thereof the word "four".

4. Amend section 4, line 1, by striking the numeral "7" and inserting in lieu thereof the word "seven" and by striking the word "any" in line 3 and inserting in lieu thereof the word "Any".

JOHN A. WALKER.

On motion of Senator Rigler, the Senate adjourned until 9:00 a.m., Friday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 29, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Leroy Leland, pastor of the Community Church, Percival, Iowa.

PETITIONS

The following petitions were received and placed on file:

In favor of liquor by the drink under license control by:

Senator Nolan, from fifty residents of Johnson County.

Senator Van Eaton, from the board of directors of the Sioux City East End Development Association.

In opposition to liquor by the drink:

Senator Vance, from forty-one residents of Jefferson County.

PRESENTATION OF VISITORS

Senator Lisle asked and received unanimous consent to present to the Senate sixty-five students from the Nishna Valley High School, Hastings, who were present in the balcony accompanied by their instructor, Gary Greenwood.

ANNOUNCEMENT

Senator Curran asked and received unanimous consent to present to the Senate Mr. Ed Lamson, Secretary of the Chamber of Commerce, Clear Lake, Iowa.

Mr. Lamson said:

It is my privilege on behalf of the Clear Lake Chamber of Commerce and Mr. George Atkinson, chairman of the Governor's Day committee, to extend to the members of the Senate an invitation to attend the Twenty-fifth Annual Governor's Day on August 2, 3 and 4, 1963, at Clear Lake, Iowa.

INTRODUCTION OF BILL

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 placed on the calendar.

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REPORTS OF COMMITTEES

Senator Schroeder submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **House File 412**, a bill for an act transferring jurisdiction to Dallas County certain land now comprising a part of the Woodward state hospital and school at Woodward, Dallas County, Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACK SCHROEDER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **House File 414**, a bill for an act transferring jurisdiction to Boone County certain land now comprising a part of the Woodward state hospital and school at Woodward, Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACK SCHROEDER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **House File 549**, a bill for an act to legalize and validate the proceedings of the board of directors of the Traer-Clutier Community School District, in the County of Tama, State of Iowa, authorizing and providing for the issuance of school building bonds and for the levy of taxes for the payment of said bonds and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said school district, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACK SCHROEDER, *Chairman.*

Ordered passed on file.

Senator Lisle submitted the following report:

MR. PRESIDENT: Your committee on manufacturing, commerce and trade to which was referred **Senate File 257**, a bill for an act relating to the practice of accountancy, begs leave to report it has had the same under consideration and recommends the same **do pass.**

VERN LISLE, *Chairman.*

Ordered passed on file.

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

SENATE CONCURRENT RESOLUTION 19
By Rigler

Whereas, it is deemed advisable to give further consideration to Senate File 150, a bill for an act relating to the elimination of the necessity of fire extinguishers for certain boats, which has passed both houses of the General Assembly and has been delivered to the Governor.

Now, Therefore, Be It Resolved by the Senate, the House Concurring: That the Governor be respectfully requested to return Senate File 150 for further consideration.

The motion prevailed and the resolution was adopted.

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HOUSE AMENDMENTS CONSIDERED

Senator Wiley called up for consideration Senate File 78, a bill for an act to prohibit bicycles or animal drawn vehicles from using the interstate system, amended by the House, and moved that the Senate concur in the following amendment:

HOUSE AMENDMENT TO SENATE FILE 78

Amend the title to Senate File 78 by striking from line 1 the words "bicycle or animal drawn vehicles" and inserting in lieu thereof the words "certain vehicles and implements".

The Senate concurred in the House amendment.

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

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

Ayes, 46:

Benda	Elijah	Kyhl	Schroeder
Beneke	Elthon	Lisle	Shivvers
Brown	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Turner
Burrows	Flatt	Lucken	Vance
Campbell	Frommelt	Main	Van Eaton
Coleman	Fulton	Mincks	Vincent
Cowden	Getting	Nolan	Walker
Curran	Griffin	O'Malley	Wearin
Dodds	Grimstead	Phelps	Wiley
Doran	Hansen	Rigler	Wilson
Dykhouse	Hill		

Nays, none.

Absent or not voting, 4:

Scott	Shaff	Stephens	Walter

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 Burrows, Senate File 280, a bill for an act relating to publication of financial matters by school districts, was taken up for further consideration.

The following committee amendment was considered:

Amend Senate File 280 as follows:

1. Strike all of section 2.

On motion of Senator Wearin, the committee amendment was adopted.

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Senator Burrows moved that the bill be read a third 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:

Benda	Dykhouse	Hansen	Schroeder
Beneke	Elijah	Kyhl	Shoeman
Brown	Elthon	Lisle	Stephens
Buck	Elvers	Lodwick	Turner
Burrows	Fisher	Long	Vance
Campbell	Flatt	Lucken	Van Eaton
Coleman	Fulton	Mincks	Vincent
Cowden	Getting	Nolan	Walker
Curran	Griffin	O'Malley	Walter
Dodds	Grimstead	Phelps	Wiley
Doran			

Nays, 4:

Main	Rigler	Shivvers	Wearin

Absent or not voting, 4:

Hill	Scott	Shaff	Wilson

Voting present, 1:

Frommelt

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

On motion of Senator Rigler, House File 232, a bill for an act relating to election of state board of public instruction members, with the report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Rigler asked and received unanimous consent that action on House File 232 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Main, Senate File 330, a bill for an act to authorize the superintendent of public buildings and grounds and the executive council to accept federal monies as reimbursements for expenses incurred in the maintenance of public buildings, was taken up for further consideration.

Senator Main moved that the bill be read a third 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:

Benda	Campbell	Doran	Fisher
Beneke	Coleman	Dykhouse	Flatt
Brown	Cowden	Elijah	Fulton
Buck	Curran	Elthon	Getting
Burrows	Dodds	Elvers	Griffin

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Grimstead	Lucken	Rigler	Van Eaton
Hansen	Main	Schroeder	Vincent
Hill	Mincks	Shivvers	Walker
Kyhl	Nolan	Shoeman	Walter
Lisle	O'Malley	Turner	Wearin
Lodwick	Phelps	Vance	Wiley
Long			

Nays, none.

Absent or not voting, 5:

Frommelt	Shaff	Stephens	Wilson
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 Schroeder, House File 29, a bill for an act to amend chapter eighty-nine (89), Code 1962, relating to boiler inspections, to permit biennial inspections of certain boilers, was taken up for further consideration.

Senator Schroeder moved that the bill be read a third 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:

Benda	Elijah	Kyhl	Schroeder
Beneke	Elthon	Lisle	Shivvers
Brown	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Turner
Burrows	Flatt	Lucken	Vance
Campbell	Frommelt	Main	Van Eaton
Coleman	Fulton	Mincks	Vincent
Cowden	Getting	Nolan	Walker
Curran	Griffin	O'Malley	Walter
Dodds	Grimstead	Phelps	Wearin
Doran	Hansen	Rigler	Wiley
Dykhouse	Hill		

Nays, none.

Absent or not voting, 4:

Scott	Shaff	Stephens	Wilson

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

On motion of Senator Cowden, House File 197, a bill for an act relating to the penalty charges imposed on counties delinquent in the payment of their billings for mental health care, was taken up for further consideration.

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

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

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Ayes, 41:

Benda	Elthon	Lisle	Shivvers
Brown	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Vance
Campbell	Frommelt	Mincks	Van Eaton
Coleman	Getting	Nolan	Vincent
Cowden	Griffin	O'Malley	Walker
Curran	Grimstead	Phelps	Walter
Dodds	Hansen	Rigler	Wearin
Dykhouse	Kyhl	Schroeder	Wiley
Elijah			

Nays, 4:

Doran	Fulton	Hill	Main

Absent or not voting, 5:

Beneke	Shaff	Turner	Wilson
Scott			

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 Walker, Senate File 389, a bill for an act to legalize and validate the proceedings for the attachment of certain land in Hamilton County, Iowa, to the South Hamilton Community School District, in the Counties of Hamilton and Boone, State of Iowa, and declaring the boundaries of said school district to be legally established, was taken up and considered.

Senator Walker moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shivvers
Brown	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Turner
Campbell	Frommelt	Main	Vance
Coleman	Fulton	Mincks	Van Eaton
Cowden	Getting	Nolan	Vincent
Curran	Griffin	O'Malley	Walker
Dodds	Grimstead	Phelps	Walter
Doran	Hansen	Rigler	Wearin
Dykhouse	Hill	Schroeder	Wiley
Elijah	Kyhl		

Nays, none.

Absent or not voting, 4:

Beneke	Scott	Shaff	Wilson

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

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On motion of Senator Flatt, Senate File 276, a bill for an act to amend section eight point sixteen (8.16), Code of Iowa, 1962, relating to the office of the state comptroller, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Flatt offered the following amendment and moved its adoption:

Amend Senate File 276 as follows:
1. By striking from line 1 of the title the words "of Iowa,".
2. By striking from line 1 of section 1 the words "of Iowa,".
3. By striking from line 4 of section 1 the word and numeral "Section 1.".

The amendment was adopted.

Senator Flatt moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shivvers
Brown	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Turner
Campbell	Frommelt	Main	Vance
Coleman	Fulton	Mincks	Van Eaton
Cowden	Getting	Nolan	Vincent
Curran	Griffin	O'Malley	Walker
Dodds	Grimstead	Phelps	Walter
Doran	Hansen	Rigler	Wearin
Dykhouse	Hill	Schroeder	Wiley
Elijah	Kyhl		

Nays, none.

Absent or not voting, 4:

Beneke	Scott	Shaff	Wilson

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

On motion of Senator Fulton, Senate File 345, a bill for an act relating to intra-city routes of an urban transit system and to amend section four hundred four point ten (404.10), Code 1962, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Fulton moved that the bill be read a third 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:

Benda	Brown	Burrows	Coleman
Beneke	Buck	Campbell	Cowden

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Curran	Fulton	Lucken	Stephens
Dodds	Getting	Main	Turner
Doran	Griffin	Mincks	Vance
Dykhouse	Grimstead	Nolan	Van Eaton
Elijah	Hansen	O'Malley	Vincent
Elthon	Hill	Phelps	Walker
Elvers	Kyhl	Rigler	Walter
Fisher	Lisle	Schroeder	Wearin
Flatt	Lodwick	Shivvers	Wiley
Frommelt	Long	Shoeman	

Nays, none.

Absent or not voting, 8:

Scott	Shaff	Wilson

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

On motion of Senator Getting, Senate File 349, a bill for an act relating to the amendment of the articles or bylaws of cooperative associations, 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 349, section 1, line 8, by striking the words "a majority of those" and inserting in lieu thereof the words "seventy-five percent (75%) of the".

Amend section 2, line 7, by striking the words "a majority" and inserting in lieu thereof "seventy-five percent (75%)".

On motion of Senator Getting, the committee amendments were adopted.

Senator Getting moved that the bill be read a third 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:

Benda	Elijah	Kyhl	Shivvers
Beneke	Elthon	Lisle	Shoeman
Brown	Elvers	Lodwick	Stephens
Buck	Fisher	Long	Turner
Burrows	Flatt	Lucken	Vance
Campbell	Frommelt	Mincks	Van Eaton
Coleman	Fulton	Nolan	Vincent
Cowden	Getting	O'Malley	Walker
Curran	Griffin	Phelps	Walter
Dodds	Grimstead	Rigler	Wearin
Doran	Hansen	Schroeder	Wiley
Dykhouse	Hill		

Nays, none.

Absent or not voting, 4:

Main	Scott	Shaff	Wilson

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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 Walker, Senate File 371, a bill for an act to make the superintendent of public instruction elective and establish qualifications, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Walker offered the following amendment and moved its adoption:

Amend Senate File 371 as follows:
By striking section 3.

The amendment was adopted.

Senator Rigler asked and received unanimous consent that action on Senate File 371 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Buck, Senate File 378, a bill for an act relating to joint county-city or town buildings, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Buck asked and received unanimous consent that action on Senate File 378 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Frommelt, Senate File 380, a bill for an act to set the dates general aid to schools is to be paid, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Frommelt moved that the bill be read a third 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:

Benda	Elijah	Kyhl	Shivvers
Beneke	Elthon	Lisle	Shoeman
Brown	Elvers	Lodwick	Stephens
Buck	Fisher	Long	Turner
Burrows	Flatt	Lucken	Vance
Campbell	Frommelt	Main	Van Eaton
Coleman	Fulton	Mincks	Vincent
Cowden	Getting	Nolan	Walker
Curran	Griffin	O'Malley	Walter
Dodds	Grimstead	Phelps	Wearin
Doran	Hansen	Rigler	Wiley
Dykhouse	Hill	Schroeder	

Nays, none.

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Absent or not voting, 3:

Scott	Shaff	Wilson

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

On motion of Senator Cowden, House File 83, a bill for an act relating to public health nurses, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Cowden moved that the bill be read a third 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:

Benda	Elijah	Kyhl	Shivvers
Beneke	Elthon	Lisle	Shoeman
Brown	Elvers	Lodwick	Stephens
Buck	Fisher	Long	Turner
Burrows	Flatt	Lucken	Vance
Campbell	Frommelt	Main	Van Eaton
Coleman	Fulton	Mincks	Vincent
Cowden	Getting	Nolan	Walker
Curran	Griffin	O'Malley	Walter
Dodds	Grimstead	Phelps	Wearin
Doran	Hansen	Rigler	Wiley
Dykhouse	Hill	Schroeder	

Nays, none.

Absent or not voting, 3:

Scott	Shaff	Wilson

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

On motion of Senator Getting, House File 85, a bill for an act relating to erecting, rebuilding or repairing of fences, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Getting offered the following amendment:

Amend House File 85, section 1, by striking all after the word "shall" in line 5, and inserting in lieu thereof the following: "cause the fence to be erected, rebuilt and repaired".

Senator Getting asked and received unanimous consent that action on House File 85 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Lucken, House File 189, a bill for an act to adopt the Interstate Compact on Mental Health and designate an administrator with other states, with report of committee recom-

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mending passage, was taken up, considered, and the report of the committee adopted.

Senator Lucken asked and received unanimous consent that action on House File 189 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Beneke, Senate File 322, a bill for an act relating to insuring of property owned by recipient of old age assistance, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Beneke offered the following amendment and moved its adoption:

Amend Senate File 322 as follows:
By inserting after the word "property" in line 5 the following, "upon notice to the insurer and endorsement of the policy".

The amendment was adopted.

Senator Beneke moved that the bill be read a third 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:

Benda	Elijah	Kyhl	Shivvers
Beneke	Elthon	Lisle	Shoeman
Brown	Elvers	Lodwick	Stephens
Buck	Fisher	Long	Turner
Burrows	Flatt	Lucken	Vance
Campbell	Frommelt	Main	Van Eaton
Coleman	Fulton	Mincks	Vincent
Cowden	Getting	Nolan	Walker
Curran	Griffin	O'Malley	Walter
Dodds	Grimstead	Phelps	Wearin
Doran	Hansen	Rigler	Wiley
Dykhouse	Hill	Schroeder	

Nays, none.

Absent or not voting, 3:

Scott	Shaff	Wilson

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

On motion of Senator Shoeman, Senate File 412, a bill for an act to make appropriations to members and representatives of the committee on interstate cooperation, namely: W. L. Mooty, Jack Schroeder, Harold O. Fischer, D. C. Nolan, Robert R. Rigler, David O. Shaff, Ray C. Cunningham, Elmer H. Den Herder, Raymond Eveland, Robert W. Naden, Charles F. Eppers, Maurice B. Crabbe, C. Edwin Gilmour, John Gray (deceased), and Paul W. Knowles, was taken up and considered.

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Senator Shoeman offered the following amendment and moved its adoption:

Amend Senate File 412, section 4, by striking all of lines 3, 4 and 5 and inserting in lieu thereof the following: "in The Mount Pleasant News, a newspaper published in Mount Pleasant, Iowa, and The Atlantic News-Telegraph, a newspaper published in Atlantic, Iowa.".

The amendment was adopted.

Senator Long offered the following amendment and moved its adoption:

Amend Senate File 412 by striking from line 20 of section 1 the following: "John Gray (representative, deceased)" and insert in lieu thereof "Mrs. John Gray".

Amend the title to Senate File 412 by striking therefrom the following: "John Gray (deceased)" and inserting in lieu thereof "Mrs. John Gray".

The amendment was adopted.

Senator Shoeman moved that the bill be read a third 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:

Benda	Dykhouse	Hansen	Shivvers
Beneke	Elijah	Hill	Shoeman
Brown	Elthon	Kyhl	Stephens
Buck	Elvers	Lisle	Turner
Burrows	Fisher	Lodwick	Vance
Campbell	Flatt	Long	Van Eaton
Coleman	Frommelt	Lucken	Vincent
Cowden	Fulton	Main	Walker
Curran	Getting	Mincks	Walter
Dodds	Griffin	O'Malley	Wearin
Doran	Grimstead	Phelps	Wiley

Nays, none.

Absent or not voting, 3:

Scott	Shaff	Wilson

Voting present, 3:

Nolan	Rigler	Schroeder

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 Lisle, House File 190, a bill for an act to allow prisoners who volunteer to be sent to the State University Hospital for medical research, was taken up for further consideration.

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

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

Ayes, 47:

Benda	Elijah	Kyhl	Shivvers
Beneke	Elthon	Lisle	Shoeman
Brown	Elvers	Lodwick	Stephens
Buck	Fisher	Long	Turner
Burrows	Flatt	Lucken	Vance
Campbell	Frommelt	Main	Van Eaton
Coleman	Fulton	Mincks	Vincent
Cowden	Getting	Nolan	Walker
Curran	Griffin	O'Malley	Walter
Dodds	Grimstead	Phelps	Wearin
Doran	Hansen	Rigler	Wiley
Dykhouse	Hill	Schroeder	

Nays, none.

Absent or not voting, 3:

Scott	Shaff	Wilson

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

On motion of Senator Long, Senate File 400, a bill for an act to amend section three hundred ninety-one point twenty-four (391.24) and section three hundred ninety-one point fifty-three (391.53), Code 1962, to require mailing of the notices provided for in said code sections to all property owners whose property is subject to assessment, was taken up and considered.

Senator Doran offered the following amendment and moved its adoption:

Amend Senate File 400 as follows:

1. Amend the title by striking the word "and" in line 2 and inserting in lieu thereof a comma (,).

2. Further amend the title by adding the following before the word ", Code" in line 3: "three hundred ninety-one A point thirteen (391A.13) and three hundred ninety-one A point twenty-five (391A.25)".

3. By adding thereto the following sections:

"Sec. 3. Section three hundred ninety-one A point thirteen (391A.13), Code 1962, is amended by striking all of the last paragraph of said section and by adding in lieu thereof the following:

'The clerk shall send by certified mail to each property owner, whose property is subject to assessment for said improvement, as shown by the records in the office of the county auditor, a copy of the above mentioned notice, said mailing to be made on or before the first publication of said notice. Failure to receive such mailed notice shall not constitute a defense to the special assessment.'

"Sec. 4. Section three hundred ninety-one A point twenty-five (391A.25), Code 1962, is amended by adding at the end of subsection five (5), line eight (8), the following:

'The clerk shall also send by certified mail to each property owner, whose property is subject to assessment for said improvement, as shown by the records in the office of the county auditor, a copy of said notice, said mailing to be made on or before the first publication of said notice. Failure to re-

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ceive such mailed notice shall not constitute a defense to the special assessment.'"

The amendment was adopted.

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

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

Ayes, 47:

Benda	Elijah	Kyhl	Shivvers
Beneke	Elthon	Lisle	Shoeman
Brown	Elvers	Lodwick	Stephens
Buck	Fisher	Long	Turner
Burrows	Flatt	Lucken	Vance
Campbell	Frommelt	Main	Van Eaton
Coleman	Fulton	Mincks	Vincent
Cowden	Getting	Nolan	Walker
Curran	Griffin	O'Malley	Walter
Dodds	Grimstead	Phelps	Wearin
Doran	Hansen	Rigler	Wiley
Dykhouse	Hill	Schroeder	

Nays, none.

Absent or not voting, 3:

Scott	Shaff	Wilson

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 Doran, Senate File 39, a bill for an act relating to enforcement of foreign judgments, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Doran offered the following amendment and moved its adoption:

Amend Senate File 39 as follows:

1. By inserting the following in section 7, line 1 after the word "sixty": "(60)".

2. By inserting the following in section 8, line 5 after the word "sixty": "(60)", and by inserting in line 7 after the word "sixty": "(60)", and by striking the numeral "5" in line 8 and inserting in lieu thereof the following: "five (5)".

3. By inserting the following in section 12, line 2 after the word "sixty": "(60)", and by inserting the following in line 3 after the word "sixty": (60)", and by striking the numeral "5" in lines 4 and inserting in lieu thereof the following: "five (5)".

4. By striking from section 15, line 5, the numeral "14" and by inserting in lieu thereof the following: "fourteen (14)".

The amendment was adopted.

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

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

Ayes, 47:

Benda	Elijah	Kyhl	Shivvers
Beneke	Elthon	Lisle	Shoeman
Brown	Elvers	Lodwick	Stephens
Buck	Fisher	Long	Turner
Burrows	Flatt	Lucken	Vance
Campbell	Frommelt	Main	Van Eaton
Coleman	Fulton	Mincks	Vincent
Cowden	Getting	Nolan	Walker
Curran	Griffin	O'Malley	Walter
Dodds	Grimstead	Phelps	Wearin
Doran	Hansen	Rigler	Wiley
Dykhouse	Hill	Schroeder	

Nays, none.

Absent or not voting, 3:

Scott	Shaff	Wilson

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 60, a bill for an act authorizing cities and towns to acquire, purchase, construct, reconstruct, improve, extend and lease industrial buildings; authorize the issuance of revenue bonds of cities and towns for the purpose of securing and developing industry and provide for the payment of certain sums in lieu of taxes to the State of Iowa and to the county, city, town, school district and other political subdivisions, 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 60 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Stephens, Senate File 191, a bill for an act relating to elections on bond issue proposals, 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 191 by striking from line 8 of section 1 the words "one (1) calendar year" and by inserting in lieu thereof the following: "a period of six (6) months".

On motion of Senator Nolan, the committee amendment was adopted.

Senator Coleman offered the following amendment and moved its adoption:

Amend Senate File 191 by adding the following as a new section:
"This Act, being deemed of immediate importance, shall be in full force

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and effect from and after its publication in the Iowa City Press-Citizen, a newspaper published in Iowa City, Iowa, and the Fort Dodge Messenger and Chronicle, a newspaper published at Fort Dodge, Iowa.".

The amendment was adopted.

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

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

Ayes, 47:

Beneke	Elijah	Kyhl	Shivvers
Brown	Elthon	Lisle	Shoeman
Brown	Elvers	Lodwick	Stephens
Buck	Fisher	Long	Turner
Burrows	Flatt	Lucken	Vance
Campbell	Frommelt	Main	Van Eaton
Coleman	Fulton	Mincks	Vincent
Cowden	Getting	Nolan	Walker
Curran	Griffin	O'Malley	Walter
Dodds	Grimstead	Phelps	Wearin
Doran	Hansen	Rigler	Wiley
Dykhouse	Hill	Schroeder	

Nays, none.

Absent or not voting, 3:

Scott	Shaff	Wilson

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

Senator Coleman asked and received unanimous consent that Senate File 191 be immediately messaged to the House, which request was complied with.

On motion of Senator Nolan, Senate File 231, a bill for an act to amend chapter four hundred ninety-six A (496A), Code 1962, relating to corporations for profit, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Nolan 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 Nolan, Senate File 260, a bill for an act relating to the Rules of Civil Procedure, 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:

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Ayes, 46:

Benda	Elijah	Kyhl	Schroeder
Beneke	Elthon	Lisle	Shivvers
Brown	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Turner
Campbell	Frommelt	Main	Vance
Coleman	Fulton	Mincks	Van Eaton
Cowden	Getting	Nolan	Vincent
Curran	Griffin	O'Malley	Walker
Dodds	Grimstead	Phelps	Walter
Doran	Hansen	Rigler	Wearin
Dykhouse	Hill		

Nays, 1:

Wiley

Absent or not voting, 3:

Scott	Shaff	Wilson

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 269, a bill for an act to amend section six hundred twenty-four point one (624.1), Code 1962, relating to the examination and cross-examination of witnesses, 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, 44:

Benda	Dykhouse	Hill	Shivvers
Beneke	Elijah	Kyhl	Shoeman
Brown	Elthon	Lisle	Stephens
Buck	Elvers	Lodwick	Turner
Burrows	Fisher	Long	Vance
Campbell	Flatt	Main	Van Eaton
Coleman	Frommelt	Nolan	Vincent
Cowden	Fulton	O'Malley	Walker
Curran	Getting	Phelps	Walter
Dodds	Griffin	Rigler	Wearin
Doran	Hansen	Schroeder	Wiley

Nays, none.

Absent or not voting, 4:

Mincks	Scott	Shaff	Wilson

Voting present, 2:

Grimstead	Lucken

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

On motion of Senator Turner, Senate File 341, a bill for an act

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to amend section three hundred twenty-one point four hundred ninety-four (321.494), Code 1962, relating to guest passengers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Frommelt asked and received unanimous consent that action on Senate File 341 be deferred and that the bill be placed on the calendar under "unfinished business."

Senator Rigler asked and received unanimous consent that Senator Burrows be permitted to take up out of order House Files 548 and 549.

On motion of Senator Burrows, House File 548, a bill for an act to legalize and validate the proceedings for the organization and establishment of the boundaries of the Traer-Clutier Community School District, in the County of Tama, State of Iowa, and declaring said district a duly and legally organized corporate body as provided by law, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Burrows moved that the bill be read a third 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:

Benda	Elijah	Kyhl	Shivvers
Beneke	Elthon	Lisle	Shoeman
Brown	Elvers	Lodwick	Stephens
Buck	Fisher	Long	Turner
Burrows	Flatt	Lucken	Vance
Campbell	Frommelt	Main	Van Eaton
Coleman	Fulton	Mincks	Vincent
Cowden	Getting	Nolan	Walker
Curran	Griffin	O'Malley	Walter
Dodds	Grimstead	Phelps	Wearin
Doran	Hansen	Rigler	Wiley
Dykhouse	Hill	Schroeder	

Nays, none.

Absent or not voting, 3:

Scott	Shaff	Wilson

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

On motion of Senator Burrows, House File 549, a bill for an act to legalize and validate the proceedings of the board of directors of the Traer-Clutier Community School District, in the County of Tama, State of Iowa, authorizing and providing for the issuance of school building bonds and for the levy of taxes for the payment of said bonds and declaring the bonds issued pursuant to said pro-

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ceedings 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 Burrows moved that the bill be read a third 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:

Benda	Elijah	Kyhl	Shivvers
Beneke	Elthon	Lisle	Shoeman
Brown	Elvers	Lodwick	Stephens
Buck	Fisher	Long	Turner
Burrows	Flatt	Lucken	Vance
Campbell	Frommelt	Main	Van Eaton
Coleman	Fulton	Mincks	Vincent
Cowden	Getting	Nolan	Walker
Curran	Griffin	O'Malley	Walter
Dodds	Grimstead	Phelps	Wearin
Doran	Hansen	Rigler	Wiley
Dykhouse	Hill	Schroeder	

Nays, none.

Absent or not voting, 3:

Scott	Shaff	Wilson

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

Senator Hansen asked and received unanimous consent to take up for consideration House File 168.

On motion of Senator Hansen, House File 168, a bill for an act to legalize and validate the proceedings of the city council of the city of Denison, in Crawford County, Iowa, authorizing and providing for the issuance of airport 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 city, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hansen moved that the bill be read a third 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:

Benda	Cowden	Elvers	Grimstead
Beneke	Curran	Fisher	Hansen
Brown	Dodds	Flatt	Hill
Buck	Doran	Frommelt	Kyhl
Burrows	Dykhouse	Fulton	Lisle
Campbell	Elijah	Getting	Lodwick
Coleman	Elthon	Griffin	Long

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Lucken	Phelps	Stephens	Walker
Main	Rigler	Turner	Walter
Mincks	Schroeder	Vance	Wearin
Nolan	Shivvers	Van Eaton	Wiley
O'Malley	Shoeman	Vincent	

Nays, none.

Absent or not voting, 3:

Scott	Shaff	Wilson

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

Senate Concurrent Resolution 19, a concurrent resolution respectfully requesting the Governor to return Senate File 150 for further consideration.

WILLIAM R. KENDRICK, *Chief Clerk.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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 275.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 275.

BILL SENT TO THE GOVERNOR

Senator Benda, from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 29th day of March, 1963, sent to the Governor for his approval: Senate File 275.

KENNETH BENDA, *Chairman.*

Passed on file.

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BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 29, 1963, the Governor had approved the following bills:

Senate File 10, relating to unlawful hunting on land of another.
Senate File 23, relating to veterinary medicine and surgery.
Senate File 105, relating to soil conservation districts.
Senate File 145, relating to certain public utilities and other improvements.
Senate File 156, relating to community or junior college buildings.
Senate File 241, relating to deputy superintendent of banking and bank examiners.
Senate File 351, relating to the acquisition of vehicles and equipment by cities and towns.

BILL ASSIGNED TO COMMITTEE

President Mooty announced the assignment of the following bill to committee:

S. F. 422 Appropriations

AMENDMENTS FILED

Amend Senate File 285 as follows:

1. By striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Amend section three hundred forty point nine (340.9), subsection fifteen (15), Code 1962, by striking from line two (2) the words, 'ten thousand' and by inserting in lieu thereof the words, 'twelve thousand (12,000)'.

"Sec. 2. Amend section three hundred forty point ten (340.10), Code 1962 as follows:

1. By striking from subsection two (2), line three (3) the words, 'seventy-five' and by inserting in lieu thereof the words, 'eighty-five (85)'.

2. By striking from subsection three (3), line three (3) the word, 'fifty' and by inserting in lieu thereof the words, 'sixty-five (65)' and by striking from line four (4) the words, 'sixty-five' and by inserting in lieu thereof the words, 'seventy-five (75)'."

GEORGE O'MALLEY.

Amend the committee on governmental affairs amendment to Senate File 388, filed March 25, 1963, by adding to section 11 at the end of line 130 the following:

"Insert in lieu of said words the following:

'Annually on November 1 each year the treasurer of state shall transfer one hundred ninety thousand dollars ($190,000) to the division of motor vehicle registration of the department of public safety for the purpose of purchasing supplies and materials and for the cost of manufacturing validating emblems and new and replacement registration plates for motor vehicles. Any unexpended balance at the end of the biennial period shall be credited to the road use tax fund.' "

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Further amend section 11 by adding at the end of line 133 the following:

"Insert in lieu of said words the following:

', less the amount transferred during such fiscal period for motor vehicle registration plates and validating emblems as provided in this section,' ".

Further amend said section 11 by adding at the end the following:

"This section shall be effective November 1, 1963."

COMMITTEE ON GOVERNMENTAL AFFAIRS,
JACOB GRIMSTEAD, *Chairman.*

Amend Senate File 371 as follows:

1. Add a new section as follows:

"Sec. 3. Section two hundred fifty-seven point ten (257.10), Code 1962, is amended by striking from subsection three (3) lines seven (7) and eight (8) the words ', including the department of public instruction,'.

Further amend said subsection three (3) by striking from lines nine (9), ten (10) and eleven (11) the words ', when the same have been prepared and submitted to the state board by the superintendent of public instruction,'."

2. Add a new section as follows:

"Sec. 4. Section two hundred fifty-seven point fourteen (257.14), Code 1962, is amended by striking from lines two (2) and three (3) the words 'the state board' and inserting in lieu thereof the word 'him'."

3. Add a new section as follows:

"Sec. 5. Section two hundred fifty-seven point eighteen (257.18), Code 1962, is amended by adding a new subsection as follows:

'Adopt and transmit to the state comptroller as provided by law on or before September 1 prior to the meeting of each regular session of the general assembly, estimates of expenditure requirements for all functions and services of the department of public instruction for each year of the ensuing biennium'."

4. Add a new section as follows:

"Sec. 6. Section two hundred fifty-seven point twenty (257.20), Code 1962, is amended by striking from lines five (5) and six (6) the words ", subject to the approval of the state board,".

5. Add a new section as follows:

"Sec. 7. Section two hundred fifty-seven point twenty-two (257.22), Code 1962, is amended by striking from lines three (3) and four (4) the words "subject to the approval of the state board".

Further amend said section by striking from line nine (9) the words 'designated by the state board'."

6. Add a new section as follows:

"Sec. 8. Section two hundred fifty-seven point twenty-four (257.24), Code 1962, is amended by striking from line five (5) the words 'fixed by the state board but'.

Further amend said section by striking from lines thirteen (13), fourteen (14) and fifteen (15) the words 'The professional

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staff, including the state superintendent, shall serve at the discretion of the state board; provided, however, that'."

JOHN A. WALKER.

Amend Senate File 407 by adding the following new section:
"This Act shall become effective December 1, 1963."

VERNON H. KYHL.

Amend Senate File 411 as follows:
Amend Senate File 411 by adding a period (.) after the word "programs" in line 4 of section 2 and striking everything thereafter.

ANDREW G. FROMMELT.

Amend House File 280 by striking from lines 5, 6 and 7 the words "outside the township at any other place in the county that the extension council may designate" and inserting in lieu thereof the words "in an adjoining township of that county if the extension council may so designate".

SEELEY G. LODWICK.

On motion of Senator Rigler, the Senate adjourned until 10:00 a.m., Monday, April 1, 1963.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 1, 1963.

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

Prayer was offered by Reverend Harmon Wieringer, pastor of the Second Reformed Church, Pella, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:
Senator Beneke for the day on request of Senator Shoeman.

PETITIONS

The following petitions were received and placed on file by:

Senator Doran, from forty-four residents of various counties in opposition to proposed legislation relating to contract carriers.

In opposition to liquor by the drink:

Senator Curran, from thirty-eight residents of Cerro Gordo County.

Senator Mincks, from fifteen residents of Wapello County.

Senator Van Eaton, from twenty-eight residents of Woodbury County.

PRESENTATION OF VISITORS

Senator Griffin asked and received unanimous consent to present to the Senate forty students from the West Monona School, Onawa, and the West Harrison School, Little Sioux, who were present in the balcony.

UNFINISHED BUSINESS

On motion of Senator Getting, House File 85, a bill for an act relating to erecting, rebuilding or repairing of fences, was taken up for further consideration; and the following amendment filed by Senator Getting:

Amend House File 85, section 1, by striking all after the word "shall" in line 5 and all of line 6, and inserting in lieu thereof the following: "cause the fence to be erected, rebuilt and repaired".

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On motion of Senator Getting, the amendment was adopted.

Senator Getting asked and received unanimous consent that action on House File 85 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Shaff, Senate File 231, a bill for an act to amend chapter four hundred ninety-six A (496A), Code 1962, relating to corporations for profit, was taken up for further consideration.

Senator Shaff asked and received unanimous consent that House File 354 be substituted for Senate File 231.

On motion of Senator Shaff, House File 354, a bill for an act to amend chapter four hundred ninety-six A (496A), Code 1962, relating to corporations for profit, was taken up and considered.

Senator Shaff moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shoeman
Brown	Elvers	Long	Stephens
Buck	Fisher	Lucken	Turner
Burrows	Flatt	Mincks	Vance
Campbell	Frommelt	Nolan	Van Eaton
Coleman	Fulton	O'Malley	Vincent
Cowden	Getting	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle	Shivvers	

Nays, none.

Absent or not voting, 3:

Beneke	Griffin	Main

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

Senator Shaff asked and received unanimous consent that Senate File 231 be withdrawn from further consideration of the Senate.

THIRD READING OF BILLS

On motion of Senator Nolan, Senate File 377, a bill for an act to create and establish a state tort claims act; defining terms and conferring upon each state agency in behalf of the state the power to consider, ascertain, adjust, determine, and settle claims against the state; providing for the maximum amount of the claim; permitting

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the state to be sued; conferring 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, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Nolan 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 Stephens, Senate File 401, a bill for an act to amend chapter one hundred ninety-nine (199), Code 1962, relating to agricultural seeds, was taken up and considered.

Senator Stephens asked and received unanimous consent that House File 317 be substituted for Senate File 401.

On motion of Senator Stephens, House File 317, a bill for an act to amend chapter one hundred ninety-nine (199), Code 1962, relating to agricultural seeds, was taken up and considered.

Senator Stephens moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shivvers
Brown	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Turner
Campbell	Frommelt	Mincks	Vance
Coleman	Fulton	Nolan	Van Eaton
Cowden	Getting	O'Malley	Vincent
Curran	Griffin	Phelps	Walker
Dodds	Grimstead	Rigler	Walter
Doran	Hansen	Schroeder	Wearin
Dykhouse	Hill	Scott	Wiley
Elijah	Kyhl	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Beneke	Main

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

Senator Stephens asked and received unanimous consent that Senate File 401 be withdrawn from further consideration of the Senate.

On motion of Senator Dykhouse, Senate File 403, a bill for an act to amend section three hundred twenty-one point two hundred fifty-nine (321.259), Code 1962, relating to unauthorized signs and signals, was taken up and considered.

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

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

Ayes, 44:

Benda	Elijah	Long	Shoeman
Brown	Elthon	Lucken	Stephens
Buck	Elvers	Mincks	Turner
Burrows	Fisher	Nolan	Vance
Campbell	Flatt	O'Malley	Van Eaton
Coleman	Frommelt	Phelps	Vincent
Cowden	Grimstead	Rigler	Walker
Curran	Hill	Schroeder	Walter
Dodds	Kyhl	Scott	Wearin
Doran	Lisle	Shaff	Wiley
Dykhouse	Lodwick	Shivvers	Wilson

Nays, none.

Absent or not voting, 6:

Beneke	Getting	Hansen	Main
Fulton	Griffin		

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

On motion of Senator Turner, House File 52, a bill for an act to amend chapter seven hundred ninety-five (795), Code 1962, relating to criminal indictments, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 40:

Benda	Elvers	Kyhl	Shivvers
Buck	Fisher	Lisle	Shoeman
Burrows	Flatt	Lodwick	Stephens
Campbell	Frommelt	Lucken	Turner
Coleman	Fulton	Mincks	Van Eaton
Cowden	Getting	Nolan	Vincent
Curran	Griffin	Rigler	Walker
Dodds	Grimstead	Schroeder	Wearin
Dykhouse	Hansen	Scott	Wiley
Elijah	Hill	Shaff	Wilson

Nays, 7:

Brown	Elthon	O'Malley	Walter
Doran	Long	Phelps	

Absent or not voting, 2:

Beneke	Main

Voting present, 1:
Vance

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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 Shaff, House File 257, a bill for an act making it a misdemeanor to obtain or attempt to obtain goods, property or service by false or fraudulent use of credit cards or other false or fraudulent means, and providing penalties therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Shaff moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shivvers
Brown	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Turner
Campbell	Frommelt	Mincks	Vance
Coleman	Fulton	Nolan	Van Eaton
Cowden	Getting	O'Malley	Vincent
Curran	Griffin	Phelps	Walker
Dodds	Grimstead	Rigler	Walter
Doran	Hansen	Schroeder	Wearin
Dykhouse	Hill	Scott	Wiley
Elijah	Kyhl	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Beneke	Main

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

On motion of Senator Walker, House File 275, a bill for an act relating to brucellosis control in swine, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Walker offered the following amendment and moved its adoption:

Amend House File 275 as follows:

1. Amend section 1, line 1, by striking the numeral "2" and inserting in lieu thereof the word "two".
2. Amend section 2, line 1, by striking the numeral "3" and inserting in lieu thereof the word "three".
3. Amend section 3, line 1, by striking the numeral "4" and inserting in lieu thereof the word "four".
4. Amend section 4, line 1, by striking the numeral "7" and inserting in lieu thereof the word "seven" and by striking the word "any" in line 3 and inserting in lieu thereof the word "Any".

The amendment was adopted.

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Senator Walker moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shivvers
Brown	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Turner
Campbell	Frommelt	Mincks	Vance
Coleman	Fulton	Nolan	Van Eaton
Cowden	Getting	O'Malley	Vincent
Curran	Griffin	Phelps	Walker
Dodds	Grimstead	Rigler	Walter
Doran	Hansen	Schroeder	Wearin
Dykhouse	Hill	Scott	Wiley
Elijah	Kyhl	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Beneke	Main

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

On motion of Senator Kyhl, Senate File 407, a bill for an act relating to special plates for motor vehicles to manufacturers, transporters and dealers, was taken up and considered.

Senator Kyhl offered the following amendment and moved its adoption:

Amend Senate File 407 by adding the following new section:
"This Act shall become effective December 1, 1963."

The amendment was adopted.

Senator Kyhl moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shivvers
Brown	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Turner
Campbell	Frommelt	Mincks	Vance
Coleman	Fulton	Nolan	Van Eaton
Cowden	Getting	O'Malley	Vincent
Curran	Griffin	Phelps	Walker
Dodds	Grimstead	Rigler	Walter
Doran	Hansen	Schroeder	Wearin
Dykhouse	Hill	Scott	Wiley
Elijah	Kyhl	Shaff	Wilson

Nays, none.

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Absent or not voting, 2:
Beneke Main

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 rejected its motion to reconsider the vote on Senate File 1, a bill for an act relating to controlled access highways. Therefore, I am hereby returning Senate File 1.

Also: I am directed by the House to request the return of Senate File 150, a bill for an act relating to the elimination of the necessity of fire extinguishers for certain boats.

Also: That the House has passed the following bill in which the concurrence of the House was asked:
Senate File 35, a bill for an act relating to county, municipal and school examiners' and their assistants' salaries.

Also: That the House has passed the following bill in which the concurrence of the House was asked:
Senate File 42, a bill for an act to change the title of county, municipal and school examiner to auditor and amend certain sections of the Code to conform to the change.

Also: That the House has passed the following bill in which the concurrence of the House was asked:
Senate File 97, a bill for an act relating to children requiring special education.

Also: That the House has passed the following bill in which the concurrence of the House was asked:
Senate File 113, a bill for an act relating to county appropriations and reimbursement to the state from fund for aid to the blind.

Also: That the House has passed the following bill in which the concurrence of the House was asked:
Senate File 236, a bill for an act to legalize and validate the purchase, platting and sale of certain real estate owned by the West Delaware Community School District in the County of Delaware.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:
Senate File 265, a bill for an act relating to the appointment of alternate members of credit committees of credit unions.

Also: 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 the authority of the board of directors of a credit union to appoint a membership committee or a membership officer.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

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Senate File 391, a bill for an act to provide for the issuance of registration certificates and license plates to urban transit companies or systems for use on urban transit busses.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:
House File 110, a bill for an act relating to old age pensioners' homes.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:
House File 254, a bill for an act relating to the admissibility into evidence of certain testimony.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:
House File 324, a bill for an act relating to the sale of securities.

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 the maximum per diem of insurance examiners.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:
House File 344, a bill for an act to empower the mayor in all cities and towns where the council is composed of only four members to vote on any and all matters where the vote of the council is evenly divided.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:
House File 357, a bill for an act relating to agreements between cities and towns to refrain from annexing territory.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:
House File 362, a bill for an act relating to the grand jury.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:
House File 392, a bill for an act relating to the merger of school districts.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:
House File 393, a bill for an act relating to joint county-city or town buildings.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:
House File 407, a bill for an act relating to the place of holding quarterly conferences of the board of control.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:
House File 421, a bill for an act to authorize the board of control to increase the amount of money paid to inmates upon release from the women's reformatory.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:
House File 423, a bill for an act relating to requirements for tags to be

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used in conjunction with traps and license fees.

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 economic development corporations.

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

House File 454, a bill for an act relating to the use of maintenance equipment of the county for care and maintenance of county fairgrounds.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 265

Amend Senate File 265 as follows:

1. By inserting at the beginning of the first paragraph after the enacting clause the following: "Section 1."

2. Amend the title to Senate File 265 by striking from the first line thereof the word "appointment" and inserting in lieu thereof the word "election".

HOUSE AMENDMENT TO SENATE FILE 391

Amend Senate File 391 by adding a new section as follows:

Sec. 4. Every urban transit bus plate issued hereunder shall expire at midnight on the thirtieth day of June of each year, and new plates for the ensuing year may be obtained upon proper application.

SENATE FILE 150 RETURNED TO THE HOUSE

In accordance with request of the House, Senator Rigler asked and received unanimous consent that the Secretary be directed to return to the House Senate File 150 for further consideration.

BILL SENT TO THE GOVERNOR

President Mooty announced the return of Senate File 1 to the Governor for his approval.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 29, 1963, the Governor had approved the following bills:

Senate File 148, relating to the Iowa State Highway Commission.
Senate File 178, relating to liens for inheritance taxes.
Senate File 275, relating to the overall length of combinations vehicles.

A communication was also received announcing that on April 1, 1963, the Governor had approved the following bill:

Senate File 94, relating to the eradication of bovine brucellosis.

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REPORTS OF COMMITTEES

Senator Fisher submitted the following report:

MR. PRESIDENT: Your committee on transportation and highway safety to which was referred **House File 44**, a bill for an act relating to commercial driving schools and instructors and providing penalties for violation of the provisions thereof, begs leave to report it has had the same under consideration and recommends the same **do pass.**

J. LOUIS FISHER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on transportation and highway safety to which was referred **House File 291**, a bill for an act to set speed limits on roadways at the institutions under the control of the board of regents, begs leave to report it has had the same under consideration and recommends the same **do pass.**

J. LOUIS FISHER, *Chairman.*

Ordered passed on file.

Senator Wearin submitted the following report:

MR. PRESIDENT: Your committee on schools and educational institutions to to which was referred **Senate File 344**, a bill for an act to amend section two hundred seventy-five point forty (275.40), Code 1962, relating to the merger of school districts, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EDWARD A. WEARIN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on schools and educational institutions to which was referred **Senate File 365**, a bill for an act to repeal section two hundred seventy-nine point thirty-one (279.31), Code 1962, relating to the powers and duties of school boards, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EDWARD A. WEARIN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on schools and educational institutions to which was referred **House File 136**, a bill for an act to authorize the board of regents to establish and administer a sabbatical-leave program for college professors, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EDWARD A. WEARIN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on schools and educational institutions to which was referred **House File 248**, a bill for an act to permit specially qualified high school students to attend a college or university for advanced

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courses and pay tuition therefor, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EDWARD A. WEARIN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on schools and educational institutions to which was referred **House File 358**, a bill for an act relating to the manner of estimating state aid for school budgeting purposes, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EDWARD A. WEARIN, *Chairman.*

Ordered passed on file.

Senator Lucken submitted the following report:

MR. PRESIDENT: Your committee on board of control to which was referred **House File 188**, a bill for an act relating to the attendance at approved public high schools of children from institutions under jurisdiction of the board of control, begs leave to report it has had the same under consideration and recommends the same **do pass.**

J. HENRY LUCKEN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on board of control to which was referred **House File 191**, a bill for an act relating to reciprocal agreements for the supervision of mentally ill or mentally retarded persons on convalescent leave, begs leave to report it has had the same under consideration and recommends the same **do pass.**

J. HENRY LUCKEN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on board of control to which was referred **House File 259**, a bill for an act relating to the legal settlement of a mentally ill person at the time of admission to a state institution, begs leave to report it has had the same under consideration and recommends the same **do pass.**

J. HENRY LUCKEN, *Chairman.*

Ordered passed on file.

Senator Wiley submitted the following report:

MR. PRESIDENT: Your committee on highways to which was referred **Senate File 220**, a bill for an act to provide for the construction and reconstruction of state and interstate highways, to provide for the payment of the cost thereof from road use tax funds, and to authorize the borrowing of money and the issuance of bonds in anticipation of the collection of such funds, begs leave to report it has had the same under consideration and recommends the same **do pass.**

MARTIN WILEY, *Chairman.*

Ordered passed on file.

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AMENDMENTS FILED

Amend House File 1 as follows:

1. By inserting after the word "for" in line 4 of section 2 the words "rebuilding or".

CHAS. S. VAN EATON.

Amend House File 149 as follows:

1. By adding an additional section thereto as follows:

"This Act, being deemed of immediate importance, shall be in full force and effect from and after its publication in the Sioux City Journal, a newspaper published at Sioux City, Iowa, and in the Creston News Advertiser, a newspaper published at Creston, Iowa."

CHAS. S. VAN EATON.

Amend Senate File 404 by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. For the purpose of this Act:

1. "Dairy Product" means skim milk, cream, sour cream, ice cream, ice cream mix, ice milk, ice milk mix, cottage cheese, frozen desserts, reconstituted milk, minimal milk products, and any additive variant of any dairy product.

2. "Department" means the state department of agriculture.

3. "Person" means any individual, corporation, cooperative association, partnership or other business unit.

4. "Processor" means any person engaged in the business of processing or packaging dairy products.

5. "Distributor" means any person engaged in the business of selling at wholesale any dairy products.

6. "Cost to the processor or distributor" as applied to dairy products shall mean cost to the processor or distributor thereof which shall include the price paid for raw materials used in such dairy products plus that part of the cost of doing business of such processor or distributor that is attributable to such dairy products, which shall include labor, salaries, rent, interest, depreciation, power, supplies, maintenance of equipment, selling costs, advertising, transportation and delivery costs, credit losses, taxes, insurance and all overhead expenses of the processor or distributor.

7. "Cost to the retailer" means the invoice price paid by the retailer plus the retailer's cost of doing business. In the absence of specific evidence to the contrary, the cost of doing business shall be presumed to be ten (10) percent of the invoice price, and this cost shall be calculated to the nearest half cent per sales unit.

8. "Sale" and "sell" means and include any commercial transfer for consideration, exchange, barter, gift, offer for sale and distribution in any manner or by any means whatsoever.

9. "Retailer" means any person within this state engaged in the business of operating any retail establishment or institution, including but not limited to hospitals, schools, hotels, restaurants, grocery stores, drug stores and automatic vending machines where dairy products are consumed or sold to customers.

10. "Injuring competition" shall mean lessening com-

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petition tending to create a monopoly, or injuring, destroying or preventing competition with any person who sells or knowingly buys any dairy product below cost, or who diverts trade from a competitior of any person selling dairy products below cost.

Sec. 2. No processor, distributor, or retailer shall for the purpose or with the effect of injuring competition offer to sell or sell within the state of Iowa any dairy product for less than the cost thereof to such processor, distributor, or retailer, provided, however, that the department may authorize sales for less than cost of damaged goods, when the product is no longer fit for human consumption, or to liquidate stocks pursuant to court process or for other purposes which it deems consistent with the objectives of this Act. Proof of the offer to sell, or sale of milk products by a processor, distributor or retailer for less than cost to the processor, distributor or retailer is prima facie evidence of a violation of this section.

Sec. 3. No processor, distributor, or retailer shall, for the purpose or with the effect of injuring competition, offer to sell or sell any dairy product with any other commodity or service at a combined price which is less than the aggregate of the cost of the dairy product plus the price at which the other commodity or service is ordinarily offered for sale. Proof of the offer to sell, or sale of the milk product and any other commodity or service at a combined price which is less than the aggregate of the price for which the milk product and the other commodity or service are offered for sale, is prima facie evidence of a violation of this section.

Sec. 4. No processor or distributor shall, for the purpose or with the effect of injuring competition, give or offer to give any retailer and no retailer shall accept any rebate, discount, free services, advertising allowance, pay for advertising space used jointly, donation, free merchandise, rent on space used by the retailer for storing or displaying the processor's or distributor's merchandise, financial aid, free equipment, or any other thing of value. This shall not prevent bona fide sales of equipment, furniture or fixtures to a retailer for not less than ten (10) percent above seller's cost or invoice price for cash or on the unconditional written promise of such retailer to pay for same in a period not to exceed thirty-six (36) months and at an interest rate of not less than six (6) percent.

Sec. 5. No processor, distributor or retailer shall, for the purpose or with the effect of injuring competition, discriminate in price in the sale of any dairy product between sections, localities, communities, cities, or towns of this state: Provided that nothing herein contained shall prevent a difference in the cost of raw materials, delivery costs, or the actual cost of transportation, or sales made in good faith to meet an equally low lawful price of a competitor in order to keep a customer. When different prices are charged because of a difference in raw material or delivery costs, or because of transportation costs, a report, on a form

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obtainable from the department, shall be filed with the department showing the different prices by section, locality, community, city or town, and the reasons for the difference in specific statistics of different raw material prices or in actual transportation costs computed according to sound accounting practices. When different prices are charged in good faith in order to meet the equally low lawful price of a competitor in order to keep a customer, written notice shall be sent the same day by registered or certified mail to the department stating the name and address of the favored customer, the price given him, the price met, and the name and address of the competitor offering the price met.

Sec. 6. In any case in which a complaint is made in writing to the department by a person claiming to be injured because of a violation of the provisions of this Act, the department shall forthwith cause an investigation to be made of the complaint. If, in the judgment of the department, investigation reveals that there is probable cause for the complaint, the department may call upon the attorney general or the county attorney of the county in which the violation occurs, who shall institute an injunction action to enjoin violations of this Act, in which case it is the duty of the attorney general or county attorney to institute and prosecute such injunctive action, or the department may take further action as provided in section eight (8) hereof.

Sec. 7. The department is authorized and directed to promulgate rules and regulations to carry out the purposes of this Act, including rules of notice and procedure for proceedings before the department under this Act. The department is authorized and empowered to hold hearings, administer oaths and to issue subpoenas for persons and pertinent records. In case of failure or refusal to obey a subpoena issued to any person, any court, upon application by the department, may issue an order requiring the person to appear before the department, there to produce evidence, or give testimony touching the matter under investigation.

Sec. 8. Whenever the department has reason to believe that any person required to obtain a license under section one hundred seventy point two (170.2), Code 1962, has violated any of the provisions of this Act or any rules or regulations adopted thereunder, or whenever proper evidence has been presented to the department that any person is violating such provisions, and it appears to the department that a proceeding should be had to determine whether his license should be refused, suspended or revoked, the department shall serve notice on such person in writing by certified mail of the charges and grounds upon which a license is sought to be refused, suspended, or revoked and of the time and place, not less than ten (10) days hence, at which a hearing will be held to determine whether to refuse, suspend or revoke his license. Any person whose license is sought to be refused, suspended or revoked shall have full rights to counsel, and to produce witnesses in his behalf at the hearing. The department may, after full investigation and hearing, refuse said license or suspend said license for a period

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not to exceed six (6) months.

Sec. 9. The license of any processor, distributor or retailer licensed under section one hundred seventy point two (170.2), Code 1962, may be suspended or revoked by the district court upon proof of violations of any provision of this Act. Upon proof of the second violation such license shall be suspended for not to exceed six (6) months, upon proof of the third violation shall be suspended for one (1) year. The clerk of court, upon entry of judgment of suspension or revocation, shall immediately forward to the department a certified copy thereof.

Sec. 10. Any person who suffers pecuniary loss because of a violation of this Act may recover in the district court of this state from the violator treble damages for loss caused by such violation, together with his costs and reasonable attorney fees.

Sec. 11. It is hereby declared to be the legislative intent that if this Act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part, sentence or clause thereof, the remaining provisions of the Act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein.

C. JOSEPH COLEMAN.
JOE N. WILSON.
A. V. DORAN.
JOHN J. BROWN.
ANDREW G. FROMMELT.
GEORGE E. O'MALLEY.
CHARLES F. GRIFFIN.
DAVID O. SHAFF.
ADOLPH A. ELVERS.

On motion of Senator Rigler, the Senate adjourned until 9:00 a.m., Tuesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 2, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Father Richard Pieper, Executive Secretary, Episcopal Diocese of Iowa, Des Moines, Iowa.

PETITIONS

The following petitions were received and placed on file by:

Senator Frommelt, from seven residents of Dubuque County in opposition to proposed legislation relating to taxation of fraternal benefit societies.

Senator Grimstead, from nineteen residents of Winnebago County in opposition to raising the Iowa gas tax.

In opposition to liquor by the drink:

Senator Doran, from sixteen residents of Story County.

Senator Mincks, from forty residents of Wapello County.

PRESENTATION OF VISITORS

Senator Benda asked and received unanimous consent to present to the Senate twenty-four students from the Deep River-Millersburg High School who were present in the balcony accompanied by their principal, Sidney Barrick.

Senator Nolan asked and received unanimous consent to present to the Senate one hundred fifteen students, members of the junior and senior classes of the University High School, Iowa City, who were present in the balcony accompanied by their instructor, Professor John H. Haefne.

Senator Flatt asked and received unanimous consent to present to the Senate one hundred seventeen students from the Winterset Community Junior High School, Winterset, who were present in the balcony accompanied by six of their instructors, and their principal, Carlton Callison.

Senator O'Malley asked and received unanimous consent to present to the Senate two hundred seventy-five students from the Des Moines Technical High School who were present in the balcony accompanied

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by their instructors, Eino Tuomi, Edna Bohlman and Jasper Farrow.

Senator Scott asked and received unanimous consent to present to the Senate sixty-eight students from the West Central Community School, Maynard, who were present in the balcony accompanied by their instructor, John Havighurst, and their superintendent, W. P. Truesdell.

INTRODUCTION OF BILLS

Senate File 423, 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 424, by committee on banks, building and loan, a bill for an act to provide for the licensing and regulation of domestic corporations engaged in the business of lending money to the public, to provide penalties for violations and to repeal sections four hundred twenty-nine point eleven (429.11), four hundred twenty-nine point twelve (429.12) and four hundred twenty-nine point thirteen (429.13), Code 1962.

Read first and second times and placed on the calendar.

Senate File 425, by committee on schools and educational institutions, a bill for an act authorizing the state board of regents to acquire by purchase, lease or construction and to reconstruct, complete, equip, improve, repair, remodel, operate, control, maintain and manage buildings for use as student residence halls and dormitories, including dining and other incidental facilities therefor, and additions to such buildings, at the state university of Iowa, the Iowa state university of science and technology and the state college of Iowa, to acquire and improve property therefor, to establish and collect rates, fees or rentals for the use of such buildings and facilities and to borrow money and issue bonds or notes payable solely from the net revenues derived from the operation of residence halls, dormitories and facilities and to refund bonds, notes or other obligations payable from such revenues, and preserving rights heretofore acquired and validating obligations incurred for such purposes.

Read first and second times and placed on the calendar.

Senate File 426, by committee on industrial relations, a bill for an act relating to workmen's compensation for occupational diseases.

Read first and second times and placed on the calendar.

Senate File 427, by committee on judiciary 2, a bill for an act to

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legalize and validate the proceedings for the organization and establishment of the Community School District of Parkersburg in the Counties of Butler and Grundy, State of Iowa, and fixing the boundaries thereof and declaring said district a duly and legally organized corporate body as provided by law.

Read first and second times and placed on the calendar.

Senate File 428, by committee on board of control, a bill for an act to authorize the board of control to permit the state libraries and historical department—division of archives—to copy or reproduce by any photographic, photostatic, microfilm, microcard, or other process which accurately reproduces a durable medium for reproducing the original and to destroy in the manner prescribed by law such records of inmates designated in chapter two hundred eighteen point twenty-one (218.21), Code 1962.

Read first and second times and placed on the calendar.

HOUSE MESSAGES CONSIDERED

House File 110, a bill for an act relating to old age pensioners' homes.

Read first and second times and passed on file.

House File 254, a bill for an act relating to the admissibility into evidence of certain testimony.

Read first and second times and passed on file.

House File 324, a bill for an act to amend chapter five hundred two (502), Code 1962, relating to the sale of securities.

Read first and second times and passed on file.

House File 331, a bill for an act to amend section five hundred seven point four (507.4), Code 1962, relating to the maximum per diem of insurance examiners.

Read first and second times and passed on file.

House File 344, a bill for an act to empower the mayor in all cities and towns where the council is composed of only four members to vote on any and all matters where the vote of the council is evenly divided.

Read first and second times and passed on file.

House File 357, a bill for an act to amend section three hundred sixty-two point twenty-six (362.26), Code 1962, relating to agreements between cities and towns to refrain from annexing territory

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under said section.

Read first and second times and passed on file.

House File 362, a bill for an act relating to the grand jury.

Read first and second times and passed on file.

House File 392, a bill for an act to amend section two hundred seventy-five point forty (275.40), Code 1962, relating to the merger of school districts.

Read first and second times and passed on file.

House File 393, a bill for an act relating to joint county-city or town buildings.

Read first and second times and passed on file.

House File 407, a bill for an act relating to the place of holding quarterly conferences of the board of control.

Read first and second times and passed on file.

House File 421, a bill for an act to authorize the board of control to increase the amount of money paid to inmates upon release from the women's reformatory.

Read first and second times and passed on file.

House File 423, a bill for an act to amend sections one hundred nine point ninety-two (109.92) and one hundred ten point one (110.1), Code 1962, relating to requirements for tags to be used in conjunction with traps and license fees.

Read first and second times and passed on file.

House File 452, a bill for an act relating to economic development corporations.

Read first and second times and passed on file.

House File 454, a bill for an act relating to the use of maintenance equipment of the county for care and maintenance of county fairgrounds.

Read first and second times and passed on file.

HOUSE AMENDMENTS CONSIDERED

Senator Frommelt called up for consideration Senate File 265, a bill for an act relating to the appointment of alternate members of credit unions, amended by the House, and moved that the Senate concur in the following amendment:

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HOUSE AMENDMENT TO SENATE FILE 265

Amend Senate File 265 as follows:

1. By inserting at the beginning of the first paragraph after the enacting clause the following: "Section 1."

2. Amend the title to Senate File 265 by striking from the first line thereof the word "appointment" and inserting in lieu thereof the word "election".

The Senate concurred in the House amendment.

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

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

Ayes, 41:

Benda	Elthon	Lisle	Shaff
Beneke	Elvers	Lodwick	Shivvers
Brown	Flatt	Long	Shoeman
Burrows	Frommelt	Lucken	Turner
Campbell	Fulton	Mincks	Vance
Coleman	Getting	Nolan	Van Eaton
Cowden	Griffin	O'Malley	Walker
Dodds	Grimstead	Rigler	Wearin
Doran	Hansen	Schroeder	Wiley
Dykhouse	Kyhl	Scott	Wilson
Elijah			

Nays, none.

Absent or not voting, 9:

Buck	Hill	Phelps	Vincent
Curran	Main	Stephens	Walter
Fisher			

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

Senator Van Eaton called up for consideration Senate File 391, a bill for an act to amend chapter three hundred twenty-one (321), Code 1962, to provide for the issuance of registration certificates and license plates to urban transit companies or systems for use on urban transit busses, amended by the House, and moved that the Senate concur in the following amendment:

HOUSE AMENDMENT TO SENATE FILE 391

Amend Senate File 391 by adding a new section as follows:

Sec. 4. Every urban transit bus plate issued hereunder shall expire at midnight on the thirtieth day of of June of each year, and new plates for the ensuing year may be obtained upon proper application.

The Senate concurred in the House amendment.

Senator Van Eaton moved that the bill as amended by the House

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and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 42:

Benda	Elthon	Lisle	Shaff
Beneke	Elvers	Lodwick	Shivvers
Brown	Flatt	Long	Shoeman
Burrows	Frommelt	Lucken	Turner
Campbell	Fulton	Mincks	Vance
Coleman	Getting	Nolan	Van Eaton
Cowden	Griffin	O'Malley	Walker
Dodds	Grimstead	Rigler	Wearin
Doran	Hansen	Schroeder	Wiley
Dykhouse	Hill	Scott	Wilson
Elijah	Kyhl		

Nays, none.

Absent or not voting, 8:

Buck	Fisher	Phelps	Vincent
Curran	Main	Stephens	Walter

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, House File 68, a bill for an act to increase the maximum millage levy which may be levied for county public hospitals in counties having a population of more than one hundred thirty-five thousand (135,000) inhabitants, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 43:

Benda	Elijah	Kyhl	Shivvers
Beneke	Elthon	Lodwick	Shoeman
Brown	Elvers	Long	Stephens
Burrows	Flatt	Lucken	Turner
Campbell	Frommelt	Mincks	Vance
Coleman	Fulton	Nolan	Van Eaton
Cowden	Getting	O'Malley	Walter
Curran	Griffin	Rigler	Wearin
Dodds	Grimstead	Schroeder	Wiley
Doran	Hansen	Scott	Wilson
Dykhouse	Hill	Shaff	

Nays, none.

Absent or not voting, 4:

Buck	Fisher	Lisle	Main

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Voting present, 3:

Phelps	Vincent	Walker

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

On motion of Senator O'Malley, Senate File 285, a bill for an act to raise the annual salary of the county attorney and his assistants in counties having a population of one hundred fifty thousand (150,000) and over, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator O'Malley asked and received unanimous consent to withdraw the committee amendment filed and found on page 612 of the Senate Journal.

Senator Shaff asked and received unanimous consent that action on Senate File 285 be deferred and that the bill be placed on the calendar under "unfinished business."

UNFINISHED BUSINESS

On motion of Senator Wearin, House File 232, a bill for an act relating to election of state board of public instruction members, was taken up for further consideration.

Senator Wearin asked and received unanimous consent to withdraw the amendment filed by Senators Rigler and Wearin and found on pages 479-482 inclusive of the Senate Journal.

Senator Walker asked and received unanimous consent to withdraw the amendment filed by him and found on pages 447-449 inclusive of the Senate Journal; also, the amendment to the amendment filed by him and found on pages 581-582 of the Senate Journal.

Senator Wearin offered the following amendment and moved its adoption:

Amend the title to House File 232, line 1, by inserting after the word "to" the following: "district convention delegates in the".

The amendment was adopted.

Senator Wearin moved that the bill be read a third 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:

Benda	Buck	Coleman	Dodds
Beneke	Burrows	Cowden	Doran
Brown	Campbell	Curran	Dykhouse

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Elijah	Hansen	Nolan	Stephens
Elthon	Hill	O'Malley	Turner
Elvers	Kyhl	Phelps	Vance
Flatt	Lisle	Rigler	Van Eaton
Frommelt	Lodwick	Schroeder	Vincent
Fulton	Long	Scott	Walker
Getting	Lucken	Shaff	Walter
Griffin	Main	Shivvers	Wearin
Grimstead	Mincks	Shoeman	Wiley
			Wilson

Nays, none.

Absent or not voting, 1:

Fisher

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 Shaff, House File 187, a bill for an act relating to road use tax reporting requirements in cities and towns, was taken up for further consideration.

Senator Shaff offered the following amendment:

Amend House File 187 as follows:

1. By striking in section 1 the remainder of such section after the word "is" in line 2 and inserting in lieu thereof the following: "hereby repealed and the following enacted in lieu thereof:

'On and after January 1, 1963, each city or town shall keep accounts showing the amount spent on street construction and reconstruction on arterial streets and the amount spent on street construction and reconstruction on local streets. Such amounts proposed to be spent on arterial streets and such amounts proposed to be spent on local streets shall be shown on the street budget report required by section three hundred twelve point thirteen (312.13), Code 1962, and such amounts spent for such purposes shall be shown on the annual street report required by section three hundred twelve point fourteen (312.14), Code 1962.

'Of the total street construction and reconstruction expenditures made each year from road use tax funds by each city or town, at last seventy-five (75) percent shall be spent on the arterial streets of such city or town. However, if any city or town council by resolution declares that the seventy-five (75) percent is not needed on its arterial streets, then it may be used on any other streets in the city or town.' "

2. By striking section 2 and inserting in lieu thereof the following: "Section three hundred twelve point twelve (312.12), Code 1962, is hereby repealed and the following enacted in lieu thereof:

'Cities which receive allotments of funds from road use tax funds which have a population of at least five thousand (5,000) shall prepare and submit annually by December 10 in each year to the state highway commission for examination and review, a program of street construction and reconstruction on both the arterial street system and the local street system of such city for a period of three (3) years subsequent to the year in which the program is submitted. Such cities and towns which have a population of less than five thousand (5,000) shall prepare and submit annually by December 10 each year to the state highway commission for examination and review, a program of proposed street construction and reconstruction for its arterial streets and local streets for the ensuing

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calendar year.' "

3. By striking in section 3 the remainder of such section after the word "amended" in line 2 and inserting in lieu thereof the following: "by striking the remainder of such section after the word 'submit' in line three and inserting in lieu thereof the following:

'by December 10 each year to the state highway commission for examination and review, a budget showing all proposed street receipts and expenditures for the city or town for the ensuing calendar year.' "

4. By striking in section 4 the remainder of such section after the word "by" in line 2 and inserting in lieu thereof the following: "striking the remainder of such section after the word 'prepare' in line 3 and inserting in lieu thereof the following:

'and submit by March 10 each year to the state highway commission an annual report showing all street receipts and expenditures for the city or town for the previous calendar year.' "

Senator Wiley offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking from line 20 the word "However," and striking all of lines 21, 22, 23, and 24 inclusive.

The amendment to the amendment was lost.

Senator Shaff moved the adoption of the amendment.

The motion prevailed and the amendment was adopted.

Senator Shaff moved that the bill be read a third 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:

Benda	Flatt	Lucken	Shoeman
Beneke	Frommelt	Main	Stephens
Brown	Fulton	Mincks	Turner
Buck	Getting	Nolan	Vance
Campbell	Griffin	O'Malley	Van Eaton
Coleman	Grimstead	Phelps	Vincent
Curran	Hill	Rigler	Walker
Dodds	Kyhl	Schroeder	Walter
Doran	Lisle	Scott	Wearin
Dykhouse	Lodwick	Shaff	Wiley
Elthon	Long	Shivvers	Wilson
Elvers			

Nays, none.

Absent or not voting, 5:

Burrows	Elijah	Fisher	Hansen
Cowden			

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

On motion of Senator Schroeder, House File 76, a bill for an act relating to hours of duty of members of fire departments, was taken up for further consideration.

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President pro tempore Vance took the chair at 10:30 a.m.

Senator Fulton offered the following amendment and moved its adoption:

Amend House File 76 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section four hundred ten point nineteen (410.19), Code 1962, is hereby amended by striking from line seven (7) thereof the words "sixty-eight (68) hours per week" and inserting in lieu thereof, "sixty three (63) hours per week effective January 1, 1964, and fifty-six (56) hours per week effective January 1, 1966."

The amendment was adopted.

Senator Turner offered the following amendment and moved its adoption:

Amend House File 76 as follows:

By striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Section four hundred ten point nineteen (410.19) and section four hundred ten point twenty (410.20), Code 1962, are hereby repealed."

Senator Fulton raised a point of order on the amendment for the reason that it conflicted with the contents of the amendment filed by him and adopted by the Senate.

The Chair ruled the point not well taken and the amendment in order.

Senator Wiley 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, 12:

Dykhouse	Hill	Rigler	Stephens
Elijah	Kyhl	Scott	Turner
Elthon	Nolan	Shoeman	Wilson

Nays, 33:

Benda	Dodds	Hansen	Shaff
Beneke	Doran	Lodwick	Shivvers
Brown	Elvers	Long	Van Eaton
Buck	Flatt	Main	Vincent
Burrows	Frommelt	Mincks	Walker
Campbell	Fulton	O'Malley	Walter
Coleman	Getting	Phelps	Wearin
Cowden	Griffin	Schroeder	Wiley
Curran			

Absent or not voting, 3:

Fisher	Grimstead	Lisle

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Voting present, 2:

Lucken Vance

The amendment was lost.

Senator Schroeder moved that the bill be read a third 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:

Benda	Doran	Hansen	Shaff
Beneke	Elvers	Lodwick	Shivvers
Brown	Flatt	Long	Van Eaton
Buck	Frommelt	Main	Vincent
Coleman	Fulton	Mincks	Walter
Cowden	Griffin	O'Malley	Wearin
Curran	Grimstead	Schroeder	Wiley
Dodds			

Nays, 20:

Burrows	Getting	Nolan	Stephens
Campbell	Hill	Phelps	Turner
Dykhouse	Kyhl	Rigler	Vance
Elijah	Lisle	Scott	Walker
Elthon	Lucken	Shoeman	Wilson

Absent or not voting, 1:

Fisher

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

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

Senator Van Eaton asked and received unanimous consent that Senate File 90 be withdrawn from further consideration of the Senate.

On motion of Senator Shaff, House File 173, a bill for an act to amend chapter four hundred eleven (411), Code 1962, relating to retirement systems for policemen and firemen, was taken up for further consideration.

President Mooty took the chair at 11:50 a.m.

Senator Shaff offered the following amendment and moved its adoption:

Amend House File 173, lines 6 and 7 of section 2 by striking the words "sixty-eight hours per week" and inserting in lieu thereof, "sixty-three hours per week effective January 1, 1964 and fifty-six hours per week effective January 1, 1966".

The amendment was adopted.

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Senator Shaff asked and received unanimous consent that action on House File 173 be deferred and that the bill be placed on the calendar under "unfinished business."

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate File 230, a bill for an act to legalize the proceedings of the town council of the town of Mechanicsville, Iowa.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 252, a bill for an act authorizing the Iowa development commission to form a nonprofit corporation and to accept grants from the federal government and gifts from other sources.

Also: That the House has concurred in Senate amendments to and passed House File 4, a bill for an act relating to hunting and fishing upon cultivated or inclosed lands and waters.

Also: That the House concurs in Division 1 and Division 4 of of Senate amendment to House File 17, a bill for an act relating to rules of administrative agencies.

The House refuses to concur in Division 2, Division 3 and Division 5 of the Senate amendment to House File 17.

Also: That the House has concurred in Senate amendments to and passed House File 59, a bill for an act relating to real estate brokers' licenses.

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

House File 208, a bill for an act relating to sales and use taxes and expendable chemicals, solvents and reagents used in processing personal property.

Also: That the House has concurred in Senate amendments to and passed House File 258, a bill for an act relating to the licensing of itinerant practitioners.

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

House File 420, a bill for an act to permit an increase in the maximum levy for ordinary revenue allowed upon the assessed valuation of the taxable property in the county.

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

House File 505, a bill for an act relating to property tax exemptions.

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

House File 543, a bill for an act authorizing the state board of regents to acquire buildings for use as student residence halls and dormitories at

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the state university of Iowa, the Iowa state university of science and technology and the state college of Iowa.

HOUSE AMENDMENT TO SENATE FILE 252

Amend Senate File 252 by adding thereto the following new sections:

This Act being deemed of immediate importance shall be in full force and effect from and after its publication in the Oelwein Daily Register, a newspaper published at Oelwein, Iowa, and the Lohrville Enterprise & The Farnhamville Index, a newspaper published at Lohrville, Iowa.

HOUSE MESSAGES CONSIDERED

House File 208, a bill for an act to amend section four hundred twenty-two point forty-two (422.42), and section four hundred twenty-three point one (423.1), Code 1962, relating to sales and use taxes and expendable chemicals, solvents and reagents used in processing personal property.

Read first and second times and passed on file.

House File 420, a bill for an act to permit an increase in the maximum levy for ordinary revenue allowed upon the assessed valuation of the taxable property in the county.

Read first and second times and passed on file.

House File 505, a bill for an act relating to property tax exemptions.

Read first and second times and passed on file.

House File 543, a bill for an act authorizing the state board of regents to acquire by purchase, lease or construction and to reconstruct, complete, equip, improve, repair, remodel, operate, control, maintain and manage buildings for use as student residence halls and dormitories, including dining and other incidental facilities therefor, and additions to such buildings, at the state university of Iowa, the Iowa state university of science and technology and the state college of Iowa, to acquire and improve property therefor, to establish and collect rates, fees or rentals for the use of such buildings and facilities and to borrow money and issue bonds or notes payable solely from the net revenues derived from the operation of residence halls, dormitories and facilities and to refund bonds, notes or other obligations payable from such revenues, and preserving rights heretofore acquired and validating obligations incurred for such purposes.

Read first and second times and passed on file.

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SENATE CONCURRENT RESOLUTION 20

By Committee on Agriculture

Whereas, federal meat inspection is mandatory on all meat involved in interstate commerce.

Whereas, federal inspection covers an estimated 80-85 percent of all meat slaughtered in the United States.

Whereas, federal inspectors condemn as unfit for human consumption approximately one million pounds per day.

Whereas, the division of animal industry estimates 75-80 percent of all animals slaughtered in Iowa are slaughtered under federal inspection. In addition, a few cities have their own service. The rest of the meat has no inspection. It would appear that Iowa exceeds the national average for percent uninspected meat.

Whereas, federal inspectors cover most of the large plants, thus state inspection of the remainder would be comparatively more costly unless federal assistance was received.

Whereas, state inspection should be co-ordinated with existing federal and city services.

Whereas, the large number of smaller locker plants in Iowa make efficient inspection more difficult, and this might be handled by exempting some low-volume plants or by authorizing local veterinarians to perform the inspection, and

Whereas, no one, at present, feels qualified to draw up a bill that will provide adequate inspection, too little is known of the problems involved, therefore it seems the first step must be a study prepared for the Sixty-first General Assembly; now therefore,

Be It Resolved by the Senate, the House Concurring, That the legislative research bureau be directed to study the problem of co-ordination of state, federal and city meat inspection in conjunction with the staff of the state department of agriculture, cause a proper bill to be prepared and report, with the cost of such proposals, to the Sixty-first General Assembly.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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 78; also, House Files 29, 83, 168, 190, 236, 548 and 549.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 78; also, House Files 29, 83, 168, 190, 236, 548 and 549.

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BILL SENT TO THE GOVERNOR

Senator Benda, 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, 1963, sent to the Governor for his approval: Senate File 78.

KENNETH BENDA, *Chairman.*

Passed on file.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on April 2, 1963, the Governor had approved the following bill:

Senate File 78, prohibiting certain vehicles and implements from using the interstate system.

BILLS ASSIGNED TO COMMITTEE

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

H. F. 110 Tax revision
H. F. 208 Ways and means
H. F. 254 Judiciary 1
H. F. 324 Insurance
H. F. 331 Insurance
H. F. 344 Cities and towns
H. F. 357 Cities and towns
H. F. 362 Judiciary 1
H. F. 407 Board of control
H. F. 420 Tax revision
H. F. 421 Board of control
H. F. 423 Conservation
H. F. 452 Iowa development
H. F. 454 Governmental affairs
H. F. 505 Tax revision

REASSIGNMENT OF BILL TO COMMITTEE

President Mooty announced the reassignment of House File 136 to appropriations committee, under Senate Rule 21.

REPORTS OF COMMITTEES

Senator Nolan submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred Senate File 292, a bill for an act to amend section three hundred twenty-

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one point fifty (321.50), Code 1962, relating to notation and release of liens on motor vehicles, begs leave to report it has had the same under consideration and recommends the same **do pass.**

D. C. NOLAN, *Chairman.*

Ordered passed on file.

Senator Shoeman submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate File 302**, a bill for an act to provide state aid to persons or corporations first discovering crude oil in this state and making an appropriation therefor, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JOHN D. SHOEMAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate File 418**, a bill for an act to make appropriations to certain named persons in settlement of claims made against the State of Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JOHN D. SHOEMAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate File 420**, a bill for an act to make appropriations to certain named persons in settlement of claims made against the State of Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JOHN D. SHOEMAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate File 421**, a bill for an act to make appropriations to certain named persons in settlement of claims made against the State of Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JOHN D. SHOEMAN, *Chairman.*

Ordered passed on file.

Senator Van Eaton submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred **House File 122**, a bill for an act relating to housing regulations in cities and towns and in an area adjacent to and within one mile thereof, begs leave to report it has had the same under consideration and recommends the same **do pass.**

CHAS. S. VAN EATON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred **House File 215**, a bill for an act relating to the imposition of special parking

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restrictions in cities and towns in aid of snow removal operations and to provide the manner for posting notice thereof, begs leave to report it has had the same under consideration and recommends the same **do pass.**

CHAS. S. VAN EATON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred **House File 218**, a bill for an act to amend chapter three hundred thirty (330), Code 1962, relating to airports and the period of leases with respect thereto, begs leave to report it has had the same under consideration and recommends the same **do pass.**

CHAS. S. VAN EATON, *Chairman.*

Ordered passed on file.

Senator Grimstead offered the following report:

MR. PRESIDENT: Your committee on governmental affairs to which was referred **House File 77**, a bill for an act to authorize the governing bodies of the cities and counties of Iowa and adjoining states to create regional or metropolitan planning commissions, and for school districts and other such bodies to participate in such commissions, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACOB GRIMSTEAD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on governmental affairs to which was referred **House File 114**, a bill for an act relating to the marking of ballots, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACOB GRIMSTEAD, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on governmental affairs to which was referred **House File 194**, a bill for an act to amend chapter three hundred thirty-two (332) relating to the power of boards of supervisors to adopt building codes, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACOB GRIMSTEAD, *Chairman.*

Ordered passed on file.

Senator Buck offered the following report:

MR. PRESIDENT: Your committee on social security to which was referred **Senate File 321**, a bill for an act to amend, revise, and codify the statutes relating to juvenile court structure and dependent, neglected and delinquent children, begs leave to report it has had the same under consideration and recommends the same **do pass.**

HOWARD BUCK, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on social security to which was referred **House File 252**, a bill for an act to amend chapter eighty-five (85), Code

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1962, in reference to workmen's compensation, begs leave to report it has had the same under consideration and recommends the same **do pass.**

HOWARD BUCK, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on social security to which was referred **House File 310,** a bill for an act relating to the investment and reinvestment of the Iowa Public Employees Retirement Fund, begs leave to report it has had the same under consideration and recommends the same **do pass.**

HOWARD BUCK, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on social security to which was referred **House File 415,** a bill for an act relating to the taking of certain tax deeds by the State Board of Social Welfare, begs leave to report it has had the same under consideration and recommends the same **do pass.**

HOWARD BUCK, *Chairman.*

Ordered passed on file.

Senator Elthon submitted the following report:

MR. PRESIDENT: Your committee on public health to which was referred **Senate File 340,** a bill for an act relating to the confidential character of research studies for the purpose of reducing morbidity or mortality, begs leave to report it has had the same under consideration and recommends the same **do pass.**

LEO ELTHON, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend the Wearin and Rigler amendment to Senate File 18, filed March 26, 1963, by striking all of section 4.

JOHN D. SHOEMAN.

Amend Senate File 18 as follows:

Amend section 3 by striking from lines 19, 20 and 21 the words, "No member who is appointed for a six-year term will be permitted to succeed himself."

ROBERT D. FULTON.

Amend Senate File 60 as follows:

1. By striking in section 2, line 8 the word "four" and inserting in lieu thereof the word "eight".

ANDREW G. FROMMELT.

Amend the title to Senate File 285 as follows:

1. By striking all after the word, "Attorney" in line 1 and by inserting in lieu thereof the following: "in counties having a population of one hundred fifty thousand (150,000) and over and to raise the salary of assistants in counties having a

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population of thirty-six thousand (36,000) and over."

GEORGE O'MALLEY.

Amend the committee on governmental affairs amendment to Senate File 388 filed March 25, 1963, by striking from line 106 in section 9 the words "one inch by three inches" and insert in lieu thereof the words "one and one-half inches by one and seven-eighths inches".

JACOB GRIMSTEAD.

Amend the committee amendment to Senate File 388, filed on March 25, 1963, by striking all after the word "following:" in line 2, and by inserting in lieu thereof the following:

Section 1. Section three hundred twenty-one point thirty-four (321.34), Code 1962, is hereby repealed and the following enacted in lieu thereof:

"Plate or emblem furnished. The county treasurer upon receiving application, accompanied by proper fee, for registration of a vehicle shall issue to the owner one registration plate for a motorcycle, truck tractor, trailer, or semitrailer and for every other motor vehicle.

The county treasurer shall also issue to applicants for registration of a truck or a truck tractor, not including in the lowest registration class, a decalcomania emblem for each plate and which emblem designates the gross weight for which the vehicle is registered by figures which show the gross weight in tons. Number plates and weight limitation emblems which are issued with registrations or registration increases are hereby declared to be integral parts of the registration of the vehicle for which issued.

The owner of an automobile who holds an amateur radio license issued by the federal communications commission may, upon written application to the county treasurer accompanied by a fee of two dollars, order a special registration plate bearing the call letters authorized the radio station covered by his amateur radio license. When received by the county treasurer, such special registration plates shall be issued to the applicant in exchange for the registration plates previously issued to him. Not more than one special registration plate may be issued to an applicant. Said fee shall be in addition to and not in lieu of the fee for a regular registration plate.

Special registration plate must be surrendered upon expiration of the owner's amateur radio license or upon transfer of title to the automobile for which such plate has been issued; and the owner shall thereupon be entitled to his regular registration plate.

The county treasurer shall furnish the department of public safety an alphabetically arranged list of those to whom special plates have been issued."

Sec. 2. Section three hundred twenty-one point thirty-seven (321.37), Code 1962, is hereby repealed and the following enacted in lieu thereof:

"Display of plate. The registration plate issued for a vehicle other than a truck tractor shall be attached thereto in the rear. The registration plate issued for a truck tractor

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shall be attached to the front thereof.

Sec. 3. Section three hundred twenty-one point fifty-two (321.52), Code 1962, is amended as follows:

1. Strike from line five (5) of subsection one (1) the word "plates" and insert in lieu thereof the word "plate".

2. Strike from line twenty (20) of subsection one (1) the word "license" and insert in lieu thereof the word "registration".

3. Strike from lines four (4) and eight (8) of subsection two (2) the word "plates" and insert in lieu thereof the word "plate" in each instance.

4. Strike from line seventeen (17) of subsection two (2) the word "license" and insert in lieu thereof the word "registration".

Sec. 4. Section three hundred twenty-one point sixty (321.60), Code 1962, is amended by striking from line five (5) the words "or pair of plates".

Further amend said section by striking from line ten (10) the words "pair of special plates" and insert in lieu thereof the words "special plate".

Sec. 5. Section three hundred twenty-one point one hundred sixty-seven (321.167), Code 1962, is amended by striking from line five (5) the word "duplicate".

Sec. 6. Section four hundred twenty-two point sixty-two (422.62), Code 1962, is amended by striking from lines fourteen (14) to seventeen (17), inclusive, the words "The border and message on all such motor vehicle registration plates, beginning with the plates for the year 1963, shall have a reflectorized surface."

Sec. 7. This Act shall be effective for the plates issued for the year 1965.

MARTIN WILEY.

Amend Senate File 392 as follows:

1. By striking "warehouse, public or" in line 7 of section 2, and by inserting after the word "private" in line 7 the word "warehouse".

ANDREW G. FROMMELT.

Amend Senate File 413 as follows:

1. Amend section 2 by striking the "comma (,)" after the word "Code" in line 11 and all the remaining part of lines 11, 12, 13, 14, 15 and 16 and inserting in lieu thereof a "period (.)".

2. Amend section 11, lines 5 and 6 by striking the words "mean and include the value of property for taxation that is" and insert in lieu thereof the word "be". Further amend section 11 by inserting after line 15 the following: "(8) In assessing business inventories the assessor shall also take into consideration the number of turnovers for the preceding year."

3. Amend section 13 by striking in lines 28 and 29 the following: ", and a copy shall be filed and retained in the assessors office".

4. Amend section 15 by striking all after numerals, "1962", in line 16 and inserting in lieu thereof a "period

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

Roll call was requested.

On the question "Shall the motion to reconsider be laid on the table?" the vote was:

Ayes, 26:

Beneke	Elvers	Nolan	Turner
Burrows	Flatt	Phelps	Vance
Coleman	Getting	Schroeder	Vincent
Cowden	Griffin	Scott	Walker
Doran	Grimstead	Shoeman	Walter
Dykhouse	Lucken	Stephens	Wilson
Elthon	Main		

Nays, 24:

Benda	Elijah	Kyhl	Rigler
Brown	Fisher	Lisle	Shaff
Buck	Frommelt	Lodwick	Shivvers
Campbell	Fulton	Long	Van Eaton
Curran	Hansen	Mincks	Wearin
Dodds	Hill	O'Malley	Wiley

Absent or not voting, none.

The motion prevailed.

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

AFTERNOON SESSION

The Senate reconvened, Senator Wearin 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 150, a bill for an act relating to the elimination of the necessity of fire extinguishers for certain boats.

Also: That the House has concured in Senate amendments to and passed House File 56, a bill for an act relating to the establishment of community mental health centers, and providing for the payment therefor from the state institution fund.

Also: That the House has concurred in Senate amendments to and passed House File 76, a bill for an act relating to hours of duty of members of fire departments.

Also: That the House has concurred in Senate amendments to and passed House File 187, a bill for an act relating to road use tax reporting requirements in cities and towns.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 3, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend James Russell, pastor of the Bethel Methodist Church, Inwood, Iowa.

PETITIONS

The following petitions were received and placed on file by:

Senator Fulton, from nine residents of Black Hawk County in favor of increasing retirement benefits for policemen and firemen.

In opposition to liquor by the drink by:

Senator Beneke, from twenty-five residents of Buena Vista County.

Senator Elijah, from fifty-six residents of Muscatine County.

Senator Phelps, from thirty-one residents of Van Buren County.

Senator Shivvers, from twenty-five residents of Marion County.

PRESENTATION OF VISITORS

Senator Kyhl asked and received unanimous consent to present to the Senate thirty-five students, members of the ninth grade government class of the Grundy Center High School, who were present in the balcony accompanied by their instructor, Janet Bauer Lehr. Senator Kyhl also announced that a member of the class was Marcia Mooty, daughter of President Mooty, who was seated on the rostrum by her daddy.

Senator Beneke asked and received unanimous consent to present to the Senate twenty-nine students from the Havelock-Plover High School, Havelock, who were present in the balcony accompanied by their instructors, Melvin R. Kiner and James Van Maanen.

Senator Wiley asked and received unanimous consent to present to the Senate seventy students from the Jefferson Senior High School, Cedar Rapids, who were present in the balcony.

Senator Curran asked and received unanimous consent to present to the Senate twenty-six students from the Clear Lake and Mason City High Schools who were present in the balcony.

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Senator Flatt asked and received unanimous consent to present to the Senate one hundred twenty-seven students, members of the eighth grade class from the Winterset Community Junior High School, who were present in the balcony accompanied by five of their instructors and their principal, Carlton Callison. Senator Flatt also presented Doris Hollingsworth Griswold, a former "Queen of the Senate," who is the mother of David Griswold, Jr., a member of the class. Also among the group were Joseph Flatt, Jr., and Kevin Flatt, sons of Senator Flatt, who were present in the Senate chamber.

Senator Campbell asked and received unanimous consent to present to the Senate eighty-eight students from the Oskaloosa Junior High School who were present in the balcony accompanied by their instructor, Henry J. Boeyink.

Senator Hansen asked and received unanimous consent to present to the Senate twenty-five students, members of the government class from the Carroll High School, who were present in the balcony accompanied by their instructor, Mary Ann Lee, and their principal, George Fair.

Senator O'Malley asked and received unanimous consent to present to the Senate one hundred sixty-eight students from the St. Joseph Academy, Des Moines, who were present in the balcony accompanied by their instructor, Sister Mary St. Luella.

Senator Shaff asked and received unanimous consent to present to the Senate thirty-five students from the Clinton High School who were present in the Senate chamber accompanied by their instructor, Lowell Phillips.

INTRODUCTION OF BILLS

Senate File 429, 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 430, by committee on judiciary 1, a bill for an act relating to the exploration for and the development, conservation, production, transportation and storage of natural gas and oil.

Read first and second times and placed on the calendar.

Senate File 431, by committee on appropriations, a bill for an act to make appropriations to members of the committee on highway study, namely: Martin Wiley, Merle W. Hagedorn, John J. Brown, J. Louis Fisher, Russell L. Eldred (deceased), Harold O. Fischer,

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Dewey E. Goode, J. F. Arthurs, Jr., Charles F. Iles, Robert Keir, Kenneth Robinson, and Miles Sutera.

Read first and second times and placed on the calendar.

Senate File 432, by committee on cities and towns, a bill for an act relating to construction of storm sewers in cities of one hundred twenty-five thousand (125,000) or more population.

Read first and second times and placed on the calendar.

Senate File 433, by committee on cities and towns, a bill for an act relating to taxation of city and town property.

Read first and second times and placed on the calendar.

Senate File 434, by committee on governmental affairs, a bill for an act relating to the confirmation of appointments by the Senate and the eligibility of rejected nominees to interim appointments.

Read first and second times and placed on the calendar.

Senate File 435, 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.

Senator Rigler asked and received unanimous consent to take up out of order House Files 412, 413 and 414.

THIRD READING OF BILLS

On motion of Senator Doran, House File 412, a bill for an act transferring jurisdiction to Dallas County certain land now comprising a part of the Woodward state hospital and school at Woodward, Dallas County, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 45:

Benda	Doran	Frommelt	Kyhl
Burrows	Dykhouse	Fulton	Lisle
Campbell	Elijah	Getting	Lodwick
Coleman	Elthon	Griffin	Long
Cowden	Elvers	Grimstead	Mincks
Curran	Fisher	Hansen	Nolan
Dodds	Flatt	Hill	O'Malley

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Phelps	Shivvers	Vance	Walter
Rigler	Shoeman	Van Eaton	Wearin
Schroeder	Stephens	Vincent	Wiley
Scott	Turner	Walker	Wilson
Shaff			

Nays, none.

Absent or not voting, 5:

Beneke	Buck	Lucken	Main
Brown			

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

On motion of Senator Doran, House File 413, a bill for an act transferring jurisdiction to Boone County certain land now comprising a part of the Woodward state hospital and school at Woodward, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 43:

Benda	Elvers	Lucken	Stephens
Burrows	Fisher	Mincks	Turner
Campbell	Flatt	Nolan	Vance
Coleman	Fulton	O'Malley	Van Eaton
Cowden	Getting	Phelps	Vincent
Curran	Griffin	Rigler	Walker
Dodds	Grimstead	Schroeder	Walter
Doran	Hill	Scott	Wearin
Dykhouse	Kyhl	Shaff	Wiley
Elijah	Lisle	Shivvers	Wilson
Elthon	Lodwick	Shoeman	

Nays, none.

Absent or not voting, 7:

Beneke	Buck	Hansen	Main
Brown	Frommelt	Long	

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

On motion of Senator Doran, House File 414, a bill for an act transferring jurisdiction to Boone County certain land now comprising a part of the Woodward state hospital and school at Woodward, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 47:

Benda	Elijah	Lodwick	Shoeman
Beneke	Elthon	Long	Stephens
Brown	Elvers	Lucken	Turner
Buck	Fisher	Mincks	Vance
Burrows	Flatt	Nolan	Van Eaton
Campbell	Frommelt	O'Malley	Vincent
Coleman	Fulton	Phelps	Walker
Cowden	Getting	Rigler	Walter
Curran	Griffin	Schroeder	Wearin
Dodds	Grimstead	Scott	Wiley
Doran	Kyhl	Shaff	Wilson
Dykhouse	Lisle	Shivvers	

Nays, none.

Absent or not voting, 3:

Hansen	Hill	Main

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

On motion of Senator Wilson, Senate File 409, a bill for an act to consolidate the functions of the boards paying bonuses for federal military service, was taken up and considered.

Senator Wilson moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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 Dodds, Senate File 419, a bill for an act relating to salaries of county attorneys, was taken up and considered.

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Senator Dodds moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shivvers
Beneke	Elvers	Lodwick	Shoeman
Brown	Fisher	Long	Stephens
Buck	Flatt	Lucken	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah			

Nays, none.

Absent or not voting, 1:

Main

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

On motion of Senator Campbell, Senate File 264, a bill for an act relating to the registration of motorboats, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

President pro tempore Vance took the chair at 9:45 a.m.

Senator Campbell moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

Nays, none.

Absent or not voting, none.

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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 AMENDMENT CONSIDERED

Senator Curran called up for consideration Senate File 252, a bill for an act authorizing the Iowa development commission to form a nonprofit corporation and to accept grants from the federal government and gifts from other sources, amended by the House, and moved that the Senate concur in the following amendment:

HOUSE AMENDMENT TO SENATE FILE 252

Amend Senate File 252 by adding thereto the following new section:

This Act being deemed of immediate importance shall be in full force and effect from and after its publication in the Oelwein Daily Register, a newspaper published at Oelwein, Iowa, and the Lohrville Enterprise & The Farnhamville Index, a newspaper published at Lohrville, Iowa.

The Senate concurred in the House amendment.

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

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

Ayes, 48:

Benda	Elthon	Lodwick	Shivvers
Brown	Elvers	Long	Shoeman
Buck	Fisher	Lucken	Stephens
Burrows	Flatt	Main	Turner
Campbell	Frommelt	Mincks	Vance
Coleman	Fulton	Nolan	Van Eaton
Cowden	Getting	O'Malley	Vincent
Curran	Griffin	Phelps	Walker
Dodds	Grimstead	Rigler	Walter
Doran	Hansen	Schroeder	Wearin
Dykhouse	Kyhl	Scott	Wiley
Elijah	Lisle	Shaff	Wilson

Nays, 2:

Beneke Hill

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.

UNFINISHED BUSINESS

On motion of Senator Shaff, House File 173, a bill for an act to amend chapter four hundred eleven (411), Code 1962, relating to retirement systems for policemen and firemen, was taken up for further consideration.

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Senator Shaff offered the following amendment and moved its adoption:

Amend the title to House File 173, by striking all after the word "to" in line 2 and inserting in lieu thereof the following: "certain services, and hours of employment, for policemen and firemen.".

The amendment was adopted.

Senator Shaff moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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 Walker, Senate File 371, a bill for an act to make the superintendent of public instruction elective and establish qualifications, was taken up for further consideration.

Senator Walker called up for consideration the amendment filed by him to Senate File 371 and found on pages 680 and 681 of the Senate Journal.

President Mooty took the chair at 10:05 a.m.

Senator Wearin asked and received unanimous consent that the amendment be considered by divisions.

Senator Walker moved the adoption of division 1 of the amendment.

Senator Shaff raised a point of order on the amendment for the reason that the amendment was not germane to the bill.

The Chair ruled the point well taken and the amendment out of order.

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Senator Flatt took the chair at 10:25 a.m.

Senator Schroeder moved that Senate File 371 be laid on the table.

Roll call was requested.

On the question "Shall Senate File 371 be laid on the table?" the vote was:

Ayes, 24:

Benda	Fisher	Lisle	Schroeder
Brown	Frommelt	Lodwick	Shaff
Campbell	Fulton	Long	Shivvers
Cowden	Hansen	Mincks	Van Eaton
Curran	Hill	O'Malley	Wearin
Elijah	Kyhl	Rigler	Wiley

Nays, 26:

Beneke	Elthon	Main	Turner
Buck	Elvers	Nolan	Vance
Burrows	Flatt	Phelps	Vincent
Coleman	Getting	Scott	Walker
Dodds	Griffin	Shoeman	Walter
Doran	Grimstead	Stephens	Wilson
Dykhouse	Lucken		

Absent or not voting, none.

The motion was lost.

Senator Coleman moved the previous question on the bill, which motion prevailed.

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

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

Ayes, 26:

Beneke	Elvers	Main	Turner
Burrows	Flatt	Nolan	Vance
Coleman	Getting	Phelps	Vincent
Cowden	Griffin	Scott	Walker
Doran	Grimstead	Shoeman	Walter
Dykhouse	Long	Stephens	Wilson
Elthon	Lucken		

Nays, 24:

Benda	Elijah	Kyhl	Schroeder
Brown	Fisher	Lisle	Shaff
Buck	Frommelt	Lodwick	Shivvers
Campbell	Fulton	Mincks	Van Eaton
Curran	Hansen	O'Malley	Wearin
Dodds	Hill	Rigler	Wiley

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.

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

Roll call was requested.

On the question "Shall the motion to reconsider be laid on the table?" the vote was:

Ayes, 26:

Beneke	Elvers	Nolan	Turner
Burrows	Flatt	Phelps	Vance
Coleman	Getting	Schroeder	Vincent
Cowden	Griffin	Scott	Walker
Doran	Grimstead	Shoeman	Walter
Dykhouse	Lucken	Stephens	Wilson
Elthon	Main		

Nays, 24:

Benda	Elijah	Kyhl	Rigler
Brown	Fisher	Lisle	Shaff
Buck	Frommelt	Lodwick	Shivvers
Campbell	Fulton	Long	Van Eaton
Curran	Hansen	Mincks	Wearin
Dodds	Hill	O'Malley	Wiley

Absent or not voting, none.

The motion prevailed.

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

AFTERNOON SESSION

The Senate reconvened, Senator Wearin 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 150, a bill for an act relating to the elimination of the necessity of fire extinguishers for certain boats.

Also: That the House has concured in Senate amendments to and passed House File 56, a bill for an act relating to the establishment of community mental health centers, and providing for the payment therefor from the state institution fund.

Also: That the House has concurred in Senate amendments to and passed House File 76, a bill for an act relating to hours of duty of members of fire departments.

Also: That the House has concurred in Senate amendments to and passed House File 187, a bill for an act relating to road use tax reporting requirements in cities and towns.

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Also: That the House has concurred in Senate amendments to and passed House File 232, a bill for an act relating to district convention delegates in the election of state board of public instruction members.

Also: That the House has concurred in Senate amendments to and passed House File 275, a bill for an act relating to brucellosis control in swine.

HOUSE AMENDMENT TO SENATE 150

Amend Senate File 150 by adding thereto the following new section:

Sec. 2. This Act being deemed of immediate importance shall take effect and be in force from and after its passage and publication in The Clear Lake Mirror-Reporter, a newspaper published at Clear Lake, Iowa, and in The Spirit Lake Beacon, a newspaper published at Spirit Lake, Iowa.

UNFINISHED BUSINESS

On motion of Senator Buck, Senate File 378, a bill for an act relating to joint county-city or town buildings, was taken up for further consideration.

Senator Buck asked and received unanimous consent that House File 393 be substituted for Senate File 378.

On motion of Senator Buck, House File 393, a bill for an act relating to joint county-city or town buildings, was taken up and considered.

Senator Buck offered the following amendment, moved its adoption, and requested a roll call.

Amend House File 393 by inserting in line 5 of section 4 after the word "required." the following:

"The governing body of an incorporating unit may adopt such articles only after the proposition for establishment of any authority has been approved by a majority of the votes cast by the electors of the governing unit for and against such proposition at a regular or general election. The proposition shall contain the joint building to be acquired, whether the existing municipal or county buildings will still be occupied by the municipality or county or whether the municipal or county buildings will be disposed of. If the existing municipal or county buildings are to be disposed of, the proposition shall contain the method of disposition."

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 34:

Brown	Getting	Nolan	Stephens
Buck	Grimstead	O'Malley	Turner
Burrows	Hansen	Phelps	Vance
Campbell	Hill	Rigler	Van Eaton
Curran	Kyhl	Scott	Vincent
Doran	Lisle	Shaff	Walter
Elvers	Lodwick	Shivvers	Wearin
Flatt	Long	Shoeman	Wilson
Frommelt	Lucken		

Nays, none.

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Absent or not voting, 16:

Benda	Dodds	Fisher	Mincks
Beneke	Dykhouse	Fulton	Schroeder
Coleman	Elijah	Griffin	Walker
Cowden	Elthon	Main	Wiley

The amendment was adopted.

Senator Elthon took the chair at 3:20 p.m.

Senator Shaff offered the following amendment and moved its adoption:

Amend House File 393, section 11, by striking lines 49, 50, 51 and 52 and inserting in lieu thereof the following: "or buildings not needed for the public purpose for which constructed, the authority may then rent such space to other lessees for a public use upon such terms and under such written leases as the board of commissioners may determine but in no event shall such property be leased for any non-public use."

The amendment was adopted.

Senator Buck moved that the bill be read a third 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:

Benda	Dykhouse	Lodwick	Shoeman
Beneke	Elthon	Long	Stephens
Brown	Elvers	Lucken	Turner
Buck	Flatt	Main	Vance
Burrows	Getting	O'Malley	Van Eaton
Campbell	Griffin	Rigler	Vincent
Coleman	Hansen	Schroeder	Walker
Cowden	Hill	Scott	Walter
Dodds	Kyhl	Shaff	Wearin
Doran	Lisle	Shivvers	Wilson

Nays, none.

Absent or not voting, 10:

Curran	Frommelt	Mincks	Phelps
Elijah	Fulton	Nolan	Wiley
Fisher	Grimstead		

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

Senator Buck asked and received unanimous consent that House File 393 be immediately messaged to the House, which request was complied with.

On motion of Senator Beneke, Senate File 377, a bill for an act to create and establish a state tort claims act; defining terms and conferring upon each state agency in behalf of the state the power to consider, ascertain, adjust, determine, and settle claims against the

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state; providing for the maximum amount of the claim; permitting the state to be sued; conferring 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 for further consideration.

Senator Long offered the following amendment:

Amend Senate File 377 by inserting at the end of section 9 the following: "This act shall not apply to any claim that has been filed under Chapter 25 of the Code of 1962."

On motion of Senator Beneke, the amendment was adopted.

Senator Schroeder asked unanimous consent that action on Senate File 377 be deferred and that the bill retain its place on the calendar under "unfinished business."

Objection was raised.

Senator Schroeder moved that action on Senate File 377 be deferred and that the bill retain its place on the calendar under "unfinished business," which motion prevailed.

HOUSE AMENDMENT CONSIDERED

Senator Dykhouse called up for consideration Senate File 150, a bill for an act relating to the elimination of the necessity of fire extinguishers for certain boats, amended by the House, and moved that the Senate concur in the following amendment:

HOUSE AMENDMENT TO SENATE FILE 150

Amend Senate File 150 by adding thereto the following new section:

Sec. 2. This Act being deemed of immediate importance shall take effect and be in force from and after its passage and publication in The Clear Lake Mirror-Reporter, a newspaper published at Clear Lake, Iowa, and in The Spirit Lake Beacon, a newspaper published at Spirit Lake, Iowa.

The Senate concurred in the House amendment.

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

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

Ayes, 49:

Benda	Coleman	Elijah	Fulton
Beneke	Cowden	Elthon	Getting
Brown	Curran	Elvers	Griffin
Buck	Dodds	Fisher	Grimstead
Burrows	Doran	Flatt	Hansen
Campbell	Dykhouse	Frommelt	Hill

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Kyhl	O'Malley	Shivvers	Vincent
Lisle	Phelps	Shoeman	Walker
Lodwick	Rigler	Stephens	Walter
Long	Schroeder	Turner	Wearin
Lucken	Scott	Vance	Wiley
Main	Shaff	Van Eaton	Wilson
Nolan			

Nays, none.

Absent or not voting, 1:
Mincks

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 O'Malley, Senate File 285, a bill for an act to raise the annual salary of the county attorney and his assistants in counties having a population of one hundred fifty thousand (150,000) and over, was taken up for further consideration.

Senator O'Malley offered the following amendment and moved its adoption:

Amend Senate File 285 as follows:

1. By striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Amend section three hundred forty point nine (340.9), subsection fifteen (15), Code 1962, by striking from line two (2) the words, 'ten thousand' and by inserting in lieu thereof the words, 'twelve thousand (12,000)'.

"Sec. 2. Amend section three hundred forty point ten (340.10), Code 1962, as follows:

1. By striking from subsection two (2), line three (3) the words, 'seventy-five' and inserting in lieu thereof the words, 'eighty-five (85)'.

2. By striking from subsection three (3), line three (3) the word, 'fifty' and by inserting in lieu thereof the words, 'sixty-five (65)' and by striking from line four (4) the words, 'sixty-five' and by inserting in lieu thereof the words, 'seventy-five (75)'."

The amendment was adopted.

Senator O'Malley offered the following amendment and moved its adoption:

Amend the title to Senate File 285 as follows:

1. By striking all after the word, "Attorney" in line 1 and by inserting in lieu thereof the following: "in counties having a population of one hundred fifty thousand (150,000) and over and to raise the salary of assistants in counties having a population of thirty-six thousand (36,000) and over."

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.

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

Ayes, 47:

Benda	Elijah	Kyhl	Shaff
Beneke	Elthon	Lisle	Shivvers
Brown	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Turner
Campbell	Frommelt	Main	Vance
Coleman	Fulton	Nolan	Van Eaton
Cowden	Getting	O'Malley	Vincent
Curran	Griffin	Phelps	Walker
Dodds	Grimstead	Rigler	Walter
Doran	Hansen	Schroeder	Wearin
Dykhouse	Hill	Scott	

Nays, 1:

Wiley

Absent or not voting, 1:

Mincks

Voting present, 1:

Wilson

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 Grimstead, Senate File 388, a bill for an act to amend chapter three hundred twenty-one (321), Code 1962, relating to license plates, was taken up and considered.

The committee amendment filed and found on pages 601-604 inclusive of the Senate Journal was considered.

Senator Grimstead offered the following amendment to the committee amendment and moved its adoption:

Amend the committee amendment by inserting the following before the period (.) in line 54: "and by inserting in lieu thereof a period (.)".

The amendment to the amendment was adopted.

Senator Grimstead asked and received unanimous consent to withdraw the amendment filed by him and found on page 715 of the Senate Journal.

Senator Grimstead offered the following amendment to the amendment and moved its adoption:

Amend the committee amendment by striking from lines 27 and 28 of section 1 the words "three inches long and one inch wide" and inserting in lieu thereof the words "one and one-half inches by one and seven-eighths inches", and;

Further amend Senate File 388 by striking from line 106 in section 9

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the words "one inch by three inches" and inserting in lieu thereof the words "one and one-half inches by one and seven-eighths inches".

The amendment to the amendment was adopted.

Senator Grimstead called up the following committee amendment to the committee amendment and moved its adoption:

Amend the committee amendment by adding to section 11 at the end of line 130 the following:

"Insert in lieu of said words the following:

'Annually on November 1 each year the treasurer of state shall transfer one hundred ninety thousand dollars ($190,000) to the division of motor vehicle registration of the department of public safety for the purpose of purchasing supplies and materials and for the cost of manufacturing validating emblems and new and replacement registration plates for motor vehicles. Any unexpended balance at the end of the biennial period shall be credited to the road use tax fund.' "

Further amend section 11 by adding at the end of line 133 the following:

"Insert in lieu of said words the following:

', less the amount transferred during such fiscal period for motor vehicle registration plates and validating emblems as provided in this section,' ".

Further amend said section 11 by adding at the end the following:

"This section shall be effective November 1, 1963."

On motion of Senator Grimstead, the amendment to the committee amendment was adopted.

Senator Wiley offered the following amendment to the committee amendment and moved its adoption:

Amend the committee amendment by striking all after the word "following:" in line 2, and by inserting in lieu thereof the following:

Section 1. Section three hundred twenty-one point thirty-four (321.34), Code 1962, is hereby repealed and the following enacted in lieu thereof:

"Plate or emblem furnished. The county treasurer upon receiving application, accompanied by proper fee, for registration of a vehicle shall issue to the owner one registration plate for a motorcycle, truck tractor, trailer, or semitrailer and for every other motor vehicle.

The county treasurer shall also issue to applicants for registration of a truck or a truck tractor, not including in the lowest registration class, a decalcomania emblem for each plate and which emblem designates the gross weight for which the vehicle is registered by figures which show the gross weight in tons. Number plates and weight limitation emblems which are issued with registrations or registration increases are hereby declared to be integral parts of the registration of the vehicle for which issued.

The owner of an automobile who holds an amateur radio license issued by the federal communications commission may, upon written application to the county treasurer accompanied by a fee of two dollars, order a special registration plate bearing the call letters authorized the radio station covered by his amateur radio license. When received by the county treasurer, such special registration plates shall be issued to the applicant in exchange for the registration plates previously issued to him. Not more than one special registration plate may be issued to an applicant. Said fee shall be in addition to and not in lieu of the fee for a regular registration plate.

Special registration plate must be surrendered upon expiration of the

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owner's amateur radio license or upon transfer of title to the automobile for which such plate has been issued; and the owner shall thereupon be entitled to his regular registration plate.

The county treasurer shall furnish the department of public safety an alphabetically arranged list of those to whom special plates have been issued."

Sec. 2. Section three hundred twenty-one point thirty-seven (321.37), Code 1962, is hereby repealed and the following enacted in lieu thereof:

"Display of plate. The registration plate issued for a vehicle other than a truck tractor shall be attached thereto in the rear. The registration plate issued for a truck tractor shall be attached to the front thereof.

Sec. 3. Section three hundred twenty-one point fifty-two (321.52), Code 1962, is amended as follows:

1. Strike from line five (5) of subsection one (1) the word "plates" and insert in lieu thereof the word "plate".

2. Strike from line twenty (20) of subsection one (1) the word "license" and insert in lieu thereof the word "registration".

3. Strike from lines four (4) and eight (8) of subsection two (2) the word "plates" and insert in lieu thereof the word "plate" in each instance.

4. Strike from line seventeen (17) of subsection two (2) the word "license" and insert in lieu thereof the word "registration".

Sec. 4. Section three hundred twenty-one point sixty (321.60), Code 1962, is amended by striking from line five (5) the words "or pair of plates".

Further amend said section by striking from line ten (10) the words "pair of special plates" and insert in lieu thereof the words "special plate".

Sec. 5. Section three hundred twenty-one point one hundred sixty-seven (321.167), Code 1962, is amended by striking from line five (5) the word "duplicate".

Sec. 6. Section four hundred twenty-two point sixty-two (422.62), Code 1962, is amended by striking from lines fourteen (14) to seventeen (17), inclusive, the words "The border and message on all such motor vehicle registration plates, beginning with the plates for the year 1963, shall have a reflectorized surface."

Sec. 7. This Act shall be effective for the plates issued for the year 1965.

Roll call was requested.

On the question "Shall the amendment to the amendment be adopted?" the vote was:

Rule 8 was invoked.

Ayes, 26:

Benda	Dykhouse	Long	Shaff
Beneke	Elvers	Lucken	Shoeman
Brown	Frommelt	Nolan	Vance
Buck	Hansen	O'Malley	Van Eaton
Coleman	Hill	Schroeder	Wearin
Curran	Kyhl	Scott	Wiley
Doran	Lisle		

Nays, 21:

Burrows	Fulton	Main	Turner
Campbell	Getting	Phelps	Vincent
Cowden	Griffin	Rigler	Walker
Dodds	Grimstead	Shivvers	Walter
Elthon	Lodwick	Stephens	Wilson
Flatt			

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Absent or not voting, 3:

Elijah	Fisher	Mincks

The amendment to the amendment was adopted.

On motion of Senator Grimstead, the committee amendment as amended was adopted.

Senator Grimstead offered the following amendment and moved its adoption:

Amend Senate File 388 as follows:

1. Amend the title, line 2, by striking the words "license plates" and inserting in lieu thereof the following: "motor vehicle registration".

The amendment was adopted.

Senator Grimstead moved that the bill be read a third 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:

Benda	Flatt	Lucken	Turner
Brown	Fulton	Main	Vance
Buck	Getting	Nolan	Van Eaton
Campbell	Grimstead	O'Malley	Vincent
Dodds	Hansen	Phelps	Walker
Doran	Kyhl	Rigler	Walter
Dykhouse	Lisle	Scott	Wearin
Elthon	Lodwick	Shoeman	Wiley
Elvers	Long		

Nays, 12:

Beneke	Cowden	Hill	Shivvers
Burrows	Frommelt	Schroeder	Stephens
Coleman	Griffin	Shaff	Wilson

Absent or not voting, 4:

Curran	Elijah	Fisher	Mincks

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

UNFINISHED BUSINESS

On motion of Senator Wearin, House File 189, a bill for an act to adopt the Interstate Compact on Mental Health and designate an administrator with other states, was taken up for further consideration.

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

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

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Ayes, 42:

Benda	Elthon	Lucken	Stephens
Beneke	Elvers	Main	Turner
Brown	Flatt	Nolan	Vance
Buck	Getting	O'Malley	Van Eaton
Burrows	Griffin	Rigler	Vincent
Campbell	Grimstead	Schroeder	Walker
Coleman	Hansen	Scott	Walter
Cowden	Hill	Shaff	Wearin
Dodds	Kyhl	Shivvers	Wiley
Doran	Lisle	Shoeman	Wilson
Dykhouse	Lodwick		

Nays, none.

Absent or not voting, 8:

Curran	Fisher	Fulton	Mincks
Elijah	Frommelt	Long	Phelps

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

SENATE CONCURRENT RESOLUTION 21

By Shaff, Schroeder, Benda, Long, Turner, Fisher, Wearin, Lisle, Rigler, Brown, Beneke, Elthon, Vance, Dodds, Lodwick and Van Eaton

Whereas, there is under the present Federal law mandatory requirements that the Interstate Commerce Commission regulate the minimum rates on transportation of freight by rail, and

Whereas, greater reliance should be placed on the forces of competition and less reliance on the restraints of regulation relative to the matter of rates, and

Whereas, although our nation enjoys one of the most highly developed and diversified transportation systems in the world, it has been handicapped by many regulatory laws which are restrictive and which have failed to keep pace with advancing technology, and

Whereas, the law should provide equality of competitive opportunity for all modes of transportation.

Therefore, Be It Resolved by the Senate, the House Concurring: That the Congress of the United States be encouraged in its efforts to lift the restrictions by regulation, on rate making in the transportation industry by favorable consideration of legislation now pending before the Congress, to make more consistent and comprehensive the framework of equal competitive opportunity.

Be It Further Resolved, that a copy of this resolution be forwarded by the Secretary of the Senate to the President of the United States, and to each member of the Iowa Delegation of the Senate and the House of Representatives of the United States.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, from the joint committee on enrolled bills, submitted the followng 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 35,

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42, 97, 113, 230, 236, 265, 266 and 391; also, House Files 4, 25, 59, 68, 197, 257, 258, 317 and 354.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate Files 35, 42, 97, 113, 230, 236, 265, 266 and 391; also, House Files 4, 25, 59, 68, 197, 257, 258, 317 and 354.

BILLS SENT TO THE GOVERNOR

Senator Benda, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has on this 3rd day of April, 1963, sent to the Governor for his approval: Senate Files 35, 42, 97, 113, 230, 236, 265, 266 and 391.

KENNETH BENDA, *Chairman.*

Passed on file.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on April 3, 1963, the Governor had approved the following bill:

Senate File 230, relating to the proceedings of the town council of Mechanicsville, Iowa.

COMMUNICATION FROM THE GOVERNOR

The following communication was received announcing that on April 3, 1963, the Governor had disapproved Senate File 1, relating to controlled access highways:

April 3, 1963.

The Honorable W. L. Mooty,
Lieutenant Governor,
President of the Senate,
Sixtieth General Assembly,
State Capitol,
Des Moines, Iowa.
Dear Sir:

Senate File 1, an Act relating to controlled access highways, is hereby disapproved and returned to Senate in accordance with Article III, Section 16, Constitution of the State of Iowa.

A chief executive does not move lightly to disapprove a measure that has been passed by two successive sessions of the General Assembly. Obviously this legislation has the support of many thoughtful and sincere persons—both in and outside of the legislature. Obviously it reflects the

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fact that the State Highway Commission's policies relating to access control have been subject to serious criticism and that there has been substantial justification for this criticism.

However, after careful study, I have disapproved this bill because I am convinced it is in the public interest to do so. The implications of the bill are far from clear—and this fact in itself makes its desirability as legislation questionable. Moreover, after hearing the arguments on both sides, evaluating the facts and reading the legal citations, I became convinced that enactment of this legislation, whatever its intentions and justifications might be, would seriously jeopardize the future of our highway program in Iowa. Believing this, I had no choice but to exercise the veto.

Perhaps no single piece of legislation in the past two legislative sessions has aroused such strong feelings both for and against it in the General Assembly. The facts on both sides have been distorted at times by the emotions aroused and the controversy has been magnified in the news headlines. It has been more difficult than it should have been for anyone to arrive at an objective and dispassionate evaluation of the facts.

I want to make it entirely clear that some of the members of the Assembly whom I respect the most have supported this legislation. They have supported it because they feel that the Highway Commission's access control policies have impaired property rights along the highways and that the commission staff has been dictatorial at times in carrying out these policies.

Bluntly, I believe that the legislature's criticism is in certain important respects sound and justified. I simply do not believe that this bill is the proper answer. I am convinced that it goes too far.

In 1955, the Iowa Legislature wrote into the law of our state that access control "is necessary for the immediate preservation of the public peace, health and safety, and for the promotion of the general welfare." This act would repeal that declaration and would state in its place that "all owners or occupants of land abutting any street or highway have the right of free and convenient access" to such street or highway from such land.

The term "free and convenient access" is unquestionably one which would have to be defined by the courts, but this and other provisions of the bill raise a definite question as to whether the state highway authorities could prevent a property owner from building an unlimited number of driveways onto a road without excessive expenditure of state funds. A property owner certainly should not be denied access from his property to a road, but the authority to restrict the owner to reasonable access has been held to be legally sound and in the public interest.

The Supreme Court of Iowa has declared that owners of the land adjacent to the Interstate Highway System and other controlled access highways established on new locations have no right of direct access to the new road where none existed before. Senate File 1 would seem to create vested access rights along such new highways where there was no access before the road was built. It would be necessary for the state, at considerable expense, to acquire these newly created access interests along miles of the Interstate System and other important segments of our highway system in order to prevent congested development and cross traffic that would retard traffic movement and increase driving hazards. I have been informed that the Federal Government, under a long standing policy, would not participate in the cost of such acquisition.

There have been various estimates as to what this bill would cost the taxpayers of Iowa, and undoubtedly some of these estimates have been high. But there is no question in my mind that the cost would be substantial, running into millions of dollars. It is self-evident that state funds

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used to pay for created access interests could not be used for new highway construction or for improvements in existing highways. The expenditures would thus benefit a minority of property owners at the expense of the general public.

I believe that the deficiencies and grievances at which this act is aimed can be remedied by proper administration of our present laws. Last October, the Highway Commission revised its access control policies and attempted to correct those practices that were repugnant to the general public. Highway officials more recently have expressed a willingness to remedy any further deficiencies that are found to exist.

In conclusion, I want to clearly recognize the fact that the main intention of Senate File 1 is to protect the rights of individual owners along our highways. I am completely in accord with this goal. I simply feel that this bill has other, unintentional implications that conflict with the interests of the general public.

This does not mean that I would oppose legislation that would carry out this main objective without other results. Furthermore, I want to assure the General Assembly that I will clearly instruct the new Highway Commission which will take office July 1 to do everything possible at the administrative level to insure that property owners along our highways are not deprived of their actual access rights without just compensation.

Yours very truly,

/s/ HAROLD E. HUGHES,
Governor

PROOF OF PUBLICATION

Published copy of Senate File 366 and verified proof of publication of said bill in the Daily Freeman-Journal, a newspaper published in Webster City, Iowa, on March 21, 1963, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

CARROLL A. LANE, *Secretary of Senate.*

Senator Wiley asked and received unanimous consent that Senate File 44 be withdrawn from further consideration of the Senate.

REPORTS OF COMMITTEES

Senator Long submitted the following report:

MR. PRESIDENT: Your committee on insurance to which was referred **House File 196**, a bill for an act relating to regulation of securities agents and dealers under the Iowa Securities Law, begs leave to report it has had the same under consideration and recommends the same **do pass.**

IRVING D. LONG, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on insurance to which was referred **House File 321**, a bill for an act relating to registration exemptions under the Iowa Securities Law, begs leave to report it has had the same under consideration and recommends the same **do pass.**

IRVING D. LONG, *Chairman.*

Ordered passed on file.

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Also:

MR. PRESIDENT: Your committee on insurance to which was referred **House File 324**, a bill for an act to amend chapter five hundred two (502), Code 1962, relating to the sale of securities, begs leave to report it has had the same under consideration and recommends the same **do pass.**

IRVING D. LONG, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on insurance to which was referred **House File 331**, a bill for an act to amend section five hundred seven point four (507.4), Code 1962, relating to the maximum per diem of insurance examiners, begs leave to report it has had the same under consideration and recommends the same **do pass.**

IRVING D. LONG, *Chairman.*

Ordered passed on file.

Senator Schroeder submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **Senate File 366**, a bill for an act to legalize and validate the proceedings for the organization and establishment of the Northeast Hamilton Community School District in the Counties of Hamilton and Wright, State of Iowa, and fixing the boundaries thereof, and declaring said district a duly and legally organized corporate body as provided by law, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JACK SCHROEDER, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 340:

1. Amend section 2 by adding the following at the end thereof: "A violation of this section shall constitute a misdemeanor and be punishable as such."

2. By striking all of section 3 and inserting in lieu thereof the following:

"Sec. 3. All information, interviews, reports, statements, memoranda, or other data furnished in accordance with this Act and any findings or conclusions resulting from such studies shall not be used or offered or received in evidence in any legal proceedings of any kind or character, but nothing contained herein shall be construed as affecting the admissibility as evidence of the primary medical or hospital records pertaining to the patient or of any other writing, record or reproduction thereof not contemplated by this Act.

ROBERT D. FULTON.

Amend Senate File 413 as follows:

1. By striking the quotation mark (") in line 5 of section 15.

LEO ELTHON.

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Amend Senate File 333 as follows:
1. By striking all of line 5 of section 1 and by inserting in lieu thereof the following: "words 'seven thousand five hundred (7500)'."
2. By striking all of line 5 of section 2 and by inserting in lieu thereof the following: "words 'seven thousand five hundred (7500)'."
3. By striking all of line 5 of section 3 and by inserting in lieu thereof the following: "words 'seven thousand five hundred (7500)'."
4. By striking all of line 5 of section 4 and by inserting in lieu thereof the following: "words 'seven thousand five hundred (7500)'."

CHAS. S. VAN EATON.

Amend House File 149 as follows:
1. Strike from line 32 of section 3 the words "or private".
2. Add at the end of line 37 of section 3 the following new sentence "The lessee of any such project is hereby prohibited from becoming the owner, or holder for the benfit of such lessee, of any bonds issued under authority of this Act.
3. Strike all of section 15.
4. Add a new section as follows:
"No project financed by a municipality under this Act shall be leased to a lessee who would be in competition to an entrepreneur already in business in the municipality or in the adjacent vicinity within five miles of the limits of such municipality.

ROBERT RIGLER.

Amend Senate File 417 by striking section 7 and substituting in lieu thereof the following: "Sec. 7. It is the intent of this Act that no state appropriated funds shall be used for indemnity purposes. All money made available for indemnity payments shall be placed in a fund known as the Hog Cholera Indemnity Fund."

JOHN A. WALKER.

Amend Senate File 411 by striking from line 12 of section 2 the words "eligible for" and inserting in lieu thereof the words "who, within ninety days prior to application for medical assistance for the aged, have received".

JOHN SHOEMAN.

Amend Senate File 408 by adding thereto the following new sections:
(a) Chapter two hundred twenty-three (223) is hereby amended by adding the following new sections:
Section 1. "There is hereby established at each hospital a fund known as the patients' personal deposit fund.
Sec. 2. "Any funds coming into the possession of the superintendent or any employee of the hospital belonging to any patient in that hospital, shall be deposited in the name of that patient in the patients' personal deposit fund, except that if a guardian of the property of that patient has been appointed, the guardian shall have the right to demand and receive such funds. Funds belonging to a patient deposited in the patients' personal deposit

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fund may be used for the purchase of personal incidentals, desires and comforts for the patient.

Sec. 3. "Whenever the amount to the account of any patient in the patients' personal deposit fund exceeds the sum of two hundred (200) dollars, the business manager of the hospital may apply any of the excess to reimburse the county of legal settlement for liability incurred by such county for the payment of care, support and maintenance of the patient, when billed therefor by the county of legal settlement.

Sec. 4. "The business manager shall deposit the patients' personal deposit fund in a commercial account of a bank of reputable standing. When deposits in the commercial account exceed average monthly withdrawals, the business manager may deposit the excess at interest. The savings account shall be in the name of the patients' personal deposit fund and interest paid thereon may be used for recreational purposes at the hospital."

Further amend Senate File 408 by striking the period in the title and adding thereto the following words "and mentally retarded patients in state hospital-schools."

J. HENRY LUCKEN.

Amend Senate File 427 as follows:

1. By striking the following from line 9 of section 1: "of Iowa,".

JACK SCHROEDER.

On motion of Senator Rigler, the Senate recessed until 5:00 p.m.

The Senate reconvened, President Mooty presiding.

On motion of Senator Wearin, the Senate adjourned until 9:00 a.m., Thursday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 4, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Alvin T. Maberry, pastor of the First Methodist Church, Mount Pleasant, Iowa.

PRESENTATION OF VISITORS

Senator Campbell asked and received unanimous consent to present to the Senate one hundred students from the Oskaloosa Junior High School who were present in the balcony accompanied by their principal, Vern D. Pace.

Senator Lucken asked and received unanimous consent to present to the Senate forty-seven students, members of the government class from the Ida Grove Community School, who were present in the balcony accompanied by their instructor, Clara Bekman.

INTRODUCTION OF BILLS

Senate File 436, by committee on governmental affairs, a bill for an act relating to the appointment of the director of the state traveling library as compact administrator for any interstate library compact.

Read first and second times and placed on the calendar.

Senate File 437, by committee on judiciary 2, a bill for an act providing for home rule liquor control and the licensing and strict control of the retail sale of products sold by Iowa state liquor stores.

Read first and second times and placed on the calendar.

Senate File 438, by committee on judiciary 1, a bill for an act to provide a uniform procedure for the conduct of administrative hearings now provided for by statute.

Read first and second times and placed on the calendar.

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

EXECUTIVE SESSION

The Senate, in executive session, confirmed the following appointments:

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Albert A. Augustine of Des Moines, Polk County, Iowa, as a member of the Appeal Board on State Institution Construction Contracts for the unexpired term ending June 30, 1963, and for the regular term ending June 30, 1967.

George O. Bryant of Emmetsburg, Palo Alto County, Iowa, as a member of the Iowa Aeronautics Commission for the term ending June 30, 1969.

J. R. Downing of Indianola, Warren County, Iowa, as a member of the Iowa Natural Resources Council for the term ending June 30, 1969.

John Falb, Jr., of Postville, Allamakee County, Iowa, as a member of the Iowa State Highway Commission for the term ending June 30, 1967.

John J. Goen of Anamosa, Jones County, Iowa, to the office of Commerce Counsel of Iowa for the unexpired term ending June 30, 1963, and for the regular term ending June 30, 1967.

Elmer W. Hertel, Ph.D., of Waverly, Bremer County, Iowa, as a member of the Board of Examiners in the Basic Sciences for the term ending June 30, 1969.

John P. Hummel, Ph.D., of Iowa City, Johnson County, Iowa, as a member of the Board of Examiners in the Basic Sciences for the term ending June 30, 1969.

Arthur L. Johnson of Ida Grove, Ida County, Iowa, as a member of the Appeal Board on State Institution Construction Contracts for the unexpired term ending June 30, 1963, and for the regular term ending June 30, 1965.

Bernard J. Martin of Des Moines, Polk County, Iowa, as a member of the Iowa State Commerce Commission for the term ending July 1, 1969.

Gery M. Martin of Sioux City, Woodbury County, Iowa, as a member of the Iowa Real Estate Commission for the term ending June 30, 1967.

Frank B. Means of Manilla, Crawford County, Iowa, as a member of the Iowa State Commerce Commission for the term ending June 30, 1965.

Fred H. Moore of Spencer, Clay County, Iowa, as a member of the Board of Parole for the term ending June 30, 1969.

The Reverend Laurence N. Nelson, D.D., of Bellevue, Jackson County, Iowa, as a member of the State Conservation Commission for the term ending June 30, 1969.

J. Justin Rogers of Spirit Lake, Dickinson County, Iowa, as a member of the Iowa Natural Resources Council for the term ending June 30, 1969.

Derby D. Thompson of Burlington, Des Moines County, Iowa, as a member of the Iowa State Highway Commission for the term ending June 30, 1967.

The Senate, in executive session, refused to confirm the following appointment:

Robert C. Barry of Danbury, Woodbury County, Iowa, as a member of the Iowa State Highway Commission for the term ending July 1, 1967.

The Senate arose from executive session and resumed regular session.

On motion of Senator Rigler, the Senate recessed until 1:45 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

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THIRD READING OF BILLS

On motion of Senator Lucken, House File 188, a bill for an act relating to the attendance at approved public high schools of children from institutions under jurisdiction of the board of control, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hansen moved that the bill be read a third 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:

Benda	Elijah	Lodwick	Shoeman
Beneke	Elthon	Lucken	Stephens
Brown	Elvers	Main	Turner
Buck	Flatt	Nolan	Vance
Burrows	Frommelt	O'Malley	Van Eaton
Campbell	Fulton	Phelps	Vincent
Coleman	Getting	Rigler	Walker
Cowden	Griffin	Schroeder	Walter
Curran	Grimstead	Scott	Wearin
Dodds	Hansen	Shaff	Wiley
Doran	Kyhl	Shivvers	Wilson
Dykhouse			

Nays, none.

Absent or not voting, 4:

Fisher	Lisle	Long	Mincks

Voting present, 1:

Hill

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

On motion of Senator Hansen, House File 259, a bill for an act relating to the legal settlement of a mentally ill person at the time of admission to a state institution, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hansen moved that the bill be read a third 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:

Benda	Cowden	Elvers	Hill
Beneke	Curran	Flatt	Kyhl
Brown	Dodds	Fulton	Lisle
Buck	Doran	Getting	Lodwick
Burrows	Dykhouse	Griffin	Lucken
Campbell	Elijah	Grimstead	Main
Coleman	Elthon	Hansen	Nolan

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O'Malley	Shaff	Vance	Walter
Phelps	Shivvers	Van Eaton	Wearin
Rigler	Shoeman	Vincent	Wiley
Schroeder	Turner	Walker	Wilson
Scott			

Nays, none.

Absent or not voting, 5:

Fisher	Long	Mincks	Stephens
Frommelt			

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

HOUSE AMENDMENTS CONSIDERED

Senator Doran called up for consideration House File 17, a bill for an act relating to rules of administrative agencies, amended by the Senate, and moved that the Senate insist on its amendments to House File 17.

The motion prevailed and the Senate insisted on its amendments.

CONFERENCE COMMITTEE APPOINTED

President Mooty announced the appointment of Senators Doran, O'Malley, Beneke and Vance, on the part of the Senate, on the conference committee on House File 17.

UNFINISHED BUSINESS

On motion of Senator Turner, Senate File 341, a bill for an act to amend section three hundred twenty-one point four hundred ninety-four (321.494), Code 1962, relating to guest passengers, was taken up for further consideration.

Senator Buck moved the previous question on the bill, which motion prevailed.

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

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

Ayes, 7:

Cowden	Nolan	Shaff	Turner
Fulton	Schroeder	Shoeman	

Nays, 37:

Benda	Coleman	Elijah	Getting
Brown	Curran	Elthon	Griffin
Buck	Dodds	Elvers	Hansen
Burrows	Doran	Flatt	Hill
Campbell	Dykhouse	Frommelt	Kyhl

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Lisle	Phelps	Vance	Walter
Lodwick	Rigler	Van Eaton	Wearin
Lucken	Scott	Vincent	Wiley
Main	Shivvers	Walker	Wilson
Mincks			

Absent or not voting, 2:

Fisher	Long

Voting present, 4:

Beneke	Grimstead	O'Malley	Stephens

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Beneke, Senate File 377, a bill for an act to create and establish a state tort claims act; defining terms and conferring upon each state agency in behalf of the state the power to consider, ascertain, adjust, determine, and settle claims against the state; providing for the maximum amount of the claim; permitting the state to be sued; conferring 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 for further consideration.

Senator Turner took the chair at 3:00 p.m.

Senator Beneke moved that the bill be read a third 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:

Benda	Elijah	Lodwick	Shivvers
Beneke	Elthon	Lucken	Shoeman
Brown	Flatt	Main	Turner
Buck	Frommelt	Mincks	Vance
Burrows	Fulton	Nolan	Van Eaton
Campbell	Griffin	O'Malley	Walker
Coleman	Grimstead	Phelps	Walter
Cowden	Hansen	Rigler	Wearin
Curran	Hill	Schroeder	Wiley
Dodds	Kyhl	Shaff	Wilson
Doran	Lisle		

Nays, 6:

Dykhouse	Getting	Stephens	Vincent
Elvers	Scott		

Absent or not voting, 2:

Fisher	Long

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

Senator Shoeman asked and received unanimous consent to take up Senate Files 418, 420 and 421.

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THIRD READING OF BILLS

On motion of Senator Phelps, Senate File 418, 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 on appropriations recommending passage, was taken up, considered, and the report of committee adopted.

Senator Phelps moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Flatt	Lucken	Stephens
Buck	Frommelt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Coleman	Griffin	O'Malley	Vincent
Cowden	Grimstead	Phelps	Walker
Curran	Hansen	Rigler	Walter
Dodds	Hill	Schroeder	Wearin
Doran	Kyhl	Scott	Wiley
Dykhouse	Lisle	Shaff	Wilson
Elijah			

Nays, none.

Absent or not voting, 1:

Fisher

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 Phelps, Senate File 420, 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 on appropriations recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Phelps moved that the bill be read a third 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:

Benda	Dodds	Getting	Main
Beneke	Doran	Griffin	Mincks
Brown	Dykhouse	Grimstead	Nolan
Buck	Elijah	Hansen	O'Malley
Burrows	Elthon	Hill	Phelps
Campbell	Elvers	Kyhl	Rigler
Coleman	Flatt	Lisle	Schroeder
Cowden	Frommelt	Lodwick	Scott
Curran	Fulton	Lucken	Shaff

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Shivvers	Turner	Vincent	Wearin
Shoeman	Vance	Walker	Wiley
Stephens	Van Eaton	Walter	Wilson

Nays, none.

Absent or not voting, 2:

Fisher Long

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 Phelps, Senate File 421, 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 on appropriations recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Phelps moved that the bill be read a third 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:

Benda	Elijah	Lisle	Shivvers
Beneke	Elthon	Lodwick	Shoeman
Brown	Elvers	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Fisher Long

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

SENATE CONCURRENT RESOLUTION 22

By Committee on Governmental Affairs

Whereas, there has been agreed, by the librarians of several states in convention assembled, a compact which if adopted by the participating state will make the most efficient use of library equipment to the greatest number of users, now therefore:

Be It Resolved by the Senate, the House Concurring, That the General Assembly agrees to the following Interstate Library Compact:

The contracting states agree that:

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ARTICLE I—PURPOSE

Because the desire for the services provided by public libraries transcends governmental boundaries and can be provided most effectively by giving such services to communities of people regardless of jurisdictional lines, it is the policy of the states who are parties to this compact to co-operate and share their responsibilities in providing joint and co-operative library services in areas where the distribution of population makes the provision of library service on an interstate basis the most effective way to provide adequate and efficient services.

ARTICLE II—PROCEDURE

The appropriate officials and agencies of the party states or any of their political subdivisions may, on behalf of said states or political subdivisions, enter into agreements for the co-operative or joint conduct of library services when they shall find that the executions of agreements to that end as provided herein will facilitate library services.

ARTICLE III—CONTENT

Any such agreement for the co-operative or joint establishment, operation or use of library services, facilities, personnel, equipment, materials or other items not excluded because of failure to enumerate shall, as among parties of the agreement: (1) detail the specific nature of the services, facilities, properties or personnel to which it is applicable; (2) provide for the allocation of costs and other financial responsibilities; (3) specify the respective rights, duties, obligations and liabilities; (4) stipulate the terms and conditions for duration, renewal, termination, abrogation, disposal of joint or common property, if any, and all other matters which may be appropriate to the proper effectuation and performance of said agreement.

ARTICLE IV—CONFLICT OF LAWS

Nothing in this compact or in any agreement entered into hereunder shall be construed to supersede, alter, or otherwise impair any obligation imposed on any public library by otherwise applicable laws.

ARTICLE V—ADMINISTRATOR

Each state shall designate a compact administrator with whom copies of all agreements to which his state or any subdivision thereof is party shall be filed. The administrator shall have such powers as may be conferred upon him by the laws of his state and may consult and co-operate with the compact administrators of other party states and take such steps as may effectuate the purposes of this compact.

ARTICLE VI—EFFECTIVE DATE

This compact shall become operative immediately upon its enactment by any state or between it and any other contiguous state or states so enacting.

ARTICLE VII—RENUNCIATION

This compact shall continue in force and remain binding upon each party state until six months after any such state has given notice of repeal by the legislature. Such withdrawal shall not be construed to relieve any party to an agreement authorized by Articles II and III of the compact from the obligation of that agreement prior to the end of its stipulated period of duration.

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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 222, a bill for an act relating to service of process on foreign corporations, and nonresident persons.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 222

Senate File 222 is hereby amended as follows:

1. Section 1, by striking all of lines 4 through 17 and inserting in lieu thereof the following:

"If a foreign corporation makes a contract with a resident of Iowa to be performed in whole or in part by either party in Iowa, or if such foreign corporation commits a tort in whole or in part in Iowa against a resident of Iowa, such acts shall be deemed to be doing business in Iowa by such foreign corporation for the purpose of service of process or original notice on such foreign corporation under this Act, and, if the corporation does not have a registered agent or agents in the State of Iowa, shall be deemed to constitute the appointment of the secretary of state of the State of Iowa to be its true and lawful attorney upon whom may be served all lawful process or original notice in actions or proceedings arising from or growing out of such contract or tort. If a nonresident person makes a contract with a resident of Iowa to be performed in whole or in part by either party in Iowa, or if such person commits a tort in whole or in part in Iowa against a resident of Iowa, such acts shall be deemed to be doing business in Iowa by such person for the purpose of service of process or original notice on such person under this Act, and shall be deemed to constitute the appointment of the secretary of state of the State of Iowa to be the true and lawful attorney of such person upon whom may be served all lawful process or original notice in actions or proceedings arising from or growing out of such contract or tort. The making of the contract or the committing of the tort shall be deemed to be the agreement of such corporation or such person that any".

2. Section 1, by striking all of lines 32 and 33 and that part of line 34 preceding the word "The" and inserting in lieu thereof the following: "of state. Such notification shall be mailed to each such foreign corporation at the address of its principal office in the state or country under the laws of which it is incorporated and to each such nonresident person at his address in the state of his residence."

3. Section 1, by inserting following the word "corporations" in line 80 the words "or nonresident persons".

4. By adding thereto a new section as follows:

Sec. 2. It is hereby declared to be the legislative intent that if this Act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part, sentence or clause thereof, the remaining provisions of the Act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein.

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MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 393 passed the Senate.

DAVID O. SHAFF.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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 150 and 252; also, House Files 52, 56, 76, 187, 232, 275, 412, 413 and 414.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 150 and 252; also, House Files 52, 56, 76, 187, 232, 275, 412, 413 and 414.

BILLS SENT TO THE GOVERNOR

Senator Benda, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 4th day of April, 1963, sent to the Governor for his approval: Senate Files 150 and 252.

KENNETH BENDA, *Chairman.*

Passed on file.

REPORTS OF COMMITTEES

Senator Van Eaton submitted the following report:

MR. PRESIDENT: Your committee on cities and towns to which was referred **Senate Joint Resolution 15**, a joint resolution proposing to amend Article three (III) of the Constitution of the State of Iowa to provide home rule for city and town governments, 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 Schroeder on April 4, 1963, and when so amended the resolution do pass.**

CHAS. S. VAN EATON, *Chairman.*

Ordered passed on file.

Senator Curran submitted the following report:

MR. PRESIDENT: Your committee on Iowa development to which was referred **House File 452**, a bill for an act relating to economic development

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corporations, begs leave to report it has had the same under consideration and recommends the same **do pass.**

LEIGH R. CURRAN, *Chairman.*

Ordered passed on file.

Senator Nolan submitted the following report:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **Senate File 170**, a bill for an act relating to nonprofit corporations and the formation, merger, consolidation, dissolution, liquidation, admission to do business in this state and withdrawal therefrom, authority, powers and rights thereof, and requirements therefor, and the regulation and conduct of affairs thereof, begs leave to report it has had the same under consideration and recommends the same **do pass.**

D. C. NOLAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 1 to which was referred **Senate File 319**, bill for an act to amend the statutes relating to the bonds of distributors of motor fuel, special fuel dealers and special fuel users, begs leave to report it has had the same under consideration and recommends the same **do pass.**

D. C. NOLAN, *Chairman.*

Ordered passed on file.

Senator Lisle submitted the following report:

MR. PRESIDENT: Your committee on manufacturing, commerce and trade to which was referred **House File 149**, a bill for an act authorizing cities and towns to acquire, purchase, construct, reconstruct, improve, extend and lease industrial buildings; authorize the issuance of revenue bonds of cities and towns for the purpose of securing and developing industry and provide for the payment of certain sums in lieu of taxes to the State of Iowa and to the county, city, town, school district and other political subdivisions, begs leave to report it has had the same under consideration and **returns the bill without recommendation.**

VERN LISLE, *Chairman.*

Ordered passed on file.

Senator Elijah submitted the following report:

MR. PRESIDENT: Your committee on tax revision to which was referred **Senate File 4**, a bill for an act relating to the taxation of feeder cattle on farms, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EARL ELIJAH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on tax revision to which was referred **Senate File 6**, a bill for an act relating to taxable personal property, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EARL ELIJAH, *Chairman.*

Ordered passed on file.

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Also:

MR. PRESIDENT: Your committee on tax revision to which was referred **House File 332**, a bill for an act to enable the exchange of inheritance tax information with the federal government, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EARL ELIJAH, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate Joint Resolution 15 by inserting at the end of line 19 of section 1 the following:

"However cities and towns may levy only those taxes, excises, fees, charges and other exactions now or hereafter permitted by statute."

JACK SCHROEDER.

Amend Senate File 347 as follows:

1. By striking section 2 and by inserting in lieu thereof the following:

"Sec. 2. The commission shall consist of nine (9) members who shall be selected with regard to demonstrated interests in historical matters. The commission shall be nonpartisan and the members shall be appointed by the governor. As the terms of the members so appointed shall expire, their successors shall be appointed, each for a term of four years; provided, however, that upon the death, disability, or resignation of any member, the governor shall appoint a person to serve for the unexpired term."

2. By inserting a period (.) before the word "but" in line 2 of section 3, and by striking the remainder of said section.

EDWARD A. WEARIN.
VERNON KYHL.

Amend House File 149 as follows:

1. By striking in section 2, line 8 the word "four" and inserting in lieu thereof the word "eight".

ANDREW G. FROMMELT.

On motion of Senator Rigler, the Senate adjourned until 9:00 a.m., Friday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 5, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Nancy Nichols, pastor of the Methodist Church, Irwin, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Fulton for the day on request of Senator Dodds.

PETITIONS

The following petitions were received by Senator Curran: In opposition to liquor by the drink, from thirty-two residents of Cerro Gordo County; and in opposition to proposed legislation relating to the licensing and qualifications of physical therapists, from twenty-one residents of Cerro Gordo County and from forty-six residents of Wright County.

PRESENTATION OF VISITORS

Senator Campbell asked and received unanimous consent to present to the Senate seventy-two students from the Oskaloosa Junior High School, who were present in the balcony accompanied by their instructors, Gary Hayden and Henry Boeyink.

Senator O'Malley asked and received unanimous consent to present to the Senate forty-five students from the Woodrow Wilson Junior High School, Des Moines, who were present in the balcony accompanied by their instructors, Marguerite Atzen and Jerry Stilwell.

Senator Phelps asked and received unanimous consent to present to the Senate fourteen students, members of the science class from the Stockport High School, who were present in the balcony accompanied by their instructor, Mary Oliver Peck, and their superintendent, Robert C. Thompson.

Senator Phelps also presented his granddaughter, Jeanne Phelps, a member of the class, who was present in the Senate chamber.

Senator Beneke asked and received unanimous consent to present to the Senate the members of the seventh and eighth grade classes of the Fonda Community School who were present in the balcony

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accompanied by their instructors, Audry McIntire, Murielann Minglin and Betty Westmoreland.

ANNOUNCEMENT

Senator Rigler announced to the Senate the untimely death of our assistant doorkeeper, Joe Chocholka of Des Moines, shortly following adjournment of the Senate yesterday; and on behalf of the members of the Senate and all of the employees extended sincere sympathy to the members of the family.

INTRODUCTION OF BILL

Senate File 439, by committee on schools and educational institutions, a bill for an act relating to the powers of the state board of public instruction.

Read first and second times and placed on the calendar.

SPECIAL ORDER

Senator Rigler asked unanimous consent that Senate File 404 be made a special order of business for Monday, April 8, 1963, at 10:00 a.m.

Objection was raised.

Senator Rigler moved that Senate File 404 be made a special order of business for Monday, April 8, 1963, at 10:00 a.m., which motion prevailed.

HOUSE AMENDMENT CONSIDERED

Senator Nolan called up for consideration Senate File 222, a bill for an act to amend section six hundred seventeen point three (617.3), Code 1962, relating to services of process on foreign corporations, amended by the House, and moved that the Senate concur in the following amendment:

HOUSE AMENDMENT TO SENATE FILE 222

Senate File 222 is hereby amended as follows:

1. Section 1, by striking all of lines 4 through 17 and inserting in lieu thereof the following:

"If a foreign corporation makes a contract with a resident of Iowa to be performed in whole or in part by either party in Iowa, or if such foreign corporation commits a tort in whole or in part in Iowa against a resident of Iowa, such acts shall be deemed to be doing business in Iowa by such foreign corporation for the purpose of service of process or original notice on such foreign corporation under this Act, and, if the corporation does not have a registered agent or agents in the State of Iowa, shall be deemed to constitute the appointment of the secretary of state of

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the State of Iowa to be its true and lawful attorney upon whom may be served all lawful process or original notice in actions or proceedings arising from or growing out of such contract or tort. If a nonresident person makes a contract with a resident of Iowa to be performed in whole or in part by either party in Iowa, or if such person commits a tort in whole or in part in Iowa against a resident of Iowa, such acts shall be deemed to be doing business in Iowa by such person for the purpose of service of process or original notice on such person under this Act, and shall be deemed to constitute the appointment of the secretary of state of the State of Iowa to be the true and lawful attorney of such person upon whom may be served all lawful process or original notice in actions or proceedings arising from or growing out of such contract or tort. The making of the contract or the committing of the tort shall be deemed to be the agreement of such corporation or such person that any".

2. Section 1, by striking all of lines 32 and 33 and that part of line 34 preceding the word 'The' and inserting in lieu thereof the following: "of state. Such notification shall be mailed to each such foreign corporation at the address of its principal office in the state or country under the laws of which it is incorporated and to each such nonresident person at his address in the state of his residence."

3. Section 1, by inserting following the word "corporations" in line 80 the words "or nonresident persons".

4. By adding thereto a new section as follows:

Sec. 2. It is hereby declared to be the legislative intent that if this Act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part, sentence or clause thereof, the remaining provisions of the Act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein.

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 third 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:

Benda	Elthon	Lisle	Shivvers
Beneke	Elvers	Lodwick	Shoeman
Buck	Fisher	Lucken	Stephens
Burrows	Flatt	Main	Turner
Campbell	Frommelt	Nolan	Vance
Coleman	Getting	O'Malley	Van Eaton
Cowden	Griffin	Phelps	Vincent
Curran	Grimstead	Rigler	Walker
Dodds	Hansen	Schroeder	Walter
Doran	Hill	Scott	Wearin
Dykhouse	Kyhl	Shaff	Wiley

Nays, none.

Absent or not voting, 6:

Brown	Fulton	Mincks	Wilson
Elijah	Long		

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

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UNFINISHED BUSINESS

On motion of Senator Getting, House File 85, a bill for an act relating to erecting, rebuilding or repairing of fences, was taken up for further consideration.

Senator Getting offered the following amendment and moved its adoption:

Amend House File 85 by striking from line 5 of section 1 the words "the board of supervisors" and inserting in lieu thereof the words "the board of township trustees acting as fence viewers".

The amendment was adopted.

Senator Getting offered the following amendment and moved its adoption:

Amend House File 85 by adding the following section:

"Section one hundred thirteen point four (113.4), Code 1962, is hereby amended by adding thereto the following:

'If the fence is not erected, rebuilt, or repaired within the time prescribed in the order, the fence viewers shall require the complaining landowner to deposit with the fence viewers a sum of money sufficient to pay for the erecting, rebuilding, trimming, cutting back or repairing such fence together with the fees of the fence viewers and costs. Such complaining landowner shall be reimbursed as soon as the taxes are collected as provided in section one hundred thirteen point six (113.6) of the Code.'"

The amendment was adopted.

Senator Getting moved that the bill be read a third 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:

Benda	Elthon	Kyhl	Shaff
Beneke	Elvers	Lisle	Shivvers
Buck	Fisher	Lodwick	Shoeman
Burrows	Flatt	Lucken	Stephens
Campbell	Frommelt	Mincks	Vance
Coleman	Getting	Nolan	Van Eaton
Cowden	Griffin	O'Malley	Vincent
Curran	Grimstead	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Scott	Wearin
Dykhouse			

Nays, none.

Absent or not voting, 9:

Brown	Long	Schroeder	Wiley
Elijah	Main	Turner	Wilson
Fulton			

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

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THIRD READING OF BILLS

On motion of Senator Lisle, Senate File 250, a bill for an act to amend section two hundred eighty-six A point four (286.4), Code 1962, relating to the allocation of general school aid funds to junior college districts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Lisle moved that the bill be read a third 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:

Benda	Elijah	Kyhl	Shaff
Beneke	Elthon	Lisle	Shivvers
Buck	Elvers	Lodwick	Shoeman
Burrows	Fisher	Lucken	Stephens
Campbell	Flatt	Main	Vance
Coleman	Frommelt	Nolan	Van Eaton
Cowden	Getting	O'Malley	Vincent
Curran	Griffin	Phelps	Walker
Dodds	Grimstead	Rigler	Walter
Doran	Hansen	Schroeder	Wearin
Dykhouse	Hill	Scott	Wilson

Nays, none.

Absent or not voting, 6:

Brown	Long	Turner	Wiley
Fulton	Mincks		

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 Van Eaton, Senate File 60, a bill for an act authorizing cities and towns to acquire, purchase, construct, reconstruct, improve, extend and lease industrial buildings; authorize the issuance of revenue bonds of cities and towns for the purpose of securing and developing industry and provide for the payment of certain sums in lieu of taxes to the State of Iowa and to the county, city, town, school district and other political subdivisions, was taken up for further consideration.

Senator Van Eaton asked and received unanimous consent that House File 149 be substituted for Senate File 60.

On motion of Senator Van Eaton, House File 149, a bill for an act authorizing cities and towns to acquire, purchase, construct, reconstruct, improve, extend and lease industrial buildings; authorize the issuance of revenue bonds of cities and towns for the purpose of securing and developing industry and provide for the payment of

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certain sums in lieu of taxes to the State of Iowa and to the county, city, town, school district and other political subdivisions, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Van Eaton offered the following amendment and moved its adoption:

Amend House File 149 as follows:

1. By adding an additional section thereto as follows:

"This Act, being deemed of immediate importance, shall be in full force and effect from and after its publication in the Sioux City Journal, a newspaper published at Sioux City, Iowa, and in the Creston News Advertiser, a newspaper published at Creston, Iowa."

The amendment was adopted.

Senator Rigler offered the following amendment:

Amend House File 149 as follows:

1. Strike from line 32 of section 3 the words "or private".

2. Add at the end of line 37 of section 3 the following new sentence: "The lessee of any such project is hereby prohibited from becoming the owner, or holder for the benefit of such lessee, of any bonds issued under authority of this Act.

3. Strike all of section 15.

4. Add a new section as follows:

"No project financed by a municipality under this Act shall be leased to a lessee who would be in competition to an entrepreneur already in business in the municipality or in the adjacent vicinity within five miles of the limits of such municipality.

On motion of Senator Rigler, division 1 of the amendment was adopted.

Senator Lucken took the chair at 10:15 a.m.

Senator Rigler moved the adoption of division 2 of the amendment.

Division was called for.

Division 2 of the amendment was lost.

Senator Rigler moved the adoption of division 3 of the amendment.

Roll call was requested.

On the question "Shall division 3 of the amendment be adopted?" the vote was:

Ayes, 30:

Benda	Elthon	Hill	Rigler
Beneke	Elvers	Kyhl	Shaff
Buck	Fisher	Lisle	Shoeman
Burrows	Flatt	Lodwick	Stephens
Campbell	Getting	Lucken	Turner
Cowden	Griffin	Mincks	Vincent
Curran	Grimstead	Phelps	Walker
Elijah	Hansen		

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Nays, 11:

Dodds	Frommelt	Schroeder	Walter
Doran	Nolan	Scott	Wearin
Dykhouse	O'Malley	Van Eaton	

Absent or not voting, 7:

Brown	Long	Vance	Wilson
Fulton	Shivvers	Wiley	

Voting present, 2:

Coleman	Main

Division 3 of the amendment was adopted.

Senator Rigler moved the adoption of division 4 of the amendment.

Division was called for.

Division 4 of the amendment was lost.

Senator Frommelt offered the following amendment and moved its adoption:

Amend House File 149 as follows:

1. By striking in section 2, line 8 the word "four" and inserting in lieu thereof the word "eight".

The amendment was adopted.

Senator Frommelt offered the following amendment and moved its adoption:

Amend House File 149 as follows:

1. By adding the following before the word "for" in line 5 of section 8:

"unless specifically acquired for industrial development or unless the land is determined by the municipal governing body to no longer be necessary for municipal purposes,".

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, 31:

Coleman	Fisher	Lodwick	Scott
Cowden	Flatt	Lucken	Shivvers
Curran	Frommelt	Main	Van Eaton
Dodds	Getting	Mincks	Vincent
Doran	Griffin	Nolan	Walker
Dykhouse	Grimstead	O'Malley	Walter
Elthon	Hansen	Phelps	Wearin
Elvers	Lisle	Schroeder	

Nays, 9:

Beneke	Hill	Shaff	Turner
Burrows	Rigler	Shoeman	Vance
Campbell			

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Absent or not voting, 9:

Benda	Elijah	Long	Wiley
Brown	Fulton	Stephens	Wilson
Buck			

Voting present, 1:

Kyhl

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 60 be withdrawn from further consideration of the Senate.

The Secretary announced the following Call of the Senate:

CALL OF THE SENATE

MR. PRESIDENT: Pursuant to Rule 5 of the Rules of the Senate of the Sixtieth General Assembly, we, the undersigned, do hereby request a Call of the Senate on Senate File 404, and all motions and amendments thereto.

C. JOSEPH COLEMAN.
ROBERT R. DODDS.
A. V. DORAN.
LEIGH R. CURRAN.
C. M. VANCE.
DONALD G. BENEKE.
PETER F. HANSEN.
JACOB GRIMSTEAD.
DAVID O. SHAFF.
LEROY GETTING.
ADOLPH ELVERS.
C. S. VAN EATON.
RICHARD STEPHENS.

President Mooty took the chair at 11:35 a.m.

MOTION TO RETURN SENATE FILE 404 TO COMMITTEE

Senator Flatt moved that Senate File 404, relating to the marketing of dairy products, be returned to the committee on manufacturing, commerce and trade for further study.

Senator Shaff raised a point of order on the motion for the reason that a "Call of the Senate" on Senate File 404 had been filed.

The Chair ruled the point well taken.

Senator Flatt asked unanimous consent to withdraw his motion.

Objection was raised.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

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MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House File 189.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 189.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 5, 1963, the Governor had approved the following bills:

Senate File 35, relating to county, municipal and school examiners' and their assistants' salaries.

Senate File 42, relating to changing the title of certain examiners.

Senate File 97, relating to children requiring special education.

Senate File 113, relating to funds for aid to the blind.

Senate File 150, relating to fire extinguishers for certain boats.

Senate File 236, relating to certain real estate owned by the West Delaware County Community School District.

REPORTS OF COMMITTEES

Senator Kyhl submitted the following report:

MR. PRESIDENT: Your committee on transportation and highway safety to which was referred **House File 193**, a bill for an act relating to speed limits on hard surfaced secondary roads, begs leave to report it has had the same under consideration and recommends the same **do pass.**

VERNON H. KYHL, *Ranking Member.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on transportation and highway safety to which was referred **House File 247**, a bill for an act to amend chapter three hundred twenty-one (321), Code 1962, to provide for the issuance of special mobile equipment certificate and plates, begs leave to report it has had the same under consideration and recommends the same **do pass.**

VERNON H. KYHL, *Ranking Member.*

Ordered passed on file.

Senator Lisle submitted the following report:

MR. PRESIDENT: Your committee on manufacturing, commerce and trade to which was referred **Senate File 335**, a bill for an act relating to watchmakers licenses, begs leave to report it has had the same under consideration and recommends the same **do pass.**

VERN LISLE, *Chairman.*

Ordered passed on file.

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Also:

MR. PRESIDENT: Your committee on manufacturing, commerce and trade to which was referred **House File 39**, a bill for an act to regulate the practice of architecture and to amend chapter one hundred eighteen (118), Code 1962, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

Amend House File 39 as follows:

1. By adding as section 7 the following:

"Sec. 7. Section one hundred eighteen point seven (118.7), Code 1962, is hereby amended by striking from line 5 the words 'or others'."

VERN LISLE, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 344 by adding the following new section following section 1:

Sec. 2. This Act, being deemed of immediate importance, shall be in full force and effect from and after its passage and publication in The Boone News-Republican, a newspaper published at Boone, Iowa, and in The Jefferson Bee, a newspaper published at Jefferson, Iowa.

A. V. DORAN.
DONALD G. BENEKE.

Amend Senate File 348 as follows:

1. By striking from section 4, lines 1, 2 and 3 the words, "or the rules and regulations of the secretary of agriculture promulgated hereunder".

DONALD G. BENEKE.

Amend the Coleman, et al., amendment to Senate File 404, filed April 1, 1963, as follows:

1. By inserting the word, "milk," before the word, "skim" in line 4 of said amendment.
2. By inserting the word, "fat" after the words, "minimal milk" in line 6 of said amendment.
3. By inserting the words, "price which reflects only the difference in" after the word, "in", in line 91 of said amendment.

C. JOSEPH COLEMAN.

Amend Senate File 413 by adding the following new section:

Sec. 20. This Act being deemed of immediate importance shall be in full force and effect from and after its publication in the Ames Daily Tribune, a newspaper published at Ames, Iowa, and in The Globe-Free Press, a newspaper published at Grand Junction, Iowa.

A. V. DORAN.

Amend the title to House File 237 by striking the words "the terms of office for members of".

Amend House File 237 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section twenty-eight A point two (28A.2), Code

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1962, is hereby repealed, and the following inserted in lieu thereof:

'There is hereby established an advisory committee of nine (9) members, to be appointed by the governor. For the first committee three (3) members shall be appointed to serve three (3) year terms, three (3) members shall be appointed to serve two (2) year terms, and three (3) members shall be appointed to serve one (1) year terms. Thereafter all appointments shall be for three (3) year terms. Members of the committee shall be appointed without regard to political party affiliation.

Each member of the advisory committee shall be further identified as responsible for one (1) of the nine (9) state advisory committee civil defense functions as follows: (1) State Communications; (2) State Construction; (3) State Agriculture and Economic Controls; (4) State Government; (5) State Health and Welfare; (6) State Industry; (7) State Manpower; (8) State Fuel and Energy; and (9) State Transportation.

The committee shall submit one (1) name to the governor as its recommendation for the office of director of civil defense.'

Sec. 2. Section twenty-eight A point three (28A.3), Code 1962, is hereby amended by inserting in line sixteen (16) after the word 'the' the words 'director of the'.

Sec. 3. Section twenty-eight A point four (28A.4), Code 1962, is hereby amended as follows:

'1. By striking from line four (4) the word "administration", and inserting in lieu thereof the words "governor, who shall give due weight to the recommendation of the advisory committee in making his selection, but shall not be bound by such recommendation and".

2. By striking from line fourteen (14) the word "administration" and inserting in lieu thereof the word "governor. The director shall serve for four (4) years."'

Sec. 4. Section twenty-eight A point five (28A.5), Code 1962, is hereby amended by striking from line two (2) the word 'administration' and inserting in lieu thereof the word 'governor'."

JOSEPH FLATT.
KENNETH BENDA.

Amend House File 810 as follows:

1. By adding the following as section 2:

"Sec. 2. This Act being deemed of immediate importance shall be in full force and effect from and after its publication in The Lowden News a newspaper published at Lowden, Iowa and in the Marshalltown Times-Republican a newspaper published at Marshalltown, Iowa."

HOWARD C. BUCK.

Amend Senate File 413 by striking the period (.) in line 11 of section 6 and inserting in lieu thereof the following:

", and shall direct the level of percentage of valuation the commission has determined shall be the standard in valuing and assessing all real and personal property which level of percentage of evaluation shall be compatible with the level of

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percentage established in accordance with the provisions of section two (2) of this Act.".

RICHARD STEPHENS.

Senate File 392 is amended by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section four hundred twenty-seven point one (427.1), Code 1962, is hereby amended by adding thereto the following new subsection:

'All personal property in transit.'

"Sec. 2. Chapter four hundred twenty-seven (427), Code 1962, is hereby amended by adding thereto the following new sections:

1. 'When used in this chapter, the term "personal property in transit" means inanimate tangible personal property, goods, wares and merchandise:

(a) Which is moving in interstate commerce through or over the State of Iowa, or

(b) Which is consigned to a private warehouse within the State of Iowa from outside the State of Iowa for storage in transit to a final destination outside the State of Iowa, whether the out-of-state ultimate destination was specified when transportation begins or afterward.

2. a. ' "Private warehouse", for the purposes of this chapter, shall mean any building, structure, or inclosure used or to be used for storage of inanimate tangible goods, wares or merchandise by and belonging to private person, partnership, joint venture, corporation, fiduciary, trust or estate.

b. "Personal property in transit" is deemed to have acquired no situs in Iowa for purposes of taxation. Such "personal property in transit" shall not be deprived of exemption because it is, or may be, bound, divided, severed, broken in bulk, labeled or relabeled, packaged or repackaged while in the warehouse or because the property is being held for reconsignment outside the State of Iowa.

3. a. 'All personal property claimed to be "personal property in transit" shall be designated as such upon the books and records of the warehouse where such personal property is located.

b. The books and records of the warehouse shall be of such nature as to show a description of the property, the quantity, value and source of each shipment received and a description of the property, the quantity, value and destination of all goods taken from the warehouse, with each such receipt or release of such goods dated and described. Such records shall be transmitted to the assessor or assessors of the taxing district or districts in which the warehouse is located for examination and verification and at such time show a recapitulation which must reveal that all shipments (or parts thereof) received are either on hand or disposed of by delivery or destruction and, if by destruction, by what means destroyed or partially destroyed, and if partially destroyed, then what disposition was affected. The annual date of such transmittal of such records shall be not later than February first of each year and shall cover the annual accounting period of the warehouse as established on its books and records for all purposes which period has concluded prior to January first of each year. Such other reports as may be required

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by assessors on a periodic basis may be transmitted in form of a written report or in form of copies of bills of lading countersigned by the consignee or his agent containing the factors first enumerated above, as mutually agreed upon by the assessor, or assessors, and operator of the warehouse.

c. The books and records of any warehouse in which "personal property in transit" is stored shall be open at all times to the inspection of authorized personnel of the state tax commission and the taxing authorities of any political subdivision of the State of Iowa.

4. 'Any person, firm, co-partnership, association, corporation, joint venture, fiduciary, trust or estate making claim to no situs status of any property under this chapter shall do so in the form and manner prescribed by the state tax commission on or before February first of each personal property assessment year. Such claim shall be filed with the assessor or assessors of the district or districts in which such property is situated. All such claims shall be accompanied by a certification of the warehouse operator as to the status on its books of the property involved, and all such claims shall be allowed in accordance with the decision of the board or boards of review of such taxing district or districts in which the property is situated.

5. 'Where the records of the warehouse indicate, or where an audit of such records indicates, as the case may be, that goods handled by or disposed of through such warehouse with a destination within the State of Iowa, the total market value of such goods with such destination shall be taken into account in determination of their actual value in accordance with sections four hundred twenty-eight point seventeen (428.17) and four hundred twenty-eight point twenty-one (428.21) of the Code, and such actual value shall be the basis for determining the assessed valuation of mercandise inventory of the warehouse for the year next following the year for which such total market value is computed.

6. 'If any owner, shipper, warehouse operator, or the agent or employee of any owner, shipper, or warehouse operator shall misrepresent, conceal or secrete any personal property as defined herein of which he is possessed either by title or by custody so as to evade or avoid assessment or levy of taxes, then such owner, shipper, or warehouse operator shall be liable to the taxing district in which the personal property is located at the time of such misrepresentation, concealment or secreting of such personal property for such assessment or levy of taxes so evaded or avoided plus a penalty of five per cent (5%) for each month of such evasion or avoidance up to a maximum of twenty-five per cent (25%) plus interest on the amount of such assessment or levy of taxes at the rate of six per cent (6%) per annum.

7. 'If any person wilfully makes or cause to be made any statement to the officer charged with assessment or valuation of property for tax purposes in his taxing district containing a false statement of a material fact, be he owner, shipper, storageman, or warehouseman, he shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than one hundred (100) dollars or more than five hundred (500) dollars or by imprison-

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ment in the county jail for not less than thirty (30) days or more than one hundred fifty (150) days.'"

COMMITTEE ON IOWA DEVELOPMENT,
LEIGH R. CURRAN, *Chairman.*

Amend Senate File 437 as follows:

1. By adding thereto the following additional sections:

"Sec. 33. As used in this Act the words 'peace officer' mean:

1. Members of the highway patrol.

2. Police officers under civil service as provided in chapter three hundred sixty-five (365) of the Code.

3. Sheriffs.

4. Regular deputy sheriffs who have had formal police training.

"Sec. 34 Any person who operates a motor vehicle in this state upon a public highway shall be deemed to have given consent to the withdrawal from his body of specimens of his blood, breath, saliva, or urine, and to a chemical test or tests thereof, for the purpose of determining the alcoholic content of his blood, subject to the provisions hereinafter set out. The withdrawal of such body substances, and the test or tests thereof, shall be administered at the written request of a peace officer having reasonable grounds to believe the person to have been operating a motor vehicle while in an intoxicated condition and only after the peace officer has placed such person under arrest for the offense of operating a motor vehicle while intoxicated. If such person requests that a specimen of his blood not be withdrawn, then a specimen of his breath, saliva, or urine shall be withdrawn at the request of such peace officer, subject to the provisions of section thirty-eight (38) of this Act. However, if such peace officer fails to provide such test within two (2) hours after such arrest, no test shall be required.

"Sec. 35. Only a licensed physician, or a medical technologist or registered nurse designed by a licensed physician as his representative, acting at the written request of a peace officer may withdraw such body substances for the purpose of determining the alcoholic content of the person's blood. Only new, originally factory wrapped, disposable syringes and needles, kept under strictly sanitary and sterile conditions shall be used for drawing blood. Such person may have an independent chemical test or tests administered in addition to any administered at the direction of a peace officer. The failure or inability of the person to obtain an independent chemical test or tests shall not preclude the admission in evidence of the results of the test or tests taken at the direction of the peace officer. Upon the request of the person who is tested, the results of the test or tests taken at the direction of the peace officer shall be made available to him.

"Sec. 36. Any person who is dead, unconscious or who is otherwise in a condition rendering him incapable of consent or refusal shall be deemed not to have withdrawn the consent provided by section two (2) of this Act, and the test may be given; provided that a licensed physician shall certify in advance of such test that such person is dead, unconscious or otherwise in a condition rendering him incapable of consent or refusal; provided, further, that in such case such condition shall obviate the requirements

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of arrest and advice pursuant to section thirty-seven (37) of this Act.

"Sec. 37. A peace officer shall advise any person who is requested to take any chemical test that a refusal to submit to such test will result in revocation of the person's license or privilege to operate a motor vehicle; provided, however, that this requirement shall not apply in the case of any person referred to in section thirty-six (36).

"Sec. 38. If a person under arrest refuses to submit to the chemical testing, no test shall be given, but the commissioner, upon the receipt of a sworn report of the peace officer that he had reasonable grounds to believe the arrested person to have been operating a motor vehicle upon a public highway of this state while in an intoxicated condition and that the person had refused to submit to the test or tests, shall revoke his license or permit to drive and any nonresident operating privilege for a period of not less than one hundred twenty (120) days nor more than one (1) year; or if the person is a resident without a license or permit to operate a motor vehicle in this state, the commissioner shall deny to the person the issuance of a license or permit within one year from the date of the alleged violation, subject to review as hereinafter provided. The effective date of any such revocation shall be twenty (20) days after the commissioner has mailed notice of such revocation to such person by registered or certified mail.

"Sec. 39. Upon the written request of a person whose privilege to drive has been revoked or denied, the commissioner shall grant the person an opportunity to be heard within ten days after the receipt of the request, but the request must be made within thirty days after the effective date of revocation or denial. The hearing shall be before the commissioner or his authorized agent, in the county wherein the alleged events occurred for which the person was arrested, unless the commissioner or his authorized agent and the person agree that the hearing may be held in some other county. The hearing shall be recorded and its scope shall cover the issues of whether a peace officer had reasonable grounds to believe the person to have been operating a motor vehicle upon a public highway of this state while in an intoxicated condition, whether the person was placed under arrest and whether he refused to submit to the test or tests. The commissioner or his authorized agent shall order either that the revocation or denial be rescinded or sustained.

"Sec. 40. If the revocation or denial is sustained the person whose license, or permit to drive, or nonresident operating privilege has been revoked or denied, may file a petition within thirty days after the determination by the commissioner or his authorized agent for a hearing of the matter in the district court in the county wherein the alleged events occurred for which he was arrested or in the county in which the administrative hearing was held. It shall be the duty of the court to set the matter for hearing, and the petitioner shall give twenty days notice thereof to the commissioner. Within fifteen days after receipt of the notice, the commissioner shall file in the office of the clerk of the district court to which the appeal is taken a certified transcript of the testimony and all other proceedings. It shall constitute the record on which the commissioner made

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his determination. The court thereafter shall hear the matter de novo and shall affirm or vacate the decision of the commissioner or his authorized agent. The person may appeal to the supreme court in accordance with the Iowa Rules of Civil Procedure.

"Sec. 41. Upon the trial of any civil or criminal action or proceeding arising out of acts alleged to have been committed by any person while operating a motor vehicle upon a public highway of this state while in an intoxicated condition, evidence of the amount of alcohol in the person's blood at the time of the act alleged as shown by a chemical analysis of his blood, breath, saliva or urine is admissible.

"Sec. 42. If the person under arrest refuses to submit to the test or tests, proof of refusal shall be admissible in any civil or criminal action or proceeding arising out of acts alleged to have been committed while the person was operating a motor vehicle upon a public highway of this state while in an intoxicated condition.

"Sec. 43. The provisions of section forty-one (41) of this Act shall not be construed as limiting the introduction of any other competent evidence bearing on the question of whether the person was in an intoxicated condition.

"Sec. 44. When it has been finally determined under the procedures of this Act that a nonresident's privilege to operate a motor vehicle in this state has been revoked or denied, the department of public safety shall give information in writing of the action taken to the official in charge of traffic control or public safety of the state of the person's residence and of any state in which he has a license.

2. Amend the title by adding the following after the word "stores" in line three (3):

"and relating to the testing of alcoholic content in the body and related matters in regards to the operation of a motor vehicle while intoxicated".

JOSEPH B. FLATT.
HARRY L. COWDEN.
RICHARD L. STEPHENS.
EUGENE M. HILL.

On motion by Senator Rigler, the Senate adjourned until 10:00 a.m., Monday, April 8, 1963.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 8, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Thomas Donahoe, Superintendent of Kuemper Catholic School, Carroll, Iowa.

PETITIONS

By Senator Hansen, from eight residents of Carroll County favoring proposed legislation providing for an appropriation to the board of social welfare for medical care of the aged; and from twenty-six residents of Carroll County favoring proposed legislation relating to the compensation of county officers; and from thirteen residents of Carroll County in favor of increased direct state aid for public schools.

By Senator Lisle, from fifteen residents of Page County in opposition to liquor by the drink; and from seventeen residents of Page County favoring adoption of the proposed Liberty amendment.

By Senator Lodwick, from seventeen residents of Lee County favoring liquor by the drink under license control.

PRESENTATION OF VISITORS

Senator Hansen asked and received unanimous consent to present to the Senate Rolf Hehemann, 4433 Borghorst, Westphalia, West Germany, an exchange student enrolled in the Kuemper Catholic High School, Carroll, who was present in the Senate chamber.

Senator Burrows asked and received unanimous consent to present to the Senate one hundred thirty students, members of the junior and senior classes from the Belle Plaine High School, who were present in the balcony accompanied by their instructor, Lucille McKibban, Superintendent Gay W. Argo and Principal Roland F. Hansen.

COMMUNICATION

The Secretary presented the following communication:

DEAR MR. MOOTY: Today I received the resolution in honor of Fred from the Iowa Senate. Will you please express to them my very sincere gratitude for their action.

I am sure that you and many of the members of the Senate know how very much Fred appreciated and enjoyed his term as Senator from Jasper

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County. And how hard it was for him to make the decision terminating the prospect of further political service.

The children and I will cherish this expression of respect from Fred's former associates.

Sincerely,

s/ MRS. FRED MAYTAG.

Thursday, April 4, 1963.

SPECIAL ORDER

The hour of 10:00 a.m. having arrived, the Chair announced the "Special Order of Business" for the consideration of Senate File 404.

The Chair also announced the following "Call of the Senate" on Senate File 404 and directed the Secretary to call the roll:

CALL OF THE SENATE

MR. PRESIDENT: Pursuant to Rule 5 of the Rules of the Senate of the Sixtieth General Assembly, we, the undersigned, do hereby request a Call of the Senate on Senate File 404, and all motions and amendments thereto.

C. JOSEPH COLEMAN.
ROBERT R. DODDS.
A. V. DORAN.
LEIGH R. CURRAN.
C. M. VANCE.
DONALD G. BENEKE.
PETER F. HANSEN.
JACOB GRIMSTEAD.
DAVID O. SHAFF.
LEROY GETTING.
ADOLPH ELVERS.
C. S. VAN EATON.
RICHARD L. STEPHENS.

Roll call revealed all members present and the Chair declared the Call in effect.

THIRD READING OF BILLS

On motion of Senator Lisle, Senate File 404, a bill for an act relating to the marketing of dairy products, was taken up and considered.

Senator Walker asked and received unanimous consent to withdraw the amendment filed by him on March 26 and found on page 613 of the Senate Journal.

Senator Coleman called up the following amendment, filed by Senators Coleman, Wilson, Doran, Brown, Frommelt, O'Malley, Griffin, Shaff and Elvers:

Amend Senate File 404 by striking all after the enacting clause and substituting in lieu thereof the following:

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Section 1. For the purpose of this Act:

1. "Dairy Product" means skim milk, cream, sour cream, ice cream, ice cream mix, ice milk, ice milk mix, cottage cheese, frozen deserts, reconstituted milk, minimal milk products, and any additive variant of any dairy product.

2. "Department" means the state department of agriculture.

3. "Person" means any individual, corporation, cooperative association, partnership or other business unit.

4. "Processor" means any person engaged in the business of processing or packaging dairy products.

5. "Distributor" means any person engaged in the business of selling at wholesale any dairy products.

6. "Cost to the processor or distributor" as applied to dairy products shall mean cost to the processor or distributor thereof which shall include the price paid for raw materials used in such dairy products plus that part of the cost of doing business of such processor or distributor that is attributable to such dairy products, which shall include labor, salaries, rent, interest, depreciation, power, supplies, maintenance of equipment, selling costs, advertising, transportation and delivery costs, credit losses, taxes, insurance and all overhead expenses of the processor or distributor.

7. "Cost to the retailer" means the invoice price paid by the retailer plus the retailer's cost of doing business. In the absence of specific evidence to the contrary, the cost of doing business shall be presumed to be ten (10) percent of the invoice price, and this cost shall be calculated to the nearest half cent per sales unit.

8. "Sale" and "sell" means and include any any commercial transfer for consideration, exchange, barter, gift, offer for sale and distribution in any manner or by any means whatsoever.

9. "Retailer" means any person within this state engaged in the business of operating any retail establishment or institution, including but not limited to hospitals, schools, hotels, restaurants, grocery stores, drug stores and automatic vending machines where dairy products are consumed or sold to customers.

10. "Injuring competition" shall mean lessening competition tending to create a monopoly, or injuring, destroying or preventing competition with any person, who sells or knowingly buys any dairy product below cost, or who diverts trade from a competitor of any person selling dairy products below cost.

Sec. 2. No processor, distributor, or retailer shall for the purpose or with the effect of injuring competition offer to sell or sell within the state of Iowa, any dairy product for less than the cost thereof to such processor, distributor, or retailer, provided, however, that the department may authorize sales for less than cost of damaged goods, when the product is no longer fit for human consumption, or to liquidate stocks pursuant to court process or for other purposes which it deems consistent with the objectives of this Act. Proof of the offer to sell, or sale of milk products by a processor, distributor or retailer for less than cost to the processor, distributor or retailer is prima facie evidence of a violation of this section.

Sec. 3. No processor, distributor, or retailer shall, for the purpose or with the effect of injuring competition, offer to sell or sell any dairy product with any other commodity or service at a combined price which is less than the aggregate of the cost of the dairy product plus the price at which the other commodity or service is ordinarily offered for sale. Proof of the offer to sell, or sale of the milk product and any other commodity or service at a combined price which is less than the aggregate of the price for which

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the milk product and the other commodity or service are offered for sale, is prima facie evidence of a violation of this section.

Sec. 4. No processor or distributor shall, for the purpose or with the effect of injuring competition, give or offer to give any retailer and no retailer shall accept any rebate, discount, free services, advertising allowance, pay for advertising space used jointly, donation, free merchandise, rent on space used by the retailer for storing or displaying the processor's or distributor's merchandise, financial aid, free equipment, or any other thing of value. This shall not prevent bona fide sales of equipment, furniture or fixtures to a retailer for not less than ten (10) percent above seller's cost or invoice price for cash or on the unconditional written promise of such retailer to pay for same in a period not to exceed thirty-six (36) months and at an interest rate of not less than six (6) percent.

Sec. 5. No processor, distributor or retailer shall, for the purpose or with the effect of injuring competition, discriminate in price in the sale of any dairy product between sections, localities, communities, cities, or towns of this state: Provided that nothing herein contained shall prevent a difference in the cost of raw materials, delivery costs, or the actual cost of transportation, or sales made in good faith to meet an equally low lawful price of a competitor in order to keep a customer. When different prices are charged because of a difference in raw material or delivery costs, or because of transportation costs, a report, on a form obtainable from the department, shall be filed with the department showing the different prices by section, locality, community, city or town, and the reasons for the difference in specific statistics of different raw material prices or in actual transportation costs computed according to sound accounting practices. When different prices are charged in good faith in order to meet the equally low lawful price of a competitor in order to keep a customer, written notice shall be sent the same day by registered or certified mail to the department stating the name and address of the favored customer, the price given him, the price met, and the name and address of the competitor offering the price met.

Sec. 6. In any case in which a complaint is made in writing to the department by a person claiming to be injured because of a violation of the provisions of this Act, the department shall forthwith cause an investigation to be made of the complaint. If, in the judgment of the department, investigation reveals that there is probable cause for the complaint, the department may call upon the attorney general or the county attorney of the county in which violation occurs, who shall institute an injunction action to enjoin violation of this Act, in which case it is the duty of the attorney general or county attorney to institute and prosecute such injunctive action, or the department may take further action as provided in section eight (8) hereof.

Sec. 7. The department is authorized and directed to promulgate rules and regulations to carry out the purposes of this Act, including rules of notice and procedure for proceedings before the department under this Act. The department is authorized and empowered to hold hearings, administer oaths and to issue subpoenas for persons and pertinent records. In case of failure or refusal to obey a subpoena issued to any person, any court, upon application by the department, may issue an order requiring the person to appear before the department, there to produce evidence, or give testimony touching the matter under investigation.

Sec. 8. Whenever the department has reason to believe that any person required to obtain a license under section one hundred seventy point two (170.2), Code 1962, has violated any of the provisions of this Act or any

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rules or regulations adopted thereunder, or whenever proper evidence has been presented to the departmnt that any person is violating such provisions, and it appears to the department that a proceeding should be had to determine whether his license should be refused, suspended or revoked, the department shall serve notice on such person in writing by certified mail of the charges and grounds upon which a license is sought to be refused, suspended, or revoked and of the time and place, not less than ten (10) days hence, at which a hearing will be held to determine whether to refuse, suspend or revoke his license. Any person whose license is sought to be refused, suspended or revoked shall have full rights to counsel, and to produce witnesses in his behalf at the hearing. The department may after full investigation and hearing, refuse said license or suspend said license for a period not to exceed six (6) months.

Sec. 9. The license of any processor, distributor or retailer licensed under section one hundred seventy point two (170.2), Code 1962, may be suspended or revoked by the district court upon proof of violations of any provision of this Act. Upon proof of the second violation such license shall be suspended for not to exceed six (6) months, upon proof of the third violation shall be suspended for one (1) year. The clerk of court, upon entry of judgment of suspension or revocation, shall immediately forward to the department a certified copy thereof.

Sec. 10. Any person who suffers pecuniary loss because of a violation of this Act may recover in the district court of this state from the violator treble damages for loss caused by such violation, together with his costs and reasonable attorney fees.

Sec. 11. It is hereby declared to be the legislative intent that if this Act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part, sentence or clause thereof, the remaining provisions of the Act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein.

Senator Coleman offered the following amendment to the amendment and moved its adoption:

Amend the amendment as follows:

1. By inserting the word, "milk," before the word, "skim" in line 4 of said amendment.

2. By inserting the word, "fat" after the words, "minimal milk" in line 6 of said amendment.

3. By inserting the words, "price which reflects only the difference in" after the word, "in", in line 91 of said amendment.

The amendment to the amendment was adopted.

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

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

The Call of the Senate still in effect on Senate File 404, the Chair directed the Secretary to call the roll.

Roll call revealed all members present with the exception of Senator Phelps.

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Senator Shaff asked and received unanimous consent that the Senate proceed with the consideration of Senate File 404 and the amendment as amended filed by Senator Coleman, et al., with the exception of taking a vote on any matter until the return of Senator Phelps to the chamber.

Senator Phelps returned to the Senate chamber.

Senator Long moved that the amendment as amended be laid on the table.

Roll call was requested.

On the question "Shall the amendment as amended be laid on the table?" the vote was:

Ayes, 19:

Buck	Fisher	Lucken	Stephens
Burrows	Fulton	Nolan	Turner
Campbell	Hill	Rigler	Van Eaton
Elijah	Kyhl	Schroeder	Wiley
Elthon	Long	Shoeman	

Nays, 29:

Benda	Elvers	Lodwick	Shivvers
Beneke	Flatt	Main	Vance
Brown	Frommelt	Mincks	Vincent
Coleman	Getting	O'Malley	Walker
Cowden	Griffin	Phelps	Walter
Curran	Grimstead	Scott	Wearin
Dodds	Hansen	Shaff	Wilson
Doran			

Absent or not voting, 2:

Dykhouse	Lisle

The motion to table was lost.

Senator Hansen moved the previous question on the amendment as amended, which motion prevailed.

Senator Coleman moved the adoption of the amendment as amended.

Roll call was requested.

On the question "Shall the amendment as amended be adopted?" the vote was:

Ayes, 26:

Benda	Elvers	Mincks	Vance
Beneke	Frommelt	O'Malley	Vincent
Brown	Getting	Phelps	Walker
Coleman	Griffin	Scott	Walter
Cowden	Grimstead	Shaff	Wearin
Dodds	Hansen	Shivvers	Wilson
Doran	Lodwick		

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Nays, 22:

Buck	Elthon	Long	Shoeman
Burrows	Fisher	Lucken	Stephens
Campbell	Fulton	Nolan	Turner
Curran	Hill	Rigler	Van Eaton
Dykhouse	Kyhl	Schroeder	Wiley
Elijah	Lisle		

Absent or not voting, 1:

Flatt

Voting present, 1:

Main

The amendment as amended was adopted.

Senator Flatt asked and received unanimous consent to withdraw the motion offered by him to send Senate File 404 back to the committee on manufacturing, commerce and trade.

Senator Coleman moved that the bill be read a third 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:

Benda	Doran	Main	Shoeman
Beneke	Elvers	Mincks	Vance
Brown	Frommelt	O'Malley	Vincent
Coleman	Getting	Phelps	Walker
Cowden	Griffin	Scott	Walter
Curran	Grimstead	Shaff	Wearin
Dodds	Hansen	Shivvers	Wilson

Nays, 22:

Buck	Fisher	Lodwick	Schroeder
Burrows	Flatt	Long	Stephens
Campbell	Fulton	Lucken	Turner
Dykhouse	Hill	Nolan	Van Eaton
Elijah	Kyhl	Rigler	Wiley
Elthon	Lisle		

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 50, a bill for an act relating to tax sale of public property.

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

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Senate File 87, a bill for an act relating to infectious and contagious 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 143, a bill for an act to authorize city and town councils to finance the acquisition of sites, books and equipment for a public library from the proceeds of a bond issue.

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

Senate File 181, a bill for an act relating to care, treatment, and habilitation of mentally retarded persons.

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

Senate File 182, a bill for an act granting authority to the industrial commissioner to compromise and settle workman's compensation cases on behalf of the state.

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 deposits to be made by bidders for public printing contracts.

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

Senate File 246, a bill for an act requiring the submission of the social security number and/or tax number by those persons or corporations registered or licensed by the state.

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

Senate File 270, a bill for an act to revert to the general fund of the state the unexpended balances of the Fifty-eighth General Assembly board of regents institution appropriations retained by the institutions.

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

Senate File 271, a bill for an act relating to the reversion of appropriations for capital improvements to the general fund of the state.

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

Senate File 277, a bill for an act relating to the indexing of bills.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 386, a bill for an act relating to fabricating shop and special inspections.

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

Senate File 393, a bill for an act relating to valuation and nonforfeiture benefits of life insurance policies.

Also: That the House has concurred in Senate amendments to and passed House File 173, a bill for an act relating to retirement systems for policemen and firemen.

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

House File 210, a bill for an act to permit the destruction of tax lists more than ten years old.

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

House File 287, a bill for an act to permit the legislative research bureau to obtain copies of the Code and Code annotations without charge.

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

House File 325, a bill for an act relating to salaries of State Conservation officers.

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

House File 335, a bill for an act relating to interest in contracts with cities and towns on the part of councilman.

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 notation and release of liens on motor vehicles.

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

House File 544, a bill for an act relating to hunting and fishing licenses for nonresidents of Iowa.

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

House File 562, a bill for an act to authorize and empower county conservation boards to cooperate with the government of the United States and to accept federal funds for outdoor recreational areas.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 50

Amend Senate File 50 by striking from line 11 the words "In the event such governing" and striking all of lines twelve (12) through seventeen (17), inclusive, and by inserting in lieu thereof the following:

"In the event such governing body fails to make payment upon such notice, the collection and enforcement of the taxes, penalty, interest and costs shall be suspended for so long as the property shall remain in public ownership but the same may be collected and enforced against the property in the event of its subsequent sale by such municipal or political subdivision to a private purchaser. No penalty, interest or costs shall be added during such period of public ownership."

HOUSE AMENDMENT TO SENATE FILE 143

Amend the title to Senate File 143 by inserting after the word "equipment" in line 2 the words "for a public library".

HOUSE AMENDMENT TO SENATE FILE 386

Amend the title to Seante File 386 by inserting in line 2 after the word "to" the word "fabricating".

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REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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 222 and House Files 173, 188 and 259.

KENNETH BENDA,
Chairman House Committee.
FRED E. WIER,
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 222, and House Files 173, 188 and 259.

BILL SENT TO THE GOVERNOR

Senator Benda, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 8th day of April, 1963, sent to the Governor for his approval: Senate File 222.

KENNETH BENDA, *Chairman.*

Passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 5, 1963, the Governor had approved the following bills:

Senate File 252, relating to the Iowa Development Commission.

Senate File 265, relating to the election of alternate members of credit committees of credit unions.

Senate File 266, relating to appointment of directors of a credit union.

Senate File 391, relating to registration certificates and license plates to urban transit companies.

ADDITIONAL COPIES

Senator Cowden asked and received unanimous consent to have 300 additional copies of Senate File 19 printed.

TRANSFER OF EMPLOYEES

Senator Scott announced the transfer of Rollin Nipper of Polk County from assistant file clerk in the bill room to assistant doorkeeper and Bernard Oltrogge of Polk County from Senate porter to assistant doorkeeper, both effective April 5, 1963.

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RESIGNATION OF EMPLOYEE

Senator Scott announced the resignation of Walter McCorkle of Madison County as an assistant doorkeeper, effective April 5, 1963.

Senator Lucken submitted the following report:

REPORTS OF COMMITTEE

Senator Lucken submitted the following report:

MR. PRESIDENT: Your committee on board of control to which was referred **House File 3**, a bill for an act relating to the Iowa Commission for the Blind, 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:**

House File 3 is hereby amended by adding a new section as follows:

"Sec. 3. Section ninety-three point six (93.6), paragraph nine (9), Code 1962, is hereby amended by adding after the period (.) in line three (3) the following sentence: 'Training in such centers shall be limited to persons who are sixteen (16) years of age or older, and the commission shall not provide or cause to be provided any education or training to children under the age of sixteen (16) except that the commission may provide library services to such children.' "

J. HENRY LUCKEN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on board of control to which was referred **House File 315**, a bill for an act to empower the board of control or an agent designated by the board to exercise at its discretion the authority normally vested in its employees when problems arise, begs leave to report it has had the same under consideration and recommends the same **do pass.**

J. HENRY LUCKEN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on board of control to which was referred **House File 407**, a bill for an act relating to the place of holding quarterly conferences of the board of control, begs leave to report it has had the same under consideration and recommends the same **do pass.**

J. HENRY LUCKEN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on board of control to which was referred **House File 421**, a bill for an act to authorize the board of control to increase the amount of money paid to inmates upon release from the women's reformatory, begs leave to report it has had the same under consideration and recommends the same **do pass.**

J. HENRY LUCKEN, *Chairman.*

Ordered passed on file.

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AMENDMENTS FILED

Amend Senate File 220 as follows:

1. Amend section 1, line 15 by striking the words "and maintenance" and inserting in lieu thereof the following ", improvement and repair".

2. Amend section 2, line 3 by inserting after the word "separate" the following "trust".

3. Amend section 2, line 14 by striking all of the remaining section after the period (.).

4. Amend section 3, line 26 by striking the word "Such" and inserting in lieu thereof the following: "Such bonds and and interest thereon shall be payable solely and only from the highway construction fund as hereinbefore provided. All bonds issued under this Act shall have all the qualities of negotiable instruments under the laws of this state. All such".

5. Strike all of section 4 and insert in lieu thereof the following: "Plans for any highway construction program or programs proposed to be financed pursuant to the authority granted under the provisions of this Act shall be submitted by the state highway commission to the executive council of the state and when such plans or modifications thereof have been approved by said executive council as being economical and necessary for the development of an efficient system of highways in the state, the state highway commission may proceed to carry out such program or programs as approved by said executive council."

6. Amend section 5, line 4 by inserting before the word "and" the following: "or shall describe the bonds to be refunded,".

7. Amend section 5, line 4 by inserting after the word "and" the following: "set forth".

8. Amend section 5, lines 6 and 7 by striking the words "contain an irrevocable appropriation providing" and insert in lieu thereof the word "provide".

9. Amend section 5, line 17 by inserting after the word "fund" the following: "from the road use tax fund".

10. Amend section 5, lines 92 and 93 by striking the words "an indebtedness of the state highway commission or of" and inserting in lieu thereof the following: "a charge against".

11. Amend section 6, line 9 by striking the words "of any" and inserting in lieu thereof the following: "and".

12. Amend section 7, line 3 by striking the words "an indebtedness of" and inserting in lieu thereof the following: "a charge against".

13. Amend section 7, lines 3 and 4 by striking the words "or of the state highway commission".

14. Further amend section 7, line 11 by striking the word "of" and insert in lieu thereof the following: "or".

D. C. NOLAN.

Amend Senate File 302 by striking all after the enacting clause and inserting in lieu thereof the following:

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"Section 1. Whenever it shall be made apparent to the governor of Iowa, by affidavit or otherwise by the owner or owners thereof, that crude oil has been first discovered within the state by sinking a well the output of which is as hereinafter provided, the state shall pay the following bonuses:

For the first well of two thousand (2,000) feet in depth or less producing oil of not less than thirty-five (35) barrels in each twenty-four (24) hour period for a sixty (60) day continuous period the bonus shall be twenty thousand dollars ($20,000.00).

For the first well of from more than two thousand (2,000) feet and less than thirty-five hundred (3,500) feet producing oil of more than thirty-five (35) barrels in each twenty-four (24) hour period for a sixty (60) day continuous period the bonus shall be thirty thousand dollars ($30,000.00).

For the first well of more than thirty-five hundred (3,500) feet in depth producing oil of not less than sixty (60) barrels in each twenty-four (24) hour period for a sixty (60) day continuous period the bonus shall be fifty thousand dollars ($50,000.00).

No more than one (1) of the bonuses provided by this Act shall be paid for oil produced from the same oil producing zone, pool or structure as determined by the state geologist.

It shall be the duty of the governor upon receipt of such notice to appoint a suitable person to examine the same, whose duty it shall be to report on the location and the capacity thereof. In the event such report shows a well located within the state, of a capacity entitling the same to receive the benefit of this section, and that such well is the first well within each category in the state of such capacity, then in that event the governor of Iowa shall direct the comptroller to draw his warrants on the treasury of the state of Iowa in the amounts as above indicated of which one-eighth (⅛) shall be paid to the owner of the land and the balance shall be paid to the owner of the oil well. If ownership of the land and ownership of the oil well are in the same person or corporation, the whole amount shall be paid to such person or corporation. The expense of such examination and report to the governor shall be paid by those securing the benefits of this section. A sum sufficient to pay any claim which may be made and paid under this Act is hereby appropriated from the general fund of the state."

LEROY GETTING.

Amend Senate File 411 as follows:

Amend section 1, lines 3 and 4, by striking the words and figures "one million six hundred eighty thousand dollars ($1,680,000)" and inserting in lieu thereof the words and figures "one million nine hundred thousand dollars ($1,900,000)".

ROBERT D. FULTON.

Amend Senate File 411 by adding a new sentence at the end of line 7 of section 1 as follows:

"Provided, however, if the Congress of the United States shall enact any program of medical care for the aged payable from social security tax funds, all moneys appropriated by this Act, and not expended at the effective time of such Act of Congress, shall revert to the general fund of the state."

ROBERT R. RIGLER.

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Amend Senate File 416 by striking from section 1 subsections 4 and 5.

EDWARD A. WEARIN.

Amend Senate File 437 by inserting at the end of section 25 the following:

"Section one hundred twenty-five point two (125.2), Code 1962, is amended by striking all of said section after the word 'whatever' in line six (6)."

JOHN A. WALKER.

Amend the Flatt, Cowden, Stephens and Hill amendment to Senate File 437 filed April 5, 1963 by striking lines 10 and 11 and inserting in lieu thereof the following:

"Sec. 34. Any person who consumes an alcoholic beverage under the provisions of the laws of this state as amended by this Act and who thereafter operates a motor vehicle in this state upon a public highway shall by said acts be deemed to have given consent".

Further amend said amendment to Senate File 437 by striking from line 47 the word and figure "two (2)" and inserting in lieu thereof the word and figure "thirty-four (34)".

JOHN A. WALKER.

Amend Senate File 437 as follows:

1. Amend section 11 by inserting after the period in line 18 the following:

"As a further condition for issuance of a liquor control license, the licensee must give consent for members of the fire, police and health departments and the building inspector of cities and towns; the county sheriff and county health officer; and members of the state department of public safety, either members of the bureau of criminal investigation or of the highway patrol to enter upon the premises without a warrant to inspect for violations of the provisions of this Act, the provisions of title six (VI) of the Code, or the provisions of ordinances and regulations that cities and towns and boards of supervisors may adopt."

2. Amend section 11 by adding to subsection 6 the following:

"The differential between wholesale and retail prices as set by the commission shall be no greater than fifteen (15) per cent."

3. Further amend section 11 by adding the following subsection:

"12. If the holder of a liquor control license shall have his retail beer permit revoked under mandatory revocation as required in chapter one hundred twenty-four point thirty (134.30) of the Code, the revocation action having been reviewed and upheld by the state permit board, the Iowa liquor control commission shall immediately and finally revoke the liquor control license of such holder. There shall be no investigation by or appeal to the Iowa liquor control commission in such cases."

4. Amend section 14 by adding the following subsections:

"g. Any person who knowingly violates any of the provisions of this Act shall be punished by a fine of not less than three hundred (300) dollars nor more than one thousand (1,000) dollars, or by imprisonment in the county jail for not

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more than one year, or by both such fine and imprisonment.

"h. Any establishment upon the premises of which alcoholic liquor is kept or consumed and which has not obtained a license as in this Act provided, or which having obtained such license, suffers or permits any violation of this Act, or of Title six (VI) of the Code, or any ordinance or regulation duly adopted under authority of this Act by a city or town council, or county board of supervisors, is hereby declared to be a liquor nuisance within the meaning of chapter one hundred twenty-eight (128) of the Code, and may be enjoined, abated, and a mulct tax imposed in the same manner and to the same extent as in that chapter provided."

EUGENE M. HILL.

Amend Senate File 437, Section 11, by striking all after the word "mail." in line 95 through line 124.

HARRY L. COWDEN.

Amend Senate File 437 by inserting in line eight (8) of section twenty-five (25) after the word "person." the following:

"Upon the trial of any civil or criminal action or proceeding arising out of acts alleged to have been committed by any person while in an intoxicated condition, evidence of the amount of alcohol in the person's blood at the time of the act alleged as shown by a chemical analysis of his blood, breath, saliva or urine is admissible. For the purpose of this section:

1. Evidence that there was, at that time, five-hundredths (.05) of one (1) percent or less, by weight of alcohol in his blood, is prima facie evidence that the person was not in an intoxicated condition.

2. Evidence that there was, at that time, more than five-hundredths (.05) of one (1) percent and less than fifteen-hundredths (.15) of one (1) percent by weight of alcohol in the person's blood is relevant evidence, but it is not to be given prima facie effect in indicating whether the person was in an intoxicated condition.

3. Evidence that there was, at that time, fifteen-hundredths (.15) of one (1) percent or more by weight of alcohol in his blood, shall be admitted as prima facie evidence that the person was in an intoxicated condition.

4. Percent by weight of alcohol in the blood shall be based upon milligrams of alcohol per one hundred (100) milligrams of blood.

ORVAL C. WALTER.
FRANKLIN MAIN.
HARRY L. COWDEN.
JOHN A. WALKER.
LEROY GETTING.
HOWARD C. BUCK.
EARL ELIJAH.
JOSEPH B. FLATT.
EUGENE M. HILL.
RICHARD L. STEPHENS.
LEO ELTHON.

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Amend the Flatt, Benda amendment to House File 237 filed April 5, 1963 as follows:

1. By striking in line 33 the following: "but shall not be bound by such recommendation".

2. By striking in line 37 the word and numeral "four (4)" and inserting in lieu thereof the word and numeral "six (6)".

3. Further amend line 37 by inserting after the period the following new sentence: "The present director's term shall expire July 1, 1967.".

JOSEPH FLATT.
KENNETH BENDA.

Amend House File 452 by inserting after the period (.) in section 10, line 6, the following:

"Provided that a financial institution may at any time withdraw from membership without such notice in the event of its merger with another financial institution, after commencement of proceedings for voluntary or involuntary dissolution, receivership, or reorganization pursuant to or by operation of federal or state law or in the event of conversion from a state financial institution to a federal financial institution or the reverse."

ROBERT R. RIGLER.

On motion of Senator Rigler, the Senate adjourned until 9:00 a.m., Tuesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 9, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Stanley Hanson, pastor of the St. Paul's Lutheran Church, Ringstead, Iowa.

PETITIONS

By Senator Curran, from forty-two residents of Cerro Gordo County in opposition to proposed legislation relating to the licensing and qualifications of physical therapists.

By Senator Shaff, from nineteen residents of Clinton County favoring increased direct state aid for public schools and the strengthening of local control.

By Senator Wilson, from sixty-seven thousand four hundred twenty-seven residents of Iowa in opposition to liquor by the drink.

PRESENTATION OF VISITORS

Senator Cowden rose on a point of personal privilege and presented to the Senate three students from the Corydon Elementary School, Karen, Kent and Jimmy Knudson, his grandchildren, who were present in the Senate chamber.

Senator Doran asked and received unanimous consent to present to the Senate forty-one students from the Ballard Community High School, Huxley, who were present in the balcony accompanied by their instructors, Robert Donnelly and Vern Hoerman.

Senator Hansen asked and received unanimous consent to present to the Senate forty-eight students from the Coon Rapids High School who were present in the balcony accompanied by their instructor, Loren Voehl.

Senator Burrows asked and received unanimous consent to present to the Senate forty-two students from the Traer-Clutier Community School who were present in the balcony accompanied by their principal, Robert Clark, and their instructor, Jarold Lister.

Senator Brown asked and received unanimous consent to present to the Senate thirteen students from the Lakota Consolidated School who were present in the balcony accompanied by their instructor, Clayton L. Helvick.

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Senator Burrows asked and received unanimous consent to present to the Senate seventy-five students from the Vinton High School who were present in the balcony accompanied by their instructors, Elmo Baxter and Jean Cross.

Senator O'Malley asked and received unanimous consent to present to the Senate twenty-nine students from the Elmwood Elementary School, Des Moines, who were present in the balcony accompanied by their instructor, Marjorie Lindbeck.

Senator O'Malley asked and received unanimous consent to present to the Senate nineteen students from the St. Joseph's Academy, Des Moines, who were present in the balcony accompanied by their instructor, Sister Mary Catherine Ann, B.V.M.

Senator O'Malley asked and received unanimous consent to present to the Senate twenty-eight students from the West Elementary School, Altoona, who were present in the balcony accompanied by their instructor, Richard Kinney.

INTRODUCTION OF BILL

Senate File 440, by committee on judiciary 1, a bill for an act relating to controlled-access highways and resolutions filed by the state highway commission in relation thereto.

Read first and second times and placed on the calendar.

HOUSE MESSAGES CONSIDERED

House File 210, a bill for an act to permit the destruction of tax lists more than ten years old.

Read first and second times and passed on file.

House File 287, a bill for an act to permit the legislative research bureau to obtain copies of the Code and Code annotations without charge.

Read first and second times and passed on file.

House File 325, a bill for an act to amend section one hundred seven point thirteen (107.13), Code 1962, relating to salaries of state conservation officers.

Read first and second times and passed on file.

House File 335, a bill for an act relating to interest in contracts with cities and towns on the part of councilmen.

Read first and second times and passed on file.

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House File 487, a bill for an act to amend section three hundred twenty-one point fifty (321.50), Code 1962, relating to notation and release of liens on motor vehicles.

Read first and second times and passed on file.

House File 544, a bill for an act relating to hunting and fishing licenses for nonresidents of Iowa.

Read first and second times and passed on file.

House File 562, a bill for an act to authorize and empower county conservation boards to cooperate with the government of the United States and to accept federal funds for planning, acquisition and development of outdoor recreational areas.

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 amended and passed the following bill in which the concurrence of the House was asked:

Senate File 57, a bill for an act relating to the compensation of members of election boards and counting judges and clerks.

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

House File 417, a bill for an act relating to the establishment of joint county-municipal civil defense administrations.

Also: That the Speaker has appointed as members of the conference committee on the part of the House on House File 17, a bill for an act relating to rules of administrative agencies, Representatives Carstensen of Clinton, Stanley of Muscatine, Goode of Davis and Duffy of Dubuque.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 57

Amend Senate File 57 by striking all of section 2 and inserting in lieu thereof the following:

Sec. 2. Section forty-nine point twenty (49.20), Code 1962, is hereby amended as follows:

1. By striking from lines two (2) and three (3) the words "seventy-five cents" and inserting in lieu thereof the words "one (1) dollar".

2. By inserting in line four (4) after the word "duties" the words "and seven (7) cents per mile for actual and necessary travel".

HOUSE MESSAGE CONSIDERED

House File 417, a bill for an act to amend chapter twenty-eight A (28A), Code 1962, commonly known as the "Civil Defense Act", and relating to the establishment of joint county-municipal civil defense

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administrations, their powers and duties, and the establishment of a joint civil defense fund for payment of expenses in connection therewith.

Read first and second times and passed on file.

THIRD READING OF BILLS

On motion of Senator Shoeman, Senate File 411, a bill for an act to make appropriations to the state department of social welfare to be used for medical assistance to the aged, was taken up and considered.

Senator Shoeman offered the following amendment and moved its adoption:

Amend Senate File 411 by striking from line 12 of section 2 the words "eligible for" and inserting in lieu thereof the words "who, within ninety days prior to application for medical assistance for the aged, have received".

The amendment was adopted.

Senator Frommelt offered the following amendment and moved its adoption:

Amend Senate File 411 as follows:
Amend Senate File 411 by adding a period (.) after the word "programs" in line 4 of section 2 and striking everything thereafter.

Senator Dykhouse 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, 8:

Coleman	Frommelt	Hill	Mincks
Dodds	Fulton	Main	Walter

Nays, 38:

Benda	Elthon	Lucken	Stephens
Beneke	Flatt	Nolan	Turner
Buck	Getting	Phelps	Vance
Burrows	Griffin	Rigler	Van Eaton
Campbell	Grimstead	Schroeder	Vincent
Cowden	Hansen	Scott	Walker
Curran	Kyhl	Shaff	Wearin
Doran	Lisle	Shivvers	Wiley
Dykhouse	Lodwick	Shoeman	Wilson
Elijah	Long		

Absent or not voting, 2:

Elvers	Fisher

Voting present, 2:

Brown	O'Malley

The amendment was lost.

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Senator Fulton asked and received unanimous consent to withdraw the amendment filed by him on April 8 and found on page 783 of the Senate Journal.

Senator Rigler asked and received unanimous consent to withdraw the amendment filed by him on April 8 and found on page 783 of the Senate Journal.

Senator Mincks offered the following amendment and moved its adoption:

Amend Senate File 411 as follows:

1. Amend section 1, lines 3 and 4, by striking the words and figures "one million six hundred eighty thousand dollars ($1,680,000)" and inserting in lieu thereof the words and figures "four million dollars ($4,000,000)".

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 6:

Brown	Frommelt	Hill	Mincks
Dodds	Fulton		

Nays, 39:

Benda	Elthon	Lucken	Turner
Beneke	Elvers	Nolan	Vance
Buck	Flatt	O'Malley	Van Eaton
Burrows	Getting	Phelps	Vincent
Campbell	Griffin	Rigler	Walker
Cowden	Grimstead	Schroeder	Walter
Curran	Kyhl	Scott	Wearin
Doran	Lisle	Shaff	Wiley
Dykhouse	Lodwick	Shoeman	Wilson
Elijah	Long	Stephens	

Absent or not voting, 4:

Coleman	Fisher	Hansen	Shivvers

Voting present, 1:

Main

The amendment was lost.

Senator Shoeman moved that the bill be read a third 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:

Benda	Curran	Frommelt	Lisle
Beneke	Dodds	Fulton	Lodwick
Brown	Doran	Getting	Long
Buck	Dykhouse	Griffin	Lucken
Burrows	Elijah	Grimstead	Main
Campbell	Elthon	Hansen	Nolan
Coleman	Elvers	Hill	O'Malley
Cowden	Flatt	Kyhl	Phelps

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Rigler	Shivvers	Vance	Walter
Schroeder	Shoeman	Van Eaton	Wearin
Scott	Stephens	Vincent	Wiley
Shaff	Turner	Walker	Wilson

Nays, none.

Absent or not voting, 1:

Fisher

Voting present, 1:

Mincks

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

EXPLANATION OF VOTE ON SENATE FILE 411

MR. PRESIDENT AND MEMBERS OF THE SENATE: I voted for this bill only because it appears to me as the least of several coercive evils. In my opinion the State of Iowa is able to care for its elderly people and should in good conscience determine their needs and pay the bill. Despite assurances to the contrary I am convinced that the present approach to the problem will in the long run evolve into abject socialization of a proud, noble and able profession.

This bill might have the advantage of a delay.

DONALD G. BENEKE.

On motion of Senator Getting, Senate File 302, a bill for an act to provide state aid to persons or corporations first discovering crude oil in this state and making an appropriation therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Getting offered the following amendment and moved its adoption:

Amend Senate File 302 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Whenever it shall be made apparent to the governor of Iowa, by affidavit or otherwise by the owner or owners thereof, that crude oil has been first discovered within the state by sinking a well the output of which is as hereinafter provided, the state shall pay the following bonuses:

For the first well of two thousand (2,000) feet in depth or less producing oil of not less than thirty-five (35) barrels in each twenty-four (24) hour period for a sixty (60) day continuous period the bonus shall be twenty thousand dollars ($20,000.00).

For the first well of from more than two thousand (2,000) feet and less than thirty-five hundred (3,500) feet producing oil of more than thirty-five (35) barrels in each twenty-four (24) hour period for a sixty (60) day continuous period the bonus shall be thirty thousand dollars ($30,000.00).

For the first well of more than thirty-five hundred (3,500) feet in depth producing oil of not less than sixty (60) barrels in each twenty-four (24) hour period for a sixty (60) day continuous period the bonus shall be fifty thousand dollars ($50,000.00).

No more than one (1) of the bonuses provided by this Act shall be paid

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for oil produced from the same oil producing zone, pool or structure as determined by the state geologist.

It shall be the duty of the governor upon receipt of such notice to appoint a suitable person to examine the same, whose duty it shall be to report on the location and the capacity thereof. In the event such report shows a well located within the state, of a capacity entitling the same to receive the benefit of this section, and that such well is the first well within each category in the state of such capacity, then in that event the governor of Iowa shall direct the comptroller to draw his warrants on the treasury of the State of Iowa in the amounts as above indicated of which one-eighth (⅛) shall be paid to the owner of the land and the balance shall be paid to the owner of the oil well. If ownership of the land and ownership of the oil well are in the same person or corporation, the whole amount shall be paid to such person or corporation. The expense of such examination and report to the governor shall be paid by those securing the benefits of this section. A sum sufficient to pay any claim which may be made and paid under this Act is hereby appropriated from the general fund of the state."

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 33:

Benda	Fulton	Lucken	Stephens
Coleman	Getting	Main	Van Eaton
Cowden	Griffin	Nolan	Vincent
Curran	Grimstead	O'Malley	Walker
Dodds	Hansen	Phelps	Walter
Doran	Kyhl	Rigler	Wearin
Elijah	Lisle	Shivvers	Wiley
Elthon	Lodwick	Shoeman	Wilson
Elvers			

Nays, 14:

Beneke	Campbell	Long	Scott
Brown	Flatt	Mincks	Shaff
Buck	Frommelt	Schroeder	Turner
Burrows	Hill		

Absent or not voting, 2:

Dykhouse	Fisher

Voting present, 1:

Vance

The amendment was adopted.

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

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

Rule 8 was invoked.

Ayes, 36:

Benda	Cowden	Dykhouse	Flatt
Burrows	Curran	Elijah	Frommelt
Campbell	Dodds	Elthon	Getting
Coleman	Doran	Elvers	Griffin

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Grimstead	Main	Scott	Vincent
Hansen	Nolan	Shivvers	Walker
Kyhl	O'Malley	Shoeman	Walter
Lisle	Phelps	Stephens	Wearin
Lucken	Rigler	Van Eaton	Wilson

Nays, 12:

Beneke	Fulton	Long	Shaff
Brown	Hill	Mincks	Turner
Buck	Lodwick	Schroeder	Vance

Absent or not voting, 2:

Fisher	Wiley

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

Senator Rigler moved that the 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 Van Eaton called up for consideration Senate File 143, a bill for an act to authorize city and town councils to finance the acquisition of sites, books and equipment from the proceeds of a bond issue, amended by the House, and moved that the Senate concur in the following amendment:

HOUSE AMENDMENT TO SENATE FILE 143

Amend the title to Senate File 143 by inserting after the word "equipment" in line 2 the words "for public library".

The Senate concurred in the House amendment:

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

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

Ayes, 49:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Flatt	Lucken	Stephens
Buck	Frommelt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Coleman	Griffin	O'Malley	Vincent
Cowden	Grimstead	Phelps	Walker
Curran	Hansen	Rigler	Walter
Dodds	Hill	Schroeder	Wearin
Doran	Kyhl	Scott	Wiley
Dykhouse	Lisle	Shaff	Wilson
Elijah			

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Nays, none.

Absent or not voting, 1:
Fisher

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

Senator Van Eaton called up for consideration Senate File 386, a bill for an act to amend section eighty-nine point seven (89.7), Code 1962, relating to shop and special inspections, amended by the House, and moved that the Senate concur in the following amendment:

HOUSE AMENDMENT TO SENATE FILE 386

Amend the title to Senate File 386 by inserting in line 2 after the word "to" the word "fabricating".

The Senate concurred in the House amendment.

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

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

Ayes, 49:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Flatt	Lucken	Stephens
Buck	Frommelt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Coleman	Griffin	O'Malley	Vincent
Cowden	Grimstead	Phelps	Walker
Curran	Hansen	Rigler	Walter
Dodds	Hill	Schroeder	Wearin
Doran	Kyhl	Scott	Wiley
Dykhouse	Lisle	Shaff	Wilson
Elijah			

Nays, none.

Absent or not voting, 1:
Fisher

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 50, a bill for an act relating to tax sale of public property, amended by the House, and moved that the Senate concur in the following amendment:

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HOUSE AMENDMENT TO SENATE FILE 50

Amend Senate File 50 by striking from line 11 the words "In the event such governing" and striking all of lines twelve (12) through seventeen (17), inclusive, and by inserting in lieu thereof the following:

"In the event such governing body fails to make payment upon such notice, the collection and enforcement of the taxes, penalty, interest and costs shall be suspended for so long as the property shall remain in public ownership but the same may be collected and enforced against the property in the event of its subsequent sale by such municipal or political subdivision to a private purchaser. No penalty, interest or costs shall be added during said period of public ownership."

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 third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Flatt	Lucken	Stephens
Buck	Frommelt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Coleman	Griffin	O'Malley	Vincent
Cowden	Grimstead	Phelps	Walker
Curran	Hansen	Rigler	Walter
Dodds	Hill	Schroeder	Wearin
Doran	Kyhl	Scott	Wiley
Dykhouse	Lisle	Shaff	Wilson
Elijah			

Nays, none.

Absent or not voting, 1:

Fisher

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

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

AFTERNOON SESSION

The Senate reconvened, Senator Getting presiding.

THIRD READING OF BILLS

On motion of Senator Long, Senate File 319, a bill for an act to amend the statutes relating to the bonds of distributors of motor fuel, special fuel dealers and special fuel users, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 44:

Benda	Elijah	Long	Shoeman
Beneke	Elthon	Lucken	Stephens
Brown	Elvers	Mincks	Turner
Buck	Flatt	Nolan	Vance
Campbell	Fulton	O'Malley	Van Eaton
Coleman	Getting	Phelps	Vincent
Cowden	Hansen	Rigler	Walker
Curran	Hill	Schroeder	Walter
Doran	Kyhl	Scott	Wearin
Dodds	Lisle	Shaff	Wiley
Dykhouse	Lodwick	Shivvers	Wilson

Nays, none.

Absent or not voting, 5:

Burrows	Frommelt	Griffin	Grimstead
Fisher			

Voting present, 1:

Main

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

On motion of Senator Shaff, Senate File 170, a bill for an act relating to nonprofit corporations and the formation, merger, consolidation, dissolution, liquidation, admission to do business in this state and withdrawal therefrom, authority, powers and rights thereof, and requirements therefor, and the regulation and conduct of affairs thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Shaff moved that the bill be read a third 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:

Benda	Elijah	Lucken	Shoeman
Beneke	Elthon	Main	Stephens
Brown	Elvers	Mincks	Turner
Buck	Flatt	Nolan	Vance
Burrows	Fulton	O'Malley	Van Eaton
Campbell	Getting	Phelps	Vincent
Coleman	Hansen	Rigler	Walker
Cowden	Hill	Schroeder	Walter
Curran	Kyhl	Scott	Wearin
Dodds	Lisle	Shaff	Wiley
Doran	Lodwick	Shivvers	Wilson
Dykhouse	Long		

Nays none.

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Absent or not voting, 4:

Fisher	Frommelt	Griffin	Grimstead

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

On motion of Senator Walker, Senate File 366, a bill for an act to legalize and validate the proceedings for the organization and establishment of the Northeast Hamilton Community School District in the counties of Hamilton and Wright, State of Iowa, and fixing the boundaries thereof and declaring said district a duly and legally organized corporate body as provided by law, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Walker moved that the bill be read a third 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:

Benda	Elijah	Lucken	Shoeman
Beneke	Elthon	Main	Stephens
Brown	Elvers	Mincks	Turner
Buck	Flatt	Nolan	Vance
Burrows	Fulton	O'Malley	Van Eaton
Campbell	Getting	Phelps	Vincent
Coleman	Hansen	Rigler	Walker
Cowden	Hill	Schroeder	Walter
Curran	Kyhl	Scott	Wearin
Dodds	Lisle	Shaff	Wiley
Doran	Lodwick	Shivvers	Wilson
Dykhouse	Long		

Nays, none.

Absent or not voting, 4:

Fisher	Frommelt	Griffin	Grimstead

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

On motion of Senator Shoeman, Senate File 431, a bill for an act to make appropriations to members of the committee on highway study, namely: Martin Wiley, Merle W. Hagedorn, John J. Brown, J. Louis Fisher, Russell L. Eldred (deceased), Harold O. Fischer, Dewey E. Goode, J. F. Arthurs, Jr., Charles F. Iles, Robert Keir, Kenneth Robinson, and Miles Sutera, was taken up and considered.

Senator Rigler offered the following amendment and moved its adoption:

Amend Senate File 431, section 4, by striking lines 3, 4 and 5 and inserting in lieu thereof the following: "the Charles City Press, a newspaper published at Charles City, Iowa, and in the New Hampton Tribune, a newspaper published at New Hampton, Iowa.".

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The amendment was adopted.

Senator Shoeman moved that the bill be read a third 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:

Benda	Elvers	Lucken	Shoeman
Beneke	Flatt	Main	Stephens
Buck	Fulton	Mincks	Turner
Burrows	Getting	Nolan	Vance
Campbell	Griffin	O'Malley	Van Eaton
Coleman	Hansen	Phelps	Vincent
Cowden	Hill	Rigler	Walker
Curran	Kyhl	Schroeder	Walter
Dodds	Lisle	Scott	Wearin
Dykhouse	Lodwick	Shaff	Wiley
Elijah	Long	Shivvers	Wilson
Elthon			

Nays, none.

Absent or not voting, 5:

Brown	Fisher	Frommelt	Grimstead
Doran			

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

Senator Shoeman asked and received unanimous consent that Senate Files 410, 411 and 431 be immediately messaged to the House, which request was complied with.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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

Senate File 11, a bill for an act to authorize the Iowa state commerce commission to regulate the rates and services of public utilities.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 122, a bill for an act relating to the issuance of bonds for school purposes.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 127, a bill for an act relating to exemptions from the imposition of the retail sales tax.

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

House File 96, a bill for an act relating to exemption from taxation of property of educational institutions and religious, literary and charitable societies.

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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 power of academic corporations to confer degrees.

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

House File 424, a bill for an act to authorize and empower the state conservation commission to cooperate with the United States government and to accept federal funds for outdoor recreational areas.

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

House File 490, a bill for an act relating to municipal docks.

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

House File 495, a bill for an act relating to retention of right to vote for the president and vice-president by persons who leave Iowa.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 11

Amend Senate File 11 as follows:

1. Amend section 1 by striking from lines one (1) and two (2) the words "have the power to".

2. Amend section 1 by adding after the word "utilities," in line fifteen (15) the following: "unincorporated villages which own their own distribution system,".

3. Amend section 1 by adding after the word "works." in line nineteen (19) the following: "Telephone companies otherwise exempt from rate regulation and having telephone exchange facilities which cross state lines may elect, in writing, filed with the commission, to have their rates regulated by the commission. When such election, in writing, has been filed with the commission, the commission shall assume rate regulation jurisdiction over said companies."

4. Amend section 2 by inserting the following new sentence at the beginning of said section: "The commission shall have broad general powers to effect the purposes of this Act notwithstanding the fact that certain specific powers are hereinafter set forth."

5 Amend section 2 by striking from line seven (7) the words "who may be a party,".

6. Amend section 2 by inserting in line twenty-one (21) after the word "state" the word "regulatory".

7. Amend by striking all of section 3 and inserting in lieu thereof the following:

"Sec. 3. Every public utility shall furnish reasonably adequate service at rates and charges in accordance with tariffs filed with the commission. Whenever there is filed with the commission by any person or body politic, or filed by the commission upon its own motion, a written complaint requesting the commission to determine the reasonableness of the rates, charges, schedules, service, regulations, or anything done or omitted to be done by any public utility subject to this Act, in contravention of the provisions thereof, such written complaint thus made shall be forwarded by the commission to such public utility, which shall be called upon to satisfy the complaint or to answer the same in writing within a reasonable time to be

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specified by the commission. If such public utility shall not satisfy the commission with respect to the complaint within the time specified and there shall appear to be any reasonable ground for investigating said complaint, it shall be the duty of the commission to promptly initiate a formal proceeding. Such a formal proceeding may be initiated at any time by the commission on its own motion. Whenever such a proceeding has been initiated upon application or motion, the commission shall set the case for hearing and give such notice thereof as it deems appropriate. Whenever the commission, after a hearing held after reasonable notice, finds any public utility's rates, charges, schedules, service or regulations are unjust, unreasonable, discriminatory or otherwise in violation of any provision of law, the commission shall determine just, reasonable and nondiscriminatory rates, charges, schedules, service or regulations to be thereafter observed and enforced."

8. Amend section 4, lines four (4) and five (5), by striking the words "immediately prior to the effective date of this Act," and inserting in lieu thereof the words ", on April 1, 1963,".

9. Amend section 5 by adding at the end thereof the following: "Provided, however, said service is for personal use, and not for engaging in a business for profit."

10. Amend section 7 by striking from line two (2) the words ", person or body politic".

11. Amend section 7, line eleven (11) by striking the word "had" and inserting in lieu thereof the word "held".

12. Amend section 8, line three (3), by inserting after the word "light," the word "gas,".

13. Amend section 8, line five (5), by striking the words "or any telephone message conveyed" and inserting in lieu thereof the words ", or communications services,".

14. Amend section 8 by adding the following new paragraph:

"The commission, in determing the value of materials or services to be included in valuations or costs of operations for rate-making purposes, may disallow any unreasonable profit made in the sale of materials to or services supplied for any public utility by any firm or corporation owned or controlled directly or indirectly by such utility or any affiliate, subsidiary, parent company, associate or any corporation whose controlling stockholders are also controlling stockholders of such utility. The burden of proof shall be on the public utility to prove that no unreasonable profit is made."

15. Amend section 9, lines seven (7) and eight (8) by striking the words "the conveyance of telephone messages" and inserting in lieu thereof the words "furnishing communications services to the public".

16. Amend section 9, line twelve (12), by striking the period and inserting the following: "and all profits and losses may be taken into consideration by the commission if deemed relevant to the general fiscal condition of the public utility."

17. Amend section 10, line forty (40), by inserting after the word "year." the following:

"For public utilities exempted from rate regulation under this Act, the assessments under this paragraph shall be computed at one-half (½) the rate used in computing the assessment for other utilities."

18. Amend section 17 by striking subsection four (4) and inserting in lieu thereof the following:

"4. Unsupported by substantial evidence in view of the entire record as submitted."

19. Amend section 23 by striking the comma at the end of line eighteen

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(18) and all of lines nineteen (19) through twenty-two (22) and inserting in lieu thereof the following: "shall be purchased at the end of six (6) years from the date".

20. Amend section 23 by striking all of line twenty-seven (27) after the period and all of lines twenty-eight (28) through thirty-seven (37) and that part of line thirty-eight (38) to and including the period and by inserting in lieu thereof the following:

"The franchised or municipally owned utility shall pay to the utility serving in the annexed area the fair and reasonable value of its properties within such annexed area by exchange of other electric utility property outside such city or town on a fair and reasonable basis giving due consideration to revenue from and value of the respective properties. In the event the public utilities involved are unable to agree as to the terms of such exchange, either utility may file an application with the commission requesting that the commission determine such fair and reasonable terms for such exchange. After notice and hearing the commission shall determine fair and reasonable terms for such exchange, or in the event no appropriate properties can be exchanged the commission shall fix and determine the fair and reasonable value of the property within the annexed area, and such transfer shall be made as directed by the commission. Until such determination by the commission, the facilities shall remain in place and service to the public shall be maintained by the owner. However, the utility not having a municipal franchise and serving such annexed area shall not extend service to any additional points of delivery within such annexed area if the commission, after notice and hearing, with due consideration of any unnecessary duplication of facilities, shall determine that such extension is not in the public interest. Provided, however that production, generation, high-voltage transmission facilities and high-voltage transformers owned by a utility in territory annexed to a city or town shall be exempt from the operation of this section, and provided further that if a public utility not having a municipal franchise at the time of the extension of the corporate boundaries subsequently acquires a municipal franchise as contemplated by chapter three hundred ninety-seven (397), Code 1962, within six (6) years of the extension of the corporate boundaries such utility shall be exempt from the operation of this section."

21. Amend section 23 by inserting in line thirty-nine (39) after the word "repealed" the following: "; provided, however, that nothing in this Act shall be construed to repeal or impair any provision of chapter three hundred ninety-seven (397) of the Code, except as expressly provided in this section with respect to section three hundred ninety-seven point twenty-eight (397.28) of the Code".

22. Amend by inserting the following new section 24 after section 23 and by renumbering the subsequent sections:

"Sec. 24. No public utility shall construct or extend facilities or furnish or offer to furnish electric service to the point of delivery to any consumer already receiving electric service from another public utility. No public utility shall construct or extend facilities or furnish electric service to a prospective customer not presently being served unless its existing service facilities are nearer the proposed point of delivery than the service facilities of any other utility. Notwithstanding the foregoing provisions of this section, any public utility may extend electric service and transmission lines to its own utility property and facilities or to another public utility for resale, or in case the public utility closest to or presently serving the delivery point consents thereto in writing or the commission after notice and hearing, and due consideration of the preference of the consumer, finds that service from a utility other than the closest utility is in the public interest."

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23. Further amend by adding the following new sections:

Sec. 27. No utility shall, except in cases of emergency, discontinue, reduce, or impair service to a community, or a part of a community, except for nonpayment of account or violation of rules and regulations, unless and until there shall have been first obtained from the commission permission to do so.

Sec. 28. Nothing contained in this Act shall be construed to require the approval of the commission for the establishment and erection of any generating facilities or the improvement or extension of any existing generating facilities.

HOUSE AMENDMENT TO SENATE FILE 122

Amend Senate File 122 as follows:

1. Section 1, line seven (7) by inserting after the word "of" the word "purchasing,".

2. By inserting the following as section 3:

Sec. 3. The repeal of sections two hundred ninety-six point one (296.1) and two hundred ninety-six point six (296.6), Code 1962, and the enactment of substitute laws therefor, as hereinbefore provided, shall not be construed to prevent any school corporation from proceeding to issue its bonds pursuant to authority granted at any election heretofore called or heretofore held in any such school corporation under the provisions of chapter two hundred ninety-six (296) of the Code."

3. By renumbering the remaining section.

HOUSE AMENDMENT TO SENATE FILE 127

Amend Senate File 127 as follows:

1. By striking all of sections 1 and 2 and inserting in lieu thereof the following:

Section 1. Section four hundred twenty-two point forty-five (422.45), Code 1962, is hereby amended by striking all of subsection five (5) and inserting in lieu thereof the following:

"The gross receipts of all sales of goods, wares or merchandise used for public purposes by, or in the performance of any contract for, a tax-certifying or tax-levying body of the State of Iowa or governmental subdivision thereof, including all divisions, boards, commissions or instrumentalities of the state, county or municipal governments, which derive their disbursable funds from appropriations or allotments of funds raised by the levy and collection of taxes. The exemption provided by this subsection shall also apply to all sales of goods, wares or merchandise used for public purposes by, or in the performance of any contract with, the state or any of such governmental subdivisions or agencies which are subject to use taxes under the provisions of chapter four hundred twenty-three (423) of the Code."

2. Section 3, by striking from line one (1) the word "refunds" and inserting in lieu thereof the word "exemptions"; also by striking from line one (1) the word and figure "two (2)".

3. By adding thereto the following section:

"This Act being deemed of immediate importance shall be in full force and effect from and after its publication in The Lyon County Reporter, a newspaper published at Rock Rapids, Iowa, and The Tipton Conservative, a newspaper published at Tipton, Iowa."

4. Further amend Senate File 127 by renumbering the sections.

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HOUSE MESSAGES CONSIDERED

House File 96, a bill for an act relating to exemption from taxation of property of educational institutions and religious, literary and charitable societies.

Read first and second times and passed on file.

House File 251, a bill for an act relating to the power of academic corporations to confer degrees.

Read first and second times and passed on file.

House File 424, a bill for an act to authorize and empower the state conservation commission to cooperate with the United States government and to accept federal funds for planning, acquisition and development of outdoor recreational areas.

Read first and second times and passed on file.

House File 490, a bill for an act to amend chapter three hundred eighty-four (384), Code 1962, relating to municipal docks.

Read first and second times and passed on file.

House File 495, a bill for an act relating to retention of right to vote for president and vice-president by persons who leave Iowa.

Read first and second times and passed on file.

HOUSE AMENDMENTS CONSIDERED

Senator Shaff called up for consideration Senate File 122, a bill for an act relating to the issuance of bonds for school purposes, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 122 as follows:

1. Section 1, line seven (7) by inserting after the word "of" the word "purchasing,".

2. By inserting the following as section 3:

Sec. 3. The repeal of sections two hundred ninety-six point one (296.1) and two hundred ninety-six point six (296.6), Code 1962, and the enactment of substitute laws therefor, as hereinbefore provided, shall not be construed to prevent any school corporation from proceeding to issue its bonds pursuant to authority granted at any election heretofore called or heretofore held in any such school corporation under the provisions of chapter two hundred ninety-six (296) of the Code."

3. By renumbering the remaining section.

The Senate concurred in the House amendments.

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

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

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Ayes, 45:

Benda	Elthon	Long	Shoeman
Beneke	Elvers	Lucken	Stephens
Brown	Flatt	Main	Turner
Buck	Fulton	Nolan	Vance
Burrows	Getting	O'Malley	Van Eaton
Campbell	Grimstead	Phelps	Vincent
Coleman	Hansen	Rigler	Walker
Cowden	Hill	Schroeder	Walter
Curran	Kyhl	Scott	Wearin
Dodds	Lisle	Shaff	Wiley
Dykhouse	Lodwick	Shivvers	Wilson
Elijah			

Nays, none.

Absent or not voting, 5:

Doran	Frommelt	Griffin	Mincks
Fisher			

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 Turner, House File 237, a bill for an act relating to the term of office for members of the Iowa civil defense administration, was taken up for further consideration.

Senator Flatt offered the following amendment filed by Senators Flatt and Benda:

Amend the title to House File 237 by striking the words "the terms of office for members of".

Amend House File 237 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section twenty-eight A point two (28A.2), Code 1962, is hereby repealed, and the following inserted in lieu thereof:

'There is hereby established an advisory committee of nine (9) members, to be appointed by the governor. For the first committee three (3) members shall be appointed to serve three (3) year terms, three (3) members shall be appointed to serve two (2) year terms, and three (3) members shall be appointed to serve one (1) year terms. Thereafter all appointments shall be for three (3) year terms. Members of the committee shall be appointed without regard to political party affiliation.

Each member of the advisory committee shall be further identified as responsible for one (1) of the nine (9) state advisory committee civil defense functions as follows: (1) State Communications; (2) State Construction; (3) State Agriculture and Economic Controls; (4) State Government; (5) State Health and Welfare; (6) State Industry; (7) State Manpower; (8) State Fuel and Energy; and (9) State Transportation.

The committee shall submit one (1) name to the governor as its recommendation for the office of director of civil defense.'

Sec. 2. Section twenty-eight A point three (28A.3), Code 1962, is hereby amended by inserting in line sixteen (16) after the word 'the' the words 'director of the'.

Sec. 3. Section twenty-eight A point four (28A.4), Code 1962, is hereby amended as follows:

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'1. By striking from line four (4) the word "administration", and inserting in lieu thereof the words "governor, who shall give due weight to the recommendation of the advisory committee in making his selection, but shall not be bound by such recommendation and".

2. By striking from line fourteen (14) the word "administration" and inserting in lieu thereof the word "governor. The director shall serve for four (4) years." '

Sec. 4. Section twenty-eight A point five (28A.5), Code 1962, is hereby amended by striking from line two (2) the word 'administration' and inserting in lieu thereof the word 'governor'."

Senator Flatt offered the following amendment to the amendment filed by Senators Flatt and Benda and moved its adoption:

Amend the amendment as follows:

1. By striking in line 33 the following: "but shall not be bound by such recommendation".

2. By striking in line 37 the word and numeral "four (4)" and inserting in lieu thereof the word and numeral "six (6)".

3. Further amend line 37 by inserting after the period the following new sentence: "The present director's term shall expire July 1, 1967.".

The amendment to the amendment was adopted.

On motion of Senator Flatt, the amendment as amended was adopted.

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

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

Ayes, 44:

Benda	Elijah	Lodwick	Shoeman
Beneke	Elthon	Lucken	Stephens
Brown	Elvers	Main	Turner
Buck	Flatt	Mincks	Vance
Burrows	Frommelt	Nolan	Van Eaton
Campbell	Getting	O'Malley	Vincent
Coleman	Grimstead	Phelps	Walker
Cowden	Hansen	Schroeder	Walter
Curran	Hill	Scott	Wearin
Dodds	Kyhl	Shaff	Wiley
Dykhouse	Lisle	Shivvers	Wilson

Nays, 2:

Fulton	Rigler

Absent or not voting, 4:

Doran	Fisher	Griffin	Long

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 Rigler, Senate File 405, a bill for an act relating to economic development corporations, was taken up and considered.

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Senator Rigler asked and received unanimous consent that House File 452 be substituted for Senate File 405.

On motion of Senator Rigler, House File 452, a bill for an act relating to economic development corporations, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Rigler asked and received unanimous consent that action on House File 452 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Shaff, Senate File 336, a bill for an act to amend chapter three hundred ninety-one (391), Code 1962, relating to street improvements and sewers to eliminate the right of the owner of property assessed therefor to prepay such assessment or any installment thereof unless such assessment is paid within thirty days after the date of levy of such assessment, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Shaff offered the following amendment and moved its adoption:

Amend Senate File 336 as follows:

1. Amend the title to Senate File 336 by inserting in line 1 after the word "three", the following: "hundred".

2. Further amend the title to Senate File 336 by inserting after the word "thirty" in line 5, the following: "(30)".

3. Amend Senate File 336, section 3, line 9, by striking the word "act." and inserting in lieu thereof the word "property."

4. Amend Senate File 336, section 4 by striking all of said section and inserting in lieu thereof the following:

"This Act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in The Clinton Herald, a newspaper published at Clinton, Iowa and in The Belle Plaine Union, a newspaper published at Belle Plaine, Iowa."

The amendment was adopted.

Senator Shaff asked and received unanimous consent that action on Senate File 336 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Dodds, Senate File 317, a bill for an act to amend the filing date of individual and corporate income tax returns to coincide with the federal filing date, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Cowden took the chair at 2:00 p.m.

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

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

Ayes, 17:

Brown	Elvers	Hill	O'Malley
Coleman	Frommelt	Lucken	Rigler
Dodds	Fulton	Main	Wearin
Dykhouse	Hansen	Mincks	Wiley
Elijah			

Nays, 27:

Benda	Elthon	Phelps	Vance
Beneke	Flatt	Schroeder	Van Eaton
Buck	Getting	Scott	Vincent
Burrows	Kyhl	Shaff	Walker
Campbell	Lodwick	Shivvers	Walter
Cowden	Long	Shoeman	Wilson
Curran	Nolan	Turner	

Absent or not voting, 6:

Doran	Griffin	Lisle	Stephens
Fisher	Grimstead		

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Lucken, Senate File 408, a bill for an act relating to the funds and support of mentally ill patients in the state mental health institutes, was taken up and considered.

Senator Lucken asked and received unanimous consent that action on Senate File 408 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Elvers, Senate File 410, a bill for an act to provide a tax levy for the purpose of securing schoolhouse sites in any school district, was taken up and considered.

Senator Elvers moved that the bill be read a third 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:

Benda	Elthon	Long	Shivvers
Brown	Elvers	Lucken	Shoeman
Buck	Flatt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Coleman	Griffin	O'Malley	Vincent
Cowden	Grimstead	Phelps	Walker
Curran	Hansen	Rigler	Walter
Dodds	Hill	Schroeder	Wearin
Doran	Kyhl	Scott	Wiley
Dykhouse	Lodwick	Shaff	Wilson
Elijah			

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Nays, none.

Absent or not voting, 5:

Beneke	Frommelt	Lisle	Stephens
Fisher			

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

On motion of Senator Flatt, House File 213, a bill for an act to amend chapter three hundred twenty-eight (328), Code 1962, relating to compensation of the members of the aeronautics commission, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Flatt asked and received unanimous consent that action on House File 213 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Elthon, Senate File 413, a bill for an act relating to the state tax commission and its powers and duties, county and city assessors, local boards of review, the valuation and assessment of property for purposes of taxation, county auditors and the state board of review and its powers and duties, and consultants to said state board of review, was taken up and considered.

Senator Schroeder asked and received unanimous consent that action on Senate File 413 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator O'Malley, House File 65, a bill for an act relating to compensation of county supervisors in counties of over one hundred fifty thousand (150,000) population, 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 65, section 1, line 4, by striking "seven thousand five (7,500)" and inserting in lieu thereof the following: "seven thousand eight (7,800)".

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, 48:

Benda	Brown	Burrows	Coleman
Beneke	Buck	Campbell	Cowden

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Curran	Griffin	Mincks	Stephens
Dodds	Grimstead	Nolan	Turner
Dykhouse	Hansen	O'Malley	Vance
Elijah	Hill	Phelps	Van Eaton
Elthon	Kyhl	Rigler	Vincent
Elvers	Lisle	Schroeder	Walker
Flatt	Lodwick	Scott	Walter
Frommelt	Long	Shaff	Wearin
Fulton	Lucken	Shivvers	Wiley
Getting	Main	Shoeman	Wilson

Nays, none.

Absent or not voting, 2:

Doran	Fisher

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

On motion of Senator Wearin, Senate File 18, a bill for an act to create an appointive state board of public instruction, with report of committee recommending amendment in accordance with the amendment filed by Senators Wearin and Rigler on March 26, 1963, and passage, was taken up, considered, and the report of the committee adopted.

Senator Wearin offered the following amendment filed by Senators Wearin and Rigler:

Amend Senate File 18 by striking all after the enacting clause and substituting the following in lieu thereof:

Section 1. Amend section two hundred fifty-seven point three (257.3), Code 1962, as follows:

1. By striking in line four (4) the words, "election or".

2. By striking in line five (5) the word "either" and the words "or elected".

3. By striking all of the second paragraph.

4. By striking the beginning words "One member" in paragraph three and inserting in lieu thereof the words "All members".

5. By adding the following paragraph:

"All members of the state board of public instruction presently serving at the time this law takes effect shall continue to serve until the expiration of their respective terms. Appointment of board members shall take place as termination of present terms expire but such appointment shall terminate at the end of thirty days after the convening of the next general assembly unless sooner confirmed by the Senate."

Sec. 2. Amend section two hundred fifty-seven point four (257.4), Code 1962, by striking all after the first sentence and substituting in lieu thereof:

"A vacancy occurring while the general assembly is in session shall be filled for the unexpired portion of the term in the manner that full-term appointments are made. Vacancies occurring while the general assembly is not in session shall be filled by the Governor, but such appointments shall terminate at the end of thirty days after the convening of the next general assembly, unless sooner confirmed by the Senate."

Sec. 3. By striking all of section two hundred fifty-seven point five (257.5), Code 1962.

Sec. 4. By striking all of section two hundred fifty-seven point eleven

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(257.11), Code 1962, and substituting in lieu thereof: "The state board shall appoint a superintendent of public instruction who shall serve at the discretion of the state board."

Senator Shoeman offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking all of section 4.

The amendment to the amendment was adopted.

On motion of Senator Wearin, the amendment as amended was adopted.

Senator Shoeman asked and received unanimous consent to withdraw the amendment filed by him on January 22 and found on page 73 of the Senate Journal.

Senator Fulton asked and received unanimous consent to withdraw the amendment filed by him on April 2 and found on page 714 of the Senate Journal.

Senator Shaff moved to reconsider the vote by which the amendment as amended, filed by Senators Wearin and Rigler, was adopted, which motion prevailed.

Senator Shaff offered the following amendment to the amendment and moved its adoption:

Amend the amendment by adding at the end of section 1, subsection 5 the following:

"Not more than five (5) of the members of the board shall be from the same political party."

The amendment to the amendment was adopted.

On motion of Senator Shaff, the amendment as amended was adopted.

Senator Wearin moved that the bill be read a third 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:

Benda	Elvers	Long	Stephens
Beneke	Flatt	Lucken	Turner
Brown	Frommelt	Main	Vance
Buck	Fulton	Mincks	Van Eaton
Burrows	Getting	O'Malley	Walker
Campbell	Griffin	Rigler	Walter
Coleman	Hansen	Schroeder	Wearin
Cowden	Kyhl	Scott	Wiley
Dodds	Lisle	Shoeman	Wilson
Dykhouse	Lodwick		

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Nays, 7:

Doran	Hill	Shaff	Vincent
Elthon	Nolan	Shivvers	

Absent or not voting, 4:

Curran	Fisher	Grimstead	Phelps

Voting present, 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 Walker, House File 196, a bill for an act relating to regulation of securities agents and dealers under the Iowa Securities Law, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Walker moved that the bill be read a third 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:

Beneke	Elvers	Lucken	Shoeman
Brown	Flatt	Main	Stephens
Buck	Frommelt	Mincks	Turner
Burrows	Fulton	Nolan	Vance
Campbell	Griffin	O'Malley	Van Eaton
Coleman	Grimstead	Phelps	Vincent
Cowden	Hansen	Rigler	Walker
Curran	Kyhl	Schroeder	Walter
Dodds	Lisle	Scott	Wearin
Dykhouse	Lodwick	Shaff	Wiley
Elijah	Long	Shivvers	Wilson
Elthon			

Nays, 2:

Benda	Hill

Absent or not voting, 3:

Doran	Fisher	Getting

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

On motion of Senator Schroeder, House File 321, a bill for an act relating to registration exemptions under the Iowa Securities Law, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

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Ayes, 49:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Flatt	Lucken	Stephens
Buck	Frommelt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Coleman	Griffin	O'Malley	Vincent
Cowden	Grimstead	Phelps	Walker
Curran	Hansen	Rigler	Walter
Dodds	Hill	Schroeder	Wearin
Doran	Kyhl	Scott	Wiley
Dykhouse	Lisle	Shaff	Wilson
Elijah			

Nays, none.

Absent or not voting, 1:

Fisher

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

On motion of Senator Shaff, House File 324, a bill for an act to amend chapter five hundred two (502), Code 1962, relating to the sale of securities, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Shaff moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Flatt	Lucken	Stephens
Buck	Frommelt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Coleman	Griffin	O'Malley	Vincent
Cowden	Grimstead	Phelps	Walker
Curran	Hansen	Rigler	Walter
Dodds	Hill	Schroeder	Wearin
Doran	Kyhl	Scott	Wiley
Dykhouse	Lisle	Shaff	Wilson
Elijah			

Nays, none.

Absent or not voting, 1:

Fisher

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

On motion of Senator Schroeder, House File 331, a bill for an act to amend section five hundred seven point four (507.4), Code 1962, relating to the maximum per diem of insurance examiners, with report

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of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Schroeder moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Flatt	Lucken	Stephens
Buck	Frommelt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Coleman	Griffin	O'Malley	Vincent
Cowden	Grimstead	Phelps	Walker
Curran	Hansen	Rigler	Walter
Dodds	Hill	Schroeder	Wearin
Dykhouse	Kyhl	Scott	Wiley
Elijah	Lisle	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Doran	Fisher

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

CALL OF THE SENATE

MR. PRESIDENT: Pursuant to Rule 5 of the Rules of the Senate of the Sixtieth General Assembly, we, the undersigned, do hereby request a Call of the Senate on Senate File 437, and all motions and amendments thereto.

DAVID O. SHAFF.
KENNETH BENDA.
JOHN T. CAMPBELL.
LEO ELTHON.
ANDREW G. FROMMELT.
ROBERT D. FULTON.
SEELEY G. LODWICK.
IRVING D. LONG.
D. C. NOLAN.
ROBERT R. RIGLER.
JACK SCHROEDER.
EDWARD A. WEARIN.
RICHARD C. TURNER.

MOTION TO RECONSIDER

I move to reconsider the vote by which Senate File 404 passed the Senate.

FRANKLIN S. MAIN.
ORVAL C. WALTER.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

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MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 87, 181, 182, 219, 246, 270, 271 and 277.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 87, 181, 182, 219, 246, 270, 271 and 277.

BILLS SENT TO THE GOVERNOR

Senator Benda, 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, 1963, sent to the Governor for his approval: Senate Files 87, 181, 182, 219, 246, 270, 271 and 277.

KENNETH BENDA, *Chairman.*

Passed on file.

REPORTS OF COMMITTEE

Senator Elthon submitted the following report:

MR. PRESIDENT: Your committee on public health to which was referred **Senate File 353**, a bill for an act relating to powers of a local board of health and providing criminal penalties, begs leave to report it has had the same under consideration and recommends the same **do pass.**

LEO ELTHON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on public health to which was referred **House File 73**, a bill for an act relating to the practice of barbering, 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 73 by adding the following new section:

"Sec. 4. Section one hundred fifty-eight point three (158.3), subsection two (2), Code 1962, is hereby amended by adding thereto the following: 'The provisions of this subsection shall not apply to trainees from the barber schools maintained at any institution under the board of control.'"

LEO ELTHON, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 413 as follows:

1. By striking the word "shall" in line 34 of section 19 and inserting in lieu thereof the word "may".

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2. Further amend section 19 by striking all of line 39 after the word "property" and by striking all of lines 40 and 41 and all of line 42 up to and including the word "year".

3. Further amend section 19 by striking all of line 46 and all of line 47 up to and including the word "interest".

4. Further amend section 19 by striking in line 58 the word "may" and inserting in lieu thereof the word "shall".

JOHN A. WALKER.

Amend Senate File 437 by striking from lines 20 and 21 of section 12, the following: "one thousand (1,000) dollars" and inserting in lieu thereof the following: "three thousand (3,000) dollars."

IRVING D. LONG.

Amend Senate File 437 as follows:

1. By adding the following to section 18:

"Section one hundred twenty-four point thirty-one (124.31), Code 1962, is hereby amended by striking from lines 18 through 24 the following:

'to the private premises of any bona fide private club or association for which a class "B" permit has been issued, having a select and discriminate membership and owned and operated by and for the benefit of the members which is under the exclusive control of the membership or,'."

2. By adding the following new section:

"Sec. 33. The provisions of this Act shall become effective on January 1, 1964."

EUGENE M. HILL.

Amend Senate File 438 as follows:

1. By inserting in section two (2), line one hundred fifty-three (153), after the words "ninety-one (91)," the following: "chapter ninety-six (96), chapter ninety-seven B (97B),".

2. By striking sections five (5), six (6), seven (7), eight (8), nine (9), ten (10), eleven (11), twelve (12), and thirteen (13) therefrom, and by renumbering the remaining sections.

HOWARD BUCK.

Amend House File 543 as follows:

1. By inserting in line 6 of the title after the word "therefor," the words "and classroom buildings,".

2. By inserting in line 13 of the title after the word "facilities" the words ", and in the case of classroom buildings and facilities from tuition charges imposed by the institution".

3. By inserting in line 7 of section 1 after the word "therefor," the words "or for use as classrooms by the institutions,".

4. By inserting in line 9 of section 1 after the word "dormitories," the words "classroom buildings,".

5. By striking lines 17 through 19 of section 1 and inserting in lieu thereof the following:

"which are:

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1. In the case of residence halls, dormitories, facilities therefor or additions thereto, payable solely and only from net rents, profits, and income derived from the operation of residence halls, dormitories, facilities therefor, and additions thereto.

2. In the case of classroom buildings, facilities therefor, and additions thereto, payable solely and only from tuition charges imposed by the institutions upon students at the institutions."

6. By inserting in line 7 of section 2 after the word "facilities," the words "classroom buildings,".

7. By striking from line 19 of section 3 the words "residence hall or dormitory purposes" and inserting in lieu thereof the words "a project".

8. By striking all of lines 47 through 56 of section 3 and inserting in lieu thereof the following:

"irrevocable pledge of a sufficient portion of:

1. In the case of residence halls and dormitories, facilities therefor, and additions thereto:

a. The net rents, profits, and income derived from the operation of residence halls, dormitories, dining or other incidental facilities and additions, including necessary real and personal property, acquired or improved in whole or in part with the proceeds of such bonds or notes, regardless of the manner of such acquisition or improvement, and

b. The net rents, profits, and income not pledged for other purposes derived from the operation of any other residence halls or dormitories, including dining and other incidental facilities and additions, at the particular institution.

2. In the case of classroom buildings, facilities therefor, and additions thereto, tuition charges imposed by the institution upon students at the institution.

All bonds or".

9. By inserting in line 27 of section 4 after the word "institution" the words ", or in the case of classroom buildings, facilities therefor, or additions thereto, from tuition charges imposed by the institution upon students at the institution".

10. By inserting in line 11 of section 5 after the word "dormitories" the words "or tuition payments in the case of classroom buildings,".

11. By striking from line 26 of section 5 the words "or rentals" and inserting in lieu thereof the words ", rentals, or tuition".

12. By inserting in line 5 of section 6 after the word "therefor" the words "or tuition rates if the project for which the bonds or notes are issued is a classroom building or facility therefor or addition thereto".

13. By striking from line 7 of section 6 the words "or rentals" and inserting in lieu thereof the words ", rentals, or tuition".

14. By inserting in line 13 of section 6 after the word "therefor" the words "or tuition rates if the project for which the bonds or notes are issued is a classroom building or facility therefor or addition thereto".

15. By striking from line 14 of section 6 the words "or rentals" and inserting in lieu thereof the words ", rentals, or tuition".

16. By inserting in line 11 of section 8 after the word

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"therefor" the words "or in the case of classroom buildings, facilities therefor, or addition thereto, payable solely and only from tuition payments imposed by the institutions upon students of the institution".

JOSEPH B. FLATT.
JOHN A. WALKER.

Amend Senate File 437 as follows:

1. Amend section 3, line 16 by striking the period after the word "dues" and inserting the following: "and is not operated for a profit other than such profits as would accrue to the entire membership."

2. Also amend section 3, line 14 by adding after the comma following the word "unincorporated" the following: "but not including corporations organized for pecuniary profit,".

3. Further amend section 3 by striking the following from lines 21, 22, and 23, the following: "is located in a business district or an area now or hereafter zoned as a business district,".

4. Further amend section 3 by adding after the word "structure" in line 28, the following: "licensed by the state department of agriculture and".

5. Amend Senate File 437 by striking section 6 and renumbering the remaining sections.

6. Amend section 7, line 8 by striking the words "liquor control licensee" and inserting in lieu thereof the words "permit holder".

7. Amend section 11, line 13 by inserting after the word "Iowa" the words "for the past two (2) years or licensed to do business in the case of a corporation in the state of Iowa for the last two (2) years".

8. Amend section 11, line 34 by striking the word "wholesale" and inserting in lieu thereof the following: "a discount of not to exceed ten percent (10%) of the retail price,".

9. Further amend said section by striking from line 35 the words "at prices to be set by the commission,".

10. Amend section 11, line 40 by striking the word "wholesale" and inserting in lieu thereof the following: "a discount of not to exceed ten percent (10%) of the retail price,".

11. Further amend said section by striking from line 41 the words "at prices to be set by the commission,".

12. Amend section 11, line 51 by striking the word "wholesale" and inserting in lieu thereof the following: "a discount of not to exceed ten percent (10%) of the retail price,".

13. Further amend said section by striking from line 52 the words "at prices to be set by the commission,".

14. Amend section 11 by striking the semi-colon (;) in line 97.

15. Amend section 11, line 120 by inserting after the word "commission" the words "or issuing authority". Further amend section 11, line 120 by inserting after the word "disapproving" the words "suspending, or revoking".

16. Amend section 11, line 123 by striking the words "by writ of certiorari".

17. Amend section 11 by inserting after the "A" in line 153 the words ", class 'B' ".

18. Further amend Senate File 437 by striking in lines 22 and 23 of section 12, subsection 4, the words "one thousand (1,000)

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dollars" and inserting in lieu thereof the words "two hundred fifty (250) dollars".

19. Further amend Senate File 437 by adding to section 13 the following: "The issuing authority may in its discretion authorize a license to remove the license from one location to another within the same incorporated city or town, or within a county outside the corporate limits of a city or town, provided that the premises to which the transfer is to be made would have been eligible for a license in the first instance and such transfer will not result in any violation of any provision of law."

20. Amend section 14, line 6 by inserting after the word "the" the following: "issuing authority or the".

21. Amend section 17 by striking the word "makes" in line 46 and inserting the following: "having established that he made".

22. Further amend section 17, line 51, by adding after the word "of" the following: "not to exceed".

23. Amend section 17, line 55 by striking the word "section" and inserting in lieu thereof the word "Act".

24. Further amend section 17, line 57 by inserting after the word "commission" the following: "or the issuing authority.".

25. Amend section 25, line 6 by adding at the end thereof the following: "under the provisions of this Act".

26. Amend section 26, line 3 by inserting after the word "beverages" the words "except sacramental wines,".

JUDICIARY 2 COMMITTEE,
JACK SCHROEDER, *Chairman.*

On motion of Senator Rigler, the Senate adjourned until 9:00 a.m., Wednesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 11, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Lt. Colonel Berger Justvig, State Commander, Salvation Army, Des Moines, Iowa.

PRESENTATION OF VISITORS

Senator Burrows rose on a point of personal privilege and presented to the Senate the Honorable Harry E. Weichman of Benton County, a former member of the House of Representatives and a former member of the Senate who was present in the Senate chamber.

Senator Burrows asked and received unanimous consent to present to the Senate forty-six students, members of the junior and senior classes of the Garrison Consolidated School, who were present in the balcony accompanied by their instructor, Betty Husted, and their superintendent, R. L. Holliday.

Senator Dodds asked and received unanimous consent to present to the Senate thirty students, members of the seventh and eighth grade classes of the Yarmouth Consolidated School, who were present in the balcony accompanied by their principal, Robert Ledman.

Senator Hansen asked and received unanimous consent to present to the Senate thirty-eight students from the Manning High School who were present in the balcony accompanied by their instructors, Harvey Hofkamp and Kenneth Loats.

Senator Scott asked and received unanimous consent to present to the Senate thirty-five students, members of the junior class of the West Central High School, Maynard, who were present in the balcony accompanied by their instructors, John Havighurst and Carl T. Heller.

Senator Campbell asked and received unanimous consent to present to the Senate seventy-five students, members of the Oskaloosa High School Band, who were present in the balcony accompanied by their instructor, Ivan D. Kennedy.

Senator Stephens asked and received unanimous consent to present to the Senate forty-eight students from the Washington High School who were present in the balcony accompanied by their instructor, Harold Stevens.

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Senator Stephens also presented to the Senate Pio Barone Lumoga of Naples, Italy, an exchange student attending Washington High School, who was present in the Senate chamber.

Senator Fisher rose on a point of personal privilege and presented to the Senate the Honorable Loyd Van Patten of Warren County, a former member of the Senate who was present in the Senate chamber.

Senator Griffin asked and received unanimous consent to present to the Senate sixty students from the Maple Valley High School, Mapleton, who were present in the balcony accompanied by their instructor, William Christensen, and their principal, Ivan Stern.

Senator Griffin also presented to the Senate his daughter, Patricia, a member of the group who was present in the Senate chamber.

Senator Beneke asked and received unanimous consent to present to the Senate seventy-five students from the Albert City High School who were present in the balcony accompanied by their instructor, Donald Gerdy.

Senator Walter asked and received unanimous consent to present to the Senate twenty-one students from the Prescott Community School who were present in the balcony accompanied by their instructor, Florence Heaps.

Senator Elijah asked and received unanimous consent to present to the Senate one hundred thirty students, members of the civics class of the Muscatine High School, who were present in the balcony accompanied by their instructors, Louisa Jericho, Archie Martin and Homer Weis.

Senator Walker asked and received unanimous consent to present to the Senate twenty-two students, members of the eighth grade class of the Northeast Hamilton Community School, Williams, who were present in the balcony accompanied by their instructor, Blanche Swift.

Senator Walter asked and received unanimous consent to present to the Senate sixteen students, memebrs of the junior class of the Prescott Community School, who were present in the balcony accompanied by their instructor, Donald Combs.

Senator Kyhl asked and received unanimous consent to present to the Senate sixty students, members of the senior class of the Dumont Community School, who were present in the balcony accompanied by their instructors, Loren Wteidl and C. W. Engelkes, and their superintendent, J. E. Lee.

Senator Burrows asked and received unanimous consent to present

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to the Senate the members of the sixth grade class of the Gladbrook Elementary School who were present in the balcony accompanied by their instructor, Winifred G. Thomsen.

INTRODUCTION OF BILLS

Senate File 441, by committee on judiciary 2, a bill for an act relating to salaries paid to the clerks of the grand juries.

Read first and second times and placed on the calendar.

Senate File 442, by committee on judiciary 2, a bill for an act to legalize the acts and proceedings of the board of trustees of the Iowa River-Flint Creek levee district No. 16 of Des Moines and Louisa Counties, Iowa, in relation to proceedings had in said levee district for adoption of a flood control project in co-operation with the United States corps of engineers and action taken thereunder, the levying of an assessment for special benefits in the sum of three hundred fifty thousand (350,000) dollars by the boards of supervisors of Des Moines and Louisa Counties, Iowa, on April 1, 1963, upon request and certification of said board of trustees to pay for said levee district's share of the costs and authorizing the issuance of levee warrants on April 1, 1963, in anticipation of the collection of said assessment.

Read first and second times and placed on the calendar.

Senate File 443, by committee on insurance, a bill for an act relating to benefits under accident and sickness insurance policies.

Read first and second times and placed on the calendar.

Senate File 444, by committee on tax revision, a bill for an act to amend section four hundred twenty-two point four (422.4), Code 1962, to include the term "gross income" under definitions and to amend subsection twelve (12), section four hundred twenty-two point four (422.4), Code 1962, to define the word "nonresident".

Read first and second times and placed on the calendar.

Senate File 445, by committee on insurance, a bill for an act relating to the organization of domestic insurance companies.

Read first and second times and placed on the calendar.

Senate File 446, by committee on judiciary 2, a bill for an act relating to real property legalizing Acts.

Read first and second times and placed on the calendar.

Senator Rigler asked and received unanimous consent that the Senate take up, out of order, the consideration of Senate File 437.

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The Chair announced the following Call of the Senate and directed the Secretary to call the roll.

CALL OF THE SENATE

MR. PRESIDENT: Pursuant to Rule 5 of the Rules of the Senate of the Sixtieth General Asembly, we, the undersigned, do hereby request a Call of the Senate on Senate File 437, and all motions and amendments thereto.

DAVID O. SHAFF.
KENNETH BENDA.
JOHN T. CAMPBELL.
LEO ELTHON.
ANDREW G. FROMMELT.
ROBERT D. FULTON.
SEELEY G. LODWICK.
IRVING D. LONG.
D. C. NOLAN.
ROBERT R. RIGLER.
JACK SCHROEDER.
EDWARD A. WEARIN.
RICHARD C. TURNER.

Roll call revealed all members present, and the Chair declared the Call in effect.

THIRD READING OF BILLS

On motion of Senator Schroeder, Senate File 437, a bill for an act providing for home rule liquor control and the licensing and strict control of the retail sale of products sold by Iowa state liquor stores, was taken up and considered.

The following committee amendment was considered:

Amend Senate File 437 as follows:

1. Amend section 3, line 16 by striking the period after the word "dues" and inserting the following: "and is not operated for a profit other than such profits as would accrue to the entire membership."

2. Also amend section 3, line 14 by adding after the comma following the word "unincorporated" the following: "but not including corporations organized for pecuniary profit,".

3. Further amend section 3 by striking the following from lines 21, 22, and 23, the following: "is located in a business district or an area now or hereafter zoned as a business district,".

4. Further amend section 3 by adding after the word "structure" in line 28, the following: "licensed by the state department of agriculture and".

5. Amend Senate File 437 by striking section 6 and renumbering the remaining sections.

6. Amend section 7, line 8 by striking the words "liquor control licensee" and inserting in lieu thereof the words "permit holder".

7. Amend section 11, line 13 by inserting after the word "Iowa" the words "for the past two (2) years or licensed to do business in the case of a corporation in the state of Iowa for the last two (2) years".

8. Amend section 11, line 34 by striking the word "wholesale" and in-

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serting in lieu thereof the following: "a discount of not to exceed ten percent (10%) of the retail price,".

9. Further amend said section by striking from line 35 the words "at prices to be set by the commission,".

10. Amend section 11, line 40 by striking the word "wholesale" and inserting in lieu thereof the following: "a discount of not to exceed ten percent (10%) of the retail price,".

11. Further amend said section by striking from line 41 the words "at prices to be set by the commission,".

12. Amend section 11, line 51 by striking the word "wholesale" and inserting in lieu thereof the following: "a discount of not to exceed ten percent (10%) of the retail price,".

13. Further amend said section by striking from line 52 the words "at prices to be set by the commission,".

14. Amend section 11 by striking the semi-colon (;) in line 97.

15. Amend section 11, line 120 by inserting after the word "commission" the words "or issuing authority". Further amend section 11, line 120 by inserting after the word "disapproving" the words "suspending, or revoking".

16. Amend section 11, line 123 by striking the words "by writ of certiorari".

17. Amend section 11 by inserting after the "A" in line 153 the words ", class 'B' and".

18. Further amend Senate File 437 by striking in lines 22 and 23 of section 12, subsection 4, the words "one thousand (1,000) dollars" and inserting in lieu thereof the words "two hundred fifty (250) dollars".

19. Further amend Senate File 437 by adding to section 13 the following: "The issuing authority may in its discretion authorize a licensee to remove the license from one location to another within the same incorporated city or town, or within a county outside the corporate limits of a city or town, provided that the premises to which the transfer is to be made would have been eligible for a license in the first instance and such transfer will not result in any violation of any provision of law."

20. Amend section 14, line 6 by inserting after the word "the" the following: "issuing authority or the".

21. Amend section 17 by striking the word "makes" in line 46 and inserting the following: "having established that he made".

22. Further amend section 17, line 51, by adding after the word "of" the following: "not to exceed".

23. Amend section 17, line 55 by striking the word "section" and inserting in lieu thereof the word "Act".

24. Further amend section 17, line 57 by inserting after the word "commission" the following: "or the issuing authority.".

25. Amend section 25, line 6 by adding at the end thereof the following: "under the provisions of this Act.".

26. Amend section 26, line 3 by inserting after the word "beverages" the words "except sacramental wines,".

Senator Schroeder asked and received unanimous consent to consider the committee amendment by divisions.

On motion of Senator Schroeder, divisions 1 and 2 were adopted.

On motion of Senator Schroeder, division 3 of the amendment was adopted.

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On motion of Senator Schroeder, division 4 was adopted.

On motion of Senator Schroeder, division 5 was adopted.

On motion of Senator Schroeder, division 6 was adopted.

On motion of Senator Schroeder, division 7 was adopted.

On motion of Senator Schroeder, divisions 8, 9, 10, 11, 12 and 13 were adopted.

On motion of Senator Schroeder, division 14 was adopted.

On motion of Senator Schroeder, division 15 was adopted.

On motion of Senator Schroeder, division 16 was adopted.

On motion of Senator Schroeder, division 17 was adopted.

On motion of Senator Schroeder, division 18 was adopted.

President pro tempore Vance took the chair at 10:55 a.m.

On motion of Senator Schroeder, division 19 was adopted.

On motion of Senator Schroeder, division 20 was adopted.

On motion of Senator Schroeder, division 21 was adopted.

On motion of Senator Schroeder, division 22 was adopted.

Senator Schroeder asked and received unanimous consent to withdraw division 23 of the amendment.

On motion of Senator Schroeder, divisions 24 and 25 of the amendment were adopted.

President Mooty took the chair at 11:10 a.m.

On motion of Senator Schroeder, division 26 was adopted.

Senator Hill offered the following amendment:

Amend Senate File 437 as follows:

1. Amend section 11 by inserting after the period in line 18 the following: "As a further condition for issuance of a liquor control license, the licensee must give consent for members of the fire, police and health departments and the building inspector of cities and towns; the county sheriff and county health officer; and members of the state department of public safety, either members of the bureau of criminal investigation or of the highway patrol to enter upon the premises without a warrant to inspect for violations of the provisions of this Act, the provisions of title six (VI) of the Code, or the provisions of ordinances and regulations that cities and towns and boards of supervisors may adopt."

2. Amend section 11 by adding to subsection 6 of the following: "The differential between wholesale and retail prices as set by the commission shall be no greater than fifteen (15) percent."

3. Further amend section 11 by adding the following subsection:

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"12. If the holder of a liquor control license shall have his retail beer permit revoked under mandatory revocation as required in chapter one hundred twenty-four point thirty (124.30) of the Code, the revocation action having been reviewed and upheld by the state permit board, the Iowa liquor control commission shall immediately and finally revoke the liquor control license of such holder. There shall be no investigation by or appeal to the Iowa liquor control commission in such cases."

4. Amend section 14 by adding the following subsections:

"g. Any person who knowingly violates any of the provisions of this Act shall be punished by a fine of not less than three hundred (300) dollars nor more than one thousand (1,000) dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment.

"h. Any establishment upon the premises of which alcoholic liquor is kept or consumed and which has not obtained a license as in this Act provided, or which having obtained such license, suffers or permits any violation of this Act, or of Title six (VI) of the Code, or any ordinance or regulation duly adopted under authority of this Act by a city or town council, or county board of supervisors, is hereby declared to be a liquor nuisance within the meaning of chapter one hundred twenty-eight (128) of the Code, and may be enjoined, abated, and a mulct tax imposed in the same manner and to the same extent as in that chapter provided."

Senator Hill offered the following amendment to the amendment and moved its adoption:

Amend the amendment as follows:

1. By striking from line 14 the words, "to subsection 6" and by inserting in lieu thereof the following: "at the end of line 69".

2. By striking from lines 18 and 19 the words, "the following subsection" and by inserting in lieu thereof the following: "after line 160 the following".

3. By striking from line 28 the words, "the following subsections" and by inserting in lieu thereof the following: "after line 25 the following".

The amendment to the amendment was adopted.

Division 1 of the amendment as amended was considered.

Senator Walker offered the following amendment to the amendment and moved its adoption:

Amend division 1 of the amendment by striking from lines 7, 8 and 9 the following: "; and members of the state department of public safety, either members of the bureau of criminal investigation or of the highway patrol".

The amendment to the amendment was adopted.

On motion of Senator Hill, division 1 of the amendment as amended was adopted.

Senator Hill asked and received unanimous consent to withdraw division 2 of the amendment.

Senator Hill moved the adoption of division 3 of the amendment.

Division 3 of the amendment was lost.

Senator Hill moved the adoption of division 4 of the amendment.

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Division 4 of the amendment was lost.

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

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

The Senate resumed consideration of Senate File 437.

The Chair announced that the Call of the Senate was still in effect and directed the Secretary to call the roll.

Roll call revealed all members present.

Senator Cowden offered the following amendment and moved its adoption:

Amend Senate File 437, section 11, by striking all after the word "mail." in line 95 through line 124.

The amendment was lost.

Senator Long offered the following amendment and moved its adoption:

Amend Senate File 437 by striking from lines 20 and 21 of section 12, the following: "one thousand (1,000) dollars" and inserting in lieu thereof the following: "three thousand (3,000) dollars."

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 19:

Buck	**Fisher**	**Long**	**Vincent**
Burrows	**Flatt**	**Main**	**Walker**
Cowden	**Getting**	**Phelps**	**Walter**
Elijah	**Grimstead**	**Shivvers**	**Wilson**
Elthon	**Hill**	**Stephens**	

Nays, 30:

Benda	**Dykhouse**	**Lodwick**	**Scott**
Beneke	**Elvers**	**Lucken**	**Shaff**
Brown	**Frommelt**	**Mincks**	**Shoeman**
Campbell	**Fulton**	**Nolan**	**Turner**
Coleman	**Griffin**	**O'Malley**	**Van Eaton**
Curran	**Hansen**	**Rigler**	**Wearin**
Dodds	**Kyhl**	**Schroeder**	**Wiley**
Doran	**Lisle**		

Absent or not voting, 1:

Vance

The amendment was lost.

Senator Hill offered the following amendment:

Amend Senate File 437 as follows:
1. By adding the following to section 18:

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"Section one hundred twenty-four point thirty-one (124.31), Code 1962, is hereby amended by striking from lines 18 through 24 the following:

'to the private premises of any bona fide private club or association for which a class "B" permit has been issued, having a select and discriminate membership and owned and operated by and for the benefit of the members which is under the exclusive control of the membership or,'."

2. By adding the following new section:

"Sec. 33. The provisions of this Act shall become effective on January 1, 1964."

Senator Hill moved the adoption of division 1 of the amendment.

Senator Shaff raised a point of order for the reason that division 1 of the amendment was not germane to the bill.

The Chair ruled the point well taken and division 1 of the amendment out of order for the reason that it refers to a section of the Code not under consideration.

Senator Hill moved the adoption of division 2 of the amendment.

Roll call was requested.

On the question "Shall division 2 of the amendment be adopted?" the vote was:

Ayes, 22:

Beneke	Elthon	Lisle	Stephens
Buck	Flatt	Long	Vincent
Burrows	Getting	Main	Walker
Cowden	Griffin	Phelps	Walter
Curran	Grimstead	Shivvers	Wilson
Elijah	Hill		

Nays, 28:

Benda	Elvers	Lucken	Shaff
Brown	Fisher	Mincks	Shoeman
Campbell	Frommelt	Nolan	Turner
Coleman	Fulton	O'Malley	Vance
Dodds	Hansen	Rigler	Van Eaton
Doran	Kyhl	Schroeder	Wearin
Dykhouse	Lodwick	Scott	Wiley

Absent or not voting, none.

Division 2 of the amendment was lost.

Senator Walter offered the following amendment filed by Senators Walter, Main, Cowden, Walker, Getting, Buck, Elijah, Flatt, Hill, Stephens and Elthon:

Amend Senate File 437 by inserting in line eight (8) of section twenty-five (25) after the word "person." the following:

"Upon the trial of any civil or criminal action or proceeding arising out of acts alleged to have been committed by any person while in an intoxicated condition, evidence of the amount of alcohol in the person's blood at the time of the act alleged as shown by a chemical analysis of his blood, breath, saliva or urine is admissible. For the purpose of this section:

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1. Evidence that there was, at that time, five-hundedth (.05) of one (1) percent or less, by weight of alcohol in his blood, is prima facie evidence that the person was not in an intoxicated condition.
2. Evidence that there was, at that time, more than five-hundredths (.05) of one (1) percent and less than fifteen-hundredths (.15) of one (1) percent by weight of alcohol in the person's blood is relevant evidence, but it is not to be given prima facie effect in indicating whether the person was in an intoxicated condition.
3. Evidence that there was, at that time, fifteen-hundredths (.15) of one (1) percent or more by weight of alcohol in his blood, shall be admitted as prima facie evidence that the person was in an intoxicated condition.
4. Percent by weight of alcohol in the blood shall be based upon milligrams of alcohol per one hundred (100) milligrams of blood.

Senator Nolan raised a point of order on the amendment for the reason that the amendment was not germane to the bill.

The Chair ruled the point well taken and the amendment out of order for the reason that the amendment attempts to amend the provisions of the bill relating to the imposition of civil liability. Since the amendment is broader and deals both with civil and criminal actions and rules of evidence, it is beyond the scope of the bill.

Senator Stephens appealed from the ruling of the Chair.

Senator Stephens asked and received unanimous consent to withdraw his appeal.

Senator Walker offered the following amendment:

Amend Senate File 437 by inserting at the end of section 25 the following: "Section one hundred twenty-five point two (125.2), Code 1962, is amended by striking all of said section after the word 'whatever' in line six (6)."

Senator Shaff raised a point of order on the amendment for the reason that the amendment was not germane to the bill.

The Chair ruled the point well taken and the amendment out of order for the reason that it would affect a chapter of the Code not covered by the scope of this bill.

Senator Doran offered the following amendment and moved its adoption:

Amend Senate File 437 as follows:
Amend section 25 by striking the period (.) after the word "person" in line 8 and insert the following: "for all damages actually sustained, as well as exemplary damages."

The amendment was adopted.

Senator Flatt called up for consideration the amendment filed by Senators Flatt, Cowden, Stephens and Hill, filed on April 5 and

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found on pages 768, 769 and 770 of the Senate Journal, and requested an opinion from the Chair as to whether or not the amendment was germane to the bill.

The Chair ruled that the amendment is not germane to the bill. In making this ruling the Chair is following the same basic rules regarding germaneness that have been followed all session. The Chair has carefully restricted the use of amendments which attempted to bring extraneous material into a bill. The orderly handling of bills requires that the main subject of each bill should be strictly followed and that the addition of material not directly connected with the fundamental objectives of a bill should always be ruled as not germane to the contents of a bill.

The Chair also stated that the ruling applies to the amendment to the amendment filed by Senator Walker.

Senator Hill offered the following amendment and moved its adoption:

Amend Senate File 437 as follows:
1. Amend the title by striking the words "home rule".
2. Amend section 1, line 1, by striking the words "Home Rule".

The amendment was lost.

Senator Frommelt offered the following amendment, filed by Senators Frommelt and Dodds, and moved its adoption:

Amend Senate File 437, section 11 as follows:
1. By striking in line 149 the words and figures "one thousand (1,000)" and inserting in lieu thereof the words and figures "five hundred (500)".
2. By striking in line 154 the words and figures "two thousand (2,000)" and inserting in lieu thereof the words and figures "one thousand (1,000)".

The amendment was lost.

Senator Fulton offered the following amendment and moved its adoption:

Amend Senate File 437 by adding the following new section at the end thereof:
"It is hereby declared to be the legislative intent that if this Act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part, sentence or clause thereof, the remaining provisions of the Act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein."

The amendment was adopted.

President pro tempore Vance took the chair at 3:05 p.m.

President Mooty took the chair at 4:00 p.m.

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

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

Rule 8 was invoked.

Ayes, 26:

Benda	Frommelt	Mincks	Shaff
Brown	Fulton	Nolan	Shoeman
Campbell	Griffin	O'Malley	Turner
Coleman	Hansen	Rigler	Van Eaton
Curran	Kyhl	Schroeder	Wearin
Dodds	Lodwick	Scott	Wiley
Elvers	Lucken		

Nays, 24:

Beneke	Elijah	Hill	Stephens
Buck	Elthon	Lisle	Vance
Burrows	Fisher	Long	Vincent
Cowden	Flatt	Main	Walker
Doran	Getting	Phelps	Walter
Dykhouse	Grimstead	Shivvers	Wilson

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 Schroeder moved that the 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 387, a bill for an act to authorize the Iowa development commission to use money appropriated by chapter one (1), section forty-two (42), Acts of the Fifty-ninth General Assembly.

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

Senate File 395, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1963, and ending June 30, 1965, to the state fair board for the purpose of state aid to agricultural societies.

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

Senate File 396, a bill for an act to appropriate from the general fund of the State of Iowa to the state printing board for printing and binding.

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

Senate File 397, a bill for an act relating to the Iowa tax commission's audit revolving fund.

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Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 398, a bill for an act to appropriate from the Iowa public employees retirement system fund to the employment security commission for the costs of the administration.

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

Senate File 412, a bill for an act to make appropriations to members and representatives of the committee on interstate cooperation.

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

House File 171, a bill for an act relating to rates to be charged for products and services furnished by municipal utilities to support municipal revenue bonds or obligations.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 398

Amend Senate File 398 as follows:

1. Amend the title by striking therefrom the following: "five hundred twenty-one thousand dollars ($521,000.00)" and inserting in lieu thereof the following: "five hundred eighty thousand dollars ($580,000.00)."

2. Section 1 by striking from lines four (4) and five (5) the following: "two hundred sixty thousand five hundred dollars ($260,500.00)" and inserting in lieu thereof the following: "two hundred ninety thousand dollars ($290,000.00)."

HOUSE MESSAGE CONSIDERED

House File 171, a bill for an act relating to rates to be charged for products and services furnished by municipal utilities to support municipal revenue bonds or obligations.

Read first and second times and passed on file.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 237 passed the Senate.

ANDREW G. FROMMELT.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 196 passed the Senate.

DONALD G. BENEKE.

COMMUNICATION

The following communication was received from the office of the State Appeal Board:

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OFFICE OF STATE COMPTROLLER

No.	Name of Claimant and Nature of Claim	Amount of Claim
94-60	B. G. Patterson and/or Dust-Tex of Des Moines, West Des Moines, Iowa—Outdated invoice for services	$ 558.43
173-60	Salvador Chia, Des Moines, Iowa—Injuries sustained while passing under overpass, etc.	65,000.00
176-60	City of Ames, Ames, Iowa—Unpaid special assessment in amount of $368.75 levied against property owned by State of Iowa	368.75
209-60	Bessie B. Buchanan, Des Moines, Iowa—Outdated warrants	2,665.00
213-60	R. B. Burch, Inc., Cedar Rapids, Iowa—M. V. Fuel Tax Refund	1,000.00
216-60	Photostat Corporation, Rochester, New York—Delinquent bill	198.20
223-60	C & B Mobile Milling, Strawberry Point, Iowa—Refund on propane fuel	712.80
233-60	David M. Davies, aka Dave Davies, Spencer, Iowa—Unpaid salary	280.00
234-60	Garfield Miller, M.D., Calmar, Iowa—Doctor Bill at scene of accident	70.00
236-60	Clyde Oren Wolford, Council Bluffs, Iowa—Loss of finger at Ft. Madison	150.00
240-60	City of Sibley, Sibley, Iowa—Refund Sales and Use Tax	485.97
241-60	Albin P. Womochil, Mt. Auburn, Iowa—Deer damage	200.00
244-60	Glenn T. Schellhammer dba Schellhammer Funeral Home, West Bend, Iowa—Funeral expense	189.46
245-60	Norman E. Schoening, Greenfield, Iowa—License Refund	399.50
246-60	Ed Hrubes, Britt, Iowa—Contract Carrier Permit	5.00
247-60	Miller Motors Corporation, Clarinda, Iowa—Fire damage	968.00
248-60	Smith Memorial Hospital, Decorah, Iowa—Hospital bill	157.95
249-60	Franklin County Treasurer, Hampton, Iowa—Ag Land Tax Credit	92.32
250-60	Iowa Lutheran Hospital, Des Moines, Iowa—Hospital bill	340.65
251-60	Mitchell County, Iowa, Osage, Iowa—State payment of $3.00 per week under sec. 227.16-18 inc.	72.00

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No.	Name of Claimant and Nature of Claim	Amount of Claim
253-60	Vernon G. Helgens, Scotch Grove, Iowa—Death	40,000.00
254-60	Guthrie County, Guthrie Center, Iowa—Illegal care charges	4,851.66
255-60	Miss M. Kay Cullen, Mt. Etna, Iowa—Unpaid salary	27.50
257-60	Grundy County, Iowa, Grundy Center, Iowa—Sales and Use Tax	198.32
258-60	Leonard Schwerdtfeger, Parkersburg, Iowa—Crop damage	1,199.03
259-60	Terry Lee Sims, Des Moines, Iowa—Unlawful arrest	95,000.00
260-60	Harry Detler Hagge, Cedar Falls, Iowa—Salary increase	25.00
262-60	Woodbury County, Iowa, Sioux City, Iowa—Claim against Board of Control	202.90
263-60	State Tax Commission, Des Moines, Iowa—Military credit	73.79
365-60	The Rock Island Motor Transit Company, Des Moines, Iowa—Motor Carrier Fee Refund	765.00
366-60	Arlee G. W. Blank, Independence, Iowa—Outdated warrant	21.80
367-60	Ralph Leroy Harley, Sr., Des Moines, Iowa—License Refund	11.00
368-60	H & W Motor Express Co., Dubuque, Iowa—Motor Carrier Fee Refunds	335.00
370-60	Elliott Flying Service, Inc., Davenport, Iowa—Use Tax Refund	1,994.71
371-60	L. W. Fackler, Des Moines, Iowa—Deer	72.87
373-60	Woodbine Community School Dist. No. 2, Woodbine, Iowa—Sales and Use Tax Refund	4,539.75
374-60	Highview Cooperative Elevator, Highview, Iowa—Highway Patrol accident	123.00
375-60	Farmers Elevator Mutual Insurance Co., Des Moines, Iowa—Highway Patrol Accident	376.57
376-60	Mr. F. B. Maloy, Mount Ayr, Iowa—Gas tax refund	33.78
377-60	Earl Wagner Sand & Gravel, Monroe, Iowa—Gas tax refund	246.96
378-60	Board of Control of State Institutions, Des Moines, Iowa—Unpaid FICA	47.79
379-60	Ruth S. or Daniel R. Beary, Lovilia, Iowa—Overcharge license plates	13.00

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380-60	Town of Buffalo, Buffalo, Iowa—Sales and Use Tax.....	739.77
381-60	Wendall E. Woods, Newton, Iowa—Salary due from the City of Newton, Iowa	384.00
382-60	Franklin Huber, Blakesburg, Iowa—Motor vehicle refund warrant (old)	14.82
H-48-60	L. E. Copeland. Sioux City, Iowa—Cost of repairing property damage	1,120.00
H-50-60	Dale E. Matteson, Marengo, Iowa—Injury suffered in line of duty with Highway Commission	3,200.00
H-52-60	Lee County, Fort Madison, Iowa—Grade crossing light..	6,987.82
H-53-60	Ida Johnson, Avoca, Iowa—Spray damage	9.40
H-54-60	Farm Bureau Mutual Insurance Co., Des Moines, Iowa —Auto damage	1,112.20

REPORTS OF COMMITTEES

Senator Long submitted the following report:

MR. PRESIDENT: Your committee on insurance to which was referred **Senate File 48**, a bill for an act relating to insurance protection for volunteer civil defense workers while engaged in civil defense activities, begs leave to report it has had the same under consideration and recommends the same **do pass.**

IRVING D. LONG, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on insurance to which was referred **House File 222**, a bill for an act to amend chapter five hundred fifteen (515), Code 1962, relating to insurance other than life, 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, section 1, line 5, by inserting after the word "providing" the following: "that such insurance is restricted to the type and kind of insurance authorized by this chapter and".

IRVING D. LONG, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on insurance to which was referred **House File 319**, a bill for an act regulating the sale of mortgage guaranty insurance by licensed insurance companies, begs leave to report it has had the same under consideration and recommends the same **do pass.**

IRVING D. LONG, *Chairman.*

Ordered passed on file.

Senator Elijah submitted the following report:

MR. PRESIDENT: Your committee on tax revision to which was referred **Senate File 88**, a bill for an act relating to exemption from the provisions of retail sales tax of certain dairy, poultry and produce containers, begs

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leave to report it has had the same under consideration and recommends the same **do pass.**

EARL ELIJAH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on tax revision to which was referred **House File 110,** a bill for an act relating to old age pensioners' homes, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EARL ELIJAH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on tax revision to which was referred **House File 420,** a bill for an act to permit an increase in the maximum levy for ordinary revenue allowed upon the assessed valuation of the taxable property in the county, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EARL ELIJAH, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 220 by adding the following new sections:

Sec. 10. Section three hundred twenty-four point three (324.3), Code 1962, is hereby amended by striking from line two (2) the word "six" and inserting in lieu thereof the word "seven" (7).

Sec. 11. Section three hundred twenty-four point thirty-four (324.34), Code 1962, is hereby amended by striking from line six (6) the word "seven" and inserting in lieu thereof the word "eight" (8).

Sec. 12. There is hereby appropriated from the "Highway Construction Fund" an amount equivalent to the net revenue from one (1) cent of gasoline tax and from one (1) cent of diesel fuel tax as provided in sections three hundred twenty-four point three (324.3) and three hundred twenty-four point thirty-four (324.34), Code 1962, in the year preceding the year of issuance of such bonds as provided for in this Act for the purpose of retiring such bonds by providing for a sum sufficient to pay the interest and principal necessary to retire such bonds without the use of funds available from the road use tax funds or highway construction funds or any other source of funds that constitute the road use tax fund prior to the enactment of this Act.

MARTIN WILEY.

Amend Senate File 406 as follows:

1. By inserting in line 61 of the preamble preceding the figure ".03" the word "point".

2. By inserting in line 62 of the preamble following the figure "(N¼)" the word "corner".

3. By inserting in line 63 of the preamble preceding the figure ".06" the word "point" and striking the words "of the Northwest (NW)" following the word "East".

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4. By inserting in line 66 of the preamble preceding the figure ".06" the word 'point".

5. By changing the word in line 124 of the preamble from "highway" to "highways".

ROBERT R. RIGLER.

Amend Senate File 408 as follows:

1. By striking all after the enacting clause and by inserting in lieu thereof the following:

"Section 1. Chapter two hundred twenty-six (226), Code 1962, is hereby amended by adding thereto the following new sections:

'1. There is hereby established at each hospital a fund known as the patients' personal deposit fund.'

'2. Any funds coming into the possession of the superintendent or any employee of the hospital belonging to any patient in that hospital, shall be deposited in the name of that patient in the patients' personal deposit fund, except that if a guardian of the property of that patient has been appointed, the guardian shall have the right to demand and receive such funds. Funds belonging to a patient deposited in the patients' personal deposit fund may be used for the purpose of personal incidentals, desires and comforts for the patient.'

'3. Whenever the amount to the account of any patient in the patients' personal deposit fund exceeds the sum of two hundred (200) dollars, the business manager of the hospital may apply any of the excess to reimburse the county of legal settlement for liability incurred by such county for the payment of care, support and maintenance of the patient, when billed therefor by the county of legal settlement.'

'4. The business manager shall deposit the patients' personal deposit fund in a commercial account of a bank of reputable standing. When deposits in the commercial account exceed average monthly withdrawals, the business manager may deposit the excess at interest. The savings account shall be in the name of the patients' personal deposit fund and interest paid thereon may be used for recreational purposes at the hospital.'"

"Sec. 2. Chapter two hundred twenty-three (223) is hereby amended by adding the following new sections:

'1. There is hereby established at each hospital a fund known as the patients' personal deposit fund.'

'2. Any funds coming into the possession of the superintendent or any employee of the hospital belonging to any patient in that hospital, shall be deposited in the name of that patient in the patients' personal deposit fund, except that if a guardian of the property of that patient has been appointed, the guardian shall have the right to demand and receive such funds. Funds belonging to a patient deposited in the patients' personal deposit fund may be used for the purchase of personal incidentals, desires and comforts for the patient.'

'3. Whenever the amount to the account of any patient in the patients' personal deposit fund exceeds the sum of two hundred (200) dollars, the business manager of the hospital

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may apply any of the excess to reimburse the county of legal settlement for liability incurred by such county for the payment of care, support and maintenance of the patient, when billed therefor by the county of legal settlement.'

'4. The business manager shall deposit the patients' personal deposit fund in a commercial account of a bank of reputable standing. When deposits in the commercial account exceed average monthly withdrawals, the business manager may deposit the excess at interest. The savings account shall be in the name of the patients' personal deposit fund and interest paid thereon may be used for recreational purposes at the hospital.' "

2. By striking the period (.) in the title and adding thereto the following words: "and mentally retarded patients in state hospital-schools."

J. HENRY LUCKEN.

On motion of Senator Rigler, the Senate adjourned until 9:00 a.m., Thursday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 11, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Robert Dodder, pastor of the Methodist Church, Guthrie Center, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Dykhouse for the day on request of Senator Van Eaton; Senator Fisher for the day on request of Senator Long; Senator Kyhl for the day on request of Senator Wearin.

PETITIONS

By Senator Curran, from fourteen residents of Cerro Gordo County in opposition to proposed legislation relating to the licensing and qualifications of physical therapists.

By Senator Lisle, from thirty-one residents of Page County in opposition to liquor by the drink.

PRESENTATION OF VISITORS

Senator Wearin asked and received unanimous consent to present to the Senate fifty-two students from the Red Oak Community School, who were present in the balcony accompanied by their instructor, Mildred Fuller, and their principal, Robert Williams. Included in the group were Andy, Sarah, Catherine and Helen Wearin.

Senator Lucken, on behalf of Senator Dykhouse, asked and received unanimous consent to present to the Senate forty-three students from the Orange City High School who were present in the balcony accompanied by their instructor, Peter Vander Kooy, Jr.

Senator Benda asked and received unanimous consent to present to the Senate thirty-five students from the Amana High School who were present in the balcony accompanied by their instructors, R. Wheeler and Rudolph Pitz, and their superintendent, Charles L. Selzer.

Senator Coleman asked and received unanimous consent to present to the Senate five citizen essay contest winners of the Manson High

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School who were present in the Senate chamber accompanied by G. L. Scoles.

Senator Campbell asked and received unanimous consent to present to the Senate sixty-three students from the Pekin High School, Packwood, who were present in the balcony accompanied by their instructors, Batt Maher and Kenneth Reed, and their superintendent, C. E. Thorp.

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

EXECUTIVE SESSION

The Senate in executive session confirmed the following appointment:

Harry J. Bradley, Jr., of Des Moines, Polk County, Iowa, as a member of the State Highway Commission for the unexpired term ending June 3, 1965.

The Senate arose from executive session and resumed regular session.

UNFINISHED BUSINESS

On motion of Senator Brown, Senate File 392, a bill for an act to exempt personal property in transit from taxation, was taken up for further consideration.

The following committee amendment was considered:

Senate File 392 is amended by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section four hundred twenty-seven point one (427.1), Code 1962, is hereby amended by adding thereto the following new subsection:

'All personal property in transit.'

"Sec. 2. Chapter four hundred twenty-seven (427), Code 1962, is hereby amended by adding thereto the following new sections:

1. 'When used in this chapter, the term "personal property in transit" means inanimate tangible personal property, goods, wares and merchandise:

(a) Which is moving in interstate commerce through or over the State of Iowa, or

(b) Which is consigned to a private warehouse within the State of Iowa from outside the State of Iowa for storage in transit to a final destination outside the State of Iowa, whether the out-of-state ultimate destination was specified when transportation begins or afterward.

2. a. ' "Private warehouse", for the purposes of this chapter, shall mean any building, structure, or inclosure used or to be used for storage of inanimate tangible goods, wares or merchandise by and belonging to private person, partnership, joint venture, corporation, fiduciary, trust or estate.

b. "Personal property in transit" is deemed to have acquired no situs in Iowa for purposes of taxation. Such "person property in transit" shall not be deprived of exemption because it is, or may be, bound, divided, severed, broken in bulk, labeled or relabeled, packaged or repackaged while in the

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warehouse or because the property is being held for reconsignment outside the State of Iowa.

3. a. 'All personal property claimed to be "person property in transit" shall be designated as such upon the books and records of the warehouse where such personal property is located.

b. The books and records of the warehouse shall be of such nature as to show a description of the property, the quantity, value and source of each shipment received and a description of the property, the quantity, value and destination of all goods taken from the warehouse, with each such receipt or release of such goods dated and described. Such records shall be transmitted to the assessor or assessors of the taxing district or districts in which the warehouse is located for examination and verification and at such time show a recapitulation which must reveal that all shipments (or parts thereof) received are either on hand or disposed of by delivery or destruction and, if by destruction, by what means destroyed or partially destroyed, and if partially destroyed, then what disposition was effected. The annual date of such transmittal of such records shall be not later than February first of each year and shall cover the annual accounting period of the warehouse as established on its books and records for all purposes which period has concluded prior to January first of each year. Such other reports as may be required by assessors on a periodic basis may be transmitted in form of a written report or in form of copies of bills of lading countersigned by the consignee or his agent containing the factors first enumerated above, as mutually agreed upon by the assessor, or assessors, and operator of the warehouse.

c. The books and records of any warehouse in which "personal property in transit" is stored shall be open at all times to the inspection of authorized personnel of the state tax commission and the taxing authorities of any political subdivision of the State of Iowa.

4. 'Any person, firm, co-partnership, association, corporation, joint venture, fiduciary, trust or estate making claim to no situs status of any property under this chapter shall do so in the form and manner prescribed by the state tax commission on or before February first of each personal property tax assessment year. Such claim shall be filed with the assessor or assessors of the district or districts in which the property is situated. All such claims shall be accompanied by a certification of the warehouse operator as to the status on its books of the property involved, and all such claims shall be allowed in accordance with the decision of the board or boards of review of such taxing district or districts in which the property is situated.

5. 'Where the records of the warehouse indicate, or where an audit of such records indicates, as the case may be, that goods handled by or disposed of through such warehouse with a destination within the State of Iowa, the total market value of such goods with such destination shall be taken into account in determination of their actual value in accordance with sections four hundred twenty-eight point seventeen (428.17) and four hundred twenty-eight point twenty-one (428.21) of the Code, and such actual value shall be the basis for determining the assessed valuation of merchandise inventory of the warehouse for the year next following the year for which such total market value is computed.

6. 'If any owner, shipper, warehouse operator, or the agent or employee of any owner, shipper, or warehouse operator shall misrepresent, conceal or secrete any personal property as defined herein of which he is possessed either by title or by custody so as to evade or avoid assessment or levy of

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taxes, then such owner, shipper, or warehouse operator shall be liable to the taxing district in which the personal property is located at the time of such misrepresentation, concealment or secreting of such personal property for such assessment or levy of taxes so evaded or avoided plus a penalty of five per cent (5%) for each month of such evasion or avoidance up to a maximum of twenty-five per cent (25%) plus interest on the amount of such assessment or levy of taxes at the rate of six per cent (6%) per annum.

7. 'If any person wilfully makes or causes to be made any statement to the officer charged with assessment or valuation of property for tax purposes in his taxing district containing a false statement of a material fact, be he owner, shipper, storageman, or warehouseman, he shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than one hundred (100) dollars or more than five hundred (500) dollars or by imprisonment in the county jail for not less than thirty (30) days or more than one hundred fifty (150) days.'"

On motion of Senator Curran, the committee amendment was adopted.

Senator Frommelt asked and received unanimous consent to withdraw the amendment filed by him on April 2 and found on page 716 of the Senate Journal.

Senator Brown moved that the bill be read a third 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:

Benda	Elijah	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Flatt	Lucken	Turner
Buck	Frommelt	Mincks	Vance
Burrows	Fulton	Nolan	Van Eaton
Campbell	Getting	O'Malley	Vincent
Coleman	Griffin	Phelps	Walter
Cowden	Grimstead	Rigler	Wearin
Curran	Hansen	Schroeder	Wiley
Dodds	Hill	Scott	Wilson
Doran	Lisle		

Nays, 2:

Main	Shaff

Absent or not voting, 6:

Dykhouse	Fisher	Stephens	Walker
Elthon	Kyhl		

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

Senator Brown asked and received unanimous consent that Senate File 392 be immediately messaged to the House, which request was complied with.

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MOTION TO RECONSIDER

Senator Shaff called up the following motion:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 404 passed the Senate.

FRANKLIN S. MAIN.
ORVAL C. WALTER.

The Chair announced that the "Call of the Senate" on Senate File 404 and all motions and amendments thereto was still in effect.

Senator Shaff asked unanimous consent that the rules be suspended and that the absent Senators be excused from the Call of the Senate on Senate File 404.

Objection was raised.

Senator Shaff moved that the rules be suspended and that the absent Senators be excused from the Call of the Senate on Senate File 404.

Senator Shaff asked and received unanimous consent to withdraw his motion.

Senator Nolan took the chair at 10:00 a.m.

HOUSE AMENDMENT CONSIDERED

Senator Shoeman called up for consideration Senate File 398, a bill for an act to appropriate from the Iowa public employees retirement system fund five hundred twenty-one thousand dollars ($521,000.00) to the employment security commission for the costs of the administration of chapter ninety-seven B (97B), Code 1962, amended by the House, and moved that the Senate concur in the following amendment:

HOUSE AMENDMENT TO SENATE FILE 398

Amend Senate File 398 as follows:

1. Amend the title by striking therefrom the following: "five hundred twenty-one thousand dollars ($521,000.00)" and inserting in lieu thereof the following: "five hundred eighty thousand dollars ($580,000.00)."

2. Section 1 by striking from lines four (4) and five (5) the following: "two hundred sixty thousand five hundred dollars ($260,500.00)" and inserting in lieu thereof the following: "two hundred ninety thousand dollars ($290,000.00)."

The Senate concurred in the House amendment.

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

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

Ayes, 47:

Benda	Elthon	Long	Shoeman
Beneke	Elvers	Lucken	Stephens
Brown	Flatt	Main	Turner
Buck	Frommelt	Mincks	Vance
Burrows	Fulton	Nolan	Van Eaton
Campbell	Getting	O'Malley	Vincent
Coleman	Griffin	Phelps	Walker
Cowden	Grimstead	Rigler	Walter
Curran	Hansen	Schroeder	Wearin
Dodds	Hill	Scott	Wiley
Doran	Lisle	Shaff	Wilson
Elijah	Lodwick	Shivvers	

Nays, none.

Absent or not voting, 3:

Dykhouse	Fisher	Kyhl

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 Shaff, Senate File 336, a bill for an act to amend chapter three hundred ninety-one (391), Code 1962, relating to street improvements and sewers to eliminate the right of the owner of property assessed therefor to prepay such assessment or any installment thereof unless such assessment is paid within thirty days after the date of levy of such assessment, was taken up for further consideration.

Senator Flatt moved that Senate File 336 be laid on the table, which motion prevailed.

On motion of Senator Rigler, House File 452, a bill for an act relating to economic development corporations, was taken up for further consideration.

Senator Rigler offered the following amendment and moved its adoption:

Amend House File 452 by inserting after the period (.) in section 10, line 6, the following:

"Provided that a financial institution may at any time withdraw from membership without such notice in the event of its merger with another financial institution, after commencement of proceedings for voluntary or involuntary dissolution, receivership, or reorganization pursuant to or by operation of federal or state law or in the event of conversion from a state financial institution to a federal financial institution or the reverse."

The amendment was adopted.

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

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

Ayes, 44:

Benda	Elthon	Long	Shoeman
Brown	Elvers	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Nolan	Vance
Campbell	Fulton	O'Malley	Van Eaton
Coleman	Getting	Phelps	Vincent
Cowden	Grimstead	Rigler	Walker
Curran	Hansen	Schroeder	Walter
Dodds	Hill	Scott	Wearin
Doran	Lisle	Shaff	Wiley
Elijah	Lodwick	Shivvers	Wilson

Nays, none.

Absent or not voting, 6:

Beneke	Fisher	Kyhl	Mincks
Dykhouse	Griffin		

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

Senator Rigler asked and received unanimous consent that Senate File 405 be withdrawn from further consideration of the Senate.

Senator Wearin took the chair at 10:40 a.m.

On motion of Senator Lucken, Senate File 408, a bill for an act relating to the funds and support of mentally ill patients in the state mental health institutes, was taken up for further consideration.

Senator Lucken asked and received unanimous consent to withdraw the amendment filed by him on April 3 and found on page 741 of the Senate Journal.

Senator Lucken asked and received unanimous consent that action on Senate File 408 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Lisle, House File 213, a bill for an act to amend chapter three hundred twenty-eight (328), Code 1962, relating to compensation of the members of the aeronautics commission, was taken up for further consideration.

Senator Lisle moved that the bill be read a third 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:

Benda	Campbell	Elijah	Frommelt
Brown	Cowden	Elthon	Fulton
Buck	Dodds	Elvers	Getting
Burrows	Doran	Flatt	Hansen

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Hill	Nolan	Scott	Walter
Lisle	O'Malley	Stephens	Wearin
Long	Schroeder	Van Eaton	Wilson
Mincks			

Nays, 13:

Beneke	Lucken	Shaff	Vincent
Coleman	Phelps	Shivvers	Walker
Curran	Rigler	Turner	Wiley
Lodwick			

Absent or not voting, 8:

Dykhouse	Griffin	Kyhl	Shoeman
Fisher	Grimstead	Main	Vance

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 Wilson, Senate File 342, a bill for an act relating to an extension of time for filing application for Korean veterans' bonus, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered:

1. Amend Senate File 342, section 1, line 4, by striking the words "December 31, 1963" and inserting in lieu thereof the words "July 4, 1963".

2. Further amend Senate File 342 by adding the following section:

"Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Iowegian and Citizen, a newspaper published at Centerville, Iowa, and in The Brooklyn Chronicle, a newspaper published at Brooklyn, Iowa."

On motion of Senator Wilson, the committee amendment was adopted.

Senator Wilson moved that the bill be read a third 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:

Benda	Elthon	Long	Shoeman
Beneke	Elvers	Lucken	Stephens
Brown	Flatt	Main	Turner
Buck	Frommelt	Mincks	Vance
Burrows	Fulton	Nolan	Van Eaton
Campbell	Getting	O'Malley	Vincent
Coleman	Griffin	Phelps	Walker
Cowden	Grimstead	Rigler	Walter
Curran	Hansen	Schroeder	Wearin
Dodds	Hill	Scott	Wiley
Doran	Lisle	Shaff	Wilson
Elijah	Lodwick	Shivvers	

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Nays, none.

Absent or not voting, 3:

Dykhouse	Fisher	Kyhl

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

Senator Wilson asked and received unanimous consent that Senate File 342 be immediately messaged to the House, which request was complied with.

Senator O'Malley took the chair at 11:20 a.m.

On motion of Senator Lucken, Senate File 348, a bill for an act to authorize the secretary of agriculture of the State of Iowa to provide regulations setting forth minimum general safety standards for design, construction, location, installation and operation of storage facilities, the handling of transportation and utilization of anhydrous ammonia as an agricultural fertilizer; to provide for penalties for violation of this Act and the rules and regulations enacted thereunder, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Lucken asked and received unanimous consent that action on Senate File 348 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Phelps, Senate File 415, a bill for an act to set octane rating number for regular and premium grade gasoline, was taken up and considered.

Senator Phelps moved that the bill be read a third 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:

Benda	Elvers	Lucken	Shoeman
Brown	Flatt	Main	Stephens
Buck	Frommelt	Mincks	Turner
Burrows	Fulton	Nolan	Vance
Campbell	Getting	O'Malley	Van Eaton
Coleman	Griffin	Phelps	Vincent
Cowden	Grimstead	Rigler	Walker
Curran	Hansen	Schroeder	Walter
Dodds	Hill	Scott	Wearin
Doran	Lisle	Shaff	Wiley
Elijah	Lodwick	Shivvers	Wilson
Elthon	Long		

Nays, none.

Absent or not voting, 4:

Beneke	Dykhouse	Fisher	Kyhl

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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 Wearin, Senate File 416, a bill for an act relating to the preparation and publication of the proposed budget for each school district, was taken up and considered.

Senator Wearin offered the following amendment:

Amend Senate File 416 by striking from section 1 subsections 4 and 5.

Senator Shaff asked and received unanimous consent that action on Senate File 416 be deferred and that the bill be placed on the calendar under "unfinished business."

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

AFTERNOON SESSION

The Senate reconvened, Senator Elijah presiding.

On motion of Senator Stephens, Senate File 417, a bill for an act to provide an indemnity for the owner of hogs contracting hog cholera, was taken up and considered.

Senator Walker offered the following amendment and moved its adoption:

Amend Senate File 417 by striking section 7 and substituting in lieu thereof the following:

"Sec. 7. It is the intent of this Act that no state appropriated funds shall be used for indemnity purposes. All money made available for indemnity payments shall be placed in a fund known as the Hog Cholera Indemnity Fund."

The amendment was adopted.

Senator Stephens moved that the bill be read a third 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:

Benda	Doran	Lodwick	Shivvers
Beneke	Elijah	Lucken	Shoeman
Brown	Elthon	Main	Stephens
Buck	Elvers	Nolan	Van Eaton
Burrows	Flatt	O'Malley	Vincent
Campbell	Fulton	Phelps	Walker
Coleman	Getting	Rigler	Walter
Cowden	Grimstead	Schroeder	Wearin
Curran	Hansen	Scott	Wiley
Dodds	Lisle	Shaff	Wilson

Nays, 3:

Frommelt	Hill	Mincks

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Absent or not voting, 7:

Dykhouse	Griffin	Long	Vance
Fisher	Kyhl	Turner	

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

On motion of Senator Buck, House File 280, a bill for an act relating to the place of holding election meetings to elect members of the county agricultural extension council, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Lodwick asked and received unanimous consent that action on House File 280 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator O'Malley, Senate File 257, a bill for an act relating to the practice of accountancy, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 46:

Benda	Elthon	Long	Shivvers
Beneke	Elvers	Lucken	Shoeman
Brown	Flatt	Main	Stephens
Buck	Frommelt	Mincks	Vance
Burrows	Fulton	Nolan	Van Eaton
Campbell	Getting	O'Malley	Vincent
Coleman	Griffin	Phelps	Walker
Cowden	Grimstead	Rigler	Walter
Curran	Hansen	Schroeder	Wearin
Dodds	Hill	Scott	Wiley
Doran	Lisle	Shaff	Wilson
Elijah	Lodwick		

Nays, none.

Absent or not voting, 4:

Dykhouse	Fisher	Kyhl	Turner

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

On motion of Senator Nolan, Senate File 220, a bill for an act to provide for the construction and reconstruction of state and interstate highways, to provide for the payment of the cost thereof from road use tax funds and to authorize the borrowing of money and the issuance of bonds in anticipation of the collection of such funds, with

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report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Nolan asked and received unanimous consent that action on Senate File 220 be deferred and that the bill be placed on the calendar under "unfinished business."

Senator Buck took the chair at 2:00 p.m.

On motion of Senator Doran, Senate File 344, a bill for an act to amend section two hundred seventy-five point forty (275.40), Code 1962, relating to the merger of school districts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Doran asked and received unanimous consent that House File 392 be substituted for Senate File 344.

On motion of Senator Doran, House File 392, a bill for an act to amend section two hundred seventy-five point forty (275.40), Code 1962, relating to the merger of school districts, was taken up and considered.

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

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

Ayes, 44:

Benda	Elijah	Long	Shivvers
Beneke	Elvers	Lucken	Shoeman
Brown	Flatt	Main	Stephens
Buck	Frommelt	Mincks	Vance
Burrows	Fulton	Nolan	Van Eaton
Campbell	Getting	O'Malley	Vincent
Coleman	Grimstead	Phelps	Walker
Cowden	Hansen	Rigler	Walter
Curran	Hill	Schroeder	Wearin
Dodds	Lisle	Scott	Wiley
Doran	Lodwick	Shaff	Wilson

Nays, none.

Absent or not voting, 6:

Dykhouse	Fisher	Kyhl	Turner
Elthon	Griffin		

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

Senator Doran asked and received unanimous consent that Senate File 344 be withdrawn from further consideration of the Senate.

On motion of Senator Wearin, Senate File 365, a bill for an act to repeal section two hundred seventy-nine point thirty-one (279.31),

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Code 1962, relating to the powers and duties of school boards, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wearin moved that the bill be read a third 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:

Benda	Doran	Lodwick	Scott
Beneke	Elijah	Long	Shoeman
Brown	Elvers	Lucken	Stephens
Buck	Flatt	Mincks	Van Eaton
Burrows	Frommelt	Nolan	Vincent
Campbell	Getting	O'Malley	Walker
Coleman	Griffin	Phelps	Walter
Cowden	Grimstead	Rigler	Wearin
Curran	Hansen	Schroeder	Wilson
Dodds			

Nays, 6:

Fulton	Main	Shivvers	Wiley
Hill	Shaff		

Absent or not voting, 7:

Dykhouse	Fisher	Lisle	Vance
Elthon	Kyhl	Turner	

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

On motion of Senator Schroeder, House File 44, a bill for an act relating to commercial driving schools and instructors and providing penalties for violation of the provisions thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Schroeder 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 Cowden, House File 191, a bill for an act relating to reciprocal agreements for the supervision of mentally ill or mentally retarded persons on convalescent leave, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

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Ayes, 43:

Benda	Elijah	Lucken	Shoeman
Beneke	Elvers	Main	Stephens
Brown	Flatt	Mincks	Van Eaton
Buck	Frommelt	Nolan	Vance
Burrows	Fulton	O'Malley	Vincent
Campbell	Getting	Phelps	Walker
Coleman	Griffin	Rigler	Walter
Cowden	Hansen	Schroeder	Wearin
Curran	Hill	Scott	Wiley
Dodds	Lodwick	Shaff	Wilson
Doran	Long	Shivvers	

Nays, none.

Absent or not voting, 7:

Dykhouse	Fisher	Kyhl	Turner
Elthon	Grimstead	Lisle	

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

On motion of Senator Flatt, House File 248, a bill for an act to permit specially qualified high school students to attend a college or university for advanced courses, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

Senator Schroeder asked and received unanimous consent that the vote by which House File 248 went to its third reading be reconsidered.

Senator Schroeder asked and received unanimous consent that House File 248 be re-referred to the committee on schools and educational institutions.

On motion of Senator Campbell, House File 291, a bill for an act to set speed limits on roadways at institutions under the control of the state board of regents, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Phelps took the chair at 2:45 p.m.

Senator Campbell moved that the bill be read a third 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:

Benda	Brown	Burrows	Coleman
Beneke	Buck	Campbell	Cowden

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Curran	Hill	Rigler	Vance
Dodds	Lisle	Schroeder	Van Eaton
Doran	Lodwick	Scott	Vincent
Elijah	Lucken	Shaff	Walker
Elvers	Main	Shivvers	Walter
Flatt	Mincks	Shoeman	Wearin
Getting	Nolan	Stephens	Wiley
Griffin	O'Malley	Turner	Wilson
Hansen	Phelps		

Nays, none.

Absent or not voting, 7:

Dykhouse	Fisher	Grimstead	Long
Elthon	Fulton	Kyhl	

Voting, present, 1:

Frommelt

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

On motion of Senator Doran, House File 358, a bill for an act relating to the manner of estimating state aid for school budgeting purposes, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 42:

Benda	Elijah	Lucken	Stephens
Beneke	Elvers	Nolan	Turner
Brown	Flatt	O'Malley	Vance
Buck	Frommelt	Phelps	Van Eaton
Burrows	Getting	Rigler	Vincent
Campbell	Griffin	Schroeder	Walker
Coleman	Grimstead	Scott	Walter
Cowden	Hansen	Shaff	Wearin
Curran	Hill	Shivvers	Wiley
Dodds	Lisle	Shoeman	Wilson
Doran	Lodwick		

Nays, none.

Absent or not voting, 8:

Dykhouse	Fisher	Kyhl	Main
Elthon	Fulton	Long	Mincks

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

On motion of Senator Benda, Senate File 292, a bill for an act to amend section three hundred twenty-one point fifty (321.50), Code 1962, relating to notation and release of liens on motor vehicles, with

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report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Benda asked and received unanimous consent that House File 487 be substituted for Senate File 292.

On motion of Senator Benda, House File 487, a bill for an act to amend section three hundred twenty-one point fifty (321.50), Code 1962, relating to notation and release of liens on motor vehicles, was taken up and considered.

Senator Benda moved that the bill be read a third 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:

Benda	Elijah	Lucken	Stephens
Beneke	Elvers	Nolan	Turner
Brown	Flatt	O'Malley	Vance
Buck	Frommelt	Phelps	Van Eaton
Burrows	Getting	Rigler	Vincent
Campbell	Grimstead	Schroeder	Walker
Coleman	Hansen	Scott	Walter
Cowden	Hill	Shaff	Wearin
Curran	Lisle	Shivvers	Wiley
Dodds	Lodwick	Shoeman	Wilson
Doran			

Nays, none.

Absent or not voting, 9:

Dykhouse	Fulton	Kyhl	Main
Elthon	Griffin	Long	Mincks
Fisher			

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

Senator Benda asked and received unanimous consent that Senate File 292 be withdrawn from further consideration of the Senate.

Senator Schroeder asked and received unanimous consent to take up, out of order, Senate File 441.

On motion of Senator Schroeder, Senate File 441, a bill for an act relating to salaries paid to the clerks of the grand juries, was taken up and considered.

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

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

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Ayes, 41:

Benda	Elijah	Lucken	Stephens
Beneke	Elvers	Nolan	Turner
Brown	Flatt	O'Malley	Vance
Buck	Frommelt	Phelps	Van Eaton
Burrows	Getting	Rigler	Vincent
Campbell	Grimstead	Schroeder	Walker
Coleman	Hansen	Scott	Walter
Cowden	Hill	Shaff	Wearin
Curran	Lisle	Shivvers	Wiley
Dodds	Lodwick	Shoeman	Wilson
Doran			

Nays, none.

Absent or not voting, 9:

Dykhouse	Fulton	Kyhl	Main
Elthon	Griffin	Long	Mincks
Fisher			

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

On motion of Senator Buck, Senate File 321, a bill for an act to amend, revise, and codify the statutes relating to juvenile court structure and dependent, neglected, and delinquent children, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Buck asked and received unanimous consent that action on Senate File 321 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Lucken, Senate File 428, a bill for an act to authorize the board of control to permit the state libraries and historical department—division of archives—to copy or reproduce by any photographic, photostatic, microfilm, microcard, or other process which accurately reproduces a durable medium for reproducing the original and to destroy in the manner prescribed by law such records of inmates designated in chapter two hundred eighteen point twenty-one (218.21), Code 1962, was taken up and considered.

Senator Lucken moved that the bill be read a third 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:

Benda	Cowden	Frommelt	Lucken
Beneke	Curran	Getting	Nolan
Brown	Dodds	Grimstead	O'Malley
Buck	Doran	Hansen	Phelps
Burrows	Elijah	Hill	Rigler
Campbell	Elvers	Lisle	Schroeder
Coleman	Flatt	Lodwick	Scott

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Shaff	Turner	Vincent	Wearin
Shivvers	Vance	Walker	Wiley
Shoeman	Van Eaton	Walter	Wilson
Stephens			

Nays, none.

Absent or not voting, 9:

Dykhouse	Fulton	Kyhl	Main
Elthon	Griffin	Long	Mincks
Fisher			

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 77, a bill for an act to authorize the governing bodies of the cities and counties of Iowa and adjoining states to create regional or metropolitan planning commissions, and for school districts and other such bodies to participate in such commissions, 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, 40:

Benda	Elijah	Lucken	Stephens
Brown	Elvers	Nolan	Turner
Buck	Flatt	O'Malley	Vance
Burrows	Frommelt	Phelps	Van Eaton
Campbell	Getting	Rigler	Vincent
Coleman	Grimstead	Schroeder	Walker
Cowden	Hansen	Scott	Walter
Curran	Hill	Shaff	Wearin
Dodds	Lisle	Shivvers	Wiley
Doran	Lodwick	Shoeman	Wilson

Nays, none.

Absent or not voting, 10:

Beneke	Fisher	Kyhl	Main
Dykhouse	Fulton	Long	Mincks
Elthon	Griffin		

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

On motion of Senator Turner, House File 114, a bill for an act relating to the marking of ballots, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

Ayes, 40:

Benda	Elijah	Lucken	Stephens
Brown	Elvers	Nolan	Turner
Buck	Flatt	O'Malley	Vance
Burrows	Frommelt	Phelps	Van Eaton
Campbell	Getting	Rigler	Vincent
Coleman	Grimstead	Schroeder	Walker
Cowden	Hansen	Scott	Walter
Curran	Hill	Shaff	Wearin
Dodds	Lisle	Shivvers	Wiley
Doran	Lodwick	Shoeman	Wilson

Nays, none.

Absent or not voting, 10:

Beneke	Fisher	Kyhl	Main
Dykhouse	Fulton	Long	Mincks
Elthon	Griffin		

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

On motion of Senator Schroeder, House File 122, a bill for an act relating to housing regulations in cities and towns and in an area adjacent to and within one mile thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Schroeder asked and received unanimous consent that action on House File 122 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Grimstead, House File 194, a bill for an act relating to the powers of the board of supervisors and relating to the powers of the county zoning commission, 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 House File 194 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator O'Malley, House File 215, a bill for an act relating to the imposition of special parking restrictions in cities and towns in aid of snow removal operations and to provide the manner for posting notice thereof, 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.

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

Ayes, 37:

Benda	Elijah	Lodwick	Shoeman
Brown	Elvers	Lucken	Stephens
Buck	Flatt	Nolan	Turner
Burrows	Frommelt	O'Malley	Van Eaton
Campbell	Getting	Phelps	Vincent
Coleman	Grimstead	Rigler	Walter
Cowden	Hansen	Schroeder	Wearin
Curran	Hill	Scott	Wiley
Dodds	Lisle	Shivvers	Wilson
Doran			

Nays, none.

Absent or not voting, 13:

Beneke	Fulton	Long	Shaff
Dykhouse	Griffin	Main	Vance
Elthon	Kyhl	Mincks	Walker
Fisher			

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

On motion of Senator Lisle, House File 218, a bill for an act to amend chapter three hundred thirty (330), Code 1962, relating to airports and the period of leases with respect thereto, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Lisle moved that the bill be read a third 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:

Benda	Doran	Lodwick	Shoeman
Beneke	Elijah	Lucken	Stephens
Brown	Elvers	Nolan	Turner
Buck	Flatt	O'Malley	Van Eaton
Burrows	Frommelt	Phelps	Vincent
Campbell	Getting	Rigler	Walker
Coleman	Grimstead	Schroeder	Wearin
Cowden	Hansen	Scott	Wiley
Curran	Hill	Shivvers	Wilson
Dodds	Lisle		

Nays, none.

Absent or not voting, 12:

Dykhouse	Fulton	Long	Shaff
Elthon	Griffin	Main	Vance
Fisher	Kyhl	Mincks	Walter

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

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MESSAGES FROM 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 159, a bill for an act relating to the executive council furnishing supplies to various state departments.

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

Senate File 394, a bill for an act to appropriate from the general fund to the department of public instruction for use as a revolving fund for the Veterans Administration, school lunch program for mentally retarded children and students who fail to complete their high school education and to make a study of mental retardation in Iowa.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 402, a bill for an act relating to judicial nominating commissions.

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

House Concurrent Resolution 15, a concurrent resolution authorizing payment of certain legislative bills.

Also: That the House has concurred in Senate amendments to and passed House File 65, a bill for an act relating to compensation of county supervisors in counties over one hundred fifty thousand population.

Also: That the House has concurred in Senate amendments to and passed House File 85, a bill for an act relating to erecting, rebuilding or repairing of fences.

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

House File 402, a bill for an act relating to the re-gilding of the domes of the state capitol and to make an appropriation therefor.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 15

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 1962:

William R. Kendrick, voting machine parts (House)	$ 3.80
Storey Kenworthy, equipment and supplies (House)	184.30
Office Machine Supply Co., typewriter repairs (House)	13.15
Koch Brothers, supplies (House)	24.55
Des Moines Rubber Stamp Co., rubber stamps (House)	2.60
George Kucharo Displays, Inc., velvet roping (House)	454.77
Electrolux Corporation, sweeper (House)	344.75
IBM Corp., typewriter maintenance (House)	14.17
Remington Rand Co., typewriter repair (House)	11.18
Northwestern Bell Telephone Co., service (House)	24.00

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IBM Corp., typewriter maintenance (Senate)	21.75
Des Moines Rubber Stamp Co., stamps and supplies (Senate)	10.70
Ditto, Inc., supplies (Senate)	16.08
Northwestern Bell Telephone Co., service (Senate)	2.50
Carroll A. Lane, telephone expense (Senate)	9.86
Koch Brothers, office equipment and supplies (Senate)	60.75
Radio Trade Supply Co., sound equipment repair (Senate)	81.75
Traviss Television, speaker repair (Senate)	22.50
Hatfield Duplicating Co., duplicating supplies (Joint)	270.05
Koch Brothers, supplies for index (Joint)	192.70
Addressograph - Multigraph Corp., data processing supplies (Joint)	50.90
Feiler Studio, photos for "How A Bill Becomes A Law" (Joint)	61.50
H & J Supply Co., oxygen tanks (Joint)	66.50
	$1,944.81

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 AMENDMENT TO SENATE FILE 402

Amend Senate File 402 as follows:

1. Section 14, line thirteen (13), by striking therefrom the words "mandatory retirement age" and inserting in lieu thereof "age of seventy-two (72) years".

2. Section 26, line six (6), by striking the word and figures "seventy-two (72)" and inserting in lieu thereof the following words and figures: "seventy-five (75)".

Further amend section 26 by striking all of line six (6) after the word "years" and all of lines seven (7) through ten (10) and inserting in lieu thereof the following: "for all judges of the supreme court or district court holding office on the effective date of this Act. The mandatory retirement age shall be seventy-two (72) years for all judges of the supreme court or district court appointed to office after the effective date of this Act. This section shall not be effective until July 1, 1965."

3. Section 27, amend by striking all of said section and inserting in lieu thereof the following: "The executive council shall provide suitable offices at the seat of government for supreme court judges."

4. Amend the title to Senate File 402 by inserting in line two (2) preceding the word "temporary" the word "and"; also by striking from line three (3) the words "and residence of supreme court judges".

HOUSE MESSAGE CONSIDERED

House File 402, a bill for an act relating to the re-gilding of the domes of the state capitol and to make an appropriation therefor.

Read first and second times and passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully

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reports that it has examined and finds correctly enrolled: Senate Files 50, 122, 143, 386, 387, 393, 395, 396, 397 and 412; also, House Files 321, 324 and 331.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 50, 122, 143, 386, 387, 393, 395, 396, 397 and 412; also, House Files 321, 324 and 331.

BILLS SENT TO THE GOVERNOR

Senator Benda, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 11th day of April, 1963, sent to the Governor for his approval: Senate Files 50, 122, 143, 386, 387, 393, 395, 396, 397 and 412.

KENNETH BENDA, *Chairman.*

Passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 11, 1963, the Governor had approved the following bills:

Senate File 222, relating to foreign corporations, and nonresident persons.

Senate File 246, relating to persons or corporations registered or licensed by the state.

Senate File 270, relating to the board of regents.

Senate File 271, relating to appropriations for capital improvements.

ADDITIONAL COPIES

Senator Schroeder asked and received unanimous consent to have 1,000 copies of Senate File 437, as passed by the Senate, printed.

Senator Buck asked and received unanimous consent to have 300 copies of Senate File 360 printed.

PROOF OF PUBLICATION

Published copy of Senate File 406 and verified proof of publication of said bill in The New Hampton Tribune, on April 11, 1963, 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.*

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REPORTS OF COMMITTEES

Senator Long submitted the following report:

MR. PRESIDENT: Your committee on insurance to which was referred **Senate File 227**, a bill for an act relating to life, health and accident insurance by employees of the state, county, city, town or institution supported by public funds, begs leave to report it has had the same under consideration and recommends the same **do pass**.

IRVING D. LONG, *Chairman*.

Ordered passed on file.

Senator Schroeder submitted the following report:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred House File 309, a bill for an act to authorize the sale and conveyance to Iowa-Illinois Gas and Electric Company of certain land in Scott County, Iowa, lying below the 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**.

JACK SCHROEDER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on judiciary 2 to which was referred **House File 558**, a bill for an act to legalize and validate the proceedings of the city council of Denison in Crawford County, Iowa, authorizing and providing for the issuance of street improvement bonds for paving, sanitary sewer and water mains and extensions, and for the levy of special assessments against benefited property, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JACK SCHROEDER, *Chairman*.

Ordered passed on file.

AMENDMENTS FILED

Amend the House amendment to Senate File 127 by striking the quotation marks at the end of section 1 and substituting in lieu thereof the following: "Nothing in this section shall be construed to exempt tangible personal property from sales or use taxes when purchased by and used by a contractor performing work for any such governmental body or subdivision thereof, unless such property is intended to become an integral part of the finished work or product."

MARTIN WILEY.

Amend Senate File 220 by inserting in line 3 of section 4 after the word "shall" the words "conform strictly to the continuing five (5) year road development program based on sufficiency ratings as required by section three hundred seven point five (307.5), subsection thirteen (13), of the Code. Such plans shall".

JOHN J. BROWN.

Amend the Nolan amendment to Senate File 220 filed April 8, 1963, by adding the following after the word "shall" in line 19: "conform strictly to the continuing five (5) year

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road development program based on sufficiency ratings as required by section three hundred seven point five (307.5) subsection thirteen (13) of the Code. Such plans shall".

JOHN J. BROWN.

Amend the House amendment to Senate File 402, division 3, by striking all after the colon (:) in line 2, and all of lines 3 and 4 and inserting in lieu thereof the following: "Office of supreme court judges. All judges of the supreme court shall, after January 1, 1968, be required to be in attendance and maintain offices at the seat of government. The executive council shall provide suitable offices at the seat of government for such judges."

D. C. NOLAN.
JACK SCHROEDER.

Amend House File 3 by inserting the following after the word "governor" in line 4 of section 1: "with the approval of two-thirds of the members of the senate in executive session".

ROBERT R. RIGLER.
D. C. NOLAN.
JOHN D. SHOEMAN.

Amend House File 280 as follows: Strike from lines 5, 6, and 7 the words, "be held outside the township at any other place in the county that the extension council may designate", and inserting in lieu thereof, ", by designation of the extension council, be held in another township of that county, which other township is also holding a township election meeting, provided that the extension council may not designate that over four (4) such township elections may be combined into one election".

SEELEY G. LODWICK.

On motion of Senator Rigler, the Senate adjourned until 10:00 a.m., Monday, April 15, 1963.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 15, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Doctor G. T. Monson, pastor of the Bethlehem Lutheran Church, Red Oak, Iowa.

PETITIONS

Senator Curran, from forty-one residents of Cerro Gordo County in opposition to proposed legislation relating to the qualifications and licensing of physical therapists.

Senator Dodds, from two hundred seventeen residents of Des Moines County favoring increased pensions for policemen and firemen.

Senator Fulton, from seventy-five residents of Black Hawk County in opposition to Sunday sales for retail establishments.

"HAPPY BIRTHDAY," SENATOR LONG

The Chair announced that today was the birthday of Senator Long and that his secretary, Violet Robinson, had provided for him, with her very best wishes, a Happy Birthday cake. President Mooty directed his page to make the delivery and on behalf of the members and officers of the Senate wished for Senator Long many many more happy birthdays.

PRESENTATION OF VISITORS

Senator Burrows rose on a point of personal privilege and presented to the Senate the Honorable Richard V. Leo of Tama County, a former member of the Senate who was present in the Senate chamber.

Senator Hill asked and received unanimous consent to present to the Senate Mary Bone, a member of the fifth grade class of the Prairie City Elementary School, who was present in the Senate chamber.

Senator Campbell rose on a point of personal privilege and presented to the Senate four students, B. G., Jamie, Charlie and Tom Campbell, from the Webster Elementary School of Oskaloosa who were present in the balcony.

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Senator Elijah rose on a point of personal privilege and presented to the Senate Jimmie Elijah, his grandson, who was present in the Senate chamber

Senator Lodwick asked and received unanimous consent to present to the Senate a group of students from the Fort Madison Junior High School who were present in the balcony.

Senator Walker asked and received unanimous consent to present to the Senate ten students from the Eldora Elementary School who were present in the balcony.

Senator Wiley asked and received unanimous consent to present to the Senate three students from the Franklin High School, Cedar Rapids, who were present in the balcony.

Senator Hansen asked and received unanimous consent to present to the Senate twenty-six students from the Dow City-Arion Public School who were present in the balcony accompanied by their instructors, William Foval and Donald Arrowsmith.

Senator Kyhl asked and received unanimous consent to present to the Senate sixty students from the Wellsburg High School who were present in the balcony accompanied by their instructor, Darrell Breneman, and their superintendent, Gilbert W. Schantz.

INTRODUCTION OF BILLS

Senate File 447, 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 448, by committee on judiciary 1, a bill for an act to amend section four hundred ninety-six A point one hundred twenty-nine (496A.129), Code 1962, relating to credit against annual license fees of corporations and foreign corporations.

Read first and second times and placed on the calendar.

THIRD READING OF BILLS

On motion of Senator Rigler, Senate File 406, a bill for an act to legalize and validate the proceedings of the board of supervisors of Chickasaw County providing for the vacation of certain secondary highways within said county, was taken up and considered.

Senator Rigler offered the following amendment and moved its adoption:

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Amend Senate File 406 as follows:

1. By inserting in line 61 of the preamble preceding the figure ".03" the word "point".

2. By inserting in line 62 of the preamble following the figure "(N¼)" the word "corner".

3. By inserting in line 63 of the preamble preceding the figure ".06" the word "point" and striking the words "of the Northwest (NW)" following the word "East".

4. By inserting in line 66 of the preamble preceding the figure ".06" the word "point".

5. By changing the word in line 124 of the preamble from "highway" to "highways".

The amendment was adopted.

Senator Rigler moved that the bill be read a third 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:

Benda	Elijah	Lisle	Shivvers
Beneke	Elthon	Lodwick	Shoeman
Brown	Elvers	Long	Stephens
Buck	Fisher	Lucken	Turner
Burrows	Flatt	Mincks	Vance
Campbell	Frommelt	Nolan	Van Eaton
Coleman	Fulton	O'Malley	Vincent
Cowden	Getting	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Griffin	Main

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

On motion of Senator Kyhl, Senate File 427, a bill for an act to legalize and validate the proceedings for the organization and establishment of the Community School District of Parkersburg in the Counties of Butler and Grundy, State of Iowa, and fixing the boundaries thereof and declaring said district a duly and legally organized corporate body as provided by law, was taken up and considered.

Senator Schroeder offered the following amendment and moved its adoption:

Amend Senate File 427 as follows:

1. By striking the following from line 9 of section 1: "of Iowa,".

The amendment was adopted.

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Senator Kyhl moved that the bill be read a third 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:

Benda	Elijah	Lisle	Shivvers
Beneke	Elthon	Lodwick	Shoeman
Brown	Elvers	Long	Stephens
Buck	Fisher	Lucken	Turner
Burrows	Flatt	Mincks	Vance
Campbell	Frommelt	Nolan	Van Eaton
Coleman	Fulton	O'Malley	Vincent
Cowden	Getting	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Griffin Main

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

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

SENATE CONCURRENT RESOLUTION 21

By Shaff, Schroeder, Benda, Long, Turner, Fisher, Wearin, Lisle, Rigler, Brown, Beneke, Elthon, Vance, Dodds, Lodwick and Van Eaton

Whereas, there is under the present Federal law mandatory requirements that the Interstate Commerce Commission regulate the minimum rates on transportation of freight by rail, and

Whereas, greater reliance should be placed on the forces of competition and less reliance on the restraints of regulation relative to the matter of rates, and

Whereas, although our nation enjoys one of the most highly developed and diversified transportation systems in the world, it has been handicapped by many regulatory laws which are restrictive and which have failed to keep pace with the advancing technology, and

Whereas, the law should provide equality of competitive opportunity for all modes of transportation.

Therefore, Be It Resolved by the Senate, the House Concurring: That the Congress of the United States be encouraged in its efforts to lift the restrictions by regulation, on rate making in the transportation industry by favorable consideration of legislation now pending before the Congress, to make more consistent and comprehensive the framework of equal competitive opportunity.

Be It Further Resolved, that a copy of this resolution be forwarded by the Secretary of the Senate to the President of the United States, and to each member of the Iowa Delegation of the Senate and the House of Representatives of the United States.

The motion prevailed and the resolution was adopted.

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HOUSE AMENDMENTS CONSIDERED

Senator Turner called up for consideration Senate File 11, a bill for an act to authorize the Iowa state commerce commission to regulate the rates and services of public utilities, to define public utilities to include those engaged in the furnishing of electricity, gas, water or communications services to the public for compensation, and to provide for appeals from orders and decisions of the Iowa state commerce commission, amended by the House, and moved that the Senate concur in the House amendment found on pages 800-803, inclusive, of the Senate Journal.

The Senate concurred in the House amendment.

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

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

Ayes, 49:

Benda	Elthon	Lisle	Shaff
Beneke	Elvers	Lodwick	Shivvers
Brown	Fisher	Long	Shoeman
Buck	Flatt	Lucken	Turner
Burrows	Frommelt	Main	Vance
Campbell	Fulton	Mincks	Van Eaton
Coleman	Getting	Nolan	Vincent
Cowden	Griffin	O'Malley	Walker
Curran	Grimstead	Phelps	Walter
Dodds	Hansen	Rigler	Wearin
Doran	Hill	Schroeder	Wiley
Dykhouse	Kyhl	Scott	Wilson
Elijah			

Nays, 1:

Stephens

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 O'Malley called up for consideration Senate File 57, a bill for an act relating to the compensation of members of election boards and counting judges and clerks, amended by the House, and moved that the Senate concur in the following amendment:

HOUSE AMENDMENT TO SENATE FILE 57

Amend Senate File 57 by striking all of section 2 and inserting in lieu thereof the following:

Sec. 2. Section forty-nine point twenty (49.20), Code 1962, is hereby amended as follows:

1. By striking from lines two (2) and three (3) the words "seventy-five cents" and inserting in lieu thereof the words "one (1) dollar".

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2. By inserting in line four (4) after the word "duties" the words "and seven (7) cents per mile for actual and necessary travel".

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 third 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:

Benda	Elijah	Lisle	Shivvers
Beneke	Elthon	Lodwick	Shoeman
Brown	Elvers	Long	Stephens
Buck	Fisher	Lucken	Turner
Burrows	Flatt	Mincks	Vance
Campbell	Frommelt	Nolan	Van Eaton
Coleman	Fulton	O'Malley	Vincent
Cowden	Getting	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Griffin	Main

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

Senator Wiley called up for consideration Senate File 127, a bill for an act to amend section four hundred twenty-two point forty-five (422.45), Code 1962, relating to exemptions from the imposition of the retail sales tax, amended by the House:

HOUSE AMENDMENT TO SENATE FILE 127

Amend Senate File 127 as follows:

1. By striking all of sections 1 and 2 and inserting in lieu thereof the following:

Section 1. Section four hundred twenty-two point forty-five (422.45), Code 1962, is hereby amended by striking all of subsection five (5) and inserting in lieu thereof the following:

"The gross receipts of all sales of goods, wares or merchandise used for public purposes by, or in the performance of any contract for, a tax-certifying or tax-levying body of the State of Iowa or governmental subdivision thereof, including all divisions, boards, commissions or instrumentalities of the state, county or municipal governments, which derive their disbursable funds from appropriations or allotments of funds raised by the levy and collection of taxes. The exemption provided by this subsection shall also apply to all sales of goods, wares or merchandise used for public purposes by, or in the performance of any contract with, the state of any of such governmental subdivisions or agencies which are subject to use taxes under the provisions of chapter four hundred twenty-three (423) of the Code."

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2. Section 3, by striking from line one (1) the word "refunds" and inserting in lieu thereof the word "exemptions"; also by striking from line one (1) the word and figure "two (2)".

3. By adding thereto the following section:

"This Act being deemed of immediate importance shall be in full force and effect from and after its publication in The Lyon County Reporter, a newspaper published at Rock Rapids, Iowa, and The Tipton Conservative, a newspaper published at Tipton, Iowa."

4. Further amend Senate File 127 by renumbering the sections.

Senator Wiley offered the following amendment to the House amendment and moved its adoption:

Amend the House amendment by striking the quotation marks at the end of section 1 and substituting in lieu thereof the following: "Nothing in this section shall be construed to exempt tangible personal property from sales or use taxes when purchased by and used by a contractor performing work for any such governmental body or subdivision thereof, unless such property is intended to become an integral part of the finished work or product."

The amendment to the amendment was adopted.

The Senate concurred in the House amendment as amended.

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

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

Ayes, 48:

Benda	Elijah	Lisle	Shivvers
Beneke	Elthon	Lodwick	Shoeman
Brown	Elvers	Long	Stephens
Buck	Fisher	Lucken	Turner
Burrows	Flatt	Mincks	Vance
Campbell	Frommelt	Nolan	Van Eaton
Coleman	Fulton	O'Malley	Vincent
Cowden	Getting	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Griffin	Main

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Dykhouse for the balance of the day on request of Senator Stephens.

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Senator Nolan called up for consideration Senate File 402, a bill for an act relating to judicial nominating commissions, terms of office, judicial elections, mandatory retirement, temporary service by retired judges and residence of supreme court judges, amended by the House:

HOUSE AMENDMENT TO SENATE FILE 402

Amend Senate File 402 as follows:

1. Section 14, line thirteen (13), by striking therefrom the words "mandatory retirement age" and inserting in lieu thereof "age of seventy-two (72) years".

2. Section 26, line six (6), by striking the word and figures "seventy-two (72)" and inserting in lieu thereof the following words and figures: "seventy-five (75)".

Further amend section 26 by striking all of line six (6) after the word "years" and all of lines seven (7) through ten (10) and inserting in lieu thereof the following: "for all judges of the supreme court or district court holding office on the effective date of this Act. The mandatory retirement age shall be seventy-two (72) years for all judges of the supreme court or district court appointed to office after the effective date of this Act. This section shall not be effective until July 1, 1965."

3. Section 27, amend by striking all of said section and inserting in lieu thereof the following: "The executive council shall provide suitable offices at the seat of government for supreme court judges."

4. Amend the title to Senate File 402 by inserting in line two (2) preceding the word "temporary" the word "and"; also by striking from line three (3) the words "and residence of supreme court judges".

Senator Nolan offered the following amendment, filed by Senators Nolan and Schroeder, and moved its adoption:

Amend the House amendment by striking all after the colon (:) in line 2, and all of lines 3 and 4 and inserting in lieu thereof the following: "Office of supreme court judges. All judges of the supreme court shall, after January 1, 1968, be required to be in attendance and maintain offices at the seat of government. The executive council shall provide suitable offices at the seat of government for such judges."

Roll call was requested.

On the question "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 37:

Benda	Elijah	Kyhl	Scott
Beneke	Elthon	Lisle	Shaff
Brown	Fisher	Long	Shoeman
Buck	Flatt	Main	Turner
Campbell	Frommelt	Mincks	Vance
Coleman	Fulton	Nolan	Van Eaton
Cowden	Getting	O'Malley	Walter
Curran	Hansen	Phelps	Wearin
Dodds	Hill	Schroeder	Wilson
Doran			

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Nays, 9:

Burrows	Lucken	Stephens	Walker
Elvers	Rigler	Vincent	Wiley
Lodwick			

Absent or not voting, 4:

Dykhouse	Griffin	Grimstead	Shivvers

The amendment to the House amendment was adopted.

The Senate concurred in the House amendment as amended.

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

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

Ayes, 47:

Benda	Elthon	Lodwick	Shoeman
Beneke	Elvers	Long	Stephens
Brown	Fisher	Lucken	Turner
Buck	Flatt	Main	Vance
Burrows	Frommelt	Mincks	Van Eaton
Campbell	Fulton	Nolan	Vincent
Coleman	Getting	O'Malley	Walker
Cowden	Grimstead	Phelps	Walter
Curran	Hansen	Rigler	Wearin
Dodds	Hill	Schroeder	Wiley
Doran	Kyhl	Scott	Wilson
Elijah	Lisle	Shaff	

Nays, none.

Absent or not voting, 3:

Dykhouse	Griffin	Shivvers

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

Senator Nolan asked and received unanimous consent that Senate File 402 be immediately messaged to the House, which request was complied with.

UNFINISHED BUSINESS

On motion of Senator Lucken, Senate File 408, a bill for an act relating to the funds and support of mentally ill patients in the state mental health institutes, was taken up for further consideration.

Senator Lucken offered the following amendment and moved its adoption:

Amend Senate File 408 as follows:

1. By striking all after the enacting clause and by inserting in lieu thereof the following:

"Section 1. Chapter two hundred twenty-six (226), Code 1962, is hereby amended by adding thereto the following new sections:

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'1. There is hereby established at each hospital a fund known as the patients' personal deposit fund.'

'2. Any funds coming into the possession of the superintendent or any employee of the hospital belonging to any patient in that hospital, shall be deposited in the name of that patient in the patients' personal deposit fund, except that if a guardian of the property of that patient has been appointed, the guardian shall have the right to demand and receive such funds. Funds belonging to a patient deposited in the patients' personal deposit fund may be used for the purpose of personal incidentals, desires and comforts for the patient.'

'3. Whenever the amount to the account of any patient in the patients' personal deposit fund exceeds the sum of two hundred (200) dollars, the business manager of the hospital may apply any of the excess to reimburse the county of legal settlement for liability incurred by such county for the payment of care, support and maintenance of the patient, when billed therefor by the county of legal settlement.'

'4. The business manager shall deposit the patients' personal deposit fund in a commercial account of a bank of reputable standing. When deposits in the commercial account exceed average monthly withdrawals, the business manager may deposit the excess at interest. The savings account shall be in the name of the patients' personal deposit fund and interest paid thereon may be used for recreational purposes at the hospital.' "

"Sec. 2. Chapter two hundred twenty-three (223), Code 1962, is hereby amended by adding the following new sections:

'1. There is hereby established at each hospital a fund known as the patients' personal deposit fund.'

'2. Any funds coming into the possession of the superintendent or any employee of the hospital belonging to any patient in that hospital, shall be deposited in the name of that patient in the patients' personal deposit fund, except that if a guardian of the property of that patient has been appointed, the guardian shall have the right to demand and receive such funds. Funds belonging to a patient deposited in the patients' personal deposit fund may be used for the purchase of personal incidentals, desires and comforts for the patient.'

'3. Whenever the amount to the account of any patient in the patients' personal deposit fund exceeds the sum of two hundred (200) dollars, the business manager of the hospital may apply any of the excess to reimburse the county for the payment of care, support and maintenance of the patient, when billed therefor by the county of legal settlement.'

'4. The business manager shall deposit the patients' personal deposit fund in a commercial account of a bank of reputable standing. When deposits in the commercial account exceed average monthly withdrawals, the business manager may deposit the excess at interest. The savings account shall be in the name of the patients' personal deposit fund and interest paid thereon may be used for recreational purposes at the hospital.' "

2. By striking the period (.) in the title and adding thereto the following words: "and mentally retarded patients in state hospital-schools."

The amendment was adopted.

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

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

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Ayes, 42:

Benda	Elthon	Long	Shaff
Brown	Elvers	Lucken	Shivvers
Buck	Fisher	Main	Shoeman
Burrows	Flatt	Mincks	Stephens
Campbell	Fulton	Nolan	Turner
Coleman	Getting	O'Malley	Vance
Cowden	Hansen	Phelps	Van Eaton
Curran	Hill	Rigler	Vincent
Dodds	Kyhl	Schroeder	Walter
Doran	Lisle	Scott	Wearin
Elijah	Lodwick		

Nays, 3:

Beneke	Walker	Wiley

Absent or not voting, 3:

Dykhouse	Griffin	Grimstead

Voting present, 2:

Frommelt	Wilson

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

On motion of Senator Buck, House File 280, a bill for an act relating to the place of holding election meetings to elect members of the county agricultural extension council, was taken up for further consideration.

Senator Lodwick asked and received unanimous consent to withdraw the amendment filed by him on March 29 and found on page 681 of the Senate Journal.

Senator Lodwick offered the following amendment and moved its adoption:

Amend House File 280 as follows: strike from lines 5, 6, and 7 the words, "be held outside the township at any other place in the county that the extension council may designate", and inserting in lieu thereof, ", by designation of the extension council, be held in another township of that county, which other township is also holding a township election meeting, provided that the extension council may not designate that over four (4) such township elections may be combined into one election".

The amendment was adopted.

Senator Buck moved that the bill be read a third 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:

Benda	Burrows	Curran	Elthon
Beneke	Campbell	Dodds	Elvers
Brown	Coleman	Doran	Fisher
Buck	Cowden	Elijah	Flatt

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Frommelt	Lodwick	Rigler	Vance
Fulton	Long	Schroeder	Van Eaton
Getting	Lucken	Scott	Vincent
Grimstead	Main	Shaff	Walker
Hansen	Mincks	Shivvers	Walter
Hill	Nolan	Shoeman	Wearin
Kyhl	O'Malley	Stephens	Wiley
Lisle	Phelps	Turner	Wilson

Nays, none.

Absent or not voting, 2:

Dykhouse	Griffin

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

On motion of Senator Schroeder, House File 44, a bill for an act relating to commercial driving schools and instructors and providing penalties for violation of the provisions thereof, was taken up for further consideration.

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

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

Ayes, 16:

Benda	Fisher	Lodwick	Schroeder
Brown	Grimstead	Long	Van Eaton
Elijah	Hansen	Mincks	Walter
Elvers	Lisle	Phelps	Wiley

Nays, 27:

Beneke	Doran	Kyhl	Turner
Buck	Elthon	Nolan	Vance
Burrows	Flatt	Rigler	Vincent
Campbell	Frommelt	Scott	Walker
Cowden	Fulton	Shaff	Wearin
Curran	Getting	Shivvers	Wilson
Dodds	Hill	Stephens	

Absent or not voting, 6:

Coleman	Griffin	O'Malley	Shoeman
Dykhouse	Main		

Voting present, 1:

Lucken

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

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

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

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LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator O'Malley for the afternoon (to attend a funeral) on the request of Senator Rigler.

UNFINISHED BUSINESS

On motion of Senator Schroeder, House File 122, a bill for an act relating to housing regulations in cities and towns and in an area adjacent to and within one mile thereof, was taken up for further consideration.

Senator Schroeder moved that the bill be read a third 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:

Benda	Elvers	Lucken	Stephens
Beneke	Fisher	Main	Turner
Brown	Flatt	Mincks	Vance
Buck	Frommelt	Nolan	Van Eaton
Burrows	Fulton	Phelps	Vincent
Campbell	Griffin	Rigler	Walker
Coleman	Grimstead	Schroeder	Walter
Cowden	Kyhl	Scott	Wearin
Curran	Lisle	Shaff	Wiley
Dodds	Lodwick	Shivvers	Wilson
Doran	Long	Shoeman	

Nays, 1:

Hill

Absent or not voting, 6:

Dykhouse	Elthon	Hansen	O'Malley
Elijah	Getting		

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

On motion of Senator Mincks, House File 194, a bill for an act relating to the powers of the board of supervisors and relating to the powers of the county zoning commission, was taken up for further consideration.

Senator Mincks moved that the bill be read a third 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:

Benda	Campbell	Dodds	Frommelt
Brown	Coleman	Elvers	Fulton
Buck	Cowden	Fisher	Getting
Burrows	Curran	Flatt	Griffin

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Grimstead	Mincks	Shaff	Van Eaton
Kyhl	Nolan	Shivvers	Vincent
Lisle	Phelps	Shoeman	Walker
Lodwick	Rigler	Stephens	Walter
Long	Schroeder	Turner	Wiley
Lucken	Scott	Vance	Wilson
Main			

Nays, 3:

Doran	Hill	Wearin

Absent or not voting, 6:

Beneke	Elijah	Hansen	O'Malley
Dykhouse	Elthon		

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

Senator Mincks asked and received unanimous consent that Senate File 357 be withdrawn from further consideration of the Senate.

THIRD READING OF BILLS

Senator Schroeder asked and received unanimous consent to take up out of order House File 309.

On motion of Senator Schroeder, House File 309, a bill for an act to authorize the sale and conveyance to Iowa-Illinois Gas and Electric Company of certain land in Scott County, Iowa, lying below the ordinary high-water mark of the Mississippi River, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Schroeder moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shivvers
Beneke	Elvers	Lodwick	Shoeman
Brown	Fisher	Long	Stephens
Buck	Flatt	Lucken	Turner
Burrows	Frommelt	Main	Vance
Campbell	Fulton	Mincks	Van Eaton
Coleman	Getting	Nolan	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Elijah	Kyhl	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Dykhouse	O'Malley

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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 Lucken asked and received unanimous consent to take up House File 3.

On motion of Senator Lucken, House File 3, a bill for an act relating to the Iowa commission for the blind, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Nolan asked and received unanimous consent that action on House File 3 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Vance, Senate File 340, a bill for an act relating to the confidential character of research studies for the purpose of reducing morbidity or mortality, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Vance asked and received unanimous consent that action on Senate File 340 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Shaff, Senate File 425, a bill for an act authorizing the state board of regents to acquire by purchase, lease or construction and to reconstruct, complete, equip, improve, repair, remodel, operate, control, maintain and manage buildings for use as student residence halls and dormitories, including dining and other incidental facilities therefor, and additions to such buildings, at the state university of Iowa, the Iowa state university of science and technology and the state college of Iowa, to acquire and improve property therefor, to establish and collect rates, fees or rentals for the use of such buildings and facilities and to borrow money and issue bonds or notes payable solely from the net revenues derived from the operation of residence halls, dormitories and facilities and to refund bonds, notes or other obligations payable from such revenues, and preserving rights heretofore acquired and validating obligations incurred for such purposes, was taken up and considered.

Senator Shaff asked and received unanimous consent that House File 543 be substituted for Senate File 425.

On motion of Senator Shaff, House File 543, a bill for an act authorizing the state board of regents to acquire by purchase, lease or construction and to reconstruct, complete, equip, improve, repair, remodel, operate, control, maintain and manage buildings for use as student residence halls and dormitories, including dining and other

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incidental facilities therefor, and additions to such buildings, at the state university of Iowa, the Iowa state university of science and technology and the state college of Iowa, to acquire and improve property therefor, to establish and collect rates, fees or rentals for the use of such buildings and facilities and to borrow money and issue bonds or notes payable solely from the net revenues derived from the operation of residence halls, dormitories and facilities and to refund bonds, notes or other obligations payable from such revenues, and preserving rights heretofore acquired and validating obligations incurred for such purposes, was taken up and considered.

Senator Shaff asked and received unanimous consent that action on House File 543 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Doran, House File 310, a bill for an act relating to the investment and reinvestment of the Iowa Public Employees Retirement Fund, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Buck offered the following amendment and moved its adoption:

Amend House File 310 as follows:

1. By adding the following as section 2:

"Sec. 2. This Act being deemed of immediate importance shall be in full force and effect from and after its publication in The Lowden News, a newspaper published at Lowden, Iowa, and the Marshalltown Times-Republican, a newspaper published at Marshalltown, Iowa."

The amendment was adopted.

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

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

Ayes, 47:

Benda	Elthon	Lisle	Shivvers
Beneke	Elvers	Lodwick	Shoeman
Brown	Fisher	Long	Stephens
Buck	Flatt	Lucken	Turner
Burrows	Frommelt	Main	Van Eaton
Campbell	Fulton	Mincks	Vincent
Coleman	Getting	Nolan	Walker
Cowden	Griffin	Phelps	Walter
Curran	Grimstead	Rigler	Wearin
Dodds	Hansen	Schroeder	Wiley
Doran	Hill	Scott	Wilson
Elijah	Kyhl	Shaff	

Nays, none.

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Absent or not voting, 2:

Dykhouse	O'Malley

Voting present, 1:

Vance

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

On motion of Senator Buck, House File 252, a bill for an act to amend chapter eighty-five (85), Code 1962, in reference to workmen's compensation, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mincks moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shivvers
Beneke	Elvers	Lodwick	Shoeman
Brown	Fisher	Long	Stephens
Buck	Flatt	Lucken	Turner
Burrows	Frommelt	Main	Vance
Campbell	Fulton	Mincks	Van Eaton
Coleman	Getting	Nolan	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Elijah	Kyhl	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Dykhouse	O'Malley

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

On motion of Senator Buck, House File 415, a bill for an act relating to the taking of certain tax deeds by the state board of social welfare, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mincks moved that the bill be read a third 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:

Benda	Buck	Coleman	Doran
Beneke	Burrows	Cowden	Elijah
Brown	Campbell	Dodds	Elthon

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Elvers	Hill	Rigler	Vance
Fisher	Kyhl	Schroeder	Van Eaton
Flatt	Lodwick	Scott	Vincent
Frommelt	Long	Shaff	Walker
Fulton	Lucken	Shivvers	Walter
Getting	Main	Shoeman	Wearin
Griffin	Mincks	Stephens	Wiley
Grimstead	Nolan	Turner	Wilson
Hansen	Phelps		

Nays, none.

Absent or not voting, 4:

Curran	Dykhouse	Lisle	O'Malley

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

On motion of Senator Wiley, Senate File 433, a bill for an act relating to taxation of city and town property, was taken up and considered.

Senator Schroeder moved that the bill be read a third 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:

Benda	Frommelt	Lucken	Shoeman
Beneke	Fulton	Main	Turner
Buck	Getting	Mincks	Vance
Dodds	Griffin	Nolan	Van Eaton
Doran	Hansen	Phelps	Vincent
Elijah	Hill	Rigler	Walker
Elthon	Kyhl	Schroeder	Wearin
Elvers	Lisle	Scott	Wiley
Fisher	Lodwick	Shivvers	Wilson
Flatt	Long		

Nays, 2:

Campbell	Shaff

Absent or not voting, 9:

Brown	Cowden	Dykhouse	O'Malley
Burrows	Curran	Grimstead	Walter
Coleman			

Voting present, 1:

Stephens

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

On motion of Senator Grimstead, Senate File 434, a bill for an act relating to the confirmation of appointments by the Senate and the eligibility of rejected nominees to interim appointments, was taken up and considered.

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Senator Frommelt asked and received unanimous consent that action on Senate File 434 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Frommelt, Senate Joint Resolution 15, a joint resolution proposing to amend Article three (III), of the Constitution of the State of Iowa to provide home rule for city and town governments, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Senator Frommelt asked and received unanimous consent that action on Senate Joint Resolution 15 be deferred and that the bill be placed on the calendar under "unfinished business."

Senator Beneke called up the following motion and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which House File 196 passed the Senate.

DONALD G. BENEKE.

The motion prevailed.

Senator Beneke moved to reconsider the vote by which House File 196 went to its third reading, which motion prevailed.

On motion of Senator Beneke, House File 196, a bill for an act relating to regulation of securities agents and dealers under the Iowa Securities Law, was taken up for further consideration.

Senator Beneke offered the following amendment:

Amend House File 196 as follows:

1. Amend section 3, line 6, by striking the words "any or all".

2. Amend section 3, line 8, by inserting following the word "applicants." the following: "Examinations given pursuant to this section shall cover all subject matter deemed by the commissioner of insurance to be germane to the Iowa Securities Law and securities matters generally. The commissioner of insurance may exempt from such examination any applicant who is able to show affirmatively that he possesses adequate skill, competency, training or experience in securities matters generally and is otherwise qualified to function as a securities salesman or dealer."

Senator Beneke asked and received unanimous consent to withdraw division 2 of the amendment.

On motion of Senator Beneke, division 1 of the amendment was adopted.

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

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

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Ayes, 37:

Beneke	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Turner
Campbell	Frommelt	Mincks	Vance
Cowden	Fulton	Nolan	Van Eaton
Curran	Getting	Rigler	Vincent
Dodds	Hansen	Schroeder	Walker
Doran	Kyhl	Scott	Walter
Elijah	Lisle	Shaff	Wiley
Elthon	Lodwick	Shivvers	Wilson
Elvers			

Nays, 3:

Benda	Hill	Wearin

Absent or not voting, 9:

Buck	Griffin	Main	Phelps
Coleman	Grimstead	O'Malley	Shoeman
Dykhouse			

Voting present, 1:

Brown

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 Hansen asked and received unanimous consent to take up House File 558.

On motion of Senator Hansen, House File 558, a bill for an act to legalize and validate the proceedings of the city council of Denison in Crawford County, Iowa, authorizing and providing for the issuance of street improvement bonds for paving, sanitary sewer and water mains and extensions, and for the levy of special assessments against benefited property for the payment of said bonds, and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of the City of Denison, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hansen moved that the bill be read a third 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:

Benda	Dodds	Getting	Main
Beneke	Doran	Grimstead	Mincks
Brown	Elijah	Hansen	Nolan
Buck	Elthon	Hill	Rigler
Burrows	Elvers	Kyhl	Schroeder
Campbell	Fisher	Lisle	Scott
Coleman	Flatt	Lodwick	Shaff
Cowden	Frommelt	Long	Shoeman
Curran	Fulton	Lucken	Stephens

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Turner	Vincent	Walter	Wiley
Vance	Walker	Wearin	Wilson
Van Eaton			

Nays, none.

Absent or not voting, 5:

Dykhouse	O'Malley	Phelps	Shivvers
Griffin			

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

Senator Shaff asked and received unanimous consent to take up Senate File 446.

On motion of Senator Shaff, Senate File 446, a bill for an act relating to real property legalizing Acts, was taken up and considered.

Senator Shaff moved that the bill be read a third 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:

Benda	Elijah	Lodwick	Stephens
Beneke	Elthon	Long	Turner
Brown	Elvers	Lucken	Vance
Buck	Fisher	Main	Van Eaton
Burrows	Flatt	Mincks	Vincent
Campbell	Frommelt	Nolan	Walker
Coleman	Fulton	Rigler	Walter
Cowden	Getting	Schroeder	Wearin
Curran	Hansen	Scott	Wiley
Dodds	Hill	Shaff	Wilson
Doran	Kyhl	Shoeman	

Nays, none.

Absent or not voting, 7:

Dykhouse	Grimstead	O'Malley	Shivvers
Griffin	Lisle	Phelps	

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 Benda, 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 159, 394 and 398; also, House Files 65, 85 and 392.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
Chairman House Committee.

Report adopted.

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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 159, 394 and 398; also, House Files 65, 85 and 392.

BILLS SENT TO THE GOVERNOR

Senator Benda, 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, 1963, sent to the Governor for his approval: Senate Files 159, 394 and 398.

KENNETH BENDA, *Chairman.*

Passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 11, 1963, the Governor had approved the following bills:

Senate File 219, relating to bidders for public printing contracts.
Senate File 277, relating to the indexing of bills.

A communication was received announcing that on April 12, 1963, the Governor had approved the following bills:

Senate File 87, relating to diseases among animals
Senate File 181, relating to mentally retarded persons.
Senate File 182, relating to workman's compensation cases.

A communication was also received announcing that on April 15, 1963, the Governor had approved the following bills:

Senate File 50, relating to tax sale of public property.
Senate File 122, relating to bonds for school purposes.
Senate File 143, relating to public libraries.
Senate File 386, relating to fabricating shop and special inspections.
Senate File 387, relating to the Iowa development commission.
Senate File 393, relating to valuation and nonforfeiture benefits of life insurance policies.
Senate File 395, relating to an appropriation to the state fair board for the purpose of state aid to agricultural societies.
Senate File 396, relating to an appropriation to the state printing board for printing and binding.
Senate File 397, relating to Iowa tax commission's audit revolving fund.
Senate File 412, relating to appropriations to members and representatives of the committee on interstate cooperation.

PROOF OF PUBLICATION

Published copy of Senate File 427 and verified proof of publication of said bill in The Parkersburg Eclipse on April 10, 1963, 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.*

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BILLS ASSIGNED TO COMMITTEE

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

H. F. 96 Ways and means
H. F. 171 Cities and towns
H. F. 210 Tax revision
H. F. 251 Schools and educational institutions
H. F. 287 Governmental affairs
H. F. 325 Compensation of public officers and employees
H. F. 335 Cities and towns
H. F. 402 Public lands and buildings
H. F. 417 Military affairs
H. F. 490 Cities and towns
H. F. 495 Governmental affairs
H. F. 544 Conservation
H. F. 562 Conservation

REPORTS OF COMMITTEES

Senator Fisher submitted the following report:

MR. PRESIDENT: Your committee on transportation and highway safety to which was referred **House File 41**, a bill for an act relating to certified common carriers of passengers operating on charter, begs leave to report it has had the same under consideration and recommends the same **do pass.**

J. LOUIS FISHER, *Chairman.*

Ordered passed on file.

Senator Wiley submitted the following report:

MR. PRESIDENT: Your committee on highways to which was referred **Senate File 354**, a bill for an act relating to classification of highways, and responsibility therefor, begs leave to report it has had the same under consideration and recommends the same **do pass.**

MARTIN WILEY, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 436 by striking from section 1, line 3, the numerals "303.24.".

JACOB GRIMSTEAD.

Amend Senate File 439 by striking from section 1, line 2 the word "section" and by inserting in lieu thereof the word "subsection".

EDWARD A. WEARIN.

Amend Senate File 440 by striking everything after the colon in line 2 of section 1 and inserting in lieu thereof the following:

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"No access rights to any highway shall be acquired by any authority having jurisdiction and control over the highways of this state by adverse possession or prescriptive right. No action heretofore or hereafter taken by any such authority shall form the basis for any claim of adverse possession of, or prescriptive right to, any access rights by any such authority."

CLIFFORD M. VANCE.

Amend House File 222 as follows:

Amend subsection 3 of section 1 by adding at the end thereof the following: "The provisions of this Act shall not apply to insurance of vessels, craft or hulls, cargoes, marine builder's risk, marine protection and indemnity or other risk including strikes and war risks commonly insured under ocean or wet marine forms of policy."

IRVING D. LONG.

Amend House File 393 as follows:

1. By inserting as a new section following section 4 the following:

"The governing body of each incorporating unit may adopt such articles only after the proposition for establishment of an authority has been approved by a majority of the votes cast by the electors of each governing unit for and against such proposition at a general, primary, or special election. The proposition voted upon shall also state the nature of the joint building or buildings to be acquired by the authority which shall be limited to a county courthouse-city hall and/or a joint county-city jail, whether existing county or municipal buildings will continue to be occupied by the municipality or county upon acquisition of the joint building or buildings or whether existing municipal or county buildings will be disposed of. If the existing municipal or county buildings are to be disposed of, the proposition shall contain the method of disposition. A notice of the election provided for by this section shall be published once each week for at least four (4) weeks immediately prior to the date set for such election in some newspaper published in the county. Such notice shall state the time the proposition will be voted upon, and the form in which the proposition will be submitted. A copy of the proposiion to be submitted shall be posted at each polling place during the day of election."

2. By inserting in line 4 of section 9 after the word "be" the words "submitted to a vote of the people,".

3. By striking from section 11 lines 21 through 27 and inserting in lieu thereof the following:

"3. To demolish, repair, alter or improve any building or buildings within the designated area if such demolishment, repair, alteration or improvement does not cost more than ten thousand (10,000) dollars. The authority may furnish, equip, maintain and operate such building or buildings and other facilities so as to effectuate the purpose of this Act. The authority may demolish, repair, alter, or improve existing buildings or construct a new building or buildings and other facilities within said area in addition to the buildings authorized by the initial election if the cost of a single project exceeds ten thousand

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(10,000) dollars only after such proposal has been approved by the voters in the same manner as provided in this Act for the establishment of the authority."

4. Further amend by renumbering the sections in conformity with this amendment.

HOWARD C. BUCK.

On motion of Senator Rigler, the Senate adjourned until 9:00 a.m., Tuesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 16, 1963.

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

Prayer was offered by Reverend Ronald Jespersen, pastor of the Bethlehem Lutheran Church, Cedar Falls, Iowa.

PETITION

By Senator Doran, from fourteen residents of Boone County urging the retention of Saturday closing of court houses.

PRESENTATION OF VISITORS

Senator Lodwick rose on a point of personal privilege and presented to the Senate the Honorable W. S. Eichenlaub, a former member of the House of Representatives from Lee County who was present in the Senate chamber.

Senator Burrows asked and received unanimous consent to present to the Senate one hundred students, members of the junior class of the Vinton High School, who were present in the balcony accompanied by their instructor, Jean Drilling.

Senator Doran asked and received unanimous consent to present to the Senate fifty-five students from the Colo High School who were present in the balcony accompanied by their instructor, Jerry Becker.

INTRODUCTION OF BILLS

Senate File 449, by committee on appropriations, a bill for an act to make appropriations to members of the legislative research committee and legislative advisory committees.

Read first and second times and placed on the calendar.

Senate File 450, by committee on appropriations, a bill for an act to make appropriations to members of legislative advisory committees.

Read first and second times and placed on the calendar.

Senate File 451, by committee on appropriations, a bill for an act to make appropriations to members of legislative advisory committees.

Read first and second times and placed on the calendar.

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Senate File 452, by committee on appropriations, a bill for an act to make appropriations to ex-officio members of the advisory investment board of the Iowa public employees' retirement system, namely: Howard Buck and A. L. Mensing.

Read first and second times and placed on the calendar.

Senate File 453, by committee on appropriations, a bill for an act to apppropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1963, and ending June 30, 1965, to the social welfare department for the purpose of aid to blind fund, aid to dependent children fund, child welfare fund, emergency relief fund, old-age assistance fund, aid to the disabled and support for Indians residing on a reservation.

Read first and second times and placed on the calendar.

Senate File 454, by committee on cities and towns, a bill for an act relating to public contracts and bonds and to amend chapter twenty-three (23), Code 1962, relating thereto.

Read first and second times and placed on the calendar.

ANNOUNCEMENT

Senator Lodwick rose on a point of personal privilege and said:

MR. PRESIDENT AND MEMBERS OF THE SENATE: Fifty years ago this year there was founded in the State of Iowa a small company which has since grown and thrived in Iowa. The products of this company are known for their high quality, not only here in Iowa but in all these United States and throughout the world. Although this company does now have factories in England, Canada, Australia, Argentina, Switzerland, Germany and Brazil, three of the factories, and the largest factory, are here in Iowa. And, further, the home offices are here in Iowa.

It is a privilege to join with the W. A. Sheaffer Pen Company today to call your attention to its fiftieth anniversary.

Senator Hansen asked and received unanimous consent that the foregoing remarks of Senator Lodwick be printed in the Senate Journal.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate Concurrent Resolution 21 passed the Senate.

LEO ELTHON.

Senator Elthon called up the foregoing motion filed by him.

Senator Elthon asked and received unanimous consent that the Secretary be directed to recall from the House Senate Concurrent Resolution 21 for further consideration of the Senate.

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UNFINISHED BUSINESS

Senator Shaff called up the following motion filed by him and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which House File 393 passed the Senate.

The motion prevailed.

Senator Shaff moved that the vote by which House File 393 went to its third reading be reconsidered, which motion prevailed.

On motion of Senator Shaff, House File 393, a bill for an act relating to joint county-city or town buildings, was taken up for further consideration.

Senator Buck moved to reconsider the vote by which the amendment filed by him was adopted by the Senate on April 3, and found on page 728 of the Senate Journal, which motion prevailed.

Senator Buck asked and received unanimous consent to withdraw the amendment.

Senator Buck offered the following amendment and moved its adoption and requested a roll call:

Amend House File 393 as follows:

1. By inserting as a new section following section 4 the following:

"The governing body of each incorporating unit may adopt such articles only after the proposition for establishment of an authority has been approved by a majority of the votes cast by the electors of each governing unit for and against such proposition at a general, primary, or special election. The proposition voted upon shall also state the nature of the joint building or buildings to be acquired by the authority which shall be limited to a county courthouse-city hall and/or a joint county-city jail, whether existing county or municipal buildings will continue to be occupied by the municipality or county upon acquisition of the joint building or buildings or whether existing municipal or county buildings will be disposed of. If the existing municipal or county buildings are to be disposed of, the proposition shall contain the method of disposition. A notice of the election provided for by this section shall be published once each week for at least four (4) weeks immediately prior to the date set for such election in some newspaper published in the county. Such notice shall state the time the proposition will be voted upon, and the form in which the proposition will be submitted. A copy of the proposition to be submitted shall be posted at each polling place during the day of election."

2. By inserting in line 4 of section 9 after the word "be" the words "submitted to a vote of the people,".

3. By striking from section 11, lines 21 through 27, and inserting in lieu thereof the following:

"3. To demolish, repair, alter or improve any building or buildings within the designated area if such demolishment, repair, alteration or improvement does not cost more than ten thousand (10,000) dollars. The authority may furnish, equip, maintain and operate such building or buildings and other

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facilities so as to effectuate the purpose of this Act. The authority may demolish, repair, alter, or improve existing buildings or construct a new building or buildings and other facilities within said area in addition to the buildings authorized by the initial election if the cost of a single project exceeds ten thousand (10,000) dollars only after such proposal has been approved by the voters in the same manner as provided in this Act for the establishment of the authority."

4. Further amend by renumbering the sections in conformity with this amendment.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 27:

Buck	Getting	Mincks	Turner
Doran	Grimstead	O'Malley	Vance
Elijah	Hansen	Phelps	Van Eaton
Elthon	Hill	Scott	Vincent
Elvers	Lodwick	Shaff	Walker
Flatt	Lucken	Shivvers	Wilson
Frommelt	Main	Stephens	

Nays, 11:

Benda	Dykhouse	Nolan	Wearin
Brown	Fulton	Rigler	Wiley
Dodds	Lisle	Walter	

Absent or not voting, 8:

Beneke	Cowden	Fisher	Schroeder
Burrows	Curran	Long	Shoeman

Voting present, 4:

Campbell	Coleman	Griffin	Kyhl

The amendment was adopted.

Senator Buck moved that the bill be read a third 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:

Benda	Elvers	Kyhl	Stephens
Brown	Flatt	Lisle	Turner
Buck	Frommelt	Lodwick	Vance
Campbell	Fulton	Lucken	Van Eaton
Dodds	Getting	Main	Walker
Doran	Griffin	Mincks	Walter
Dykhouse	Grimstead	Phelps	Wearin
Elijah	Hansen	Scott	Wiley
Elthon	Hill	Shoeman	Wilson

Nays, 6:

Nolan	Rigler	Shaff	Vincent
O'Malley	Schroeder		

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Absent or not voting, 8:

Beneke	Coleman	Curran	Long
Burrows	Cowden	Fisher	Shivvers

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 return herewith, as requested by the Senate, Senate Concurrent Resolution 21, resolving that the Congress of the United States be encouraged in its efforts to lift the restrictions by regulation on rate making in the transportation industry by favorable consideration of legislation now pending before the Congress.

WILLIAM R. KENDRICK, *Chief Clerk.*

MOTION TO RECONSIDER

Senator Main called up the following motion filed by Senators Main and Walter:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 404 passed the Senate.

The Chair announced the "Call of the Senate" on Senate File 404, and all motions and amendments thereto, and directed the Secretary to call the roll.

Roll call revealed all members present.

Senator Main asked unanimous consent to withdraw the motion to reconsider.

Objection was raised.

Senator Main moved that the motion to reconsider, filed by Senators Main and Walter, be withdrawn.

Senator Frommelt moved that the motion by Senator Main to withdraw his motion to withdraw the motion be laid on the table.

Senator Frommelt asked and received unanimous consent to withdraw his motion.

Senator Main asked and received unanimous consent to withdraw the motion to withdraw.

Senator Frommelt moved that the motion to reconsider the vote by which Senate File 404 passed the Senate be laid on the table.

Roll call was requested.

On the question "Shall the motion to reconsider be laid on the table?" the vote was:

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Ayes, 27:

Benda	Elvers	Lodwick	Shivvers
Brown	Flatt	Main	Vance
Coleman	Frommelt	Mincks	Vincent
Cowden	Getting	O'Malley	Walker
Curran	Griffin	Phelps	Walter
Dodds	Grimstead	Scott	Wilson
Doran	Hansen	Shaff	

Nays, 23:

Beneke	Elthon	Long	Stephens
Buck	Fisher	Lucken	Turner
Burrows	Fulton	Nolan	Van Eaton
Campbell	Hill	Rigler	Wearin
Dykhouse	Kyhl	Schroeder	Wiley
Elijah	Lisle	Shoeman	

Absent or not voting, none.

The motion to lay on the table prevailed.

MOTION TO RECONSIDER

Senator Frommelt called up the following motion filed by him and requested a roll call:

MR. PRESIDENT: I move to reconsider the vote by which House File 237 passed the Senate.

On the question "Shall the motion to reconsider be adopted?" the vote was:

Ayes, 12:

Brown	Frommelt	Hill	O'Malley
Dodds	Fulton	Main	Turner
Elvers	Hansen	Mincks	Walter

Nays, 36:

Benda	Elijah	Lodwick	Shivvers
Beneke	Elthon	Long	Shoeman
Buck	Fisher	Lucken	Vance
Burrows	Flatt	Nolan	Van Eaton
Campbell	Getting	Phelps	Vincent
Cowden	Griffin	Rigler	Walker
Curran	Grimstead	Schroeder	Wearin
Doran	Kyhl	Scott	Wiley
Dykhouse	Lisle	Shaff	Wilson

Absent or not voting, 2:

Coleman	Stephens

The motion to reconsider was lost.

UNFINISHED BUSINESS

On motion of Senator Wearin, Senate File 416, a bill for an act relating to the preparation and publication of the proposed budget for each school district, was taken up for further consideration.

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Senator Wearin offered the following amendment and moved its adoption:

Amend Senate File 416 by striking from section 1, subsections 4 and 5.

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Rule 8 was invoked.

Ayes, 23:

Benda	Fisher	Lodwick	Shivvers
Brown	Frommelt	Mincks	Turner
Buck	Fulton	Nolan	Van Eaton
Campbell	Hansen	O'Malley	Wearin
Coleman	Kyhl	Rigler	Wiley
Dodds	Lisle	Shaff	

Nays, 24:

Beneke	Elvers	Long	Stephens
Burrows	Flatt	Main	Vance
Cowden	Getting	Phelps	Vincent
Doran	Griffin	Schroeder	Walker
Dykhouse	Grimstead	Scott	Walter
Elthon	Hill	Shoeman	Wilson

Absent or not voting, 3:

Curran	Elijah	Lucken

The amendment was lost.

Senator Beneke offered the following amendment, filed by Senators Beneke, Burrows and Getting, and moved its adoption:

Amend Senate File 416 as follows:

1. Amend section 1, subsection 4, line 13, by inserting after the word "salaries" the words ", before payroll deductions,".

2. Amend section 1, subsection 4, line 14, by inserting after the word "superintendents" the words ", by name,".

3. Amend section 1, subsection 5, line 16, by inserting after the word "superintendents" the words ", by name or position,".

The amendment was adopted.

Senator Shaff offered the following amendment:

Amend Senate File 416, section 1, line 14 by inserting the following: "Such publication shall be in lieu of any other publication of the salaries of teachers, principals, and superintendents."

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

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

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LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lucken for the balance of the day on request of Senator Dykhouse.

UNFINISHED BUSINESS

The Senate resumed consideration of Senate File 416 and the amendment filed thereto by Senator Shaff.

Senator Shaff moved the adoption of the amendment, which motion prevailed, and the amendment was adopted.

Senator Wiley offered the following amendment and moved its adoption:

Amend Senate File 416 by adding the following new section:
"This bill only applies to counties of eighty thousand (80,000) population or less."

The amendment lost.

Senator Wearin moved that the bill be read a third 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:

Beneke	Elvers	Lodwick	Shivvers
Brown	Fisher	Long	Shoeman
Burrows	Flatt	Main	Turner
Campbell	Getting	Mincks	Vance
Coleman	Griffin	Nolan	Van Eaton
Cowden	Grimstead	O'Malley	Vincent
Dodds	Hansen	Phelps	Walker
Doran	Hill	Rigler	Walter
Dykhouse	Kyhl	Schroeder	Wearin
Elthon	Lisle	Scott	Wilson

Nays, 2:

Fulton	Wiley

Absent or not voting, 8:

Benda	Curran	Frommelt	Shaff
Buck	Elijah	Lucken	Stephens

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 220, a bill for an act to provide for the construction and reconstruction of state and interstate highways, to provide for the payment of the cost thereof from road use tax funds and to authorize the borrowing of money and the issuance of bonds in anticipation of the collection of such funds, was taken up for further consideration.

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Senator Nolan offered the following amendment:

Amend Senate File 220 as follows:

1. Amend section 1, line 15 by striking the words "and maintenance" and inserting in lieu thereof the following ", improvement and repair".

2. Amend section 2, line 3 by inserting after the word "separate" the following "trust".

3. Amend section 2, line 14 by striking all of the remaining section after the period (.)

4. Amend section 3, line 26 by striking the word "Such" and inserting in lieu thereof the following: "Such bonds and interest thereon shall be payable solely and only from the highway construction fund as hereinbefore provided. All bonds issued under this Act shall have all the qualities of negotiable instruments under the laws of this state. All such".

5. Strike all of section 4 and insert in lieu thereof the following: "Plans for any highway construction program or programs proposed to be financed pursuant to the authority granted under the provisions of this Act shall be submitted by the state highway commission to the executive council of the state and when such plans or modifications thereof have been approved by said executive council as being economical and necessary for the development of an efficient system of highways in the state, the state highway commission may proceed to carry out such program or programs as approved by said executive council."

6. Amend section 5, line 4 by inserting before the word "and" the following: "or shall describe the bonds to be refunded,".

7. Amend section 5, line 4 by inserting after the word "and" the following: "set forth".

8. Amend section 5, lines 6 and 7 by striking the words "contain an irrevocable appropriation providing" and insert in lieu thereof the word "provide".

9. Amend section 5, line 17 by inserting after the word "fund" the following: "from the road use tax fund".

10. Amend section 5, lines 92 and 93 by striking the words "an indebtedness of the state highway commission or of" and inserting in lieu thereof the following: "a charge against".

11. Amend section 6, line 9 by striking the words "of any" and inserting in lieu thereof the following: "and".

12. Amend section 7, line 3 by striking the words "an indebtedness of" and inserting in lieu thereof the following: "a charge against".

13. Amend section 7, lines 3 and 4 by striking the words "or of the state highway commission".

14. Further amend section 7, line 11 by striking the word "of" and insert in lieu thereof the following: "or".

On motion of Senator Nolan, the amendment was adopted, with the exception of division 5.

Senator Fulton offered the following amendment and moved its adoption:

Amend Senate File 220 by striking all of section 4 and renumbering the remaining sections.

The amendment was adopted.

Senator Nolan asked and received unanimous consent to withdraw division 5 of the amendment filed by him.

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Senator Brown asked and received unanimous consent to withdraw the amendment filed by him on April 11 and found on page 862 of the Senate Journal.

Senator Brown asked and received unanimous consent to withdraw the amendment filed by him to the amendment filed by Senator Nolan.

Senator Wiley offered the following amendment and moved its adoption:

Amend Senate File 220 by adding the following new sections:

Sec. 10. Section three hundred twenty-four point three (324.3), Code 1962, is hereby amended by striking from line two (2) the word "six" and inserting in lieu thereof the word "seven" (7).

Sec. 11. Section three hundred twenty-four point thirty-four (324.34), Code 1962, is hereby amended by striking from line six (6) the word "seven" and inserting in lieu thereof the word "eight" (8).

Sec. 12. There is hereby appropriated from the "Highway Construction Fund" an amount equivalent to the net revenue from one (1) cent of gasoline tax and from one (1) cent of diesel fuel tax as provided in sections three hundred twenty-four point three (324.3) and three hundred twenty-four point thirty-four (324.34), Code 1962, in the year preceding the year of issuance of such bonds as provided for in this Act for the purpose of retiring such bonds by providing for a sum sufficient to pay the interest and principal necessary to retire such bonds without the use of funds available from the road use tax funds or highway construction funds or any other source of funds that constitute the road use tax fund prior to the enactment of this Act.

Senator Long 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, 4:

Burrows	Curran	Walter	Wiley

Nays, 43:

Benda	Elvers	Lisle	Shivvers
Beneke	Fisher	Lodwick	Shoeman
Brown	Flatt	Long	Stephens
Buck	Frommelt	Main	Turner
Campbell	Fulton	Mincks	Vance
Coleman	Getting	Nolan	Van Eaton
Cowden	Griffin	O'Malley	Vincent
Dodds	Grimstead	Phelps	Walker
Doran	Hansen	Rigler	Wearin
Elijah	Hill	Schroeder	Wilson
Elthon	Kyhl	Scott	

Absent or not voting, 3:

Dykhouse	Lucken	Shaff

The amendment was lost.

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Senator Rigler offered the following amendment and moved its adoption:

Amend Senate File 220, section 3, lines 28, 29 and 30 by striking ", and shall be exempt from any and all taxation whatsoever by the State of Iowa or by any taxing authority within the state." and putting a period (.) after the word "America".

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, 31:

Benda	Dodds	Mincks	Turner
Brown	Dykhouse	Nolan	Vance
Buck	Frommelt	O'Malley	Van Eaton
Burrows	Fulton	Rigler	Vincent
Campbell	Griffin	Schroeder	Walter
Coleman	Kyhl	Scott	Wearin
Cowden	Lisle	Shaff	Wiley
Curran	Main	Shoeman	

Nays, 18:

Beneke	Fisher	Hill	Shivvers
Doran	Flatt	Lodwick	Stephens
Elijah	Getting	Long	Walker
Elthon	Grimstead	Phelps	Wilson
Elvers	Hansen		

Absent or not voting, 1:

Lucken

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

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

President pro tempore Vance took the chair at 3:10 p.m.

On motion of Senator Beneke, Senate File 340, a bill for an act relating to the confidential character of research studies for the purpose of reducing morbidity of mortality, was taken up for further consideration.

Senator O'Malley offered the following amendment and moved its adoption:

Amend Senate File 340 as follows:

1. Amend section 1 by adding after the word "societies" in line 6 the following: "or the Iowa Society of Osteopathic Physicians and Surgeons".

2. Amend section 2 by adding after the word "societies" in line 2 the following: "or the Iowa Society of Osteopathic Physicians and Surgeons".

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The amendment was adopted.

Senator Fulton offered the following amendment and moved its adoption:

Amend Senate File 340:

1. Amend section 2 by adding the following at the end thereof: "A violation of this section shall constitute a misdemeanor and be punishable as such."

2. By striking all of section 3 and inserting in lieu thereof the following:

"Sec. 3. All information, interviews, reports, statements, memoranda, or other data furnished in accordance with this Act and any findings or conclusions resulting from such studies shall not be used or offered or received in evidence in any legal proceedings of any kind or character, but nothing contained herein shall be construed as affecting the admissibility as evidence of the primary medical or hospital records pertaining to the patient or of any other writing, record or reproduction thereof not contemplated by this Act.

The amendment was adopted.

Senator Beneke moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shoeman
Beneke	Elvers	Lodwick	Stephens
Brown	Fisher	Long	Turner
Buck	Flatt	Main	Vance
Burrows	Fulton	Mincks	Van Eaton
Cowden	Getting	Nolan	Vincent
Curran	Griffin	O'Malley	Walker
Dodds	Grimstead	Phelps	Walter
Doran	Hansen	Rigler	Wearin
Dykhouse	Hill	Scott	Wiley
Elijah	Kyhl	Shivvers	

Nays, 2:

Schroeder	Shaff

Absent or not voting, 5:

Campbell	Frommelt	Lucken	Wilson
Coleman			

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

On motion of Senator Shaff, House File 543, a bill for an act authorizing the state board of regents to acquire by purchase, lease or construction and to reconstruct, complete, equip, improve, repair, remodel, operate, control, maintain and manage buildings for use as student residence halls and dormitories, including dining and other incidental facilities therefor, and additions to such buildings, at the state university of Iowa, the Iowa state university of science and

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technology and the state college of Iowa, to acquire and improve property therefor, to establish and collect rates, fees or rentals for the use of such buildings and facilities and to borrow money and issue bonds or notes payable solely from the net revenues derived from the operation of residence halls, dormitories and facilities and to refund bonds, notes or other obligations payable from such revenues, and preserving rights heretofore acquired and validating obligations incurred for such purposes, was taken up for further consideration.

Senator Flatt asked and received unanimous consent to withdraw the amendment filed by Senators Flatt and Walker on April 9 and found on pages 816-818, inclusive, of the Senate Journal.

Senator Shaff moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shivvers
Beneke	Elvers	Lodwick	Shoeman
Brown	Fisher	Long	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah			

Nays, none.

Absent or not voting, 1:

Lucken

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

Senator Shaff asked and received unanimous consent that Senate File 425 be withdrawn from further consideration of the Senate.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate amendment to House amendment to and passed Senate File 402, a bill for an act relating to judicial nominating commissions.

WILLIAM R. KENDRICK, *Chief Clerk.*

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Senator Wiley asked and received unanimous consent that the Secretary be directed to recall from the House Senate File 127 for further consideration of the Senate.

Senator Dykhouse rose on a point of personal privilege and said:

MR. PRESIDENT, MEMBERS OF THE SENATE: We have one in attendance with us every day who's here for every roll call, even though he is not allowed to vote. He keeps us in this area informed on practically all matters of legislation. Even the lawyer lobbyists come to him for advice.

Mr. President, I would like to have unanimous consent to present to Richard A. Stephens, Jr., the following Certificate—

Certificate of Attendance

—60th—

General Assembly—State of Iowa

Presented to Richard A. Stephens, Jr., in recognition of his participation throughout the entire session of the State Legislature 1963 as a regular observer in the State Senate.

W. L. MOOTY
Lieutenant Governor

ROBERT R. RIGLER
Republican Floor Leader

ANDREW G. FROMMELT
Democratic Floor Leader

April 16, 1963.

J. T. DYKHOUSE.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files 77, 114, 191, 213, 215, 218, 252, 291, 309, 358, 415, 487 and 558.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: House Files 77, 114, 191, 213, 215, 218, 252, 291, 309, 358, 415, 487 and 558.

REPORTS OF COMMITTEES

Senator Shoeman 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 recommends the same **do pass.**

JOHN D. SHOEMAN, *Chairman.*

Ordered passed on file.

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Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate File 423**, a bill for an act to make appropriations to certain named persons in settlement of claims made against the State of Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JOHN D. SHOEMAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate File 429**, a bill for an act to make appropriations to certain named persons in settlement of claims made against the State of Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JOHN D. SHOEMAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate File 435**, a bill for an act to make appropriations to certain named persons in settlement of claims against the State of Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JOHN D. SHOEMAN, *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 282**, a bill for an act relating to maximum millage rates for taxes caused to be levied by cities and towns and to clarify chapter four hundred four (404), Code 1962, relating thereto, begs leave to report it has had the same under consideration and recommends the same **do pass.**

CHAS S. VAN EATON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred **House File 148**, a bill for an act to permit cities to enter into long-term leases for libraries, library sites, books and equipment and to authorize contributions to the support thereof by other public bodies, begs leave to report it has had the same under consideration and recommends the same **do pass.**

CHAS S. VAN EATON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred **House File 335**, a bill for an act relating to interest in contracts with cities and towns on the part of councilmen, begs leave to report it has had the same under consideration and recommends the same **do pass.**

CHAS S. VAN EATON, *Chairman.*

Ordered passed on file.

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Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred **House File 357**, a bill for an act to amend section three hundred sixty-two point twenty-six (362.26), Code 1962, relating to agreements between cities and towns to refrain from annexing territory under said section, begs leave to report it has had the same under consideration and recommends the same **do pass.**

CHAS S. VAN EATON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on cities and towns to which was referred **House File 490**, a bill for an act to amend chapter three hundred eighty-four (384), Code 1962, relating to docks, begs leave to report it has had the same under consideration and recommends the same **do pass.**

CHAS S. VAN EATON, *Chairman.*

Ordered passed on file.

Senator Cowden submitted the following report:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **Senate File 193**, a bill for an act relating to the compensation of the elected members of the fair board, begs leave to report it has had the same under consideration and **returns the bill without recommendation.**

HARRY L. COWDEN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on compensation of public officers and employees to which was referred **House File 325**, a bill for an act to amend section one hundred seven point thirteen (107.13), Code 1962, relating to salaries of state conservation officers, begs leave to report it has had the same under consideration and recommends the same **do pass.**

HARRY L. COWDEN, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 424 as follows:

1. Amend section 15, line 20, by striking the word "write" and inserting in lieu thereof the word "sell".

2. Amend section 15, line 21, by changing the period to a comma and inserting after said comma the following: "provided any person selling such insurance shall be licensed and shall comply with all applicable provisions of the Insurance Laws."

ROBERT R. RIGLER.

Amend Senate File 426 by adding the following as a new section:

"Section eighty-five A point nine (85A.9), Code 1962, is amended by inserting the following under column 1:

'18. Infectious hepatitis'

and by inserting the following under column 2:

'18. Any process or occupation involving an exposure to or

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direct contact with persons having infectious hepatitis or with the body fluids or tissues of persons having infectious hepatitis.'"

GEORGE O'MALLEY.

Amend the Vance amendment filed April 15 to Senate File 440 by striking line 5 and inserting in lieu thereof the following: "this state by adverse possession, prescriptive right or administrative resolution or ruling. No action".

D. C. NOLAN.

On motion of Senator Rigler, the Senate adjourned until 9:00 a.m., Wednesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 17, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Harold Dellit, pastor of the Bethel Evangelical United Brethren Church, Manly, Iowa.

PETITIONS

The following petitions favoring increased direct state aid for public schools and urging more local control were received and placed on file by:

Senator Beneke, from thirty-one residents of Pocahontas County.

Senator Dykhouse, from forty-three residents of Lyon County.

PRESENTATION OF VISITORS

Senator Benda asked and received unanimous consent to present to the Senate eight students from Iowa County schools who were present in the balcony accompanied by Donald C. Bell.

Senator Brown asked and received unanimous consent to present to the Senate forty-two students from the St. John's Parochial High School, Bancroft, who were present in the balcony accompanied by their instructor, V. J. Meyer.

Senator Burrows asked and received unanimous consent to present to the Senate fifteen students from the Belle Plaine Community School, members of the Future Farmers of America, who were present in the balcony accompanied by their instructor, John H. Cairns. Among the group was Jerry Anderson, winner of eight gold emblem awards, who will attend school in Europe next year as an exchange student.

Senator Lodwick rose on a point of personal privilege and presented to the Senate his father, the Honorable William G. Lodwick of Wever, Lee County, who was present in the Senate chamber.

INTRODUCTION OF BILLS

Senate File 455, by committee on schools and educational institutions, a bill for an act to amend section two hundred seventy-three point fourteen (273.14), Code 1962, relating to joint operation of county boards of education.

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Read first and second times and placed on the calendar.

Senate File 456, by committee on compensation of public officers and employees, a bill for an act relating to the salaries of clerks and bailiffs of the municipal courts.

Read first and second times and placed on the calendar.

Senate File 457, by committee on compensation of public officers and employees, a bill for an act relating to compensation of members of the Iowa development commission.

Read first and second times and placed on the calendar.

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

SENATE CONCURRENT RESOLUTION 20
By Committee on Agriculture

Whereas, federal meat inspection is mandatory on all meat involved in interstate commerce.

Whereas, federal inspection covers an estimated 80-85 percent of all meat slaughtered in the United States.

Whereas, federal inspectors condemn as unfit for human consumption approximately one million pounds per day.

Whereas, the division of animal industry estimates 75-80 percent of all animals slaughtered in Iowa are slaughtered under federal inspection. In addition, a few cities have their own service. The rest of the meat has no inspection. It would appear that Iowa exceeds the national average for percent uninspected meat.

Whereas, federal inspectors cover most of the large plants, thus state inspection of the remainder would be comparatively more costly unless federal assistance was received.

Whereas, state inspection should be co-ordinated with existing federal and city services.

Whereas, the large number of smaller locker plants in Iowa make efficient inspection more difficult, and this might be handled by exempting some low-volume plants or by authorizing local veterinarians to perform the inspection, and

Whereas, no one, at present, feels qualified to draw up a bill that will provide adequate inspection, too little is known of the problems involved, therefore it seems the first step must be a study prepared for the Sixty-first General Assembly; now therefore,

Be It Resolved by the Senate, the House Concurring, That the legislative research bureau be directed to study the problem of co-ordination of state, federal and city meat inspection in conjunction with the staff of the state department of agriculture, cause a proper bill to be prepared and report, with the cost of such proposals, to the Sixty-first General Assembly.

The motion prevailed and the resolution was adopted.

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THIRD READING OF BILLS

Senator Rigler asked and received unanimous consent to take up for consideration the following claim bills.

On motion of Senator Shoeman, 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 report of committee on appropriations recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Grimstead moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

Nays, none.

Absent or not voting, none.

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

On motion of Senator Lodwick, Senate File 423, 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 on appropriations recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Lodwick moved that the bill be read a third 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:

Benda	Coleman	Elijah	Fulton
Beneke	Cowden	Elthon	Getting
Brown	Curran	Elvers	Griffin
Buck	Dodds	Fisher	Grimstead
Burrows	Doran	Flatt	Hansen
Campbell	Dykhouse	Frommelt	Hill

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Kyhl	Nolan	Shivvers	Vincent
Lisle	O'Malley	Shoeman	Walker
Lodwick	Phelps	Stephens	Walter
Long	Rigler	Turner	Wearin
Lucken	Schroeder	Vance	Wiley
Main	Scott	Van Eaton	Wilson
Mincks	Shaff		

Nays, none.

Absent or not voting, none.

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

On motion motion of Senator Lodwick, Senate File 429, 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 on appropriations recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Lodwick moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

Nays, none.

Absent or not voting, none.

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

On motion of Senator Lodwick, Senate File 435, a bill for an aet to make appropriations to certain named persons in settlement of claims made against the State of Iowa, with report of committee on appropriations recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

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Ayes, 50:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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 Rigler asked and received unanimous consent to take up the following appropriation bills:

On motion of Senator Shoeman, Senate File 450, a bill for an act to make appropriations to members of legislative advisory committees, was taken up and considered.

Senator Shoeman moved that the bill be read a third 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:

Benda	Elthon	Kyhl	Shivvers
Beneke	Elvers	Lodwick	Shoeman
Brown	Fisher	Long	Vance
Burrows	Frommelt	Lucken	Van Eaton
Campbell	Fulton	Mincks	Vincent
Coleman	Getting	Nolan	Walker
Curran	Griffin	Rigler	Walter
Dodds	Grimstead	Schroeder	Wiley
Doran	Hansen	Scott	Wilson
Dykhouse	Hill	Shaff	

Nays, none.

Absent or not voting, 11:

Buck	Flatt	O'Malley	Turner
Cowden	Lisle	Phelps	Wearin
Elijah	Main	Stephens	

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 Shoeman, Senate File 451, a bill for an act to make appropriations to members of legislative advisory committees, was taken up and considered.

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Senator Shoeman offered the following amendment and moved its adoption:

Amend Senate File 451, section 1, line 22, by striking "John Gray (deceased)" and inserting in lieu thereof the following: "Mrs. John Gray, widow of John Gray, deceased".

The amendment was adopted.

Senator Coleman moved that the bill be read a third 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:

Benda	Elthon	Hill	Shaff
Beneke	Elvers	Kyhl	Shivvers
Brown	Fisher	Lisle	Shoeman
Buck	Flatt	Lodwick	Stephens
Burrows	Frommelt	Lucken	Turner
Campbell	Fulton	Main	Van Eaton
Cowden	Getting	O'Malley	Vincent
Dodds	Griffin	Phelps	Walter
Doran	Grimstead	Schroeder	Wiley
Dykhouse	Hansen	Scott	Wilson
Elijah			

Nays, none.

Absent or not voting, 9:

Coleman	Mincks	Rigler	Walker
Curran	Nolan	Vance	Wearin
Long			

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 Shoeman, Senate File 452, a bill for an act to make appropriations to ex-officio members of the advisory investment board of the Iowa public employees' retirement system, namely: Howard Buck and A. L. Mensing, was taken up and considered.

Senator Shoeman moved that the bill be read a third 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:

Benda	Dykhouse	Grimstead	Nolan
Beneke	Elijah	Hansen	O'Malley
Brown	Elthon	Hill	Phelps
Burrows	Elvers	Kyhl	Rigler
Campbell	Fisher	Lisle	Schroeder
Coleman	Flatt	Lodwick	Scott
Cowden	Frommelt	Long	Shaff
Curran	Fulton	Lucken	Shivvers
Dodds	Getting	Main	Shoeman
Doran	Griffin	Mincks	Stephens

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Turner	Vincent	Walter	Wiley
Vance	Walker	Wearin	Wilson
Van Eaton			

Nays, none.

Absent or not voting, 1:

Buck

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 Shoeman, Senate File 449, a bill for an act to make appropriations to members of the legislative research committee and legislative advisory committees, was taken up and considered.

Senator Doran offered the following amendment and moved its adoption:

Amend Senate File 449 by striking from line 22 "John Gray, deceased" and substituting in lieu thereof, "Mrs. John Gray, widow of John Gray, deceased", and amend line 23 by striking the word "deceased" and substituting in lieu thereof the word "estate".

The amendment was adopted.

Senator Shoeman moved that the bill be read a third 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:

Benda	Dykhouse	Hansen	Phelps
Beneke	Elijah	Hill	Rigler
Brown	Elthon	Kyhl	Schroeder
Buck	Fisher	Lisle	Scott
Burrows	Flatt	Lodwick	Shaff
Campbell	Frommelt	Lucken	Shivvers
Cowden	Fulton	Main	Shoeman
Curran	Getting	Mincks	Vincent
Dodds	Griffin	Nolan	Wearin
Doran	Grimstead	O'Malley	Wiley

Nays, none.

Absent or not voting, 10:

Coleman	Stephens	Van Eaton	Walter
Elvers	Turner	Walker	Wilson
Long	Vance		

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

On motion of Senator Buck, Senate File 321, a bill for an act to amend, revise, and codify the statutes relating to juvenile court

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structure and dependent, neglected, and delinquent children, was taken up for further consideration:

Senator Shaff asked unanimous consent that Senate File 321 be re-referred to the committee on judiciary 1 for further study.

Objection was raised.

Senator Shaff moved that Senate File 321 be re-referred to the committee on judiciary 1 for further study, which motion prevailed.

THIRD READING OF BILLS

On motion of Senator Lodwick, Senate File 436, a bill for an act relating to the appointment of the director of the state traveling library as compact administrator for any interstate library compact, was taken up and considered.

Senator Grimstead offered the following amendment and moved its adoption:

Amend Senate File 436 by striking from section 1, line 3, the numerals "303.24.".

The amendment was adopted.

Senator Lodwick moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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 Wilson, House File 110, a bill for an act relating to old age pensioners' homes, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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Senator Wilson moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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 Walker, House File 222, a bill for an act to amend chapter five hundred fifteen (515), Code 1962, relating to insurance other than life, 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 222, section 1, line 5, by inserting after the word "providing" the following: "that such insurance is restricted to the type and kind of insurance authorized by this chapter and".

On motion of Senator Long, the committee amendment was adopted.

Senator Long offered the following amendment and moved its adoption:

Amend House File 222 as follows:

Amend subsection 3 of section 1 by adding at the end thereof the following: "The provisions of this Act shall not apply to insurance of vessels, craft or hulls, cargoes, marine builder's risk, marine protection and indemnity or other risk including strikes and war risks commonly insured under ocean or wet marine forms of policy."

The amendment was adopted.

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

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

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Ayes, 50:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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 failed to pass the following bill in which the concurrence of the House was asked:

Senate File 69, a bill for an act relating to publication of real property valuations.

Also: I am directed to return herewith, as requested by the Senate, Senate File 127, relating to exemptions from the imposition of the retail sales tax.

Also: That the House has concurred in Senate amendments to and passed House File 310, a bill for an act relating to the investment and reinvestment of the Iowa Public Employees Retirement Fund.

WILLIAM R. KENDRICK, *Chief Clerk.*

SENATE CONCURRENT RESOLUTION 22

Senator Lodwick called up Senate Concurrent Resolution 22 relating to Interstate Library Compact, filed and found on pages 749-750 of the Senate Journal, and moved its adoption.

The motion prevailed and the resolution was adopted.

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

EXECUTIVE SESSION

The Senate, in executive session, confirmed the following appointment:

Walter E. Edelen of Garner, Hancock County, Iowa, as a member of the Iowa Liquor Control Commission for the term ending June 30, 1969.

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The Senate arose from executive session and resumed regular session.

Senator Elthon asked and received unanimous consent to take up House File 148.

THIRD READING OF BILLS

On motion of Senator Elthon, House File 148, a bill for an act to permit cities to enter into long-term leases for libraries, library sites, books, and equipment and to authorize contributions to the support thereof by other public bodies, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

President pro tempore Vance took the chair at 11:35 a.m.

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

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

Ayes, 50:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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 Elthon asked and received unanimous consent that Senate File 205 be withdrawn from further consideration of the Senate.

On motion of Senator Cowden, House File 407, a bill for an act relating to the place of holding quarterly conferences of the board of control, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

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Ayes, 50:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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.

UNFINISHED BUSINESS

On motion of Senator Grimstead, Senate File 434, a bill for an act relating to the confirmation of appointments by the Senate and the eligibility of rejected nominees to interim appointments, was taken up for further consideration.

Senator Fulton offered the following amendment and moved its adoption:

Amend Senate File 434 by adding thereto the following:

"Sec. 2. Further amend section 240, Code 1962, by inserting a period after the word "senate" in line 9 and striking the words "in executive session" in line 10."

The amendment was lost.

Senator Grimstead moved that the bill be read a third 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:

Benda	Elijah	Long	Stephens
Beneke	Elthon	Lucken	Turner
Buck	Fisher	Nolan	Vance
Burrows	Flatt	Phelps	Van Eaton
Campbell	Getting	Rigler	Vincent
Cowden	Griffin	Scott	Walker
Curran	Grimstead	Shaff	Wearin
Doran	Kyhl	Shivvers	Wiley
Dykhouse	Lodwick	Shoeman	Wilson

Nays, 12:

Brown	Elvers	Hansen	Mincks
Coleman	Frommelt	Hill	O'Malley
Dodds	Fulton	Main	Walter

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Absent or not voting, 2:

Lisle	Schroeder

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

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

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

THIRD READING OF BILLS

On motion of Senator Buck, Senate File 426, a bill for an act relating to workmen's compensation for occupational diseases, was taken up and considered.

Senator O'Malley offered the following amendment:

Amend Senate File 426 by adding the following as a new section:

"Section eighty-five A point nine (85A.9), Code 1962, is amended by inserting the following under column 1:

'18. Infectious hepatitis'

and by inserting the following under column 2:

'18. Any process or occupation involving an exposure to or direct contact with persons having infectious hepatitis or with the body fluids or tissues of persons having infectious hepatitis.'"

Senator Stephens raised a point of order on the amendment for the reason that it was not germane to the bill.

The Chair ruled the point well taken and the amendment out of order since the amendment seeks to broaden the chapter on occupational diseases by adding a new subject matter to the Code section listing compensable diseases.

Senator Buck moved that the bill be read a third 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:

Benda	Elijah	Lodwick	Shoeman
Beneke	Elthon	Long	Stephens
Brown	Elvers	Lucken	Turner
Buck	Fisher	Main	Vance
Burrows	Flatt	Nolan	Van Eaton
Campbell	Frommelt	Phelps	Vincent
Coleman	Fulton	Rigler	Walker
Cowden	Getting	Schroeder	Walter
Curran	Hansen	Scott	Wearin
Dodds	Grimstead	Shaff	Wiley
Doran	Hill	Shivvers	Wilson
Dykhouse	Kyhl		

Nays, none.

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Absent or not voting, 4:

Griffin	Lisle	Mincks	O'Malley

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

On motion of Senator Wiley, House File 41, a bill for an act relating to certified common carriers of passengers operating on charter, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wiley moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shoeman
Brown	Elvers	Long	Stephens
Buck	Fisher	Lucken	Turner
Burrows	Flatt	Main	Vance
Campbell	Frommelt	Nolan	Van Eaton
Coleman	Fulton	O'Malley	Vincent
Cowden	Getting	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle	Shivvers	

Nays, none.

Absent or not voting, 3:

Beneke	Griffin	Mincks

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

Senator Cowden asked and received unanimous consent to take up House File 325.

On motion of Senator Cowden, House File 325, a bill for an act to amend section one hundred seven point thirteen (107.13), Code 1962, relating to salaries of state conservation officers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Cowden moved that the bill be read a third 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:

Benda	Burrows	Cowden	Doran
Brown	Campbell	Curran	Dykhouse
Buck	Coleman	Dodds	Elijah

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Elthon	Hill	Phelps	Vance
Elvers	Kyhl	Rigler	Van Eaton
Fisher	Lisle	Schroeder	Vincent
Flatt	Lodwick	Scott	Walker
Frommelt	Long	Shaff	Walter
Fulton	Lucken	Shivvers	Wearin
Getting	Mincks	Shoeman	Wiley
Griffin	Nolan	Stephens	Wilson
Hansen	O'Malley	Turner	

Nays, 1:

Main

Absent or not voting, 2:

Beneke Grimstead

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

Senator Cowden asked and received unanimous consent that House File 325 be immediately messaged to the House, which request was complied with.

Senator Van Eaton asked and received unanimous consent to take up House File 335.

On motion of Senator Frommelt, House File 335, a bill for an act relating to interest in contracts with cities and towns on the part of councilmen, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Frommelt moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Brown	Elvers	Long	Shoeman
Buck	Fisher	Lucken	Stephens
Burrows	Flatt	Main	Turner
Campbell	Frommelt	Mincks	Vance
Coleman	Fulton	Nolan	Van Eaton
Cowden	Getting	O'Malley	Vincent
Curran	Griffin	Phelps	Walker
Dodds	Grimstead	Rigler	Walter
Doran	Hansen	Schroeder	Wearin
Dykhouse	Hill	Scott	Wiley
Elijah	Kyhl	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Beneke Lisle

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

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Senator Van Eaton asked and received unanimous consent to take up House File 357.

On motion of Senator Frommelt, House File 357, a bill for an act to amend section three hundred sixty-two point twenty-six (362.26), Code 1962, relating to agreements between cities and towns to refrain from annexing territory under said section, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Frommelt moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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 326 be withdrawn from further consideration of the Senate.

UNFINISHED BUSINESS

On motion of Senator Rigler, Senate Joint Resolution 15, a joint resolution proposing to amend Article three (III), of the Constitution of the State of Iowa to provide home rule for city and town governments, was taken up for further consideration.

Senator Schroeder offered the following amendment and moved its adoption:

Amend Senate Joint Resolution 15 by inserting at the end of line 19 of section 1 the following:

"However cities and towns may levy only those taxes, excises, fees, charges and other exactions now or hereafter permitted by statute."

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The amendment was adopted.

Senator Turner offered the following amendment and moved its adoption:

Amend Senate Joint Resolution 15 as follows:
By striking in line 2 of section 1 the word "adopted" and inserting in lieu thereof the word "proposed".

The amendment was adopted.

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

A Joint Resolution proposing to amend Article three (III) of the Constitution of the State of Iowa to provide home rule for city and town governments.

Be It Resolved by the General Assembly of the State of Iowa:

Section 1. The following amendment to the Constitution of the State of Iowa is hereby proposed:

"Article three (III), legislative department, Constitution of the State of Iowa is hereby amended by adding the following new section:

'Cities and towns are hereby empowered to determine their local affairs and government, except as provided in this section.

'The general assembly shall provide by general law, applicable to all cities and towns, for the methods by which boundaries may be altered and by which cities and towns may be merged, consolidated and dissolved.

'Cities and towns shall exercise determination over local affairs and government by ordinances passed by the local governing body. The enactment of ordinances on any subject of local affairs and government shall be permitted except as the provisions of this constitution and enactments of the general assembly on any such subject specifically prohibit or restrict such ordinances. However cities and towns may levy only those taxes, excises, fees, charges and other exactions now or hereafter permitted by statute.

'In order to prohibit or limit ordinances permitted by this section, a statute relating to cities and towns must be general in terms and effect; it must be of statewide concern and of uniform application. Such statutes now in effect or hereafter enacted and as later amended and until repealed shall govern all cities and towns.

'Powers and authority granted cities and towns by this section

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shall be liberally construed for the purpose of giving cities and towns the largest measure of self-government. The rule that cities and towns have only those powers expressly conferred by statute shall not apply.

'A statute which grants a specific power to cities and towns shall not be construed as narrowing or restricting the general grant of powers to cities and towns under this constitution unless such restriction is expressly set forth in such statute or unless the terms of such statute are so comprehensive as to have entirely occupied the field of its subject. Statutes which provide a manner or procedure for carrying out or exercising a given power shall be interpreted as providing the exclusive manner or procedure, where no alternative is specified, but failure to provide any express manner or procedure for exercising a conferred power shall not prevent its exercise.'."

Sec. 2. The foregoing proposed amendment is hereby referred to the general assembly to be chosen at the next general election for members of the general assembly, and the secretary of state shall cause the same to be published for three consecutive months previous to the date of said election as provided by law.

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

Yeas, 41:

Benda	Fisher	Lodwick	Shaff
Brown	Flatt	Long	Stephens
Buck	Frommelt	Lucken	Turner
Campbell	Fulton	Main	Van Eaton
Coleman	Getting	Mincks	Vincent
Cowden	Griffin	Nolan	Walker
Curran	Grimstead	O'Malley	Walter
Dodds	Hansen	Phelps	Wearin
Elijah	Hill	Rigler	Wiley
Elthon	Kyhl	Schroeder	Wilson
Elvers			

Nays, 7:

Beneke	Doran	Lisle	Vance
Burrows	Dykhouse	Scott	

Absent or not voting, 2:

Shivvers	Shoeman

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

On motion of Senator Nolan, House File 3, a bill for an act relating to the Iowa commission for the blind, was taken up for further consideration.

Senator Rigler offered the following amendment, filed by Senators Rigler, Nolan and Shoeman, and moved its adoption:

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Amend House File 3 by inserting the following after the word "governor" in line 4 of section 1: "with the approval of two-thirds of the members of the senate in executive session".

The amendment was adopted.

Senator Lucken moved that House File 3 be returned to the committee on board of control for further study.

Senator Lucken moved as a substitute motion that action on House File 3 be deferred and that the bill retain its place on the calendar under "unfinished business," which motion prevailed.

THIRD READING OF BILLS

On motion of Senator Buck, House File 420, a bill for an act to permit an increase in the maximum levy for ordinary revenue allowed upon the assessed valuation of the taxable property in the county, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Buck moved that the bill be read a third 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:

Benda	Dykhouse	Long	Shaff
Beneke	Elvers	Lucken	Stephens
Brown	Fisher	Main	Turner
Buck	Flatt	Mincks	Vance
Campbell	Frommelt	Nolan	Van Eaton
Coleman	Fulton	O'Malley	Walker
Cowden	Getting	Phelps	Walter
Curran	Hill	Rigler	Wearin
Dodds	Kyhl	Schroeder	Wiley
Doran	Lodwick	Scott	

Nays, none.

Absent or not voting, 10:

Burrows	Griffin	Lisle	Shoeman
Elijah	Grimstead	Shivvers	Vincent
Elthon	Hansen		

Voting present, 1:

Wilson

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

On motion of Senator Lucken, House File 421, a bill for an act to authorize the board of control to increase the amount of money

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paid to inmates upon release from the women's reformatory, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

President pro tempore Vance took the chair at 4:30 p.m.

Senator Lucken moved that the bill be read a third 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:

Benda	Dykhouse	Long	Stephens
Beneke	Elthon	Lucken	Turner
Brown	Elvers	Main	Vance
Buck	Fisher	Nolan	Van Eaton
Burrows	Flatt	O'Malley	Walker
Campbell	Getting	Rigler	Walter
Coleman	Hill	Schroeder	Wearin
Cowden	Kyhl	Scott	Wiley
Curran	Lodwick	Shaff	Wilson
Dodds			

Nays, none.

Absent or not voting, 13:

Doran	Griffin	Lisle	Shivvers
Elijah	Grimstead	Mincks	Shoeman
Frommelt	Hansen	Phelps	Vincent
Fulton			

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

SENATE CONCURRENT RESOLUTION 23

By Long

Whereas, the United States Congress by a series of amendments to the Social Security Act during the period 1956-1962 has extended and broadened the Social Security Act to provide disability and other benefits for work-connected injuries and disease; and

Whereas, the workmen's compensation laws were designed to be the basic and exclusive method and remedy providing benefits for work-connected injuries and diseases, and their administration has for over fifty years been the function of the several Industrial Accident Boards and Commissions, based on the accepted principle that benefits for work-connected injuries and diseases be tailored to fit social and economic conditions at the local level; and

Whereas, the extension of the Social Security Act to provide benefits for work-connected injuries and diseases has resulted in duplication of benefits; and

Whereas, legislation resulting in further intrusion into the field of work-connected injuries and diseases will constitute a severe threat to the survival of the state-administered workmen's compensation programs; now, therefore,

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Be It Resolved by the Senate, the House Concurring, that the General Assembly of the State of Iowa is opposed to any legislation by the United States Congress which would infringe on the right of this State to enact and administer its own workmen's compensation laws, and to further federal encroachment into the field of state-administered workmen's compensation programs, and strongly urges that the United States Congress again affirm that the workmen's compensation system is the basic program for compensating work-connected injuries and diseases.

Be It Further Resolved, that the Secretary of the Senate is directed to forward a copy of this resolution to each member of the Iowa delegation in the Congress of the United States.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 11 and 57.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate Files 11 and 57.

BILLS SENT TO THE GOVERNOR

Senator Benda, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 17th day of April, 1963, sent to the Governor for his approval: Senate Files 11 and 57.

KENNETH BENDA, *Chairman.*

Passed on file.

REPORTS OF COMMITTEE

Senator Elijah submitted the following report:

MR. PRESIDENT: Your committee on tax revision to which was referred **Senate File 168**, a bill for an act to amend section four hundred twenty-two point forty-two (422.42) and section four hundred twenty-three point one (423.1), Code 1962, relating to sales and use taxes and expendable chemicals, solvents and reagents used in processing personal property, begs leave to report it has had the same under consideration and recommends the same **do pass.**

EARL ELIJAH, *Chairman.*

Ordered passed on file.

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Also:

MR. PRESIDENT: Your committee on tax revision to which was referred **House File 505**, a bill for an act relating to property tax exemptions, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EARL ELIJAH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on tax revision to which was referred **House File 210**, a bill for an act to permit the destruction of tax lists more than ten years old, begs leave to report it has had the same under consideration and recommends the same **do pass**.

EARL ELIJAH, *Chairman*.

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 4, section 1, by inserting in line 4 after the word "cattle," the words "all female cattle under two (2) years of age,".

FRANKLIN MAIN.

Amend section 1 of the House amendment to Senate File 127 by inserting at the end of line 8 thereof the following: "the federal government or of".

MARTIN WILEY.

Amend Senate File 321 by striking section 5 and inserting in lieu thereof the following: "All judges of each of the judicial districts shall be qualified to act as judges of the juvenile court. In any county wherein a municipal court is maintained, the judges of the district court for the judicial district in which the county is located may also designate any municipal court judge or judges to act as juvenile court judges. In any judicial district composed of not more than one county, the judges of the district court may designate one or more of the judges serving such district to act as juvenile court judge or judges."

Further amend Senate File 321, section 7 by striking line 1 and inserting in lieu thereof the following:

"Sec. 7. The judges designated as judge of the juvenile court".

DAVID O. SHAFF.

Amend Senate File 439 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Amend section two hundred fifty-seven point ten (257.10), Code 1962, section four (4) by striking the words, "and decided" in line seven (7); and by striking the words "approve same" in line eight (8) and insert in lieu thereof "render a decision"; and by striking the word "superintendent" in line ten (10) and inserting in lieu thereof the word "board".

Sec. 2. Amend section two hundred eighty-five point twelve (285.12), Code 1962, by striking the following words appearing

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in line forty (40): "decide the same and notify all parties of his" and insert in lieu thereof the following words: "send all of the findings to the state board of public instruction and the state board shall decide the same and notify all parties of the".

EDWARD A. WEARIN.

On motion of Senator Rigler, the Senate adjourned until 9:30 a.m., Thursday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 18, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend G. W. Ukena, pastor of the Bethel Presbyterian Church, West Union, Iowa.

PRESENTATION OF VISITORS

Senator Stephens asked and received unanimous consent to present to the Senate seventy-five students, members of the ninth grade history class of the Mid-Prairie Community School, Wellman, who were present in the balcony accompanied by their instructors, Thelma Schupbach and Gary Murphy.

Senator Campbell asked and received unanimous consent to present to the Senate three students, members of the senior class of the Oskaloosa High School, who were present in the Senate chamber accompanied by Mrs. O. G. Edwards, president of the board of education.

Senator Benda asked and received unanimous consent to present to the Senate twelve students from the Trinity Lutheran School, Conroy, who were present in the balcony accompanied by their instructor, Mr. Balzer.

Senator Benda asked and received unanimous consent to present to the Senate thirty-five students, members of the senior class of the Iowa Valley High School, Marengo, who were present in the balcony accompanied by their instructors, Rex Hagans and Merle Neven Hoven.

Senator Campbell asked and received unanimous consent to present to the Senate fifty-four students, members of the government class of the English Valley Junior High School, North English, who were present in the balcony accompanied by their instructors, Doris Riess and Bernice Graham.

INTRODUCTION OF BILL

Senate File 458, by committee on social security, a bill for an act making it unlawful for any person or employer to discriminate in employment against any individual, and for a labor organization to discriminate in membership against any individual, because of race, color, religion, national origin or ancestry.

Read first and second times and placed on the calendar.

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RECONSIDERATION OF SENATE FILE 127

On motion of Senator Wiley, Senate File 127, a bill for an act to amend section four hundred twenty-two point forty-five (422.45), Code 1962, relating to exemptions from the imposition of the retail sales tax, was taken up for further consideration.

Senator Wiley moved that the vote by which Senate File 127 passed the Senate be reconsidered, which motion prevailed.

Senator Wiley moved that the vote by which Senate File 127 went to its third reading be reconsidered, which motion prevailed.

Senator Wiley moved to reconsider the vote by which the House amendment as amended was adopted, which motion prevailed.

Senator Wiley offered the following amendment to the House amendment and moved its adoption:

Further amend section 1 of the House amendment by inserting at the end of line 8 thereof the following: "the federal government or of ".

The amendment to the amendment was adopted.

On motion of Senator Wiley, the House amendment as amended was adopted.

Senator Wiley moved that the bill be read a third 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:

Benda	Elvers	Lucken	Shoeman
Beneke	Fisher	Main	Stephens
Brown	Flatt	Mincks	Turner
Campbell	Getting	Nolan	Vance
Coleman	Griffin	O'Malley	Van Eaton
Cowden	Grimstead	Phelps	Vincent
Curran	Hansen	Rigler	Walker
Dodds	Hill	Schroeder	Walter
Doran	Kyhl	Scott	Wearin
Dykhouse	Lisle	Shaff	Wiley
Elijah	Lodwick	Shivvers	Wilson
Elthon	Long		

Nays, none.

Absent or not voting, 4:

Buck	Burrows	Frommelt	Fulton

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 Lucken, Senate File 348, a bill for an act to authorize the secretary of agriculture of the State of Iowa to provide regulations setting forth minimum general safety standards

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for design, construction, location, installation and operation of storage facilities, the handling of transportation and utilization of anhydrous ammonia as an agricultural fertilizer; to provide for penalties for violation of this Act and the rules and regulations enacted thereunder, was taken up for further consideration.

Senator Lucken asked and received unanimous consent that Senate File 348 be returned to the committee on agriculture for further study.

On motion of Senator Nolan, House File 3, a bill for an act relating to the Iowa commission for the blind, was taken up for further consideration.

Senator Mincks asked and received unanimous consent to withdraw the point of order raised by him on the committee amendment and the amendment filed by Senators Rigler and Nolan on March 15, to House File 3, and that the action on same be expunged from the record.

Senator Lucken asked and received unanimous consent to withdraw the committee amendment to House File 3 and the committee amendment to the committee amendment.

Senator Nolan offered the following amendment filed by Senators Rigler and Nolan on March 15 and moved its adoption:

House File 3 is hereby amended by adding a new section as follows:

"Sec. 3. Section ninety-three point six (93.6), paragraph nine (9), Code 1962, is hereby amended by adding after the period (.) in line three (3) the following sentence: 'Training in such centers shall be limited to persons who are sixteen (16) years of age or older, and the commission shall not provide or cause to be provided any academic education or training to children under the age of sixteen (16) except that the commission may provide library services to such children.'"

Senator Rigler offered the following amendment to the amendment and moved its adoption:

Amend the amendment by inserting before the colon in line 1 the following: "and renumbering the remaining section".

The amendment to the amendment was adopted.

The amendment as amended 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, 42:

Benda	Cowden	Elthon	Getting
Beneke	Curran	Elvers	Grimstead
Brown	Dodds	Fisher	Hansen
Buck	Doran	Flatt	Kyhl
Campbell	Dykhouse	Frommelt	Lisle
Coleman	Elijah	Fulton	Lodwick

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Long	Phelps	Shoeman	Walter
Main	Rigler	Turner	Wearin
Mincks	Schroeder	Van Eaton	Wiley
Nolan	Shaff	Walker	Wilson
O'Malley	Shivvers		

Nays, 3:

Burrows	Hill	Scott

Absent or not voting, 1:

Griffin

Voting present, 4:

Lucken	Stephens	Vance	Vincent

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 Dykhouse, Senate File 414, a bill for an act to authorize and empower the state conservation commission to cooperate with the United States government and to accept federal funds for planning, acquisition and development of outdoor recreational areas, was taken up and considered.

Senator Dykhouse asked and received unanimous consent that House File 424 be substituted for Senate File 414.

On motion of Senator Dykhouse, House File 424, a bill for an act to authorize and empower the state conservation commission to cooperate with the United States government and to accept federal funds for planning, acquisition and development of outdoor recreational areas, 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:

Rule 8 was invoked.

Ayes, 27:

Benda	Elijah	Lisle	Stephens
Brown	Elvers	Lodwick	Van Eaton
Coleman	Fisher	Lucken	Vincent
Cowden	Frommelt	Main	Walter
Curran	Fulton	Mincks	Wearin
Dodds	Griffin	Nolan	Wiley
Dykhouse	Hansen	O'Malley	

Nays, 22:

Beneke	Getting	Rigler	Shoeman
Burrows	Grimstead	Schroeder	Turner
Campbell	Hill	Scott	Vance
Doran	Kyhl	Shaff	Walker
Elthon	Long	Shivvers	Wilson
Flatt	Phelps		

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Absent or not voting, 1:
Buck

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

Senator Dykhouse asked and received unanimous consent that Senate File 414 be withdrawn from further consideration of the Senate.

On motion of Senator Rigler, Senate File 424, a bill for an act to provide for the licensing and regulation of domestic corporations engaged in the business of lending money to the public, to provide penalties for violations and to repeal sections four hundred twenty-nine point eleven (429.11), four hundred twenty-nine point twelve (429.12) and four hundred twenty-nine point thirteen (429.13), Code 1962, was taken up and considered.

Senator Rigler asked and received unanimous consent that action on Senate File 424 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Beneke, Senate File 430, a bill for an act relating to the exploration for and the development, conservation, production, transportation and storage for natural gas and oil, was taken up and considered.

Senator Beneke asked and received unanimous consent that action on Senate File 430 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator O'Malley, Senate File 432, a bill for an act relating to construction of storm sewers in cities of one hundred twenty-five thousand (125,000) or more population, 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:

Benda	Elijah	Lisle	Shaff
Beneke	Elthon	Lodwick	Shivvers
Brown	Elvers	Long	Shoeman
Buck	Fisher	Lucken	Turner
Burrows	Frommelt	Main	Vance
Campbell	Fulton	Mincks	Van Eaton
Coleman	Getting	Nolan	Vincent
Cowden	Griffin	O'Malley	Walker
Curran	Grimstead	Phelps	Walter
Dodds	Hansen	Rigler	Wearin
Doran	Hill	Schroeder	Wiley
Dykhouse	Kyhl	Scott	Wilson

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Nays, none.

Absent or not voting, 2:

Flatt Stephens

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

Senator Shoeman asked and received unanimous consent that Senate File 4 be placed at the bottom of the calendar.

Senator Elvers asked and received unanimous consent that Senate File 6 be placed on the calendar following Senate File 4.

On motion of Senator Doran, Senate File 438, a bill for an act to provide a uniform procedure for the conduct of administrative hearings now provided for by statute, was taken up and considered.

Senator Buck offered the following amendment:

Amend Senate File 438 as follows:

1 By inserting in section two (2), line one hundred fifty-three (153), after the words "ninety-one (91)," the folowing: "chapter ninety-six (96), chapter ninety-seven B (97B),".

2. By striking sections five (5), six (6), seven (7), eight (8), nine (9), ten (10), eleven (11), twelve (12), and thirteen (13) therefrom and by renumbering the remaining sections.

On motion of Senator Buck, division 1 of the amendment was adopted.

Senator Buck asked and received unanimous consent to withdraw division 2 of the amendment.

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

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

Ayes, 44:

Benda	Dykhouse	Lodwick	Shoeman
Beneke	Elijah	Long	Stephens
Brown	Elthon	Lucken	Turner
Buck	Elvers	Main	Vance
Burrows	Fisher	Nolan	Van Eaton
Campbell	Flatt	O'Malley	Vincent
Coleman	Fulton	Phelps	Walker
Cowden	Getting	Rigler	Walter
Curran	Hansen	Schroeder	Wearin
Dodds	Kyhl	Scott	Wiley
Doran	Lisle	Shaff	Wilson

Nays, 3:

Griffin Hill Mincks

Absent or not voting, 2:

Grimstead Shivvers

Voting present, 1:

Frommelt

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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 Rigler, the Senate recessed until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

HAPPY BIRTHDAY, "QUEEN OF THE SENATE"

Senator Rigler rose on a point of personal privilege and announced that today was the birthday of the "Queen of the Senate," Lynn Clark, and that the pages of the Senate had a presentation to make.

Lynn was presented with a "HAPPY BIRTHDAY CAKE" and greeted to the tune of "Happy Birthday To You, Lynn" by all in the Senate chamber.

Senator Vance rose on a point of personal privilege and announced that today was the wedding anniversary of Senator Doran.

President Mooty on behalf of the members of the Senate extended best wishes.

APPOINTMENT OF SIFTING COMMITTEE

In accordance with Senate Rule 37, President Mooty announced the appointment of the following Senators as members of the sifting committee: Rigler, chairman; Vance, ranking member; Elthon, Frommelt, Grimstead, Long, Nolan, O'Malley, Schroeder, Shaff, Shoeman, Van Eaton and Wiley.

Senator Rigler moved that all bills be consigned to the sifting committee at once, with the exception of appropriations committee bills, ways and means committee bills, unfinished business, and claims committee bills. Further, that all bills be turned in to the Secretary of the Senate forthwith.

The motion prevailed.

The Chair announced that the Senate would stand at ease until the fall of the gavel.

The Senate reconvened, President Mooty 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

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House has passed the following bill in which the concurrence of the House was asked:

Senate File 380, a bill for an act to set the dates general aid to schools is to be paid.

Also: That the House has concurred in Senate amendments to and passed House File 149, a bill for an act authorizing cities and towns to acquire industrial buildings, issuance of revenue bonds for the purpose of developing industry and provide for the payment of certain sums in lieu of taxes.

Also: That the House has concurred in Senate amendments to and passed House File 196, a bill for an act relating to regulation of securities agents and dealers under the Iowa Securities Law.

Also: That the House has concurred in Senate amendments to and passed House File 452, a bill for an act relating to economic development corporations.

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

House File 550, a bill for an act relating to an increase in the tax imposed on cigarettes, on retail sales of tangible personal property, on gross receipts from operation of amusement devices and enterprises, and on the use tax; imposing a service tax on gross receipts for services performed by hotels, motels, roooming houses, tourist courts and trailer camps; relating to the apportionment and computation of the agricultural land tax credit; and relating to the tax levy for supplementary aid and general aid to school districts.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 550, a bill for an act relating to an increase in the tax imposed on cigarettes, on retail sales of tangible personal property, on gross receipts from operation of amusement devices and enterprises, and on the use tax; imposing a service tax on gross receipts for services performed by hotels, motels, rooming houses, tourist courts and trailer camps; relating to the apportionment and computation of the agricultural land tax credit; and relating to the tax levy for supplementary aid and general aid to school districts.

Read first and second times and referred to committee on ways and means.

SENATE CONCURRENT RESOLUTION 24

By Nolan and Long

Designed to express the collective will of the Legislators of the State of Iowa that a program of education in the history, dogmas, and tenets of International Communism be undertaken in the schools and colleges of this state, so that the youth of Iowa may better understand the threat of International Communism to our American way of life, and thus, be better prepared to assume positions of leadership in the ideological struggle of the cold war.

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Whereas, the totalitarianism of aggressive world Communism constantly threatens the peace of the world and the continued existence of the United States of America as a free republic; and

Whereas, it is becoming increasingly apparent that if we as a nation are to successfully combat and defeat the Communist conspiracy at home and abroad and perpetuate and strengthen our American way of life, it is essential that every American citizen must know and understand the fundamental theories and basic principles of our American constitutional, social, economic and political systems, and by way of contrast, the strategy, tactics, nature, effects, logistics, purposes and principles of Communism as it actually operates in the world today; and

Whereas, the Legislature of the State of Iowa finds it to be a fact that:

(a) The political ideology commonly known and referred to as communism is in conflict and contrary to the principle of individual freedom under law, as epitomized in the Constitution of the United States, and those of its several states;

(b) The exploitation and manipulation of youth and student groups throughout the world by the forces of international communism are a major challenge which free world forces must meet and defeat.

(c) The best method of meeting this challenge is to insure that our leaders of tomorrow, the youth of this state and of this nation, are thoroughly and completely familiar with the history and doctrines of the American political, social, and economic institutions in contradistinction to the history, doctrines, objectives, and techniques of international communism; and

(d) That a sound, comprehensive, and universal program of education in the field of Americanism vs. Communism in the schools and colleges of this state and of this nation is essential to this end.

Now, Therefore, Be It Resolved that the State Board of Public Instruction, the State Board of Regents, and the governing bodies of all public and private high schools and colleges in the State of Iowa, for the purposes aforesaid, are urged to:

(1) Place additional emphasis on present instruction on the history of the United States and of the State of Iowa, on the Constitution of the United States and of that of the State of Iowa, and on the rights and responsibilities of American citizenship; and to

(2) Establish a course or unit of instruction in the history, doctrines, objectives, and techniques of international communism, or to enrich the present curriculum with instruction in these subjects at appropriate points so as to insure that the graduates of our schools and colleges will have a mature appreciation of the international communist movement and its threat to the American way of life.

Be It Further Resolved that the State Board of Public Instruction and the State Board of Regents are urged to take such steps as may be necessary, and in the manner prescribed by law, to survey the current teacher education programs being offered in Iowa, and to provide such additional programs as may be necessary to qualify our teachers to provide objective, meaningful, and comprehensive instruction on the history, doctrines, objectives, and techniques of international communism.

Be It Further Resolved that a copy of this resolution be mailed to each newspaper, radio and television station in the State of Iowa, The State Superintendent of Public Instruction and each member of the State Board of Public Instruction, the State Board of Regents, the President of each college or university in the State of Iowa, each county and city school superintendent, each member of every county or city school board, to the governing authorities of every private secondary school in the State of

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Iowa, to the President and Vice President of the United States, to each member of the Congress of the United States, to each judge of the Supreme Court and every district court of the State of Iowa, to the Governor, the Lieutenant Governor, Attorney General and chief educational official of each State of the Union, to each and every Federal Court and to the principal of each high school in the State of Iowa.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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 110, 122, 194 and 310.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 110, 122, 194 and 310.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on April 18, 1963, the Governor had approved the following bill:

Senate File 57, relating to members of election boards and counting judges and clerks.

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 sifting committee calendar:

H. F. 332	S. F. 443	S. F. 448	H. F. 505
H. F. 193	S. F. 444	S. F. 454	H. F. 362
H. F. 315	S. F. 445	H. F. 490	S. F. 281
S. F. 440	H. F. 319	H. F. 208	H. F. 66
S. F. 88	S. F. 227	H. F. 210	H. F. 35
S. F. 442			

ROBERT R. RIGLER, *Chairman,*
Sifting Committee.

AMENDMENTS FILED

Amend Senate File 413 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section four hundred twenty-one point seventeen (421.17), subsection one (1), Code 1962, is amended by striking from lines three (3) and four (4) of said sub-

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section the words "over boards of supervisors" and inserting in lieu thereof the words "over conference boards and examining boards provided for in chapter four hundred forty-one (441), of the Code,".

Sec. 2. Section four hundred twenty-one point seventeen (421.17), subsection two (2), Code 1962, is amended by adding after the first paragraph thereof the following:

"The state tax commission shall by not later than September 1, 1963, and by September 1 in every fourth (4th) year thereafter, issue a directive to all county and city assessors in the state as to the level of percentage of valuation the commission has determined shall be the standard in the valuing and assessing of all taxable real property in the next regular real estate assessment year fixed in section four hundred twenty-eight point four (428.4), of the Code. In determining such standard level of percentage of valuation the commission shall take into consideration the provisions of section four hundred forty-one point twenty-one (441.21), of the Code, the relativity of valuations of all taxable property, the summary of the sales/assessment ratio study provided for in subsection six (6), section four hundred twenty-one point seventeen (421.17), of the Code, and any other matters that affect such standard level of percentage of valuation. It shall be a duty of the county and city assessors, and the local boards of review to comply with the commission's directive, and such directive shall continue in force and effect until December 31 of the following regular real estate assessment year."

Sec. 3. Section four hundred twenty-one point seventeen (421.17), subsection four (4), Code 1962, is amended by striking from lines one (1) and two (2) of said subsection the words "boards of supervisors," and inserting in lieu thereof the words "conference boards provided for in chapter four hundred forty-one (441), of the Code,".

Sec. 4. Section four hundred twenty-one point seventeen (421.17), subsection five (5), Code 1962, is amended by striking from lines ten (10) and eleven (11) of said subsection the words "boards of supervisors" and inserting in lieu thereof the words "conference boards, county or city assessors,".

Sec. 5. Section four hundred twenty-one point seventeen (421.17), subsection nine (9), Code 1962, is amended by striking from line two (2) of said subsection the words "boards of supervisors," and inserting in lieu thereof the words "assessors, conference boards provided for in chapter four hundred forty-one (441), of the Code,".

Sec. 6. Section four hundred twenty-one point seventeen (421.17), subsection two (2), Code 1962, is hereby amended by striking the second (2nd) paragraph of said subsection and substituting the following:

"The state tax commission shall in any year have the power and duty to order the revaluation and reassessment of all or any of the separate classes of real and personal property in any county and in any city having a city assessor, where the commission after making careful inquiry into the matter finds that there is a lack of proper equalization in the valuation of the property designated in its order, and

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shall direct the level of percentage of valuation the commission has determined shall be the standard in valuing and assessing all real and personal property which level of percentage of evaluation shall be compatible with the level of percentage established in accordance with the provisions of section two (2) of this Act. Such an order shall be directed to both the assessor and the conference board in whose jurisdiction the property to be revalued is situated, and shall designate definitely the property that the order pertains to, and shall contain the recommendation of the commission as to whether the property shall be revalued by a professional appraisal firm or company or by the assessor and his assistants. The order shall be sent to the assessor and also to the chairman of the conference board by United States certified mail. The assessor and conference board shall have twenty (20) days from the date of the issuance of said order to file with the commission written objections, if any, to proceeding with and complying with the revaluation order, and the commission shall hear the objections within twenty (20) days after receipt of the written objections. The burden shall be upon the assessor and the conference board to show cause why the revaluation should not be carried out as ordered. The commission shall within ten (10) days after said hearing on the objections notify the assessor and the chairman of the conference board in writing of its decision on such objections and the conference board shall have twenty (20) days from the date of the commission's decision to appeal therefrom to the district court of the county in which the property is situated. In the event the court upholds the order for revaluation, and in cases where the conference board makes no objections to the order for revaluation, or does not institute legal proceedings in the district court within the time specified herein, the conference board shall then forthwith take action toward providing the necessary funds, as provided in section four hundred forty-one point fifty (441.50), of the Code, for satisfactorily carrying out the revaluation and reassessment work, and shall determine whether the property shall be revalued by a professional appraisal company or firm or by the assessor with the assistance of qualified personnel, and shall see to it that the revaluation work is taken up promptly, and said conference board shall appoint a three (3) member committee from its membership to from time to time examine into the progress of the revaluation work.

The commission shall institute legal proceedings against any conference board failing to comply with its revaluation order, excepting in any case where a district court has ruled that the conference board is not required to comply with the commission's order.

The commission shall have the power to order the new valuations arrived at as a result of the revaluation of the designated property made effective for the levying of tax thereon in any year after completion of the revaluation work."

Sec. 7. Chapter four hundred twenty-one (421), Code 1962, is hereby amended by adding the following new section:

"Removal of members of state tax commission.

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Failure of the members of the state tax commission to perform the duties enumerated in this chapter and in sections four hundred forty-one point nine (441.9) and four hundred forty-one point thirty-two (441.32), of the Code, and in this Act, shall render them subject to the provisions of chapter sixty-six (66), of the Code."

Sec. 8. Section four hundred twenty-eight point four (428.4), Code 1962, is hereby repealed and the following enacted in lieu thereof:

"1. All property subject to taxation shall be taxed each year. Personal property shall be listed, valued and assessed each year in the name of the owner thereof. The statutory date of assessment for all taxable property shall be January 1st. Real property shall be listed, valued and assessed in the name of the owner thereof in every fourth (4th) year after the year 1961, and it shall be the duty of the county assessor and the city assessor, as the case may be to inspect all buildings or structures, be they agricultural, commercial, residential or industrial, and also to observe and take into consideration the features that contribute to value of all lots and lands by descriptions referred to in section four hundred twenty-eight point seven (428.7), of the Code, within four (4) years before valuing same in a regular real property assessment year, and the assessor shall have and maintain adequate property record cards in his office for each parcel or description of real property, and same shall show detailed information revealing how the actual value and the taxable value provided for in section four hundred forty-one point twenty-one (441.21), of the Code, of the property were arrived at, and also any changes made in the valuation of the property at any time, and it shall also be the duty of the assessor and the board of review of his jurisdiction to equalize the valuations of real property, and at all times maintain a satisfactory relativity of the valuations of all taxable property within their jurisdiction. Failure on the part of the assessor or members of the local board of review to perform those duties in accordance with the law shall constitute nonfeasance in office and shall be grounds for removal from office, as provided for in sections four hundred forty-one point nine (441.9) and four hundred forty-one point thirty-two (441.32), of the Code.

"2. In each year in which real property is not regularly listed, valued and assessed, the assessor shall list, value and assess any taxable real property not included in assessments made in the regular real property assessment year, and also any buildings or structures erected subsequent to the previous assessment, with sufficient details and description as to the tract or lot of land whereon the buildings or structures are situated, and the county auditor shall thereupon enter the taxable value of such real property, including buildings or structures, on the tax list as a part of real property to be taxed. However, if such buildings or structures were erected by another than the owner of the real estate, they shall be listed and assessed to the owner as personal property, but buildings or structures and fixtures erected on

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real property held under a lease of longer than three years duration shall be listed, valued and assessed as real property."

Sec. 9. Section four hundred forty-one point two (441.2), Code 1962, is hereby amended by adding thereto the following:

"The conference board shall from time to time inquire into the operation and conduct of the assessor's office, and shall be concerned as to the work of the assessor and the local board of review in respect to the equalization of valuations of taxable property in its jurisdiction, and said conference board shall comply fully with all lawful directives or orders issued to it by the state tax commission. In any case where a conference board fails to comply with a lawful order of the state tax commission, the commission shall forthwith proceed as provided in section four hundred twenty-one point twenty (421.20) of the Code."

Sec. 10. Section four hundred forty-one point nine (441.9), Code 1962, is hereby amended by adding the following paragraph:

"In any removal action instituted by the state tax commission, the commission shall have twenty (20) days from the date the conference board renders its decision finding that the charges for removal of the assessor had not been sustained, to appeal therefrom to the district court of the county or city of the conference board."

Sec. 11. Section four hundred forty-one point twenty-one (441.21), Code 1962, is hereby repealed and the following enacted in lieu thereof:

"1. All property subject to taxation in this state shall be valued at its actual value, which shall be ascertained by taking into consideration the following:

(1) Market value
(2) Earning capacity, past, present and prospective
(3) Replacement cost less depreciation
(4) Comparison with other properties
(5) Relative location
(6) Desirability
(7) Any other factors that may be by rule or regulation prescribed by the state tax commission
(8) In assessing business inventories the assessor shall also take into consideration the number of turnovers for the preceding year.

The method to be followed by all county and city assessors and other assessing officers in using the several factors listed in this section for determining actual value shall be prescribed in rules or regulations by the state tax commission, which shall be complied with by all assessors and other assessing officers in valuing and assessing property for property tax purposes.

All property subject to taxation shall be assessed at twenty-five (25) percent of such actual value, excepting moneys and credits taxed under sections four hundred twenty-nine point two (429.2), four hundred twenty-nine point fourteen (429.14), four hundred twenty-seven point one through and including point twenty-three (427.1-23), and thirty-five B point eleven (35B.11), of the Code, and any other property expressly

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provided for by statute. The actual value shall be entered opposite each item and shall be four (4) times the assessed value as shown by the assessment rolls and may be so determined and ascertained. The 'actual value' shall be essentially the same as 'market value'; however for the purpose only of computing the debt limitations for municipalities, political subdivisions and school districts as provided in sections four hundred seven point one (407.1) and four hundred seven point two (407.2), of the Code, the term 'actual value' as used in said sections shall mean the amount equal to one and two-thirds (1⅔) times the assessed valuation as determined by section eleven (11) of this Act. The assessed value shall be taken and considered as the taxable value of such property upon which the levy shall be made. The burden of proof shall be upon any complainant attacking such valuation as excessive, inadequate or inequitable."

Sec. 12. Section four hundred forty-one point thirty-two (441.32), Code 1962, is hereby amended by adding thereto the following:

"In any removal action instituted by the state tax commission, the commission shall have twenty (20) days from the date the conference board renders its decision finding that the charges for removal of a member or members of the local board of review had not been sustained, to appeal therefrom to the district court of the county or city of the board of review."

Sec. 13. Section four hundred forty-one point thirty-three (441.33), Code 1962, is hereby amended by striking from line fourteen (14) the word and figure "August 1," and inserting in lieu thereof the word and figure "July 1."

Further amend said section by striking from line twenty-four (24) the word and figure "August 1." and inserting in lieu thereof the word and figure "July 1."

Further amend said section by adding at the end thereof the following:

"The board of review shall give close attention and study to the matter of the equalization of the valuation of taxable property in its jurisdiction. It shall be a duty of the board of review to comply with all lawful orders issued to it by the state tax commission, and received by it. Each year before adjourning its regular session the board of review shall make a report in writing to the state tax commission, on forms to be prescribed and furnished by the commission, as to its findings with respect to the state or condition of equalization of valuations of the several kinds of classes of property assessed by the assessor and subject to review by the board of review, and also as to exemptions from taxation granted on properties, and shall bring to the attention of the commission what appears to it to be inequitable situations. Said annual report shall be filed with the commission within ten (10) days after final adjournment of the board of review and shall be signed by a majority of its members. The original report shall be filed with the commission, a copy shall be filed and retained in the assessor's office, and a copy shall be filed with the chairman of the conference board. Failure to comply with lawful orders of the state tax commission and

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failure to make and file such annual report shall constitute nonfeasance in office and shall be grounds for removal of the members of such board from their office, as provided for in section four hundred forty-one point thirty-two (441.32), of the Code."

Sec. 14. Section four hundred forty-one point forty-five (441.45), Code 1962, is hereby repealed and the following is enacted in lieu thereof:

"The county assessor of each county and each city assessor shall, on or before the third Monday in June, each year, make out, certify to and transmit to the county auditor of their county, an abstract of the assessed valuations of real and personal property, including moneys and credits, in his county or city, as the case may be, which abstract shall be made on forms to be prescribed and furnished by the state tax commission, and shall show data or figures that may be required by law, and such other information, as will be of use to and required by the commission in its capacity as such and constituting the state board of review, for its consideration of the assessed valuation of real and personal property in all counties of the state. The county auditor of each county shall, upon receipt of the abstract from the county assessor and from the city assessor, if there be such in the county, proceed to make out, certify to and transmit to the state tax commission on or before the first Monday in July, each year, an abstract of the assessed valuations of real and personal property, including moneys and credits, and showing totals for the entire county, same to be based on the abstract certified by and received from the assessor or assessors, and shall include such other data or figures as may be required on such abstract by law, or as may be required by the state tax commission for the use of the commission in its capacity as such and constituting the state board of review, as provided for in section four hundred forty-one point forty-six (441.46) of the Code. The abstract for the entire county shall be made on forms prescribed and furnished by the state tax commission. In addition, the county auditor of each county shall on or before August 1, each year, make out, certify to and transmit to the state tax commission, a statement of the value of property, real and personal, on which military service tax exemptions were applied for and allowed by the county board of supervisors in the same year of the abstract herein referred to, such certification as to military service tax exemptions to be made on forms prescribed and furnished by the state tax commission.

In any case where a local board of review continues in session beyond June 1, in any year, under provisions of section four hundred forty-one point thirty-three (441.33), of the Code, the abstract shall be made out by the county assessor or the city assessor, as the case may be, certified to and transmitted to the county auditor within fifteen (15) days from the date of the final adjournment of said board of review, and the county auditor shall, upon receipt of the abstract from the county assessor, and from the city assessor,

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if there be such in the county, proceed to make out, certify to and transmit to the state tax commission the abstract for the entire county within fifteen (15) days from the date the assessor filed the abstract for his jurisdiction with the county auditor. Where the county board of review and the city board of review in any county both had extensions of time to be in session, the county auditor shall transmit the abstract for the entire county to the commission within fifteen (15) days from the date the last assessor's abstract is received by the auditor. The assessors and county auditors shall file the completed abstracts within the time specified herein to enable the state board of review to proceed promptly with its equalization work.

If any county or city assessor or county auditor shall neglect or fail to make and file his completed abstract of assessment report in any year within the time and in the manner specified in this statute, he shall forfeit and pay the sum of one hundred dollars ($100.00) to be recovered in an action in the district court to be brought by the state tax commission, and any such sum ordered paid by the court shall be credited to the funds of the state tax commission."

Sec. 15. Section four hundred forty-one point forty-six (441.46), Code 1962, is amended by striking from lines four (4) and five (5) the words "second Monday of July in each year" and inserting in lieu thereof the words "second Monday of August in each year. It shall give consideration to valuation figures submitted on the abstract of assessment report for that year filed by each county in the state, also to the sales/assessment ratio study summary provided for in section four hundred twenty-one point seventeen (421.17), subsection six (6), of the Code, and to any other data or material that the commission regards has a bearing upon or reflects the valuation of real and personal property in the several counties of the state.

For purposes of sections six (6), nine (9), ten (10), twelve (12) and thirteen (13) of this Act, the state tax commission shall be the commission established by chapter four hundred twenty-one (421), Code 1962."

Sec. 16. Section four hundred forty-one point forty-seven (441.47), Code 1962, is hereby amended by repealing all of said section after the word "shall" in line two (2) and inserting in lieu thereof after the word "shall" the following:

"each year give close consideration to the status of the equalization of valuations of property in the several counties of the state for property tax purposes. It shall keep a record of its proceedings, which shall be open for public inspection. It shall adjust the valuation of property in the several counties for purpose of equalization of those values, adding to or deducting from the valuation of each kind or class of property reported such percentage in each case as will bring about a desirable equalization in the taxable value of real and personal property among the counties. It shall also adjust the valuations of property as between each kind or class of property in any city assessed by a city assessor and each kind or class of property assessed by the county

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assessor. It shall take into consideration the provisions of section two (2) and section eleven (11) of this Act in making any adjustments in the valuation of property in the several counties."

Sec. 17. Section four hundred forty-one point forty-eight (441.48), Code 1962, is hereby repealed and the following enacted in lieu thereof:

"The state board of review shall give ten (10) days notice by United States certified mail of its intention to add to or deduct from the valuation on any kind or class of property any proposed percentages, such notice to be sent to the county auditor of the county, or the city clerk of the city, as the case may be, whose valuation is proposed to be either raised or lowered, and said notice shall state the time and place that a hearing will be had before the state board of review on the tentative adjustment, such date to be no less than ten (10) days from the date of the notice. The county may appear by any of the members of the county conference board, the county assessor, the county auditor, members of the local board of review and the county attorney, and any city with a city assessor may appear by any member of its city conference board, the city assessor, the county auditor, members of the local board of review and the city and county attorney. Any protest to the tentative adjustment shall be made in writing and shall contain a statement of the reasons being urged why the adjustment should not be carried out. The state board of review shall hold an adjourned meeting and take final action with respect to all the valuations of property in all the counties and in all cities having a city assessor and shall promptly notify the county auditor of its final action."

Sec. 18. Section four hundred forty-one point forty-nine (441.49), Code 1962, is hereby repealed and the following enacted in lieu thereof:

"In any year where the state board of review finds it impossible to complete its equalization work by September 15 of that year, it shall order the adjusted valuations spread for the first time in the year following. Upon receipt of the certification from the state tax commission each year showing the final action of the commission respecting the valuations on property, the county auditor of the county shall thereupon add to or deduct from the valuation of each kind or class of property in his county the required percentage shown in the certification of the commission, and shall reject all fractions of fifty cents (50c) or less in the result and count all over fifty cents (50c) as one dollar ($1.00). The adjusted valuations shall then be taken and considered as the taxable value of the property upon which the levy shall be made. The county auditor shall comply with the state tax commission's directive or certification in the matter."

Sec. 19. Section four hundred forty-one point fifty (441.50), Code 1962, is hereby repealed and the following enacted in lieu thereof:

"1. In addition to the powers and authority granted the

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conference board in section four hundred forty-one point sixteen (441.16), of the Code, said board shall have the power and authority to contract with and engage a professional or commercial appraisal firm or company to value or revalue property, real and/or personal, in any year, for the improvement of equalization of the valuation of such property for tax purpose. Such revaluation to be done either on order of the state tax commission or the voluntary action of the conference board. Only such appraisal company or firm which shall have first registered with and been approved by the state tax commission shall be awarded such a contract. In the case that the conference board does not employ an appraisal firm or company it shall also have the power and authority to employ other appraisers, other technical help, or other qualified persons to assist and work with the county or city assessor, as the case may be, in valuing or revaluing property under a revaluation order or program, provided such other appraisers, other technical help, or other personnel shall have within one (1) year prior to their employment taken a written examination on appraisal procedure given and graded by the state tax commission, and the commission shall within ten (10) days after such examination certify to the assessor and the chairman of the conference board the results of such examination and the names of those who achieved a satisfactory passing grade, and the commission shall keep a record of those persons achieving a passing grade. The conference board shall direct the assessor as to the number of qualified persons to be employed in the revaluation work and who shall be paid from the special appraiser's fund.

2. The conference board shall certify for levy annually an amount to be determined by it, but in no case to exceed one and one-half (1½) mills upon all taxable property within the jurisdiction of the assessor and conference board, for the purpose of establishing a special appraiser's fund to be used only for the reassessment or revaluation of property, but in any year that the conference board considers it unnecessary to make such a levy it may upon obtaining the approval of the state tax commission omit the levy for that year. The conference board shall see to it that any balance in such special appraiser's fund not currently needed for payment of a reappraisal or revaluation of property in progress is invested, and shall direct the county treasurer to make such investments. Any interest received on such investments shall be credited in the special appraiser's fund, and the county treasurer shall file a report annually with the conference board on or before June 1 each year, or oftener if said board desires, as to the balance in such special appraiser's fund and the investment thereof and the amount of interest received. If there come a time when there is an unexpended balance in said fund not currently required to be used for revaluation of property, the conference board with the approval and consent of the state tax commission may direct the transfer of such amount of unexpended balance to the assessment expense fund of the assessor's office. The county auditor shall keep a record

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of said funds and shall issue warrants thereon only on requisition of the assessor, in the same manner as provided in section four hundred forty-one point sixteen (441.16), of the Code."

Sec. 20. Section four hundred thirty-four point fifteen (434.15), Code 1962, is hereby amended by striking from lines six (6), seven (7), and eight (8) the words "by taking sixty percent of the actual value so ascertained" and inserting in lieu thereof the words "as provided in section four hundred forty-one point twenty-one (441.21), of the Code."

Sec. 21. Section four hundred thirty-five point seven (435.7), Code 1962, is hereby amended by striking from line twenty-five (25) the word "sixty" and inserting in lieu thereof the word "twenty-five".

Sec. 22. Section four hundred thirty-eight point thirteen (438.13), Code 1962, is hereby amended by striking from lines six (6) and seven (7) the words "by taking sixty percent of the actual value so ascertained,".

Sec. 23. Publication clause. This Act being deemed of immediate importance shall be in full force and effect from and after its publication in the Ames Daily Tribune, a newspaper published at Ames, Iowa, and in The Globe-Free Press, a newspaper published at Grand Junction, Iowa.

By COMMITTEE ON TAX REVISION,
EARL ELIJAH, *Chairman.*

On motion of Senator Coleman, the Senate adjourned until 9:00 a. m., Friday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 19, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Melvin Miller, pastor of the Methodist Church, Waverly, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Wearin for the day (to attend a funeral) on the request of Senator Rigler.

PETITION

By Senator Flatt, from fifty residents of Madison County, in favor of Sunday closing legislation.

INTRODUCTION OF BILLS

Senate File 459, by committee on appropriations, a bill for an act to appropriate funds from the general fund of the State of Iowa to the conservation commission for construction, replacement, repairs, acquisition of land, development, forestry, water area improvements, siltation, boundary surveys and dredging.

Read first and second times and placed on the calendar.

Senate File 460, by committee on appropriations, a bill for an act creating the general contingent fund of the state for the biennium beginning July 1, 1963, and appropriating thereto the sum of two million dollars ($2,000,000.00) 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 placed on the calendar.

Senator Rigler asked and received unanimous consent that House File 3 be immediately messaged to the House, which request was complied with.

THIRD READING OF BILLS

On motion of Senator Hansen, House File 332, a bill for an act to enable the exchange of inheritance tax information with the federal government, with report of committee recommending passage, was

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taken up, considered, and the report of the committee adopted.

Senator Hansen moved that the bill be read a third 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:

Benda	Elijah	Lisle	Shivvers
Beneke	Elthon	Lodwick	Shoeman
Buck	Elvers	Long	Stephens
Burrows	Fisher	Lucken	Vance
Campbell	Flatt	Main	Van Eaton
Coleman	Frommelt	O'Malley	Vincent
Cowden	Fulton	Phelps	Walker
Curran	Getting	Rigler	Walter
Dodds	Hansen	Schroeder	Wiley
Doran	Hill	Scott	Wilson
Dykhouse	Kyhl		

Absent or not voting, 6:

Brown	Nolan	Turner	Wearin
Grimstead	Shaff		

Nays, 1:

Griffin

Voting present, 1:

Mincks

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

On motion of Senator Buck, House File 193, a bill for an act relating to speed limits on hard surfaced secondary roads, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Buck moved that the bill be read a third 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:

Benda	Elijah	Kyhl	Shivvers
Buck	Elthon	Lodwick	Shoeman
Burrows	Elvers	Long	Stephens
Campbell	Fisher	Lucken	Vance
Coleman	Flatt	O'Malley	Van Eaton
Cowden	Frommelt	Phelps	Vincent
Curran	Fulton	Rigler	Walker
Dodds	Griffin	Schroeder	Walter
Doran	Hansen	Scott	Wilson
Dykhouse			

Nays, 2:

Hill	Lisle

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Absent or not voting, 11:

Beneke	Grimstead	Nolan	Wearin
Brown	Main	Shaff	Wiley
Getting	Mincks	Turner	

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

On motion of Senator Burrows, House File 315, a bill for an act to empower the board of control or an agent designated by the board to exercise at its discretion the authority normally vested in its employees when problems arise, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Burrows moved that the bill be read a third 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:

Benda	Elijah	Kyhl	Scott
Beneke	Elthon	Lisle	Shivvers
Burrows	Elvers	Lodwick	Shoeman
Campbell	Fisher	Long	Stephens
Coleman	Flatt	Lucken	Vance
Cowden	Frommelt	Main	Van Eaton
Curran	Fulton	O'Malley	Vincent
Dodds	Griffin	Phelps	Walker
Doran	Hansen	Rigler	Walter
Dykhouse	Hill	Schroeder	Wilson

Nays, none.

Absent or not voting, 10:

Brown	Grimstead	Shaff	Wearin
Buck	Mincks	Turner	Wiley
Getting	Nolan		

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

On motion of Senator Walker, Senate File 88, a bill for an act relating to exemption from the provisions of retail sales tax of certain dairy, poultry and produce containers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

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

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Ayes, 41:

Benda	Elijah	Hill	Schroeder
Beneke	Elthon	Kyhl	Scott
Buck	Elvers	Lisle	Shivvers
Burrows	Fisher	Lodwick	Shoeman
Campbell	Flatt	Long	Stephens
Coleman	Frommelt	Lucken	Vance
Cowden	Fulton	Main	Van Eaton
Curran	Getting	O'Malley	Vincent
Dodds	Griffin	Phelps	Walker
Doran	Hansen	Rigler	Walter
Dykhouse			

Nays, none.

Absent or not voting, 9:

Brown	Nolan	Turner	Wiley
Grimstead	Shaff	Wearin	Wilson
Mincks			

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

On motion of Senator Lodwick, Senate File 442, a bill for an act to legalize the acts and proceedings of the board of trustees of the Iowa River-Flint Creek levee district No. 16 of Des Moines and Louisa Counties, Iowa, in relation to proceedings had in said levee district for adoption of a flood control project in co-operation with the United States corps of engineers and the action taken thereunder, the levying of an assessment for special benefits in the sum of three hundred fifty thousand (350,000) dollars by the boards of supervisors of Des Moines and Louisa Counties, Iowa, on April 1, 1963, upon request and certification of said board of trustees to pay for said levee district's share of the costs and authorizing the issuance of levee warrants on April 1, 1963, in anticipation of the collection of said assessment, was taken up and considered.

Senator Lodwick moved that the bill be read a third 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:

Benda	Elijah	Kyhl	Scott
Beneke	Elthon	Lisle	Shivvers
Buck	Elvers	Lodwick	Shoeman
Burrows	Fisher	Long	Stephens
Campbell	Flatt	Lucken	Vance
Coleman	Frommelt	Main	Van Eaton
Cowden	Fulton	Mincks	Vincent
Curran	Getting	O'Malley	Walker
Dodds	Griffin	Phelps	Walter
Doran	Hansen	Rigler	Wilson
Dykhouse	Hill	Schroeder	

Nays, none.

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Absent or not voting, 7:

Brown	Nolan	Turner	Wiley
Grimstead	Shaff	Wearin	

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

On motion of Senator Lucken, Senate File 444, a bill for an act to amend section four hundred twenty-two point four (422.4), Code 1962, to include the term "gross income" under definitions and to amend subsection twelve (12), section four hundred twenty-two point four (422.4), Code 1962, to define the word "nonresident," was taken up and considered.

Senator Lucken moved that the bill be read a third 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:

Benda	Elijah	Kyhl	Scott
Beneke	Elthon	Lisle	Shivvers
Buck	Elvers	Lodwick	Shoeman
Burrows	Fisher	Long	Stephens
Campbell	Flatt	Lucken	Vance
Coleman	Frommelt	Main	Van Eaton
Cowden	Fulton	Mincks	Vincent
Curran	Getting	O'Malley	Walker
Dodds	Griffin	Phelps	Walter
Doran	Hansen	Rigler	Wilson
Dykhouse	Hill	Schroeder	

Nays, none.

Absent or not voting, 7:

Brown	Nolan	Turner	Wiley
Grimstead	Shaff	Wearin	

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

On motion of Senator Beneke, House File 319, a bill for an act regulating the sale of mortgage guaranty insurance by licensed insurance companies, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Beneke moved that the bill be read a third 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:

Benda	Campbell	Dodds	Elthon
Beneke	Coleman	Doran	Elvers
Buck	Cowden	Dykhouse	Fisher
Burrows	Curran	Elijah	Frommelt

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Fulton	Lodwick	Rigler	Vance
Getting	Long	Schroeder	Van Eaton
Griffin	Lucken	Scott	Vincent
Hansen	Main	Shivvers	Walker
Hill	Mincks	Shoeman	Walter
Kyhl	O'Malley	Stephens	Wilson
Lisle	Phelps		

Nays, 1:

Flatt

Absent or not voting, 7:

Brown	Nolan	Turner	Wiley
Grimstead	Shaff	Wearin	

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

On motion of Senator Lisle, Senate File 227, a bill for an act relating to life, health and accident insurance by employees of the state, county, city, town or institution supported by public funds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator O'Malley offered the following amendment filed by Senators O'Malley and Lisle:

Amend Senate 227 as follows:

1. Amend section 1, line 4 by inserting after the word "county," the following: "school district,".
2. Amend section 1, line 7, by inserting after the word "county," the following: "school district,".
3. Amend section 10, line 6, by inserting after the word "counties," the following: "the school boards of school districts,".
4. Amend section 10, line 12, by inserting after the word "county," the following: "school district,".
5. Amend section 11, line 6, by inserting after the word "county," the following: "school district,".
6. Amend the title by inserting after the word "county," the following: "school district,".

Senator Doran asked and received unanimous consent that action on Senate File 227 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Long, Senate File 454, a bill for an act relating to public contracts and bonds and to amend chapter twenty-three (23), Code 1962, relating thereto, was taken up and considered.

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

On the question "Shall the bill pass?" the vote was:

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Ayes, 40:

Benda	Elijah	Kyhl	Scott
Beneke	Elthon	Lisle	Shivvers
Buck	Elvers	Lodwick	Shoeman
Burrows	Fisher	Long	Stephens
Campbell	Flatt	Lucken	Vance
Coleman	Frommelt	Mincks	Van Eaton
Cowden	Fulton	O'Malley	Vincent
Dodds	Getting	Phelps	Walker
Doran	Griffin	Rigler	Walter
Dykhouse	Hansen	Schroeder	Wilson

Nays, 1:

Hill

Absent or not voting, 9:

Brown	Main	Shaff	Wearin
Curran	Nolan	Turner	Wiley
Grimstead			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion Senator Van Eaton, House File 490, a bill for an act to amend chapter three hundred eighty-four (384), Code 1962, relating to municipal docks, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Frommelt moved that the bill be read a third 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:

Benda	Elthon	Kyhl	Scott
Beneke	Elvers	Lisle	Shivvers
Buck	Fisher	Lodwick	Shoeman
Burrows	Flatt	Long	Stephens
Campbell	Frommelt	Lucken	Vance
Coleman	Fulton	Mincks	Van Eaton
Cowden	Getting	O'Malley	Vincent
Dodds	Griffin	Phelps	Walker
Doran	Hansen	Rigler	Walter
Dykhouse	Hill	Schroeder	Wilson
Elijah			

Nays, none.

Absent or not voting, 9:

Brown	Main	Shaff	Wearin
Curran	Nolan	Turner	Wiley
Grimstead			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Schroeder, Senate File 445, a bill for an act

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relating to the organization of domestic insurance companies, was taken up and considered.

Senator Schroeder moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shivvers
Beneke	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Turner
Campbell	Frommelt	Mincks	Vance
Coleman	Fulton	O'Malley	Van Eaton
Cowden	Getting	Phelps	Vincent
Dodds	Griffin	Rigler	Walker
Doran	Hansen	Schroeder	Walter
Dykhouse	Hill	Scott	Wilson
Elijah	Kyhl		

Nays, none.

Absent or not voting, 8:

Brown	Grimstead	Nolan	Wearin
Curran	Main	Shaff	Wiley

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Elijah, House File 210, a bill for an act to permit the destruction of tax lists more than ten years old, 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, 44:

Benda	Elthon	Kyhl	Scott
Beneke	Elvers	Lisle	Shivvers
Buck	Fisher	Lodwick	Shoeman
Burrows	Flatt	Long	Stephens
Campbell	Frommelt	Lucken	Turner
Coleman	Fulton	Main	Vance
Cowden	Getting	Mincks	Van Eaton
Dodds	Griffin	O'Malley	Vincent
Doran	Grimstead	Phelps	Walker
Dykhouse	Hansen	Rigler	Walter
Elijah	Hill	Schroeder	Wilson

Nays, none.

Absent or not voting, 6:

Brown	Nolan	Wearin	Wiley
Curran	Shaff		

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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 Long, Senate File 443, a bill for an act relating to benefits under accident and sickness insurance policies, was taken up and considered.

Senator Long moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 41:

Benda	Elthon	Kyhl	Scott
Beneke	Elvers	Lisle	Shivvers
Buck	Fisher	Lodwick	Shoeman
Burrows	Flatt	Long	Stephens
Campbell	Frommelt	Lucken	Vance
Cowden	Fulton	Main	Van Eaton
Curran	Getting	O'Malley	Vincent
Dodds	Griffin	Phelps	Walker
Doran	Hansen	Rigler	Walter
Dykhouse	Hill	Schroeder	Wilson
Elijah			

Nays, none.

Absent or not voting, 9:

Brown	Mincks	Shaff	Wearin
Coleman	Nolan	Turner	Wiley
Grimstead			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

RECONSIDERATION OF SENATE FILE 443

Senator Long moved to reconsider the vote by which Senate File 443 passed the Senate, which motion prevailed.

Senator Long moved to reconsider the vote by which Senate File 443 went to its third reading, which motion prevailed.

Senator Coleman offered the following amendment and moved its adoption:

Amend Senate File 443 as follows:

By adding after the word "kind" in line 6 of section 1 the following: "; however, this provision shall not prohibit payment of indemnity for human blood or blood products".

The amendment was adopted.

Senator Long moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

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Ayes, 42:

Benda	Elthon	Lisle	Scott
Beneke	Elvers	Lodwick	Shivvers
Buck	Fisher	Long	Shoeman
Burrows	Flatt	Lucken	Stephens
Campbell	Frommelt	Main	Turner
Coleman	Fulton	Mincks	Vance
Cowden	Getting	O'Malley	Van Eaton
Dodds	Griffin	Phelps	Vincent
Doran	Hansen	Rigler	Walker
Dykhouse	Hill	Schroeder	Walter
Elijah	Kyhl		

Nays, none.

Absent or not voting, 8:

Brown	Grimstead	Shaff	Wiley
Curran	Nolan	Wearin	Wilson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Dodds, House File 505, a bill for an act relating to property tax exemptions, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Dodds moved that the bill be read a third 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:

Benda	Elthon	Kyhl	Shivvers
Beneke	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Turner
Campbell	Frommelt	Main	Vance
Coleman	Fulton	Mincks	Van Eaton
Cowden	Getting	O'Malley	Vincent
Dodds	Griffin	Phelps	Walker
Doran	Grimstead	Rigler	Walter
Dykhouse	Hansen	Schroeder	Wilson
Elijah	Hill	Scott	

Nays, none.

Absent or not voting, 7:

Brown	Lisle	Shaff	Wiley
Curran	Nolan	Wearin	

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 362, a bill for an act relating to the grand jury, was taken up and considered.

Senator O'Malley moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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On the question "Shall the bill pass?" the vote was:

Ayes, 43:

Benda	Elthon	Kyhl	Shivvers
Beneke	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Turner
Campbell	Frommelt	Main	Vance
Coleman	Fulton	Mincks	Van Eaton
Cowden	Getting	O'Malley	Vincent
Dodds	Griffin	Phelps	Walker
Doran	Grimstead	Rigler	Walter
Dykhouse	Hansen	Schroeder	Wilson
Elijah	Hill	Scott	

Nays, none.

Absent or not voting, 7:

Brown	Lisle	Shaff	Wiley
Curran	Nolan	Wearin	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator O'Malley asked and received unanimous consent that Senate File 225 be withdrawn from further consideration of the Senate.

On motion of Senator Frommelt, Senate File 281, a bill for an act to amend section five hundred thirty-three B point three (533B.3), Code 1962, relating to the sale of certain instruments for payment of money, was taken up and considered.

Senator Frommelt moved that the bill be read a third 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:

Benda	Elthon	Kyhl	Scott
Beneke	Elvers	Lisle	Shivvers
Buck	Fisher	Lodwick	Shoeman
Burrows	Flatt	Long	Stephens
Campbell	Frommelt	Lucken	Turner
Coleman	Fulton	Main	Vance
Cowden	Getting	Mincks	Van Eaton
Dodds	Griffin	O'Malley	Vincent
Doran	Grimstead	Phelps	Walker
Dykhouse	Hansen	Rigler	Walter
Elijah	Hill	Schroeder	Wilson

Nays, none.

Absent or not voting, 6:

Brown	Nolan	Wearin	Wiley
Curran	Shaff		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

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On motion of Senator O'Malley, House File 66, a bill for an act relating to the method of payment of municipal court judges and other municipal court officers, 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, 43:

Benda	Elthon	Lisle	Shivvers
Beneke	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Turner
Campbell	Frommelt	Main	Vance
Coleman	Fulton	Mincks	Van Eaton
Cowden	Getting	O'Malley	Vincent
Dodds	Griffin	Phelps	Walker
Doran	Grimstead	Rigler	Walter
Dykhouse	Hansen	Schroeder	Wilson
Elijah	Kyhl	Scott	

Nays, none.

Absent or not voting, 6:

Brown	Nolan	Wearin	Wiley
Curran	Shaff		

Voting present, 1:

Hill

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 35, a bill for an act relating to speed limits for motor vehicles in cities, 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, 44:

Benda	Elthon	Kyhl	Scott
Beneke	Elvers	Lisle	Shivvers
Buck	Fisher	Lodwick	Shoeman
Burrows	Flatt	Long	Stephens
Campbell	Frommelt	Lucken	Turner
Coleman	Fulton	Main	Vance
Cowden	Getting	Mincks	Van Eaton
Dodds	Griffin	O'Malley	Vincent
Doran	Grimstead	Phelps	Walker
Dykhouse	Hansen	Rigler	Walter
Elijah	Hill	Schroeder	Wilson

Nays, none.

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Absent or not voting, 6:

Brown	**Nolan**	**Wearin**	**Wiley**
Curran	**Shaff**		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator O'Malley asked and received unanimous consent that Senate File 49 be withdrawn from further consideration of the Senate.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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 380 and 402; also, House Files 41, 148, 196, 325, 335, 357, 407, 420, 421 and 543.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 380 and 402; also, House Files 41, 148, 196, 325, 335, 357, 407, 420, 421 and 543.

BILLS SENT TO THE GOVERNOR

Senator Benda, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 19th day of April, 1963, sent to the Governor for his approval: Senate Files 380 and 402.

KENNETH BENDA, *Chairman.*

Passed on file.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on April 19, 1963, the Governor had approved the following bill:

Senate File 11, relating to public utilities.

PROOFS OF PUBLICATION

Published copy of Senate File 442 and verified proof of publication of said bill in the Wapello Republican on April 18, 1963, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

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Also: Published copy of House File 586 and verified proof of publication of said bill in the Hampton Chronicle on April 18, 1963, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

Also: Published copy of House File 590 and verified proof of publication of said bill in The Cedar Rapids Gazette on April 13, 1963, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

CARROLL A. LANE, *Secretary of Senate.*

REPORT OF COMMITTEE

Senator Shoeman submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate File 447**, a bill for an act to make appropriations to certain named persons in settlement of claims made against the State of Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JOHN D. SHOEMAN, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 453 by striking in section 2, line 8, the figures "$50,000.00" and inserting in lieu thereof the figures "$75,000.00".

JOHN D. SHOEMAN.

Amend Senate File 458 by inserting after the word "person" in line 16 the following: "labor union or organization or an officer thereof".

A. V. DORAN.

On motion of Senator Rigler, the Senate adjourned until 10:00 a.m., Monday, April 22, 1963.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 22, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Charles W. Grooms, pastor of the Hillsboro and Harrisburg Baptist Church, Hillsboro, Iowa.

PETITIONS

By Senator O'Malley, from seven hundred fifty-six residents of Polk County, favoring proposed legislation relating to an increase in direct state aid for public schools and the strengthening of local control.

By Senator Wearin, a resolution from the Iowa Branch of the American Association of University Professors, urging Senate action on House File 136 providing for sabbatical leave for university faculty members.

PRESENTATION OF VISITORS

Senator Stephens asked and received unanimous consent to present to the Senate a group of students from the Columbus Junction High School who were present in the balcony accompanied by their instructor, Robert Barnes.

Senator O'Malley asked and received unanimous consent to present to the Senate twenty-four students, members of the sixth grade class of the North Polk Elementary School, who were present in the balcony accompanied by their instructor, Elaine Dykes.

Senator Turner asked and received unanimous consent to present to the Senate thirty students from the Avoha High School, Avoca, who were present in the balcony.

Senator Turner also rose on a point of personal privilege and presented to the Senate his mother, Mrs. Joe W. Turner, who was present in the Senate chamber.

SENATE FILE 438 RECALLED FROM HOUSE

Senator Buck asked and received unanimous consent that the Secretary be directed to recall from the House Senate File 438 for further consideration of the Senate.

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UNFINISHED BUSINESS

On motion of Senator Lisle, Senate File 227, a bill for an act relating to life, health and accident insurance by employees of the state, county, city, town or institution supported by public funds, was taken up for further consideration.

Senator Doran offered the following amendment and moved its adoption:

Amend Senate File 227 by adding thereto the following section:
"Sec. 12. Nothing contained in this Act shall invalidate any plan or contract of group insurance entered into prior to January 1, 1963."

The amendment was adopted.

Senator O'Malley offered the following amendment filed by Senators O'Malley and Lisle:

Amend Senate File 227 as follows:
1. Amend section 1, line 4, by inserting after the word "county," the following: "school district,".
2. Amend section 1, line 7, by inserting after the word "county," the following: "school district,".
3. Amend section 10, line 6, by inserting after the word "counties," the following: "the school boards of school districts,".
4. Amend section 10, line 12, by inserting after the word "county," the following: "school district,".
5. Amend section 11, line 6, by inserting after the word "county," the following: "school district,".
6. Amend the title by inserting after word "county," the following: "school district,".

On motion of Senator O'Malley, the amendment was adopted.

Senator Lisle moved that the bill be read a third 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:

Benda	Elijah	Lisle	Shivvers
Beneke	Elthon	Lodwick	Shoeman
Brown	Elvers	Long	Stephens
Buck	Fisher	Lucken	Turner
Burrows	Flatt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Frommelt	Main

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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 Lisle asked and received unanimous consent that Senate File 227 be immediately messaged to the House, which request was complied with.

THIRD READING OF BILLS

On motion of Senator Nolan, Senate File 440, a bill for an act relating to controlled-access highways and resolutions filed by the state highway commission in relation thereto, was taken up and considered.

Senator Vance offered the following amendment:

Amend Senate File 440 by striking everything after the colon in line 2 of section 1 and inserting in lieu thereof the following:

"No access rights to any highway shal be acquired by any authority having jurisdiction and control over the highways of this state by adverse possession or prescriptive right. No action heretofore or hereafter taken by any such authority shall form the basis for any claim of adverse possession of, or prescriptive right to, any access rights by any such authority."

Senator Turner offered the following amendment to the amendment and moved its adoption:

Amend the amendment by inserting between the words "any" and "highway" in line 3 the words "existing unlimited-access".

Division was called for.

The amendment to the amendment was lost.

Senator Nolan offered the following amendment to the amendment:

Amend the amendment by striking line 5 and inserting in lieu thereof the following: "this state by adverse possession, prescriptive right or administrative resolution or ruling. "No action".

On motion of Senator Rigler, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty 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 sifting committee calendar:

H. F. 425	H. F. 454	S. F. 457	S. F. 194
H. F. 423	H. F. 247	H. F. 287	H. F. 243

ROBERT R. RIGLER, *Chairman, Sifting Committee.*

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THIRD READING OF BILLS

The Senate resumed consideration of Senate File 440.

Senator Fulton offered the following amendment:

Amend Senate File 440 by striking everything after the colon in line 2 of section 1 and inserting in lieu thereof the following: "No access rights to any highway shall be acquired by any authority having jurisdiction and control over the highways of this state by adverse possession or prescriptive right through administrative resolution or ruling. No action heretofore or hereafter taken by any such authority shall form the basis for any claim of adverse possession of, or prescriptive right to, any access rights by any such authority."

Senator Fulton asked unanimous consent that the amendment filed by him be substituted for the amendment filed by Senator Vance.

Objection was raised.

Senator Fulton moved that the amendment filed by him be substituted for the amendment filed by Senator Vance.

Roll call was requested.

On the question "Shall the substitution be made?" the vote was:

Ayes, 13:

Brown	Fulton	Main	Turner
Coleman	Hill	Mincks	Wiley
Dodds	Lisle	Shaff	Wilson
Dykhouse			

Nays, 33:

Benda	Elthon	Lodwick	Shoeman
Beneke	Elvers	Long	Stephens
Buck	Fisher	Lucken	Vance
Burrows	Flatt	Nolan	Van Eaton
Campbell	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Hansen	Rigler	Walter
Doran	Kyhl	Schroeder	Wearin
Elijah			

Absent or not voting, 2:

Frommelt	Grimstead

Voting present, 2:

Scott	Shivvers

The substitution was lost.

The Senate resumed consideration of the amendment to the Vance amendment filed by Senator Nolan.

On motion of Senator Nolan, the amendment to the amendment was adopted.

Senator Hill raised a point of order on the bill for the reason

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that the subject matter contained therein had already been considered by the Senate.

The Chair ruled the point not well taken.

Senator Turner offered the following amendment to the amendment filed by Senator Vance:

Amend the amendment by adding the following sentence thereto:
"Nothing herein shall create a right of access to any newly located limited access highway".

Senator Turner moved the adoption of the amendment to the amendment, which motion was lost.

On motion of Senator Vance, the amendment as amended was adopted.

Senator Vance moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 30:

Benda	Doran	Kyhl	Shoeman
Beneke	Elijah	Lodwick	Stephens
Brown	Elthon	Main	Vance
Burrows	Elvers	Nolan	Walker
Campbell	Fisher	O'Malley	Walter
Coleman	Getting	Phelps	Wearin
Cowden	Griffin	Schroeder	Wilson
Dodds	Grimstead		

Nays, 19:

Buck	Hansen	Mincks	Turner
Curran	Hill	Rigler	Van Eaton
Dykhouse	Lisle	Scott	Vincent
Flatt	Long	Shaff	Wiley
Fulton	Lucken	Shivvers	

Absent or not voting, 1:

Frommelt

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Vance asked and received unanimous consent that Senate File 440 be immediately messaged to the House, which request was complied with.

On motion of Senator Shaff, Senate File 448, a bill for an act to amend section four hundred ninety-six A point one hundred twenty-nine (496A.129), Code 1962, relating to credit against annual license fees of corporations and foreign corporations, was taken up and considered.

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Senator Shaff moved that the bill be read a third 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:

Benda	Elijah	Lisle	Shaff
Beneke	Elthon	Lodwick	Shivvers
Brown	Elvers	Long	Shoeman
Buck	Fisher	Lucken	Stephens
Burrows	Flatt	Main	Turner
Campbell	Fulton	Mincks	Vance
Coleman	Getting	Nolan	Van Eaton
Cowden	Griffin	O'Malley	Vincent
Curran	Grimstead	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Schroeder	Wearin
Dykhouse	Kyhl	Scott	Wilson

Nays, none.

Absent or not voting, 2:

Frommelt	Wiley

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Shaff, House File 208, a bill for an act to amend section four hundred twenty-two point forty-two (422.42), and section four hundred twenty-three point one (423.1), Code 1962, relating to sales and use taxes and expendable chemicals, solvents and reagents used in processing personal property, was taken up and considered.

Senator Shaff moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shoeman
Beneke	Elvers	Long	Turner
Brown	Fisher	Lucken	Vance
Buck	Fulton	Main	Van Eaton
Campbell	Getting	Nolan	Vincent
Coleman	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle	Shivvers	

Nays, 3:

Flatt	Mincks	O'Malley

Absent or not voting, 3:

Burrows	Cowden	Frommelt

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Voting present, 1:
Stephens

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Shaff asked and received unanimous consent that Senate File 168 be withdrawn from further consideration of the Senate.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to return herewith, as requested by the Senate, Senate File 438, an act to provide a uniform procedure for the conduct of administrative hearings now provided for by statute.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:
Senate File 86, a bill for an act relating to scabies control in sheep and eradication with penalty provision.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:
House File 154, a bill for an act relating to the investment and deposit of county, city, town and school funds.

Also: That the House has concurred in Senate amendments to and passed House File 222, a bill for an act relating to insurance other than life.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:
House File 239, a bill for an act relating to minimum teachers' wages.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:
House File 240, a bill for an act relating to levee and drainage districts.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:
House File 286, a bill for an act relating to memorial commissions and the composition thereof.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:
House File 322, a bill for an act to regulate the transfer of securities between certain organizations under common or overlapping control.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:
House File 323, a bill for an act relating to increase in capital and surplus requirements for insurance companies seeking new licenses in the state.

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 to clarify liability for support furnished by the county for patients admitted voluntarily to mental health institutes.

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Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 386, a bill for an act relating to the term of office of county supervisors and township trustees.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 457, a bill for an act relating to the issuance of special automobile license plates to seriously disabled veterans.

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 state fair board.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 481, a bill for an act relating to warehouses for agricultural products.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 491, a bill for an act relating to unemployment compensation benefits.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 551, a bill for an act relating to the federal social security enabling act.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 564, a bill for an act relating to granting of permission to the state conservation commission to incorporate the regulations under the federal Migratory Bird Treaty Act and the Migratory Bird Hunting Stamp Act.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 566, a bill for an act relating to county conservation boards.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 570, a bill for an act relating to the powers of cities and towns in regard to water plants, facilities and connections.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 573, a bill for an act enabling the state conservation commission to release an easement.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 575, a bill for an act relating to the power of electors to vote a tax for the purchase of a school bus garage without a bond issue.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 586, a bill for an act to legalize and validate the acceptance,

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organization, and establishment of the County Public Hospital in County of Franklin.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 86

Amend Senate File 86 as follows:

1. Section 1, subsection 6, by striking from line 1 the words "Licensed dealer" and inserting in lieu thereof the word "Dealer"; also by striking from lines 1 and 2 the words "who is licensed by the Iowa department of agriculture".

Further amend section 1, subsection 6, by striking from line 5 the words "licensed sheep".

2. By inserting the following new sections immediately after section 1:

Sec. 2. Any person engaged as a dealer shall be required to obtain a license from the department. The fee for such license shall be five dollars ($5.00) per year and all licenses shall expire on the first day of July following date of issue. Licenses shall be numbered and the dealer shall retain his number from year to year.

Applications for licenses shall be made upon blanks furnished by the department.

For good and sufficient grounds the department may refuse to grant a license to any applicant, and it may also revoke a license to any applicant for a violation of any provision of this Act, or for the refusal or failure of any licensee to obey the lawful directions of the department.

Sec. 3. Any person engaging in, or holding himself out to be in, the business of a dealer without obtaining a license may be restrained by injunction, and shall pay all costs made necessary by such procedures.

3. Section 2, by striking the period in line 6 at the end of the section and inserting in lieu thereof the following: "; provided, that when sheep are moved within or from a certified scabies-free area in the state accompanied by an official health certificate, dipping shall not be required prior to such movement; and provided further, that sheep may be moved from premises to an approved facility for the purpose of dipping under such conditions as may be required by the rules of the department, and also sheep moved to a livestock auction market need not be dipped until after sale, nor if consigned directly for slaughter."

4. Section 4, line 1, by striking the word "provide" and inserting in lieu thereof the word "use".

5. Section 6, line 2, by striking the words "at a market, dealer's premises or elsewhere,".

6. Section 6, by striking the period at the end thereof and inserting the following: ", provided sheep may be moved without dipping between properties owned or rented by the owner of said sheep, if not moved from a non-certified scabies-free area to a certified scabies-free area."

Further amend section 6 by adding the following new paragraph:

"Any person may sell or exchange sheep on the farm between November 1 and April 1 without dipping if accompanied by a certificate from a licensed veterinarian that they are free from scabies issued within ten (10) days prior to such sale or exchange until such time as the county is declared a scabies-free area."

7. Amend by renumbering the sections following section 1 to conform to this amendment.

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HOUSE MESSAGES CONSIDERED

House File 154, a bill for an act relating to the investment and deposit of county, city, town and school funds.

Read first and second times and referred to sifting committee.

House File 239, a bill for an act to repeal sections two hundred ninety-four point six (294.6) and two hundred ninety-four point seven (294.7), Code 1962, relating to minimum teachers' wages.

Read first and second times and referred to sifting committee.

House File 240, a bill for an act to amend chapter four hundred fifty-five (455), Code 1962, relating to levee and drainage districts.

Read first and second times and referred to sifting committee.

House File 286, a bill for an act relating to memorial commissions and the composition thereof.

Read first and second times and referred to sifting committee.

House File 322, a bill for an act to regulate the transfer of securities between certain organizations under common or overlapping control.

Read first and second times and referred to sifting committee.

House File 323, a bill for an act relating to increase in capital and surplus requirements for insurance companies seeking new licenses in the State of Iowa.

Read first and second times and referred to sifting committee.

House File 342, a bill for an act to clarify liability for support furnished by the county for patients admitted voluntarily to mental health institutes.

Read first and second times and referred to sifting committee.

House File 386, a bill for an act relating to the term of office of county supervisors and township trustees.

Read first and second times and referred to sifting committee.

House File 457, a bill for an act relating to the issuance of special automobile license plates to seriously disabled veterans.

Read first and second times and referred to sifting committee.

House File 463, a bill for an act relating to the state fair board.

Read first and second times and referred to sifting committee.

House File 481, a bill for an act relating to warehouses for agricultural products.

Read first and second times and referred to sifting committee.

House File 491, a bill for an act to amend chapter ninety-six (96), Code 1962, relating to unemployment compensation benefits, the eligibility therefor, causes for disqualification, changes in the contribution rates for certain employers, increases in weekly benefit amounts, and the administration thereof.

Read first and second times and referred to sifting committee.

House File 551, a bill for an act relating to the federal social security enabling act.

Read first and second times and referred to sifting committee.

House File 564, a bill for an act to amend section one hundred nine point forty-eight (109.48), Code 1962, relating to the granting of permission to the state conservation commission to incorporate into state regulations by administrative order the regulations under the federal Migratory Bird Treaty Act and the Migratory Bird Hunting Stamp Act.

Read first and second times and referred to sifting committee.

House File 566, a bill for an act to amend section one hundred eleven A point six (111A.6), Code 1962, relating to county conservation boards.

Read first and second times and referred to sifting committee.

House File 570, a bill for an act relating to the powers of cities and towns in regard to water plants, facilities and connections.

Read first and second times and referred to sifting committee.

House File 573, a bill for an act enabling the state conservation commission to release an easement in favor of the people of the State of Iowa which presently encumbers the property of Henrietta G. Pitman, L. G. Pitman, Clarence P. McConnell, and Loveta Opal McConnell.

Read first and second times and referred to sifting committee.

House File 575, a bill for an act relating to the power of electors to vote a tax for the purchase of a school bus garage without a bond issue.

Read first and second times and referred to sifting committee.

House File 586, a bill for an act to legalize and validate the acceptance, organization, and establishment of the County Public Hospital in County of Franklin, State of Iowa, and to declare said hospital a duly erected hospital as provided by law.

Read first and second times and referred to sifting committee.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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 35, 66, 149, 210, 222, 315, 362, 452, 490 and 505.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 35, 66, 149, 210, 222, 315, 362, 452, 490 and 505.

AMENDMENTS FILED

Amend Senate Concurrent Resolution 18, lines 2 and 3 by striking "five o'clock p.m., Tuesday, April 23, 1963." and inserting in lieu thereof the following: "twelve o'clock noon, Friday, May 3, 1963.".

ROBERT R. RIGLER.

Amend Senate File 194 as follows:

1. Strike from line 5 of section 4 the word "six" and insert in lieu thereof the word "eight".
2. Strike from line 9 of section 5 the word "six" and insert in lieu thereof the word "eight".
3. Strike from line 9 of section 5 the word "five" and insert in lieu thereof the word "six".
4. Strike from line 10 of section 5 the word "one" and insert in lieu thereof the word "two".
5. Strike from line 4 of section 6 the word "five" and insert in lieu thereof the word "six".
6. Strike from line 6 of section 6 the word "the" and insert in lieu thereof the word "each".
7. Strike from line 9 of section 7 the word "member" and insert in lieu thereof the word "members".
8. Strike from line 15 of section 7 the word "the" at the end of the line and insert in lieu thereof the word "an".
9. Add at the end of section 7 the following:

"The additional medical member of the board provided by this Act shall serve for six years from July 1, 1963. After the expiration of the terms of the present medical members, terms

of their successors shall be for six years. The terms of the first osteopathic physician and surgeon members of the board appointed under this Act shall be, one for two years and one for three years beginning July 1, 1963. Their successors shall be appointed for terms of three years."

10. Strike from line 5 of section 8 the words "every third year" and insert in lieu thereof the words "in any year prior to expiration of the term of any such member".

11. Strike from lines 6 and 7 of section 16 the words "the osteopathic physician and surgeon" and insert in lieu thereof the word "a".

12. Strike section 27 and insert in lieu thereof the following:

Sec. 27. Section one hundred fifty point eight (150.8), Code 1962, is hereby repealed and the following enacted in lieu thereof:

"A license to practice osteopathy shall not authorize the licensee to engage in major operative surgery, but shall authorize the licensee to prescribe or give drugs and medicines whether or not prescribed or given preliminary to, preparatory to or in connection with manual treatment."

GEO. E. O'MALLEY.
CHAS. F. GRIFFIN.
D. C. NOLAN.

Amend Senate File 424 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Title. This Act may be referred to as the "Iowa Industrial Loan Law."

Sec. 2. Definitions. The following words and terms when used in this Act shall have the following meanings unless the context clearly requires a different meaning:

(a) "Corporation" shall mean any corporation for pecuniary profit organized under the laws of the State of Iowa.

(b) "License" shall mean a permit or authorization issued or required under the provisions of this Act to make loans in accordance with this Act at a single location or place of business.

(c) "Licensee" shall mean a corporation to which a license has been issued.

(d) "Auditor" shall mean the auditor of the State of Iowa.

(e) "Industrial Loan Company" shall mean a corporation operating under the provisions of this Act and engaged in the business of loaning money to be repaid in one payment or in weekly, monthly or other periodic installments and the charging, receiving or requiring of interest, discount fees, compensation or charges of whatever nature or kind for the use of such money and for services to be rendered to the borrower in connection with the loan. The term "Industrial Loan Company" shall not include those businesses specifically exempted in Sec. 5 (five) of this Act.

Sec. 3. License. No corporation shall engage in the business of operating an "Industrial Loan Company" in the state of Iowa without first having obtained a license from the auditor of the State of Iowa.

Sec. 4. Limitations. No license shall be issued to any individual, partnership, non-profit organization or unincorporated

association. No corporation shall be licensed for more than one place of business or at more than one location.

Sec. 5. Exemptions. The provisions of this Act shall not apply to businesses organized or operating as permitted under the authority of any law of this state, or of the United States, relating to banks, trust companies, building and loan associations, savings and loan associations, insurance companies, small loan companies organized under the provisions of chapter five hundred thirty-six (536), Code 1962, or credit unions; nor shall the provisions of this Act apply to persons, firms or corporations that make no loans excepting on notes secured by first mortgages on real estate, nor shall the provisions of this Act apply to licensed real estate brokers or salesmen, persons or corporations engaged exclusively in the business of purchasing commodity financing or commercial paper, pawn brokers or persons engaged in the mercantile business.

Sec. 6. Administration. The auditor of the State of Iowa is hereby vested with the power, authority and duty to supervise the operation of Industrial Loan Companies in the State of Iowa in accordance with the provisions of this Act.

Sec. 7. Application for license. Applications for licenses to engage in the business of operating industrial loan companies shall be in writing on such forms as may be prescribed by the auditor. The application shall give the name of the corporation, the location where the business is to be conducted, the street address of the place of business, the names and addresses of the officers and directors of the corporation and such other relevant information as the auditor shall require. At the time of making such application the applicant shall pay to the auditor the sum of fifty dollars ($50.00) to cover the cost of the investigation of the applicant. The applicant shall also pay to the auditor the sum of fifty dollars ($50.00) as an annual license fee for the period ending December 31st next following the application; provided that if the license is granted after June 30th in any year, the license fee for the remainder of that year shall be twenty-five dollars ($25.00) and any license fee paid by the applicant in excess of that amount shall be refunded by the auditor.

Sec. 8. Capital stock requirement. The paid in capital stock of any corporation engaged in the business of operating an Industrial Loan company shall not be less than twenty-five thousand dollars ($25,000.00) when the corporation is transacting business in any city or town having less than twenty-five thousand (25,000) inhabitants according to the last preceding decennial census. The paid in capital stock of any corporation engaged in the business of operating an Industrial Loan Company in any city having a population of more than twenty-five thousand (25,000) inhabitants according to the last preceding decennial census shall not be less than fifty thousand dollars ($50,000.00). The paid in capital stock of any corporation engaged in the business of operating an Industrial Loan Company outside the limits of any incorporated city or town shall not be less than fifty thousand dollars ($50,000.00). Every corporation engaged in the industrial loan business in the State of Iowa shall have a surplus of not less than ten per cent

(10%) of its paid in capital stock.

Sec. 9. Notice to existing licensees. Upon the filing of an application for a license to engage in the business of operating an industrial loan company the auditor shall mail to all licensed industrial loan companies in the county where the applicant requests authority to conduct its business, a notice that an application has been filed, stating the name of the applicant and the name, address and location where the applicant proposes to conduct its business. Within (15) days from the date of mailing of such notice existing industrial loan company licensees may file with the auditor written objections to the approval of the application.

Sec. 10. Investigation of application. Upon the filing of an application for a license to engage in the business of operating an industrial loan company, and upon payment of the investigation fee and license fee as required by section 6 of this Act, the auditor shall cause an investigation to be made of the applicant and of the facts set forth in the application. If objections to the application have been filed by an existing industrial loan company licensee, if the applicant files a written request for a hearing or if as the result of his preliminary investigation the auditor deems it proper, the auditor may hold a hearing at a time and place designated by him for the purpose of completing his investigation. In the event such a hearing is held, reasonable notice shall be given to the applicant and to existing industrial loan company licensees with objections on file.

Sec. 11. Issuance of license. If the auditor shall find (a) that the financial responsibility, experience, character and general fitness of the applicant and of the officers thereof are such as to command the confidence of the community, and to warrant the belief that the business will be operated honestly, fairly and efficiently within the purpose of this Act; (b) that a reasonable necessity exists for a new industrial loan company in the community to be served; (c) that it can be established and operated without undue injury to existing industrial loan companies in the community; (d) that the applicant has available for the operating of the business at the specified location paid in capital and surplus as required by section 8 of this Act; and (e) that the applicant is a corporation organized for pecuniary profit under the laws of the State of Iowa, the auditor shall approve the application and issue to the applicant a license to engage in the industrial loan business in accordance with the provisions of this Act. The auditor shall approve or deny an application for a license within one hundred twenty (120) days from the date of the filing of such application.

Sec. 12. Denial of license. If the auditor shall not approve the application, he shall prepare a written denial of the application with a written finding of facts which shall be sent by certified mail to the applicant. Within ten (10) days after the date of mailing of the notice of the denial of its application, the applicant may file with the auditor a written demand for a hearing on the application. Upon such a demand being made, the auditor must within thirty (30) days hold a formal hearing at his office in Des Moines, Iowa, notice of the time of which hearing shall be given by the auditor to the applicant by mail within fifteen (15) days after the filing of the

written demand by the applicant. Notice of the time and place of hearing shall also be given by the auditor to all licensees who have filed written objections with the auditor. At the formal hearing after the original denial of the license by the auditor the applicant shall be entitled to present evidence in support of his application. The auditor shall then grant or deny the application for a license within thirty (30) days from the date of the conclusion of the formal hearing and give notice to the applicant by a decision and finding of facts in writing. If the application for a license is disapproved and a license is denied the auditor shall refund the annual license fee which was required to be deposited by section 6 of this Act. The decision and finding of facts of the auditor shall not become effective if any applicant within thirty (3) days from issuance of such decision and finding of facts, shall appeal to the District Court of Polk County, Iowa. The district court shall have power to enter such orders as justice shall require, and shall set aside the decision of the auditor if it is found that (a) the auditor acted arbitrarily, capriciously or in excess of his power, (b) the decision was obtained by fraud, or (c) the decision was contrary to law.

Sec. 13. Continuing license—annual fee—removal. Each such license shall remain in full force and effect until surrendered revoked or suspended. Every licensee shall, on or before the second day of January, pay to the auditor the sum of fifty dollars ($50.00) as an annual license fee for the succeeding calendar year. When a licensee shall change its place of business from one location to another in the same city or town it shall at once give written notice thereof to the auditor who shall attach to the license in writing his record of the change and the date thereof, which shall be authority for the operation of such business under such license at the new place of business.

Sec. 14. Books and records. Each industrial loan company shall keep such books, accounts and records as will enable the auditor to determine whether or not the licensee is complying with the provisions of this Act. Such books and records shall be kept in accordance with sound and accepted accounting principles and practices. Each industrial loan company shall preserve the books, accounts and records for at least two (2) years after making the final entry on any loan recorded therein.

Sec. 15. Annual report. Each licensee shall annually on or before the fifteenth day of March file with the auditor a report in writing showing the results of the operation of its industrial loan business for the previous calendar year, which report shall contain (a) a balance sheet showing all assets and liabilities as of the thirty-first day of December next preceding; (b) an operating statement showing income, expenses and net profit for the previous calendar year and (c) such other relevant information as the auditor shall reasonably require. The report shall be verified under oath by the president and secretary of the corporation. The auditor shall make and publish annually an analysis and recapitulation of such reports.

Sec. 16. Examination of licensees. The auditor or his duly authorized representative shall, at least once a year without previous notice, examine and audit the books, accounts and records of each licensee engaged in the industrial loan business as

defined by this Act. Any licensee, in lieu of such examination and audit by the auditor or his duly authorized representative, at the option of the auditor, may be audited at the expense of the licensee by a certified public accountant licensed to practice in the State of Iowa. After receiving such an audit the auditor may make such further examination of the licensee as he may deem necessary. A record of each examination shall be kept in the auditor's office. Such examinations and reports, and other information connected therewith, shall be kept confidential in the office of the auditor and shall not be subject to publication or disclosure to others except as in this chapter provided. The licensee shall be charged and shall pay the actual costs of the examination.

Sec. 17. Cease and desist orders. Whenever the auditor has reasonable cause to believe that any licensee is violating any provision of this Act, he may, after ten (10) days advance written notice, in addition to all actions provided for in this Act, and without prejudice thereto, enter an order requiring such licensee to cease, desist and refrain from such violation. After mailing of the advance written notice as provided above, any licensee within five (5) days from the mailing of such notice may file with the auditor a written demand for a hearing. Such hearing shall promptly be held in the office of the auditor and no cease and desist order shall be issued until after the hearing during which the licensee shall be entitled to present evidence and the testimony of witnesses.

Sec. 18. Injunctions. The auditor may commence an action in any court of competent jurisdiction in the name of the State of Iowa as plaintiff on the relation of such auditor to restrain and enjoin any licensee from violating the provisions of this Act or to restrain and enjoin any person, co-partnership, firm or corporation from engaging in the business of operating an industrial loan company without obtaining a license as required by this Act.

Sec. 19. Revocation or suspension of license. The auditor, upon giving ten (10) days advance written notice to the licensee by certified mail stating his contemplated action and the grounds thereof, and after giving the licensee an opportunity to be heard, may by order in writing suspend or revoke any license issued under the provisions of this Act if the auditor shall find (a) that the licensee has failed to pay the annual license fee required by this Act, (b) that the licensee knowingly has violated any of the provisions of this Act, (c) that the licensee has refused to submit to the examination required by this Act, (d) that the licensee has neglected or refused for a period of more than thirty (30) days to pay a final judgment rendered against it in the courts of this state, or (e) that the licensee has become insolvent, provided however, that no suspension, revocation, relinquishment or expiration of any license shall invalidate, impair or affect the legality of obligations of any pre-existing contracts, or prevent the enforcement and collection thereof; and provided further that any such suspension or revocation shall not become final if any licensee, within thirty (30) days from entry of such order suspending or revoking its license appeals to the district court of Polk county, Iowa. The district court of Polk county, Iowa, shall have the power to enter such order as justice shall

require pending the hearing of such appeal, and shall set aside the order or decision of the auditor if it be found that (a) the auditor acted arbitrarily, capriciously or in excess of his power, (b) the order or decision was obtained by fraud, or (c) the order or decision is contrary to law.

Sec. 20. Receivership—Liquidation. If the auditor shall revoke the license of any industrial loan company he shall promptly report the revocation to the attorney general of Iowa who may apply to the district court of the county in which the licensee had conducted its business for the appointment of a receiver to take possession of the assets of the corporation for the purpose of liquidating its affairs.

Sec. 21. Advertising. No industrial loan company shall advertise, print, display, publish, distribute, broadcast or disseminate in any manner any false, misleading or deceptive statements or representations concerning rates, terms or conditions for making or negotiating loans under this chapter. Violations of any of the provisions of this paragraph shall be punishable as provided in section seven hundred thirteen point twenty-four (713.24) of the Code of Iowa.

Sec. 22. Other business in same office. A licensee engaged in the business of operating an industrial loan company under the provisions of this Act may conduct its business within any office, room, suite or place of business in which any other business is engaged or conducted, except as may be restricted in writing by the auditor upon his finding that the character of the other business is such that its operation by the licensee would facilitate evasions of this Act or any other statute of the State of Iowa relating to the making of loans.

Sec. 23. Thrift certificates. Licensed industrial loan companies may sell thrift certificates, installment thrift certificates, certificates of indebtedness, promissory notes or similar evidences of indebtedness. The total amount of such thrift certificates, installment thrift certificates or promissory notes outstanding and in the hands of the general public shall not at any time exceed ten (10) times the total amount of capital, surplus, undivided profits and subordinated debt that gives priority to such thrift certificates of the issuing industrial loan company. The sale of such securities shall be subject to the provisions of chapter five hundred two (502) of the Code of Iowa unless exempted in accordance with the provisions of chapter five hundred two (502) of the Code of Iowa.

Sec. 24. Powers of industrial loan companies. No industrial loan company licensed under the provisions of this Act shall have the power and authority to:

(a) Charge, receive or collect interest in excess of that authorized by Section five hundred thirty-five point two (535.2) of the Code of Iowa, except that on obligations or loans repayable within thirty-seven (37) months from the date of making, the interest may be discounted or collected in advance at the time the loan is made, notwithstanding any agreement to pay the loan in installments;

(b) Charge, receive or collect interest in excess of that authorized by section five hundred thirty-five point two (535.2) of the Code of Iowa, except that on obligations or loans maturing

more than thirty-seven (37) months from the date of making, the interest may be computed at the time the loan is made, on the full amount of the cash advance on the loan, from the date of the loan to the date of the final maturing installment of the loan, and the interest so computed may be added to the cash advance, notwithstanding any agreement to pay the entire total amount in installments;

(c) Charge, receive or collect in advance a service charge in an amount in excess of one dollar ($1.00) for each twenty-five dollars ($25.00) of the amount of the loan nor in excess of a total of forty dollars ($40.00); and no industrial loan company shall charge, contract for, collect or receive the service charge authorized by this section on any loan or contract which is renewed or rewritten within four months of the date of the original loan, nor on that part of a new loan or contract used to pay off a prior loan before the expiration of four (4) months from the date of the preceding loan or contract;

(d) Charge or collect from the borrower or borrowers a delinquency charge in excess of five cents per dollar or a fraction thereof on any installment or debt past due when the default continues for ten (10) days or more;

(e) Charge or collect from the borrower or borrowers an extension or deferment charge except on extensions of sixty (60) days or more and then not in excess of one percent (1%) of the balance of the loan at the time of extension or deferment.

(f) Require any borrower to purchase insurance from the lender as a condition for obtaining a loan. However, an industrial loan company may collect from the borrower, at the option of the borrower, and retain the premiums charged for insuring real or personal property used by the borrower as security for a loan; and the premiums charged for insuring the life of the party or parties obligated on the loan in an amount not to exceed the total amount of the note or contract, including cash advance, interest and service charge, provided that no licensee shall require that the contract of life insurance be outstanding for more than the unpaid balance of the indebtedness and provided that such insurance is obtained from an insurance company authorized to do business in Iowa; and an industrial loan company may receive and retain the premiums charged for accident and health insurance on the borrower or borrowers, provided such insurance bears a reasonable relationship to the existing hazards or risk of loss, and the aggregate benefits of which shall not exceed the approximate amount of the contractual payments on the loan.

(g) Collect from the borrower fees in excess of those actually paid to a public official for recording or filing a mortgage or for satisfying a judgment or lien on any real or personal property securing a loan, however, a licensee may collect a reasonable appraisal fee for the appraisal of real or personal property offered by the borrower as security for a loan, and may collect from the borrower a reasonable attorney's fee paid for an opinion as to the title to real property securing a loan. Industrial loan companies licensed under the provisions of this Act may purchase notes, contracts, mortgages, accounts, receivables, leases and securities of every kind; and may exercise the powers granted to corporations under the "Iowa Business Corporation Act."

Sec. 25. Restrictions. No industrial loan company licensed under this Act shall (a) make any loan of money or property to, or guarantee the obligation of, any of its directors or officers; or loan to any borrower, other than a subsidiary or affiliated corporation, more than twenty percent (20%) of its total capital, surplus and undivided profits. No licensee shall make any loan under any other name or at any other place of business than that named in the license.

Sec. 26. Prepayment. Notwithstanding the provisions of any note or contract to the contrary, a borrower may, at any time, prepay all or any part of the unpaid balance to become payable under any note or installment contract. If the borrower pays the time balance in full, before maturity, the licensee shall refund to him a portion of the interest. The borrower shall receive for such anticipation of payments a refund credit in an amount which shall represent at least as great a proportion of the interest as the sum of the periodic time balances after the month in which prepayment is made, bears to the sum of all the periodic time balances under the schedule of payments in the original note or installment investment certificate; provided however, that no refund credit need be paid on the service charge; and provided that if the amount of the refund credit is less than one dollar ($1.00) no refund need be made.

Sec. 27. Existing industrial loan companies. A corporation organized under the laws of the State of Iowa shall be licensed by the auditor without the investigation and determination required by sections 9 and 10 of this Act, provided (a) that such corporation was engaged in the business of operating an industrial loan company in an established place of business in the State of Iowa on January 1, 1963; and (b) that such corporation has received from the auditor an auditor's certificate as required by section four hundred twenty-nine point thirteen (429.13) of the Code of Iowa. The license referred to in this section shall issue to such corporation at the effective date of this Act. If such corporation transacts the business provided for in this Act at more than one place of business or at more than one location, such license shall apply to and permit business operations under this Act at all of said locations until the first day of January following the effective date of this Act. On said first day of January following the effective date of this Act, licenses shall issue without said investigation and determination, to each corporation that proposes to continue to operate such business commencing on said date, provided such corporations are designated in writing by the first corporation referred to in this section and provided further that all of the capital stock of such corporation so designated is owned and held on said January first by the first corporation referred to in this section or by the stockholders of said corporation.

Sec. 28. Penalty. If any officer, director or agent of any corporation engaged in the business of operating an industrial loan company shall knowingly and willfully violate any of the provisions of this Act; or if any person individually or as a partner, or officer, director or agent of any corporation shall engage in the business of operating an industrial loan company

without obtaining the license required by section 3 of this Act, he shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than five hundred dollars ($500.00) or by imprisonment in the county jail for not more than six (6) months, or by both such fine and imprisonment.

Sec. 29. Rules and regulations. The auditor is hereby authorized and empowered to make such reasonable and relevant rules and regulations, not inconsistent herewith, as may be necessary for the enforcement of the provisions of this Act.

Sec. 30. Repeal. Sections four hundred twenty-nine point eleven (429.11), four hundred twenty-nine point twelve (429.12) and four hundred twenty-nine point thirteen (429.13) of the Code of Iowa are hereby repealed.

Sec. 31. Separability. If any provision, clause or phrase of this Act or the application thereof to any person or circumstance is held invalid such invalidity shall not affect other provisions or applications of this Act which can be given effect without the invalid provisions or application, and to this end the provisions of this Act are declared to be separable.

Sec. 32. This Act being deemed of immediate importance shall be in full force and effect from and after its publication in the Cedar Rapids Gazette, a newspaper published at Cedar Rapids, Iowa, and in the Waterloo Daily Courier, a newspaper published at Waterloo, Iowa.

JACK SCHROEDER.

Amend Senate File 459 as follows:

1. By inserting after line 7 of section 2 the following:

"Green Valley State Park—development .....73,500.00".

2. By striking from line 17 of section 2 the number "1,201,600.00" and inserting in lieu thereof the number "1,275,100.00".

3. By striking from line 21 of section 2 the number "1,501,600.00" and inserting in lieu thereof the number "1,575,100.00".

FRANKLIN MAIN.

Amend Senate File 459, section 7, line 3, by striking the word "The" and by inserting in lieu thereof the word "the".

APPROPRIATIONS COMMITTEE,
JOHN D. SHOEMAN, *Chairman.*

Amend Senate File 460, section 2, line 3, by striking the word "all" and by inserting in lieu thereof the word "All".

APPROPRIATIONS COMMITTEE,
JOHN D. SHOEMAN, *Chairman.*

Amend Senate File 438 as follows:

1. Section 2, line 153, by inserting after the words "ninety-one (91)" the following: "chapter ninety-six (96),".

2. By striking all of section 5 and renumbering the remaining sections.

HOWARD C. BUCK.

Amend Senate File 430 as follows:

1. Amend section 4 by striking all of lines 1, 2, 3, 4 and 5 and inserting in lieu thereof the following: "Sec. 4. Jurisdiction of Iowa Natural Resources Council. The Iowa natural resources council, as defined in Chapter four hundred fifty-five A (455A), Code 1962, hereinafter called council, shall have the duty of administering the provisions of this Act. The council is charged with the duty of enforcing its regulations and orders applicable".

2. Further amend section 4 by striking the words "state geologist" in lines 7, 10, 34, 40, 53, 55, and inserting in lieu thereof the following: "council".

3. Further amend section 4, line 44 by inserting after the word "of" the following: "any Iowa produced".

4. Further amend section 4, line 45 by inserting after the word "of" the following: "any Iowa produced".

5. Further amend section 4, line 49 by inserting after the word "processes" the following: "Iowa produced".

6. Amend section 5 by striking the words "state geologist" in lines 4, 5, 6, 7, 8, and inserting in lieu thereof the following: "council".

7. Amend section 6 by striking the words "state geologist" in lines 1, 2, 5, 9, 11, 17, 23, 32, 36, 41, 44, and inserting in lieu thereof the following: "council".

8. Amend section 7 by striking the words "state geologist" in lines 1, 2, 9, 20, 23, 26, 32, 38, and inserting in lieu thereof the following: "council".

9. Amend section 8 by striking the words "state geologist" in lines 7 and 30 and inserting in lieu thereof the following: "council".

10. Amend section 9, line 11 by striking the words "state geologist" and inserting in lieu thereof the following: "council".

11. Amend section 11 by striking the words "state geologist" in lines 1, 2, 6, 9, 12, 17, 25, 28, 33, 35, 38, 41, 48, and inserting in lieu thereof the following: "council".

12. Further amend section 11 by striking the words "the state geologist" in lines 3 and 4 and inserting in lieu thereof the following: "it".

13. Further amend section 11 by inserting after the word "capitol" in line 19 the word "city".

14. Further amend section 11 by striking the words "state geologist" in line 22 and inserting in lieu thereof the following: "chairman or secretary of the council".

15. Further amend section 11 by striking the word "summons" in line 29 and inserting in lieu thereof the following: "original notices".

16. Further amend section 11 by inserting before the word "courts" in line 30 the word "district".

17. Further amend section 11 by striking all of line 44 and inserting in lieu thereof the following: "of the council, it shall promptly".

18. Further amend section 11 by striking the word "his" in line 48 and inserting in lieu thereof the following: "its".

19. Amend section 12 by striking the words "state geologist" in lines 1, 3, 8, 9, 10, 17, 23, 28, 31, 32, 34, and inserting

in lieu thereof the following: "council".

20. Amend section 13 by striking the words "state geologist" in line 2 and inserting the word "council".

21. Amend section 14 by striking the words "state geologist" in lines 4, 8, 17, 21, 23, 29, 45, 47, 48, 49, 51, 56, 57, 60, 62, and inserting in lieu thereof the following: "council".

22. Further amend section 14 by striking the words "state geologist" in line 53 and inserting in lieu thereof the following: "State of Iowa".

23. Further amend section 14 by striking all of lines 65 and 66 and insert in lieu thereof the following: "of the council shall be sustained if the council has regularly pursued its authority and its".

24. Amend section 15 by striking the words "state geologist" in lines 15, 17, 24, 25, 26, 29, and inserting in lieu thereof the following: "council".

25. Further amend section 15 by striking the words "in rem" in line 34.

26. Further amend section 15 by striking the word "summons" in line 44 and inserting in lieu thereof the word "notice".

27. Further amend section 15 by inserting after the word "service" in line 46 the following: "of original notices".

28. Further amend section 15 by striking all after the period (.) in line 54 and all of lines 55, 56 and 57 and inserting in lieu thereof the following: "If the court,".

29. Amend section 16 by striking all of lines 3 and 29.

30. Further amend section 16 by striking the words "state geologist" in lines 10 and 34 and inserting in lieu thereof the following: "council".

31. Further amend section 16 by striking the word "thousand" in line 24 and inserting in lieu thereof the following: "hundred".

32. Further amend section 16 by inserting before the word "for" in line 25 the following: "in a county jail".

33. Amend section 17 by striking the words "state geologist" in lines 4, 5, 10, 19, 22, 28, 31 and 34 and inserting in lieu thereof the following: "council".

34. Further amend section 17 by striking the words "state geologist" in lines 32 and 33 and inserting in lieu thereof the following: "council or the petitioner".

35. Further amend Senate File 430 by inserting the following as section 18 and renumbering the remaining sections:

"Sec. 18. The state geologist shall be an ex officio member of said council and shall assist the council in the administration of the provisions of this Act."

DONALD G. BENEKE.
D. C. NOLAN.

Amend Senate File 430 as follows:

1. Amend section 2, lines 67 and 70 by striking the words "state geologist" and inserting in lieu thereof the following: "council".

DONALD G. BENEKE.
D. C. NOLAN.

On motion of Senator Rigler, the Senate adjourned until 9:00 a.m., Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 23, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Merlin Ackerson, pastor of the Methodist Church, Lime Springs, Iowa.

PRESENTATION OF VISITORS

Senator Cowden asked and received unanimous consent to present to the Senate forty-two students from the Central Dallas School, Minburn, who were present in the balcony accompanied by their instructor, Ellen Peitzman.

Senator Walker asked and received unanimous consent to present to the Senate twenty students from the Northeast Hamilton Community School, Blairsburg, who were present in the balcony accompanied by their instructor, Dorothy Hemken.

Senator Doran asked and received unanimous consent to present to the Senate thirty-one students from the Gilbert High School who were present in the balcony.

Senator Shoeman asked and received unanimous consent to present to the Senate thirty-three students from the Elk Horn High School who were present in the balcony accompanied by their instructor, Donald Gibson, and their principal, John M. Jones.

Senator Stephens asked and received unanimous consent to present to the Senate fifty-nine students, members of the junior class of the Columbus Community High School, Columbus Junction, who were present in the balcony accompanied by their instructor, Richard Martens, and their principal, Everett Hidelbaugh.

Senator Kyhl asked and received unanimous consent to present to the Senate sixty-five students from the Greene Community School who were present in the balcony accompanied by their instructors, Verle J. Tatum, Jerry Eimers and Ina Nichol.

Senator Burrows asked and received unanimous consent to present to the Senate sixty students from the Gladbrook High School who were present in the balcony accompanied by their instructors, Robert Witmer, Stephen Williams, and their superintendent, C. A. Barker.

Senator Cowden asked and received unanimous consent to present

to the Senate one hundred students, members of the senior class of the Perry High School, who were present in the balcony accompanied by their instructor, Hugh Ghormley, and their principal, Loren Coburn.

Senator Cowden asked and received unanimous consent to present to the Senate thirty-two students from the Waukee High School who were present in the balcony accompanied by their instructor, Daniel Neville.

Senator O'Malley asked and received unanimous consent to present to the Senate forty-two students, members of the fifth and sixth grade classes of the Elkhart Elementary School, who were present in the balcony accompanied by their instructors, Jesse Petersen and Lily Eckles, and their principal, Harlan Carley.

Senator Elijah rose on a point of personal privilege and presented to the Senate the Honorable Herman B. Lord, a former member of the Senate from Muscatine County who was present in the Senate chamber.

INTRODUCTION OF BILL

Senate File 461, by committee on transportation and highway safety, a bill for an act relating to the regulation and taxation of travel trailers.

Read first and second times and referred to the sifting committee.

RECONSIDERATION OF SENATE FILE 438

On motion of Senator Buck, Senate File 438, a bill for an act to provide a uniform procedure for the conduct of administrative hearings now provided for by statute, was taken up for further consideration.

Senator Buck moved to reconsider the vote by which Senate File 438 passed the Senate, which motion prevailed.

Senator Buck moved to reconsider the vote by which Senate File 438 went to its third reading, which motion prevailed.

Senator Buck moved to reconsider the vote by which division 1 of the amendment filed by him was adopted, which motion prevailed.

Senator Buck asked and received unanimous consent to withdraw the amendment.

Senator Buck offered the following amendment filed by him and moved its adoption:

Amend Senate File 438 as follows:

1. Section 2, line 153, by inserting after the words "ninety-one (91)" the following: "chapter ninety-six (96),".

2. By striking all of section 5 and renumbering the remaining sections.

The amendment was adopted.

Senator Doran moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 48:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Fulton	O'Malley	Vincent
Cowden	Getting	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Kyhl	Scott	Wiley
Dykhouse	Lisle	Shaff	Wilson
Elijah			

Nays, 2:

Griffin Hill

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 CONSIDERED

Senator Getting called up for consideration Senate File 86, a bill for an act relating to scabies control in sheep and eradication with penalty provision, amended by the House, and moved that the Senate concur in the following amendment:

HOUSE AMENDMENT TO SENATE FILE 86

Amend Senate File 86 as follows:

1. Section 1, subsection 6, by striking from line 1 the words "Licensed dealer" and inserting in lieu thereof the word "Dealer"; also by striking from lines 1 and 2 the words "who is licensed by the Iowa department of agriculture".

Further amend section 1, subsection 6, by striking from line 5 the words "licensed sheep".

2. By inserting the following new sections immediately after section 1:

Sec. 2. Any person engaged as a dealer shall be required to obtain a license from the department. The fee for such license shall be five dollars ($5.00) per year and all licenses shall expire on the first day of July following date of issue. Licenses shall be numbered and the dealer shall retain his number from year to year.

Applications for licenses shall be made upon blanks furnished by the department.

For good and sufficient grounds the department may refuse to grant a license to any applicant, and it may also revoke a license to any applicant for a violation of any provision of this Act, or for the refusal or failure of any licensee to obey the lawful directions of the department.

Sec. 3. Any person engaging in, or holding himself out to be in, the business of a dealer without obtaining a license may be restrained by injunction, and shall pay all costs made necessary by such procedures.

3. Section 2, by striking the period in line 6 at the end of the section and inserting in lieu thereof the following: "; provided, that when sheep are moved within or from a certified scabies-free area in the state accompanied by an official health certificate, dipping shall not be required prior to such movement; and provided further, that sheep may be moved from premises to an approved facility for the purpose of dipping under such conditions as may be required by the rules of the department, and also sheep moved to a livestock auction market need not be dipped until after sale, nor if consigned directly for slaughter."

4. Section 4, line 1, by striking the word "provide" and inserting in lieu thereof the word "use".

5. Section 6, line 2, by striking the words "at a market, dealer's premises or elsewhere,".

6. Section 6, by striking the period at the end thereof and inserting the following: ", provided sheep may be moved without dipping between properties owned or rented by the owner of said sheep, if not moved from a non-certified scabies-free area to a certified scabies-free area."

Further amend section 6 by adding the following new paragraph:

"Any person may sell or exchange sheep on the farm between November 1 and April 1 without dipping if accompanied by a certificate from a licensed veterinarian that they are free from scabies issued within ten (10) days prior to such sale or exchange until such time as the county is declared a scabies-free area."

7. Amend by renumbering the sections following section 1 to conform to this amendment.

The Senate concurred in the House amendment.

Senator Getting moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 49:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Coleman	Griffin	O'Malley	Vincent
Cowden	Grimstead	Phelps	Walker
Curran	Hansen	Rigler	Walter
Dodds	Hill	Schroeder	Wearin
Doran	Kyhl	Scott	Wiley
Dykhouse	Lisle	Shaff	Wilson
Elijah			

Nays, none.

Absent or not voting, none.

Voting present, 1:
Frommelt

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 Shoeman, Senate File 453, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1963, and ending June 30, 1965, to the social welfare department for the purpose of aid to blind fund, aid to dependent children fund, child welfare fund, emergency relief fund, old-age assistance fund, aid to the disabled and support for Indians residing on a reservation, was taken up and considered.

Senator Wilson took the chair at 9:50 a.m.

Senator Shoeman offered the following amendment and moved its adoption:

Amend Senate File 453 by striking in section 2, line 8, the figures "$50,000.00" and inserting in lieu thereof the figures "$75,000.00".

The amendment was adopted.

Senator Mincks offered the following amendment and moved its adoption:

Amend Senate File 453, section 1 as follows:
1. By striking from lines 4 and 5 the words and figures "seventeen million five hundred fifteen thousand dollars ($17,515,000.00)" and inserting in lieu thereof the words and figures "eighteen million five hundred fifteen thousand dollars ($18,515,000.00)".
2. By striking from line 8 the figures "4,250,000.00" and inserting in lieu thereof the figures "5,250,000.00".
3. By striking from line 17 the figures "$17,515,000.00" and inserting in lieu thereof the figures "$18,515,000.00".

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 11:

Brown	Frommelt	Hill	Van Eaton
Coleman	Fulton	Mincks	Walter
Dodds	Hansen	O'Malley	

Nays, 37:

Benecke	Campbell	Doran	Elthon
Buck	Cowden	Dykhouse	Elvers
Burrows	Curran	Elijah	Fishers

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Getting	Lucken	Scott	Vance
Griffin	Main	Shaff	Vincent
Grimstead	Nolan	Shivvers	Walker
Kyhl	Phelps	Shoeman	Wearin
Lisle	Rigler	Stephens	Wiley
Lodwick	Schroeder	Turner	Wilson
Long			

Absent or not voting, 2:

Benda	Flatt

The amendment was lost.

Senator O'Malley offered the following amendment and moved its adoption:

Amend Senate File 453, section 1 as follows:

1. By striking from lines 4 and 5 the words and figures "seventeen million five hundred fifteen thousand dollars ($17,515,000.00) and inserting in lieu thereof the words and figures "seventeen million nine hundred forty-five thousand dollars ($17,945,000.00)".

2. By striking from line 8 the figures "4,250,000.00" and inserting in lieu thereof the figures "4,680,000.00".

3. By striking from line 17 the figures "$17,515,000.00" and inserting in lieu thereof the figures "$17,945,000.00".

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 20:

Benda	Elijah	Hansen	Schroeder
Brown	Elvers	Hill	Shaff
Coleman	Flatt	Main	Shivvers
Cowden	Frommelt	Mincks	Van Eaton
Dodds	Fulton	O'Malley	Walter

Nays, 30:

Beneke	Fisher	Lucken	Turner
Buck	Getting	Nolan	Vance
Burrows	Griffin	Phelps	Vincent
Campbell	Grimstead	Rigler	Walker
Curran	Kyhl	Scott	Wearin
Doran	Lisle	Shoeman	Wiley
Dykhouse	Lodwick	Stephens	Wilson
Elthon	Long		

Absent or not voting, none.

The amendment was lost.

Senator Turner moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 48:

Beneke	Burrows	Cowden	Doran
Brown	Campbell	Curran	Dykhouse
Buck	Coleman	Dodds	Elijah

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Elthon	Hill	O'Malley	Turner
Elvers	Kyhl	Phelps	Vance
Flatt	Lisle	Rigler	Van Eaton
Frommelt	Lodwick	Schroeder	Vincent
Fulton	Long	Scott	Walker
Getting	Lucken	Shaff	Walter
Griffin	Main	Shivvers	Wearin
Grimstead	Mincks	Shoeman	Wiley
Hansen	Nolan	Stephens	Wilson

Nays, none.

Absent or not voting, 2:

Benda Fisher

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

EXPLANATION OF VOTE ON SENATE FILE 453

We voted for Senate File 453 even though we feel that the A. D. C. appropriation is inadequate to meet the current and future needs.

GEORGE E. O'MALLEY.
ANDREW FROMMELT.
JAKE MINCKS.

On motion of Senator Scott, Senate File 460, a bill for an act creating the general contingent fund of the state for the biennium beginning July 1, 1963, and appropriating thereto the sum of two million dollars ($2,000,000.00) 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, was taken up and considered.

The following committee amendment was considered:

Amend Senate File 460, section 2, line 3, by striking the word "all" and by inserting in lieu thereof the word "All".

The amendment was adopted.

Senator Scott moved that the bill be read a third 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:

Benda	Doran	Griffin	Mincks
Beneke	Dykhouse	Grimstead	Nolan
Brown	Elijah	Hansen	O'Malley
Buck	Elthon	Hill	Phelps
Burrows	Elvers	Kyhl	Rigler
Campbell	Fisher	Lisle	Schroeder
Coleman	Flatt	Lodwick	Scott
Cowden	Frommelt	Long	Shaff
Curran	Fulton	Lucken	Shivvers
Dodds	Getting	Main	Shoeman

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Stephens	Van Eaton	Walter	Wiley
Turner	Vincent	Wearin	Wilson
Vance	Walker		

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 Shoeman asked and received unanimous consent to take up Senate File 447.

On motion of Senator Campbell, Senate File 447, 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 the committee on appropriations recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Campbell moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

Nays, none.

Absent or not voting, none.

The bill having received a constitutional and two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Curran, Senate File 459, a bill for an act to appropriate funds from the general fund of the State of Iowa to the conservation commission for construction, replacement, repairs, acquisition of land, development, forestry, water area improvements, siltation, boundary surveys and dredging, was taken up and considered.

The following committee amendment was considered:

Amend Senate File 459, section 7, line 3, by striking the word "The" and by inserting in lieu thereof the word "the".

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The amendment was adopted.

Senator Main offered the following amendment:

Amend Senate File 459 as follows:

1. By inserting after line 7 of section 2 the following:

"Green Valley State Park—development .....73,500.00".

2. By striking from line 17 of section 2 the number "1,201,600.00" and inserting in lieu thereof the number "1,275,100.00".

3. By striking from line 21 of section 2 the number "1,501,600.00" and inserting in lieu thereof the number "1,575,100.00".

Senator Main offered the following amendment to the amendment and moved its adoption:

Amend the amendment by adding the following after line 10:

"4. By striking from lines 3 and 4 of section 1 the words and figures 'one million five hundred one thousand six hundred dollars ($1,501,600.00)' and inserting in lieu thereof 'one million five hundred seventy-five thousand one hundred dollars ($1,575,100.00)'."

The amendment to the amendment was adopted.

Senator Main moved the adoption of the amendment as amended.

Roll call was requested.

On the question "Shall the amendment as amended be adopted?" the vote was:

Ayes, 17:

Beneke	Elvers	Mincks	Vincent
Brown	Frommelt	Phelps	Walker
Buck	Hill	Turner	Walter
Cowden	Main	Van Eaton	Wearin
Dodds			

Nays, 29:

Benda	Fisher	Long	Shaff
Burrows	Getting	Lucken	Shivvers
Campbell	Griffin	Nolan	Shoeman
Curran	Hansen	O'Malley	Stephens
Doran	Kyhl	Rigler	Vance
Dykhouse	Lisle	Schroeder	Wiley
Elijah	Lodwick	Scott	Wilson
Elthon			

Absent or not voting, 4:

Coleman	Flatt	Fulton	Grimstead

The amendment as amended was lost.

Senator Curran moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

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Ayes, 50:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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 Dykhouse, House File 423, a bill for an act to amend sections one hundred nine point ninety-two (109.92) and one hundred ten point one (110.1), Code 1962, relating to requirements for tags to be used in conjunction with traps and license fees, 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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 Lodwick, House File 454, a bill for an act relating to the use of maintenance equipment of the county for care and maintenance of county fairgrounds, was taken up and considered.

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Senator Lodwick moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shaff
Beneke	Elvers	Lodwick	Shivvers
Brown	Fisher	Long	Shoeman
Buck	Flatt	Lucken	Stephens
Burrows	Frommelt	Main	Turner
Campbell	Fulton	Mincks	Vance
Coleman	Getting	Nolan	Van Eaton
Cowden	Griffin	O'Malley	Vincent
Curran	Grimstead	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Schroeder	Wearin
Dykhouse	Kyhl	Scott	Wilson
Elijah			

Nays, 1:

Wiley

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 Kyhl, House File 247, a bill for an act to amend chapter three hundred twenty-one (321), Code 1962, to provide for the issuance of special mobile equipment certificate and plates, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Kyhl moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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.

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On motion of Senator Cowden, Senate File 457, a bill for an act relating to compensation of members of the Iowa development commission, was taken up and considered.

Senator Cowden moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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 Vincent, House File 287, a bill for an act to permit the legislative research bureau to obtain copies of the Code and Code annotations without charge, was taken up and considered.

Senator Vincent moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

Nays, none.

Absent or not voting, none.

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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 Schroeder, House File 243, a bill for an act relating to income tax deductions for aged persons and blind persons, was taken up and considered.

Senator Schroeder moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shivvers
Beneke	Elvers	Lodwick	Shoeman
Brown	Fisher	Long	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Vincent
Coleman	Getting	O'Malley	Walker
Cowden	Griffin	Phelps	Walter
Curran	Grimstead	Rigler	Wearin
Dodds	Hansen	Schroeder	Wiley
Doran	Hill	Scott	Wilson
Dykhouse	Kyhl	Shaff	

Nays, 1:

Elijah

Absent or not voting, none.

Voting present, 2:

Lucken Van Eaton

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 147, a bill for an act relating to the state military forces.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 210, a bill for an act relating to placement of patients, who have no county of legal settlement and who have been confined in a state mental institute, on convalescent leave or in custodial or nursing homes, and to provide for the payment of support.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 211, a bill for an act to consolidate industry revolving funds for the state reformatory and the state penitentiary.

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Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 238, a bill for an act relating to management of state-owned areas by municipalities.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 249, a bill for an act to permit cities and towns to donate real estate to the state for public use.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 254, a bill for an act relating to electric transmission lines.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 257, a bill for an act relating to the practice of accountancy.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 268, a bill for an act to provide county care for patients or inmates from mental health institutes, hospital-schools, and homes for children from the state institution fund.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 276, a bill for an act relating to the office of the state comptroller.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 319, a bill for an act relating to the bonds of distributors of motor fuel, special fuel dealers and special fuel users.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 342, a bill for an act relating to an extension of time for filing application for Korean veterans' bonus.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 356, a bill for an act to legalize the proposed sale of certain real estate owned by the County of Cerro Gordo.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 366, a bill for an act to legalize and validate the proceedings for the organization and establishment of the Northeast Hamilton Community School District in the Counties of Hamilton and Wright.

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 to regulate the distribution of commercial feeds and customer-formula feeds in the State of Iowa.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 389, a bill for an act to legalize and validate the proceedings for the attachment of certain land in Hamilton County, to the South Hamilton Community School District.

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Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 409, a bill for an act to consolidate the functions of the boards paying bonuses for federal military service.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 156, a bill for an act relating to the imposition of the use tax and the retail sales tax and relating to exemptions therefrom.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 364, a bill for an act relating to the taxable value of buildings.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 342

Amend Senate File 342, section 1, line 4, by striking the word and figures "July 4, 1963" and inserting in lieu thereof the word and figures "October 1, 1963".

HOUSE AMENDMENT TO SENATE FILE 356

Amend Senate File 356, section 1, line 2, by inserting after the word "Iowa," the following: "to the Mental Health Center of North Iowa, an Iowa corporation,".

HOUSE AMENDMENT TO SENATE FILE 409

Amend Senate File 409, section 5, line 1, by striking therefrom "(35B)" and inserting in lieu thereof the following: "point eight (35B.8)".

HOUSE MESSAGES CONSIDERED

House File 156, a bill for an act relating to the imposition of the use tax and the retail sales tax and relating to exemptions therefrom.

Read first and second times and referred to sifting committee.

House File 364, a bill for an act relating to the taxable value of buildings.

Read first and second times and referred to sifting committee.

President Mooty took the chair at 11:50 a.m.

APPOINTMENT TO SIFTING COMMITTEE

The Chair announced the appointment of Senators Walker and Coleman as alternates on the Senate sifting committee, the alternates to serve at the direction of the chairman.

On motion of Senator Rigler, the Senate recessed until 1:15 p.m.

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AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

SPECIAL ORDER OF BUSINESS

Senator Rigler asked and received unanimous consent that House File 550 relating to tax measures be made a special order of business for 9:00 a.m., Thursday, April 25, 1963.

THIRD READING OF BILLS

On motion of Senator Flatt, House File 425, a bill for an act to authorize the university hospital at Iowa City to collect and settle claims for the care of patients, was taken up and considered.

Senator Flatt moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shaff
Beneke	Elvers	Lodwick	Shivvers
Brown	Fisher	Long	Shoeman
Buck	Flatt	Lucken	Stephens
Campbell	Frommelt	Main	Turner
Coleman	Fulton	Mincks	Vance
Cowden	Getting	Nolan	Van Eaton
Curran	Griffin	O'Malley	Walker
Dodds	Grimstead	Phelps	Walter
Doran	Hansen	Rigler	Wearin
Dykhouse	Hill	Schroeder	Wiley
Elijah	Kyhl	Scott	Wilson

Nays, none.

Absent or not voting, 2:

Burrows	Vincent

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Nolan called up the following resolution:

SENATE CONCURRENT RESOLUTION 24
By Nolan and Long

Designed to express the collective will of the Legislators of the State of Iowa that a program of education in the history, dogmas, and tenets of International Communism be undertaken in the schools and colleges of this state, so that the youth of Iowa may better understand the threat of International Communism to our American way of life, and thus, be better prepared to assume positions of leadership in the ideological struggle of the cold war.

Whereas, the totalitarianism of aggressive world Communism constantly

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threatens the peace of the world and the continued existence of the United States of America as a free republic; and

Whereas, it is becoming increasingly apparent that if we as a nation are to successfully combat and defeat the Communist conspiracy at home and abroad and perpetuate and strengthen our American way of life, it is essential that every American citizen must know and understand the fundamental theories and basic principles of our American constitutional, social, economic and political systems, and by way of contrast, the strategy, tactics, nature, effects, logistics, purposes and principles of Communism as it actually operates in the world today; and

Whereas, the Legislature of the State of Iowa finds it to be a fact that:

(a) The political ideology commonly known and referred to as communism is in conflict and contrary to the principle of individual freedom under law, as epitomized in the Constitution of the United States, and those of its several states;

(b) The exploitation and manipulation of youth and student groups throughout the world by the forces of international communism are a major challenge which free world forces must meet and defeat.

(c) The best method of meeting this challenge is to insure that our leaders of tomorrow, the youth of this state and of this nation, are thoroughly and completely familiar with the history and doctrines of the American political, social, and economic institutions in contradistinction to the history, doctrines, objectives, and techniques of international communism; and

(d) That a sound, comprehensive, and universal program of education in the field of Americanism vs. Communism in the schools and colleges of this state and of this nation is essential to this end.

Now, Therefore, Be It Resolved that the State Board of Public Instruction, the State Board of Regents, and the governing bodies of all public and private high schools and colleges in the State of Iowa, for the purposes aforesaid, are urged to:

(1) Place additional emphasis on present instruction on the history of the United States and of the State of Iowa, on the Constitution of the United States and of that of the State of Iowa, and on the rights and responsibilities of American citizenship; and to

(2) Establish a course or unit of instruction in the history, doctrines, objectives, and techniques of international communism, or to enrich the present curriculum with instruction in these subjects at appropriate points so as to insure that the graduates of our schools and colleges will have a mature appreciation of the international communist movement and its threat to the American way of life.

Be It Further Resolved that the State Board of Public Instruction and the State Board of Regents are urged to take such steps as may be necessary, and in the manner prescribed by law, to survey the current teacher education programs being offered in Iowa, and to provide such additional programs as may be necessary to qualify our teachers to provide objective, meaningful, and comprehensive instruction on the history, doctrines, objectives, and techniques of international communism.

Be It Further Resolved that a copy of this resolution be mailed to each newspaper, radio and television station in the State of Iowa, The State Superintendent of Public Instruction and each member of the State Board of Public Instruction, the State Board of Regents, the President of each college or university in the State of Iowa, each county and city school superintendent, each member of every county or city school board, to the governing authorities of every private secondary school in the State of Iowa, to the President and Vice President of the United States, to each

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member of the Congress of the United States, to each judge of the Supreme Court and every district court of the State of Iowa, to the Governor, the Lieutenant Governor, Attorney General and chief educational official of each State of the Union, to each and every Federal Court and to the principal of each high school in the State of Iowa.

On motion of Senator Nolan, the resolution was adopted.

Senator Long called up the following resolution and moved its adoption:

SENATE CONCURRENT RESOLUTION 23
By Long

Whereas, the United States Congress by a series of amendments to the Social Security Act during the period 1956-1962 has extended and broadened the Social Security Act to provide disability and other benefits for work-connected injuries and disease; and

Whereas, the workmen's compensation laws were designed to be the basic and exclusive method and remedy providing benefits for work-connected injuries and diseases, and their administration has for over fifty years been the function of the several Industrial Accident Boards and Commissions, based on the accepted principle that benefits for work-connected injuries and diseases be tailored to fit social and economic conditions at the local level; and

Whereas, the extension of the Social Security Act to provide benefits for work-connected injuries and diseases has resulted in duplication of benefits; and

Whereas, legislation resulting in further intrusion into the field of work-connected injuries and diseases will constitute a severe threat to the survival of the state-administered workmen's compensation programs; now, therefore,

Be It Resolved by the Senate, the House Concurring, that the General Assembly of the State of Iowa is opposed to any legislation by the United States Congress which would infringe on the right of this State to enact and administer its own workmen's compensation laws, and to further federal encroachment into the field of state-administered workmen's compensation programs, and strongly urges that the United States Congress again affirm that the workmen's compensation system is the basic program for compensating work-connected injuries and diseases.

Be It Further Resolved, that the Secretary of the Senate is directed to forward a copy of this resolution to each member of the Iowa delegation in the Congress of the United States.

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 152, a bill for an act relating to parolees and court probationers.

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Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 171, a bill for an act relating to inspection of multiple dwellings.

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 retail sales taxes on vending machines and amusement devices.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 309, a bill for an act relating to retail sales tax definition of "gross receipts".

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 the creation of a single examining and licensing board for physicians and surgeons, osteopaths, and osteopathic physicians and surgeons and matters relating thereto.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 171

Amend Senate File 171 by adding following the period in line 9 the following: "The fees shall not exceed seven dollars and fifty cents ($7.50) for the first unit and seventy-five cents (75c) for each additional unit."

HOUSE MESSAGES CONSIDERED

House File 378, a bill for an act relating to the creation of a single examining and licensing board for physicians and surgeons, osteopaths, and osteopathic physicians and surgeons and matters relating thereto.

Read first and second times and referred to sifting committee.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the sifting committee calendar:

H. F. 378	S. F. 461	H. F. 73	S. F. 332
H. F. 156	H. F. 154	H. F. 573	

ROBERT R. RIGLER, *Chairman, Sifting Committee.*

THIRD READING OF BILLS

On motion of Senator O'Malley, House File 378, a bill for an act relating to the creation of a single examining and licensing board for physicians and surgeons, osteopaths, and osteopathic physicians and surgeons and matters relating thereto, was taken up and considered.

Senator Griffin offered the following amendment and moved its adoption:

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Amend House File 378 as follows:

1. Amend section 13, line 4, by inserting after the word "dentistry" the words "or pharmacy".

2. Amend section 13, line 5, by inserting after the word "examiners" the words "or board of pharmacy examiners".

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:

Benda	Elthon	Long	Shivvers
Beneke	Elvers	Lucken	Shoeman
Brown	Fisher	Main	Turner
Buck	Flatt	Mincks	Vance
Campbell	Frommelt	Nolan	Van Eaton
Coleman	Griffin	O'Malley	Vincent
Cowden	Grimstead	Phelps	Walker
Curran	Hansen	Rigler	Walter
Dodds	Hill	Schroeder	Wearin
Doran	Kyhl	Scott	Wiley
Dykhouse	Lisle	Shaff	Wilson
Elijah	Lodwick		

Nays, none.

Absent or not voting, 4:

Burrows	Fulton	Getting	Stephens

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator O'Malley asked and received unanimous consent that Senate File 194 be withdrawn from further consideration of the Senate.

On motion of Senator Hansen, House File 573, a bill for an act enabling the state conservation commission to release an easement in favor of the people of the State of Iowa which presently encumbers the property of Henrietta G. Pitman, L. G. Pitman, Clarence P. McConnell, and Loveta Opal McConnell, was taken up and considered.

Senator Hansen moved that the bill be read a third 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:

Benda	Campbell	Dodds	Elthon
Beneke	Coleman	Doran	Elvers
Brown	Cowden	Dykhouse	Fisher
Buck	Curran	Elijah	Flatt

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Frommelt	Lodwick	Rigler	Vance
Getting	Long	Schroeder	Van Eaton
Griffin	Lucken	Scott	Vincent
Grimstead	Main	Shaff	Walker
Hansen	Mincks	Shivvers	Walter
Hill	Nolan	Shoeman	Wearin
Kyhl	O'Malley	Stephens	Wiley
Lisle	Phelps	Turner	Wilson

Nays, none.

Absent or not voting, 2:

Burrows	Fulton

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENT CONSIDERED

Senator Curran called up for consideration Senate File 356, a bill for an act to legalize the proposed sale of certain real estate owned by the County of Cerro Gordo, State of Iowa, and to authorize conveyance of legal title thereto, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 356, section 1, line 2, by inserting after the word "Iowa," the following: "to the Mental Health Center of North Iowa, an Iowa corporation,".

The Senate concurred in the House amendment.

Senator Curran moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 48:

Benda	Elthon	Lisle	Shaff
Beneke	Elvers	Lodwick	Shivvers
Brown	Fisher	Long	Shoeman
Buck	Flatt	Lucken	Turner
Campbell	Frommelt	Main	Vance
Coleman	Fulton	Mincks	Van Eaton
Cowden	Getting	Nolan	Vincent
Curran	Griffin	O'Malley	Walker
Dodds	Grimstead	Phelps	Walter
Doran	Hansen	Rigler	Wearin
Dykhouse	Hill	Schroeder	Wiley
Elijah	Kyhl	Scott	Wilson

Nays, none.

Absent or not voting, 2:

Burrows	Stephens

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

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Senator Turner called up for consideration the following motion filed by Senator Elthon:

MR. PRESIDENT: I move to reconsider the vote by which Senate Concurrent Resolution 21 passed the Senate.

Senator Schroeder moved that the motion to reconsider the vote by which Senate Concurrent Resolution 21 passed the Senate be laid on the table, which motion prevailed.

SENATE CONCURRENT RESOLUTION 25

By Lucken and Stephens

Be It Resolved by the Senate, the House Concurring, That in addition to the powers and duties granted by chapter two (2) of the Code, the legislative research committee shall have the power to receive any complaints or reports and to consider evidence of any unethical or unlawful practices being practiced or which have been practiced by any person while engaged in lobbying or attempting to influence legislation. After hearing the complaints and considering the evidence, if it appears to the committee that there have been any violations of section two point twenty-four (2.24), subsection two (2) of the Code, the committee shall make a report and file a copy of such report with the President of the Senate and the Speaker of the House at the next regular session of the General Assembly.

COMMUNICATION

The following communication was received from the office of the State Appeal Board:

OFFICE
STATE COMPTROLLER

No.	Name of Claimant and Nature of Claim	Amount of Claim
21-60	Julie Ann Kearns, 503 W. 4th St., Waterloo, Iowa—Recovery of expenses incurred while inmate of state institution	$ 15,199.34
38-60	C. Warren Heimbeck, Rock Island, Illinois—Leg injury....	2,500.00
207-60	James Wiley, 403 South Hazel St., Glenwood, Iowa—Personal injury	1,000.00
211-60	Janice Lee Barrier, 2622 N. Court St., Ottumwa, Iowa—Injury received at Lake Wapello	10,509.84
221-60	G. H. Beardsley, 316 Arnold Avenue, Council Bluffs, Iowa—Injury on property leased by State of Iowa	125.00
235-60	J. T. Connor, 201 North Walnut, Glenwood, Iowa—Refund of gasoline tax old warrant	33.42
239-60	Mr. Walter Marsh, Marble Rock, Iowa—Outdated warrants	29.80

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No.	Name of Claimant and Nature of Claim	Amount of Claim
242-60	Rendell Owens, 615 South "A" Street, Oskaloosa, Iowa—Expenses	725.00
252-60	Harvey G. Goering, Route 2, Walcott, Iowa—Outdated warrant	47.52
264-60	Adair County, Public Square, Greenfield, Iowa—Constitutional election expense	787.60
265-60	Adams County, Corning, Iowa—Constitutional election expense	570.03
266-60	Allamakee County, 110 Allamakee, Waukon, Iowa—Constitutional election expense	559.45
267-60	Appanoose County Auditor, Centerville, Iowa—Constitutional election expense	800.10
268-60	County of Audubon, LeRoy St., Audubon, Iowa—Constitutional election expense	156.90
269-60	Benton County, Vinton, Iowa—Constitutional election expense	754.39
270-60	Black Hawk County, Court House, Waterloo, Iowa—Constitutional election expense	1,540.05
271-60	Boone County, Court House, Boone, Iowa—Constitutional election expense	952.04
272-60	Bremer County, Waverly, Iowa—Constitutional election expense	545.16
273-60	Buchanan County, Independence, Iowa—Constitutional election expense	634.96
274-60	Buena Vista County, P.O. Box 220, Storm Lake, Iowa—Constitutional election expense	583.90
275-60	Vernon O. Larsen, Allison, Iowa—Constitutional election expense	474.45
276-60	Calhoun County, Rockwell City, Iowa—Constitutional election expense	449.20
277-60	Carroll County, Carroll, Iowa—Constitutional election expense	1,054.94
278-60	Cass County, Court House, Atlantic, Iowa—Constitutional election expense	852.73
279-60	Cedar County, Courthouse, Tipton, Iowa—Constitutional election expense	469.51
280-60	Cerro Gordo County, Mason City, Iowa—Constitutional election expense	664.25
281-60	Cherokee County, Cherokee, Iowa—Constitutional election expense	580.97

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No.	Name of Claimant and Nature of Claim	Amount of Claim
282-60	Chickasaw County, New Hampton, Iowa—Constitutional election expense	419.42
283-60	Clarke County, Osceola, Iowa—Constitutional election expense	455.49
284-60	Clay County, W. 4th St., Spencer, Iowa—Constitutional election expense	542.55
285-60	Clayton County, Elkader, Iowa—Constitutional election expense	753.76
286-60	Clinton County, Clinton, Iowa—Constitutional election expense	948.13
287-60	Crawford County, Denison, Iowa—Constitutional election expense	662.60
288-60	Dallas County, Adel, Iowa—Constitutional election expense	1,137.19
289-60	Davis County, Bloomfield, Iowa—Constitutional election expense	648.25
290-60	Owen E. McLain, Leon, Iowa—Constitutional election expense	572.90
291-60	Delaware County, Manchester, Iowa—Constitutional election expense	562.05
292-60	Des Moines County Auditor, Burlington, Iowa—Constitutional election expense	1,306.06
293-60	Dickinson County, Spirit Lake, Iowa—Constitutional election expense	561.66
294-60	Dubuque County, Dubuque, Iowa—Constitutional election expense	985.38
295-60	Emmet County, Court House, Estherville, Iowa—Constitutional election expense	704.10
296-60	Fayette County, West Union, Iowa—Constitutional election expense	1,078.55
297-60	Floyd County, Charles City, Iowa—Constitutional election expense	536.05
298-60	Franklin County, Hampton, Iowa—Constitutional election expense	700.75
299-60	Fremont County, Sidney, Iowa—Constitutional election expense	465.16
300-60	Greene County, Jefferson, Iowa—Constitutional election expense	420.85
301-60	Grundy County, Grundy Center, Iowa—Constitutional election expense	689.11

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No.	Name of Claimant and Nature of Claim	Amount of Claim
302-60	Guthrie County, Guthrie Center, Iowa—Constitutional election expense	1,896.88
303-60	Hamilton County, Webster City, Iowa—Constitutional election expense	637.14
304-60	Hancock County, Garner, Iowa—Constitutional election expense	479.90
305-60	Hardin County, Eldora, Iowa—Constitutional election expense	193.49
306-60	Auditor of Harrison County, Logan, Iowa—Constitutional election expense	801.05
307-60	County of Henry, Mt. Pleasant, Iowa—Constitutional election expense	782.64
308-60	Howard County, Box 214, Cresco, Iowa—Constitutional election expense	663.55
309-60	Humboldt County, Dakota City, Iowa—Constitutional election expense	367.68
310-60	Ida County, Ida Grove, Iowa—Constitutional election expense	473.60
311-60	Iowa County, Box 109, Marengo, Iowa—Constitutional election expense	496.30
312-60	Jackson County, Maquoketa, Iowa—Constitutional election expense	530.39
313-60	Jasper County, Court House, Newton, Iowa—Constitutional election expense	758.15
314-60	Jefferson County, Fairfield, Iowa—Constitutional election expense	750.90
315-60	Johnson County, Iowa City, Iowa—Constitutional election expense	288.05
316-60	Jones County, Anamosa, Iowa—Constitutional election expense	701.90
317-60	Keokuk County, Sigourney, Iowa—Constitutional election expense	800.52
318-60	Kossuth County, Algona, Iowa—Constitutional election expense	830.35
319-60	Lee County, Fort Madison, Iowa—Constitutional election expense	845.25
320-60	Linn County, Cedar Rapids, Iowa—Constitutional election expense	1,522.39
321-60	Louisa County, Wapello, Iowa—Constitutional election expense	194.20

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No.	Name of Claimant and Nature of Claim	Amount of Claim
322-60	Lucas County, Chariton, Iowa—Constitutional election expense	394.62
323-60	Lyon County, Court House, Rock Rapids, Iowa—Constitutional election expense	781.02
324-60	Madison County, Winterset, Iowa—Constitutional election expense	773.17
325-60	Mahaska County, Oskaloosa, Iowa—Constitutional election expense	672.67
326-60	Marion County, Knoxville, Iowa—Constitutional election expense	698.12
327-60	Marshall County Auditor, Marshalltown, Iowa—Constitutional election expense	1,150.78
328-60	Mills County, Glenwood, Iowa—Constitutional election expense	678.94
329-60	Mitchell County, Osage, Iowa—Constitutional election expense	659.69
330-60	Monona County, Onawa, Iowa—Constitutional election expense	657.00
331-60	Monroe County, Albia, Iowa—Constitutional election expense	1,158.87
332-60	Montgomery County, Red Oak, Iowa—Constitutional election expense	391.04
333-60	Muscatine County, Muscatine, Iowa—Constitutional election expense	655.60
334-60	O'Brien County, Primghar, Iowa—Constitutional election expense	913.83
335-60	Osceola County, Sibley, Iowa—Constitutional election expense	640.55
336-60	Page County, Clarinda, Iowa—Constitutional election expense	813.32
337-60	Palo Alto County, Emmetsburg, Iowa—Constitutional election expense	329.30
338-60	Plymouth County, LeMars, Iowa—Constitutional election expense	717.10
339-60	Pocahontas County, Court House, Pocahontas, Iowa—Constitutional election expense	400.26
340-60	Polk County, 5th and Mulberry St., Des Moines, Iowa—Constitutional election expense	3,533.82
341-60	Pottawattamie County Auditor, Council Bluffs, Iowa—Constitutional election expense	1,272.62

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No.	Name of Claimant and Nature of Claim	Amount of Claim
342-60	Poweshiek County, Montezuma, Iowa—Constitutional election expense	601.34
343-60	Ringgold County, Mount Ayr, Iowa—Constitutional election expense	275.40
344-60	Sac County, Sac City, Iowa—Constitutional election expense	404.30
345-60	Scott County, Davenport, Iowa—Constitutional election expense	1,475.33
346-60	Shelby County, Harlan, Iowa—Constitutional election expense	614.95
347-60	Sioux County, Orange City, Iowa—Constitutional election expense	969.30
348-60	Story County, Room 102 Courthouse, Nevada, Iowa—Constitutional election expense	733.97
349-60	W. H. Hufford, Toledo, Iowa—Constitutional election expense	822.15
350-60	Taylor County, Bedford, Iowa—Constitutional election expense	366.70
351-60	Union County, Court House, Creston, Iowa—Constitutional election expense	446.45
352-60	Van Buren County, Keosauqua, Iowa—Constitutional election expense	568.00
353-60	Wapello County, Ottumwa, Iowa—Constitutional election expense	1,265.92
354-60	Warren County Auditor, Court House, Indianola, Iowa—Constitutional election expense	678.84
355-60	Washington County, Court House, Washington, Iowa—Constitutional election expense	473.75
356-60	Wayne County, Corydon, Iowa—Constitutional election expense	615.25
357-60	Webster County, 701 Central Ave., Fort Dodge, Iowa—Constitutional election expense	824.60
358-60	Winnebago County, Forest City, Iowa—Constitutional election expense	535.73
359-60	Winneshiek County, Decorah, Iowa—Constitutional election expense	427.75
360-60	Woodbury County, Court House, Sioux City, Iowa—Constitutional election expense	654.53
361-60	Worth County, Northwood, Iowa—Constitutional election expense	466.23

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No.	Name of Claimant and Nature of Claim	Amount of Claim
362-60	Wright County Auditor, Clarion, Iowa—Constitutional election expense	788.30
363-60	Momsen Trucking Company, Box 309, Highways 18 and 71 N., Spencer, Iowa—Duplicate plates	714.25
364-60	Lutheran Hospital, Fort Dodge, Iowa—Hospital claim	901.70
369-60	Rodger Honeycutt, c/o Wilson, Maley & Stamatelos, 201 5th St., West Des Moines, Iowa—Personal injury	7,500.00
372-60	Dahl Funeral Home, 703 Washington St., Cedar Falls, Iowa—Funeral claim	223.00
383-60	Elizabeth M. Hill Estate, 207 State Bank Bldg., Fort Dodge, Iowa—IPERS	150.00
384-60	Senator J. T. Dykhouse, Rock Rapids, Iowa—Cost of publication	28.19
385-60	University of Iowa Hospital, State University of Iowa, Iowa City, Iowa—Claim for medical services	63.50
386-60	Dr. Carroll Larson, University of Iowa Hospital, Iowa City, Iowa—Medical services rendered	25.00
H-40-60	Kermit L. Hinshaw, Richland, Iowa—Property damage	108.51
H-45-60	Dale Dorr, father and natural guardian of Sandra Dorr and Linda Dorr, minors, RFD, Marcus, Iowa—Medical expense, pain and suffering	4,000.00
H-55-60	Town of Whittemore, Whittemore, Iowa—Special sewer assessment	906.40

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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 424.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 424.

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BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 17, 1963, the Governor had approved the following bills:

Senate File 159, relating to the executive council.

Senate File 394, relating to an appropriation to the department of public instruction.

Senate File 398, relating to an appropriation to the employment security commission.

A communication was also received announcing that on April 23, 1963, the Governor had approved the following bills:

Senate File 380, relating to general aid to schools.

Senate File 402, relating to judicial nominating commissions.

BILLS ASSIGNED TO COMMITTEE

President Mooty announced the assignment of the following bills to committee:

S. F. 136 Appropriations—Under Senate Rule 21

S. F. 258 Appropriations—Under Senate Rule 21

S. F. 352 Appropriations—Under Senate Rule 21

REPORTS OF COMMITTEE

Senator Shaff submitted the following report:

MR. PRESIDENT: Your committee on ways and means to which was referred **House File 401**, a bill for an act relating to penalties for failing to file a sales or use tax return or failing to pay sales or use tax within the time required, begs leave to report it has had the same under consideration and recommends the same **do pass.**

DAVID O. SHAFF, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on ways and means to which was referred **House File 550**, a bill for an act to create school property tax replacement fund, to provide revenue for its establishment, and to prescribe method for distributing from such fund, and to provide for revision in general fund revenue, 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 550 as follows:

1. By striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section four hundred twenty-two point forty-two (422.42), Code 1962, is hereby amended as follows:

1. By adding an additional subsection as follows:

'The word "room" applies only to accommodations referred to generally as "sleeping rooms" and does not apply to accommodations in the nature of

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ballrooms, banquet rooms, reception rooms, meeting rooms and office space, nor does it apply where room is rented to an individual, firm, association or corporation for a period of more than twenty-eight (28) consecutive days.'

2. By adding after the word 'users,' in line six (6) of subsection three (3), the words 'and the sale of the use of a room as herein defined,'.

"Sec. 2. Section four hundred twenty-two point forty-three (422.43), Code 1962, is hereby amended as follows:

1. By striking from line two (2) the words and figures 'beginning the first day of April, 1937,'.

2. By striking from line three (3) the word 'two' and inserting in lieu thereof the word 'three'.

3. By inserting at the end of the first paragraph the words '; also a like rate on the gross receipts from the sale of the use of a room in an inn, hotel, motel, public lodging house, tourist court or trailer camp.'.

4. By striking from lines twenty-two (22) and twenty-three (23) the words and figures 'beginning with the first day of July, 1947,' and by striking from line twenty-three (23) the word 'two' and inserting in lieu thereof the word 'three'.

"Sec. 3. Section four hundred twenty-two point sixty-two (422.62), Code 1962, is hereby amended by adding to line twenty-eight (28) after the word 'of' the words 'two-thirds of'.

"Sec. 4. Section four hundred twenty-three point two (423.2), Code 1962, is hereby amended as follows:

1. By striking the word 'two' in line five (5) and inserting in lieu thereof the word 'three'.

"Sec. 5. Amend chapter four hundred twenty-two point thirty-three (422.33), Code 1962, by striking from line six (6) thereof the word 'three' and inserting in lieu thereof the word 'four'.

"Sec. 6. Chapter four hundred twenty-seven (427), Code 1962, is amended as follows:

1. Section four hundred twenty-seven point one (427.1), Code 1962, is hereby amended by striking all of lines one (1) through six (6) of subsection sixteen (16) and by inserting in lieu thereof the following:

'All tangible personal property customarily located and used in or about the private residence or residences of the owner of said property, everything used in a private home as household goods and food.'

2. Section four hundred twenty-seven point thirteen (427.13), Code 1962, is amended by striking subsections ten (10) and eleven (11).

"Sec. 7. Chapter four hundred twenty-nine (429), Code 1962, is amended as follows:

1. Section four hundred twenty-nine point two (429.2), Code 1962, is hereby amended by striking from line nineteen (19) thereof the words 'five mills' and inserting in lieu thereof the word 'one mill'.

2. Section four hundred twenty-nine point two (429.2), Code 1962, is further amended by adding the following thereto:

'The millage tax provided for in this section shall be and is the same as provided for in section thirty-five B point eleven (35B.11) of the Code and shall not be levied in addition thereto. The millage rate shall be remitted to the treasurer of state and applied to the payment of principal and interest of the Korean War Veterans' bonus bonds.'

3. Section four hundred twenty-nine point three (429.3), Code 1962, is hereby amended by striking all of lines one (1) and two (2) and the words 'and credits and' from line three (3) and inserting in lieu thereof the following:

'The tax imposed by section four hundred thirty point seven (430.7) of

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the Code shall be five (5) mills on the dollar and that tax, together with the taxes imposed by section four hundred thirty A point three (430A.3) and four hundred thirty-one point ten (431.10) of the Code,'.

"Sec. 8. The increase in tax provided for in sections two (2) and four (4) of this Act shall not apply to tangible personal property used in the performance of a building or construction contract executed prior to the effective date of this Act.

"Sec. 9. This Act, being deemed of immediate importance, shall be in full force and effect July 1, 1963, after its passage and publication in The Clinton Herald, a newspaper published at Clinton, Iowa, and in the Grinnell Herald-Register, a newspaper published at Grinnell, Iowa."

2. Further amend the title to House File 550 by striking all after the word "Act" in line 1 and by inserting in lieu thereof the following:

"relating to taxation and an increase in sales and use taxes, corporation income tax, and taxing sleeping rooms and the repeal of moneys and credits tax and personal property tax."

DAVID O. SHAFF, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File 352 as follows:

1. Amend section 2, line 13, by inserting after the "period (.)" the following:

"Provided, however, no owner shall be eligible for the agricultural land credit provided herein unless a portion of the same property or another plot related thereto for agricultural or horticultural purposes is eligible for homestead credit as provided by chapter four hundred twenty-five (425) for the year in which agricultural credit is claimed; or unless the plot for which agricultural credit is claimed is actually utilized and operated by the owner as a part of his personal agricultural or horticultural pursuits; or unless the plot for which agricultural credit is claimed is owned by an owner in retirement status and has been actually utilized and operated as a part of the owner's personal agricultural or horticultural pursuits at least five (5) consecutive years before the owner's retirement."

JAKE B. MINCKS.

Amend Senate File 413 by striking from the committee on tax revision amendment, filed April 18, 1963, all of lines 209, 210 and 211.

A. V. DORAN.

Amend the committee on tax revision amendment to Senate File 413, filed April 18, 1963, as follows:

1. Amend section 11 by striking all of lines 209, 210, and 211.

2. Further amend section 11 by striking all of lines 220 through 242, and inserting in lieu thereof the following:

" 'The assessed value against which all real and personal property tax levies apply shall be that percentage of actual value determined by the state tax commission to

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be necessary to the operation of those local governing bodies having the lowest actual valuation.

Such assessed value shall be taken and considered as the taxable value of such property.

The assessed value once determined shall be uniform throughout the state and shall remain unchanged until the next regular real estate assessment year as provided in section four hundred twenty-eight point four (428.4), Code 1962.'"

3. Amend section 19 by striking all of lines 477 through 504.

4. Amend section 21 by striking the entire section and inserting in lieu thereof the following:

"Section four hundred thirty-five point seven (435.7), Code 1962, is hereby amended by striking lines twenty-five (25), twenty-six (26), and twenty-seven (27) and inserting in lieu thereof the following:

'The assessed value of the residue of such actual value shall be determined by the state tax commission as provided in section four hundred forty-one point twenty-one, (441.21), of the Code.'"

EUGENE M. HILL.

Amend the committee on tax revision amendment to Senate File 413, filed April 19, 1963, as follows:

1. By striking the comma (,) in line 68 and inserting in lieu thereof a period (.).

2. By striking the words, "and shall" in line 68, and all of lines 69 through 108 inclusive.

MARTIN WILEY.

Amend House File 9, section 1, line 7, by striking the words "sixty miles per hour" and inserting in lieu thereof the following: "fifty-five miles per hour from sunrise to sunset and fifty miles per hour from sunset to sunrise".

ROBERT R. RIGLER.

Amend House File 156 as follows:

Amend section 2, line 7, by adding after the word "operations" the following: "except vehicles subject to registration as provided in chapter three hundred twenty-one (321) of the Code".

VERNON H. KYHL.

Amend the committee amendment to House File 157 filed March 12, 1963, by inserting the following after the word "dollars" in line 3:

"provided, however, that if only one plate is authorized by law, the amount of the appropriation herein provided shall be reduced to three hundred thousand dollars ($300,000)".

MARTIN WILEY.

Amend House File 386, section 4, line 1, by inserting after the word "supervisor" the words "or trustee".

J. T. DYKHOUSE.

On motion of Senator Rigler, the Senate adjourned until 9:00 a.m., Wednesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 24, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Robert Duckett, pastor of the Christian Church, Altoona, Iowa.

PRESENTATION OF VISITORS

Senator O'Malley asked and received unanimous consent to present to the Senate forty-four students from the Ankeny High School who were present in the balcony accompanied by their instructor, Colleen Cook.

Senator Hill asked and received unanimous consent to present to the Senate forty-six students from the Colfax Community School who were present in the balcony accompanied by their instructors, Hazel S. Cunningham and Roger J. Callahan.

Senator Burrows asked and received unanimous consent to present to the Senate fifty-six students from the Traer-Clutier High School, Traer, who were present in the balcony accompanied by their instructor, Don Lau, and their principal, Robert Clark.

Senator Turner asked and received unanimous consent to present to the Senate ninety-one students from the Tri-Center High School, Neola, members of the junior and senior classes who were present in the balcony accompanied by their instructors, Donald Lee, Philip Martin and Dennis Martin.

Senator Buck asked and received unanimous consent to present to the Senate twenty-two students from the Marshall County High Schools who were present in the balcony.

Senator Cowden rose on a point of personal privilege and presented to the Senate his daughter, Mrs. Robert Bunnett, and his grandsons, Robert and Steve, who were present in the Senate chamber.

RECOGNITION BY THE PRESS

Senator David O. Shaff was honored as the outstanding Senator of the Sixtieth General Assembly by the Capitol Correspondents Club at a legislative dinner Tuesday night, April 23. The club is made up of the newsmen covering the legislative session.

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The citation commended Senator Shaff for his major role on such measures as regulation of public utilities, liquor-by-the-drink and reapportionment.

HOUSE AMENDMENTS CONSIDERED

Senator Beneke called up for consideration Senate File 342, a bill for an act relating to an extension of time for filing application for Korean veterans' bonus, amended by the House, and moved that the Senate concur in the following House amendment:

Amend Senate File 342, section 1, line 4, by striking the word and figures "July 4, 1963" and inserting in lieu thereof the word and figures "October 1, 1963".

The Senate refused to concur in the House amendment.

Senator Wilson called up for consideration Senate File 409, a bill for an act to consolidate the functions of the boards paying bonuses for federal military service, amended by the House, and moved that the Senate concur in the following House amendment:

Amend Senate File 409, section 5, line 1, by striking therefrom "(35B)" and inserting in lieu thereof the following: "point eight (35B.8)".

The Senate concurred in the House amendment.

Senator Wilson moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 50:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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.

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THIRD READING OF BILLS

On motion of Senator Shaff, House File 401, a bill for an act relating to penalties for failure to file a sales or use tax return or failure to pay sales or use tax within the time required, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Shaff moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Kyhl	Scott	Wiley
Dykhouse	Lisle	Shaff	Wilson
Elijah			

Nays, none.

Absent or not voting, none.

Voting present, 1:

Hill

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator O'Malley, Senate File 332, a bill for an act to authorize county boards of supervisors to enter into contractual agreements with cities, towns, private corporations or private individuals, for the use of dumps, disposal grounds, and sanitary land fills, operated by such cities, towns, private corporations or private individuals, for the use of residents residing outside of cities and towns, 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:

Benda	Burrows	Curran	Elijah
Beneke	Campbell	Dodds	Elthon
Brown	Coleman	Doran	Elvers
Buck	Cowden	Dykhouse	Fisher

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Flatt	Lisle	Rigler	Vance
Frommelt	Lodwick	Schroeder	Van Eaton
Fulton	Long	Scott	Vincent
Getting	Lucken	Shaff	Walker
Griffin	Main	Shivvers	Walter
Grimstead	Mincks	Shoeman	Wearin
Hansen	Nolan	Stephens	Wiley
Hill	O'Malley	Turner	Wilson
Kyhl	Phelps		

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 Shoeman, House File 157, a bill for an act to amend section four hundred twenty-two point sixty-two (422.62), Code 1962, relating to funds for the manufacture of motor vehicle registration plates, 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 157 by striking in section 1, subsection 1, all of said subsection after the colon in line 3, and inserting in lieu thereof the following:

" 'four hundred and fifty thousand dollars' ".

Senator Wiley offered the following amendment to the committee amendment and moved its adoption:

Amend the amendment by inserting the following after the word "dollars" in line 3:

"provided, however, that if only one plate is authorized by law the amount of the appropriation herein provided shall be reduced to three hundred thousand dollars ($300,000)".

The amendment to the amendment was adopted.

On motion of Senator Wiley, the committee amendment as amended was adopted.

Senator Wiley moved that the bill be read a third 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:

Benda	Cowden	Elvers	Grimstead
Beneke	Curran	Fisher	Hansen
Brown	Dodds	Flatt	Hill
Buck	Doran	Frommelt	Kyhl
Burrows	Dykhouse	Fulton	Lisle
Campbell	Elijah	Getting	Lodwick
Coleman	Elthon	Griffin	Long

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Lucken	Rigler	Stephens	Walker
Main	Schroeder	Turner	Walter
Mincks	Scott	Vance	Wearin
Nolan	Shaff	Van Eaton	Wiley
O'Malley	Shivvers	Vincent	Wilson
Phelps	Shoeman		

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 Long, House File 73, a bill for an act relating to the practice of barbering, 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 73 by adding the following new section:

"Sec. 4. Section one hundred fifty-eight point three (158.3), subsection two (2), Code 1962, is hereby amended by adding thereto the following: "The provisions of this subsection shall not apply to trainees from the barber schools maintained at any institution under the board of control.' "

On motion of Senator Long, the committee amendment was adopted.

Senator Coleman offered the following amendment and moved its adoption:

Amend House File 73 by adding the following after the word "misdemeanor." in line 10 of section 1: "Nothing herein shall prevent a barber from performing an isolated service in a home or hospital."

The amendment was adopted.

Senator Long moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 26:

Benda	Fisher	Lodwick	Rigler
Brown	Flatt	Long	Schroeder
Coleman	Frommelt	Main	Van Eaton
Cowden	Griffin	Mincks	Vincent
Dodds	Grimstead	Nolan	Walker
Elthon	Hansen	O'Malley	Wiley
Elvers	Lisle		

Nays, 21:

Buck	Fulton	Phelps	Turner
Burrows	Getting	Scott	Vance
Campbell	Hill	Shaff	Walter
Doran	Kyhl	Shoeman	Wearin
Dykhouse	Lucken	Stephens	Wilson
Elijah			

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Absent or not voting, 3:

Beneke	Curran	Shivvers

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Long moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Campbell, Senate File 461, a bill for an act relating to the regulation and taxation of travel trailers, was taken up and considered.

Senator Campbell offered the following amendments and moved their adoption:

Amend Senate File 461 as follows:

1. Amend section 1, line 14, by striking the "period" and adding "manufacturer's shipping weight or actual weight of the vehicle fully equiped."

2. Amend section 1, line 17, by inserting after the word "days" the words "in any calendar year".

3. Amend section 2, line 8, by striking the words "of inside space" and inserting in lieu thereof "computed on exterior measurement".

4. Further amend Senate File 461 by adding the following new section:

"If said travel trailer or camping trailer shall have been registered under the provisions of this chapter at any time during a calendar year, it shall not be subject to a personal property tax for said year.

The amendments were adopted.

Senator Campbell moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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.

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Senator Rigler asked and received unanimous consent that Senate File 461 be immediately messaged to the House, which request was complied with.

MESSAGES FROM THE SENATE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate amendments to House amendment to and passed Senate File 127, relating to exemptions from the imposition of the retail sales tax.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 434, a bill for an act relating to the confirmation of appointments by the Senate and the eligibility of rejected nominees to interim appointments.

Also: That the House refuses to concur in Senate amendments to House File 393, a bill for an act relating to joint county-city or town buildings.

Also: I am directed by the House to request the return of Senate File 171, relating to inspection of multiple dwellings.

WILLIAM R. KENDRICK, *Chief Clerk.*

SENATE FILE 171 RETURNED TO HOUSE

Senator Rigler asked and received unanimous consent that the Secretary be directed to return to the House Senate File 171 for further consideration.

HOUSE AMENDMENT CONSIDERED

Senator Buck called up for consideration House File 393, a bill for an act relating to joint county-city or town buildings, amended by the Senate, and moved that the Senate insist on its amendment to House File 393, and requested a roll call.

On the question "Shall the Senate insist?" the vote was:

Ayes, 32:

Buck	Elvers	Kyhl	Scott
Burrows	Fisher	Lodwick	Shaff
Campbell	Frommelt	Long	Stephens
Cowden	Getting	Lucken	Turner
Curran	Griffin	Main	Van Eaton
Doran	Grimstead	Mincks	Vincent
Dykhouse	Hansen	Phelps	Wiley
Elijah	Hill	Schroeder	Wilson

Nays, 14:

Benda	Fulton	Rigler	Walker
Beneke	Lisle	Shoeman	Walter
Brown	Nolan	Vance	Wearin
Dodds	O'Malley		

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Absent or not voting, 3:

Coleman	Elthon	Flatt

Voting present, 1:

Shivvers

The motion prevailed and the Senate insisted on its amendment.

CONFERENCE COMMITTEE APPOINTED

President Mooty announced the appointment of Senators Long, Nolan, Kyhl and Vance, on the part of the Senate, on the conference committee on House File 393.

On motion of Senator Rigler, the Senate recessed until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty 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 sifting committee calendar:

H. F. 320	H. F. 240	H. F. 481	S. F. 282
H. F. 322	S. F. 347	S. F. 315	H. F. 386

ROBERT R. RIGLER, *Chairman, Sifting Committee.*

SENATE CONCURRENT RESOLUTION 26

By Rigler and Frommelt

Be It Resolved by the Senate, the House Concurring: That the President of the Senate be presented with the desk used by him during the session and the Speaker of the House of Representatives be presented with the chair occupied by him during the session, and that the custodian of the state house be instructed to crate such furniture for shipment to the home residence of the President of the Senate and the Speaker of the House.

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 furniture.

SENATE CONCURRENT RESOLUTION 27

By Rigler and Frommelt

Be It Resolved by the Senate, the House Concurring: That 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 Sixtieth General Assembly, and the reconvening of any special or subsequent regular session.

Be It Further Resolved: That the Secretary of the Senate and the Chief Clerk of the House make an inventory of all equipment and supplies on

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hand at the close of the session, and file the same with the Secretary of the Executive Council.

Be It Further Resolved: That the Executive Council, in accordance with section nineteen point twenty-five (19.25), Code 1962, provide all the supplies required for the convening of the next regular, any special, and during the session of the General Assembly, upon requisition signed by the Secretary of the Senate for the Senate and the Chief Clerk of the House for the House.

Be It Further Resolved: That the Secretary of the Senate and the Chief Clerk of the House are 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 for any official use and for the purpose of storing supplies and equipment as they may deem proper and advisable and notify the Executive Council of their conclusion in said matter, and the Executive Council shall in no wise make other assignments of the rooms which are so reserved.

Be It Further Resolved: That the Secretary of the Senate and the Chief Clerk of the House shall make a complete survey of all the typewriters on hand for the purpose of determining the advisability of replacing some of this equipment. The machines to be replaced shall be appraised and made immediately available to the Secretary of the Executive Council for distribution, for trade-in to typewriter suppliers or for sale at amounts based on the appraisal. The legislative fund shall be credited with any funds received or with the appraised value of the machines, if the same are distributed to other state departments or traded in. All other equipment is to be stored in rooms reserved by the legislative officials above designated, and the Executive Council shall thereafter have exclusive custody of the same and make it available for the succeeding General Assembly.

Be It Further Resolved: That any officers or employees of the Sixtieth General Assembly who shall be engaged for work in connection with the closing up of the work of the Sixtieth General Assembly and the reconvening of any subsequent regular or special session, shall be compensated for such services at the same rate as was fixed for the regular session of the Sixtieth General Assembly.

SENATE CONCURRENT RESOLUTION 28

By Rigler and Frommelt

Whereas, the National Association of Legislative Service Agencies which is a part of the Council of State Governments will convene in its annual sessions, both in 1963 and 1964, and

Wheras, Iowa has been represented by the Secretary of the Senate and the Chief Clerk of the House in the past, it would seem advisable that they should continue to do so;

Now, Therefore, Be It Resolved by the Senate, the House Concurring: That the Secretary of the Senate, or the Assistant Secretary if the Secretary cannot attend, and the Chief Clerk of the House are hereby authorized to attend the 1963 and 1964 sessions of the organization and that the actual expenses in so attending these sessions be paid as provided by paragraph 1, section two point twenty (2.20), Code 1962.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

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MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 147, 152, 210, 211, 238, 249, 254, 257, 268, 276, 308, 309 and 319; also, House Files 193, 247, 287, 319, 332, 423 and 425.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 147, 152, 210, 211, 238, 249, 254, 257, 268, 276, 308, 309 and 319; also, House Files 193, 247, 287, 319, 332, 423 and 425.

BILLS SENT TO THE GOVERNOR

Senator Benda, 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, 1963, sent to the Governor for his approval: Senate Files 147, 152, 210, 211, 238, 249, 254, 257, 268, 276, 308, 309 and 319.

KENNETH BENDA, *Chairman.*

Passed on file.

HOUSE FILE 550 "UNFINISHED BUSINESS"

Senator Rigler asked and received unanimous consent that House File 550 be placed on the calendar under "unfinished business."

AMENDMENTS FILED

Amend Senate File 347 by striking all of section 10.

EDWARD A. WEARIN.

Amend the Schroeder amendment to Senate File 424, filed April 22, 1962, as follows:

1. By striking line 16 and inserting in lieu thereof the following:

"(d) 'Superintendent' shall mean the superintendent of banking."

2. By substituting the word "superintendent" for the words "auditor" or "auditor of the State of Iowa" wherever the same appear.

3. By inserting between the words "may" and "conduct" in line 275 the word "not".

4. By striking the word "restricted" in line 277 and inserting in lieu thereof the word "permitted".

5. By inserting between the words "would" and "facilitate" in line 279 the word "not".

6. By striking the words "unless exempted" from line 292 and inserting a period (.) in lieu thereof and by striking lines 293 and 294.

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7. By adding at line 292 at the end of section 23 the following:
"All such evidences of indebtedness and any advertising relating thereto shall plainly and prominently state that they are promissory notes and they shall not be referred to as savings in any context."
8. By adding at line 350 to subsection 24 (f) the following:
"Provided that any person selling such insurance shall be licensed and shall comply with all applicable provisions of the Insurance Laws."
9. By striking from lines 367 and 368 the words and figures "twenty percent (20%) of its total capital, surplus and undivided profits" and inserting in lieu thereof the words and figures "ten percent (10%) of its capital and surplus".
10. By adding at line 370 at the end of section 25 the following:
"Loans hereunder shall be made only to deserving persons whose business or circumstances are such as to make it desirable or convenient for them to accumulate funds with which to repay such loans by paying into a fund comparatively small amounts at frequent regular intervals, which fund may be held by the industrial loan company as collateral security for the payment of such loans."

ROBERT R. RIGLER.

Amend House File 154 as follows:
Amend section 5 by striking lines 3 through 8 inclusive and inserting in lieu thereof the following: "No county, city, town or school corporation governing body shall delegate its investment authority and every investment authorized shall be approved by a resolution adopted by a majority of the membership of the governing body".

DAVID O. SHAFF.

Amend Senate File 430 as follows:
1. Amend section 1 by striking all of lines 1 and 2 and inserting in lieu thereof the following:
"Section 1. Sections eighty-four point one (84.1) through eighty-four point five (84.5), inclusive, and eighty-four point ten (84.10), Code 1962, are hereby repealed and the following enacted in lieu thereof:".
2. Amend section 2, lines 67, 70 and 74 by striking the words "state geologist" and inserting in lieu thereof the following: "council".
3. Further amend section 2 by adding the following subsection:
"16. Council means Iowa Natural Resources Council as defined in chapter four hundred fifty-five A (455A), Code 1962."
4. Amend section 4 by striking all of lines 1, 2, 3, 4 and 5 and inserting in lieu thereof the following:
"Sec. 4. Jurisdiction of council. The council has the duty of administering the provisions of this chapter. The state geologist shall act as administrator with the duty and responsibility of enforcing the regulations and orders of the council applicable".
5. Further amend section 4 by striking the words "state geologist" in lines 7, 34, 40, 53 and 55 and inserting in lieu thereof the following: "council".

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6. Further amend section 4 by striking the word "he" in line 8 and inserting in lieu thereof the following: "it".

7. Further amend section 4 by striking the words "state geologist" in line 10 and inserting in lieu thereof the following: "council acting through the office of the state geologist".

8. Further amend section 4 by striking all after the word "the" in line 15 and inserting in lieu thereof the following: "refining or intra-state transportation of oil and gas;".

9. Further amend section 4 by inserting after the word "cores" in line 20 the following: "less tested sections".

10. Further amend section 4 by inserting before the period (.) in line 36 the following: "of Iowa".

11. Further amend section 4 by inserting after the word "of" in line 44 the following: "any Iowa produced crude".

12. Further amend section 4 by inserting after the word "of" in line 45 the following: "any Iowa produced crude".

13. Further amend section 4 by inserting after the word "processes" in line 49 the following: "Iowa produced crude".

14. Further amend section 4 by striking the word "his" in line 53 and inserting in lieu thereof the following: "its".

15. Further amend section 4 by striking the word "he" in line 55 and inserting in lieu thereof the following: "it".

16. Further amend section 4 by striking the word "key" in line 76.

17. Amend section 5 by striking the words "state geologist" in lines 6, 7, 8, and inserting in lieu thereof the following: "council".

18. Further amend section 5 by striking the word "twenty-five" in line 7 and inserting in lieu thereof the following: "fifty".

19. Amend section 6 by striking the words "state geologist" in lines 1, 2, 5, 9, 11, 17, 23, 32, 36, 41 and 44 and inserting in lieu thereof the following: "council".

20. Amend section 7 by striking the words "state geologist" in lines 1, 2, 5 and 9 and inserting in lieu thereof the following: "council".

21. Further amend section 7 by adding after the period (.) in line 41 the following: "Orders of the state geologist may be appealed to the council within thirty (30) days."

22. Amend section 8 by striking the words "state geologist" in lines 7 and 30 and inserting in lieu thereof the following: "council".

23. Amend section 9 by striking the words "state geologist" in line 11 and inserting in lieu thereof the following: "council".

24. Amend section 11 by striking the words "state geologist" in lines 1, 2, 6, 9, 12, 17, 25, 28, 33, 41, 44 and 48 and inserting in lieu thereof the following: "council".

25. Further amend section 11, lines 3 and 4 by striking the words "state geologist" and inserting in lieu thereof the following: "it".

26. Further amend section 11 by inserting after the word "by" in line 18 the following: "letter to the last recorded address and".

27. Further amend section 11 by inserting after the word

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"capitol" in line 19 the following: "city".

28. Further amend section 11 by striking the word "summons" in line 29 and inserting in lieu thereof the following: "original notices".

29. Further amend section 11 by striking the word "courts" in line 30 and inserting in lieu thereof the following: "district court".

30. Further amend section 11 by adding after the word "geologist" in line 38 the following: "or any officer of the council".

31. Further amend section 11 by striking the word "his" in line 41 and inserting in lieu thereof the following: "its".

32. Further amend section 11 by striking the word "his" in line 48 and inserting in lieu thereof the following: "its".

33. Amend section 12 by striking the words "state geologist" in lines 1, 3, 8, 9, 10, 17, 23, 28, 31, 32 and 34 and inserting in lieu thereof the following: "council".

34. Further amend section 12 by striking all of line 2 and inserting in lieu thereof the following: "administer oaths, require production of records, and to appoint hearing examiners."

35. Further amend section 12 by adding the following subsection: "3. The council may appoint a hearing examiner or examiners to conduct hearings required by this Act. When so appointed, such hearing examiner or examiners shall have and exercise all of the powers delegated to the council by this section."

36. Amend section 13 by striking the words "state geologist" in lines 2 and 4 and inserting in lieu thereof the following: "council".

37. Amend section 14 by striking the words "state geologist" in lines 4, 8, 17, 21, 23, 29, 45, 47, 48, 49, 51, 56, 57, 60 and 62 and inserting in lieu thereof the following: "council".

38. Further amend section 14 by inserting after the word "located" in line 7 the following: "or to the court of last appeal".

39. Further amend section 14 by inserting after the word "state" in line 53 the following: "of Iowa".

40. Further amend section 14 by striking all of lines 65 and 66 and inserting in lieu thereof the following: "of the council shall be sustained if the council has regularly pursued its authority and its".

41. Amend section 15 by striking the words "state geologist" in lines 15, 17, 24, 25, 26, 29 and inserting in lieu thereof the following: "council".

42. Further amend section 15 by striking the words "in rem" in line 34.

43. Further amend section 15 by striking the word "summons" in line 44 and inserting in lieu thereof the following: "notice".

44. Further amend section 15 by inserting after the word "service" in line 46 the following: "of original notices".

45. Further amend section 15 by striking all after the period (.) in line 54 and all of lines 55, 56 and 57 and inserting in lieu thereof the following: "If the court,".

46. Amend section 16 by striking the words "state geologist" in lines 3, 10, 29 and 34 and inserting in lieu thereof the

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following: "council".

47. Further amend section 16 by inserting before the word "for" in line 25 the following: "in a county jail".

48. Amend section 17 by striking the words "state geologist" in lines 4, 5, 10, 19, 22, 27, 28, 31 and 34 and inserting in lieu thereof the following: "council".

49. Further amend section 17 by striking the words "state geologist" in lines 32 and 33 and inserting in lieu thereof the following: "council or the petitioner".

50. By striking section 19 and inserting in lieu thereof the following:

"Sec. 19. The state, counties, cities and towns and other political subdivisions are hereby authorized to lease publicly owned lands under their respective jurisdictions for the purpose of oil or gas exploration and production. Any such leases shall be entered into on behalf of the state by the executive council, on behalf of counties by the board of supervisors, on behalf of cities and towns by the council thereof and on behalf of other political subdivisions by the governing body thereof. Such leases shall be upon such terms and conditions as may be agreed upon.

"Revenues derived from the leasing of state owned lands shall be paid into the general fund of the state. Revenues derived from the leasing of other public lands shall be paid into the general fund of the respective lessor political subdivision."

DONALD G. BENEKE.
D. C. NOLAN.

Amend the committee amendment to House File 156, filed on February 28, 1963, as follows:

1. Strike the quote and period (".) after the word "husbandry" in line five (5) and adding the following: "and household appliances"."

GEORGE O'MALLEY.

Amend the committee amendment to House File 550 by adding the following subsection to section 2:

"5. By inserting the following paragraph after the fourth paragraph:

"In counties bordering on states with no sales tax, the tax upon the gross receipts from all sales of tangible personal property, consisting of goods, wares, or merchandise, except as otherwise provided in this division, sold at retail in the county to consumers or users, shall be at a rate one per cent (1%) less than otherwise imposed herein."

RICHARD C. TURNER.
LEO ELTHON.
CHARLES F. GRIFFIN.
CHAS. S. VAN EATON.
J. T. DYKHOUSE.
VERN LISLE.
J. HENRY LUCKEN.

Amend the committee amendment to House File 550, filed April 23, 1963, as follows:

1. By adding the following after line 75:

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"From the revenue derived by the provisions of this Act there is hereby appropriated annually to a 'property tax credit fund', which is hereby created, the sum of thirty million dollars ($30,000,000), which shall be distributed annually on warrants drawn by the state comptroller and made payable to the county treasurers of the several counties of the state. The revenue distributable shall be allocated each year to the several counties in the same proportion that the assessed valuation of the taxable real and personal property in that county for the preceding tax year bears to the total taxable real and personal property in the state for the preceding tax year. Not later than October 1 in the year 1963, and annually thereafter, the state comptroller shall certify to the county treasurer of each county in the state the amount of money that will be allocated to that county the following year. The county treasurer shall thereupon enter a credit against the tax bill of each taxpayer in said county, being the tax bill of the current year due and payable the following year, and the amount of said credit shall be in the same proportion to the total amount so certified to the county treasurer by the state comptroller as the assessed valuation of such taxpayer's taxable real and personal property for the current tax year bears to the total assessed valuation of taxable real and personal property in that county for the current tax year. The amount of money so credited to the taxpayers of the county shall be distributed by the county treasurer to the several taxing districts of said county upon the receipts in the following year of the comptroller's warrant drawn on the property tax credit fund, the same as though the amount thereof had been paid to the treasurer of said county by the taxpayers of said taxing district."

J. T. DYKHOUSE.
IRVING D. LONG.
A. V. DORAN.
JOSEPH B. FLATT.
J. HENRY LUCKEN.
CHAS S. VAN EATON.

Amend the ways and means committee amendment to House File 550, filed April 23, 1963, as follows:

1. Strike all of section 3.
2. Strike all of section 1 and subsection 3 of section 2.
3. Strike from lines 89 and 90 the words "and taxing sleeping rooms".

J. T. DYKHOUSE.

Amend the ways and means committee amendment to House File 550, filed April 23, 1963, as follows:

1. By adding the following sections after line 79:

a. "Section four hundred twenty-three point two (423.2), Code 1962, is hereby further amended by inserting following the word 'property' in line six (6) the following, 'except that the tax on new motor vehicles, and new trailers shall be at the rate of two (2) percent' ".

b. "Section three hundred twenty-one point one hundred twelve (321.112), Code 1962, is hereby amended by striking from line four (4) the word 'ten' and inserting in lieu there-

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of the word 'fifteen' ".

c. "Section three hundred twenty-one point one hundred thirteen (321.113), Code 1962, is hereby amended by striking line seven (7) thereof."

d. "Section three hundred twenty-one point one hundred thirteen (321.113), Code 1962, is hereby further amended by striking all of the section beginning with the word 'where' in line three (3) of the fourth paragraph and inserting in lieu thereof the following: 'Where the seventh registration fee for a motor vehicle has been computed and fixed by the department prior to July 4, 1963, and such vehicle has not been registered eight times, that part of the registration fee which is based on the value of the vehicle shall remain at fifty percent for the eighth registration.' "

e. "Section three hundred twenty-one point one hundred sixty-two (321.162), Code 1962, is hereby amended by striking from line one (1) the word 'one' and inserting in lieu thereof the word 'three' ".

f. "Section three hundred twenty-one point one hundred sixty-two (321.162), Code 1962, is hereby further amended by striking from line four (4) the word 'one' and inserting in lieu thereof the word 'five' ".

VERNON H. KYHL.

Amend the ways and means committee amendment to House File 550, filed April 23, 1963, as follows:

1. By striking all of lines 20 and 21 and by striking the numeral "3" in line 22, and by inserting in lieu thereof the numeral "2".

2. By striking the numeral "4" in line 26, and by inserting in lieu thereof the numeral "3".

3. By striking the words "and by" from line 27 and by striking all of lines 28 and 29, and by inserting in lieu thereof a period (.).

4. By striking all of lines 33 through 36 inclusive and by striking the numeral "5" in line 37, and by inserting in lieu thereof the numeral "4".

5. By striking the numeral "6" in line 40, and by inserting in lieu thereof the numeral "5".

6. By striking the numeral "7" in line 53, and by inserting in lieu thereof the numeral "6".

7. By striking all of lines 76 and 77, and by inserting in lieu thereof the following:

"Sec. 7. The imposition of tax as provided herein shall not apply to tangible personal".

8. By striking the numeral "9" in line 80, and by inserting in lieu thereof the numeral "8".

9. By striking the following from lines 88 and 89: "and an increase in sales and use taxes".

VERN LISLE.
J. T. DYKHOUSE.
CHARLES F. GRIFFIN.
RICHARD C. TURNER.
CHAS. S. VAN EATON.
JOHN D. SHOEMAN.

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Amend the committee on ways and means amendment to House File 550 filed April 23, 1963, as follows:

1. By striking all of lines 37 through 39, inclusive, and inserting in lieu thereof the following:

"Sec. 5. Section four hundred twenty-two point thirty-three (422.33), Code 1962, is hereby repealed and the following enacted in lieu thereof:

'A tax is hereby imposed upon each corporation organized under the laws of this state, and upon every foreign corporation engaged in income producing activities in this state, annually in an amount equivalent to three percent of the net income received by such corporation during the income year.

1. If the income producing activities of the corporation are carried on entirely within the state, the tax shall be imposed on the entire net income, but if such income producing activities are carried on partly within and partly without the state, the tax shall be imposed only on the portion of the net income reasonably attributable to the state, said net income attributable to the state to be determined as follows:

a. Interest, dividends, rents, and royalties (less stated expenses) received in connection with income producing activities in the state, shall be allocated to the state, and where received in connection with income producing activities outside the state shall be allocated outside the state.

b. Net income of the above class having been separately allocated and deducted as above provided, the remainder of the net income of the taxpayer shall be allocated and apportioned as follows:

Where income is derived from income producing activities other than the manufacture or sale of tangible personal property or compensation for performance of labor or personal services, such income shall be specifically allocated or equitably apportioned within and without the state under rules and regulations of the commission.

Where income is derived from the manufacture or sale of tangible personal property, the part thereof attributable to income producing activities within the state shall be allocated to Iowa on the basis of the percentage computed by taking the arithmetical average of the following three percentages:

(1). The percentage which the sales made in Iowa is of total sales wherever made. Sales made in Iowa include sales made through, from, or by offices, agencies, branches, stores or personal solicitation of salesmen or representatives in Iowa, whether or not such salesmen or representatives are residents of Iowa.

(2). The percentage which the total tangible property, real, personal, and mixed, owned or used by the taxpayer in this state in connection with such income producing activities, is of the total tangible property, real, personal, or mixed, wherever located, owned, or used by the taxpayer in connection with such income producing activities; and

(3). The percentage which the taxpayer's total payrolls paid or incurred in this state or paid in respect to labor performed in this state in connection with such income producing activities is of the taxpayer's total payrolls paid or

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incurred in connection with such income producing activities.

(4). In computing the percentages under subparagraphs one (1), two (2) and three (3) above the valuation of transient property, such as motor vehicles, shall be apportioned in a manner to reflect the use of such property within and without the State of Iowa. The valuation of tangible property, other than inventories, shall be its depreciated tax cost for income tax purposes at the end of the tax year, except that if such valuation does not fairly reflect the total tangible property owned or used by the taxpayer in this state during such tax year, such valuation shall be the average valuation of such property so owned or used during the tax year to be determined on the basis of sound accounting practices. All inventories shall be valued at total book cost at the end of the tax year, except that if such book cost does not fairly reflect the total inventory owned or used by the taxpayer during the tax year, such valuation shall be the average valuation of such property so owned or used during the tax year to be determined on the basis of sound accounting practices. For corporations occupying rented properties or using leased equipment, such property shall be valued at eight (8) times the annual net rental payments. For purposes of this computation, payrolls shall include wages, salaries, commissions, bonuses, and all remuneration paid as compensation for employees' personal services and shall be considered payrolls paid or incurred in this state, or paid in respect to labor performed in this state, if the duties of the employee normally require said employee to spend one-half or more of his working time in Iowa, without regard to the legal residence of the employee.

For the purpose of this section, the word "sale" shall include exchange, and the word "manufacture" shall include the extraction and recovery of natural resources and all processes of fabricating and curing. The words "tangible personal property" shall be taken to mean corporeal personal property, such as machinery, tools, implements, goods, wares, and merchandise, and shall not be taken to mean money deposits in banks, shares of stock, bonds, notes, credits, or evidence of an interest in property and evidence of debt.

2. If any taxpayer believes that the method of allocation and apportionment hereinbefore prescribed, as administered by the commission and applied to his income producing activities has operated or will so operate as to subject him to taxation on a greater portion of his net income than is reasonably attributable to income producing activities within the state, he shall be entitled to file with the commission a statement of his objections and of such alternative method of allocation and apportionment as he believes to be proper under the circumstances with such detail and proof and within such time as the commission may reasonably prescribe; and if the commission shall conclude that the method of allocation and apportionment theretofore employed is in fact inapplicable and inequitable it shall redetermine the taxable income by such other method of allocation and apportionment as seems best calculated to assign to the state for taxation the portion of the income reasonably attributable to income producing activities within the state.

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3. If it shall appear to the tax commission that any allocation percentage determined as hereinabove provided does not properly reflect the income producing activities of a taxpayer within the state, the tax commission shall be authorized in its discretion, in case of the corporation allocation percentage, to adjust it by (a) excluding one or more of the factors therein, (b) including one or more other factors, or (c) any other similar or different method calculated to effect a fair and proper allocation of income reasonably attributable to the state. Upon such action by the tax commission the taxpayer will be informed in writing of the method to be used to allocate and apportion the income attributable to the state.'

4. Section four hundred twenty-two point forty (422.40), Code 1962, is hereby amended by striking from lines five (5) and six (6) of subsection one (1) the words, 'doing business in this state for profit' and by inserting in lieu thereof the words, 'engaged in income producing activities in this state.' "

EUGENE M. HILL.

Amend the ways and means committee amendment to House File 550, filed April 23, as follows:

1. By striking all of lines 20 and 21.

2. By striking from lines 27 through 20 the words "and by striking from line twenty-three (23) the word 'two' and inserting in lieu thereof the word 'three' ".

3. By striking all of lines 30 through 36.

4. By striking all of lines 76 through 79.

5. By striking from lines 88 and 89 the words "sales and use taxes," and inserting in lieu thereof the words "individual and".

6. By adding the following new section:

"Section four hundred twenty-two point five (422.5), Code 1962, is hereby amended as follows:

'1. By striking from lines two (2) and three (3) of subsection one (1) the words "three-fourths of".

2. By striking from lines two (2) and three (3) of subsection two (2) the words "one and one-half" and inserting in lieu thereof the word "two (2)".

3. By striking from lines two (2) and three (3) of section three (3) the words "two and one-fourth" and inserting in lieu thereof the word "three (3)".

4. By striking from line two (2) of subsection four (4) the word "three" and inserting in lieu thereof the word "four (4)".

5. By striking from lines two (2) and three (3) of subsection five (5) the words "three and three-fourths" and inserting in lieu thereof the word "five (5)".

6. By striking from lines four (4) and five (5) of subsection five (5) the words "three and three-fourths" and inserting in lieu thereof the word "five (5)".' "

Further amend by renumbering the sections in conformity with this amendment.

JOHN J. BROWN.

On motion of Senator Rigler, the Senate adjourned until 9:30 a.m., Thursday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 25, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by the Right Reverend Monsignor Vitus Stoll, pastor of the Immaculate Conception Church, Creston, Iowa.

PRESENTATION OF VISITORS

Senator O'Malley asked and received unanimous consent to present to the Senate twenty-six students, members of the sixth grade class of the Camp Dodge Elementary School, Johnston, who were present in the balcony accompanied by their instructor, Lynne Garlick.

Senator Cowden asked and received unanimous consent to present to the Senate one hundred five students, members of the junior class of the Perry High School, who were present in the balcony accompanied by their superintendent, Robert E. Horsfall, their principal, Loran Coburn, and their instructor, Dean Witimer.

Senator Cowden asked and received unanimous consent to present to the Senate thirty-six students, members of the sixth grade class of the Van Meter Community School, who were present in the balcony accompanied by their instructor, Zelda Allcott.

Senator Mincks asked and received unanimous consent to present to the Senate sixty-two students from the Stuart Elementary School, Ottumwa, who were present in the balcony accompanied by their instructors, Ferne Forward and Robert Feaster.

Senator O'Malley asked and received unanimous consent to present to the Senate forty-two students from the North Polk Community Schools, Polk City, who were present in the balcony accompanied by their instructors, Rose Ann Beekman and David McConnell.

Senator O'Malley asked and received unanimous consent to present to the Senate fifty-seven students from the Wallace Elementary School, Des Moines, who were present in the balcony accompanied by their instructors, Alice Holmes and Aileen Smith.

Senator Walker asked and received unanimous consent to present to the Senate Regula Meyer of Switzerland, an exchange student in the Iowa Falls High School, who was present in the Senate chamber.

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CONGRATULATIONS, "QUEEN OF THE SENATE"

Senator Doran rose on a point of personal privilege and announced that he had an added pleasurable duty to perform. Saturday, April 27, the wedding day of Lynn Clark, his secretary and Queen of the Senate, and on behalf of the many friends of Lynn in the Senate presented her with wedding gifts.

President Mooty assured Lynn that the best wishes of all go with her.

INTRODUCTION OF BILLS

Senate File 462, 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 463, by committee on ways and means, a bill for an act to empower and direct the State Tax Commission to equalize the assessed value of real and personal property within the State of Iowa.

Read first and second times and placed on the calendar.

UNFINISHED BUSINESS

On motion of Senator Beneke, Senate File 430, a bill for an act relating to the exploration for and the development, conservation, production, transportation and storage for natural gas and oil, was taken up for further consideration.

Senator Beneke asked and received unanimous consent to withdraw the amendments filed by Senators Beneke and Nolan on April 22 and found on pages 984 and 985 of the Senate Journal.

Senator Beneke called up the amendment filed by Senators Beneke and Nolan on April 24, and found on pages 1029-1031, inclusive, of the Senate Journal, and moved its adoption.

The motion prevailed and the amendment was adopted.

Senator Beneke asked and received unanimous consent that action on Senate File 430 be deferred and that the bill retain its place 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

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House has passed the following joint resolution in which the concurrence of the House was asked:

Senate Joint Resolution 16, a joint resolution ratifying a proposed amendment to the Constitution of the United States of America relating to qualifications of electors.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 146, a bill for an act relating to approval of plats in cities and towns.

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 to enable and empower the board or commission which has control and jurisdiction overy any highway or highway system to convey certain easements and rights in, to and over certain easements for highway purposes.

Also: That the House recedes from its amendment to and passed Senate File 342, a bill for an act relating to an extension of time for filing application for Korean veterans' bonus.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 399, a bill for an act to appropriate funds for expenses of inaugural ceremonies.

Also: That the House has failed to pass the following bill in which the concurrence of the House was asked:

Senate File 404, a bill for an act relating to the marketing of dairy products.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurent Resolution 16, a concurrent resolution resolving that the Sixtieth General Assembly of the State of Iowa urge the Congress of the United States to adopt the corn tassel as the national floral emblem.

Also: That the House has concurred in Senate amendments to and passed House File 3, a bill for an act relating to the Iowa Commission for the Blind.

Also: That the House has concurred in Senate amendments to and passed House File 157, a bill for an act relating to funds for the manufacture of motor vehicle registration plates.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 172, a bill for an act relating to the assessment and review of property for taxation and for this purpose creating the office of state assessor and a state board of review and prescribing their powers and duties.

Also: That the House refuses to concur in Senate amendment to House File 237, a bill for an act relating to the terms of office for members of the Iowa civil defense administration.

Also: That the House refuses to concur in Senate amendment to House File 280, a bill for an act relating to the place of holding election meetings to elect members of the county agricultural extension council.

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Also: That the House has concurred in Senate amendments to and passed House File 378, a bill for an act relating to creation of single examining board for physicians, surgeons, osteopaths and osteopathic physicians and surgeons.

Also: That the Speaker has appointed as members of the conference committee on the part of the House on House File 393, a bill for an act relating to joint county, city or town buildings, Representatives Swisher, Baringer, Hougen and Fischer of Grundy.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 589, a bill for an act making it unlawful for any person or employer to discriminate in employment against any individual, and for a labor organization to discriminate in membership against any individual, because of race, color, religion, national origin or ancestry.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 16

By Hakes, Bock, Falvey and Van Alstine

Whereas, in recognition of the importance of corn to our nation's founding fathers, present citizens and future generations, and

Whereas, in gratitude for nature's gift of this versatile and vital, life-giving plant, and

Whereas, in view of the fact that this native plant of the United States grows in all fifty of the United States, and

Whereas, in realization that this plain, homespun, simple and tough-of-fibre plant with its earthiness and unaffected genuineness will give the United States a truly unique floral symbol, and

Whereas, in view of the fortunate geographical position of Iowa as heart of the nation's great corn belt, now therefore,

Be It Resolved by the House, the Senate Concurring, that the Sixtieth General Assembly of the State of Iowa urges the Congress of the United States to adopt the corn tassel as the national floral emblem.

Be It Further Resolved, that a copy of this resolution be forwarded by the Chief Clerk of the House to the President of the United States, and to each member of the Iowa Delegation of the Senate and the House of Representatives of the United States.

HOUSE AMENDMENTS TO SENATE FILE 146

Amend Senate File 146 as follows:

1. Strike from line 4 the word "shall" and insert in lieu thereof the word "may".

2. Strike from line 5 the words "either singly or jointly with" and insert in lieu thereof the word "or".

3. Strike all of lines 8 and 9 and insert in lieu thereof the words "repairs necessitated by defects in material or workmanship not to exceed two (2) years from and after completion."

HOUSE AMENDMENT TO SENATE FILE 399

Amend Senate File 399, section 1 by striking all of lines 6 through 9 and by inserting at the end of section 1 the following paragraph:

"There is hereby further appropriated out of the funds of the state

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treasury not otherwise appropriated the sum of four hundred five dollars and sixty cents ($405.60) to Harold E. Hughes, Governor, to recompensate him for moneys paid by him in connection with the inaugural ceremonies. A warrant for this amount shall be drawn upon the treasury for said sum in favor of Harold E. Hughes, Governor, upon the filing of voucher therefor with the state comptroller."

HOUSE MESSAGES CONSIDERED

House File 172, a bill for an act relating to the assessment and review of property for taxation and for this purpose creating the office of state assessor and a state board of review and prescribing their powers and duties.

Read first and second times and referred to sifting committee.

House File 589, a bill for an act making it unlawful for any person or employer to discriminate in employment against any individual, and for a labor organization to discriminate in membership against any individual, because of race, color, religion, national origin or ancestry.

Read first and second times and referred to sifting committee.

On motion of Senator Rigler, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

PRESENTATION OF DISTINGUISHED GUESTS

Senator Shaff rose on a point of personal privilege and announced the arrival in the Senate chamber of the Honorable Elmer H. Vermeer of the House and a distinguished delegation from Marion County.

Senator Shaff asked that Senator Shivvers and Representative Vermeer escort our guests to the rostrum.

Mr. Vermeer presented to the Senate the Queen of the Pella Tulip Time, Mary Vermeer, and the members of her Court, Charlene Klyn, Pamela Klein, Beverly DeCook and Mary Wing.

The Queen extended to all a cordial invitation to attend "Tulip Time" in Pella on May 9, 10 and 11, 1963. She also presented to President Mooty a ring of the famous Pella bologna and to Mrs. Shivvers a bouquet of Pella tulips, and the members of her Court distributed to all traditional Pella cookies.

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SENATE FILES RECALLED FROM THE HOUSE

Senator Beneke asked and received unanimous consent that the Secretary be directed to recall from the House Senate Files 423, 429 and 435 for further consideration of the Senate.

THIRD READING OF BILLS

On motion of Senator Long, House File 320, a bill for an act relating to definitions under the Iowa Securities Law, was taken up and considered.

Senator Long moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 50:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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 Schroeder, House File 322, a bill for an act to regulate the transfer of securities between certain organizations under common or overlapping control, was taken up and considered.

Senator Schroeder moved that the bill be read a third 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:

Benda	Curran	Flatt	Kyhl
Benke	Dodds	Frommelt	Lisle
Brown	Doran	Fulton	Lodwick
Buck	Dykhouse	Getting	Long
Burrows	Elijah	Griffin	Lucken
Campbell	Elthon	Grimstead	Main
Coleman	Elvers	Hansen	Mincks
Cowden	Fisher	Hill	Nolan

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O'Malley	Shaff	Vance	Walter
Phelps	Shivvers	Van Eaton	Wearin
Rigler	Shoeman	Vincent	Wiley
Schroeder	Stephens	Walker	Wilson
Scott	Turner		

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 Rigler, House File 154, a bill for an act relating to the investment and deposit of county, city, town and school funds, was taken up and considered.

Senator Shaff offered the following amendment and moved its adoption:

Amend House File 154 as follows:

Amend section 5 by striking lines 3 through 8 inclusive and inserting in lieu thereof the following: "No county, city, town or school corporation governing body shall delegate its investment authority and every investment authorized shall be approved by a resolution adopted by a majority of the membership of the governing body".

President pro tempore Vance took the chair at 2:05 p.m.

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 18:

Benda	Elijah	Nolan	Shoeman
Beneke	Elthon	Schroeder	Wearin
Buck	Getting	Shaff	Wiley
Burrows	Kyhl	Shivvers	Wilson
Cowden	Long		

Nays, 31:

Brown	Fisher	Lodwick	Stephens
Campbell	Frommelt	Lucken	Turner
Coleman	Fulton	Main	Vance
Curran	Griffin	Mincks	Van Eaton
Dodds	Grimstead	O'Malley	Vincent
Doran	Hansen	Phelps	Walker
Dykhouse	Hill	Rigler	Walter
Elvers	Lisle	Scott	

Absent or not voting, 1:

Flatt

The amendment was lost.

President Mooty took the chair at 2:10 p.m.

Senator Rigler moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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On the question "Shall the bill pass?" the vote was:

Ayes, 36:

Benda	Elijah	Hill	Rigler
Beneke	Fisher	Lisle	Schroeder
Brown	Flatt	Lodwick	Shaff
Coleman	Frommelt	Long	Shivvers
Cowden	Fulton	Lucken	Stephens
Curran	Getting	Main	Turner
Dodds	Griffin	Mincks	Van Eaton
Doran	Grimstead	O'Malley	Vincent
Dykhouse	Hansen	Phelps	Walter

Nays, 14:

Buck	Elvers	Shoeman	Wearin
Burrows	Kyhl	Vance	Wiley
Campbell	Nolan	Walker	Wilson
Elthon	Scott		

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 Lodwick, House File 240, a bill for an act to amend chapter four hundred fifty-five (455), Code 1962, relating to levee and drainage districts, was taken up and considered.

Senator Lodwick moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Frommelt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Coleman	Griffin	O'Malley	Vincent
Cowden	Grimstead	Phelps	Walker
Curran	Hansen	Rigler	Walter
Dodds	Hill	Schroeder	Wearin
Doran	Kyhl	Scott	Wiley
Dykhouse	Lisle	Shaff	Wilson
Elijah			

Nays, none.

Absent or not voting, 1:

Flatt

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Kyhl, Senate File 347, a bill for an act

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establishing a historical markers commission, was taken up and considered.

Senator Wearin offered the following amendment filed by Senators Wearin and Kyhl:

Amend Senate File 347 as follows:

1. By striking section 2 and by inserting in lieu thereof the following:

"Sec. 2. The commission shall consist of nine (9) members who shall be selected with regard to demonstrated interests in historical matters. The commission shall be nonpartisan and the members shall be appointed by the governor. As the terms of the members so appointed shall expire, their successors shall be appointed, each for a term of four years; provided, however, that upon the death, disability, or resignation of any member, the governor shall appoint a person to serve for the unexpired term."

2. By inserting a period (.) before the word "but" in line 2 of section 3, and by striking the remainder of said section.

Senator Wearin offered the following amendment to the amendment, filed by Senators Wearin and Kyhl, and moved its adoption:

Amend the amendment by adding the following after the word "governor." in line 7: "Five (5) of the original commission members shall be appointed for a term of four (4) years and four (4) of such members shall be appointed for a term of two (2) years."

The amendment to the amendment was adopted.

On motion of Senator Wearin, the amendment as amended was adopted.

Senator Wearin offered the following amendment and moved its adoption:

Amend Senate File 347 by striking all of section 10.

The amendment was adopted.

Senator Wearin moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Frommelt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Coleman	Griffin	O'Malley	Vincent
Cowden	Grimstead	Phelps	Walker
Curran	Hansen	Rigler	Walter
Dodds	Hill	Schroeder	Wearin
Doran	Kyhl	Scott	Wiley
Dykhouse	Lisle	Shaff	Wilson
Elijah			

Nays, none.

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Absent or not voting, 1:
Flatt

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Benda, House File 481, a bill for an act relating to warehouses for agricultural products, was taken up and considered.

Senator Benda moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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.

MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed to return herewith, as requested by the Senate, Senate File 423, Senate File 429 and Senate File 435, bills for acts to make appropriations to certain named persons in settlement of claims made against the State of Iowa.

WILLIAM R. KENDRICK, *Chief Clerk.*

COMMUNICATION

The Secretary of the Senate announced the receipt of a concurrent resolution from the State of Kansas petitioning Congress for an amendment to the constitution providing for changes in the election of President and Vice President of the United States.

ASSIGNMENT OF RESOLUTION TO COMMITTEE

President Mooty announced the assignment of House Concurrent Resolution 15 to the appropriations committee, under Senate Rule 21.

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REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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 86, 127, 356, 409 and 434; also, House Files 3, 208, 401 and 573.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 86, 127, 356, 409 and 434; also, House Files 3, 208, 401 and 573.

BILLS SENT TO THE GOVERNOR

Senator Benda, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 25th day of April, 1963, sent to the Governor for his approval: Senate Files 86, 127, 356, 409 and 434.

KENNETH BENDA, *Chairman.*

Passed on file.

AMENDMENTS FILED

Amend Senate File 282 by striking the word "act" in line 2 of section 5, and by inserting in lieu thereof the word "Act".

CHAS. S. VAN EATON.

Amend Senate File 423, by inserting after the title the following: "Be It Enacted by the General Assembly of the State of Iowa:".

DONALD G. BENEKE.

Amend Senate File 429 by adding after the title the following: "Be It Enacted by the General Assembly of the State of Iowa:".

DONALD G. BENEKE.

Amend Senate File 430 as follows:

1. Amend section 11 by striking the word "the" after the word "before" in line 3.

2. Amend section 14 by striking the word "geologist" in line 53.

D. C. NOLAN.

Amend Senate File 430 as follows:

Amend section 2, line 34, by adding after the word

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3 "hydrocarbons" the following: "which are produced at the
4 wellhead and".

ROBERT FULTON.

1 Amend Senate File 435 by adding after the title the following:
2 "Be It Enacted by the General Assembly of the State of Iowa:".

DONALD G. BENEKE.

1 Amend House File 156, section 6, line 4, by inserting after the
2 word "husbandry" the following: "and household appliances".

GEORGE O'MALLEY.

On motion of Senator Rigler, the Senate adjourned until 9:00 a.m., Friday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 26, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend James Ransom, pastor of the First Presbyterian Church, Le Mars, Iowa.

ANNOUNCEMENT

The Senate expressed deep concern when Senator Rigler announced the sudden illness of Senator Nolan. He stated that Senator Nolan was taken to Mercy Hospital early this morning for the treatment of ulcers.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Nolan on account of illness, on request of Senator Rigler; Senator Getting for the day on request of Senator Elvers; Senator Wearin for the day on request of Senator Campbell.

RESOLUTION

By Senator Shoeman, the following resolution:

"*Whereas* an effective Civil Defense program in the State of Iowa depends upon a fully staffed and adequately equipped State Civil Defense organization and

"*Whereas* a proposed budget has been presented to the State Legislature covering the actual cost of such staffing and equipping.

"*Therefore Be It Resolved*, that the members of the Iowa Civil Defense Directors' Association, from counties in Iowa with a combined population of more than one million citizens, hereby urge the retention of the entire proposed Civil Defense budget in the state appropriation bill when enacted, and

"*Be It Further Resolved*, that copies of this resolution be forwarded to the chairman of the House appropriations committee and the chairman of the appropriate committee in the Iowa State Senate.

"Adopted by the Iowa Civil Defense Directors' Association in regular meeting assembled this 24th day of April, 1963 at Des Moines, Iowa.

s/LLOYD L. TURNER,
President.

s/BETTY J. NUCCIO, D. C.,
Secretary-Treasurer.

PRESENTATION OF VISITORS

Senator Coleman, on behalf of Senator Walker, asked and received unanimous consent to present to the Senate thirty-five students from the St. Thomas Aquinas School, Webster City, who were present in the balcony accompanied by their principal, Sister Mary Vernice.

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Senator Main asked and received unanimous consent to present to the Senate twenty-four students from the Grand Valley Elementary School, Grand River, who were present in the balcony accompanied by their instructor, Lyle Haldin.

Senator Doran asked and received unanimous consent to present to the Senate fifty-six students, members of the fifth and sixth grade classes of the Roland Elementary School, who were present in the balcony accompanied by their instructors, Elaine Tucker and Mildred Teig.

CONFERENCE COMMITTEE APPOINTMENT

President Mooty announced the appointment of Senator Rigler on the conference committee on House File 393 to fill the vacancy caused by the illness of Senator Nolan.

HOUSE AMENDMENT CONSIDERED

Senator Shoeman called up for consideration Senate File 399, a bill for an act to appropriate funds to defray expenses of the inaugural ceremonies, amended by the House, and moved that the Senate concur in the following amendment:

HOUSE AMENDMENT TO SENATE FILE 399

Amend Senate File 399, section 1, by striking all of lines 6 through 9 and by inserting at the end of section 1 the following paragraph:

"There is hereby further appropriated out of the funds of the state treasury not otherwise appropriated the sum of four hundred five dollars and sixty cents ($405.60) to Harold E. Hughes, Governor, to recompensate him for moneys paid by him in connection with the inaugural ceremonies. A warrant for this amount shall be drawn upon the treasury for said sum in favor of Harold E. Hughes, Governor, upon the filing of voucher therefor with the state comptroller."

The Senate concurred in the House amendment.

Senator Shoeman moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 42:

Benda	Dodds	Frommelt	Lodwick
Beneke	Doran	Fulton	Long
Brown	Dykhouse	Griffin	Lucken
Burrows	Elijah	Grimstead	Main
Campbell	Elthon	Hansen	Mincks
Coleman	Elvers	Hill	O'Malley
Cowden	Fisher	Kyhl	Phelps
Curran	Flatt	Lisle	Rigler

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Shoeman	Vance	Walker	Wiley
Stephens	Van Eaton	Walter	Wilson
Turner	Vincent		

Nays, none.

Absent or not voting, 8:

Buck	Nolan	Scott	Shivvers
Getting	Schroeder	Shaff	Wearin

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

RECONSIDERATION OF SENATE FILES 423, 429 AND 435

Senator Shoeman moved to reconsider the vote by which Senate File 423 passed the Senate, which motion prevailed.

Senator Beneke moved to reconsider the vote by which Senate File 423 went to its third reading, which motion prevailed.

THIRD READING OF BILLS

On motion of Senator Shoeman, Senate File 423, a bill for an act to make appropriations to certain named persons in settlement of claims made against the State of Iowa, was taken up for further consideration.

Senator Beneke offered the following amendment and moved its adoption:

Amend Senate File 423 by inserting after the title the following:
"Be It Enacted by the General Assembly of the State of Iowa:"

The amendment was adopted.

Senator Shoeman moved that the bill be read a third 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:

Benda	Dykhouse	Hill	Shoeman
Beneke	Elijah	Kyhl	Stephens
Brown	Elthon	Lisle	Turner
Buck	Elvers	Lodwick	Vance
Burrows	Fisher	Long	Van Eaton
Campbell	Flatt	Lucken	Vincent
Coleman	Frommelt	Main	Walker
Cowden	Fulton	Mincks	Walter
Curran	Griffin	O'Malley	Wiley
Dodds	Grimstead	Phelps	Wilson
Doran	Hansen	Rigler	

Nays, none.

Absent or not voting, 7:

Getting	Schroeder	Shaff	Wearin
Nolan	Scott	Shivvers	

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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 Shoeman moved to reconsider the vote by which Senate File 429 passed the Senate, which motion prevailed.

Senator Shoeman moved to reconsider the vote by which Senate File 429 went to its third reading, which motion prevailed.

On motion of Senator Shoeman, Senate File 429, a bill for an act to make appropriations to certain named persons in settlement of claims made against the State of Iowa, was taken up for further consideration.

Senator Beneke offered the following amendment and moved its adoption:

Amend Senate File 429 by adding after the title the following: "Be It Enacted by the General Assembly of the State of Iowa."

The amendment was adopted.

Senator Shoeman moved that the bill be read a third 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:

Benda	Dykhouse	Hill	Shoeman
Beneke	Elijah	Kyhl	Stephens
Brown	Elthon	Lisle	Turner
Buck	Elvers	Lodwick	Vance
Burrows	Fisher	Long	Van Eaton
Campbell	Flatt	Lucken	Vincent
Coleman	Frommelt	Main	Walker
Cowden	Fulton	Mincks	Walter
Curran	Griffin	O'Malley	Wiley
Dodds	Grimstead	Phelps	Wilson
Doran	Hansen	Rigler	

Nays, none.

Absent or not voting, 7:

Getting	Schroeder	Shaff	Wearin
Nolan	Scott	Shivvers	

The bill having received a constitutional and two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Shoeman moved to reconsider the vote by which Senate File 435 passed the Senate, which motion prevailed.

Senator Shoeman moved to reconsider the vote by which Senate File 435 went to its third reading, which motion prevailed.

On motion of Senator Shoeman, Senate File 435, a bill for an act to make appropriations to certain named persons in settlement

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of claims made against the State of Iowa, was taken up for further consideration.

Senator Beneke offered the following amendment and moved its adoption:

Amend Senate File 435 by adding after the title the following:
"Be It Enacted by the General Assembly of the State of Iowa."

The amendment was adopted.

Senator Shoeman moved that the bill be read a third 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:

Benda	Dykhouse	Hill	Shoeman
Beneke	Elijah	Kyhl	Stephens
Brown	Elthon	Lisle	Turner
Buck	Elvers	Lodwick	Vance
Burrows	Fisher	Long	Van Eaton
Campbell	Flatt	Lucken	Vincent
Coleman	Frommelt	Main	Walker
Cowden	Fulton	Mincks	Walter
Curran	Griffin	O'Malley	Wiley
Dodds	Grimstead	Phelps	Wilson
Doran	Hansen	Rigler	

Nays, none.

Absent or not voting, 7:

Getting	Schroeder	Shaff	Wearin
Nolan	Scott	Shivvers	

The bill having received a constitutional and two-thirds majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENTS CONSIDERED

Senator O'Malley called up for consideration Senate File 146, a bill for an act relating to approval of plats in cities and towns and to expressly authorize improvement bonds for the protection of the public, amended by the House, and moved that the Senate concur in the following amendments:

HOUSE AMENDMENTS TO SENATE FILE 146

Amend Senate File 146 as follows:

1. Strike from line 4 the word "shall" and insert in lieu thereof the word "may".

2. Strike from line 5 the words "either singly or jointly with" and insert in lieu thereof the word "or".

3. Strike all of lines 8 and 9 and insert in lieu thereof the words "repairs necessitated by defects in material or workmanship not to exceed two (2) years from and after completion."

The Senate concurred in the House amendments.

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Senator O'Malley moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 43:

Benda	Dykhouse	Hill	Shoeman
Beneke	Elijah	Kyhl	Stephens
Brown	Elthon	Lisle	Turner
Buck	Elvers	Lodwick	Vance
Burrows	Fisher	Long	Van Eaton
Campbell	Flatt	Lucken	Vincent
Coleman	Frommelt	Main	Walker
Cowden	Fulton	Mincks	Walter
Curran	Griffin	O'Malley	Wiley
Dodds	Grimstead	Phelps	Wilson
Doran	Hansen	Rigler	

Nays, none.

Absent or not voting, 7:

Getting	Schroeder	Shaff	Wearin
Nolan	Scott	Shivvers	

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 Frommelt, Senate File 315, a bill for an act relating to the declaration of interest refunds by the board of directors of credit unions, was taken up and considered.

Senator Frommelt moved that the bill be read a third 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:

Benda	Dykhouse	Hill	Shoeman
Beneke	Elijah	Kyhl	Stephens
Brown	Elthon	Lisle	Turner
Buck	Elvers	Lodwick	Vance
Burrows	Fisher	Long	Van Eaton
Campbell	Flatt	Lucken	Vincent
Coleman	Frommelt	Main	Walker
Cowden	Fulton	Mincks	Walker
Curran	Griffin	O'Malley	Wiley
Dodds	Grimstead	Phelps	Wilson
Doran	Hansen	Rigler	

Nays, none.

Absent or not voting, 7:

Getting	Schroeder	Shaff	Wearin
Nolan	Scott	Shivvers	

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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 Frommelt, Senate File 282, a bill for an act relating to maximum millage rates for taxes caused to be levied by cities and towns to clarify chapter four hundred four (404), Code 1962, relating thereto, with reports of committee recommending passage, was taken up, considered, and the reports of the committee adopted.

Senator O'Malley offered the following amendment and moved its adoption:

Senate File 282 is amended by striking from section 1 all of lines 4 through 6, inclusive, and inserting in lieu thereof the following:

"The aforesaid maximum and aggregate millage rates shall be exclusive of all sources of income received or receivable by cities and towns other than taxes caused to be levied under the provisions of sections four hundred four point six (404.6) to four hundred four point twelve (404.12), inclusive, and those taxes in lieu of which allocations may be made under said sections by express authorization contained therein."

The amendment was adopted.

Senator Van Eaton offered the following amendment and moved its adoption:

Amend Senate File 282 by striking the word "act" in line 2 of section 5, and by inserting in lieu thereof the word "Act".

The amendment was adopted.

Senator Frommelt moved that the bill be read a third 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:

Benda	Dykhouse	Hill	Rigler
Beneke	Elijah	Kyhl	Shoeman
Brown	Elthon	Lisle	Stephens
Buck	Elvers	Lodwick	Turner
Burrows	Fisher	Long	Vance
Campbell	Flatt	Lucken	Van Eaton
Coleman	Frommelt	Main	Vincent
Cowden	Fulton	Mincks	Walker
Curran	Griffin	O'Malley	Walter
Dodds	Grimstead	Phelps	Wilson
Doran	Hansen		

Nays, 1:

Wiley

Absent or not voting, 7:

Getting	Schroeder	Shaff	Wearin
Nolan	Scott	Shivvers	

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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 Van Eaton asked and received unanimous consent that Senate File 282 be immediately messaged to the House, which request was complied with.

On motion of Senator Wiley, House File 386, a bill for an act relating to the term of office of county supervisors and township trustees, was taken up and considered.

Senator Dykhouse offered the following amendment and moved its adoption:

Amend House File 386, section 4, line 1, by inserting after the word "supervisor" the words "or trustee".

The amendment was adopted.

Senator Wiley moved that the bill be read a third 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:

Benda	Doran	Griffin	Phelps
Brown	Dykhouse	Grimstead	Rigler
Buck	Elijah	Hansen	Turner
Burrows	Elthon	Kyhl	Vincent
Campbell	Elvers	Lodwick	Walker
Coleman	Fisher	Long	Walter
Cowden	Flatt	Mincks	Wiley
Curran	Frommelt	Main	Wilson
Dodds	Fulton	O'Malley	

Nays, 4:

Hill	Lucken	Shoeman	Van Eaton

Absent or not voting, 11:

Beneke	Nolan	Shaff	Vance
Getting	Schroeder	Shivvers	Wearin
Lisle	Scott	Stephens	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Rigler called up the following resolution and moved its adoption:

SENATE CONCURRENT RESOLUTION 26
By Rigler and Frommelt

Be It Resolved by the Senate, the House Concurring: **That the President of the Senate be presented with the desk used by him during the session and the Speaker of the House of Representatives be presented with the chair occupied by him during the session, and that the custodian of the**

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state house be instructed to crate such furniture for shipment to the home residence of the President of the Senate and the Speaker of the House.

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 furniture.

The motion prevailed and the resolution was adopted.

Senator Rigler called up the following resolution and moved its adoption:

SENATE CONCURRENT RESOLUTION 27
By Rigler and Frommelt

Be It Resolved by the Senate, the House Concurring: That 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 Sixtieth General Assembly, and the reconvening of any special or subsequent regular session.

Be It Further Resolved: That the secretary of the Senate and the Chief Clerk of the House make an inventory of all equipment and supplies on hand at the close of the session, and file the same with the Secretary of the Executive Council.

Be It Further Resolved: That the Executive Council in accordance with section nineteen point twenty-five (19.25), Code 1962, provide all the supplies required for the convening of the next regular, any special, and during the session of the General Assembly, upon requisition signed by the Secretary of the Senate for the Senate and the Chief Clerk of the House for the House.

Be It Further Resolved: That the Secretary of the Senate and the Chief Clerk of the House are 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 for any official use and for the purpose of storing supplies and equipment as they may deem proper and advisable and notify the Executive Council of their conclusion in said matter, and the Executive Council shall in no wise make other assignments of the rooms which are so reserved.

Be It Further Resolved: That the Secretary of the Senate and the Chief Clerk of the House shall make a complete survey of all the typewriters on hand for the purpose of determining the advisability of replacing some of this equipment. The machines to be replaced shall be appraised and made immediately available to the Secretary of the Executive Council for distribution, for trade-in to typewriter suppliers or for sale at amounts based on the appraisal. The legislative fund shall be credited with any funds received or with the appraised value of the machines, if the same are distributed to other state departments or traded in. All other equipment is to be stored in rooms reserved by the legislative officials above designated, and the Executive Council shall thereafter have exclusive custody of the same and make it available for the succeeding General Assembly.

Be It Further Resolved: That any officers or employees of the Sixtieth General Assembly who shall be engaged for work in connection with the closing up of the work of the Sixtieth General Assembly and the reconvening of any subsequent regular or special session, shall be compensated for such services at the same rate as was fixed for the regular session of the Sixtieth General Assembly.

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The motion prevailed and the resolution was adopted.

Senator Rigler called up the following resolution and moved its adoption:

SENATE CONCURRENT RESOLUTION 28
By Rigler and Frommelt

Whereas, the National Association of Legislative Service Agencies which is a part of the Council of State Governments will convene in its annual sessions, both in 1963 and 1964, and

Whereas, Iowa has been represented by the Secretary of the Senate and the Chief Clerk of the House in the past, it would seem advisable that they should continue to do so;

Now, Therefore, Be It Resolved by the Senate, the House Concurring: That the Secretary of the Senate, or the Assistant Secretary if the Secretary cannot attend, and the Chief Clerk of the House are hereby authorized to attend the 1963 and 1964 sessions of the organization and that the actual expenses in so attending these sessions be paid as provided by paragraph 1, section two point twenty (2.20), Code 1962.

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 7, a bill for an act to establish requirements for installation of bulk tanks on farms for milk produced for manufacturing purposes.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 165, a bill for an act to amend, revise and codify the law relating to probate and to establish a probate code.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 418, a bill for an act to make 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 420, a bill for an act to make 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 421, a bill for an act to make 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 422, a bill for an act to make appropriations to certain named persons in settlement of claims made against the State of Iowa.

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Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 431, a bill for an act to make appropriations to members of the committee on highway study.

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 to make appropriations to members of the legislative research committee and legislative advisory committees.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 450, a bill for an act making appropriations to members of legislative advisory committees.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 451, a bill for an act to make appropriations to members of legislative advisory committees.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 452, a bill for an act to make appropriations to ex-officio members of the advisory investment board of the Iowa public employees' retirement system.

Also: That the House has concurred in Senate amendments to and passed House File 73, a bill for an act relating to the practice of barbering.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 351, a bill for an act to appropriate from the general fund of the state to the department of agriculture for the purchase and equipment of a special purpose truck.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 165

Amend Senate File 165 as follows:

1. Section 45, line 1, by striking the words "Notice of order may be served on attorney." and inserting in lieu thereof the following: "Notice of order served on fiduciary and attorney."

2. Section 124, line 2, by striking the word "Any" and inserting in lieu thereof the words "If court approval is first obtained, any".

3. Section 242, by striking the word "this" in the last line thereof and inserting in lieu thereof the word "the".

4. Section 487, line three (3), by striking the word "on" and inserting in lieu thereof the word "or".

5. By adding as section 622 the following:

"Sec. 622. In administering moneys paid by the veterans administration the conservator shall have the following powers and be subject to the following restrictions:

1. A bond executed by a recognized surety company equal to said assets and the annual income therefrom, plus the expected annual veterans administration benefit payments, shall be required to protect said funds.

2. Excess funds paid to the conservator may be invested in interest-bearing federally insured accounts, or in United States savings bonds, without approval of the court.

3. Money paid may be applied to the care, maintenance and support of

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the veteran and his legal dependents without prior approval of the court.

4. Moneys paid shall not be applied to the payment of obligations outlawed by the statute of limitations of any jurisdiction.

5. No money paid as a gratuity to a ward may be made the subject of a gift to third parties, except that the court may, on petition, authorize the application of said moneys to the assistance of a close relative after a finding that the veteran, if competent, would assist the relative to the extent of the order."

6. By striking from the note following section 621 the number "622" and inserting in lieu thereof the number "623".

7. Section 705, by striking lines seven (7) through eighteen (18), inclusive.

HOUSE MESSAGE CONSIDERED

House File 351, a bill for an act to appropriate from the general fund of the state to the department of agriculture for the purchase and equipment of a special purpose truck.

Read first and second times and referred to sifting committee.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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 73, 157, 240, 243, 320, 322, 378, 454 and 481.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 73, 157, 240, 243, 320, 322, 378, 454 and 481.

SENATE CONCURRENT RESOLUTION 29
By Rigler and Frommelt

Whereas, various meetings pertaining to the operation of legislative services are held between sessions of the legislature, and

Whereas, the President of the Senate and the Speaker of the House should have the authority to appoint representatives of the legislature to attend these meetings, and

Whereas, the members of various legislative committees are compelled to wait until after the next ensuing legislative session to secure repayment for actual expenses incurred in carrying out the duties of such research committees, and

Whereas, it appears advantageous to eliminate the necessity of filing

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bills in the ensuing legislative session to cover the actual expenses of such representatives and such committee members;

Now, Therefore, Be It Resolved by the Senate, the House Concurring: That the actual expenses of such representatives and such committee members in attending the above-described sessions or committee meetings should file expense accounts, subject to the approval of the President of the Senate and the Speaker of the House, and the State Comptroller is hereby authorized and directed to issue warrants in payment of same upon requisition signed by the President of the Senate and the Speaker of the House as provided for in sections two point twenty (2.20) and two point twenty-two (2.22), Code 1962.

AMENDMENTS FILED

Amend Senate File 463 as follows:
By inserting after the word "to" in line 2 the word "forthwith".

DONALD G. BENEKE.

Amend Senate File 463 by adding at the end thereof the following:
"The attorney general shall give the tax commission his full-fledged assistance and shall cooperate with the tax commission in carrying out the provisions of this Act."

EUGENE M. HILL.

On motion of Senator Rigler, the Senate adjourned until 10:30 a.m., Monday, April 29, 1963.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 29, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Michael Makredes, pastor of the St. George Greek Orthodox Church, Des Moines, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Benda for the day on request of Senator Vincent; Senator Nolan on account of illness on request of Senator Rigler.

PRESENTATION OF VISITOR

Senator O'Malley asked and received unanimous consent to present to the Senate Judy Lewis, a student in government from Lincoln High School, Des Moines, who was present in the Senate chamber.

INTRODUCTION OF BILLS

Senate File 464, by committee on claims, a bill for an act to make appropriations to certain named counties in settlement of claims made against the State of Iowa.

Read first and second times and referred to committee on appropriations.

Senate File 465, 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, 1963, and ending June 30, 1965, to the board of control for salaries, support, maintenance, repairs, replacements, alterations or equipment of institutions under said board of control, and to provide that chapter eight (8), except section eight point five (8.5), Code 1962, shall apply to this Act.

Read first and second times and placed on the calendar.

Senate File 466, by committee on appropriations, a bill for an act to appropriate from the general fund of the State of Iowa for 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 for the expenditure thereof by the board of control and the budget and financial control committee.

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Read first and second times and placed on the calendar.

Senate Joint Resolution 17, by committee on appropriations, a joint resolution to create a commercial code study committee to investigate the need of revising the laws of Iowa concerning sales; bills, notes and checks; bank deposits and collections; letters of credit; bulk transfers; warehouse receipts; bills of lading and other documents of title; investment securities, chattel mortgages; conditional sales and other secured transactions and to make an appropriation for such committee.

Read first and second times and placed on the calendar.

HOUSE AMENDMENTS CONSIDERED

Senator Shaff called up for consideration Senate File 165, a bill for an act to amend, revise and codify the law relating to probate, including descent and distribution, wills, administration and distribution of estates of decedents, trusts, administration of estates of persons under conservatorship, custody of persons under guardianship and to establish a probate code, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 165 as follows:

1. Section 45, line 1, by striking the words "Notice of order may be served on attorney." and inserting in lieu thereof the following: "Notice of order served on fiduciary and attorney."

2. Section 124, line 2, by striking the word "Any" and inserting in lieu thereof the words "If court approval is first obtained, any".

3. Section 242, by striking the word "this" in the last line thereof and inserting in lieu thereof the word "the".

4. Section 487, line three (3), by striking the word "on" and inserting in lieu thereof the word "or".

5. By adding as section 622 the following:

"Sec. 622. In administering moneys paid by the veterans administration the conservator shall have the following powers and be subject to the following restrictions:

1. A bond executed by a recognized surety company equal to said assets and the annual income therefrom, plus the expected annual veterans administration benefit payments, shall be required to protect said funds.

2. Excess funds paid to the conservator may be invested in interest-bearing federally insured accounts, or in United States savings bonds, without approval of the court.

3. Money paid may be applied to the care, maintenance and support of the veteran and his legal dependents without prior approval of the court.

4. Moneys paid shall not be applied to the payment of obligations outlawed by the statute of limitations of any jurisdiction.

5. No money paid as a gratuity to a ward may be made the subject of a gift to third parties, except that the court may, on petition, authorize the application of said moneys to the assistance of a close relative after a finding that the veteran, if competent, would assist the relative to the exent of the order."

6. By striking from the note following section 621 the number "622" and inserting in lieu thereof the number "623".

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7. Section 705, by striking lines seven (7) through eighteen (18), inclusive.

The Senate concurred in the House amendments.

Senator Shaff moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 47:

Beneke	Elthon	Lisle	Shivvers
Brown	Elvers	Lodwick	Shoeman
Buck	Fisher	Lucken	Turner
Burrows	Flatt	Main	Vance
Campbell	Frommelt	Long	Van Eaton
Coleman	Fulton	Mincks	Vincent
Cowden	Getting	O'Malley	Walker
Curran	Griffin	Phelps	Walter
Dodds	Grimstead	Rigler	Wearin
Doran	Hansen	Schroeder	Wiley
Dykhouse	Hill	Scott	Wilson
Elijah	Kyhl	Shaff	

Nays, none.

Absent or not voting, 2:

Benda	Nolan

Voting present, 1:

Stephens

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Flatt called up for consideration House File 237, a bill for an act relating to the term of office for members of the Iowa civil defense administration, amended by the Senate, and moved that the Senate insist on its amendments to House File 237, which motion prevailed.

CONFERENCE COMMITTEE APPOINTED

President Mooty announced the appointment of Senators Flatt, Benda, Fisher and Frommelt, on the part of the Senate, on the conference committee on House File 237.

Senator Shivvers called up the following resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION 16

By Hakes, Bock, Falvey and Van Alstine

Whereas, in recognition of the importance of corn to our nation's founding fathers, present citizens and future generations, and

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Whereas, in gratitude for nature's gift of this versatile and vital, life-giving plant, and

Whereas, in view of the fact that this native plant of the United States grows in all fifty of the United States, and

Whereas, in realization that this plain, homespun, simple and tough-of-fibre plant with its earthiness and unaffected genuineness will give the United States a truly unique floral symbol, and

Whereas, in view of the fortunate geographical position of Iowa as heart of the nation's great corn belt, now therefore,

Be It Resolved by the House, the Senate Concurring, that the Sixtieth General Assembly of the State of Iowa urges the Congress of the United States to adopt the corn tassel as the national floral emblem.

Be It Further Resolved, that a copy of this resolution be forwarded by the Chief Clerk of the House to the President of the United States, and to each member of the Iowa Delegation of the Senate and the House of Representatives of the United States.

The motion prevailed and the resolution was adopted.

Senator Wiley asked and received unanimous consent to take up the following resolution:

SENATE CONCURRENT RESOLUTION 30
By Wiley

Whereas, it is deemed advisable to give further consideration to Senate File 127, a bill for an act relating to exemptions from the imposition of the retail sales tax, which has passed both houses of the General Assembly and has been delivered to the Governor.

Now, Therefore, Be It Resolved by the Senate, the House Concurring: That the Governor be respectfully requested to return Senate File 127 for further consideration.

On motion of Senator Wiley, the resolution was adopted.

On motion of Senator Rigler, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

UNFINISHED BUSINESS

On motion of Senator Rigler, Senate File 430, a bill for an act relating to the exploration for and the development, conservation, production, transportation and storage for natural gas and oil, was taken up for further consideration.

COMMITTEE OF THE WHOLE

Senator Rigler moved that the Senate resolve itself into a committee of the whole and that Dr. H. Garland Hershey, state geologist, be invited to appear before the committee for the purpose of answering questions pertaining to the bill.

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The Senate arose from the committee of the whole and resumed regular session.

President pro tempore Vance took the chair at 1:50 p.m.

Senator Fulton offered the following amendment and moved its adoption:

Amend Senate File 430 as follows:
Amend section 2, line 34, by adding after the word "hydrocarbons" the following: "which are produced at the wellhead and".

The amendment was adopted.

Senator Beneke called up the following amendment, filed by Senator Nolan, and moved its adoption:

Amend Senate File 430 as follows:
1. Amend section 11 by striking the word "the" after the word "before" in line 3.
2. Amend section 14 by striking the word "geologist" in line 53.

The amendment was adopted.

Senator Beneke moved that the bill be read a third 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:

Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	O'Malley	Van Eaton
Cowden	Getting	Phelps	Vincent
Curran	Griffin	Rigler	Walker
Dodds	Grimstead	Schroeder	Walter
Doran	Hansen	Scott	Wearin
Dykhouse	Kyhl	Shaff	Wiley
Elijah	Lisle	Shivvers	Wilson
Elthon	Lodwick		

Nays, none.

Absent or not voting, 4:

Benda	Coleman	Hill	Nolan

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Beneke asked and received unanimous consent that Senate File 430 be immediately messaged to the House, which 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 passed the following bill in which the concurrence of the House was asked:

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Senate File 423, a bill for an act to make 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 429, a bill for an act to make 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 435, a bill for an act to make appropriations to certain named persons in settlement of claims made against the State of Iowa.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:
Senate Concurrent Resolution 24, a concurrent resolution urging school systems of the state to place additional emphasis on the history of the United States and the State of Iowa and on rights and responsibilities of American citizenship.

Also: That the House has passed the following bill in which the concurrence of the Senate was asked:
House File 62, a bill for an act to regulate industrial loan companies.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:
House Concurrent Resolution 17, a concurrent resolution resolving that any incumbent member of the United States Senate or the United States House of Representatives elected from Iowa may be issued one set of special automobile registration plates.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:
House Concurrent Resolution 19, a concurrent resolution respectfully requesting the return from the Governor of House File 208 for further consideration.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 17

By Reppert

Be It Resolved by the House, the Senate Concurring, That any incumbent member of the United States Senate or the United States House of Representatives elected from the State of Iowa may, upon written application to the county treasurer, order and be issued one set of special automobile registration plates. Such special plates shall be issued only upon payment of a service charge of two (2) dollars in addition to the regular license fee prescribed by law. Such special plates shall be of such color, size and distinctive design as may be determined in the discretion of the commissioner of the public safety department and shall contain the name of this state, the year for which issued, a registration number, the house of Congress in which the member serves and, if a member of the United States House of Representatives, the number of the congressional district from which he is elected.

HOUSE CONCURRENT RESOLUTION 19

By Camp of Clinton

Whereas, House File 208, an act relating to sales and use taxes and expendable chemicals, solvents and reagents used in processing personal

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property, which has passed both houses of the General Assembly and has been delivered to the Governor.

Now, Therefore, Be It Resolved by the House, the Senate Concurring: That the Governor be respectfully requested to return House File 208 for further consideration.

HOUSE MESSAGE CONSIDERED

House File 62, a bill for an act to regulate industrial loan companies, to provide for the licensing of such businesses, to specify the powers of industrial loan companies, to prescribe penalties for violations and to provide for the administration and enforcement of the Act.

Read first and second times and referred to sifting committee.

HOUSE CONCURRENT RESOLUTION 19

Senator Shaff asked and received unanimous consent to take up House Concurrent Resolution 19 relating to House File 208 and moved its adoption.

The motion prevailed and the resolution was adopted.

THIRD READING OF BILLS

On motion of Senator Elthon, Senate File 463, a bill for an act to empower and direct the State Tax Commission to equalize the assessed value of real and personal property within the State of Iowa, was taken up and considered.

Senator Beneke offered the following amendment and moved its adoption:

Amend Senate File 463 as follows:
By inserting after the word "to" in line 2 the word "forthwith".

The amendment was adopted.

Senator Elijah offered the following amendment, filed by Senators Elijah and Brown, and moved its adoption:

Amend Senate File 463 as follows:
1. By striking the word "Tax Commission" in line 1 and by inserting in lieu thereof the following: "state tax commission".
2. By adding the following after the word "counties" in line 4: "and between individuals and business concerns taxed therein".

The amendment was adopted.

Senator Beneke offered the following amendment:

Amend Senate File 463 as follows:
1. By adding the following after the enacting clause:
"Section 1. It is hereby declared to be the finding of the General Assembly that substantial inequality exists in the assessment of personal and real property as between the several counties of the state and also between

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the taxing districts within the counties and also between taxing districts that may be a part of several counties."

2. By adding a new section 3:

"In any action of mandamus which may be brought against the state tax commission to enforce equal assessments of property in conformity with the directions contained in section two (2) of this Act. The state tax commission shall not urge as a defense the fact that it may have taken action towards such equalization unless it shall also plead and prove that as a result of such action equal assessments actually exist in conformity with the intent and spirit of this Act. So far as it pertains to this Act any part of section six hundred sixty-one point two (661.2) of the Code in conflict with the provisions of this Act is hereby repealed."

3. Renumber the sections.

Senator Schroeder asked and received unanimous consent that action on Senate File 463 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Rigler, the Senate stood at ease until the fall of the gavel.

The Senate reconvened, President Mooty 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 30, a concurrent resolution respectfully requesting the Governor to return Senate File 127 for further consideration.

Also: I am directed by the House to request the return of Senate File 127, a bill for an act relating to exemptions from the imposition of the retail sales tax for further consideration.

WILLIAM R. KENDRICK, *Chief Clerk.*

SENATE FILE 127 RETURNED TO HOUSE

Senator Rigler asked and received unanimous consent that the Secretary be directed to return to the House Senate File 127, for further consideration.

SENATE CONCURRENT RESOLUTION 31

By Hansen, Elijah, Flatt, Lucken and Benda

Whereas, July 4, 1963, will inaugurate a great new national observance of American Independence, and

Whereas, bells will peal across the land from churches, government buildings, college campuses and other buildings, and

Whereas, it has been proposed that there be an annual bell-ringing celebration of the Fourth of July, and

Whereas, President Kennedy, who will award the Freedom Medal for the first time this Fourth of July, believes the bell-ringing custom will help renew citizen awareness of our heritage, and

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Whereas, many national fraternal, service, and veterans' organizations, with membership in the millions, are urging their local branches to get in on the project, and

Whereas, other governors urged their cities and towns to plan bell-ringing, and

Whereas, other legislatures have passed supporting resolutions and proclamations have been issued in other states; therefore

Be It Resolved by the Senate, the House Concurring, that Iowa join the nation in the all-across-the-nation bell-ringing observance of the Fourth of July.

CONFERENCE COMMITTEE REPORT ON HOUSE FILE 393

TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE:

We, the undersigned members of the conference committee appointed to consider the differences between the Senate and the House on House File 393, an act relating to joint county-city or town buildings, begs leave to report and make the following recommendations:

1. That the Senate recede from their amendments.
2. Amend House File 393 by inserting after section 11 the following:

"Sec. 12. "After the incorporation of said Authority, and before the sale of an original issue of revenue bonds as provided in this Act, the Authority shall submit to the legal voters of said city or town and county, at a general, primary or special election called for that purpose, the question whether such "Authority" shall issue and sell revenue bonds (stating the amount) for any of the purposes provided in section two (2) of this Act. An affirmative vote of a majority of the votes cast on said proposition shall be required to authorize the issuance and sale of said revenue bonds. A notice of the election shall be published once each week for at least four weeks in some newspaper published in the county. Such notice shall name the time when such question shall be submitted, and a copy of the question to be submitted shall be posted at each polling place during the day of election."

3. Further amend by renumbering the balance of the sections.

IRVING D. LONG, *Chairman.*	MAURICE E. BARINGER, *Chairman.*
ROBERT R. RIGLER.	CHESTER O. HOUGEN.
VERNON H. KYHL.	HAROLD O. FISCHER.
CLIFFORD M. VANCE.	SCOTT SWISHER.
On the Part of the Senate.	*On the Part of the House.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Joint Resolution 16 and Senate Files 7, 146, 226, 342, 366, 389, 399, 418, 422, 431, 449, 451 and 452.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
Chairman House Committee.

Report adopted.

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BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate Joint Resolution 16 and Senate Files 7, 146, 226, 342, 366, 389, 399, 418, 422, 431, 449, 451 and 452.

BILLS SENT TO THE GOVERNOR

Senator Benda, 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, 1963, sent to the Governor for his approval: Senate Joint Resolution 16 and Senate Files 7, 146, 226, 342, 366, 389, 399, 418, 422, 431, 449, 451 and 452.

KENNETH BENDA, *Chairman.*

Passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 26, 1963, the Governor had approved the following bills:

Senate File 147, relating to the state military forces.
Senate File 152, relating to parolees and court probationers.
Senate File 210, relating to mental institute patients.
Senate File 211, relating to revolving funds for the state reformatory and penitentiary.
Senate File 238, relating to municipal management of state-owned areas.
Senate File 249, relating to the donation of real estate to the state for public use.
Senate File 254, relating to the authority of the commerce commission relative to authorization of franchise or eminent domain.
Senate File 257, relating to the practice of accountancy.
Senate File 268, relating to county care for patients.
Senate File 276, relating to the office of the state comptroller.
Senate File 308, relating to retail sales taxes on vending machines and amusement devices.
Senate File 309, relating to retail sales tax definition of "gross receipts".
Senate File 319, relating to bonds of distributors of motor fuel, special fuel dealers and special fuel users.

A communication was also received announcing that on April 29, 1963, the Governor had approved the following bills:

Senate Joint Resolution 16, ratifying a proposed amendment to the Constitution relating to qualifications of electors.
Senate File 86, relating to sheep.
Senate File 356, relating to certain land in Cerro Gordo County.
Senate File 409, relating to the consolidation of the functions of bonus boards.

COMMUNICATION FROM THE GOVERNOR

The following communication was received announcing that on

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April 29, 1963, the Governor had disapproved Senate File 434, relating to confirmation of appointments by the Senate:

STATE OF IOWA
OFFICE OF THE GOVERNOR
Des Moines

HAROLD E. HUGHES
Governor

April 29, 1963.

The Honorable W. L. Mooty,
Lieutenant Governor,
President of the Senate,
Sixtieth General Assembly,
State House,
Des Moines, Iowa.
Honorable Members of the Senate:

Senate File 434, an Act relating to the confirmation of appointments by the Senate and eligibility of rejected nominees to interim appointments, is hereby disapproved and returned to the Senate in accordance with Article III, Section 16, Constitution of the State of Iowa.

The motives behind the passage of this bill are obvious. In the Senate, the bill was passed by a straight, party-line vote, all Republicans voting for its passage and one Republican member stating frankly that his motives in voting for the bill were "purely political." In the House of Representatives 68 of the 69 members voting for the bill were Republicans. No Republicans in the Genral Assembly voted against the bill. We cannot ignore the fact that, at the present time, a majority of the members of the Legislature are Republicans while the Governor is a member of the Democratic party.

Now, I believe it is a tribute to the fairness of the Senators this sessions that they have seen fit to confirm 33 of the 35 appointments I have sent to them for consideration. It has not been unusual in past sessions for the Iowa Senate to reject some appointments made by a Governor of the minority party. Nor has it been unusual for a Governor of the minority party to give interim appointments to persons rejected by the Senate. However, this bill was passed only after I had announced my intention to extend interim appointments to the only two appointees of my Administration who have been rejected by the Iowa Senate. Both of these appointees are men in whom I have a high degree of confidence and they were refused confirmation for reasons unknown to me.

I do not believe a bill that would make such a far-reaching change in the structure of our government should be considered in a partisan atmosphere. I do not feel it is in the best interests of good state government to further hamper future Governors and future Senators in their endeavors to find qualified individuals to fill crucial state positions.

It is entirely possible that this bill could prevent many capable and qualified people from serving our state in future years. In 1957, two of the Governor's appointees who were twice rejected by the Senate were given interim appointments. They served so well that they won Senate confirmation two years later. The Senate this session confirmed the appointment of a man whom it rejected in 1959 and who, as an interim appointee, served with such dedication and competence that he won the praise of men of both political parties. If the law proposed in Senate File 434 had been in effect six years ago, our state would not have benefited from the services of these people. The Iowa Senate would not have had the opportunity to reconsider its previous judgment of these three persons on the basis of ability and dedication shown during interim appointments.

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I would be inclined to be less critical of the legislation proposed in Senate File 434 if appointments of the Governor were debated and decided by the Iowa Senate in open session where the reasons and the votes for or against confirmation would have to stand the test of public scrutiny. The United States Senate has not debated and voted upon a Cabinet appointment in secret session since 1929. In that time, only one Presidential Cabinet appointment has been rejected. As long as the Iowa Senate does not choose to make public its reasons for rejection of an appointee, however, I feel that interim appointments of persons who may have been rejected are both justified and necessary in the interests of good government for the State of Iowa.

This bill, Senate File 434, could lead to future deadlocks between Governors and Senates of differing political parties or political philosophies. It would permit a Senate to hamstring a Governor by rejecting all his appointments. It would, in my opinion, be an invasion of the Legislative branch of government upon the prerogatives of the Executive branch. It would enable a Senate to dictate to a Governor which persons he would have to appoint in order to get his appointments confirmed.

Both the Legislative and Executive branches of government must be strengthened in the years ahead to meet the problems and challenges of our changing and complex society. This strengthening must take place within the delicate system of checks and balances provided by the framers of the Constitution of the State of Iowa.

Senate File 434 is not a means to any of these ends.

Very sincerely,

HAROLD E. HUGHES,
Governor.

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 sifting committee calendar:

H. F. 586	H. F. 286	H. F. 239
S. F. 354	S. F. 240	S. F. 291

ROBERT R. RIGLER, *Chairman,*
Sifting Committee.

REPORTS OF COMMITTEE

Senator Shoeman submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate File 136**, a bill for an act relating to the executive council contingent fund and to amend various sections of the Code relating thereto, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JOHN D. SHOEMAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate File 462**, a bill for an act to make appropriations to certain named persons in settlement of claims made against the State of Iowa, begs leave

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to report it has had the same under consideration and recommends the same **do pass.**

JOHN D. SHOEMAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House Concurrent Resolution 15,** a concurrent resolution for current legislative expense, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JOHN D. SHOEMAN, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend the Hill amendment to Senate File 463 by striking the words "full-fledged assistance and shall cooperate with the tax commission" and inserting in lieu thereof the words "assistance and cooperation.

RICHARD C. TURNER.

Amend Senate File 463 by adding the following sentence after the period in line 5: "The new valuations to be on the tax books by January 1, 1965."

JOSEPH B. FLATT.

Amend the Schroeder amendment to Senate File 424 filed April 22, 1963, by adding to section 21 the following:

"Any statement indicating the amount of the installment or the total charge in dollars required for any loan shall also state the percentage rate per year computed on declining balances of the original principal amount to which the total charge would be equivalent if the loan were repaid according to the contract. The percentage rate stated may be closely approximate rather than exact if the statement so indicates."

ROBERT R. RIGLER.

Amend the ways and means committee amendment to House File 550, filed April 23, 1963, as follows:

1. Add at the end of section 7 the following:

Section four hundred twenty-nine point three (429.3), Code 1962, is further amended by adding at the end thereof the following:

"Provided, however, every individual taxpayer subject to filing an Iowa income tax return shall make a separate accounting, on his tax return, of interest and dividends received during the tax year and forward to the tax commission, as a surtax, three percent of the amount thereof. The provisions of this section shall not include the first two hundred dollars of such interest and dividends for every individual taxpayer nor interest and dividends received on United States government securities and bank stock. The amount of said surtax shall be paid at the same time and the same manner as income taxes due on the tax return. The total amount of all surtaxes collected hereunder

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shall be returned to the county of origin as indicated by the mailing address of the taxpayer. Surtaxes paid by nonresidents shall be credited to the general fund.

The state tax commission shall make a separate account of the amount of said surtax received from each county and on the first day of each calendar quarter certify to the state treasurer and state comptroller the amounts determined as due each county and the comptroller shall thereupon draw warrants for the said amounts and transmit same to the various county auditors for deposit with the county treasurers. Each county auditor shall apportion said funds in the manner provided above in this section."

2. Add to line 91 after the word "tax" the words "and to levy a tax on the interest and dividends from investments".

J. HENRY LUCKEN.
LEROY GETTING.
ADOLPH W. ELVERS.
J. T. DYKHOUSE.
RICHARD L. STEPHENS.

Amend the committee amendment to House File 550 by inserting in line 78 after the word "property", the following:

"as building materials, suppliers and equipment, but not the constructors own tools or equipment,".

DAVID O. SHAFF.

Amend the ways and means committee amendment to House File 550, filed April 23, 1963, as follows:

1. By striking all of lines 20 and 21.

2. By striking from lines 27 through 29 the words "and by striking from line twenty-three (23) the word 'two' and inserting in lieu thereof the word 'three' ".

3. By inserting after line 29 the following as a new subsection:

"By adding to such section the following:

'There is hereby imposed for the period July 1, 1963, to June 30, 1965, inclusive, an additional tax of one (1) percent upon the gross receipts from all sales of tangible personal property and all other transactions subject to sales tax under the provisions of this section. Said tax shall be collected and paid in the manner provided by this chapter.' "

4. By striking all of lines 30 through 32 and inserting in lieu thereof the following:

"For the period July 1, 1963, to June 30, 1965, inclusive, the amount credited to the road use tax fund for each fiscal year under section four hundred twenty-two point sixty-two (422.62) of the Code shall be two-thirds (⅔) of ten (10) percent, less the amount transferred during the fiscal year for motor vehicle registration plates, of the net proceeds collected under division IV of Chapter four hundred twenty-two (422) for the entire fiscal year."

5. By striking all of line 34 after the word "amended" and by striking all of lines 35 and 36 and inserting in lieu thereof the following:

"by adding thereto the following:

'In addition to the tax levied by this section there is hereby imposed an additional excise tax upon the use in this state of

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tangible personal property purchased between July 1, 1963, and June 30, 1965, inclusive, at the rate of one (1) percent of the purchase price of such property. Said tax is hereby imposed on every person using such property within this state until such tax has been paid through a retailer or to the commission as provided by this chapter. Said tax shall be collected and paid in the manner provided by this chapter.' "

6. By striking all of lines 38 and 39 and inserting in lieu thereof the following:

"three (422.33), Code 1962, by adding thereto the following:

'There is hereby imposed for the period July 1, 1963, to June 30, 1965, inclusive, an additional tax upon each corporation organized under the laws of this state, and upon every foreign corporation doing business in this state, annually in an amount equivalent to one (1) percent of the net income received by such corporation during the income year. Said tax shall be computed, collected, and paid in the manner provided by this chapter.' "

7. By striking from line 89 the words ", corporation income tax" and inserting in lieu thereof the words "and corporation income tax for a period of two (2) years".

JOSEPH FLATT.

On motion of Senator Rigler, the Senate adjourned until 9:30 a.m., Tuesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 30, 1963.

The Senate met in regular session, President Mooty presiding.

In tribute to the late Speaker Lynes, the Reverend Harold Vaughn, pastor of the Danville Methodist Church, Danville, Iowa, read the following prayer given by Mr. Lynes when he opened the House of Representatives on February 10, 1953:

"Our kind Heavenly Father, we come humbly before Thee this morning, acknowledging our sins of commission and omission. We thank Thee for Thy Divine protection and inspiration, and pray that we may be inspired to follow Thy Divine will in all of our actions. Help us to subdue our selfish impulses, and to consider fairly and impartially all of these changes in our laws with which we are occupied. Help us to keep before us, all of the time, the good of all of the people rather than our own selfish interest. And finally, when our work on earth is finished, receive us all with the saved and sanctified of this earth. In Jesus' name and for His sake. Amen."

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Nolan on account of illness on request of Senator Rigler; Senator Benda for the day on request of Senator Vincent.

PRESENTATION OF VISITORS

Senator O'Malley asked and received unanimous consent to present to the Senate twenty-six students from the Camp Dodge Elementary School, Johnston, who were present in the balcony accompanied by their instructor, Noreen Kuster.

Senator Doran asked and received unanimous consent to present to the Senate forty-one students, members of the fifth grade class of the Milford and Shipley Elementary Schools, Nevada, who were present in the balcony accompanied by their instructors, Viva Doolittle and Charlene Swanson, and their principal, Gilbert Howard.

Senator Doran also presented twenty-five students from the Ballard Elementary School, Cambridge, who were present in the balcony accompanied by their instructor, Marjorie Griffith.

Senator Flatt asked and received unanimous consent to present to the Senate thirty students from the Orient-Macksburg Community School who were present in the balcony accompanied by their instructor, Marshall Reynolds.

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Senator Cowden asked and received unanimous consent to present to the Senate fifteen students from the Granger High School who were present in the balcony accompanied by their instructor, George Long.

INTRODUCTION OF BILL

Senate File 467, by committee on transportation and highway safety, a bill for an act relating to the licensing of manufacturers, distributors, wholesalers, factory branches, distributor branches, factory representatives and distributor representatives of motor vehicles.

Read first and second times and referred to sifting committee.

SENATE FILE 434 RECONSIDERED

Senator Grimstead called up the following motion filed by him and moved its adoption:

As provided in Article III, section 16, of the Constitution of the State of Iowa, I move that Senate File 434, a bill for an act relating to the confirmation of appointments by the Senate and the eligibility of rejected nominees to interim appointments, be reconsidered.

The motion prevailed.

Senator Dykhouse moved the previous question on the bill, which motion prevailed.

Senator Grimstead 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 over the Governor's veto?" the vote was:

Yeas, 36:

Beneke	Elthon	Long	Stephens
Buck	Fisher	Lucken	Turner
Burrows	Flatt	Phelps	Vance
Campbell	Getting	Rigler	Van Eaton
Cowden	Griffin	Schroeder	Vincent
Curran	Grimstead	Scott	Walker
Doran	Kyhl	Shaff	Wearin
Dykhouse	Lisle	Shivvers	Wiley
Elijah	Lodwick	Shoeman	Wilson

Nays, 12:

Brown	Elvers	Hansen	Mincks
Coleman	Frommelt	Hill	O'Malley
Dodds	Fulton	Main	Walter

Absent or not voting, 2:

Benda	Nolan

The bill having received a constitutional and two-thirds majority

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was declared to have passed the Senate over the Governor's veto and the title was agreed to.

Senator Grimstead moved that Senate File 434 be immediately messaged to the House, which motion prevailed.

UNFINISHED BUSINESS

On motion of Senator Elthon, Senate File 463, a bill for an act to empower and direct the State Tax Commission to equalize the assessed value of real and personal property within the State of Iowa, was taken up for further consideration.

President pro tempore Vance took the chair at 10:50 a.m.

The Chair stated that action on Senate File 463 would not interfere with the consideration of Senate File 413.

COMMITTEE OF THE WHOLE

On motion of Senator Rigler, the Senate resolved itself into the committee of the whole for the purpose of further discussing Senate File 463 and Senate File 413.

The committee arose from the committee of the whole and resumed regular session, President Mooty presiding.

Senator Rigler called up the following resolution:

SENATE CONCURRENT RESOLUTION 29
By Rigler and Frommelt

Whereas, various meetings pertaining to the operation of legislative services are held between sessions of the legislature, and

Whereas, the President of the Senate and the Speaker of the House should have the authority to appoint representatives of the legislature to attend these meetings, and

Whereas, the members of various legislative committees are compelled to wait until after the next ensuing legislative session to secure repayment for actual expenses incurred in carrying out the duties of such research committees, and

Whereas, it appears advantageous to eliminate the necessity of filing bills in the ensuing legislative session to cover the actual expenses of such representatives and such committee members;

Now, Therefore, Be It Resolved by the Senate, the House Concurring: That the actual expenses of such representatives and such committee members in attending the above-described sessions or committee meetings should file expense accounts, subject to approval of the President of the Senate and the Speaker of the House, and the State Comptroller is hereby authorized and directed to issue warrants in payment of same upon requisition signed by the President of the Senate and the Speaker of the House as provided for in sections two point twenty (2.20) and two point twenty-two (2.22), Code 1962.

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Senator Rigler offered the following amendment and moved its adoption:

Amend Senate Concurrent Resolution 29, by striking all after the word "Senate" where it appears last in the resolution and inserting in lieu thereof the following: ", Speaker of the House and the budget and financial control committee as provided for in sections two point twenty (2.20) and two point twenty-two (2.22), Code 1962.

Be It Further Resolved: That a copy of all expenditures in accordance with this concurrent resolution be published in the Senate and House Journals during the first week of the next legislative session.".

The amendment was adopted.

On motion of Senator Rigler, 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 passed the following bill in which the concurrence of the House was asked:

Senate File 123, a bill for an act relating to retirement benefits in school districts.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 180, a bill for an act relating to the state printing board.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 184, a bill for an act granting the industrial commissioner authority to require a shorthand reporter.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 191, a bill for an act relating to elections on bond issue proposals.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 281, a bill for an act relating to the sale of certain instruments for payment of money.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 306, a bill for an act relating to retail sales tax and use tax on leases or rentals of equipment.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 332, a bill for an act to authorize county boards of supervisors to enter into contractual agreements with cities, towns, private corporations or private individuals for the use of dumps operated by such cities, for the use of residents residing outside of cities and and towns.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

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Senate File 400, a bill for an act to require mailing of the notices provided for to all property owners whose property is subject to assessment.

Also: That the House has passed the following bill in which the concurrence of the House was asked:
Senate File 406, a bill for an act to legalize and validate the proceedings of the board of supervisors of Chickasaw County providing for the vacation of certain secondary highways within said county.

Also: That the House has passed the following bill in which the concurrence of the House was asked:
Senate File 408, a bill for an act relating to the funds and support of mentally ill patients in the state mental health institutes and mentally retarded patients in state hospital-schools.

Also: That the House has passed the following bill in which the concurrence of the House was asked:
Senate File 427, a bill for an act to legalize and validate the proceedings for the organization and establishment of the Community School District of Parkersburg in the Counties of Butler and Grundy.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:
Senate File 428, a bill for an act to permit the state libraries and historical department to copy or reproduce the original.

Also: That the House has passed the following bill in which the concurrence of the House was asked:
Senate File 432, a bill for an act relating to construction of storm sewers in cities of 125,000 or more population.

Also: That the House has passed the following bill in which the concurrence of the House was asked:
Senate File 442, a bill for an act to legalize the acts and proceedings of the board of trustees of the Iowa River-Flint Creek levee district No. 16 of Des Moines and Louisa Counties.

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 relating to benefits under accident and sickness insurance policies.

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 relating to the organization of domestic insurance companies.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:
House File 86, a bill for an act relating to the powers and duties of the real estate commission.

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 the equipment of rail track motor cars used or furnished by common carriers by railroad for transporting employees.

Also: I am directed to inform your honorable body that the Speaker has appointed as members of the conference committee on the part of the House

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on House File 237, a bill for an act relating to the terms of office for members of the Iowa civil defense administration, Representatives Briles, Carstensen, Stanley and Kibbie.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 396, a bill for an act relating to notice of proposed establishment of secondary road district.

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 highway signs.

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 to authorize the Iowa state commerce commission to enter into a contract with the United States government or any designated agency thereof for the purpose of releasing information pertaining to inspections of warehouses.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 539, a bill for an act relating to the purchase and operation of such aircraft as required by the conservation commission in the performance of its duties.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 587, a bill for an act to provide for political party precinct caucuses and the election of delegates to county conventions at such caucuses.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 590, a bill for an act to legalize the action of the Marion Rural Community School District in changing the name of the school district.

Also: I am directed to inform your honorable body that the House has adopted the conference committee report on, and adopted the amendments recommended therein, and passed House File 393, a bill for an act relating to joint county-city or town buildings.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 306

Amend Senate File 306 as follows:

1. Section 1, by striking all of line 4 after the word "rental" and all of line 5 and inserting in lieu thereof the following: ", excluding rental of railroad equipment, which is in fact a sale".

2. Section 2, by striking all of line 4 after the word "rental" and all of line 5 and inserting in lieu thereof the following: ", excluding rental of railroad equipment, which is in fact a purchase or sale".

3. Section 3, by inserting the following after the word "registration" in line 11: "by the owner as defined in section three hundred twenty-one point one (321.1), subsection thirty-six (36), of the Code".

4. By adding thereto the following new section:

"The provisions of this Act shall not apply to any rental or leased item on which sales or use tax has been paid."

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HOUSE AMENDMENTS TO SENATE FILE 400

Amend Senate File 400 as follows:

1. By adding thereto the following new sections:

Sec. 5. Section four hundred seventeen point nine (417.9), Code 1962, is amended by adding at the end of said section the following:

"The said chief clerk shall send by certified mail to each property owner, whose property is subject to assessment for said improvement, as shown by the records in the office of the county auditor, a copy of the above-mentioned notice, said mailing to be made on or before the date of posting. Failure to receive such mailed notice shall not constitute a defense to the special assessment."

Sec. 6. Section four hundred seventeen point thirteen (417.13), Code 1962, is amended by adding at the end of said section the following:

"The said chief clerk shall also send by certified mail to each property owner, whose property is subject to assessment for said improvement, as shown by the records in the office of the county auditor, a copy of said notice, said mailing to be made on or before the date of publication of said notice. Failure to receive such mailed notice shall not constitute a defense to the special assessment."

2. Amend the title to Senate File 400 by striking all after the word "Act" and inserting in lieu thereof the following: "relating to proceedings for construction of street improvements and sewers in cities and towns; relating to the mailing of certain notices to property owners whose property is subject to assessment for such construction; and amending various sections in chapters three hundred ninety-one (391), three hundred ninety-one A (391A) and four hundred seventeen (417), Code 1962, relating thereto."

HOUSE AMENDMENT TO SENATE FILE 428

Amend the title to Senate File 428 by striking from line 7 the word "chapter" and inserting in lieu thereof the word "section".

HOUSE MESSAGES CONSIDERED

House File 86, a bill for an act to amend chapter one hundred seventeen (117), Code 1962, relating to the powers and duties of the real estate commission.

Read first and second times and referred to sifting committee.

House File 161, 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.

Read first and second times and referred to sifting committee.

House File 396, a bill for an act relating to notice of proposed establishment of a secondary road district.

Read first and second times and referred to sifting committee.

House File 462, a bill for an act relating to highway signs.

Read first and second times and referred to sifting committee.

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House File 489, a bill for an act to authorize the Iowa state commerce commission to enter into a contract with the United States government or any designated agency thereof for the purpose of releasing information pertaining to inspections of warehouses bonded and licensed under the provisions of chapter five hundred forty-three (543), Code 1962, and to authorize the Iowa state commerce commission to recover the cost of providing such information to the United States government or its agencies.

Read first and second times and referred to sifting committee.

House File 539, a bill for an act to amend section one hundred seven point twenty-four (107.24), Code 1962, relating to the purchase and operation of such aircraft as required by the conservation commission in the performance of its duties.

Read first and second times and referred to sifting committee.

House File 587, a bill for an act to provide for political party precinct caucuses and the election of delegates to county conventions at such caucuses.

Read first and second times and referred to sifting committee.

House File 590, a bill for an act to legalize the action of the Marion Rural Community School District in changing the name of the school district.

Read first and second times and referred to sifting committee.

CONFERENCE COMMITTEE REPORT ON HOUSE FILE 17

TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES:

We, the undersigned members of the conference committee appointed to consider the differences between the Senate and the House on House File 17, a bill for an act relating to rules of administrative agencies, beg leave to report and to make the following recommendations:

1. That the Senate amendments to House File 17 be stricken.
2. That House File 17, as passed by the House, be amended as follows:

a. By striking from the second line after the enacting clause the words and figure "through eight (8)" and inserting in lieu thereof the words and figures "through fifteen (15)".

b. By striking all of sections two (2), three (3), and four (4) and inserting in lieu thereof the following:

Sec. 2. There is hereby created a bipartisan legislative committee of six (6) members which shall be designated the departmental rules review committee. The committee shall be composed of three (3) members of the senate to be appointed by the president of the senate and three (3) members of the house to be appointed by the speaker of the house. Members shall be appointed prior to the adjournment of each regular biennial session and shall serve for two-year terms beginning May 1 after the convening of the

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general assembly in regular session; provided, however, that members shall serve until their successors are appointed. Vacancies on the committee shall be filled by the original appointing authority. A vacancy shall exist whenever a committee member ceases to be a member of the general assembly.

Sec. 3. The committee shall choose a chairman from its members and prescribe its rules of procedure. Regular meetings of the committee shall be held at the seat of government on the second Tuesday in July and on the second Tuesday of each second month thereafter during the interim between regular sessions to review all proposed departmental rules and make recommendations to the department proposing each such rule. The chairman may call special meetings at any time and at any place in the state and cause notice thereof to be published in a newspaper of general circulation in the area affected by the rule. All said meetings, regular or special, shall be open to the public and any interested person may be heard and present evidence. If any agency shall conduct a public hearing in regard to any rule such agency shall notify the members of the departmental rules review committee ten (10) days prior to such hearing.

Sec. 4. Members of the committee shall receive a per diem of thirty (30) dollars per day for each day in attendance and shall be reimbursed for the actual necessary expenses incurred by them in the discharge of their duties. All such expenses and expense of publication shall be provided for by the budget and financial control committee from the contingent fund provided for the budget and financial control committee.

Sec. 5. Any agency empowered by law to make rules shall submit a copy of each proposed rule, in the style and form prescribed by the code editor, to the attorney general, and shall submit six (6) copies of such proposed rule to the chairman of the departmental rules review committee.

Sec. 6. Within sixty (60) days after receiving such copy of a proposed rule, the attorney general shall give to the agency in writing his advisory opinion on the form and legality of the proposed rule. If the attorney general fails to render an opinion within sixty (60) days after receiving such copy, the agency may proceed as if an opinion had been given.

Sec. 7. If the departmental rules review committee finds objection to a proposed rule, it shall report such finding to the agency proposing the rule together with its recommendations on how the objectionable part may be corrected. If the committee finds no objection to a proposed rule, it may at any time report such finding to the agency, but shall not be required to do so. If the committee does not report any finding to the agency within sixty (60) days after receiving such copies, the agency may proceed as if a finding had been reported.

Sec. 8. Four (4) copies of all proposed rules shall be filed with the secretary of state. There shall be attached to each such copy of any proposed rule, (a) a copy of the attorney general's opinion rendered pursuant to this Act or a statement that the proposed rule was submitted to the attorney general on a stated date and that the attorney general did not render an opinion thereon within sixty (60) days after such date, and (b) a copy of the finding of the departmental rules review committee rendered pursuant to this Act or a statement that six (6) copies of the proposed rule were submitted to the chairman of the departmental rules review committee on a stated date and that the committee did not report any finding to the agency within sixty (60) days after receiving such copies. Temporary rules shall become effective upon filing. Other rules, unless otherwise provided for, shall not become effective until thirty (30) days after such filing, but a later effective date may be specified in the rule. The secretary of state shall endorse upon the copies of rules so filed the date of filing and the

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date of the attorney general's opinion and index one (1) copy in the files of his office, transmit one (1) copy to the code editor, and transmit two (2) copies to the chairman of the departmental rules review committee.

Sec. 9. If any agency amends, supplements, or revises a proposed rule at the request of or pursuant to the recommendation of the attorney general or the departmental rules review committee, such amendment, supplement, or revision shall be part of the proposed rule but shall be clearly described in an attachment to the proposed rule as filed with the secretary of state. Any other amendment, supplement, or modification of a proposed rule shall be regarded as a new proposed rule and shall be subject to the procedure provided in this Act.

Sec. 10. All rules hereafter filed as provided in section eight (8) of this Act shall be referred by the chairman of the departmental rules review committee to the speaker of the house and the president of the senate of the next regular session of the general assembly, who shall refer rules to the appropriate committees of the general assembly.

If the committee to which a department rule has been referred finds objection to such rule, it may report such finding to the general assembly together with its suggestion for the general assembly to proceed by law to overcome the objection. Any committee of the general assembly may at any time consider any departmental rule previously filed and, if it finds such rule objectionable, proceed as above.

Sec. 11. Nothing contained in this Act shall adversely affect the substantive rights of any persons arising out of or affected by any rules adopted by any agency, including the right to review by the courts. Reporting, referral, and filing of rules pursuant to this Act, any action or inaction by the departmental rules review committee on any rule, and any inaction by the general assembly on any rule, shall not be construed as approval or enactment of any rule by the general assembly.

c. By inserting the following new section preceding the publication clause:

In all cases where any administrative agency has reported or filed any rule, regulation, or amendment pursuant to sections seventeen A point two (17A.2) or seventeen A point three (17A.3), Code 1962, such reporting or filing and any inaction by the general assembly shall not be construed as approval or enactment of any rule, regulation, or amendment by the general assembly, anything in section seventeen A point two (17A.2), Code 1962, to the contrary notwithstanding.

d. By renumbering the sections to conform to these amendments.

A. V. DORAN, *Chairman.*	LAWRENCE D. CARSTENSEN, *Chairman.*
GEORGE E. O'MALLEY.	DAVID STANLEY.
DONALD G. BENEKE.	DEWEY E. GOODE.
CLIFFORD M. VANCE.	JOHN L. DUFFY.
On the Part of the Senate.	*On the Part of the House.*

RESIGNATION OF EMPLOYEES

Senator Scott announced the resignation of Rollin Nipper of Polk County as Assistant Doorkeeper and Archie Martin of Polk County, Cloakroom Attendant, both effective April 30, 1963.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Doran, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

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MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 385, 420, 421 and 450; also, House File 154.

A. V. DORAN,
Ranking Member Senate Committee.
FRED E. WIER,
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 385, 420, 421 and 450; also, House File 154.

BILLS SENT TO THE GOVERNOR

Senator Doran, 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, 1963, sent to the Governor for his approval: Senate Files 385, 420, 421 and 450.

A. V. DORAN, *Ranking Member.*

Passed on file.

AMENDMENTS FILED

Amend Senate File 354 as follows:

1. By striking all of line 3, section 1, after the word "numerals" and by inserting in lieu thereof the following: "'313.2' in line six".

2. By striking all of section 8 and by inserting in lieu thereof the following:

"Sec. 8. This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Cedar Rapids Gazette, a newspaper published in Cedar Rapids, Iowa, and in The Sentinel, a newspaper published in Marion, Iowa."

MARTIN WILEY.

Amend the committee on tax revision amendment to Senate File 413 filed April 18, 1963, by striking from line 477 the word "shall" and inserting in lieu thereof the word "may".

Further amend said amendment filed April 18, 1963, by striking from line 500 the words "assessment expense fund of" and all of lines 501, 502, 503 and 504 and inserting in lieu thereof the words "general fund of the county."

JOHN A. WALKER.

Amend the Beneke amendment filed April 29, 1963, on Senate File 463, by striking the words "hereby repealed" in the last line of division 2 and inserting in lieu thereof the following: "is hereby declared not applicable."

DONALD G. BENEKE.

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Amend House File 286 by adding thereto the following:
"Sec. 3. This Act shall not apply to cities having a population of over one hundred fifty thousand (150,000) persons."

GEORGE E. O'MALLEY.

Amend House File 462 by adding the word "and" after the word "camps" in line 6 and striking the words "or other installations" in line 7.

MARTIN WILEY.

Amend Senate File 466 as follows:
1. By striking from lines 2 and 3 of section 5 the words and figures "60th general assembly" an insert in lieu thereof the following: "Sixtieth General Assembly".
2. By striking from line 3 of section 6 the word "the" and insert in lieu thereof the word "The".
3. By striking from line 4, section 6, the word "the" and insert in lieu thereof the word "The".

JOHN D. SHOEMAN.

Amend the committee amendment to House File 550 by adding the following subsection to section 2:
"5. By inserting the following paragraph after the fourth unnumbered paragraph of section four hundred twenty-two point forty three (422.43), Code 1962:
'Recognizing the human characteristic to purchase certain goods at their lowest possible cost, and, acknowledging that the State of Iowa borders on two states that have no sales tax, the legislature finds as a matter of fact that an increase in the sales tax to those sellers and buyers so located will work an economic hardship, therefore, in counties adjoining states with no sales tax, the tax upon the gross receipts of sellers from all sales of tangible personal property, consisting of goods, wares, or merchandise, except as otherwise provided in this division, sold at retail in such counties to consumers or users, shall be at a rate of two percent (2%) in lieu of the three percent (3%) rate otherwise imposed herein.'"

D. C. NOLAN.
EDWARD A. WEARIN.
RICHARD C. TURNER.
LEO ELTHON.
CHARLES F. GRIFFIN.
CHARLES S. VAN EATON.
J. T. DYKHOUSE.
VERN LISLE.

Amend Senate File 424 as follows:
1. By striking the period (.) in line 5 of section 12 and inserting in lieu thereof the following:
"except with the written permission of the superintendent."
2. By adding the following to section 17:
"All such evidences of indebtedness and any advertising relating therto shall plainly and prominently state that they are promissory notes and they shall not be referred to as savings in any context."
3. By striking all after the word "that" in line 4 and all of

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lines 5 and 6 in section 15 and inserting in lieu thereof the following:
"a loan or the aggregate of loans to a single borrower shall not exceed ten percent (10%) of the capital and surplus of such domestic corporation."

ROBERT R. RIGLER.

Amend the committee amendment to House File 550 by inserting in line 78 after the word "property", the following:
"as building materials, supplies and equipment, but not the constructors own tools or equipment,".

DAVID O. SHAFF.

Amend the ways and means committee amendment to House File 550, filed April 23, 1963, as follows:
1. By striking from line 63 the number "(358.11)" and inserting in lieu thereof the number "(35B.11)".
2. By inserting after section 7 the following new sections:
A. "Section four hundred thirty-one point one (431.1), Code 1962, is hereby amended by inserting in line eight (8) after the word 'transacted.' the following sentence:
'Such moneys and credits shall be taxed at a rate of five (5) mills in addition to any other tax on moneys and credits provided by law, and the proceeds thereof distributed to taxing districts as provided in section four hundred twenty-nine point three (429.3) of the Code.'"
B. "Chapter four hundred twenty-two (422), Code 1962, is hereby amended by adding the following new section to Division II thereof:
'Every individual taxpayer subject to filing an Iowa income tax return shall make a separate accounting, on his tax return, of interest and dividends received during the tax year and forward to the tax commission, as a surtax, two (2) percent of the amount thereof. The provisions of this section shall not include the first two hundred (200) dollars of such interest and dividends for every individual taxpayer nor interest and dividends received on United States government securities, bank stock, and on building and loan or savings and loan association stock. The amount of said surtax shall be paid at the same time and the same manner as income taxes due on the tax return. The total amount of all surtaxes collected hereunder shall be returned to the county of origin as indicated by the mailing address of the taxpayer. Surtaxes paid by nonresidents shall be credited to the state general fund.
'The state tax commission shall make a separate account of the amount of said surtax received from each county and on the first day of each calendar quarter certify to the state treasurer and state comptroller the amounts determined as due each county and the comptroller shall thereupon draw warrants for the said amounts and transmit same to the various county auditors for deposit with the county treasurers. Each county auditor shall apportion said funds in the same manner as receipts from moneys and credits are apportioned as provided in section four hundred twenty-nine point three (429.3) of the Code.'"
3. By adding to line 91 after the word "tax" the words "and to levy a tax on the interest and dividends from investments".

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4. Further amend by renumbering the sections in conformity with this amendment.

J. HENRY LUCKEN.
DAVID O. SHAFF.

On motion of Senator Rigler, the Senate adjourned until 9:30 a.m., Wednesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MAY 1, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend J. A. Hebenstreit, pastor of the St. Mary's Catholic Church, Weller, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Nolan on account of illness on request of Senator Rigler.

PRESENTATION OF VISITORS

Senator Benda asked and received unanimous consent to present to the Senate three students attending Grinnell College from Latin America, Emy Malea, Panama, Lucia Urquide, Bolivia, and John Pilgrim, who were present in the Senate chamber.

Senator Shivvers asked and received unanimous consent to present to the Senate thirty-three students, members of the sixth grade class of the Knoxville Community School, who were present in the balcony accompanied by their instructor, Isabel Price.

Senator Doran asked and received unanimous consent to present to the Senate forty-five students, members of the fifth grade class of the Nevada Elementary School, who were present in the balcony accompanied by their instructors, Dorothy Davitt and Helen Rehor.

INTRODUCTION OF BILLS

Senate File 468, by committee on ways and means, a bill for an act to amend section four hundred fifty point eighty-six (450.86), Code 1962, relating to inheritance tax.

Read first and second times and placed on the calendar.

Senate File 469, by committee on claims, a bill for an act to appropriate to certain named firms or persons in settlement of claims made against the State of Iowa.

Read first and second times and referred to committee on appropriations.

CONFERENCE COMMITTEE REPORT ADOPTED

Senator Long called up the following conference committee report:

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CONFERENCE COMMITTEE REPORT ON HOUSE FILE 393

TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE:

We, the undersigned members of the conference committee appointed to consider the differences between the Senate and the House on House File 393, an act relating to joint county-city or town buildings, beg leave to report and make the following recommendations:

1. That the Senate recede from their amendments.
2. Amend House File 393 by inserting after section 11 the following:

"Sec. 12. After the incorporation of said Authority, and before the sale of an original issue of revenue bonds as provided in this Act, the Authority shall submit to the legal voters of said city or town and county, at a general, primary or special election called for that purpose, the question whether such "Authority" shall issue and sell revenue bonds (stating the amount) for any of the purposes provided in section two (2) of this Act. An affirmative vote of a majority of the votes cast on said proposition shall be required to authorize the issuance and sale of said revenue bonds. A notice of the election shall be published once each week for at least four weeks in some newspaper published in the county. Such notice shall name the time when such question shall be submitted, and a copy of the question to be submitted shall be posted at each polling place during the day of election."

3. Further amend by renumbering the balance of the sections.

IRVING D. LONG, *Chairman.*	MAURICE E. BARINGER, *Chairman.*
ROBERT R. RIGLER.	CHESTER O. HOUGEN.
VERNON H. KYHL.	HAROLD O. FISCHER.
CLIFFORD M. VANCE.	SCOTT SWISHER.
On the Part of the Senate.	*On the Part of the House.*

On motion of Senator Long, the report was adopted.

On motion of Senator Long, the recommendations and amendments contained therein were adopted.

Senator Long moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 47:

Benda	Elijah	Lisle	Shivvers
Beneke	Elthon	Lodwick	Shoeman
Brown	Elvers	Long	Stephens
Buck	Fisher	Lucken	Vance
Burrows	Flatt	Main	Van Eaton
Campbell	Frommelt	Mincks	Vincent
Coleman	Fulton	O'Malley	Walker
Cowden	Getting	Phelps	Walter
Curran	Griffin	Rigler	Wearin
Dodds	Grimstead	Schroeder	Wiley
Doran	Hansen	Scott	Wilson
Dykhouse	Hill	Shaff	

Nays, none.

Absent or not voting, 3:

Kyhl	Nolan	Turner

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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 Rigler, the Senate resolved itself into a committee of the whole for the purpose of further considering Senate Files 413 and 463.

The committee arose from the committee of the whole and resumed regular session, President pro tempore Vance presiding.

Senator Elthon asked and received unanimous consent that the Senate take up for further consideration Senate File 463, a bill for an act to empower and direct the State Tax Commission to equalize the assessed value of real and personal property within the State of Iowa.

On motion of Senator Rigler, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Vance presiding.

The Senate resumed consideration of Senate File 463.

Senator Hill offered the following amendment:

Amend Senate File 463 by adding at the end thereof the following:
"The attorney general shall give the tax commission his full-fledged assistance and shall cooperate with the tax commission in carrying out the provisions of this Act."

Senator Turner offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking the words "full-fledged assistance and shall cooperate with the tax commission" and inserting in lieu thereof the words "assistance and cooperation".

The amendment to the amendment was adopted.

On motion of Senator Hill, the amendment as amended was adopted.

Senator Beneke offered the following amendment:

Amend Senate File 463 as follows:
1. By adding the following after the enacting clause:
"Section 1. It is hereby declared to be the finding of the General Assembly that substantial inequality exists in the assessment of personal and real property as between the several counties of the state and also between the taxing districts within the counties and also between taxing districts that may be a part of several counties."
2. By adding a new section 3:
"In any action of mandamus which may be brought against the state tax commission to enforce equal assessments of property in conformity with the directions contained in section two (2) of this Act. The state tax commission shall not urge as a defense the fact that it may have taken action

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towards such equalization unless it shall also plead and prove that as a result of such action equal assessments actually exist in conformity with the intent and spirit of this Act. So far as it pertains to this Act any part of section six hundred sixty-one point two (661.2) of the Code in conflict with the provisions of this Act is hereby repealed."

3. Renumber the sections.

Senator Beneke offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking the words "hereby repealed" in the last line of division 2 and inserting in lieu thereof the following: "hereby declared not applicable."

The amendment to the amendment was adopted.

Senator Beneke asked and received unanimous consent to withdraw division 1 of the amendment.

Senator O'Malley raised a point of order on the amendment for the reason that it was not germane to the bill.

The Chair ruled the point well taken and the amendment out of order.

Senator Flatt offered the following amendment and moved its adoption:

Amend Senate File 463 by adding the following sentence ofter the period in line 5: "The new valuations to be on the tax books by January 1, 1965."

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 22:

Benda	Fisher	Phelps	Walker
Beneke	Flatt	Scott	Walter
Campbell	Griffin	Shoeman	Wearin
Cowden	Lisle	Stephens	Wiley
Dykhouse	Lucken	Turner	Wilson
Elvers	Main		

Nays, 26:

Brown	Elijah	Hill	Rigler
Buck	Elthon	Kyhl	Shaff
Burrows	Frommelt	Lodwick	Shivvers
Coleman	Fulton	Long	Vance
Curran	Getting	Mincks	Van Eaton
Dodds	Grimstead	O'Malley	Vincent
Doran	Hansen		

Absent or not voting, 2:

Nolan	Schroeder

The amendment was lost.

Senator Fulton offered the following amendment filed by Senators Fulton and Walker:

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Amend Senate File 463 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section four hundred twenty-one point seventeen (421.17), subsection one (1), Code 1962, is amended by striking from lines three (3) and four (4) of said subsection the words "over boards of supervisors" and inserting in lieu thereof the words "over conference boards and examining boards provided for in chapter four hundred forty-one (441), of the Code,".

Sec. 2. Section four hundred twenty-one point seventeen (421.17), subsection two (2), Code 1962, is amended by adding after the first paragraph thereof the following:

"The state tax commission shall by not later than September 1, 1963, and by September 1 in every fourth (4th) year thereafter, issue a directive to all county and city assessors in the state as to the level of percentage of valuation the commission has determined shall be the standard in the valuing and assessing of all taxable real property in the next regular real estate assessment year fixed in section four hundred twenty-eight point four (428.4), of the Code. In determining such standard level of percentage of valuation the commission shall take into consideration the provisions of section four hundred forty-one point twenty-one (441.21), of the Code, the relativity of valuations of all taxable property, the summary of the sales/assessment ratio study provided for in subsection six (6), section four hundred twenty-one point seventeen (421.17), of the Code, and any other matters that affect such standard level of percentage of valuation. It shall be a duty of the county and city assessors, and the local boards of review to comply with the commission's directive, and such directive shall continue in force and effect until December 31 of the following year."

Sec. 3. Section four hundred twenty-one point seventeen (421.17), subsection four (4), Code 1962, is amended by striking from lines one (1) and two (2) of said subsection the words "boards of supervisors," and inserting in lieu thereof the words "conference boards provided for in chapter four hundred forty-one (441), of the Code,".

Sec. 4. Section four hundred twenty-one point seventeen (421.17), subsection five (5), Code 1962, is amended by striking from lines ten (10) and eleven (11) of said subsection the words "boards of supervisors" and inserting in lieu thereof the words "conference boards, county or city assessors,".

Sec. 5. Section four hundred twenty-one point seventeen (421.17), subsection nine (9), Code 1962, is amended by striking from line two (2) of said subsection the words "boards of supervisors," and inserting in lieu thereof the words "assessors, conference boards provided for in chapter four hundred forty-one (441), of the Code,".

Sec. 6. Section four hundred twenty-one point seventeen (421.17), subsection two (2), Code 1962, is hereby amended by striking the second (2nd) paragraph of said subsection and substituting the following:

"The state tax commission shall in any year have the power and duty to order the revaluation and reassessment of all or any of the separate classes of real and personal property in any county and in any city having a city assessor, where the commission after making careful inquiry into the matter finds that there is a lack of proper equalization in the valuation of the property designated in its order, and shall direct the level of percentage of valuation the commission has determined shall be the standard in valuing and assessing all real and personal property which level of percentage of evaluation shall be compatible with the level of percentage

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established in accordance with the provisions of section two (2) of this Act. Such an order shall be directed to both the assessor and the conference board in whose jurisdiction the property to be revalued is situated, and shall designate definitely the property that the order pertains to, and shall contain the recommendation of the commission as to whether the property shall be revalued by a professional appraisal firm or company or by the assessor and his assistants. The order shall be sent to the assessor and also to the chairman of the conference board by United States certified mail. The assessor and conference board shall have twenty (20) days from the date of the issuance of said order to file with the commission written objections, if any, to proceeding with and complying with the revaluation order, and the commission shall hear the objections within twenty (20) days after receipt of the written objections. The burden shall be upon the assessor and the conference board to show cause why the revaluation should not be carried out as ordered. The commission shall within ten (10) days after said hearing on the objections notify the assessor and the chairman of the conference board in writing of its decision on such objections and the conference board shall have twenty (20) days from the date of the commission's decision to appeal therefrom to the district court of the county in which the property is situated. In the event the court upholds the order for revaluation, and in cases where the conference board makes no objections to the order for revaluation, or does not institute legal proceedings in the district court within the time specified herein, the conference board shall then forthwith take action toward providing the necessary funds, as provided in section four hundred forty-one point fifty (441.50), of the Code, for satisfactorily carrying out the revaluation and reassessment work, and shall determine whether the property shall be revalued by a professional appraisal company or firm or by the assessor with the assistance of qualified personnel, and shall see to it that the revaluation work is taken up promptly, and said conference board shall appoint a three (3) member committee from its membership to from time to time examine into the progress of the revaluation work.

"The commission shall institute legal proceedings against any conference board failing to comply with its revaluation order, excepting in any case where a district court has ruled that the conference board is not required to comply with the commission's order.

"The commission shall have the power to order the new valuations arrived at as a result of the revaluation of the designated property made effective for the levying of tax thereon in any year after completion of the revaluation work."

Sec. 7. Chapter four hundred twenty-one (421), Code 1962, is hereby amended by adding the following new section:

"Failure of the members of the state tax commission to perform the duties enumerated in this chapter and in sections four hundred forty-one point nine (441.9) and four hundred forty-one point thirty-two (441.32), of the Code, and in this Act, shall render them subject to the provisions of chapter sixty-six (66) of the Code."

Sec. 8. Section four hundred twenty-eight point four (428.4), Code 1962, is hereby repealed and the following enacted in lieu thereof:

"1. All property subject to taxation shall be taxed each year. Personal property shall be listed, valued and assessed each year in the name of the owner thereof. The statutory date of assessment for all taxable property shall be January 1st. Real property shall be listed, valued and assessed in the name of the owner thereof in every fourth (4th) year after the year 1961, and it shall be the duty of the county assessor and the city

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assessor, as the case may be, to inspect all buildings or structures, be they agricultural, commercial, residential or industrial, and also to observe and take into consideration the features that contribute to value of all lots and lands by descriptions referred to in section four hundred twenty-eight point seven (428.7), of the Code, within four (4) years before valuing same in a regular real property assessment year, and the assessor shall have and maintain adequate property record cards in his office for each parcel or description of real property, and same shall show detailed information revealing how the actual value and the taxable value provided for in section four hundred forty-one point twenty-one (441.21), of the Code, of the property were arrived at, and also any changes made in the valuation of the property at any time, and it shall be the duty of the assessor and the board of review of his jurisdiction to equalize the valuations of real property, and at all times maintain a satisfactory relativity of the valuations of all taxable property within their jurisdiction. Failure on the part of the assessor or members of the local board of review to perform those duties in accordance with the law shall constitute nonfeasance in office and shall be grounds for removal from office, as provided for in sections four hundred forty-one point nine (441.9) and four hundred forty-one point thirty-two (441.32), of the Code.

"2. In each year in which real property is not regularly listed, valued and assessed, the assessor shall list, value and assess any taxable real property not included in assessments made in the regular real property assessment year, and also any buildings or structures erected subsequent to the previous assessment, with sufficient details and description as to the tract or lot of land whereon the buildings or structures are situated, and the county auditor shall thereupon enter the taxable value of such real property, including buildings or structures, on the tax list as a part of real property to be taxed. However, if such buildings or structures were erected by another than the owner of the real estate, they shall be listed and assessed to the owner as personal property, but buildings or structures and fixtures erected on real property held under a lease of longer than three (3) years duration shall be listed, valued and assessed as real property."

Sec. 9. Section four hundred forty-one point two (441.2), Code 1962, is hereby amended by adding thereto the following:

"The conference board shall from time to time inquire into the operation and conduct of the assessor's office, and shall be concerned as to the work of the assessor and the local board of review in respect to the equalization of valuations of taxable property in its jurisdiction, and said conference board shall comply fully with all lawful directives or orders issued to it by the state tax commission. In any case where a conference board fails to comply with a lawful order of the state tax commission, the commission shall forthwith proceed as provided in section four hundred twenty-one point twenty (421.20), of the Code."

Sec. 10. Section four hundred forty-one point nine (441.9), Code 1962, is hereby amended by adding the following paragraph:

"In any removal action instituted by the state tax commission, the commission shall have twenty (20) days from the date the conference board renders its decision finding that the charges for removal of the assessor had not been sustained, to appeal therefrom to the district court of the county or city of the conference board."

Sec. 11. Section four hundred forty-one point twenty-one (441.21), Code 1962, is hereby repealed and the following enacted in lieu thereof:

"1. All property subject to taxation in this state shall be valued at its

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actual value, which shall be ascertained by taking into consideration the following:

a. Market value
b. Earning capacity, past, present and prospective
c. Replacement cost less depreciation
d. Comparison with other properties
e. Relative location
f. Desirability
g. Any other factors that may be by rule or regulation prescribed by the state tax commission.

"The method to be followed by all county and city assessors and other assessing officers in using the several factors listed in this section for determining actual value shall be prescribed in rules or regulations by the state tax commission, which shall be complied with by all assessors and other assessing officers in valuing and assessing property for property tax purposes.

"All property subject to taxation shall be assessed at twenty-five (25) percent of such actual value, excepting moneys and credits taxed under sections four hundred twenty-nine point two (429.2), four hundred twenty-nine point fourteen (429.14), four hundred twenty-seven point one (427.1) through and including four hundred twenty-seven point twenty-three (427.23), and thirty-five B point eleven (35B.11), of the Code, and any other property expressly provided for by statute. The actual value shall be entered opposite each item and shall be four (4) times the assessed value as shown by the assessment rolls and may be so determined and ascertained. The 'actual value' shall be essentially the same as 'market value'; however for the purpose only of computing the debt limitations for municipalities, political subdivisions and school districts as provided in sections four hundred seven point one (407.1) and four hundred seven point two (407.2), of the Code, the term 'actual value' as used in said sections shall mean the amount equal to one and two-thirds (1⅔) times the assessed valuation as determined by section eleven (11) of this Act. The assessed value shall be taken and considered as the taxable value of such property upon which the levy shall be made. The burden of proof shall be upon any complainant attacking such valuation as excessive, inadequate or inequitable."

Sec. 12. Section four hundred forty-one point thirty-two (441.32), Code 1962, is hereby amended by adding thereto the following:

"In any removal action instituted by the state tax commission, the commission shall have twenty (20) days from the date the conference board renders its decision finding that the charges for removal of a member or members of the local board of review had not been sustained, to appeal therefrom to the district court of the county or city of the board of review."

Sec. 13. Section four hundred forty-one point thirty-three (441.33), Code 1962, is hereby amended by striking from line fourteen (14) the word and figure "August 1," and inserting in lieu thereof the word and figure "July 1."

Further amend said section by striking from line twenty-four (24) the word and figure "August 1." and inserting in lieu thereof the word and figure "July 1."

Further amend said section by adding at the end thereof the following:

"The board of review shall give close attention and study to the matter of the equalization of the valuation of taxable property in its jurisdiction. It shall be a duty of the board of review to comply with all lawful orders issued to it by the state tax commission, and received by it. Each year before adjourning its regular session the board of review shall make a report in

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writing to the state tax commission, on forms to be presented and furnished by the commission, as to its findings with respect to the state or condition of equalization of valuations of the several kinds of classes of property assessed by the assessor and subject to review by the board of review, and also as to exemptions from taxation granted on properties, and shall bring to the attention of the commission what appears to it to be inequitable situations. Said annual report shall be filed with the commission within ten (10) days after final adjournment of the board of review and shall be signed by a majority of its members. The original report shall be filed with the commission, a copy shall be filed and retained in the assessor's office, and a copy shall be filed with the chairman of the conference board. Failure to comply with lawful orders of the state tax commission and failure to make and file such annual report shall constitute nonfeasance in office and shall be grounds for removal of the members of such board from their office, as provided for in section four hundred forty-one point thirty-two (441.32), of the Code."

Sec. 14. Section four hundred forty-one point forty-five (441.45), Code 1962, is hereby repealed and the following is enacted in lieu thereof:

"The county assessor of each county and each city assessor shall, on or before the third Monday in June, each year, make out, certify to and transmit to the county auditor of their county, an abstract of the assessed valuations of real and personal property, including moneys and credits, in his county or city, as the case may be, which abstract shall be made on forms to be prescribed and furnished by the state tax commission, and shall show data or figures that may be required by law, and such other information, as will be of use to and required by the commission in its capacity as such and constituting the state board of review, for its consideration of the assessed valuation of real and personal property in all counties of the state. The county auditor of each county shall, upon receipt of the abstract from the county assessor and from the city assessor, if there be such in the county, proceed to make out, certify to and transmit to the state tax commission on or before the first Monday in July, each year, an abstract of the assessed valuations of real and personal property, including moneys and credits, and showing totals for the entire county, same to be based on the abstract certified by and received from the assessor or assessors, and shall include such other data, or figures as may be required on such abstract by law, or as may be required by the state tax commission for the use of the commission in its capacity as such and constituting the state board of review, as provided for in section four hundred forty-one point forty-six (441.46) of the Code. The abstract for the entire county shall be made on forms prescribed and furnished by the state tax commission. In addition, the county auditor of each county shall on or before August 1, each year, make out, certify to and transmit to the state tax commission, a statement of the value of property, real and personal, on which military service tax exemptions were applied for and allowed by the county board of supervisors in the same year of the abstract herein referred to, such certification as to military service tax exemptions to be made on forms prescribed and furnished by the state tax commission.

"In any case where a local board of review continues in session beyond June 1, in any year, under provisions of section four hundred forty-one point thirty-three (441.33), of the Code, the abstract shall be made out by the county assessor, or the city assessor, as the case may be, certified to and transmitted to the county auditor within fifteen (15) days from the date of the final adjournment of said board of review, and the county auditor shall, upon receipt of the abstract from the county assessor, and from the city assessor, if there be such in the county, proceed to make out, certify to and

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transmit to the state tax commission the abstract for the entire county within fifteen (15) days from the date the assessor filed the abstract for his jurisdiction with the county auditor. Where the county board of review and the city board of review in any county both had extensions of time to be in session, the county auditor shall transmit the abstract for the entire county to the commission within fifteen (15) days from the date the last assessor's abstract is received by the auditor. The assessors and county auditors shall file the completed abstracts within the time specified herein to enable the state board of review to proceed promptly with its equalization work.

Sec. 15. Section four hundred forty-one point forty-six (441.46), Code 1962, is amended by striking from lines four (4) and five (5) the words "second Monday of July in each year" and inserting in lieu thereof the words "second Monday of August in each year. It shall give consideration to valuation figures submitted on the abstract of assessment report for that year filed by each county in the state, also to the sales/assessment ratio study summary provided for in section four hundred twenty-one point seventeen (421.17), subsection six (6), of the Code, and to any other data or material that the commission regards has a bearing upon or reflects the valuation of real and personal property in the several counties of the state.

"For purposes of sections six (6), nine (9), ten (10), twelve (12) and thirteen (13) of this Act, the state tax commission shall be the commission established by chapter four hundred twenty-one (421), Code 1962."

Sec. 16. Section four hundred forty-one point forty-seven (441.47), Code 1962, is hereby amended by repealing all of said section after the word "shall" in line two (2) and inserting in lieu thereof after the word "shall" the following:

"each year give close consideration to the status of the equalization of valuations of property in the several counties of the state for property tax purposes. It shall keep a record of its proceedings, which shall be open for public inspection. It shall adjust the valuation of property in the several counties for purpose of equalization of those values, adding to or deducting from the valuation of each kind or class of property reported such percentage in each case as will bring about a desirable equalization in the taxable value of real and personal property among the counties. It shall also adjust the valuations of property as between each kind or class of property in any city assessed by a city assessor and each kind or class of property assessed by the county assessor. It shall take into consideration the provisions of section two (2) and section eleven (11) of this Act in making any adjustments in the valuation of property in the several counties."

Sec. 17. Section four hundred forty-one point forty-eight (441.48), Code 1962, is hereby repealed and the following enacted in lieu thereof:

"The state board of review shall give ten (10) days notice by United States certified mail of its intention to add to or deduct from the valuation on any kind or class of property any proposed percentages, such notice to be sent to the county auditor of the county, or the city clerk of the city, as the case may be, whose valuation is proposed to be either raised or lowered, and said notice shall state the time and place that a hearing will be had before the state board of review on the tentative adjustment, such date to be no less than ten (10) days from the date of the notice. The county may appear by any of the members of the county conference board, the county assessor, the county auditor, members of the local board of review and the county attorney, and any city with a city assessor may appear by any member of its city conference board, the city assessor, the county auditor, mem-

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bers of the local board of review and the city and county attorney. Any protest to the tentative adjustment shall be made in writing and shall contain a statement of the reasons being urged why the adjustment should not be carried out. The state board of review shall hold an adjourned meeting and take final action with respect to all the valuations of property in all the counties and in all cities having a city assessor and shall promptly notify the county auditor of its final action."

Sec. 18. Section four hundred forty-one point forty-nine (441.49), Code 1962, is hereby repealed and the following enacted in lieu thereof:

"In any year where the state board of review finds it impossible to complete its equalization work by September 15 of that year, it shall order the adjusted valuations spread for the first time in the year following. Upon receipt of the certification from the state tax commission each year showing the final action of the commission respecting the valuations on property, the county auditor of the county shall thereupon add to or deduct from the valuation of each kind or class of property in his county the required percentage shown in the certification of the commission, and shall reject all fractions of fifty (50) cents or less in the result and count all over fifty (50) cents as one (1) dollar. The adjusted valuations shall then be taken and considered as the taxable value of the property upon which the levy shall be made. The county auditor shall comply with the state tax commission's directive or certification in the matter."

Sec. 19. Section four hundred thirty-four point fifteen (434.15), Code 1962, is hereby amended by striking from lines six (6), seven (7), and eight (8) the words "by taking sixty percent of the actual value so ascertained" and inserting in lieu thereof the words "as provided in section four hundred forty-one point twenty-one (441.21), of the Code."

Sec. 20. Section four hundred thirty-five point seven (435.7), Code 1962, is hereby amended by striking from line twenty-five (25) the word "sixty" and inserting in lieu thereof the word "twenty-five (25)".

Sec. 21. Section four hundred thirty-eight point thirteen (438.13), Code 1962, is hereby amended by striking from lines six (6) and seven (7) the words "by taking sixty percent of the actual value so ascertained,".

Sec. 22. This Act being deemed of immediate importance shall be in full force and effect from and after its publication in the Daily Record, a newspaper published at Cedar Falls, Iowa, and in the Waterloo Daily Courier, a newspaper published at Waterloo, Iowa.

Senator Fulton offered the following amendment to the amendment filed by Senators Hill, Doran, Lodwick, Fulton and Walker:

Amend the amendment as follows:

1. Amend section 11 by striking all of lines 21 through 43, and inserting in lieu thereof the following:

"The assessed value against which all real and personal property tax levies apply shall be that percentage of actual value determined by the state tax commission."

2. Amend section 20 by striking the entire section and inserting in lieu thereof the following:

"Section four hundred thirty-five point seven (435.7), Code 1962, is hereby amended by striking lines twenty-five (25), twenty-six (26), and twenty-seven (27), and inserting in lieu thereof the following:

'The assessed value of the residue of such actual value shall be determined by the state tax commission as provided in section four hundred forty-one point twenty-one (441.21) of the Code.'"

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President Mooty took the chair at 2:25 p.m.

Senator Fulton moved the adoption of the amendment to the amendment, which motion prevailed, and the amendment to the amendment was adopted.

Senator Wiley offered the following amendment to the amendment and moved its adoption:

Amend the amendment by striking the comma in line 18 of section 6 and inserting in lieu thereof a period. Further amend section 6 by striking all of lines 19 through 57.

Division was called for.

The amendment to the amendment was lost.

Senator Walker moved the adoption of the amendment as amended.

Roll call was requested.

On the question "Shall the amendment as amended be adopted?" the vote was:

Rule 8 was invoked.

Ayes, 27:

Brown	Frommelt	Lodwick	Shivvers
Buck	Fulton	Lucken	Stephens
Coleman	Getting	Main	Walker
Dodds	Griffin	Mincks	Walter
Doran	Hansen	O'Malley	Wearin
Elvers	Hill	Phelps	Wilson
Flatt	Lisle	Scott	

Nays, 21:

Benda	Elijah	Long	Turner
Beneke	Elthon	Rigler	Vance
Burrows	Fisher	Schroeder	Van Eaton
Campbell	Grimstead	Shaff	Vincent
Curran	Kyhl	Shoeman	Wiley
Dykhouse			

Absent or not voting, 2:

Cowden	Nolan

The amendment as amended was adopted.

Senator Elthon moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 44:

Benda	Campbell	Elijah	Frommelt
Beneke	Coleman	Elthon	Fulton
Brown	Curran	Elvers	Getting
Buck	Dodds	Fisher	Grimstead
Burrows	Doran	Flatt	Hansen

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Hill	Main	Shaff	Vincent
Kyhl	Mincks	Shivvers	Walker
Lisle	O'Malley	Shoeman	Walter
Lodwick	Phelps	Stephens	Wearin
Long	Rigler	Turner	Wiley
Lucken	Scott	Vance	Wilson

Nays, 4:

Dykhouse	Griffin	Schroeder	Van Eaton

Absent or not voting, 2:

Cowden	Nolan

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Elthon asked and received unanimous consent that Senate File 413 be withdrawn from further consideration of the Senate.

HOUSE AMENDMENTS CONSIDERED

Senator Long called up for consideration Senate File 400, a bill for an act to amend section three hundred ninety-one point twenty-four (391.24), section three hundred ninety-one A point thirteen (391A.13) and three hundred ninety-one A point twenty-five (391A.25), Code 1962, to require mailing of the notices provided for in said Code sections to all property owners whose property is subject to assessment, amended by the House, and moved that the Senate concur in the following amendments:

HOUSE AMENDMENTS TO SENATE FILE 400

Amend Senate File 400 as follows:

1. By adding thereto the following new sections:

Sec. 5. Section four hundred seventeen point nine (417.9), Code 1962, is amended by adding at the end of said section the following:

"The said chief clerk shall send by certified mail to each property owner, whose property is subject to assessment for said improvement, as shown by the records in the office of the county auditor, a copy of the above-mentioned notice, said mailing to be made on or before the date of posting. Failure to receive such mailed notice shall not constitute a defense to the special assessment."

Sec. 6. Section four hundred seventeen point thirteen (417.13), Code 1962, is amended by adding at the end of said section the following:

"The said chief clerk shall also send by certified mail to each property owner, whose property is subject to assessment for said improvement, as shown by the records in the office of the county auditor, a copy of said notice, said mailing to be made on or before the date of publication of said notice. Failure to receive such mailed notice shall not constitute a defense to the special assessment."

2. Amend the title to Senate File 400 by striking all after the word "Act" and inserting in lieu thereof the following: "relating to proceedings for construction of street improvements and sewers in cities and towns; relating to the mailing of certain notices to property owners whose prop-

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erty is subject to assessment for such construction; and amending various sections in chapters three hundred ninety-one (391), three hundred ninety-one A (391A) and four hundred seventeen (417), Code 1962, relating thereto."

The Senate concurred in the House amendments.

Senator Long moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 46:

Benda	Elthon	Lisle	Shoeman
Beneke	Elvers	Lodwick	Stephens
Brown	Fisher	Long	Turner
Buck	Flatt	Lucken	Vance
Burrows	Frommelt	Main	Van Eaton
Campbell	Fulton	O'Malley	Vincent
Coleman	Getting	Phelps	Walker
Curran	Griffin	Rigler	Walter
Dodds	Grimstead	Schroeder	Wearin
Doran	Hansen	Scott	Wiley
Dykhouse	Hill	Shivvers	Wilson
Elijah	Kyhl		

Nays, none.

Absent or not voting, 4:

Cowden	Mincks	Nolan	Shaff

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Lucken called up for consideration Senate File 428, a bill for an act to authorize the board of control to permit the state libraries and historical department—division of archives—to copy or reproduce by any photographic, photostatic, microfilm, microcard, or other process which accurately reproduces a durable medium for reproducing the original and to destroy in the manner prescribed by law such records of inmates designated in chapter two hundred eighteen point twenty-one (218.21), Code 1962, amended by the House, and moved that the Senate concur in the following amendment:

HOUSE AMENDMENT TO SENATE FILE 428

Amend the title to Senate File 428 by striking from line 7 the word "chapter" and inserting in lieu thereof the word "section".

The Senate concurred in the House amendment.

Senator Lucken moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

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On the question "Shall the bill pass?" the vote was:

Ayes, 48:

Benda	Elthon	Lisle	Shivvers
Beneke	Elvers	Lodwick	Shoeman
Brown	Fisher	Long	Stephens
Buck	Flatt	Lucken	Turner
Burrows	Frommelt	Main	Vance
Campbell	Fulton	Mincks	Van Eaton
Coleman	Getting	O'Malley	Vincent
Curran	Griffin	Phelps	Walker
Dodds	Grimstead	Rigler	Walter
Doran	Hansen	Schroeder	Wearin
Dykhouse	Hill	Scott	Wiley
Elijah	Kyhl	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Cowden	Nolan

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 Shoeman, Senate Joint Resolution 17, a joint resolution to create a commercial code study committee to investigate the need of revising the laws of Iowa concerning sales; bills, notes and checks; bank deposits and collections; letters of credit; bulk transfers; warehouse receipts; bills of lading and other documents of title; investment securities, chattel mortgages; conditional sales and other secured transactions and to make an appropriation for such committee, was taken up and considered.

Senator Rigler 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, 46:

Beneke	Elthon	Lisle	Shoeman
Benda	Elvers	Lodwick	Stephens
Brown	Fisher	Lucken	Turner
Buck	Flatt	Main	Vance
Burrows	Frommelt	Mincks	Van Eaton
Campbell	Fulton	O'Malley	Vincent
Coleman	Getting	Phelps	Walker
Curran	Griffin	Rigler	Walter
Dodds	Grimstead	Scott	Wearin
Doran	Hansen	Shaff	Wiley
Dykhouse	Hill	Shivvers	Wilson
Elijah	Kyhl		

Nays, 2:

Long	Schroeder

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Absent or not voting, 2:

Cowden Nolan

The resolution having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Shoeman, Senate File 136, a bill for an act relating to the executive council contingent fund and to amend various sections of the Code relating thereto, was taken up and considered.

Senator Frommelt moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shivvers
Beneke	Elvers	Lodwick	Shoeman
Brown	Fisher	Long	Stephens
Buck	Flatt	Lucken	Turner
Burrows	Frommelt	Main	Vance
Campbell	Fulton	Mincks	Van Eaton
Coleman	Getting	O'Malley	Vincent
Curran	Griffin	Phelps	Walker
Dodds	Grimstead	Rigler	Walter
Doran	Hansen	Schroeder	Wearin
Dykhouse	Hill	Scott	Wiley
Elijah	Kyhl	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Cowden Nolan

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Shoeman, Senate File 462, 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 on appropriations recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Campbell moved that the bill be read a third 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:

Benda	Coleman	Elthon	Getting
Beneke	Curran	Elvers	Griffin
Brown	Dodds	Fisher	Grimstead
Buck	Doran	Flatt	Hansen
Burrows	Dykhouse	Frommelt	Hill
Campbell	Elijah	Fulton	Kyhl

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Lisle	O'Malley	Shivvers	Vincent
Lodwick	Phelps	Shoeman	Walker
Long	Rigler	Stephens	Walter
Lucken	Schroeder	Turner	Wearin
Main	Scott	Vance	Wiley
Mincks	Shaff	Van Eaton	Wilson

Nays, none.

Absent or not voting, 2:

Cowden	Nolan

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 Shoeman, the following House Concurrent Resolution, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted:

HOUSE CONCURRENT RESOLUTION 15
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 1962:

William R. Kendrick, voting machine parts (House)	$ 3.80
Storey Kenworthy, equipment and supplies (House)	184.30
Office Machine Supply Co., typewriter repairs (House)	13.15
Koch Brothers, supplies (House)	24.55
Des Moines Rubber Stamp Co., rubber stamps (House)	2.60
George Kucharo Displays, Inc., velvet roping (House)	454.77
Electrolux Corporation, sweeper (House)	344.75
IBM Corp., typewriter maintenance (House)	14.17
Remington Rand Co., typewriter repair (House)	11.18
Northwestern Bell Telephone Co., service (House)	24.00
IBM Corp., typewriter maintenance (Senate)	21.75
Des Moines Rubber Stamp Co., stamps and supplies (Senate)	10.70
Ditto, Inc., supplies (Senate)	16.08
Northwestern Bell Telephone Co., service (Senate)	2.50
Carroll A. Lane, telephone expense (Senate)	9.86
Koch Brothers, office equipment and supplies (Senate)	60.75
Radio Trade Supply Co., sound equipment repair (Senate)	81.75
Traviss Television, speaker repair (Senate)	22.50
Hatfield Duplicating Co., duplicating supplies (Joint)	270.05
Koch Brothers, supplies for index (Joint)	192.70
Addressograph - Multigraph Corp., data processing supplies (Joint)	50.90
Feiler Studio, photos for "How A Bill Becomes A Law" (Joint)	61.50
H & J Supply Co., oxygen tanks (Joint)	66.50
	$1,944.81

The State Comptroller is hereby authorized and directed to issue warrants for amounts above listed to persons and firms to whom such amounts are due.

On motion of Senator Buck, the resolution was adopted.

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On motion of Senator Shoeman, Senate File 465, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1963, and ending June 30, 1965, to the board of control for salaries, support, maintenance, repairs, replacements, alterations or equipment of institutions under said board of control, and to provide that chapter eight (8), except section eight point five (8.5), Code 1962, shall apply to this Act, was taken up and considered.

Senator Lodwick moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shoeman
Beneke	Elvers	Lodwick	Stephens
Brown	Fisher	Long	Turner
Buck	Flatt	Lucken	Vance
Burrows	Frommelt	Mincks	Van Eaton
Campbell	Fulton	O'Malley	Vincent
Coleman	Getting	Phelps	Walker
Curran	Griffin	Rigler	Walter
Dodds	Grimstead	Schroeder	Wearin
Doran	Hansen	Scott	Wiley
Dykhouse	Hill	Shaff	Wilson
Elijah	Kyhl	Shivvers	

Nays, 1:

Main

Absent or not voting, 2:

Cowden	Nolan

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Shoeman, Senate File 466, a bill for an act to appropriate from the general fund of the State of Iowa for 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 for the expenditure thereof by the board of control and the budget and financial control committee, was taken up and considered.

Senator Shoeman offered the following amendment and moved its adoption:

Amend Senate File 466 as follows:

1. By striking from lines 2 and 3 of section 5 the words and figures "60th general assembly" and insert in lieu thereof the following: "Sixtieth General Assembly".

2. By striking from line 3 of section 6 the word "the" and insert in lieu thereof the word "The".

3. By striking from line 4, section 6, the word "the" and insert in lieu thereof the word "The".

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The amendment was adopted.

Senator Lodwick moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shivvers
Beneke	Elvers	Lodwick	Shoeman
Brown	Fisher	Long	Stephens
Buck	Flatt	Lucken	Turner
Burrows	Frommelt	Main	Vance
Campbell	Fulton	Mincks	Van Eaton
Coleman	Getting	O'Malley	Vincent
Curran	Griffin	Phelps	Walker
Dodds	Grimstead	Rigler	Walter
Doran	Hansen	Schroeder	Wearin
Dykhouse	Hill	Scott	Wiley
Elijah	Kyhl	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Cowden	Nolan

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hansen called up Senate Concurrent Resolution 31, relating to bell-ringing observance, filed and found on pages 1069 and 1070 of the Senate Journals, and moved its adoption.

The motion prevailed and the resolution was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 23, a concurrent resolution opposing any legislation by the United States Congress which would infringe on right of this state to enact and administer its own workmen's compensation laws.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 127, a bill for an act relating to exemptions from the imposition of the retail sales tax.

Also: In accordance with Article III, section 16, of the Constitution of the State of Iowa, the House has passed over the Governor's veto Senate File 434, a bill for an act relating to the confirmation of appointments by the Senate and the eligibility of rejected nominees to interim appointments.

WILLIAM R. KENDRICK, *Chief Clerk.*

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HOUSE AMENDMENT TO SENATE FILE 127

Amend Senate File 127 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section four hundred twenty-two point forty-five (422.45), Code 1962, is hereby amended by striking all of subsection five (5) and inserting in lieu thereof the following:

"The gross receipts of all sales of goods, wares or merchandise used for public purposes to any tax-certifying or tax-levying body of the Senate of Iowa or governmental subdivision thereof, including the state board of regents, board of control of state institutions, state highway commission and all divisions, boards, commissions, agencies or instrumentalities of state, federal, county or municipal government which derive disbursable funds from appropriations or allotments of funds raised by the levying and collection of taxes, except sales of goods, wares or merchandise used by or in connection with the operation of any municipally-owned public utility engaged in selling gas, electricity or heat to the general public.

"The exemption provided by this subsection shall also apply to all such sales of goods, wares or merchandise subject to use tax under the provisions of chapter four hundred twenty-three (423)."

Sec. 2. Section four hundred twenty-two point forty-five (422.45), Code 1962, is further amended by inserting after the word "thereof" in line three (3) of subsection six (6) the following:

"including the state board of regents, board of control of state institutions, state highway commission, and all divisions, boards, commissions, agencies or instrumentalities of state, federal, county or municipal government which derive disbursable funds from appropriations or allotments of funds raised by the levying and collection of taxes,".

Sec. 3. The refunds provided in the preceding section two (2) shall be retroactive and apply to any applications for refund now on file with the state tax commission, or hereafter filed therewith for projects now in process, upon which sales or use taxes are paid prior to the taking effect of this Act. Any of the above-mentioned governmental bodies or subdivisions thereof shall be entitled to a refund of such taxes so paid upon making application to the state tax commission therefor.

Sec. 4. This Act being deemed of immediate importance shall be in full force and effect from and after its publication in The Lyon County Reporter, a newspaper published at Rock Rapids, Iowa, and The Tipton Conservative, a newspaper published at Tipton, Iowa.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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 123, 180, 184, 191, 281, 332, 423, 429, 432, 435, 442 and 443.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
Chairman House Committee.

Report adopted.

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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 123, 180, 184, 191, 281, 332, 423, 429, 432, 435, 442 and 443.

BILLS SENT TO THE GOVERNOR

Senator Benda, 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 May, 1963, sent to the Governor for his approval: Senate Files 123, 180, 184, 191, 281, 332, 423, 429, 432, 435, 442 and 443.

KENNETH BENDA, *Chairman.*

Passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 30, 1963, the Governor had approved the following bills:

Senate File 146, relating to cities and towns.

Senate File 342, relating to time for filing application for Korean veterans' bonus.

Senate File 366, relating to the Northeast Hamilton Community School District.

Senate File 389, relating to the South Hamilton Community School District.

Senate File 399, relating to inaugural expenses.

Senate File 418, relating to claims against the State of Iowa.

Senate File 422, relating to claims against the State of Iowa.

Senate File 431, relating to appropriations to members of highway study committee.

Senate File 449, relating to appropriations to legislative research committee.

Senate File 451, relating to appropriations to members of legislative advisory committees.

Senate File 452, relating to appropriations to ex-officio members of the advisory investment board of the IPERS retirement system.

RESIGNATION OF EMPLOYEE

Senator Scott announced the resignation of his Committee Clerk, Dorothy M. Edwards of Polk County, effective April 30, 1963.

SENATE FILE 463 REPRINTED (AS PASSED BY THE SENATE)

Senator Elthon asked and received unanimous consent to have 800 copies of Senate File 463 as passed by the Senate printed.

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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 sifting committee calendar:

H. F. 590	H. F. 587	H. F. 457	S. F. 467
H. F. 344	H. F. 589	H. F. 566	

ROBERT R. RIGLER, *Chairman,*
Sifting Committee.

AMENDMENTS FILED

Amend the committee amendment to House File 550 filed April 23, 1963, by striking all of section five (5) and inserting in lieu thereof the following:

1. "Sec. 5. Amend chapter four hundred twenty-two (422), Code 1962, by adding a new division as follows:

"TRADING STAMP TAX

"There is hereby imposed a five (5) cents tax per dollar of expenditure by any person, firm or corporation for all trading stamps used or acquired for use in connection with the conduct of any retail business within the State of Iowa. Each person, firm or corporation conducting a retail business within the State of Iowa shall, at the time of making his or its quarterly sales tax return, report the amount of expenditure for all trading stamps acquired and the name and address of the supplier thereof, for the preceding quarter. The commission shall thereupon assess the amount of tax due thereon and collect same from supplier. In the event such supplier is not within the jurisdictional area of authority of the tax commission, the tax shall be collected from the retailer. The proceeds from the tax levied upon the trading stamps shall be credited to the general fund of the state."

2. Further amend by renumbering the remaining sections of the amendment.

JOHN L. CAMPBELL.
EDWARD A. WEARIN.

Amend the way and means committee amendment to House File 550, filed April 23, 1963, as follows:

1. By striking from line 63 the number "(358.11)" and inserting in lieu thereof the number "(35B.11)".

2. By inserting after section 7 the following new sections:

A. "Section four hundred thirty-one point one (431.1), Code 1962, is hereby amended by inserting in line eight (8) after the word 'transacted.' the following sentence:

'Such moneys and credits shall be taxed at a rate of five (5) mills in addition to any other tax on moneys and credits provided by law, and the proceeds thereof distributed to taxing districts as provided in section four hundred twenty-nine point three (429.3) of the Code.' "

B. Chapter four hundred twenty-two (422), Code 1962, is hereby amended by adding the following new section to Division II thereof:

'Every individual taxpayer subject to filing an Iowa income tax return shall make a separate accounting, on his tax return,

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of interest and dividends received during the tax year and forward to the tax commission, as a surtax, two (2) percent of the amount thereof. The provisions of this section shall not include the first two hundred (200) dollars of such interest and dividends for every individual taxpayer. The amount of said surtax shall be paid at the same time and in the same manner as income taxes due on the tax return. The total amount of all surtaxes collected hereunder shall be returned to the county of origin as indicated by the mailing address of the taxpayer. Surtaxes paid by nonresidents shall be credited to the state general fund.

'The state tax commission shall make a separate account of the amount of said surtax received from each county and on the first day of each calendar quarter certify to the state treasurer and state comptroller the amounts determined as due each county and the comptroller shall thereupon draw warrants for the said amounts and transmit same to the various county auditors for deposit with the county treasurers. Each county auditor shall apportion said funds in the same manner as receipts from moneys and credits are apportioned as provided in section four hundred twenty-nine point three (429.3) of the Code.' "

3. By adding to line 91 after the word "tax" the words "and to levy a tax on the interest and dividends from investments".

4. Further amend by renumbering the sections in conformity with this amendment.

C. JOSEPH COLEMAN.

On motion of Senator Rigler, the Senate adjourned until 9:30 a.m. Thursday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MAY 2, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Herbert R. Fields, pastor of the Mt. Olive Baptist Church, Des Moines, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Nolan on account of illness on request of Senator Rigler.

PRESENTATION OF VISITORS

Senator Burrows asked and received unanimous consent to present to the Senate twenty students, members of the eighth grade class of the Blairstown Elementary School, who were present in the balcony accompanied by their instructor, Richard Diehl.

Senator Elijah asked and received unanimous consent to present to the Senate one hundred students, members of the junior and senior classes of the West Branch High School, who were present in the balcony accompanied by their instructors, Dennis Walljasper, Ronald Murrison and Elmer Prescott.

Senator Main asked and received unanimous consent to present to the Senate nineteen students, members of the senior class of the Diagonal Community High School, who were present in the balcony accompanied by their instructor, Gordon Stokke.

Senator Hansen asked and received unanimous consent to present to the Senate forty-eight students from the Glidden-Ralston Junior High School, Glidden, who were present in the balcony accompanied by their instructors, Allan Mays and Milton Berg.

Senator Rigler asked and received unanimous consent to present to the Senate twenty-two high school students from Chickasaw, Howard, Mitchell and Floyd Counties who were present in the balcony.

Senator Flatt asked and received unanimous consent to present to the Senate seventeen students from the East Union Community School, Lorimor, who were present in the balcony accompanied by their instructor, James Ainslie.

Senator O'Malley asked and received unanimous consent to present

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to the Senate thirty-eight students from the Holy Trinity School who were present in the balcony.

THIRD READING OF BILLS

On motion of Senator Shaff, Senate File 468, a bill for an act to amend section four hundred fifty point eighty-six (450.86), Code 1962, relating to inheritance tax, was taken up and considered.

Senator Shaff moved that the bill be read a third 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:

Benda	Elijah	Lisle	Shivvers
Beneke	Elthon	Lodwick	Shoeman
Brown	Elvers	Long	Stephens
Buck	Fisher	Lucken	Turner
Burrows	Flatt	Main	Vance
Campbell	Frommelt	Mincks	Van Eaton
Coleman	Fulton	O'Malley	Vincent
Cowden	Getting	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson

Nays, 1:

Griffin

Absent or not voting, 1:

Nolan

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Kyhl, House File 586, a bill for an act to legalize and validate the acceptance, organization, and establishment of the County Public Hospital in County of Franklin, State of Iowa, and to declare said hospital a duly erected hospital as provided by law, was taken up and considered.

Senator Kyhl moved that the bill be read a third 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:

Benda	Cowden	Elvers	Grimstead
Beneke	Curran	Fisher	Hansen
Brown	Dodds	Flatt	Hill
Buck	Doran	Frommelt	Kyhl
Burrows	Dykhouse	Fulton	Lisle
Campbell	Elijah	Getting	Lodwick
Coleman	Elthon	Griffin	Long

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Lucken	Schroeder	Stephens	Walker
Main	Scott	Turner	Walter
Mincks	Shaff	Vance	Wearin
O'Malley	Shivvers	Van Eaton	Wiley
Phelps	Shoeman	Vincent	Wilson
Rigler			

Nays, none.

Absent or not voting, 1:
Nolan

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Wiley, House File 286, a bill for an act relating to memorial commissions and the composition thereof, was taken up and considered.

Senator O'Malley offered the following amendment and moved its adoption:

Amend House File 286 by adding thereto the following:
"Sec. 3. This Act shall not apply to cities having a population of over one hundred fifty thousand (150,000) persons."

The amendment was adopted.

Senator Wiley moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shivvers
Beneke	Elvers	Lodwick	Shoeman
Brown	Fisher	Long	Turner
Buck	Flatt	Lucken	Vance
Burrows	Frommelt	Main	Van Eaton
Campbell	Fulton	Mincks	Vincent
Coleman	Getting	O'Malley	Walker
Cowden	Griffin	Phelps	Walter
Curran	Grimstead	Rigler	Wearin
Dodds	Hansen	Schroeder	Wiley
Dykhouse	Hill	Scott	Wilson
Doran	Kyhl	Shaff	

Nays, none.

Absent or not voting, 2:

Nolan	Stephens

Voting present, 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 Wiley, Senate File 240, a bill for an act

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relating to speed restrictions of certain motor vehicles, was taken up and considered.

Senator Wiley moved that the bill be read a third 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:

Benda	Elvers	Lisle	Shivvers
Benke	Fisher	Lodwick	Shoeman
Brown	Flatt	Lucken	Stephens
Buck	Frommelt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	O'Malley	Van Eaton
Coleman	Griffin	Phelps	Vincent
Cowden	Grimstead	Rigler	Walker
Dodds	Hansen	Schroeder	Walter
Doran	Hill	Scott	Wearin
Dykhouse	Kyhl	Shaff	Wiley
Elthon			

Nays, 2:

Long	Wilson

Absent or not voting, 2:

Curran	Nolan

Voting present, 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 Shaff, Senate File 291, a bill for an act to require county recorders to compile a list of deeds, was taken up and considered.

Senator Elthon took the chair at 10:35 a.m.

Senator Shaff moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shivvers
Beneke	Elvers	Lodwick	Shoeman
Brown	Fisher	Long	Stephens
Buck	Flatt	Lucken	Turner
Burrows	Frommelt	Main	Vance
Campbell	Fulton	Mincks	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah			

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Nays, none.

Absent or not voting, 1:
Nolan

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Wilson, House File 239, a bill for an act to repeal sections two hundred ninety-four point six (294.6) and two hundred ninety-four point seven (294.7), Code 1962, relating to minimum teachers' wages, was taken up and considered.

Senator Wilson moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shivvers
Beneke	Elvers	Lodwick	Shoeman
Brown	Fisher	Long	Stephens
Buck	Flatt	Lucken	Turner
Burrows	Frommelt	Main	Vance
Campbell	Fulton	Mincks	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah			

Nays, none.

Absent or not voting, 1:
Nolan

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Wiley, House File 590, a bill for an act to legalize the action of the Marion Rural Community School District in changing the name of the school district, was taken up and considered.

Senator Wiley moved that the bill be read a third 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:

Benda	Campbell	Doran	Fisher
Beneke	Coleman	Dykhouse	Flatt
Brown	Cowden	Elijah	Frommelt
Buck	Curran	Elthon	Fulton
Burrows	Dodds	Elvers	Getting

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Griffin	Lucken	Scott	Van Eaton
Grimstead	Main	Shaff	Vincent
Hansen	Mincks	Shivvers	Walker
Hill	O'Malley	Shoeman	Walter
Kyhl	Phelps	Stephens	Wearin
Lisle	Rigler	Turner	Wiley
Lodwick	Schroeder	Vance	Wilson
Long			

Nays, none.

Absent or not voting, 1:
Nolan

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Lisle, House File 344, a bill for an act to empower the mayor in all cities and towns where the council is composed of only four members to vote on any and all matters where the vote of the council is evenly divided, was taken up and considered.

Senator Lisle moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shivvers
Beneke	Elvers	Lodwick	Shoeman
Brown	Fisher	Long	Stephens
Buck	Flatt	Lucken	Turner
Burrows	Frommelt	Main	Vance
Campbell	Fulton	Mincks	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah			

Nays, none.

Absent or not voting, 1:
Nolan

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Lisle asked and received unanimous consent that Senate File 229 be withdrawn from further consideration of the Senate.

On motion of Senator Rigler, House File 587, a bill for an act to provide for political party precinct caucuses and the election of delegates to county conventions at such caucuses, was taken up and considered.

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Senator Rigler moved that the bill be read a third 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:

Benda	Elijah	Kyhl	Shaff
Beneke	Elthon	Lisle	Shivvers
Brown	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Turner
Campbell	Frommelt	Main	Vance
Coleman	Fulton	Mincks	Van Eaton
Cowden	Getting	O'Malley	Vincent
Curran	Griffin	Phelps	Walker
Dodds	Grimstead	Rigler	Wearin
Doran	Hansen	Schroeder	Wiley
Dykhouse	Hill	Scott	Wilson

Nays, none.

Absent or not voting, 1:

Nolan

Voting present, 1:

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 O'Malley, House File 457, a bill for an act relating to the issuance of special automobile license plates to seriously disabled veterans, was taken up and considered.

Senator O'Malley moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 49:

Benda	Elthon	Lisle	Shivvers
Beneke	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Brown	Flatt	Lucken	Turner
Burrows	Frommelt	Main	Vance
Campbell	Fulton	Mincks	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Dykhouse	Hill	Scott	Wiley
Doran	Kyhl	Shaff	Wilson
Elijah			

Nays, none.

Absent or not voting, 1:

Nolan

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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 Rigler asked and received unanimous consent that Senate File 463 be immediately messaged to the House, which request was complied with.

On motion of Senator Dykhouse, House File 566, a bill for an act to amend section one hundred eleven A point six (111A.6), Code 1962, relating to county conservation boards, was taken up and considered.

Senator Dykhouse moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 49:

Benda	Elthon	Lisle	Shivvers
Beneke	Elvers	Lodwick	Shoeman
Brown	Fisher	Long	Stephens
Buck	Flatt	Lucken	Turner
Burrows	Frommelt	Main	Vance
Campbell	Fulton	Mincks	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah			

Nays, none.

Absent or not voting, 1:

Nolan

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Wiley, Senate File 354, a bill for an act relating to classification of highways, and responsibility therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wiley offered the following amendment and moved its adoption:

Amend Senate File 354 as follows:

1. By striking all of line 3, section 1, after the word "numerals" and by inserting in lieu thereof the following: "'313.2' in line six".

2. By striking all of section 8 and by inserting in lieu thereof the following:

"Sec. 8. This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Cedar Rapids

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Gazette, a newspaper published in Cedar Rapids, Iowa, and in The Sentinel, a newspaper published in Marion, Iowa."

The amendment was adopted.

On motion of Senator Rigler, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

The Senate resumed consideration of Senate File 354.

Senator Coleman offered the following amendment and moved its adoption:

Amend Senate File 354 by adding the following after the word "thereof." in line 23 of section 2:

"Where primary roads have been relocated and the former primary road remains a part of the major state primary system, the latter shall be designated as 'alternate' primary roads."

The amendment was adopted.

Senator Hill offered the following amendment and moved its adoption:

Amend Senate File 354 as follows:

1. Amend section 2 as follows:

1. By striking from lines 18 and 19 the following words and figures "but shall not exceed two thousand (2,000) miles of primary roads".

2. By inserting the word "primary" in line 20 following the word "those" and by striking from lines 22 and 23 the following words and figures: "but not to exceed six thousand four hundred (6,400) miles of primary roads and".

3. By inserting the word "primary" in line 24 following the word "those" and by striking from lines 25 and 26 the words and figures: "but not to exceed one thousand nine hundred (1,900) miles of primary roads".

2. Amend section 4 as follows:

1. By inserting in line 8 the word "consisting" after the word "system" and by striking from lines 8 and 9 the following words and figures: "not to exceed twelve thousand (12,000) miles".

The amendment was adopted.

Senator Wiley moved that the bill be read a third 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:

Benda	Doran	Griffin	Main
Burrows	Dykhouse	Hill	Mincks
Campbell	Elijah	Kyhl	O'Malley
Coleman	Elthon	Lisle	Phelps
Cowden	Flatt	Lodwick	Rigler
Curran	Frommelt	Long	Scott
Dodds	Fulton	Lucken	Shivvers

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Shoeman	Vance	Walter	Wiley
Stephens	Van Eaton	Wearin	Wilson

Nays, 9:

Beneke	Elvers	Getting	Hansen
Brown	Fisher	Grimstead	Walker
Buck			

Absent or not voting, 5:

Nolan	Shaff	Turner	Vincent
Schroeder			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENTS CONSIDERED

Senator Doran called up for consideration Senate File 306, a bill for an act relating to retail sales tax and use tax on leases or rentals of equipment, amended by the House, and moved that the Senate refuse to concur in the following amendments:

HOUSE AMENDMENTS TO SENATE FILE 306

Amend Senate File 306 as follows:

1. Section 1, by striking all of line 4 after the word "rental" and all of line 5 and inserting in lieu thereof the following: ", excluding rental of railroad equipment, which is in fact a sale".

2. Section 2, by striking all of line 4 after the word "rental" and all of line 5 and inserting in lieu thereof the following: ", excluding rental of railroad equipment, which is in fact a purchase or sale".

3. Section 3, by inserting the following after the word "registration" in line 11: "by the owner as defined in section three hundred twenty-one point one (321.1), subsection thirty-six (36), of the Code".

4. By adding thereto the following new section:

"The provisions of this Act shall not apply to any rental or leased item on which sales or use tax has been paid."

President pro tempore Vance took the chair at 2:25 p.m.

The Senate refused to concur in the House amendments.

THIRD READING OF BILLS

On motion of Senator Schroeder, House File 589, a bill for an act making it unlawful for any person or employer to discriminate in employment against any individual, and for a labor organization to discriminate in membership against any individual, because of race, color, religion, national origin or ancestry, was taken up and considered.

Senator Shoeman offered the following amendment, filed by Senators Shoeman and Vance, and moved its adoption:

Amend House File 589 by striking the period (.) at the end of line 11 and adding the following:

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"and physical appearance may be considered in determining qualifications."

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 16:

Beneke	Doran	Lucken	Turner
Burrows	Dykhouse	Phelps	Vance
Cowden	Kyhl	Scott	Van Eaton
Curran	Long	Shoeman	Vincent

Nays, 27:

Benda	Fisher	Lisle	Shaff
Brown	Flatt	Lodwick	Shivvers
Buck	Frommelt	Main	Walter
Campbell	Fulton	Mincks	Wearin
Coleman	Grimstead	O'Malley	Wiley
Dodds	Hansen	Rigler	Wilson
Elijah	Hill	Schroeder	

Absent or not voting, 6:

Elvers	Griffin	Stephens	Walker
Getting	Nolan		

Voting present, 1:

Elthon

The amendment was lost.

Senator Schroeder moved that the bill be read a third 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:

Benda	Elijah	Lisle	Shivvers
Beneke	Elthon	Lodwick	Turner
Brown	Flatt	Main	Vincent
Buck	Frommelt	Mincks	Walker
Campbell	Fulton	O'Malley	Walter
Coleman	Grimstead	Rigler	Wearin
Curran	Hansen	Schroeder	Wiley
Dodds	Hill	Shaff	Wilson

Nays, 12:

Burrows	Dykhouse	Long	Shoeman
Cowden	Fisher	Phelps	Vance
Doran	Kyhl	Scott	Van Eaton

Absent or not voting, 5:

Elvers	Griffin	Nolan	Stephens
Getting			

Voting present, 1:

Lucken

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

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Senator Schroeder moved that the 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 Schroeder asked and received unanimous consent that Senate File 458 be withdrawn from further consideration of the Senate.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 411, a bill for an act to make appropriations to the state department of social welfare to be used for medical assistance to the aged.

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 relating to extending state aid presently paid to counties for care of mentally ill patients in county homes or private institutions to cover care of mentally retarded persons in similar facilities.

Also: That the House has concurred in Senate amendments to and passed House File 386, a bill for an act relating to the term of office of county supervisors and township trustees.

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 size, weight, and load vehicle permits.

Also: I am directed by the House to request the return of House File 280, a bill for an act relating to the place of holding election meetings to elect members of the county agricultural extension council, for further consideration.

WILLIAM R. KENDRICK, *Chief Clerk.*

Senator Rigler asked and received unanimous consent that the Secretary be directed to return to the House House File 280 for further consideration.

HOUSE AMENDMENTS TO SENATE FILE 411

Amend Senate File 411 as follows:

1. Amend section 2 by striking all of lines 12 through 16 and inserting in lieu thereof the following: "no part of this appropriation shall be used to pay for care in nursing homes for a period longer than one hundred eighty (180) days and then only when such nursing home care immediately follows hospitalization."

2. By adding the following new section:

Sec. 3. The budget and financial control committee is hereby authorized to supplement from their appropriation the sum of three hundred twenty thousand (320,000) dollars for each year of the biennium or so much thereof as may be necessary to supplement the appropriation provided for in section one (1) of this Act.

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HOUSE MESSAGES CONSIDERED

House File 119, a bill for an act relating to extending state aid presently paid to counties for care of mentally ill patients in county homes or private institutions to cover care of mentally retarded persons in similar facilities, and to permit counties to credit such state aid to the state institution fund of the county, and increasing the appropriation for such aid.

Read first and second times and referred to sifting committee.

House File 468, a bill for an act relating to size, weight, and load vehicle permits.

Read first and second times and referred to sifting committee.

SENATE CONCURRENT RESOLUTION 32

By Doran

Whereas, the 94th Aero Squadron American Expeditionary Forces, Air Service, whose emblem was the "Hat in the Ring," served in France in World War I; and

Whereas, Captain Eddie Rickenbacker, "Ace of Aces," headed the 94th Aero Squadron in France; and

Whereas, Sergeant E. C. Forney served in France as an aerial mechanic in France in World War I; and

Whereas, Sergeant Forney removed and mailed home a "Hat in the Ring" insignia from a junked combat plane flown by Captain Rickenbacker; and

Whereas, on or about August 13, 1943, E. C. Forney brought the insignia to the state historical department and left it with the department with the understanding that the insignia was to be placed there under loan; and

Whereas, the state historical department recognized this understanding by securing to the corner of the emblem a slip of paper stating: "Property of E. C. Forney, Pilot Mound, Iowa"; and

Whereas, E. C. Forney in 1956 requested that the emblem be returned to him for transfer to the United States air force museum at Wright-Patterson Air Force Base in Ohio where the emblem would bring enjoyment to a greater number of people; and

Whereas, even though the insignia is clearly marked "Property of E. C. Forney, Pilot Mound, Iowa," the Iowa state historical department refuses to give up the emblem saying that a ruling of the American Association of Museums provides that nothing will be returned after ten years have elapsed; now therefore

Be It Resolved by the Senate, the House Concurring, that the board of trustees of the Iowa state department of history and archives direct the state curator to return the "Hat in the Ring" emblem to its rightful owner, Mr. E. C. Forney.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully

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reports that it has examined and finds correctly enrolled: Senate Files 408, 427 and 445.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 408, 427 and 445:

BILLS SENT TO THE GOVERNOR

Senator Benda, 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 May, 1963, sent to the Governor for his approval: Senate Files 408, 427 and 445.

KENNETH BENDA, *Chairman.*

Passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on May 2, 1963, the Governor had approved the following bills:

Senate File 7, relating to bulk tanks.
Senate File 226, relating to certain easements for highway purposes.
Senate File 385, relating to commercial feeds.

BILL SENT TO THE SECRETARY OF STATE

Pursuant to chapter three (3), section three point four (3.4), Code 1962, Senate File 434 became law on the 2nd day of May, 1963.

STATE OF IOWA
SENATE
Sixtieth General Assembly

May 2, 1963.

Honorable Melvin D. Synhorst,
Secretary of State,
Local.
Dear Sir:

I hereby transmit to you for deposit and keeping Senate File 434. This bill, by action of both houses of the legislature, became a law this 2nd day of May, 1963.

CARROLL A. LANE, *Secretary of the Senate.*

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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 sifting committee calendar:

H. F. 468	H. F. 564	H. F. 402	H. F. 250
H. F. 462	H. F. 489	H. F. 539	H. F. 316
H. F. 251			

ROBERT R. RIGLER, *Chairman,*
Sifting Committee.

ASSIGNMENT OF BILLS TO COMMITTEE

President Mooty announced the assignment of House File 402 to the appropriations committee, under Senate Rule 21.

AMENDMENTS FILED

Amend House File 462 by adding a new section as follows:

Sec. 2. This Act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in The Adair News, a newspaper published at Adair, Iowa, and The Record-Herald and Indianola Tribune, a newspaper published at Indianola, Iowa.

JOSEPH B. FLATT.

Amend House File 468 by striking the period (.) after the word "proper' " in line 17 and inserting in lieu thereof the following, "at such additional registration fee as it deems necessary and proper for the additional use made of our state highway system'."

RICHARD C. TURNER.
KENNETH BENDA.

Amend the committee amendment to House File 550 by adding the following subsection to section 2:

"5. By inserting the following paragraph after the fourth unnumbered paragraph of section four hundred twenty-two point forty-three (422.43), Code 1962:

'Recognizing the human characteristic to purchase certain goods at their lowest possible cost, and acknowledging that the State of Iowa borders on two states that have no sales tax, the legislature finds as a matter of fact that an increase in the sales tax to those sellers and buyers so located will work an economic hardship. Therefore, in counties adjoining states with no sales tax on tangible personal property, the tax upon the gross receipts of sellers from all sales of tangible personal property, consisting of goods, wares or merchandise, except as otherwise provided in this division, sold at retail in such counties to consumers or users, shall be at a rate of two per cent (2%) in lieu of the three per cent (3%) rate otherwise imposed herein.' "

RICHARD C. TURNER.

On motion of Senator Rigler, the Senate adjourned until 9:30 a.m., Friday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MAY 3, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Dale Cunningham, pastor of the Presbyterian Church, Creston, Iowa.

PETITION

By Senator Flatt, from seven hundred fifty-three residents of Madison County favoring improvement in our present liquor laws and opposing liquor by the drink.

PRESENTATION OF VISITORS

Senator Flatt on behalf of Senator Fisher asked and received unanimous consent to present to the Senate twenty-two students from the Interstate 35 Elementary School, New Virginia, who were present in the balcony accompanied by their instructor, Veda Bodtke.

Senator Walker asked and received unanimous consent to present to the Senate forty students from the Radcliffe Community Elementary School who were present in the balcony accompanied by their instructors, Lois Nassen and Beverly Olson. Senator Walker also announced that the students had made a contribution of $7.00 for the gilding of the dome.

INTRODUCTION OF BILLS

Senate File 470, by committee on appropriations, a bill for an act to appropriate from the general fund of the State of Iowa to the Iowa state commerce commission for the purpose of providing immediate funds necessitated by passage of Senate File 11, Acts of the Sixtieth General Assembly.

Read first and second times and placed on the calendar.

Senate File 471, by committee on appropriations, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1963, and ending June 30, 1965, to the capitol planning commission the sum of twenty thousand (20,000) dollars.

Read first and second times and placed on the calendar.

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Senate Joint Resolution 18, by committee on appropriations, a joint resolution to create an interim commission to study the court system of Iowa with a view to reorganization of the structure to secure the maximum utilization of personnel for the efficient handling of litigation.

Read first and second times and placed on the calendar.

Senator Long asked and received unanimous consent to take up the following resolution and moved its adoption:

SENATE CONCURRENT RESOLUTION 33
By Long

Whereas, an error has been discovered in Senate File 445, a bill for an Act relating to the organization of domestic insurance companies, which has passed both houses of the General Assembly and has been delivered to the Governor; now therefore,

Be It Resolved by the Senate, the House Concurring, that the Governor be respectfully requested to return Senate File 445 for further consideration.

The motion prevailed and the resolution was adopted.

THIRD READING OF BILLS

On motion of Senator Shoeman, Senate File 467, a bill for an act relating to the licensing of manufacturers, distributors, wholesalers, factory branches, distributor branches, factory representatives and distributor representatives of motor vehicles, was taken up and considered.

Senator Shoeman moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 30:

Benda	Elvers	Nolan	Van Eaton
Beneke	Flatt	Phelps	Vincent
Cowden	Getting	Scott	Walker
Curran	Grimstead	Shivvers	Walter
Doran	Hansen	Shoeman	Wearin
Dykhouse	Lodwick	Stephens	Wiley
Elijah	Lucken	Vance	Wilson
Elthon	Mincks		

Nays, 8:

Buck	Dodds	Lisle	Schroeder
Campbell	Hill	Rigler	Turner

Absent or not voting, 7:

Brown	Coleman	Frommelt	Shaff
Burrows	Fisher	Long	

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Voting present, 5:

Fulton	Kyhl	Main	O'Malley
Griffin			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Flatt, House File 462, a bill for an act relating to highway signs, was taken up and considered.

Senator Wiley offered the following amendment and moved its adoption:

Amend House File 462 by adding the word "and" after the word "camps," in line 6 and striking the words "or other installations" in line 7.

The amendment was adopted.

Senator Flatt offered the following amendment and moved its adoption:

Amend House File 462 by adding a new section as follows:

Sec. 2. This Act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in The Adair News, a newspaper published at Adair, Iowa, and The Record-Herald and Indianola Tribune, a newspaper published at Indianola, Iowa.

The amendment was adopted.

Senator Flatt moved that the bill be read a third 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:

Benda	Elvers	Lucken	Shoeman
Beneke	Flatt	Main	Stephens
Buck	Fulton	Mincks	Turner
Campbell	Getting	Nolan	Vance
Cowden	Griffin	O'Malley	Van Eaton
Curran	Grimstead	Phelps	Vincent
Dodds	Hansen	Rigler	Walker
Doran	Hill	Schroeder	Walter
Dykhouse	Kyhl	Scott	Wearin
Elijah	Lisle	Shaff	Wiley
Elthon	Lodwick	Shivvers	Wilson

Nays, none.

Absent or not voting, 6:

Brown	Coleman	Frommelt	Long
Burrows	Fisher		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Flatt asked and received unanimous consent that Senate File 375 be withdrawn from further consideration of the Senate.

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President pro tempore Vance took the chair at 11:35 a.m.

On motion of Senator Lucken, House File 251, a bill for an act relating to the power of academic corporations to confer degrees, was taken up and considered.

Senator Lucken moved that the bill be read a third 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:

Benda	Flatt	Main	Shoeman
Beneke	Fulton	Mincks	Stephens
Buck	Getting	Nolan	Turner
Campbell	Griffin	O'Malley	Van Eaton
Cowden	Grimstead	Phelps	Vincent
Dodds	Hansen	Rigler	Walker
Doran	Hill	Schroeder	Walter
Dykhouse	Kyhl	Scott	Wearin
Elijah	Lisle	Shaff	Wiley
Elthon	Lodwick	Shivvers	Wilson
Elvers	Lucken		

Nays, none.

Absent or not voting, 7:

Brown	Coleman	Fisher	Long
Burrows	Curran	Frommelt	

Voting present, 1:

Vance

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 564, a bill for an act to amend section one hundred nine point forty-eight (109.48), Code 1962, relating to the granting of permission to the state conservation commission to incorporate into state regulations by administrative order the regulations under the federal Migratory Bird Treaty Act and the Migratory Bird Hunting Stamp Act, was taken up and considered.

Senator Dykhouse moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 44:

Benda	Dodds	Flatt	Hill
Beneke	Doran	Fulton	Kyhl
Buck	Dykhouse	Getting	Lisle
Campbell	Elijah	Griffin	Lodwick
Cowden	Elthon	Grimstead	Lucken
Curran	Elvers	Hansen	Main

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Mincks	Schroeder	Stephens	Walker
Nolan	Scott	Turner	Walter
O'Malley	Shaff	Vance	Wearin
Phelps	Shivvers	Van Eaton	Wiley
Rigler	Shoeman	Vincent	Wilson

Nays, none.

Absent or not voting, 6:

Brown	Coleman	Frommelt	Long
Burrows	Fisher		

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 539, a bill for an act to amend section one hundred seven point twenty-four (107.24), Code 1962, relating to the purchase and operation of such aircraft as required by the conservation commission in the performance of its duties, 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, 41:

Benda	Fulton	Mincks	Stephens
Buck	Getting	Nolan	Turner
Cowden	Griffin	O'Malley	Vance
Curran	Hansen	Phelps	Van Eaton
Dodds	Hill	Rigler	Vincent
Doran	Kyhl	Schroeder	Walker
Dykhouse	Lisle	Scott	Walter
Elijah	Lodwick	Shaff	Wearin
Elthon	Lucken	Shivvers	Wiley
Elvers	Main	Shoeman	Wilson
Flatt			

Nays, 1:

Beneke

Absent or not voting, 7:

Brown	Coleman	Frommelt	Long
Burrows	Fisher	Grimstead	

Voting present, 1:

Campbell

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Rigler, House File 250, a bill for an act to amend chapter seventy-five (75), sections three hundred forty-six point one (346.1) and four hundred eight point two (408.2), Code 1962, relating to the denominations of public bonds issued by counties, cities, towns and school districts, was taken up and considered.

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Senator Rigler moved that the bill be read a third 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:

Benda	Frommelt	Lucken	Stephens
Beneke	Fulton	Main	Turner
Buck	Getting	Mincks	Vance
Campbell	Griffin	Nolan	Van Eaton
Cowden	Grimstead	Phelps	Vincent
Dodds	Hansen	Rigler	Walker
Doran	Hill	Schroeder	Walter
Dykhouse	Kyhl	Scott	Wearin
Elijah	Lisle	Shaff	Wiley
Elthon	Lodwick	Shoeman	Wilson
Elvers			

Nays, none.

Absent or not voting, 9:

Brown	Curran	Flatt	O'Malley
Burrows	Fisher	Long	Shivvers
Coleman			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Lisle, House File 316, a bill for an act relating to orders to return mental patients on convalescent leave to the hospital, and providing for payment of travel expenses incurred, was taken up and considered.

Senator Lisle moved that the bill be read a third 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:

Benda	Frommelt	Lucken	Stephens
Beneke	Fulton	Main	Turner
Buck	Getting	Mincks	Vance
Campbell	Griffin	Nolan	Van Eaton
Cowden	Grimstead	Phelps	Vincent
Dodds	Hansen	Rigler	Walker
Doran	Hill	Schroeder	Walter
Dykhouse	Kyhl	Scott	Wearin
Elijah	Lisle	Shaff	Wiley
Elthon	Lodwick	Shoeman	Wilson
Elvers			

Nays, none.

Absent or not voting, 9:

Brown	Curran	Flatt	O'Malley
Burrows	Fisher	Long	Shivvers
Coleman			

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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 Hansen, House File 489, a bill for an act to authorize the Iowa state commerce commission to enter into a contract with the United States government or any designated agency thereof for the purpose of releasing information pertaining to inspections of warehouses bonded and licensed under the provisions of chapter five hundred forty-three (543), Code 1962, and to authorize the Iowa state commerce commission to recover the cost of providing such information to the United States government or its agencies, was taken up and considered.

Senator Hansen moved that the bill be read a third 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:

Benda	Frommelt	Lucken	Stephens
Beneke	Fulton	Main	Turner
Buck	Getting	Mincks	Vance
Campbell	Griffin	Nolan	Van Eaton
Cowden	Grimstead	Phelps	Vincent
Dodds	Hansen	Rigler	Walker
Doran	Hill	Schroeder	Walter
Dykhouse	Kyhl	Scott	Wearin
Elijah	Lisle	Shaff	Wiley
Elthon	Lodwick	Shoeman	Wilson
Elvers			

Nays, none.

Absent or not voting, 9:

Brown	Curran	Flatt	O'Malley
Burrows	Fisher	Long	Shivvers
Coleman			

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 to provide for establishment of water recreational areas and facilities normally associated therewith.

Also: I am directed by the House to request the return of Senate File 127, a bill for an act relating to exemptions from the imposition of the retail sales tax, for further consideration.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

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House Concurrent Resolution 18, providing for a joint advisory committee under chapter 2 of the Code of 1962, to conduct a study of the trade practices being used in the dairy industry.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 146, a bill for an act relating to retirement systems for policemen and firemen.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 19

Amend Senate File 19 as follows:

1. Section 1, lines 1 and 2, by striking the following: ", or individuals".

2. Section 1, line 3, by inserting after the word "other" the words "in counties not having a county conservation board".

3. Section 1, line 5, by striking the comma at the end thereof and inserting the word "or"; and in line 6 by striking the words "or individuals".

4. Section 2, line 1, by striking the comma after the word "municipality" and inserting the word "or"; and by striking in line 2 the words "or individual".

5. Section 3, line 2, by striking all of said line after the word "municipality" and inserting in lieu thereof the words "or corporation".

6. Section 10, line 3, by striking the words "as to location".

7. Section 10, line 5, by striking all of said line after the word "municipality" and inserting in lieu thereof the words "or corporation"; and by striking in line 6 the word "individual".

8. Section 12, by striking the last sentence.

9. By inserting the following new section after section 12:

Public access and use. Any lake in the water recreational area, together with at least twenty-five (25) percent of the water frontage of the water recreational area and all land which adjoins and lies within one hundred (100) yards from any point of such twenty-five (25) percent of the water frontage, shall be permanently subject to and available for free public access and use. The municipality or corporation shall grant to the State of Iowa a perpetual easement for such public access and use, and such easement shall not be impaired or destroyed in whole or in part by nonuse. Before a permit is granted as provided in section 12 of this Act, the state conservation commission and the municipality or corporation shall agree on the location and description of such water frontage and land to be permanently subject to and available for free public access and use, and such location and description shall be stated in the permit. However, in lieu of the foregoing procedure, the state conservation commission and the municipality or corporation may agree that the state conservation commission may select such water frontage and land after the permit is granted, and the permit shall so state. At any time the state conservation commission, with the written consent of the municipality or corporation, may designate any additional land within the water recreational area to be permanently subject to and available for free public access and use; and the municipality or corporation shall grant to the State of Iowa a perpetual easement for such public access and use, which easement shall not be impaired or destroyed in whole or in part by nonuse. However, the state conservation commission may enter into agreements from time to time with one or more municipalities or corporations for the management, development, improvement, care and maintenance of such lake, water frontage and land.

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10. By striking section 16 and inserting in lieu thereof the following:

Sec. 16. Whenever a permit has been granted as provided in section 12 of this Act and the state conservation commission finds that the municipality or corporation owning such permit cannot acquire at a reasonable cost any necessary land or interest therein, the state conservation commission, with the approval of the executive council, may condemn such land or interest therein as provided in chapter four hundred seventy-two (472) of the Code. However, such condemnation shall be limited to land and interests therein which will be permanently subject to and available for free public access and use, as provided in section 13 of this Act, or which will be required for a dam or other facilities necessary for the water recreational area. All costs of such condemnation, including the award and compensation for such land or interest therein, shall be paid by such municipality or corporation. The state conservation commission may permit such municipality or corporation to use such land or interest therein for the purposes of this Act, upon such terms, conditions and restrictions as the state conservation commission shall determine to be just and proper and in the public interest. Title to such land or interest therein shall remain in the State of Iowa.

11. Section 17, line 5, by striking the following word: ", individuals".

12. Amend by adding after section 17 the following new sections:

a. In order to reduce the possibility of affecting conservation measures to flood control projects which may be in progress in other states, water recreational areas shall not be established hereunder within seventy (70) miles of the border of any other state.

b. This Act shall not be the exclusive method for establishing a water recreational area.

c. The sections and provisions of this law are hereby declared to be severable and if any section or provision hereof is declared by a court of competent jurisdiction to be invalid the other provisions and sections of this law shall not be affected thereby and shall continue in force.

13. Renumber all sections following section 12, and correct all cross references to conform with these amendments.

HOUSE CONCURRENT RESOLUTION 18

By Hagen, Lange, Hakes, Busch, Swisher, Kluever, Dietz and Den Herder

A concurrent resolution providing for a joint advisory committee under chapter 2 of the Code of 1962, to conduct a study of the trade practices being used in the dairy industry.

Whereas, dairy products are necessary products of human food and that the proper supply of them is vital to the public health and welfare; and,

Whereas, the production, transportation, processing, storage, distribution, wholesale and retail sales of milk are elements of commerce affecting the public health; and

Whereas, trade practices presently being carried on in the production, sale, processing and distribution of milk and other dairy products have a great affect on the stability of the dairy industry and of the economy of the State of Iowa, and,

Whereas, in order to present a well considered program for the continuation of fair competition among all businesses and to guarantee to the citizens of this state a proper supply of wholesome dairy products, it is desirable and necessary that further thorough study be made of all related problems concerning the production, transportation, processing, storage, and sale at wholesale and retail of milk and other dairy products and their

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non-milk fat imitations and to investigate the trade practices now in use in the dairy industry throughout this state; now, therefore,

Be It Resolved by the House of Representatives, the Senate Concurring: That the legislative research committee designated by this General Assembly create a joint advisory committee of legislators under the provisions of chapter 2, Code 1962.

Be It Further Resolved, that said committee shall have full power and authority during the session of the Sixtieth General Assembly, and following its adjournment to conduct hearings and make comprehensive inquiry into the production, processing, distribution, sale at wholesale, sale at retail and trade practices of the dairy industry in this state. It is further recommended that the committee, in addition to studying the trade practices presently being used in the dairy inudstry in Iowa, review the trade practices in the dairy industry of other states and the legislative programs enacted by them which affect the dairy industry, and, confer with producers, processors, distributors and retailers of dairy products.

Be It Further Resolved, that said committee shall make a complete report to the next regular session of the General Assembly as by said act provided.

SENATE FILE 127 RETURNED TO HOUSE

Senator Rigler asked and received unanimous consent that the Secretary be directed to return to the House Senate File 127 for further consideration.

HOUSE MESSAGE CONSIDERED

House File 146, a bill for an act to amend chapter four hundred eleven (411), Code 1962, relating to retirement systems for policemen and firemen.

Read first and second times and referred to sifting committee.

SENATE CONCURRENT RESOLUTION 34

By Flatt, Turner, Nolan and Walker

Be It Resolved by the Senate, the House Concurring, that the Sixtieth (60th) General Assembly of the State of Iowa respectfully petitions the Congress of the United States to call a convention to propose the following article as an amendment to the Constitution of the United States:

Section 1. Upon demand of the legislatures of five (5) states, no two (2) of which shall share any common boundary, made within two (2) years after the rendition of any judgment of the Supreme Court relating to the rights reserved to the states or to the people by this Constitution, such judgment shall be reviewed by a Court composed of the chief justices of the highest courts of the several states to be known as the Court of the Union. The sole issue before the Court of the Union shall be whether the power or jurisdiction sought to be exercised on the part of the United States is a power granted to it under this Constitution.

Section 2. Three-fourths (¾) of the justices of the Court of the Union shall constitute a quorum, but it shall require concurrence of a majority of the entire Court to reverse a decision of the Supreme Court. In the event of incapacity of the chief justices of the highest court of any state to sit upon the Court of the Union, his place shall be filled by another justice of

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such state court selected by affirmative vote of a majority of its membership.

Section 3. On the first Monday of the third calendar month following the ratification of this amendment, the chief justices of the highest courts of the several states shall convene at the national capital, at which time the Court of the Union shall be organized and shall adopt rules governing its procedure.

Section 4. Decisions of the Court of the Union upon matters within its jurisdiction shall be final and shall not thereafter be overruled by any court and may be changed only by an amendment of this Constitution.

Section 5. The Congress shall make provision for the housing of the Court of the Union and the expenses of its operation.

Section 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the Legislatures of three-fourths (¾) of the several states within seven (7) years from the date of its submission.

Be It Further Resolved, that if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to January 1, 1965, this application for a convention shall no longer be of any force or effect.

Be It Further Resolved, that a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each member of the Congress from this state.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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 400, 406 and 428; also, House Files 239, 344, 386, 393, 457, 566, 586, 587, 589 and 590.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 400, 406 and 428; also, House Files 239, 344, 386, 393, 457, 566, 586, 587, 589 and 590.

BILLS SENT TO THE GOVERNOR

Senator Benda, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 3rd day of May, 1963, sent to the Governor for his approval: Senate Files 400, 406 and 428.

KENNETH BENDA, *Chairman.*

Passed on file.

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BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on May 2, 1963, the Governor had approved the following bills:

Senate File 123, relating to boards of directors of school districts.
Senate File 191, relating to elections of bond issue proposals.
Senate File 332, relating to boards of supervisors.
Senate File 420, relating to claims made against the State of Iowa.
Senate File 421, relating to claims made against the State of Iowa.
Senate File 423, relating to claims made against the State of Iowa.
Senate File 429, relating to claims made against the State of Iowa.
Senate File 432, relating to the construction of storm sewers.
Senate File 435, relating to claims made against the State of Iowa.
Senate File 442, relating to the Iowa River-Flint Creek levee district.
Senate File 450, relating to an appropriation to members of legislative advisory committees.

A communication was also received announcing that on May 3, 1963, the Governor had approved the following bills:

Senate File 281, relating to sale of certain instruments.
Senate File 443, relating to benefits under insurance policies.

REPORTS OF COMMITTEE

Senator Shoeman submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 351**, a bill for an act to appropriate from the general fund of the State of Iowa to the department of agriculture for the purchase and equipment of a special purpose truck, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JOHN D. SHOEMAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate File 464**, a bill for an act to make appropriations to certain named counties in settlement of claims made against the State of Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JOHN D. SHOEMAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate File 469**, a bill for an act to make appropriations to certain named persons in settlement of claims made against the State of Iowa, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

Amend Senate File 469, section 1, line 10, by striking the word "Emmetsburg" and inserting in lieu thereof the word "Farmersburg".

JOHN D. SHOEMAN, *Chairman.*

Ordered passed on file.

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AMENDMENTS FILED

Amend House File 468 by adding the following after the word, "proper" in line 4 of section 3: "at such additional registration fee as it deems necessary and proper for the additional use made of our state highway system".

RICHARD C. TURNER.
KENNETH BENDA.

Amend House File 468 by striking sections 2 and 5 and by renumbering the remaining sections.

EUGENE M. HILL.

On motion of Senator Rigler, the Senate adjourned until 10:00 a.m., Monday, May 6, 1963.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MAY 6, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend M. C. Hagedorn, pastor of the Highland Park Lutheran Church, Des Moines, Iowa.

HOUSE AMENDMENTS CONSIDERED

Senator Shoeman called up for consideration Senate File 411, a bill for an act to make appropriations to the state department of social welfare to be used for medical assistance to the aged, amended by the House, and moved that the Senate concur in the following amendments:

HOUSE AMENDMENTS TO SENATE FILE 411

Amend Senate File 411 as follows:

1. Amend section 2 by striking all of lines 12 through 16 and inserting in lieu thereof the following: "no part of this appropriation shall be used to pay for care in nursing homes for a period longer than one hundred eighty (180) days and then only when such nursing home care immediately follows hospitalization."

2. By adding the following new section:

Sec. 3. The budget and financial control committee is hereby authorized to supplement from their appropriation the sum of three hundred twenty thousand (320,000) dollars for each year of the biennium or so much thereof as may be necessary to supplement the appropriation provided for in section one (1) of this Act.

The Senate concurred in the House amendments.

Senator Shoeman moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 50:

Benda	Doran	Griffin	Mincks
Beneke	Dykhouse	Grimstead	Nolan
Brown	Elijah	Hansen	O'Malley
Buck	Elthon	Hill	Phelps
Burrows	Elvers	Kyhl	Rigler
Campbell	Fisher	Lisle	Schroeder
Coleman	Flatt	Lodwick	Scott
Cowden	Frommelt	Long	Shaff
Curran	Fulton	Lucken	Shivvers
Dodds	Getting	Main	Shoeman

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Stephens	Van Eaton	Walter	Wiley
Turner	Vincent	Wearin	Wilson
Vance	Walker		

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 Shoeman asked and received unanimous consent that Senate File 467 be immediately messaged to the House, which request was complied with.

Senator Doran called up for consideration Senate File 19, a bill for an act to provide for the establishment of water recreational areas and facilities normally associated therewith, amended by the House as follows:

Amend Senate File 19 as follows:

1. Section 1, lines 1 and 2, by striking the following: ", or individuals".
2. Section 1, line 3, by inserting after the word "other" the words "in counties not having a county conservation board".
3. Section 1, line 5, by striking the comma at the end thereof and inserting the word "or"; and in line 6 by striking the words "or individuals".
4. Section 2, line 1, by striking the comma after the word "municipality" and inserting the word "or"; and by striking in line 2 the words "or individual".
5. Section 3, line 2, by striking all of said line after the word "municipality" and inserting in lieu thereof the words "or corporation".
6. Section 10, line 3, by striking the words "as to location".
7. Section 10, line 5, by striking all of said line after the word "municipality" and inserting in lieu thereof the words "or corporation"; and by striking in line 6 the word "individual".
8. Section 12, by striking the last sentence.
9. By inserting the following new section after section 12:

Public access and use. Any lake in the water recreational area, together with at least twenty-five (25) percent of the water frontage of the water recreational area and all land which adjoins and lies within one hundred (100) yards from any point of such twenty-five (25) percent of water frontage, shall be permanently subject to and available for free public access and use. The municipality or corporation shall grant to the State of Iowa a perpetual easement for such public access and use, and such easement shall not be impaired or destroyed in whole or in part by nonuse. Before a permit is granted as provided in section 12 of this Act, the state conservation commission and the municipality or corporation shall agree on the location and description of such water frontage and land to be permanently subject to and available for free public access and use, and such location and description shall be stated in the permit. However, in lieu of the foregoing procedure, the state conservation commission and the municipality or corporation may agree that the state conservation commission may select such water frontage and land after the permit is granted, and the permit shall so state. At any time the state conservation commission, with the written consent of the municipality or corporation, may designate any additional land within the water recreational area to be permanently

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subject to and available for free public access and use; and the municipality or corporation shall grant to the State of Iowa a perpetual easement for such public access and use, which easement shall not be impaired or destroyed in whole or in part by nonuse. However, the state conservation commission may enter into agreements from time to time with one or more municipalities or corporations for the management, development, improvement, care and maintenance of such lake, water frontage and land.

10. By striking section 16 and inserting in lieu thereof the following:

Sec. 16. Whenever a permit has been granted as provided in section 12 of this Act and the state conservation commission finds that the municipality or corporation owning such permit cannot acquire at a reasonable cost any necessary land or interest therein, the state conservation commission, with the approval of the executive council, may condemn such land or interest therein as provided in chapter four hundred seventy-two (472) of the Code. However, such condemnation shall be limited to land and interests therein which will be permanently subject to and available for free public access and use, as provided in section 13 of this Act, or which will be required for a dam or other facilities necessary for the water recreational area. All costs of such condemnation, including the award and compensation for such land or interest therein, shall be paid by such municipality or corporation. The state conservation commission may permit such municipality or corporation to use such land or interest therein for the purpose of this Act, upon such terms, conditions and restrictions as the state conservation commission shall determine to be just and proper and in the public interest. Title to such land or interest therein shall remain in the State of Iowa.

11. Section 17, line 5, by striking the following word: ", individuals".

12. Amend by adding after section 17 the following new sections:

a. In order to reduce the possibility of affecting conservation measures to flood control projects which may be in progress in other states, water recreational areas shall not be established hereunder within seventy (70) miles of the border of any other state.

b. This Act shall not be the exclusive method for establishing a water recreational area.

c. The sections and provisions of this law are hereby declared to be severable and if any section or provision hereof is declared by a court of competent jurisdiction to be invalid the other provisions and sections of this law shall not be affected thereby and shall continue in force.

13. Renumber all sections following section 12, and correct all cross references to conform with these amendments.

Senator Doran offered the following amendment to the House amendment:

Amend the amendment as follows:

1. Strike divisions 1, 3, 4, 5, 7, and 11.

2. Amend division 10, line 14, by adding the following after "condemnation,": "including all costs occasioned by appeal as set out in section four hundred seventy-two point thirty-three (472.33) of the Code, and ".

3. Further amend division 10 by striking the words, "in the public interest" in line 21 and by inserting in lieu thereof, the following: "for free public access and use".

Senator Cowden moved that action on Senate File 19 be deferred and that the bill retain its place on the calendar under unfinished business, which motion prevailed.

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On motion of Senator Rigler, the Senate stood at ease until the fall of the gavel.

The Senate reconvened, President Mooty presiding.

UNFINISHED BUSINESS

On motion of Senator Shaff, House File 550, a bill for an act relating to an increase in the tax imposed on cigarettes, on retail sales of tangible personal property, on gross receipts from operation of amusement devices and enterprises, and on the use tax; imposing a service tax on gross receipts for services performed by hotels, motels, rooming houses, tourist courts and trailer camps; relating to the apportionment and computation of the agricultural land tax credit; and relating to the tax levy for supplementary aid and general aid to school districts, was taken up for further consideration.

On motion of Senator Shaff, the report of committee recommending amendment and passage, was taken up, considered and the report of committee adopted.

The Chair announced that the following Call of the Senate had been filed and directed the Secretary to call the roll:

CALL OF THE SENATE

MR. PRESIDENT: Pursuant to Rule 5 of the Rules of the Senate of the Sixtieth General Assembly, we, the undersigned, do hereby request a Call of the Senate on House File 550, and all motions and amendments thereto.

J. T. DYKHOUSE.
GEO. L. SCOTT.
JOHN A. WALKER.
LEO ELTHON.
RICHARD STEPHENS.
C. S. VAN EATON.
JACK SCHROEDER.
IRVING D. LONG.
JOHN D. SHOEMAN.
CLIFFORD M. VANCE.
JAKE B. MINCKS.
DONALD G. BENEKE.
JOHN J. BROWN.

Roll call revealed all members present, and the Chair declared the Call in effect.

The following committee amendment was considered:

Amend House File 550 as follows:

1. By striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section four hundred twenty-two point forty-two (422.42), Code 1962, is hereby amended as follows:

1. By adding an additional subsection as follows:

"The word "room" applies only to accommodations referred to generally as "sleeping rooms" and does not apply to accommodations in the nature of ballrooms, banquet rooms, reception rooms, meeting rooms and office space, nor does it apply where room is rented to an individual, firm, association or

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corporation for a period of more than twenty-eight (28) consecutive days.'

2. By adding after the word 'users,' in line six (6) of subsection three (3), the words 'and the sale of the use of a room as herein defined,'.

"Sec. 2. Section four hundred twenty-two point forty-three (422.43), Code 1962, is hereby amended as follows:

1. By striking from line two (2) the words and figures 'beginning the first day of April, 1937,'.

2. By striking from line three (3) the word 'two' and inserting in lieu thereof the word 'three'.

3. By inserting at the end of the first paragraph the words '; also a like rate on the gross receipts from the sale of the use of a room in an inn, hotel, motel, public lodging house, tourist court or trailer camp.'.

4. By striking from lines twenty-two (22) and twenty-three (23) the words and figures 'beginning with the first day of July, 1947,' and by striking from line twenty-three (23) the word 'two' and inserting in lieu thereof the word 'three'.

"Sec. 3. Section four hundred twenty-two point sixty-two (422.62), Code 1962, is hereby amended by adding to line twenty-eight (28) after the word 'of' the words 'two-thirds of'.

"Sec. 4. Section four hundred twenty-three point two (423.2), Code 1962, is hereby amended as follows:

1. By striking the word 'two' in line five (5) and inserting in lieu thereof the word 'three'.

"Sec. 5. Amend chapter four hundred twenty-two point thirty-three (422.33), Code 1962, by striking from line six (6) thereof the word 'three' and inserting in lieu thereof the word 'four'.

"Sec. 6. Chapter four hundred twenty-seven (427), Code 1962, is amended as follows:

1. Section four hundred twenty-seven point one (427.1), Code 1962, is hereby amended by striking all of lines one (1) through six (6) of subsection sixteen (16) and by inserting in lieu thereof the following:

'All tangible personal property customarily located and used in or about the private residence or residences of the owner of said property, everything used in a private home as household goods and food.'

2. Section four hundred twenty-seven point thirteen (427.13), Code 1962, is amended by striking subsections ten (10) and eleven (11).

"Sec. 7. Chapter four hundred twenty-nine (429), Code 1962, is amended as follows:

1. Section four hundred twenty-nine point two (429.2), Code 1962, is hereby amended by striking from line nineteen (19) thereof the words 'five mills' and inserting in lieu thereof the word 'one mill'.

2. Section four hundred twenty-nine point two (429.2), Code 1962, is further amended by adding the following thereto:

'The millage tax provided for in this section shall be and is the same as provided for in section thirty-five B point eleven (35B.11) of the Code and shall not be levied in addition thereto. The millage rate shall be remitted to the treasurer of state and applied to the payment of principal and interest of the Korean War Veterans' bonus bonds.'

3. Section four hundred twenty-nine point three (429.3), Code 1962, is hereby amended by striking all of lines one (1) and two (2) and the words 'and credits and' from line three (3) and inserting in lieu thereof the following:

'The tax imposed by section four hundred thirty point seven (430.7) of the Code shall be five (5) mills on the dollar and that tax, together with the taxes imposed by sections four hundred thirty A point three (430A.3) and four hundred thirty-one point ten (431.10) of the Code,'.

"Sec. 8. The increase in tax provided for in sections two (2) and four

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(4) of this Act shall not apply to tangible personal property used in the performance of a building or construction contract executed prior to the effective date of this Act.

"Sec. 9. This Act, being deemed of immediate importance, shall be in full force and effect July 1, 1963, after its passage and publication in The Clinton Herald, a newspaper published at Clinton, Iowa, and in the Grinnell Herald-Register, a newspaper published at Grinnell, Iowa."

2. Further amend the title to House File 550 by striking all after the word "Act" in line 1 and by inserting in lieu thereof the following:

"relating to taxation and an increase in sales and use taxes, corporation income tax, and taxing sleeping rooms and the repeal of moneys and credits tax and personal property tax."

Senator Dykhouse offered the following amendment filed by Senators Dykhouse, Long, Doran, Flatt, Lucken and Van Eaton:

Amend the committee amendment as follows:

1. By adding the following after line 75:

"From the revenue derived by the provisions of this Act there is hereby appropriated annually to a 'property tax credit fund', which is hereby created, the sum of thirty million dollars ($30,000,000), which shall be distributed annually on warrants drawn by the state comptroller and made payable to the county treasurers of the several counties of the state. The revenue distributable shall be allocated each year to the several counties in the same proportion that the assessed valuation of the taxable real and personal property in that county for the preceding tax year bears to the total taxable real and personal property in the state for the preceding tax year. Not later than October 1 in the year 1963, and annually thereafter, the state comptroller shall certify to the county treasurer of each county in the state the amount of money that will be allocated to that county the following year. The county treasurer shall thereupon enter a credit against the tax bill of each taxpayer in said county, being the tax bill of the current year due and payable the following year, and the amount of said credit shall be in the same proportion to the total amount so certified to the county treasurer by the state comptroller as the assessed valuation of such taxpayer's taxable real and personal property for the current tax year bears to the total assessed valuation of taxable real and personal property in that county for the current tax year. The amount of money so credited to the taxpayers of the county shall be distributed by the county treasurer to the several taxing districts of said county upon the receipts in the following year of the comptroller's warrant drawn on the property tax credit fund, the same as though the amount thereof had been paid to the treasurer of said county by the taxpayers of said taxing district."

Senator Shaff raised a point of order on the amendment for the reason that it provides for an appropriation and is not germane to the bill.

The Chair ruled the point well taken and the amendment out of order.

Senator Dykhouse moved that House File 550 be returned to the committee on ways and means for further study.

Senator Schroeder moved as a substitute motion that action on

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House File 550 be deferred and that the bill retain its place on the calendar.

Roll call was requested.

On the question "Shall action on House File 550 be deferred?" the vote was:

Ayes, 28:

Brown	Elijah	Hill	Schroeder
Buck	Elthon	Kyhl	Stephens
Burrows	Elvers	Lisle	Turner
Coleman	Fisher	Lodwick	Van Eaton
Cowden	Getting	Long	Walker
Dodds	Griffin	Lucken	Wiley
Dykhouse	Grimstead	Phelps	Wilson

Nays, 22:

Benda	Frommelt	O'Malley	Shoeman
Beneke	Fulton	Rigler	Vance
Campbell	Hansen	Scott	Vincent
Curran	Main	Shaff	Walter
Doran	Mincks	Shivvers	Wearin
Flatt	Nolan		

Absent or not voting, none.

The substitute motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 27, a concurrent resolution relating to details regarding closing of Sixtieth General Assembly.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 28, a concurrent resolution relating to sending delegates to National Association of Legislative Service Agencies.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 29, a concurrent resolution providing for the manner in which legislative committee members' expenses are paid.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 33, a concurrent resolution respectfully requesting the Governor to return Senate File 445.

Also: That the House has reconsidered the vote by which Senate File 127 passed the House, the amendments thereto, and is returning as requested Senate File 127, a bill for an act relating to exemptions from the imposition of the retail sales tax.

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Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 307, a bill for an act relating to registration fees for antique motor vehicles.

Also: I am directed to inform your honorable body that the House has adopted the conference committee report on, and adopted the amendments recommended therein, and passed House File 17, a bill for an act relating to rules of administrative agencies.

WILLIAM R. KENDRICK, *Chief Clerk.*

Senator Beneke asked and received unanimous consent that the following resolution be printed in the Senate Journal:

RESOLUTION

By Joint Claims Committee of the
Sixtieth General Assembly

Be It Resolved by the Joint Claims Committee of the Sixtieth General Assembly: That due to the hazardous conditions existing surrounding the Court Street viaduct and the probable increased incidence of claims due to the state growing out of the Salvador Chia claim, it is recommended to the executive council that in its course of duty it direct the superintendent of buildings and grounds to install chain link fences along hand rails to prevent the pushing to throwing of objects onto Court Avenue, and further, to install grillage of small mesh over traveled portions of right-of-way to prevent dropouts from bridge from falling onto traffic.

And Be It Further Resolved, that copies of this resolution be sent to the members of the executive council and to the claims committee of the Sixty-first General Assembly.

Unanimously adopted, May 3, 1963.

DONALD G. BENEKE, *Chairman.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House Files 250, 251, 316, 489 and 564.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 250, 251, 316, 489 and 564.

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BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on May 3, 1963, the Governor had approved the following bills:

Senate File 180, relating to the state printing board.
Senate File 184, relating to the industrial commissioner.

A communication was also received announcing that on May 6, 1963, the Governor had approved the following bills:

Senate File 406, relating to board of supervisors of Chickasaw County.
Senate File 427, relating to the Community School District of Parkersburg in the Counties of Butler and Grundy.

AMENDMENTS FILED

Amend Senate File 470 as follows:

1. By striking the word, "the" in line 4 of section 2 and by inserting in lieu thereof the word, "The".

JOHN D. SHOEMAN.

Amend the committee amendment to House File 550, filed April 23, as follows:

Insert in section 9, line 9, after the word "taxation" the following: ", vehicle registration fees".

VERNON H. KYHL.

Amend the ways and means committee amendment to House File 550 filed April 23, 1963, by striking therefrom all of section 5.

JOHN SHOEMAN.
VERN LISLE.
EDWARD A. WEARIN.

Amend the ways and means committee amendment to House File 550 filed April 23, 1963, by adding at the end of section 3 a new paragraph as follows:

Section three hundred twelve point one (312.1), Code 1962, is amended by adding after the word "percent" in line three (3) of subsection four (4) the words "of two-thirds".

LEROY GETTING.

Amend the committee amendment to House File 550, filed April 23, 1963, by adding the following after line 39:

"Amend chapter four hundred twenty-two (422), Code 1962, by adding a new division as follows:

'TRADING STAMP TAX

'There is hereby imposed a five (5) cents tax per dollar of expenditures by any person, firm or corporation for all trading stamps used or acquired for use in connection with the conduct of any retail business within the State of Iowa. Each person, firm or corporation conducting a retail business within the State of Iowa shall, at the time of making his or its quarterly sales tax return, report the amount of expenditures for all trading stamps acquired and the name and address of the supplier thereof, for the preceding quarter. The commission shall thereupon assess the amount of tax due thereon and collect same from supplier. In the event such supplier is not within the

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jurisdictional area of authority of the tax commission, the tax shall be collected from the retailer. The proceeds from the tax levied upon the trading stamps shall be credited to the general fund of the state.'"

JOHN L. CAMPBELL.
EDWARD A. WEARIN.

Amend the committee amendment to House File 550, filed April 23, 1963, by adding thereto the following additional sections:

"(1) Trading stamp. 'Trading stamp' means any stamp or similar device issued in connection with the retail sale of merchandise or service, as a cash discount or for any other marketing purpose, whether issued in connection with an advertising plan, which entitles the rightful holder, on its due presentation for redemption, to receive merchandise, service or cash, or any other thing of value.

"(2) Exclusion of redeemable device used by manufacturer or packer or publication. 'Trading stamp' does not include any redeemable device used by the manufacturer or packer of an article, in advertising or selling it, or any redeemable device issued and redeemed by a newspaper, magazine, or other publication. The term 'manufacturer' or 'packer' as used in this section means any vendor of an article of merchandise which is put up by him in an original package and which is sold under his or its trade name, brand or mark.

"(3) Exclusion of coupon redeemable only by merchant. 'Trading stamp' does not include any coupon, caused to be prepared by the merchant using the same and distributed by him to his customers, which coupon, ticket, certificate, card, or other similar device is redeemable only by such merchant for or in connection with the purchase of specific articles of merchandise carried in his stock.

"(4) Legislative declaration: redeemable devices excluded from definition of 'trading stamp' as not employed in practices which must be regulated. The legislature finds and declares that the devices described in sections two (2) and three (3) of this Act are classes of articles that are not employed in connection with practices which must be regulated as provided in this Act to protect the people of Iowa against improper activities of irresponsible trading stamp companies.

"(5) Definitions.

a. 'Trading stamp company.' 'Trading stamp company' means any person engaged in any manner in distributing trading stamps for retail issuance by others or in redeeming trading stamps for retailers.

b. 'Person.' 'Person' means any individual, partnership, corporation, association, or other organization.

c. 'Commissioner.' 'Commissioner' means the secretary of state.

d. 'Issue.' 'Issue' includes use, distribute, give away, sell, furnish, and license such use, distribution, gift, sale, or furnishing.

e. 'Merchant.' 'Merchant' includes retailer, person dealing in services, or person in a similar capacity.

"(6) Prohibition against issuance of trading stamp not containing licensee's name and stamp's redeemable value. It is

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unlawful for any person to issue any trading stamp unless such stamp shall have imprinted thereon:

a. The name of a trading stamp company licensed under the provisions of this Act, which is responsible for the redemption of the stamp.

b. The redeemable value thereof in cents, mills, or fraction of cents.

"(7) Holder's option to have stamp redeemed either in merchandise or in cash. Any trading stamp company shall redeem upon presentation, any trading stamp which it has issued either in goods, wares, merchandise, other things of value, or in cash, good and lawful money of the United States, at the option of the holder thereof. Trading stamps shall only be presented for redemption in cash in an amount aggregating not less than one (1) dollar.

"(8) Prohibition against issuance or redemption of trading stamp without company's consent. It is unlawful for any person to willfully issue or redeem any trading stamp without the consent of the trading stamp company which issued such stamps.

"(9) Requirement of license: right of person ceasing to possess license to redeem stamps. It is unlawful for any person to engage in the business or act in the capacity of a trading stamp company without having a license obtained under the provisions of this Act.

Nothing contained in this Act shall prohibit any person who was licensed as a trading stamp company under the provision of this Act, but who ceased to possess such a license, from redeeming the trading stamps issued pursuant to such license.

"(10) Right to redeem stamps issued before Act's effective date. Nothing in this Act shall prevent any person from redeeming, pursuant to contract, any trading stamps issued on or before the effective date of this Act.

"(11) Duty of merchant to give stamps on purchaser's request. Any person who advertises the giving of trading stamps, or who gives trading stamps, with the sale of any merchandise shall give such stamps, if the purchaser requests them, with the sale of all items of merchandise offered for sale at his place of business, unless such person advertises that he does not give trading stamps on certain items of merchandise and designates such items in the advertisement or posts a list of such items in a conspicuous place in his place of business.

"(12) Absence of duty to give stamps when prohibited by statute or regulation. Nothing contained in this Act shall be construed as requiring the giving of trading stamps with any article when the giving of such stamps or any premium with the particular article is specifically prohibited by statute of this state or rule or regulation adopted pursuant thereto.

"(13) License required to sell or furnish trading stamps. Every person in this state or any person doing business in this state as a trading stamp company who shall sell or furnish any trading stamps, whether in connection with an advertising plan or otherwise, which entitle a purchaser to procure any merchandise, service, cash or other things of value free of charge upon the production of any number of such trading stamps, shall, before selling or furnishing said trading stamps, obtain a separate

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annual license from the secretary of state and shall pay a separate annual license fee of ten (10) percent of the portion of its net earnings attributable to the State of Iowa, as determined under reasonable rules and regulations established by the state tax commission, but in any event such annual license fee shall not be less than one hundred (100) dollars.

Upon such payment being made to the secretary of state and upon proof of the filing of a bond as hereinafter provided in section fifteen (15) of this Act, the secretary of state shall issue a license to the person to sell or furnish trading stamps for a period of one (1) year.

"(14) Form of application and necessary information. An application for a license to do business as a trading stamp company, upon a form provided by the issuing agency, shall be accompanied by representative samples of its trading stamps, coupons, tickets, certificates, cards or other similar devices, collection books, redemption catalogs, distribution and redemption agreement, and said person shall furnish the following information:

a. The name and principal address of the company.

b. The state of its incorporation or origin.

c. The names and addresses of its principal officers, partners, or proprietors.

d. The address of its principal office in this state.

e. The name and address of its principal officer, employee, or agent in this state.

f. The addresses of the places where its stamps are redeemable located either within or without the state.

g. A short form of its balance sheet as at the end of its last fiscal year prior to such filing certified by a certified public accountant or by an independent public accountant.

"(15) Bond. No person doing business as a trading stamp company shall distribute trading stamps in this state or shall redeem trading stamps hereafter issued therein until it has filed a bond with the secretary of state, payable to the secretary of state, which bond must be duly executed by the company and a corporate surety qualified and approved by the insurance commission of the State of Iowa to do business in this state, which is conditioned upon the payment and the performance by the company of its obligation to redeem trading stamps issued by retailers in this state, when they are duly presented for redemption by the rightful holders.

The principal sum of the bond should be as follows: if the company has not previously done business as a trading stamp company in this state, fifty thousand (50,000) dollars; if the company's gross income from such business in this state during its last fiscal year was not in excess of one hundred thousand (100,000) dollars, ten thousand (10,000) dollars; for each additional one hundred thousand (100,000) dollars of gross income from such business in this state or fraction thereof, an additional ten thousand (10,000) dollars.

"(16) Automatic suspension of license on noncompliance with section 15. In the event that any trading stamp company should cease to comply with the provisions of section fifteen (15) of this Act, the license and all rights, powers, and

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privileges conferred by it to the company shall be automatically suspended.

"(17) Disposition and crediting of receipts. All fees and penalties and all receipts of any kind and nature received under the provisions of this Act shall be paid into the state treasury and shall be credited to the general fund.

"(18) Rules and regulations. The secretary of state may, in accordance with the provisions of this Act, adopt, amend, or repeal such rules and regulations as are reasonably necessary for carrying out the provisions of this Act.

"(19) Notice of intention to suspend or close redemption of trading stamps. No person doing business as a trading stamp company shall close or suspend the redemption of trading stamps without filing with the secretary of state at least ninety (90) days prior thereto a written notice of its intention to do so and concurrently mailing a copy of such notice to each retailer within the state which has at any time theretofore within one (1) year issued trading stamps which the person, firm, association, or corporation is obligated to redeem. The written notice provided for herein shall be given by means of certified mail directed to the secretary of state and the ninety (90) days herein mentioned shall begin to run on the date such notice is received by the secretary of state.

"(20) Penalty for violation. Any person violating any provisions of this Act or who is guilty of doing business as a trading stamp company without a license shall be punished by a fine of not more than ten thousand (10,000) dollars. The district court in any county where said violation shall occur, on the complaint of the secretary of state or of any interested person, shall have jurisdiction to restrain and enjoin the violation of any of the provisions of this Act.

"(21) Other laws regulating trading stamp companies. Other laws and parts of laws now effective in this state, to the extent that they directly or indirectly regulate trading stamp companies or directly or indirectly regulate or prohibit the distribution or redemption of trading stamps as herein defined, are hereby declared to be of no force or effect in the interpretation or enforcement of the matters covered in this Act.

"(22) Severability. If any sentence, clause, provision, or section of this Act shall be held unconstitutional, such decision shall not affect the validity or the constitutionality of any other sentence, clause, provision, or section herein contained and it shall be conclusively presumed that the legislature would have enacted the remainder of this Act without the sentence, clause, provision, or section so held unconstitutional."

JOHN L. CAMPBELL.
A. V. DORAN.

On motion of Senator Rigler, the Senate adjourned until 9:00 a.m., Tuesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MAY 7, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Francis Grantz, pastor of the Mission Covenant Church, Rural Pomeroy, Pocahontas, Iowa.

PETITION

By Senator Main, from sixty-five residents of Decatur County, six hundred thirty-two residents of Ringgold County, and one hundred seventy-one residents of Union County in opposition to liquor by the drink.

PRESENTATION OF VISITORS

Senator Hansen rose on a point of personal privilege and presented to the Senate the Honorable Albert Weiss, a former member of the Senate from Crawford County who was present in the Senate chamber.

Senator Brown asked and received unanimous consent to present to the Senate fifty-three students from the Mallard High School who were present in the balcony accompanied by their instructors, Geralding Kraska, James Goodchild and Gregory Goblirsch.

INTRODUCTION OF BILL

Senate File 472, by committee on claims, a bill for an act to make appropriations to certain named persons, firms and/or political subdivisions in settlement of claims made against the State of Iowa.

Read first and second times and referred to committee on appropriations.

THIRD READING OF BILLS

Senator Shoeman asked and received unanimous consent to take up for consideration the following appropriation bills:

On motion of Senator Turner, Senate Joint Resolution 18, a joint resolution to create an interim commission to study the court system of Iowa with a view to reorganization of the structure to secure the maximum utilization of personnel for the efficient handling of litigation, was taken up and considered.

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Senator Turner 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, 46:

Benda	Elthon	Lodwick	Shoeman
Brown	Elvers	Long	Stephens
Buck	Fisher	Lucken	Turner
Burrows	Frommelt	Main	Vance
Campbell	Fulton	Mincks	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Shaff	Wiley
Dykhouse	Kyhl	Shivvers	Wilson
Elijah	Lisle		

Nays, 3:

Beneke	Nolan	Scott

Voting present, 1:

Flatt

The resolution having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Grimstead, Senate File 464, a bill for an act to make appropriations to certain named counties in settlement of claims made against the State of Iowa, with report of committee on appropriations recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Grimstead moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

Nays, none.

Absent or not voting, none.

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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.

UNFINISHED BUSINESS

On motion of Senator Shaff, House File 550, a bill for an act relating to an increase in the tax imposed on cigarettes, on retail sales of tangible personal property, on gross receipts from operation of amusement devices and enterprises, and on the use tax; imposing a service tax on gross receipts for services performed by hotels, motels, rooming houses, tourist courts and trailer camps; relating to the apportionment and computation of the agricultural land tax credit; and relating to the tax levy for supplementary aid and general aid to school districts, was taken up for further consideration.

The Chair announced that the Call of the Senate was still in effect on the consideration of House File 550, and directed the Secretary to call the roll.

Roll call revealed all members present.

The Chair declared the Call in effect and made the following statement:

The Chair would like to make the following statement regarding the tax impasse that arose yesterday.

As has been stated before, decisions of germaneness have been made very carefully during this session closely limiting the consideration of amendments that in the Chair's opinion were extraneous to the main purpose of each bill. The same type of ruling was made yesterday on the question of adding an appropriation to House File 550.

During the intervening hours the Chair has come to the conclusion that in order to resolve our differences in the closing days of the session, a more lenient attitude should be taken toward the amendments on House File 550. At this time the Chair wishes to announce that he will permit amendments that earmark new tax funds for property tax relief. It is my desire that this vital matter be resolved quickly so that this most productive session can adjourn in the very near future.

Senator Dykhouse offered the following amendment to the committee amendment:

Amend the committee amendment as follows:

1. By adding the following new section after line 75 and renumbering the remaining sections:

"From the revenue derived by the provisions of this Act there is hereby appropriated annually to a 'property tax credit fund', which is hereby created, the sum of thirty million dollars ($30,000,000), or so much thereof as may be available above the amount necessary to keep the balance in the general fund above sixteen million dollars ($16,000,000), which shall be distributed annually on warrants drawn by the state comptroller and made payable to the county treasurers of the several counties of the state. The revenue distributable shall be allocated each year to the several counties in the same proportion that the assessed valuation of the taxable real and

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personal property in that county for the preceding tax year bears to the total taxable real and personal property in the state for the preceding tax year. Not late than October 1 in the year 1963, and annually thereafter, the state comptroller shall certify to the county treasurer of each county in the state the amount of money that will be allocated to that county the following year. The county treasurer shall thereupon enter a credit against the tax bill of each taxpayer in said county, being the tax bill of the current year due and payable the following year, and the amount of said credit shall be in the same proportion to the total amount so certified to the county treasurer by the state comptroller as the assessed valuation of such taxpayer's taxable real and personal property for the current tax year bears to the total assessed valuation of taxable real and personal property in that county for the current tax year. The amount of money so credited to the taxpayers of the county shall be distributed by the county treasurer to the several taxing districts of said county upon the receipts in the following year of the comptroller's warrant drawn on the property tax credit fund, the same as though the amount thereof had been paid to the treasurer of said county by the taxpayers of said taxing district."

Senator Elthon took the chair at 11:25 a.m.

Senator Shaff asked and received unanimous consent that the amendments pertaining to the raising of revenue be considered prior to those pertaining to appropriations.

Senator Turner offered the following amendment filed by Senators Turner, Elthon, Griffin, Van Eaton, Dykhouse, Lisle and Lucken:

Amend the committee amendment by adding the following subsection to section 2:

"5. By inserting the following paragraph after the fourth paragraph:

"In counties bordering on states with no sales tax, the tax upon the gross receipts from all sales of tangible personal property, consisting of goods, wares, or merchandise, except as otherwise provided in this division, sold at retail in the county to consumers or users, shall be at a rate one per cent (1%) less than otherwise imposed herein."

Senator Buck moved the previous question on the amendment to the amendment, which motion prevailed.

On motion of Senator Rigler, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

The Chair directed the Secretary to call the roll.

Roll call revealed all members present.

The Senate resumed consideration of House File 550.

Senator Turner asked and received unanimous consent to withdraw the amendment to the amendment.

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Senator Turner also asked and received unanimous consent to withdraw the amendment to the committee amendment filed on April 30, 1963 by Senators Turner, Elthon, Griffin, Van Eaton, Dykhouse, Lisle, Nolan and Wearin and found on page 1088 of the Senate Journal.

Senator Turner offered the following amendment to the amendment:

Amend the amendment by adding the following subsection to section 2:

"5. By inserting the following paragraph after the fourth unnumbered paragraph of section four hundred twenty-two point forty-three (422.43), Code 1962:

"Recognizing the human characteristic to purchase certain goods at their lowest possible cost, and acknowledging that the State of Iowa borders on two states that have no sales tax, the legislature finds as a matter of fact that an increase in the sales tax to those sellers and buyers so located will work an economic hardship. Therefore, in counties adjoining states with no sales tax on tangible personal property, the tax upon the gross receipts of sellers from all sales of tangible personal property, consisting of goods, wares or merchandise, except as otherwise provided in this division, sold at retail in such counties to consumers or users, shall be at a rate of two percent (2%) in lieu of the three percent (3%) rate otherwise imposed herein.' "

Senator Rigler moved the previous question on the amendment to the amendment, which motion prevailed.

Roll call was requested.

On the question "Shall the amendment to the amendment be adopted?" the vote was:

Rule 8 was invoked.

Ayes, 22:

Beneke	Dykhouse	Lodwick	Turner
Brown	Elthon	Lucken	Van Eaton
Campbell	Griffin	Nolan	Vincent
Coleman	Grimstead	Scott	Walker
Dodds	Hansen	Shoeman	Wearin
Doran	Lisle		

Nays, 28:

Benda	Fisher	Long	Shaff
Buck	Flatt	Main	Shivvers
Burrows	Frommelt	Mincks	Stephens
Cowden	Fulton	O'Malley	Vance
Curran	Getting	Phelps	Walter
Elijah	Hill	Rigler	Wiley
Elvers	Kyhl	Schroeder	Wilson

Absent or not voting, none.

The amendment to the amendment was lost.

Senator Kyhl offered the following amendment to the amendment and moved its adoption:

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Amend the committee amendment as follows:

1. By adding the following sections after line 79:

a. "Section four hundred twenty-three point two (423.2), Code 1962, is hereby further amended by inserting following the word 'property' in line six (6) the following, 'except that the tax on new motor vehicles, and new trailers shall be at the rate of two (2) percent' ".

b. "Section three hundred twenty-one point one hundred twelve (321.112), Code 1962, is hereby amended by striking from line four (4) the word 'ten' and inserting in lieu thereof the word 'fifteen' ".

c. "Section three hundred twenty-one point one hundred thirteen (321.113), Code 1962, is hereby amended by striking line seven (7) thereof."

d. "Section three hundred twenty-one point one hundred thirteen (321.113), Code 1962, is hereby further amended by striking all of the section beginning with the word 'where' in line three (3) of the fourth paragraph and inserting in lieu thereof the following: 'Where the seventh registration fee for a motor vehicle has been computed and fixed by the department prior to July 4, 1963, and such vehicle has not been registered eight times, that part of the registration fee which is based on the value of the vehicle shall remain at fifty percent for the eighth registration.' "

e. "Section three hundred twenty-one point one hundred sixty-two (321.162), Code 1962, is hereby amended by striking from line one (1) the word 'one' and inserting in lieu thereof the word 'three' ".

f. "Section three hundred twenty-one point one hundred sixty-two (321.162), Code 1962, is hereby further amended by striking from line four (4) the word 'one' and inserting in lieu thereof the word 'five' ".

Roll call was requested.

On the question "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 35:

Benda	Dykhouse	Hansen	Shivvers
Beneke	Elijah	Kyhl	Shoeman
Brown	Elthon	Lisle	Stephens
Buck	Elvers	Lodwick	Turner
Burrows	Fisher	Lucken	Van Eaton
Campbell	Flatt	Nolan	Vincent
Cowden	Getting	Phelps	Wearin
Curran	Griffin	Schroeder	Wiley
Doran	Grimstead	Shaff	

Nays, 15:

Coleman	Hill	O'Malley	Walker
Dodds	Long	Rigler	Walter
Frommelt	Main	Scott	Wilson
Fulton	Mincks	Vance	

Absent or not voting, none.

The amendment to the amendment was adopted.

Senator Dykhouse offered the following amendment to the committee amendment:

Amend the amendment as follows:

1. Strike all of section 3.

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2. Strike all of section 1 and subsection 3 of section 2.
3. Strike from lines 89 and 90 the words "and taxing sleeping rooms".

Senator Wiley moved the adoption of division 1 of the amendment to the amendment.

Roll call was requested.

On the question "Shall division 1 of the amendment be adopted?" the vote was:

Ayes, 14:

Brown	Dykhouse	Kyhl	Walter
Buck	Elthon	Lisle	Wearin
Burrows	Fisher	Van Eaton	Wiley
Cowden	Griffin		

Nays, 35:

Benda	Flatt	Main	Shivvers
Beneke	Frommelt	Mincks	Shoeman
Campbell	Fulton	Nolan	Stephens
Coleman	Getting	O'Malley	Turner
Curran	Grimstead	Phelps	Vance
Dodds	Hansen	Rigler	Vincent
Doran	Hill	Schroeder	Walker
Elijah	Lodwick	Scott	Wilson
Elvers	Long	Shaff	

Absent or not voting, 1:

Lucken

Division 1 of the amendment to the amendment was lost.

Senator Dykhouse moved the adoption of divisions 2 and 3 of the amendment to the amendment.

Roll call was requested.

On the question "Shall divisions 2 and 3 of the amendment be adopted?" the vote was:

Ayes, 1:

Dykhouse

Nays, 49:

Benda	Elvers	Lodwick	Shivvers
Beneke	Fisher	Long	Shoeman
Brown	Flatt	Lucken	Stephens
Buck	Frommelt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Coleman	Griffin	O'Malley	Vincent
Cowden	Grimstead	Phelps	Walker
Curran	Hansen	Rigler	Walter
Dodds	Hill	Schroeder	Wearin
Doran	Kyhl	Scott	Wiley
Elijah	Lisle	Shaff	Wilson
Elthon			

Absent or not voting, none.

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Divisions 2 and 3 of the amendment to the amendment were lost.

Senator Lisle offered the following amendment filed by Senators Lisle, Dykhouse, Griffin, Turner, Van Eaton and Shoeman to the committee amendment:

Amend the committee amendment as follows:

1. By striking all of lines 20 and 21 and by striking the numeral "3" in line 22, and by inserting in lieu thereof the numeral "2".

2. By striking the numeral "4" in line 26, and by inserting in lieu thereof the numeral "3".

3. By striking the words "and by" from line 27 and by striking all of lines 28 and 29, and by inserting in lieu thereof a period (.).

4. By striking all of lines 33 through 36 inclusive and by striking the numeral "5" in line 37, and by inserting in lieu thereof the numeral "4".

5. By striking the numeral "6" in line 40, and by inserting in lieu thereof the numeral "5".

6. By striking the numeral "7" in line 53, and by inserting in lieu thereof the numeral "6".

7. By striking all of lines 76 and 77, and by inserting in lieu thereof the following:

"Sec. 7. The imposition of tax as provided herein shall not apply to tangible personal".

8. By striking the numeral "9" in line 80, and by inserting in lieu thereof the numeral "8".

9. By striking the following from lines 88 and 89: "and an increase in sales and use taxes".

Senator Wilson moved the previous question on the amendment to the amendment, which motion prevailed.

Senator Lisle 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:

Rule 8 was invoked.

Ayes, 23:

Beneke	Frommelt	Kyhl	Shoeman
Brown	Fulton	Lisle	Turner
Burrows	Griffin	Lucken	Vance
Coleman	Grimstead	Mincks	Van Eaton
Dodds	Hansen	O'Malley	Wiley
Dykhouse	Hill	Schroeder	

Nays, 27:

Benda	Elthon	Main	Stephens
Buck	Elvers	Nolan	Vincent
Campbell	Fisher	Phelps	Walker
Cowden	Flatt	Rigler	Walter
Curran	Getting	Scott	Wearin
Doran	Lodwick	Shaff	Wilson
Elijah	Long	Shivvers	

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Absent or not voting, none.

The amendment to the amendment was lost.

Senator Hill offered the amendment filed by him on April 24 and found on pages 1034-1036, inclusive, of the Senate Journal.

Senator Grimstead moved the previous question on the amendment, which motion prevailed.

Senator Hill 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, 16:

Beneke	Dodds	Hansen	Mincks
Brown	Frommelt	Hill	O'Malley
Campbell	Fulton	Lucken	Walter
Coleman	Griffin	Main	Wilson

Nays, 30:

Benda	Elvers	Nolan	Shoeman
Buck	Fisher	Phelps	Turner
Burrows	Getting	Rigler	Vance
Cowden	Grimstead	Schroeder	Vincent
Curran	Kyhl	Scott	Walker
Doran	Lisle	Shaff	Wearin
Dykhouse	Lodwick	Shivvers	Wiley
Elijah	Long		

Absent or not voting, 2:

Elthon	Van Eaton

Voting present, 2:

Flatt	Stephens

The amendment to the amendment was lost.

President pro tempore Vance took the chair at 5:05 p.m.

Senator Brown offered the following amendment to the committee amendment:

Amend the committee amendment as follows:

1. By striking all of lines 20 and 21.

2. By striking from lines 27 through 29 the words "and by striking from line twenty-three (23) the word 'two' and inserting in lieu thereof the word 'three' ".

3. By striking all of lines 30 through 36.

4. By striking all of lines 76 through 79.

5. By striking from lines 88 and 89 the words "sales and use taxes," and inserting in lieu thereof the words "individual and".

6. By adding the following new section:

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"Section four hundred twenty-two point five (422.5), Code 1962, is hereby amended as follows:

'1. By striking from lines two (2) and three (3) of subsection one (1) the words "three-fourths of".

2. By striking from lines two (2) and three (3) of subsection two (2) the words "one and one-half" and inserting in lieu thereof the word "two (2)".

3. By striking from lines two (2) and three (3) of section three (3) the words "two and one-fourth" and inserting in lieu thereof the word "three (3)".

4. By striking from line two (2) of subsection four (4) the word "three" and inserting in lieu thereof the word "four (4)".

5. By striking from lines two (2) and three (3) of subsection five (5) the words "three and three-fourths" and inserting in lieu thereof the word "five (5)".

6. By striking from lines four (4) and five (5) of subsection five (5) the words "three and three-fourths" and inserting in lieu thereof the word "five (5)".'"

Further amend by renumbering the sections in conformity with this amendment.

Senator Brown asked and received unanimous consent to withdraw divisions 1, 2, 3, 4 and 5 of the amendment.

Senator Phelps moved the previous question on the amendment to the amendment, which motion prevailed.

Senator Brown moved the adoption of the balance 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, 12:

Brown	Elvers	Hansen	Mincks
Coleman	Frommelt	Hill	O'Malley
Dodds	Fulton	Main	Walter

Nays, 33:

Benda	Elthon	Nolan	Turner
Buck	Fisher	Phelps	Vance
Burrows	Flatt	Rigler	Van Eaton
Campbell	Getting	Schroeder	Vincent
Cowden	Kyhl	Scott	Walker
Curran	Lisle	Shaff	Wearin
Doran	Lodwick	Shivvers	Wiley
Dykhouse	Long	Shoeman	Wilson
Elijah			

Absent or not voting, none.

Voting present, 5:

Beneke	Grimstead	Lucken	Stephens
Griffin			

The amendment to the amendment was lost.

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Senator Lucken asked and received unanimous consent to withdraw the amendment to the amendment filed by Senators Lucken, et al., filed on April 29 and found on pages 1074 and 1075 of the Senate Journal.

Senator Lucken asked and received unanimous consent to withdraw the amendment filed by Senators Lucken and Shaff on April 30 and found on pages 1089 and 1090 of the Senate Journal.

Senator Lucken offered the following amendment to the amendment filed by Senators Lucken and Shaff:

Amend the committee amendment as follows:

1. By striking from line 63 the number "(358.11)" and inserting in lieu thereof the number "(35B.11)".

2. By inserting after section 7 the following new sections:

A. "Section four hundred thirty-one point one (431.1), Code 1962, is hereby amended by inserting in line eight (8) after the word 'transacted.' the following sentence:

'Such moneys and credits shall be taxed at a rate of five (5) mills in addition to any other tax on moneys and credits provided by law, and the proceeds thereof distributed to taxing districts as provided in section four hundred twenty-nine point three (429.3) of the Code.' "

B. "Chapter four hundred twenty-two (422), Code 1962, is hereby amended by adding the following new section to Division II thereof:

'Every individual taxpayer subject to filing an Iowa income tax return shall make a separate accounting, on his tax return, of interest and dividends received during the tax year and forward to the tax commission, as a surtax, two (2) percent of the amount thereof. The provisions of this section shall not include the first two hundred (200) dollars of such interest and dividends for every individaul taxpayer nor interest and dividends received on United States government securities, bank stock, building and loan or savings and loan association stock, insurance and annuity contracts, or on bonds or certificates issued by any municipality, school district, drainage or levee district, river-front improvement commission or county within the State of Iowa. The amount of said surtax shall be paid at the same time and in the same manner as income taxes due on the tax return. The total amount of all surtaxes collected hereunder shall be returned to the county of origin as indicated by the mailing address of the taxpayer. Surtaxes paid by nonresidents shall be credited to the state general fund.

'The state tax commission shall make a separate account of the amount of said surtax received from each county and on the first day of each calendar quarter certify to the state treasurer and state comptroller the amounts determined as due each county and the comptroller shall thereupon draw warrants for the said amounts and transmit same to the various county auditors for deposit with the county treasurers. Each county auditor shall apportion said funds in the same manner as receipts from moneys and credits are apportioned as provided in section four hundred twenty-nine point three (429.3) of the Code.' "

3. By adding to line 91 after the word "tax" the words "and to levy a tax on the interest and dividends from investments".

4. Further amend by renumbering the sections in conformity with this amendment.

Senator O'Malley moved that the Senate adjourn until 9:00 a.m., Wednesday.

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Division was called for.

The motion was lost.

SENATE CONCURRENT RESOLUTION 35

By Committee on Claims

Whereas, doubt has arisen under the provisions of section twenty-five point seven (25.7), Code 1962, 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 committee 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 Sixtieth 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 committee rejecting same be approved.

Claim	Claim No.	Nature of Claim	Amount
Francis Anthony Newton, Iowa	H-4	Car damage	$ 25.15
Kenneth Turner Fremont, Nebraska	H-5	Car damage	513.90
Market Mens Mutual Insurance Company Milwaukee, Wisconsin	H-7	Car damage	369.21
Charles R. Nelson Melcher, Iowa	H-8	Car damage	40.00
Edna and Barry Nelson Melcher, Iowa	H-14	Medical expense	56.60
William F. Ellerbrock Laurel, Iowa	H-15	Auto repair	65.00
Roy E. Burns Osceola, Iowa	H-16	Property damage	5,500.00
State Farm Mutual Insurance Co. Lincoln, Nebraska	H-18	Car damage	93.00
Albert Ellison Lawton, Iowa	H-25	Tractor repairs medical expense	182.36
Elmer Engbretson Decorah, Iowa	H-33	Loss of business	3,200.00
Queen Insurance Co. Des Moines, Iowa	H-23	Subrogation	2,715.85

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Claim	Claim No.	Nature of Claim	Amount
Ole Hammersness Calmar, Iowa	H-34	Loss of crop	840.00
Jimmie Jack Hodges Vinton, Iowa	H-36	Truck damage	100.00
Continental Casualty Co. Des Moines, Iowa	H-37	Truck damage	1,700.00
Kermit L. Hinshaw Richland, Iowa	H-40	Property damage	108.51
Sam K. Smith Guthrie Center, Iowa	H-43	Crop damage	300.00
Otto L. Boeck Janesville, Iowa	H-44	Tree removal	150.00
Federated Mutual Impl. and Hardware Insurance Des Moines, Iowa	H-51	Sandblast damage	519.24
Farm Bureau Mutual Insurance Co. Des Moines, Iowa	H-54	Auto damage	1,112.20
Earl Youngkin Kellogg, Iowa	3	Out-dated warrant	8.40
Vernon L. Helble Muscatine, Iowa	5	Cattle loss	1,525.00
Pioneer Mutual Insurance Assoc. Red Oak, Iowa	6	Property loss	950.00
Julie Ann Kearns Waterloo, Iowa	21	State negligence	15,199.34
David A. Conrad Fort Madison, Iowa	22	Personal injury, inmate	2,400.00
Donald G. Reding Bode, Iowa	26	Out-dated warrant	27.49
Helen W. Apfeld East Dubuque, Illinois	28	Out-dated warrant	34.63
Eldon Ravlin Underwood, Iowa	29	Out-dated warrant	27.96
Amber B. Mann Dolliver, Iowa	30	Claim for services	14,611.36
Mrs. E. R. Crellin Perry, Iowa	36	Out-dated warrant	6.79
Richard Bladel Mossman Bettendorf, Iowa	37	Not specified	Not set

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Claim	Claim No.	Nature of Claim	Amount
Clarence Conrad New Virginia, Iowa	39	Out-dated warrant	41.68
Dunn's South Side Funeral Home Des Moines, Iowa	42	Funeral expenses	255.00
Delmar Butterbaugh Oskaloosa, Iowa	45	Refund on dental plates	6.00
John C. Fisher Council Bluffs, Iowa	49	License refund	5.25
Webster County Callender, Iowa	56	Sales tax refund	175.49
Donald M. Wiese Anamosa, Iowa	58	Personal injury	1,500.00
Ronnie L. Cole Davenport, Iowa	61	Personal injury	750.00
Charles A. Hickman Osceola, Iowa	75	Loss of wages	700.00
Gordon E. Trewin Sumner, Iowa	81	Out-dated warrant	18.08
Leo Hammers Prescott, Iowa	82	Out-dated warrant	10.96
Douglas Greenfield Fort Dodge, Iowa	86	Deer damage	617.60
Earl Roulstone Meriden, Iowa	99	Out-dated warrant	24.00
C. H. Wilhelmi Bancroft, Iowa	105	Out-dated warrant	59.64
Paul Hagge Lehigh, Iowa	110	Car damage	355.14
Louis Righi Des Moines, Iowa	116	Out-dated warrant	7.77
Selma Harnack Garnavillo, Iowa	118	Out-dated warrant	9.90
Floyd Davis Bethesda, Ohio	122	Out-dated warrant	3.60
Ora A. Johnson Goodell, Iowa	132	Out-dated warrant	25.14
E. M. Duesenberg, Inc. Mason City, Iowa	135	Tax refund diesel fuel	9,437.47
Chris Nielsen Humboldt, Iowa	136	Out-dated warrant	22.98

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Claim	Claim No.	Nature of Claim	Amount
White Motor Co. Lamoni, Iowa	140	Property damage	177.00
Edna Reese Humboldt, Iowa	142	Use tax refund	234.70
Bill Bradburn Okoboji, Iowa	147	Out-dated warrant	11.00
Floyd Lehman Ford, Inc. Des Moines, Iowa	157	Tractor repairs	701.50
Harlan E. Ball Argyle, Iowa	160	Out-dated warrant	34.74
Millard Lundt Toledo, Iowa	171	Out-dated warrant	11.83
John H. Woodman Russell, Iowa	179	Bal. due funeral	147.00
Johann Schaffer Des Moines, Iowa	180	Car damage	73.87
Albert W. Elling Hampton, Iowa	182	Out-dated warrant	26.40
Mervin Robbins Estate Woodward, Iowa	188	Out-dated warrant	13.84
Rev. Francis J. Perry Waterloo, Iowa	194	License refund	27.00
Woodside Lumber Co. Des Moines, Iowa	195	Materials used	381.45
George A. Chappel Volga, Iowa	196	Crop damage	175.00
Town of Adair Adair, Iowa	202	Property assessment	3,129.50
Karl Kemmery Bedford, Iowa	210	Out-dated warrant	10.96
R. B. Burch, Inc. Cedar Rapids, Iowa	213	Fuel tax refund	1,000.00
Marvin Christenson Redman, Iowa	218	Gas tax refund	18.00
C & B Mobile Milling Strawberry Point, Iowa	223	Fuel refund	712.80
Henry Cameron Des Moines, Iowa	226	Unlawful incarceration	1,000.00
Bob Gartland Fort Madison, Iowa	227	Personal injury inmate	50,000.00
Albin P. Womochil Mount Auburn, Iowa	241	Deer damage	200.00

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Claim	Claim No.	Nature of Claim	Amount
Rendell Owens Oskaloosa, Iowa	242	Expenses	725.00
Miller Motors Corp. Clarinda, Iowa	247	Fire damage	968.00
Terry Lee Sims Des Moines, Iowa	259	Unlawful incarceration	95,000.00
Arlee G. W. Blank Independence, Iowa	366	Out-dated warrant	21.80
Rodger Honeycutt West Des Moines, Iowa	369	Personal injury	7,500.00
L. W. Fackler Des Moines, Iowa	371	Deer damage	72.87
Highview Cooperative Elevator Highview, Iowa	374	Car damage	123.00
Farmers Elevator Mutual Insurance Des Moines, Iowa	375	Car damage	376.57
Wendall E. Woods Newton, Iowa	381	Salary due	384.00

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 21, a concurrent resolution to provide equality of competitive opportunity for all modes of transportation.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 365, a bill for an act relating to the powers and duties of school boards.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 21, a concurrent resolution commending the North Central Area Council of the YMCA's and local Hi-Y groups.

Also: That the House has amended, and concurred in Senate amendment as amended, and passed House File 280, a bill for an act relating to the place of holding election meetings to elect members of the county agricultural extension council.

Also: That the House has concurred in Senate amendments to and passed House File 286, a bill for an act relating to memorial commissions and the composition thereof.

Also: That the House has concurred in Senate amendments to and passed House File 462, a bill for an act relating to highway signs.

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Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 593, a bill for an act relating to cosmetology.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 437, a bill for an act providing for home rule liquor control and the licensing and strict control of the retail sale of products sold by Iowa state liquor stores.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 21

Whereas, one of the responsibilities of legislators is to help instill in young people of Iowa an appreciation for and understanding of our system of government, particularly the state legislative process; and

Whereas, the Iowa Youth and Government Program, which is sponsored by the North Central Area Council of YMCA's and local Hi-Y groups in Iowa, provides a means for high school youth to learn about state government and issues and to participate in model legislative session; and

Whereas, the Eighth Biennial Model Legislature will be held in the spring of 1964; and

Whereas, Representative Ray C. Cunningham is the State Chairman of the State Sponsoring Committee and members of the Senate and House through the years have served on this committee and have assisted with the pre-legislative conference and Model Legislature; therefore,

Be It Resolved by the House, the Senate Concurring, That the Sixtieth General Assembly commends the North Central Area Council of the YMCA's and local Hi-Y groups in Iowa for sponsoring and supervising this fine program;

Be It Further Resolved, that the Sixtieth General Assembly pledge its support for the Youth and Government Program and expresses the willingness of its members to assist and advise local Hi-Y groups on legislative matters and to assist with the Model Legislature; and

Be It Further Resolved, that a copy of this resolution be sent to the North Central Area Council of the YMCA and to the local Hi-Y groups which have participated in the Youth and Government Program.

HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE FILE 280

Amend the Senate amendment to House File 280 by striking all of line 6 which reads as follows: "which other township is also holding a township election meeting,".

HOUSE AMENDMENTS TO SENATE FILE 437

Amend Senate File 437 as follows:

1. Amend the title by striking all after the word "Act" and inserting in lieu thereof the following: "relating to the control, sale, and use of alcoholic beverages and law enforcement with respect to alcoholic beverages."

2. By striking all of section 1.

3. Section 3, line twenty-eight (28), by striking the words "and/or" and inserting in lieu thereof the word "or".

4. Section 4, by striking lines four (4) and five (5) and inserting in lieu thereof the following: "words ', liquor control licenses and other'; also

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by striking the word 'and' before the word 'licenses' in said line one (1); also by adding the following subsection:"

5. Section 5, line two (2), by inserting after the word "all" the following: "of subsection eight (8)"; also by striking the period at the end of said section and inserting in lieu thereof the following: "; also by adding to subsection nine (9) of such section the following:

'The commission shall create an enforcement division and shall appoint a director, who shall be an attorney licensed to practice in the State of Iowa, and five (5) assistant directors, at least two (2) of whom shall be accountants. The director of the enforcement division shall employ needed clerical help, and such other assistants and agents as are necessary to carry out the enforcement of the laws on liquor control. The enforcement division may enforce the provisions of title six (VI) of the Code in the name of the State of Iowa in proceedings before any court.'

Section one hundred twenty-three point sixteen (123.16), Code 1962, is further amended by striking lines seven (7), eight (8) and nine (9) of subsection eleven (11)."

6. Amend by renumbering sections 2, 3, 4 and 5 as sections 1, 2, 3 and 4, respectively.

7. Amend by inserting as section 5 the following:

Sec. 5. Section one hundred twenty-three point seventeen (123.17), Code 1962, is hereby amended by striking from paragraph "f" of subsection two (2) of such section all after the word "chapter" in line four (4) and inserting in lieu thereof the words "by the commission. Each licensee holding a liquor control license and dispensing liquors at retail shall establish prices based on serving one (1) ounce of intoxicating liquor per sale. Such price lists shall be filed with the commission and are subject to change by the licensee upon filing a new price list with the commission."

8. Section 6, line eight (8), by striking the period and inserting in lieu thereof the following: "; also by adding the following subsection:

'Every holder of a liquor control license shall keep a daily record of the gross receipts of his business and shall include in such record the number, brand and type of bottles emptied, during the course of the day's business. Each bottle emptied, except beer bottles, shall be broken immediately by the licensee or his agent into a container provided for that purpose. The records herein required and the premises of the licensee shall be open to the agents of the enforcement division of the Iowa liquor control commission during normal business hours of the licensee.' "

9. Amend section 10 as follows:

a. By striking lines five (5) and six (6) and inserting in lieu thereof the following: "commission, which bond shall be conditioned upon the payment of all taxes payable to the state under the provisions of this chapter and compliance with all provisions of this title,".

b. Line twelve (12), by inserting after the word "felony," the words "does not possess a federal gambling stamp,".

c. Line twenty-three (23), by adding after the word "sheriff" the words ", deputy sheriff and state agents,".

d. Line twenty-five (25), by striking the word "Act" and inserting in lieu thereof the words "chapter as amended".

e. Line twenty-seven (27), by striking everything after the period in said line and by striking all of lines twenty-eight (28) through thirty-one (31).

f. Line forty-three (43), by striking the words "at a discount of not to exceed ten percent (10%) of the retail price,".

g. Lines forty-nine (49) and fifty (50), by striking the words ", at a discount of not to exceed ten percent (10%) of the retail price,".

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h. Lines sixty (60) and sixty-one (61), by striking the words ", at a discount of not to exceed ten percent (10%) of the retail price,".

i. Line sixty-five (65), by striking the word "and" after the word "corporation" and inserting in lieu thereof a comma; also by inserting after the word "carrier" the following: ", and to passenger-carrying boats or ships for hire with a capacity of twenty-five (25) persons or more operating in inland or boundary waters,".

j. Line sixty-seven (67), by inserting after the word "trains" the words ", watercraft as described herein,".

k. Lines ninety-eight (98) and ninety-nine (99), by striking the words "or that the number of licenses issued are less than the maximum allowed".

l. Line one hundred (100), by striking the word "Act" and inserting in lieu thereof the words "chapter as amended".

m. By inserting after line one hundred one (101) the following new paragraph:

"Before the issuance, renewal, or denial of liquor control licenses by local authorities, the board or council may conduct a referendum on the question of whether liquor control licenses shall be approved for the city, town, or county in question. Said referendum shall be conducted in the same manner that special elections are conducted. The purpose of such referendum shall be solely to assist the board or council members in determining public sentiment toward liquor by the drink sales, and shall not be binding on the council or board members in determining whether or not to approve the issuance or renewal of liquor control licenses."

n. By inserting after line one hundred thirty-four (134) the following:

Where the commission on an appeal by an applicant finds that a city or town council or county board of supervisors acted arbitrarily, capriciously, or without reasonable cause in disapproving an application and the commission issues a license, the council or board may appeal from such decision of the commission within ten (10) days to the district court of the county wherein the premises covered by the application are situated.

e. If a petition shall be signed by the electors of any county in such number as shall equal twenty-five percent of the votes cast in such county for governor at the last general election, which shall request that the question of licensing the sale of alcoholic beverages (exceeding four percent by weight) by the drink be submitted to the electors thereof at a special election to be called for that purpose, as hereinafter provided, and shall be filed with the board of supervisors, the board shall cause such election to be held and shall cause to be published once each week for four (4) weeks in succession in a newspaper of general circulation in such county a notice of such special election to be held not less than fifteen (15) nor more than thirty (30) days from the date of the last publication. The notice shall state the proposition to be submitted to the electors at such special election. Each sheet of the petition shall contain not more than thirty (30) names of electors with their personal signatures, addresses, and the date of signing. If residing within a city or town where the electors are required to be registered, the signature shall be the same as it appears upon the registration records. At the top of each sheet shall be stated the proposition to be submitted. No signature on such petition shall be valid unless appended to the petition within the last ninety (90) days prior to the date of filing the petition. At the bottom of each sheet of such petition shall be the affidavit of the person who circulated same, stating that the signatures on the petition were made in his presence, that he has reasonable cause to believe that they are qualified electors of the particular county, and that they are the

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persons they represent themselves to be. Whoever signs any such petition, knowing that he is not a qualified elector in the county where such petition is made, or who aids or abets any other person in doing any of the acts mentioned, or whoever bribes, gives or pays any money or thing of value to any person directly or indirectly, to induce him to sign such petition, shall upon conviction thereof be punished by a fine of not exceeding three hundred dollars ($300.00) or by imprisonment in the county jail not exceeding ninety (90) days or by both such fine and imprisonment, in the discretion of the court.

Upon the ballot the proposition shall be stated as follows:

"Shall the retail sale of alcoholic beverages (exceeding four percent by weight) by the drink be prohibited in (here insert the name of the county)?"

☐ YES

☐ NO

The provisions of the statutes of this state relating to election of officers, voting places, election apparatus and blanks, preparation and form of ballots, information to voters, delivery of ballots, calling of elections, conduct of elections, manner of voting, counting of votes, records and certificates of election, and recount votes, so far as applicable, shall apply to voting on the proposition under the provisions of this Act. If a majority of the ballots cast are "YES", the board shall not issue any new licenses. However, if at the time of such election there are liquor control licenses in effect in the county, they shall not be revoked except for cause for a period of three (3) years. No new election shall be held for a period of four (4) years. This election shall not be held within thirty (30) days of any general election.

o. By inserting after line one hundred fifty-four (154) the following new paragraph:

"A statement whether the applicant or any person specified in paragraph (c) of subsection eight (8) possesses a federal gambling stamp."

p. By striking all of lines one hundred fifty-six (156) through one hundred sixty-seven (167) and inserting in lieu thereof the following:

"9. There shall be no limit upon the number of liquor control licenses which may be issued by a city or town council or board of supervisors, except that not more than one license may be issued to each qualified applicant."

q. Line one hundred sixty-eight (168), by striking the number "11" and inserting in lieu thereof the number "10".

r. By adding the following new subsections:

"11. Every permit holder licensed under this chapter shall fill out in duplicate, on forms furnished by the commission, the amount and kinds of liquors purchased, and shall retain one (1) copy in his establishment for a period of two (2) years, and the manager of the state liquor store at which the purchase was made shall monthly forward the other copy to the commission.

"12. It shall be unlawful for any law-enforcement officer or other official to accept or solicit donations, gratuities, advertising, gifts or other favors, directly or indirectly, from any licensee hereunder. Anyone violating this section shall be guilty of a misdemeanor and shall be subject to a fine of not less than one hundred (100) dollars nor more than one thousand (1,000) dollars, or shall be subject to a jail term of not less than thirty (30) days, nor more than six (6) months, or to both such fine and imprisonment."

10. Section 11, line seven (7), by striking the semicolon and inserting in lieu thereof a comma and adding thereto the following: "except that for class 'A' permits in towns of less than two thousand (2,000) population, and

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for clubs of less than two hundred fifty (250) members, the license fee shall be three hundred (300) dollars; provided, however, that the fee shall be one hundred (100) dollars for any club which is a post, branch, or chapter of a veterans' organization chartered by the Congress of the United States, if such club does not sell or permit the consumption of alcoholic beverages on the premises more than one day in any week, and if the application for a license states that such club does not and will not sell or permit the consumption of alcoholic beverages on the premises more than one day in any week;".

11. Section 11, by striking all of lines twenty-four (24) through twenty-seven (27) and inserting in lieu thereof the following:

"The commission shall credit all fees to the liquor control act fund and shall remit to the respective city or town council, or county board of supervisors, as the case may be, a sum equal to fifty (50) percent of the fees collected for each class 'A', class 'B', or class 'C' license covering premises located within their respective jurisdiction."

12. Section 13, lines ten (10) and eleven (11), by striking the words "the Iowa liquor control act" and inserting in lieu thereof the words "this chapter as amended".

13. Section 13, by adding at the end thereof the following: "In the event a license is revoked for cause the premises covered by a revoked license shall not be relicensed for one (1) year."

14. Section 16, line six (6), by striking the words "Suffer or permit any gaming" and inserting in lieu thereof the words "Knowingly permit any gaming, gambling".

15. Section 16, line nineteen (19), by adding after the word "or" the following: "with a bona fide credit card, or".

16. Section 16, by inserting after line forty-one (41) the following new paragraph:

"h. Knowingly sell, give, or otherwise supply any alcoholic beverage or beer to any person under the age of twenty-one (21) years, or knowingly permit any person under the age of twenty-one (21) years to consume any alcoholic beverage or beer."

17. Section 16, by inserting after line fifty-seven (57) the following new paragraph:

"However, if any liquor control license holder shall be convicted of any violation of paragraphs (a), (d), (e), or (h) of subsection four (4) of this section, the liquor control license shall automatically be revoked and shall immediately be surrendered by the holder, and the bond of the license holder shall be forfeited to the commission."

18. By inserting after section 18 the following new section:

Sec. 19. Section one hundred twenty-three point fifty-seven (123.57), Code 1962, is hereby amended by striking from lines one (1) and two (2) the words "auditor of state" and inserting in lieu thereof the words "enforcement division of the Iowa liquor control commission".

19. By renumbering sections 19 and 20 as sections 20 and 21 respectively.

20. By adding the following four new sections:

Sec. 22. Section one hundred twenty-three point ninety-three (123.93), Code 1962, is hereby amended as follows:

1. By striking from line one (1) the words "county attorney" and inserting in lieu thereof the words "enforcement division".

2. By inserting in line four (4) after the word "safety" the words ", county attorney".

3. By striking from line nine (9) the words "county attorney" and inserting in lieu thereof the words "enforcement division".

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4. By adding at the end of said section the following:

"Nothing in this section shall be construed to remove or lessen the duties or responsibilities of any county attorney or peace officer with respect to law enforcement."

Sec. 23. Section one hundred twenty-four point five (124.5), Code 1962, is amended by striking from lines fourteen (14) and fifteen (15) the words and figures "in villages platted prior to January 1, 1934,".

Sec. 24. Section one hundred twenty-four point sixteen (124.16), Code 1962, is hereby amended by striking all of subsection six (6).

Sec. 25. Section one hundred twenty-four point thirty-one (124.31), Code 1962, is hereby amended by striking from lines eighteen (18) through twenty-four (24) the following:

"to the private premises of any bona fide private club or association for which a class 'B' permit has been issued, having a select and discriminate membership and owned and operated by and for the benefit of the members which is under the exclusive control of the membership or,".

21. By renumbering sections 21, 22 and 23 as sections 26, 27 and 28, respectively.

22. Section 24, by inserting at the beginning of said section the following: "Chapter one hundred twenty-three (123), Code 1962, is amended by adding thereto the following:"; also by striking from line six (6) the words "or beer" and inserting after the word "giving" the words "beer or"; also by striking from line seven (7) the words "under the provisions of this Act". Further amend by renumbering as section 29.

23. Amend section 25 as follows:

a. By inserting at the beginning of said section the following: "Chapter one hundred twenty-three (123), Code 1962, is amended by adding thereto the following:".

b. By adding before the comma in line four (4) the words "and beer".

c. By striking in line five (5) the words ", except private residences,".

d. By adding thereto the following new paragraph:

"Provided, however, the provisions of this section shall not apply to bona fide conventions or meetings where mixed drinks are served to delegates or guests without cost. All other provisions of this chapter shall be applicable to such rooms. The provisions of this section shall have no application to occasional private social gatherings of friends or relatives in a private home or place."

e. By renumbering as section 30.

24. Amend section 26 as follows:

a. By inserting at the beginning of said section the following: "Chapter one hundred twenty-three (123), Code 1962, is amended by adding thereto the following:".

b. By renumbering as section 31.

25. Amend section 27 as follows:

a. By inserting at the beginning of said section the following: "Chapter one hundred twenty-three (123), Code 1962, is amended by adding thereto the following:".

b. By renumbering as section 32.

26. Amend section 28 as follows:

a. By inserting at the beginning of said section the following: "Chapter one hundred twenty-three (123), Code 1962, is amended by adding thereto the following:".

b. By renumbering as section 33.

27. Amend section 29 as follows:

a. By inserting at the beginning of said section the following: "Chapter

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one hundred twenty-three (123), Code 1962, is amended by adding thereto the following:".

b. By striking in line one (1) the word "Act" and inserting in lieu thereof the words "chapter as amended".

c. By renumbering as section 34.

28. Amend section 30 as follows:

a. By inserting at the beginning of said section the following: "Chapter one hundred twenty-three (123), Code 1962, is amended by adding thereto the following:".

b. By striking from line one (1) the words "excepting license fees" and inserting in lieu thereof the words ", except the portion of license fees remitted to the local authorities,".

c. By striking from line two (2) the word "Act" and inserting in lieu thereof the words "chapter as amended".

d. By renumbering as section 35.

29. Amend section 31 as follows:

a. By inserting at the beginning of said section the following: "Chapter one hundred twenty-three (123), Code 1962, is amended by adding thereto the following:".

b. By striking from line three (3) the word "Act" and inserting in lieu thereof the words "chapter as amended".

c. By renumbering as section 36.

30. By adding thereto the following new sections:

Sec. 37. The general assembly hereby determines and declares that the provisions of sections thirty-seven (37) through fifty (50) of this Act are necessary in order to control alcoholic beverages and aid the enforcement of laws prohibiting operation of a motor vehicle while in an intoxicated condition.

Sec. 38. As used in sections thirty-seven (37) through fifty (50) of this Act the words "peace officer" mean:

1. Members of the highway patrol.

2. Police officers under civil service as provided in chapter three hundred sixty-five (365) of the Code.

3. Sheriffs.

4. Regular deputy sheriffs who have had formal police training.

Sec. 39. Any person who operates a motor vehicle in this state upon a public highway, under such circumstances as to give reasonable grounds to believe the person to have been operating a motor vehicle while in an intoxicated condition, shall be deemed to have given consent to the withdrawal from his body of specimens of his blood, breath, saliva, or urine, and to a chemical test or tests thereof, for the purpose of determining the alcoholic content of his blood, subject to the provisions hereinafter set out. The withdrawal of such body substances, and the test or tests thereof, shall be administered at the written request of a peace officer having reasonable grounds to believe the person to have been operating a motor vehicle upon a public highway of this state while in an intoxicated condition, and only after the peace officer has placed such person under arrest for the offense of operating a motor vehicle while in an intoxicated condition. If such person requests that a specimen of his blood not be withdrawn, then a specimen of his breath, saliva, or urine shall be withdrawn at the written request of such peace officer; provided, however, that if such person refuses to submit to any chemical testing, no test shall be given, and the provisions of section forty-three (43) of this Act shall apply. However, if such peace officer fails to provide such test within two (2) hours after such arrest, no test shall be required, and there shall be no revocation under the provisions of section forty-three (43) of this Act.

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Sec. 40. Only a licensed physician, or a medical technologist or registered nurse designated by a licensed physician as his representative, acting at the written request of a peace officer may withdraw such body substances for the purpose of determining the alcoholic content of the person's blood. Only new, originally factory wrapped, disposable syringes and needles, kept under strictly sanitary and sterile conditions shall be used for drawing blood. Such person may have an independent chemical test or tests administered in addition to any administered at the direction of a peace officer. The failure or inability of the person to obtain an independent chemical test or tests shall not preclude the admission in evidence of the results of the test or tests taken at the direction of the peace officer. Upon the request of the person who is tested, the results of the test or tests taken at the direction of the peace officer shall be made available to him.

Sec. 41. Any person who is dead, unconscious or who is otherwise in a condition rendering him incapable of consent or refusal shall be deemed not to have withdrawn the consent provided by section thirty-nine (39) of this Act, and the test may be given; provided that a licensed physician shall certify in advance of such test that such person is dead, unconsicious or otherwise in a condition rendering him incapable of consent or refusal. In such case such condition shall obviate the requirement of arrest and advice pursuant to section forty-two (42) of this Act.

Sec. 42. A peace officer shall advise any person who is requested to take any chemical test that a refusal to submit to such test will result in revocation of the person's license or privilege to operate a motor vehicle; provided, however, that this requirement shall not apply in the case of any person referred to in section forty-one (41).

Sec. 43. If a person under arrest refuses to submit to the chemical testing, no test shall be given, but the commissioner, upon the receipt of a sworn report of the peace officer that he had reasonable grounds to believe the arrested person to have been operating a motor vehicle upon a public highway of this state while in an intoxicated condition, that he had placed such person under arrest for the offense of operating a motor vehicle while in an intoxicated condition and that the person had refused to submit to the chemical testing, shall revoke his license or permit to drive and any nonresident operating privilege for a period of not less than one hundred twenty (120) days nor more than one (1) year; or if the person is a resident without a license or permit to operate a motor vehicle in this state, the commissioner shall deny to the person the issuance of a license or permit within one year from the date of the alleged violation, subject to review as hereinafter provided. The effective date of any such revocation shall be twenty (20) days after the commissioner has mailed notice of such revocation to such person by registered or certified mail.

Sec. 44. Upon the written request of a person whose privilege to drive has been revoked or denied, the commissioner shall grant the person an opportunity to be heard within ten days after the receipt of the request, but the request must be made within thirty days after the effective date of revocation or denial. The hearing shall be before the commissioner or his authorized agent, in the county wherein the alleged events occurred for which the person was arrested, unless the commissioner or his authorized agent and the person agree that the hearing may be held in some other county. The hearing shall be recorded and its scope shall cover the issues of whether a peace officer had reasonable grounds to believe the person to have been operating a motor vehicle upon a public highway of this state while in an intoxicated condition, whether the person was placed under arrest and whether he refused to submit to the test or tests. The commis-

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sioner or his authorized agent shall order that the revocation or denial be either rescinded or sustained.

Sec. 45. If the revocation or denial is sustained the person whose license, permit to drive, or nonresident operating privilege has been revoked or denied, may file a petition within thirty days after the determination by the commissioner or his authorized agent for a hearing of the matter in the district court in the county wherein the alleged events occurred for which he was arrested or in the county in which the administrative hearing was held. It shall be the duty of the court to set the matter for hearing, and the petitioner shall give twenty days notice thereof to the commissioner. Within fifteen days after receipt of the notice, the commissioner shall file in the office of the clerk of the district court to which the appeal is taken a certified transcript of the testimony and all other proceedings. It shall constitute the record on which the commissioner made his determination. The court thereafter shall hear the matter de novo and shall affirm or vacate the decision of the commissioner or his authorized agent. The person or the commissioner may appeal to the supreme court in accordance with the Iowa Rules of Civil Procedure.

Sec. 46. Upon the trial of any civil or criminal action or proceeding arising out of acts alleged to have been committed by any person while operating a motor vehicle upon a public highway of this state while in an intoxicated condition, evidence of the amount of alcohol in the person's blood at the time of the act alleged as shown by a chemical analysis of his blood, breath, saliva or urine is admissible.

Sec. 47. If the person under arrest refuses to submit to the test or tests, proof of refusal shall be admissible in any civil or criminal action or proceeding arising out of acts alleged to have been committed while the person was operating a motor vehicle upon a public highway of this state while in an intoxicated condition.

Sec. 48. The provisions of this Act shall not be construed as limiting the introduction of any other competent evidence bearing on the question of whether the person was in an intoxicated condition.

Sec. 49. When it has been finally determined under the procedures of this Act that a nonresident's privilege to operate a motor vehicle in this state has been revoked or denied, the department of public safety shall give information in writing of the action taken to the official in charge of traffic control or public safety of the state of the person's residence and of any state in which he has a license.

Sec. 50. Sections thirty-seven (37) through fifty (50) of this Act may be cited as the "Uniform Chemical Test for Intoxication Act".

31. Section 32, amend by renumbering as section 51.

HOUSE MESSAGE CONSIDERED

House File 593, a bill for an act relating to cosmetology.

Read first and second times and referred to committee on ways and means.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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-

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ports that it has examined and finds correctly enrolled: Senate Files 307 and 411.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 307 and 411.

BILLS SENT TO THE GOVERNOR

Senator Benda, 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 May, 1963, sent to the Governor for his approval: Senate Files 307 and 411.

KENNETH BENDA, *Chairman.*

Passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on May 6, 1963, the Governor had approved the following bills:

Senate File 408, relating to funds and support of mentally ill patients.
Senate File 428, relating to records of inmates.
Senate File 445, relating to domestic insurance companies.

A communication was also received announcing that on May 7, 1963, the Governor had approved the following bill:

Senate File 400, relating to construction of streets and sewers in cities and towns.

AMENDMENTS FILED

Amend the committee amendment to House File 550, filed April 23, by adding the following:

"Section 1. Section four hundred twenty-two point seventeen (422.17), Code 1962, is hereby repealed.

Sec. 2. Section four hundred twenty-two point four (422.4), Code 1962, is hereby amended by striking subsection thirteen (13) thereof and inserting in lieu thereof the following:

"The term 'withholding agent' means any individual, fiduciary, corporation, partnership or association in whatever capacity acting and including all officers and employees of the State of Iowa, or any municipal corporation of the State of Iowa and of any school district or school board of the state, or of any political subdivision of the State of Iowa that is obligated to pay or has control of paying or does pay to any resident or nonresident of the State of Iowa or

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his agent any income that is subject to the Iowa income tax in the hands of such resident or nonresident."

Sec. 3. Strike all of section four hundred twenty-two point sixteen (422.16), Code 1962, and substitute in lieu thereof the following:

"1. Every employer as defined in the Internal Revenue Code of 1954, as amended through December 31, 1962, including domestic and foreign corporations, with respect to income tax collected at source, making payment of wages as defined in the Internal Revenue Code of 1954, as amended through December 31, 1962, to a resident employee or employees shall deduct and withhold from such wages an amount which will approximate the employee's tax liability at year end on the annual basis, upon tables and schedules prepared by and prescribed by the state tax commission.

Only employers required by the Internal Revenue Code of 1954 as amended through December 31, 1962, to act as a withholding agent for federal tax purposes shall be required to act as a withholding agent for the purposes of this act.

"2. In the case of nonresidents, every employer as referred to in subsection one (1) of this section, or withholding agent as defined in section two (2) of this Act, shall deduct and withhold during each calendar year two percent (2%) of all gross income paid in the form of wages as defined in the Internal Revenue Code of 1954, as amended through December 31, 1962. Payments of other gross incomes subject to the Iowa income tax in the hands of the nonresident shall be subject to withholding at the rate of four percent (4%). The 'gross income' referred to herein shall include the amount required to be withheld. The term 'gross income' shall have the same meaning as for federal income tax purposes under the Internal Revenue Code of 1954, as amended through December 31, 1962.

The employers referred to in this subsection one (1) and subsection two (2) shall be deemed to be withholding agents as defined in section four hundred twenty-two point four (422.4), subsection thirteen (13), Code 1962.

"3. Every withholding agent required to deduct and withhold tax under subsections one (1) or two (2) of this section shall, for the quarterly period beginning July 1, 1963, and for each quarterly period thereafter, on or before the last day of the month following the close of each quarterly period make a return on forms prescribed by the state tax commission and pay over to the state tax commission in the form of remittances made payable to the state tax commission, the tax required to be withheld under the provisions of subsections one (1) and two (2) hereof. If the state tax commission in any case has reason to believe that the collection of the tax provided for in subsections one (1) and/or two (2) hereof is in jeopardy, it may require the employer or withholding agent to make such return and pay such tax at any time.

"4. Every withholding agent who fails to withhold or pay to the commission any sums required by this Act to be withheld and paid, shall be personally and individually liable therefor to the State of Iowa, and any sum or sums withheld in accordance with the provisions of subsections one (1) or two (2) hereof,

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shall be deemed to be held in trust for the State of Iowa.

"5. In the event a withholding agent fails to withhold and/or pay over to the commission any amount required to be withheld under subsections one (1) or two (2) of this section, such amount may be assessed against such employer or withholding agent in the same manner as prescribed for the assessment of income tax under the provisions of chapter four hundred twenty-two (422), Code 1962.

"6. The State of Iowa shall have a lien upon all the property of any employer or withholding agent who fails to withhold and/or pay over to the state tax commission sums required to be withheld under subsections one (1) or two (2) of this section. If the employer or withholding agent withholds but fails to pay the amounts withheld to the tax commission, the lien shall attach as of the date the amounts withheld were required to be paid over to the commission. If the employer or withholding agent fails to withhold, the lien shall attach as of the date the amounts which should have been withheld were required to be paid over to the commission had they been withheld under the provisions of subsections one (1) or two (2) of this section.

"7. Every withholding agent required to deduct and withhold from an employee or other person receiving taxable Iowa income, a tax under subsections one (1) or two (2) of this section shall furnish to such employee or other person in respect of the remuneration paid by such employer or withholding agent to such employee or other person during the calendar year, on or before January 31 of the succeeding year, or, if the employee's employment is terminated before the close of such calendar year, within thirty (30) days from the day on which the last payment of wages is made, a written statement showing the following:

a. The name of such employer or withholding agent.

b. The name of the employee or other person and his federal social security account number.

c. The total amount of wages, as defined in the Internal Revenue Code of 1954, as amended through December 31, 1962, or other taxable income paid to the employee or other person.

d. The total amount deducted and withheld as tax under the provisions of subsections (1) or two (2) of this section.

e. The total amount of federal income tax withheld.

The statement required to be furnished by this subsection in respect of any wages or other taxable Iowa income shall be in such form as the state tax commission may by regulations prescribe.

"8. An employer or withholding agent shall be liable for the payment of the tax required to be deducted and withheld under subsections one (1) or two (2) of this section and any amount deducted and withheld as tax under subsections one (1) or two (2) of this section during any calendar year upon the wages of any employee or other person shall be allowed as a credit to the employee or other person against the tax imposed by section four hundred twenty-two point five (422.5), Code 1962, irrespective of whether or not such tax has been, or will be, paid over by the employer or withholding agent to the state tax commission as provided by this Act.

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"9. The amount of any overpayment of the individual income tax liability of the employee taxpayer or other person which may result from the withholding and payment of withheld tax by the employer or withholding agent to the commission under subsections one (1) or two (2) hereof, as compared to the individual income tax liability of the employee taxpayer or other person properly and correctly determined under the provisions of section four hundred twenty-two point four (422.4), to and including section four hundred twenty-two point thirteen (422.13), Code 1962, may be credited against any income tax or installment thereof then due the State of Iowa and any balance of two dollars ($2.00) or more shall be refunded to the employee taxpayer or other person with interest at six percent (6%) per annum, such interest to begin to accrue one hundred eighty (180) days after the due dates of the return. Amounts less than two dollars ($2.00) shall be refunded to the taxpayer only upon written application, and only if such application is filed within twelve (12) months after the due date of the return. Refunds provided for by this subsection shall be paid by the state treasurer by means of warrants drawn by the comptroller at the direction of an authorized employee of the state tax commission, without requiring the taxpayer to file a claim for such refund. There is hereby appropriated, out of any funds in the state treasury not otherwise appropriated, a sum sufficient to carry out the provisions of this section.

"10. a. Any person or corporation required under the provisions of this Act to furnish a statement required by this Act who willfully furnishes a false or fraudulent statement, or who willfully fails to furnish such statement shall, for each such failure by subject to a civil penalty of one hundred dollars ($100.00), such penalty to be in addition to any criminal penalty otherwise provided for by the Code 1962.

b. Any employer or withholding agent required under the provisions of this Act to withhold taxes on wages or other taxable Iowa income who fails to withhold such taxes, or to make the required returns or who fails to remit to the commission the amounts withheld, shall be liable for the amount of such taxes which should have been withheld and paid and in addition shall be subject to a civil penalty, equal to five percent (5%) of the amount which should have been withheld and/or paid over to the commission, for each month or fraction thereof during which such failure continues, not to exceed twenty-five percent (25%) in the aggregate. Interest at the rate of six percent (6%) per annum shall be added to the amount of the tax required to be withheld and paid to the tax commission.

c. If the employer, being a domestic or foreign corporation, required under the provisions of this section to withhold on wages or other taxable Iowa income fails to withhold the amounts required to be withheld, make the required returns or remit to the state tax commission the amounts withheld, the commission may certify such fact or facts to the secretary of state, who shall thereupon cancel the articles of incorporation or certificate of authority (as the case may be) of such corporation and the rights of such corporation to carry on business in the State of Iowa shall thereupon cease. Any person or persons who shall exercise or attempt to exercise any rights, powers, privileges or

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franchise under articles of incorporation or certificate of authority after the same are cancelled shall pay a penalty of not less than one hundred dollars ($100.00) or more than one thousand dollars ($1,000.00), to be recovered in an action brought by the commission, such penalty to be in addition to all other penalties provided under chapter four hundred twenty-two (422), Code 1962.

"11. a. Every individual or married couple filing a joint return, shall make a declaration of estimated tax if his or their Iowa income tax attributable to income other than wages subject to withholding can reasonably be expected to amount to fifty dollars ($50.00) or more for the taxable year, except that in the case of farmers the provisions of the Internal Revenue Code of 1954, as amended through December 31, 1962, with respect to declarations shall apply.

The declaration provided for herein shall be filed at such time and in such form as the state tax commission may require by regulations, and the estimated tax shall be paid in four (4) equal installments, the first installment to be paid at the time of filing the declaration, except that at the election of the individual, or married couple filing jointly, any installment of the estimated tax may be paid prior to the date prescribed for its payment.

b. In the case of individuals or married couples filing jointly the total balance of the tax payable after credits for taxes paid through withholding, as provided in subsection one (1) or two (2) of this section, or through declaration and payment of estimated tax, as provided in subsection eleven (11) of this section, shall be due and payable on or before April 15, following the close of the calendar year, or if the return should be made on the basis of a fiscal year, then on or before the fifteenth (15th) day of the fourth (4th) month following the close of such fiscal year.

c. The declaration provided for in this section may be amended during the taxable year under regulations prescribed by the state tax commission.

d. If a taxpayer is unable to make his own declaration, the declaration may be made by duly authorized agent or by the guardian or other person charged with the care of the person or property of such taxpayer.

e. Any amount paid on a declaration of estimated tax shall be a credit against the amount of tax found payable on a final, completed return as provided in subsection nine (9) hereof relating to the credit for the tax withheld against the tax found payable on a return properly and correctly prepared under the provisions of section four hundred twenty-two point five (422.5) to and including section four hundred twenty-two point thirteen (422.13), Code 1962, and any overpayment of two dollars ($2.00) or more shall be refunded to the taxpayer as provided in subsection nine (9) hereof, relating to overpayments of tax through withholding. Amounts less than two dollars ($2.00) shall be refunded to the taxpayer only upon written application, and only if such application is filed within twelve (12) months after the due date for the return. The penalties provided by the Internal Revenue Code of 1954, as amended through December 31, 1962, for failure to file a declaration or for underpayment of the tax payable shall apply to persons required to file declarations and make payments of estimated tax under the provisions of this section."

Sec. 4. From the revenue derived by the provisions of

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this Act, there is hereby appropriated sufficient funds for the purpose of redeeming the Korean service compensation bonds as issued under chapter thirty-five B (35B), Code 1962. This amount so appropriated, together with the balances of the Korean veterans bonus fund and the Korean veteran bonus tax fund shall be applied to redeem the total outstanding Korean service compensation bonds, together with interest and callable penalty of one and one-half percent (1½%) of par value at June 1, 1964.

Sec. 5. Further amend House File 550 by renumbering all sections to conform to this amendment.

ROBERT D. FULTON.

Amend the committee amendment to House File 550 by adding the following paragraph thereto:

"The increased sales and use rates imposed herein shall be effective only until July 4, 1965, at which time said rates, unless otherwise changed by law, shall be two percent (2%)."

RICHARD C. TURNER.
CHARLES F. GRIFFIN.
J. HENRY LUCKEN.
J. T. DYKHOUSE.
CHARLES S. VAN EATON.
GEORGE L. SCOTT.
DONALD G. BENEKE.

Amend the committee amendment to House File 550 as follows:

1. By adding thereto the following:

"No owner shall be eligible for the agricultural land credit provided herein unless a portion of the same property or another plot related thereto for agricultural or horticultural purposes is eligible for homestead credit as provided by chapter four hundred twenty-five (425) for the year in which agricultural credit is claimed; or unless the plot for which agricultural credit is claimed is actually utilized and operated by the owner as a part of his personal agricultural or horticultural pursuits; or unless the plot for which agricultural credit is claimed is owned by an owner in retirement status and has been actually utilized and operated as a part of the owner's personal agricultural or horticultural pursuits at least five (5) consecutive years before the owner's retirement."

JAKE B. MINCKS.
JACK SCHROEDER.

Amend the committee amendment to House File 550 filed April 23, 1963, as follows:

1. By adding the following after line 75:

"Section four hundred twenty-six point one (426.1), Code 1962, is amended by striking from line nine (9) the word 'eleven' and inserting in lieu thereof the word 'twenty-one'.

"There is hereby appropriated from the general fund annually to the department of public instruction the sum of ten million dollars ($10,000,000) for general state aid to the school districts as provided by chapter two hundred eighty-six A (286A) of the Code; provided, however, that no school districts shall

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receive financial aid under the provisions of said chapter of the Code in the event a school tax levy for the general fund of at least fifteen (15) mills was not made in such district for the preceding year.

"There is hereby appropriated from the general fund annually to a 'property tax credit fund', which is hereby created, the sum of twenty-four million dollars ($24,000,000.00), or so much thereof as may be available from the revenue received and above the amount necessary so that the balance in the general fund at the end of the fiscal year will not be less than sixteen million dollars ($16,000,000), which shall be distributed annually on warrants drawn by the state comptroller and made payable to the county treasurers of the several counties of the state. The revenue distributable shall be allocated each year to the several counties in the same proportion that the assessed valuation of the taxable real and personal property in that county for the preceding tax year bears to the total taxable real and personal property in the state for the preceding tax year. Not later than October 1 in the year 1963, and annually thereafter, the state comptroller shall certify to the county treasurer of each county in the state the amount of money that will be allocated to that county the following year. The county treasurer shall thereupon enter a credit against the tax bill of each taxpayer in said county, being the tax bill of the current year due and payable the following year, and the amount of said credit shall be in the same proportion to the total amount so certified to the county treasurer by the state comptroller as the assessed valuation of such taxpayer's taxable real and personal property for the current tax year bears to the total assessed valuation of taxable real and personal property in that county for the current tax year. The amount of money so credited to the taxpayers of the county shall be distributed by the county treasurer to the several taxing districts of said county upon the receipts in the following year of the comptroller's warrant drawn on the property tax credit fund, the same as though the amount thereof had been paid to the treasurer of said county by the taxpayers of said taxing district.

RICHARD STEPHENS.
GEORGE L. SCOTT.
LEROY GETTING.
HARRY L. COWDEN.
R. O. BURROWS.
JOHN L. WALKER.
ADOLPH ELVERS.
HOWARD VINCENT.
EDWARD A. WEARIN.
JOHN L. CAMPBELL.
KENNETH BENDA.
VERA H. SHIVVERS.
CHAS. F. GRIFFIN.
DEWEY B. PHELPS.
JOE N. WILSON.
EARL ELIJAH.
HOWARD BUCK.
LEIGH R. CURRAN.
A. V. DORAN.
DONALD G. BENEKE.
ROBERT R. RIGLER.
JOSEPH FLATT.
JACOB GRIMSTEAD.
PETER F. HANSEN.
FRANKLIN MAIN.
D. C. NOLAN.
LEO ELTHON.
SEELEY E. LODWICK.
DAVID O. SHAFF.

Amend the committee amendment to House File 550 by adding the following subsection to section 2:

"5. By inserting the following paragraph after the third

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unnumbered paragraph of section four hundred twenty-two point forty-three (422.43), Code 1962:

'Residents of states which impose no retail sales tax on tangible personal property, and which states adjoin counties of this state, may make purchases of tangible personal property, consisting of goods, wares or merchandise, in such adjoining counties without paying the retail sales tax otherwise imposed herein provided such residents of such adjoining states are in this state for the express purposes of making purchases and not as tourists and provided they execute affidavits for exemption forms furnished by the state tax commission, and which forms are filed with the commission by the vendor at the time of filing his tax return.'"

RICHARD C. TURNER.

Amend the committee amendment to House File 550, filed April 23, 1963, by adding thereto the following additional sections:

(1) As used in this Act unless the context requires otherwise:

1. "Person" means an individual, corporation, partnership, or association.

2. "Commission" means the state racing commission created by this Act.

3. "Race meet" means any exhibition of thoroughbred and standard bred horse racing or other animal racing where the certificate system of wagering is used.

4. "Licensee" means a person holding a race meet license issued under this Act.

5. "Certificate system" or "certificate system of wagering" means the certificate or pari-mutuel system of wagering as described in section eleven (11) of this Act.

(2) There is created a state racing commission consisting of three (3) members who shall be appointed by the governor with the consent of two-thirds (⅔) of the members of the senate in executive session. One (1) member shall be appointed for one (1) year, one (1) member for two (2) years, and one (1) member for three (3) years, and upon the expiration of their terms of office, their successors shall be appointed for terms of three (3) years. The members shall serve until their successors are appointed and qualified. Not more than two (2) members of said commission shall belong to the same political party. No person may be appointed a member who has not been a resident and maintained his domicile in the State of Iowa for at least the five (5) years preceding his appointment. Any vacancy shall be filled by appointment by the governor for the unexpired term, subject to approval by two-thirds (⅔) of the members of the senate in executive session at the next regular session of the general assembly. The members shall serve without compensation but shall be reimbursed for actual expenses incurred in the performance of their duties. The members of the commission shall each give bond to the state in the sum of ten thousand (10,000) dollars with surety or sureties to be approved by the governor, conditioned on the faithful performance of their duties and accounting for the moneys coming into the hands of the commission. The premiums on said bonds

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shall be allowed and paid as expenses of the commission. The governor may at any time after notice and hearing remove any commissioner from office as a member of the commission.

(3) The commission shall elect one (1) of its members as chairman and may employ a secretary and such other assistants and employees as may be necessary to carry out the purposes of this Act. The secretary shall keep a record of the proceedings of the commission, preserve the books, records, and documents entrusted to his care, and perform such other duties as the commission shall prescribe. The commission shall require the secretary to give bond in such sum as it may fix, conditioned on the faithful performance of his duties. The commission shall set the compensation of its secretary and its other employees, subject to the approval of the state comptroller. The commission shall have an office at such place within the state as it may determine and shall meet at such times and places as it finds necessary and convenient for the discharge of its duties.

(4) The commission shall have power to prescribe and enforce rules and regulations not inconsistent with this Act, governing race meets licensed under this Act.

(5) The state fair board, or county or district fair society as defined in chapter one hundred seventy-four (174) of the Code, or any person may make application to the commission for a license to hold a race meet within this state.

The application shall be filed with the commission at least ninety (90) days before the first day of the race meet which the applicant proposes to hold or conduct. The application shall contain:

1. The name of the applicant.
2. The place within the state where the proposed race meet is to be held.
3. The day or days when the proposed race meet is to be held.
4. Such other information as the commission shall require.

(6) If the commission is satisfied that its rules and regulations and the provisions of this Act will be complied with, it may issue to an applicant a license to hold a race meet within this state. Only the commission shall have authority to issue a license under this Act. Such license shall state:

1. The name of the licensee.
2. The place where the race meet is to be held.
3. The time and number of days during which the race meet may be conducted by the licensee.

(7) No trainer, driver, jockey, apprentice jockey, horse owner, dog owner, exercise boy, agent, stable foreman, groom, valet, veterinarian, horseshoer, steward, stable watchman, starter, timer, judge, or other person acting as an official at any race meet including all employees of the certificate system wagering department, shall participate in race meets without first having obtained a license issued by the commission under rules adopted by the commission. The fee for licenses required by this section shall be two (2) dollars per annum.

The commission shall not issue a license provided for in this Act to any individual of questionable moral character and it shall not issue a license to any partnership if any partner is a

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person of questionable moral character. The commission shall not issue a license to any corporation or association if any officer is of questionable moral character.

(8) The fee for a race meet license shall be:

1. One thousand (1,000) dollars for a horse race meet.

2. Seven hundred fifty (750) dollars for a race meet of animals other than horses.

(9) Every person shall provide a bond in favor of the state before a race meet license is issued. The bond shall be in such sum as the commission shall fix and said bond shall be with a surety or sureties as approved by the commission. The bond shall be conditioned upon the person faithfully making the payments provided for by this Act, keeping books and records, and making reports as provided for by this Act, and conducting its race meets in conformity with this Act and the rules and regulations prescribed by the commission.

(10) The commission may, for good cause after hearing, revoke a race meet or other license granted under this Act. The commission may summarily revoke any license if the licensee shall:

1. By any means whatever, grant, assign, transfer, turn over or attempt to grant, assign, transfer, or turn over to any person the operation or management of any race meet for which a license is granted or the operation of the certificate system of wagering used at such race meet.

2. In any manner permit any person other than the licensee to have any share, percentage, or proportion of the money received for admissions to the race meet or received from the operation of the certificate system of wagering at any race meet held under the license.

The performance or attempt to perform any act above listed as grounds for summary revocation of the license of the licensee shall be a felony. The attempt by any person to induce a licensee to perform any of the acts above listed as grounds for summary revocation of a race meet license shall be a felony.

Upon conviction of such felony, the person shall be fined not to exceed ten thousand (10,000) dollars and imprisoned in the state penitentiary not to exceed ten (10) years or both such fine and imprisonment.

(11) Within the enclosure of any race track where there is held a race meet licensed and conducted under this Act, but not elsewhere, the certificate system of wagering on the results of the respective races may be used and conducted by the licensee in connection with such race meet. Under said system, the licensee is hereby expressly authorized to receive wagers of money from any person present at such race meet on any animal in a race selected by such person to run first in such race. The person so wagering shall acquire an interest in the total money so wagered on all animals in such race as first winners, in proportion to the amount of money wagered on him. The licensee shall issue to each person so wagering, a certificate on which shall be shown the number of the race, the amount wagered. and the number or name of the animal selected by such person as first winner. As each race is run, the licensee shall be authorized to deduct from the total sum wagered on all animals as first winners fifteen (15)

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percent of the said total plus the odd cents of the redistribution over the next lowest multiple of ten (10), which sum shall be subject to the tax provided for by this Act, and the balance remaining on hand shall be paid out to the holders of certificates on the winning animal in the proportion that the amount wagered by each certificate holder bears to the total amount wagered on all animals in said race to run first.

The licensee may likewise receive such wagers on animals selected to run second, third, or both, or in such combinations as the commission may authorize; but the method, procedure, and the authority and the right of the licensee, as well as the deduction allowed to the licensee, shall be as specified in this Act with respect to wagers upon animals selected to run first. There shall be no wagering except under the certificate system provided for by this Act.

(12) Any person who knowingly permits a minor to make a wager under the certificate system shall be guilty of a misdemeanor and upon conviction shall be fined not to exceed three hundred (300) dollars for each offense or imprisoned not to exceed six (6) months or both such fine and imprisonment.

(13) There is hereby imposed upon each race meet licensee the following taxes which shall be in addition to all other taxes levied by the state or any political subdivision thereof:

1. The sum of fifteen (15) cents upon a ticket of admission for each person entering the grounds or enclosure where the race meet is held. If tickets are sold for more than one (1) day, then the sum of fifteen (15) cents shall be paid for each person using such ticket on each day that such ticket is used.

If free passes or complimentary tickets of admission are issued to persons other than actual and necessary officials and employees of the licensee, who under rules of the commission may be issued tax free passes, the licensee shall pay the tax of the above rate for all such passes.

2. A sum equal to ten (10) percent of the gross amount of all certificate system wagering for each day of racing.

The taxes imposed by this section shall be paid to the commission within ten (10) days of the close of each race meet.

(14) Out of the funds received under section thirteen (13) of this Act, the expenses of the commissioners, the compensation of the secretary, assistants, and employees and their reasonable expenses, and the other reasonable expenses of the commission, including suitable furniture, equipment, supplies, and office expense, shall first be paid. The commission shall retain in its hands the further sum of five thousand (5,000) dollars as a permanent fund out of which to pay its current expenses. No sums shall be paid out by the commission until the same are regularly audited and allowed, and the allowance thereof recorded in the minutes of its meetings, and a voucher therefor is signed by the chairman and secretary of the commission. All remaining sums shall be paid to the treasurer of state for deposit in the general fund.

(15) Every licensee under this Act shall so keep books and records as to clearly show the total number of admissions to races conducted by the licensee on each racing day, including the

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number of admissions upon free passes or complimentary tickets, and the amount received daily from admission fees, and the total amount of money wagered under the race meet, and shall furnish to the commission such reports and information as the commission may require. At the end of each race meet, the licensee shall give to the commission a complete report and audit showing all expenses and disbursements. The commission shall designate a representative to attend every licensed race meet. Such representative shall have full access to all places within the enclosure of such race meet and shall supervise and check the admissions thereto. The compensation of such representative shall be fixed by the commission and paid by the licensee.

(16) The commission shall make an annual report to the governor on or before the third Monday in December each year, including therein an account of its actions, its receipts and disbursements under the provisions of this Act, the practical results attained thereunder, and any recommendations for legislation which the commission may deem advisable.

(17) No racing under this Act shall be permitted on Sunday. No license shall be granted for racing on more than one (1) race track in any one (1) county, except that the commission may, in its discretion, grant a license to any county agricultural society to conduct racing during its county fair even though a license may have been issued for racing on another track in such county.

(18) Every licensee shall hold on each racing day at least one (1) race limited to horses foaled in Iowa, but if sufficient competition cannot be had among that class of horses on any day, another race for said day may be substituted. Three (3) percent of the first money of every purse won by a horse foaled in Iowa shall be paid to the breeder of such horse.

(19) It shall be unlawful for any person to use or permit to be used a narcotic of any kind to stimulate or retard any horse that is to run in a race in this state to which the provisions of this Act apply, or for a person having control of such horse and knowledge of such stimulation or retardation to allow it to run in any such race. The owners of such horse, their agents or employees shall permit any member of the commission or any person appointed by the commission for that purpose to make such tests as the commission deems proper in order to determine whether any animal has been so stimulated or retarded. The findings of the commission that a horse has been stimulated or retarded by a narcotic or narcotics shall be prima facie evidence of a violation of this section.

(20) No part of this Act shall be construed to apply to horse racing or horse-race meetings at any state or county fair or elsewhere unless the certificate system of wagering is used or intended to be used in connection therewith.

(21) Any unlicensed person holding or conducting any race or race meet in connection with which the certificate system of wagering is used or to be used, or any person holding or conducting races or race meets in connection with which any wagering is permitted otherwise than in the manner specified by this Act, or any person violating any of the provisions of this Act or any of

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the rules and regulations prescribed by the commission, shall upon conviction be fined not to exceed five thousand (5,000) dollars or imprisoned not more than one (1) year or both such fine and imprisonment.

(22) The certificate system of wagering on the results of race meets when conducted within the race track enclosure at licensed race meets shall not be held or construed to be unlawful, any other statutes of the state to the contrary notwithstanding.

(23) Chapter seven hundred twenty-six (726), Code 1962, is hereby amended by adding the following new section:

"This chapter shall not apply to the certificate system of wagering on race meets conducted under a license issued by the state racing commission."

(24) Chapter ninety-nine (99), Code 1962, is hereby amended by adding thereto the following new section:

"The provisions of this chapter shall not apply to the maintenance of a certificate system of wagering on race meets conducted by licensees of the state racing commission."

(25) Chapter ninety-nine A (99A), Code 1962, is hereby amended by adding thereto the following new section:

"The provisions of this chapter shall not apply to the maintenance of a certificate system of wagering on race meets conducted by licensees of the state racing commission."

(26) Section five hundred thirty-seven point four (537.4), Code 1962, is hereby amended by adding thereto the following:

"The provisions of this section shall not apply to wagers made under a certificate system of wagering on race meets when such system is maintained by a person licensed by the state racing commission to maintain such system."

(27) It is hereby declared to be the legislative intent that if this Act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part, sentence or clause thereof, the remaining provisions of the Act shall be given full force and effect as completely as if the part held unconstitutional had not been included therein.

RICHARD C. TURNER.
CHARLES F. GRIFFIN.
ORVAL C. WALTER.
JOHN J. BROWN.
PETER F. HANSEN.
KENNETH BENDA.

Amend Senate File 127 by striking all after the word "Amend" and inserting in lieu thereof the following:

Section 1. Section four hundred twenty-two point forty-five (422.45), Code 1962, is hereby amended by striking all of subsection five (5) and inserting in lieu thereof the following:

"The gross receipts of all sales of goods, wares or merchandise used for public purposes to any tax certifying or tax-levying body of the State of Iowa or governmental subdivision thereof, including the state board of regents, board of control of state institutions, state highway commission and all divisions, boards, commissions, agencies or instrumentalities of state, federal, county or municipal government which derive disbursable funds

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from appropriations or allotments of funds raised by the levying and collection of taxes, except sales of goods, wares or merchandise used by or in connection with the operation of any municipally-owned public utility engaged in selling gas, electricity or heat to the general public.

"The exemption provided by this subsection shall also apply to all such sales of goods, wares or merchandise subject to use tax under the provisions of chapter four hundred twenty-three (423).

Sec. 2. Section four hundred twenty-two point forty-five (422.45), Code 1962, is further amended by inserting after the word "thereof" in line three (3) of subsection six (6) the following:

"including the state board of regents, board of control of state institutions, state highway commission, and all divisions, boards, commissions, agencies or instrumentalities of state, federal, county or municipal government which derive disbursable funds from appropriations or allotments of funds raised by the levying and collection of taxes."

Sec. 3. The refunds provided in the preceding section two (2) shall be retroactive and apply to any applications for refund now on file with the state tax commission, or hereafter filed therewith for projects now in process, upon which sales or use taxes are paid prior to the taking effect of this Act. Any of the above-mentioned governmental bodies or subdivisions thereof shall be entitled to a refund of such taxes so paid upon making application to the state tax commission therefor.

Sec. 4. This Act being deemed of immediate importance shall be in full force and effect from and after its publication in the Cedar Rapids Gazette, a newspaper published at Cedar Rapids, Iowa, and The Mount Vernon Hawkeye-Record and The Lisbon Herald, a newspaper published at Mount Vernon, Iowa.

MARTIN WILEY.

On motion of Senator Rigler, the Senate adjourned until 8:30 a.m., Wednesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MAY 8, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Father A. A. Sodawasser, pastor of the St. Patrick's Catholic Church, Parkersburg, Iowa.

PRESENTATION OF VISITORS

Senator Vincent asked and received unanimous consent to present to the Senate twenty-two students from the Allerton Elementary School who were present in the balcony accompanied by their instructor, Blanche Nelson.

Senator Vincent also presented twenty-eight students from the Russell Elementary School who were present in the balcony accompanied by their instructor, Wilda Brandon.

Senator Martin asked and received unanimous consent to present to the Senate one hundred twenty students, members of the eighth grade class from the Prairie Junior High School, Linn County, who were present in the balcony accompanied by their superintendent, S. W. Wiley, and their principal, Robert Purcell.

Senator Wilson asked and received unanimous consent to present to the Senate seventy-five students from the Bloomfield High School who were present in the balcony accompanied by their instructors, Robert Nelson, Walter Morrison and Reva Willingham.

Senator Elvers rose on a point of personal privilege and presented to the Senate the Honorable F. E. Sharp, a former member of the Senate from Clayton County who was present in the Senate chamber.

INTRODUCTION OF BILL

Senate File 473, by committee on insurance, a bill for an act to amend Senate File four hundred forty-five (445), Acts of the Sixtieth General Assembly, relating to the organization of domestic insurance companies.

Read first and second times and referred to the sifting committee.

UNFINISHED BUSINESS

On motion of Senator Shaff, House File 550, a bill for an act relating to an increase in the tax imposed on cigarettes, on retail sales of

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tangible personal property, on gross receipts from operation of amusement devices and enterprises, and on the use tax; imposing a service tax on gross receipts for services performed by hotels, motels, rooming houses, tourist courts and trailer camps; relating to the apportionment and computation of the agricultural land tax credit; and relating to the tax levy for supplementary aid and general aid to school districts, was taken up for further consideration.

CALL OF THE SENATE

The Chair announced that the Call of the Senate was still in effect on the consideration of House File 550, and directed the Secretary to call the roll.

Roll call revealed all members present.

Senator Shaff asked and received unanimous consent that further action on the amendment filed by Senators Lucken and Shaff to the committee amendment on May 7 be temporarily deferred.

Senator Shaff asked and received unanimous consent to withdraw the amendment to the committee amendment filed by him on April 29 and found on page 1075 of the Senate Journal.

Senator Shaff offered the following amendment to the committee amendment and moved its adoption:

Amend the committee amendment by inserting in line 78 after the word "property", the following:

"as building materials, supplies and equipment, but not the constructors own tools or equipment,".

The amendment to the amendment was adopted.

Senator Flatt offered the following amendment to the committee amendment:

Amend the committee amendment as follows:

1. By striking all of lines 20 and 21.

2. By striking from lines 27 through 29 the words "and by striking from line twenty-three (23) the word 'two' and inserting in lieu thereof the word 'three' ".

3. By inserting after line 29 the following as a new subsection:

"By adding to such section the following:

'There is hereby imposed for the period July 1, 1963, to June 30, 1965, inclusive, an additional tax of one (1) percent upon the gross receipts from all sales of tangible personal property and all other transactions subject to sales tax under the provisions of this section. Said tax shall be collected and paid in the manner provided by this chapter.' "

4. By striking all of lines 30 through 32 and inserting in lieu thereof the following:

"For the period July 1, 1963, to June 30, 1965, inclusive, the amount credited to the road use tax fund for each fiscal year under section four

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hundred twenty-two point sixty-two (422.62) of the Code shall be two-thirds (⅔) of ten (10) percent, less the amount transferred during the fiscal year for motor vehicle registration plates, of the net proceeds collected under division IV of Chapter four hundred twenty-two (422) for the entire fiscal year."

5. By striking all of lines 34 after the word "amended" and by striking all of line 35 and 36 and inserting in lieu thereof the following:

"by adding thereto the following:

'In addition to the tax levied by this section there is hereby imposed an additional excise tax upon the use in this state of tangible personal property purchased between July 1, 1963, and June 30, 1965, inclusive, at the rate of one (1) percent of the purchase price of such property. Said tax is hereby imposed on every person using such property within this state until such tax has been paid through a retailer or to the commission as provided by this chapter. Said tax shall be collected and paid in the manner provided by this chapter.' "

6. By striking all of lines 38 and 39 and inserting in lieu thereof the following:

"three (422.33), Code 1962, by adding thereto the following:

'There is hereby imposed for the period July 1, 1963, to June 30, 1965, inclusive, an additional tax upon each corporation organized under the laws of this state, and upon every foreign corporation doing business in this state, annually in an amount equivalent to one (1) percent of the net income received by such corporation during the income year. Said tax shall be computed, collected, and paid in the manner provided by this chapter.' "

7. By striking from line 89 the words ", corporation income tax" and inserting in lieu thereof the words "and corporation income tax for a period of two (2) years".

Senator Flatt asked and received unanimous consent to withdraw divisions 4 and 5 of the amendment.

Senator Elthon moved the previous question on the amendment, which motion prevailed.

Senator Flatt moved the adoption of divisions 1, 2 and 3.

Divisions 1, 2 and 3 of the amendment were lost.

Senator Flatt asked and received unanimous consent to withdraw the balance of the amendment.

Senator Coleman asked and received unanimous consent to withdraw the amendment to the committee amendment filed by him on May 1.

Senator Campbell asked and received unanimous consent to withdraw the amendment filed by Senators Campbell and Wearin on May 1.

Senator Kyhl offered the following amendment and moved its adoption:

Amend the committee amendment as follows:

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Insert in section 9, line 9, after the word "taxation" the following: ", vehicle registration fees".

The amendment to the amendment was adopted.

Senator Getting offered the following amendment and moved its adoption:

Amend the committee amendment by adding at the end of section 3 a new paragraph as follows:

Section three hundred twelve point one (312.1), Code 1962, is amended by adding after the word "percent" in line three (3) of subsection four (4) the words "of two-thirds".

The amendment to the amendment was adopted.

Senator Campbell offered the amendment filed by Senators Campbell and Doran on May 6 and found on pages 1151-1154, inclusive, of the Senate Journal.

Senator Long raised a point of order on the amendment for the reason that it was not germane to the bill.

The Chair ruled the point well taken and the amendment out of order.

Senator Hansen called up the amendment to the committee amendment filed by Senator Turner, et al., on May 7 and found on pages 1187-1192, inclusive, of the Senate Journal.

Senator Flatt raised a point of order on the amendment for the reason that it was not germane to the bill.

The Chair ruled the point well taken and the amendment out of order.

Senator Turner offered the following amendment:

Amend the committee amendment by adding the following subsection to section 2:

"5. By inserting the following paragraph after the third unnumbered paragraph of section four hundred twenty-two point forty-three (422.43), Code 1962:

'Residents of the states which impose no retail sales tax on tangible personal property, and which states adjoin counties of this state, may make purchases of tangible personal property, consisting of goods, wares or merchandise, in such adjoining counties without paying the retail sales tax otherwise imposed herein provided such residents of such adjoining states are in this state for the express purposes of making purchases and not as tourists and provided they execute affidavits for exemption forms furnished by the state tax commission, and which forms are filed with the commission by the vendor at the time of filing his tax return.' "

Senator Turner moved the adoption of the amendment to the committee amendment.

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Roll call was requested.

On the question "Shall the amendment to the amendment be adopted?" the vote was:

Rule 8 was invoked.

Ayes, 26:

Beneke	Flatt	Lisle	Shivvers
Buck	Fulton	Long	Stephen
Campbell	Getting	Lucken	Turner
Cowden	Griffin	Nolan	Van Eaton
Dykouse	Grimstead	Schroeder	Vincent
Elthon	Hansen	Scott	Wearin
Elvers	Kyhl		

Nays, 24:

Benda	Doran	Main	Shoeman
Brown	Elijah	Mincks	Vance
Burrows	Fisher	O'Malley	Walker
Coleman	Frommelt	Phelps	Walter
Curran	Hill	Rigler	Wiley
Dodds	Lodwick	Shaff	Wilson

Absent or not voting, none.

The amendment to the amendment was adopted.

Senator Turner offered the following amendment:

Amend the committee amendment by adding the following paragraph thereto:

"The increased sales and use rates imposed herein shall be effective only until July 4, 1965, at which time said rates, unless otherwise changed by law, shall be two percent (2%)."

Senator Shaff raised a point of order on the amendment for the reason that the subject matter contained thereon had already been considered.

The Chair ruled the point well taken and the amendment out of order.

Senator Fulton called up the amendment to the committee amendment filed by him on May 7 and found on pages 1180-1185, inclusive, of the Senate Journal.

On motion of Senator Rigler, the Senate stood at ease until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

The Chair announced that the Call of the Senate was still in effect and directed the Secretary to call the roll.

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Roll call revealed all members present.

The Senate resumed consideration of House File 550 and the amendment filed by Senator Fulton.

Senator Fulton moved the adoption of the amendment to the committee amendment.

Roll call was requested.

On the question "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 23:

Benda	Elvers	Main	Stephens
Brown	Frommelt	Mincks	Vincent
Coleman	Fulton	O'Malley	Walker
Curran	Getting	Phelps	Walter
Dodds	Hansen	Shaff	Wilson
Elijah	Hill	Shivvers	

Nays, 27:

Beneke	Elthon	Lodwick	Shoeman
Buck	Fisher	Long	Turner
Burrows	Flatt	Lucken	Vance
Campbell	Griffin	Nolan	Van Eaton
Cowden	Grimstead	Rigler	Wearin
Doran	Kyhl	Schroeder	Wiley
Dykhouse	Lisle	Scott	

Absent or not voting, none.

The amendment to the amendment was lost.

Senator Turner offered the following amendment:

Amend the committee amendment by adding the following subsection to section 2:

"5. By inserting the following paragraph after the fourth unnumbered paragraph of section four hundred twenty-two point forty-three (422.43), Code 1962:

'Recognizing the human characteristic to purchase certain goods at their lowest possible cost, and acknowledging that the State of Iowa borders on two states that have no sales tax, the legislature finds as a matter of fact that an increase in the sales tax to those sellers and buyers so located will work an economic hardship. Therefore, in cities and towns adjoining states with no sales tax on tangible personal property, the tax upon the gross receipts of sellers from all sales of tangible personal property, consisting of goods, wares or merchandise, except as otherwise provided in this division, sold at retail in such border cities and towns to consumers or users, shall be at a rate of two percent (2%) in lieu of the three percent (3%) rate otherwise imposed herein.'"

Senator Walker raised a point of order on the amendment for the reason that the same subject matter had already been considered.

The Chair ruled the point well taken and the amendment out of order.

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Senator Beneke asked and received unanimous consent to take up out of order the following amendment.

Objection was raised.

Senator Beneke moved that the Senate take up out of order the following amendment filed by Senators Beneke and Lucken, which motion prevailed.

Amend the committee amendment as follows:

1. By striking from line 63 the number "(358.11)" and inserting in lieu thereof the number "(35B.11)".

2. By inserting after section 7 the following new sections:

A. "Section four hundred thirty-one point one (431.1), Code 1962, is hereby amended by inserting in line eight (8) after the word 'transacted.' the following sentence:

'Such moneys and credits shall be taxed at a rate of five (5) mills in addition to any other tax on moneys and credits provided by law, and the proceeds thereof distributed to taxing districts as provided in section four hundred twenty-nine point three (429.3) of the Code.'"

B. "Section four hundred twenty-two point thirteen (422.13), Code 1962, is hereby amended by adding the following new subsection thereto.

'5. Every individual having income from dividends or interest exceeding two hundred dollars ($200.00) for the tax year shall make and sign a return even though not otherwise required to do so.'"

C. "Chapter four hundred twenty-two (422), Code 1962, is hereby amended by adding the following new section to Division II thereof:

'Every individual taxpayer subject to filing an Iowa income tax return shall make a separate accounting, on his tax return, of interest and dividends received during the tax year and forward to the tax commission, as a surtax, two (2) percent of the amount thereof. The provisions of this section shall not include the first two hundred (200) dollars of such interest and dividends for every individual taxpayer nor interest and dividends received on United States government securities, bank stock, building and loan or savings and loan association stock, insurance and annuity contracts, or on bonds or certificates issued by any municipality, school district, drainage or levee district, river-front improvement commission or county within the State of Iowa. The amount of said surtax shall be paid at the same time and in the same manner as income taxes due on the tax return. The deductions provided for in section four hundred twenty-two point twelve (422.12) of the Code shall not be available against the surtax. The total amount of all surtaxes collected hereunder shall be returned to the county of origin as indicated by the tax return of the taxpayer. Surtaxes paid by nonresidents shall be credited to the state general fund.

'The state tax commission shall make a separate account of the amount of said surtax received from each county and on the first day of each calendar quarter certify to the state treasurer and state comptroller the amounts determined as due each county and the comptroller shall thereupon draw warrants for the said amounts and transmit same to the various county auditors for deposit with the county treasurers. Each county auditor shall apportion said funds in the same manner as receipts from moneys and credits are apportioned as provided in section four hundred twenty-nine point three (429.3) of the Code.'"

3. By adding to line 91, after the word "tax" the words "and to levy a tax on the interest and dividends from investments".

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4. Further amend by renumbering the sections in conformity with this amendment.

Senator Beneke 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, 41:

Benda	Dykhouse	Hansen	Rigler
Beneke	Elijah	Hill	Scott
Brown	Elthon	Lodwick	Shaff
Buck	Elvers	Long	Shivvers
Burrows	Fisher	Lucken	Stephens
Campbell	Flatt	Main	Vance
Coleman	Frommelt	Mincks	Vincent
Cowden	Fulton	Nolan	Walter
Curran	Getting	O'Malley	Wearin
Dodds	Grimstead	Phelps	Wilson
Doran			

Nays, 8:

Kyhl	Schroeder	Turner	Walker
Lisle	Shoeman	Van Eaton	Wiley

Absent or not voting, none.

Voting present, 1:

Griffin

The amendment to the amendment was adopted.

EXPLANATION OF VOTE

I voted "No" on the Beneke amendment to House File 550 for the reason that both the repeal of the moneys and credits tax and the application of the two percent surtax on dividends and interest are in different sections of the bill. We were voting on the surtax, and I spoke against it. My thought was to take out the repeal of the moneys and credits tax if the surtax amendment was defeated. I hope I made this clear, but I am not at all sure that I did. In other words, I felt it was better to leave untouched the moneys and credits tax and to defeat the surtax.

VERN LISLE.

Senator Lucken asked and received unanimous consent to withdraw the amendment filed by Senators Lucken and Shaff to the committee amendment on May 7 and found on page 1165 of the Senate Journal.

Senator Shoeman offered the following amendment to the committee amendment, filed by Senators Shoeman, Lisle and Wearin, and moved its adoption:

Amend the amendment by striking therefrom all of section 5.

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Senator Getting moved the previous question on the amendment, which motion prevailed.

Roll call was requested.

On the question "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 24:

Benda	Dykhouse	Long	Turner
Buck	Fisher	Lucken	Vance
Burrows	Griffin	Nolan	Van Eaton
Campbell	Kyhl	Schroeder	Walker
Cowden	Lisle	Scott	Wearin
Curran	Lodwick	Shoeman	Wiley

Nays, 26:

Beneke	Elvers	Hill	Shaff
Brown	Flatt	Main	Shivvers
Coleman	Frommelt	Mincks	Stephens
Dodds	Fulton	O'Malley	Vincent
Doran	Getting	Phelps	Walter
Elijah	Grimstead	Rigler	Wilson
Elhon	Hansen		

Absent or not voting, none.

The amendment to the amendment was lost.

Senator Campbell offered the following amendment filed by Senators Campbell, Doran and Elthon:

Amend the committee amendment by adding thereto the following additional sections:

1. "For the purpose of this Act, the following definitions and limitations shall apply:

a. 'Trading stamp company' means any person engaged in any manner in distributing trading stamps for retail issuance by others or in redeeming trading stamps for retailers.

b. 'Trading stamp' means any stamp or similar device issued in connection with the retail sale of merchandise or other services provided to a customer as a cash discount or for any other marketing purpose whether issued in connection with an advertising plan or otherwise which entitles the rightful holder, on its due presentation for redemption, to receive merchandise, service, cash, or any other thing of value.

c. 'Trading stamp' does not include any redeemable device used by the manufacturer or packer of an article, in advertising or selling it, or any redeemable device issued and redeemed by a newspaper, magazine, or other publication. The term 'manufacturer' or 'packer' as used in this section means any vendor of an article of merchandise which is put up by him in an original package and which is sold under his or its trade name, brand or mark.

d. 'Trading stamp' does not include any coupon, caused to be prepared by the merchant using the same and distributed by him to his customers, which coupon, ticket, certificate, cards, or other similar device is redeemable only by such merchant for or in connection with the purchase of specific articles of merchandise carried in his stock.

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e. The devices described in paragraphs 'c' and 'd' are not subject to the tax imposed."

2. "There is hereby imposed a tax of five percent (5%) on all of the proceeds from sales made by trading stamp companies in Iowa as reported by them on form IT2A to the Iowa state tax commission on their corporate income tax return.

"Said tax shall be in addition to all other taxes now assessed against trading stamp companies and shall be payable by the trading stamp companies to the treasurer of the State of Iowa at the time their income tax is paid either on a calendar or fiscal year depending upon the method used by the company to report its Iowa income.

"For the purposes of paying the tax, if the trading stamp company does not file a corporation tax return he shall report his gross proceeds from sales made in Iowa directly to the treasurer and pay the tax thereabove stated."

3. "Proceeds from the tax levied upon trading stamp companies shall be credited to the general fund of the state."

4. "If any sentence, clause, provision, or section of this Act shall be held unconstitutional, such decision shall not affect the validity or the constitutionality of any other sentence, clause, provision, or section herein contained and it shall be conclusively presumed that the legislature would have enacted the remainder of this Act without the sentence, clause, provision, or section so held unconstitutional."

President pro tempore Vance took the chair at 4:10 p.m.

Senator Campbell moved the adoption of the amendment to the amendment.

Senator Lucken moved the previous question on the amendment, which motion prevailed.

Roll call was requested.

On the question "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 22:

Brown	Flatt	Lucken	Stephens
Campbell	Getting	Nolan	Van Eaton
Coleman	Griffin	Scott	Walker
Doran	Grimstead	Shaff	Wearin
Elthon	Hansen	Shivvers	Wilson
Fisher	Hill		

Nays, 27:

Benda	Dykhouse	Lodwick	Shoeman
Beneke	Elijah	Long	Turner
Buck	Elvers	Main	Vance
Burrows	Frommelt	Mincks	Vincent
Cowden	Fulton	Phelps	Walter
Curran	Kyhl	Rigler	Wiley
Dodds	Lisle	Schroeder	

Absent or not voting, none.

Voting present, 1:

O'Malley

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The amendment to the amendment was lost.

Senator Campbell asked and received unanimous consent to withdraw the amendment filed by Senators Campbell and Doran on May 6 and found on pages 1150-1151 of the Senate Journal.

Senator Dykhouse called up for further consideration the following amendment filed by him:

Amend the committee amendment as follows:

1. By adding the following new section after line 75 and renumbering the remaining sections:

"From the revenue derived by the provisions of this Act there is hereby appropriated annually to a 'property tax credit fund', which is hereby created, the sum of thirty million dollars ($30,000,000), or so much thereof as may be available above the amount necessary to keep the balance in the general fund above sixteen million dollars ($16,000,000), which shall be distributed annually on warrants drawn by the state comptroller and made payable to the county treasurers of the several counties of the state. The revenue distributable shall be allocated each year to the several counties in the same proportion that the assessed valuation of the taxable real and personal property in that county for the preceding tax year bears to the total taxable real and personal property in the state for the preceding tax year. Not later than October 1 in the year 1963, and annually thereafter, the state comptroller shall certify to the county treasurer of each county in the state the amount of money that will be allocated to that county the following year. The county treasurer shall thereupon enter a credit against the tax bill of each taxpayer in said county, being the tax bill of the current year due and payable the following year, and the amount of said credit shall be in the same proportion to the total amount so certified to the county treasurer by the state comptroller as the assessed valuation of such taxpayer's taxable real and personal property for the current tax year bears to the total assessed valuation of taxable real and personal property in that county for the current tax year. The amount of money so credited to the taxpayers of the county shall be distributed by the county treasurer to the several taxing districts of said county upon the receipts in the following year of the comptroller's warrant drawn on the property tax credit fund, the same as though the amount thereof had been paid to the treasurer of said taxing district."

Senator Frommelt raised a point of order on the amendment for the reason that it was not germane to the bill.

The Chair ruled the point not well taken and the amendment to the amendment in order.

Senator Dykhouse moved the adoption of the amendment.

Roll call was requested.

On the question "Shall the amendment to the amendment be adopted?" the vote was:

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Ayes, 10:

Dykhouse	Griffin	Nolan	Shoeman
Fisher	Long	Phelps	Van Eaton
Flatt	Lucken		

Nays, 39:

Benda	Doran	Hill	Shivvers
Beneke	Elijah	Lisle	Stephens
Brown	Elthon	Lodwick	Turner
Buck	Elvers	Main	Vincent
Burrows	Frommelt	Mincks	Walker
Campbell	Fulton	O'Malley	Walter
Coleman	Getting	Rigler	Wearin
Cowden	Grimstead	Schroeder	Wiley
Curran	Hansen	Scott	Wilson
Dodds	Kyhl	Shaff	

Absent or not voting, 1:

Vance

The amendment to the amendment was lost.

Senator Walker asked and received unanimous consent to withdraw the amendment to the committee amendment filed by Senators Stephens, et al., on May 7 and found on pages 1185 and 1186 of the Senate Journal.

Senator Walker offered the following amendment:

Amend the committee amendment to House File 550 as follows:

By adding the following new sections after line 75:

1. "Section four hundred twenty-six point one (426.1), Code 1962, is amended by striking from line nine (9) the word 'eleven' and inserting in lieu thereof the word 'twenty-one'.

2. "There is hereby appropriated from the general fund annually for each year of the ensuing biennium to the department of public instruction the sum of ten million dollars ($10,000,000) for general state aid to the school districts as provided by chapter two hundred eighty-six A (286A) of the Code; provided, however, that no school districts shall receive financial aid under the provisions of said chapter of the Code in the event a school tax levy for the general fund of at least fifteen (15) mills was not made in such district for the preceding year.

3. "There is hereby appropriated from the general fund annually for each year of the ensuing biennium to a 'property tax credit fund', which is hereby created, the sum of twenty-four million dollars ($24,000,000), or so much thereof as may be available from the revenue received and above the amount necessary so that the balance in the general fund at the end of the fiscal year will not be less than sixteen million dollars ($16,000,000), which shall be distributed annually on warrants drawn by the state comptroller and made payable to the county treasurers of the several counties of the state. The revenue distributable shall be allocated each year to the several counties in the same proportion that the assessed valuation of the taxable real and personal property in that county for the preceding tax year bears to the total taxable real and personal property in the state for the preceding tax year. Not later than October 1 in the year 1963, and annually thereafter, the state comptroller shall certify to the county treasurer of each county in the state the amount of money that will be allocated to

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that county the following year. The county treasurer shall thereupon enter a credit against the tax bill of each taxpayer in said county, being the tax bill of the current year due and payable the following year, and the amount of said credit shall be in the same proportion to the total amount so certified to the county treasurer by the state comptroller as the assessed valuation of such taxpayer's taxable real and personal property for the current tax year bears to the total assessed valuation of taxable real and personal property in that county for the current tax year. The amount of money so credited to the taxpayers of the county shall be distributed by the county treasurer to the several taxing districts of said county upon the receipts in the following year of the comptroller's warrant drawn on the property tax credit fund, the same as though the amount thereof had been paid to the treasurer of said county by the taxpayers of said taxing district."

Senator Walker moved the adoption of the amendment.

Roll call was requested.

On the question "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 37:

Benda	Elijah	Lodwick	Shivvers
Beneke	Elthon	Long	Shoeman
Brown	Elvers	Main	Stephens
Buck	Flatt	Nolan	Vance
Burrows	Getting	O'Malley	Vincent
Campbell	Griffin	Phelps	Walker
Coleman	Grimstead	Rigler	Walter
Cowden	Kyhl	Scott	Wearin
Curran	Lisle	Shaff	Wilson
Doran			

Nays, 13:

Dodds	Fulton	Lucken	Turner
Dykhouse	Hansen	Mincks	Van Eaton
Fisher	Hill	Schroeder	Wiley
Frommelt			

Absent or not voting, none.

The amendment to the amendment was adopted.

Senator Mincks offered the following amendment to the amendment filed by Senators Mincks and Schroeder:

Amend the committee amendment as follows:

1. By adding thereto the following:

"No owner shall be eligible for the agricultural land credit provided herein unless a portion of the same property or another plot related thereto for agricultural or horticultural purposes is eligible for homestead credit as provided by chapter four hundred twenty-five (425) for the year in which agricultural credit is claimed; or unless the plot for which agricultural credit is claimed is actually utilized and operated by the owner as a part of his personal agricultural or horticultural pursuits; or unless the plot for which agricultural credit is claimed is owned by an owner in retirement status and has been actually utilized and operated as a part of the owner's

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personal agricultural or horticultural pursuits at least five (5) consecutive years before the owner's retirement."

Senator Griffin moved the previous question on the amendment, which motion prevailed.

Senator Mincks moved the adoption of the amendment.

Roll call was requested.

On the question "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 7:

Coleman	Fulton	Mincks	Walter
Dodds	Main	Schroeder	

Nays, 40:

Benda	Elthon	Kyhl	Shivvers
Brown	Elthon	Lisle	Shoeman
Beneke	Elvers	Lodwick	Stephens
Buck	Fisher	Lucken	Turner
Burrows	Flatt	Nolan	Vance
Campbell	Getting	O'Malley	Van Eaton
Cowden	Griffin	Phelps	Vincent
Curran	Grimstead	Rigler	Wearin
Doran	Hanson	Scott	Wiley
Elijah	Hill	Shaff	Wilson

Absent or not voting, 2:

Dykhouse	Long

Voting present, 1:

Frommelt

The amendment to the amendment was lost.

Senator Schroeder offered the following amendment:

Amend the committee amendment to House File 550 by adding the following new section:

There is hereby appropriated annually from the general fund to an "urban land tax credit fund" the sum of ten million dollars ($10,000,000) which shall be distributed annually on warrants drawn by the state comptroller and made payable to the county treasurers of the several counties of the state. The revenue distributable shall be allocated each year to the several counties in the same proportion that the total assessed valuation of the taxable real and personal property in all cities and towns in that county for the preceding tax year bears to the total taxable real and personal property in all cities and towns in the state for the preceding tax year. Not later than October 1 in the year 1963, and annually thereafter, the state comptroller shall certify to the county auditor of each county in the state the amount of money that will be allocated to that county the following year. The county auditor shall thereupon enter a credit against the tax bill of each taxpayer owning property within the corporate limits of a city or town in said county, being the tax bill of the current year due and payable the following year, and the amount of said credit shall be in the same proportion to the total amount so certified to the county auditor by

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the state comptroller as the assessed valuation of such taxpayers' taxable real and personal property within the corporate limits of a city or town in said county for the current tax year bears to the total assessed valuation of all taxable real and personal property in cites and towns in that county for the current tax year. The amount of money so credited to the taxpayers having property in the cities and towns of the county shall be distributed by the county treasurer to the appropriate taxing districts of said county upon the receipt in the following year of the comptroller's warrant drawn on the urban land tax credit fund, the same as though the amount thereof had been paid to the treasurer of said county by the taxpayers of said taxing district.

Senator Schroeder moved the adoption of the amendment to the amendment.

The amendment to the amendment was lost.

Senator Flatt offered the following amendment:

Amend the committee amendment to House File 550, by inserting after line twenty-five (25) the following paragraph:

"Five (5) percent of the revenues derived from the sales tax on hotels and motels shall be placed in a 'tourism fund' which is hereby created. The 'tourism fund' shall be expended by the Iowa development commission to promote tourism in Iowa."

Senator Flatt moved the adoption of the amendment to the amendment.

The amendment to the amendment was adopted.

Senator Shaff offered the following amendment to the committee amendment and moved its adoption:

Amend the committee amendment by inserting the following new section immediately before line 80:

"If any provisions of this Act or the application of such provision to any person or circumstance shall be held invalid, the remainder of this Act or the application of such provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby."

The amendment to the amendment was adopted.

Senator Shaff offered the following amendment and moved its adoption:

Amend the committee amendment to House File 550, line 91, by inserting after the word "tax" the following: "and the appropriation of revenue".

The amendment to the committee amendment was adopted.

President Mooty took the chair at 5:35 p.m.

Senator Shaff moved the adoption of the committee amendment as amended.

Roll call was requested.

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On the question "Shall the committee amendment as amended be adopted?" the vote was:

Rule 8 was invoked.

Ayes, 27:

Benda	Elijah	Lodwick	Shivvers
Beneke	Elthon	Long	Stephens
Buck	Elvers	Nolan	Vincent
Campbell	Fisher	Phelps	Walker
Cowden	Flatt	Rigler	Wearin
Curran	Getting	Scott	Wilson
Doran	Kyhl	Shaff	

Nays, 23:

Brown	Fulton	Lucken	Turner
Burrows	Griffin	Main	Vance
Coleman	Grimstead	Mincks	Van Eaton
Dodds	Hansen	O'Malley	Walter
Dykhouse	Hill	Schroeder	Wiley
Frommelt	Lisle	Shoeman	

Absent or not voting, none.

The amendment as amended was adopted.

Senator Shaff moved that the bill be read a third 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:

Benda	Doran	Kyhl	Shaff
Beneke	Elijah	Lodwick	Shivvers
Buck	Elthon	Long	Stephens
Burrows	Elvers	Nolan	Vincent
Campbell	Fisher	Phelps	Walker
Cowden	Flatt	Rigler	Wearin
Curran	Getting	Scott	Wilson

Nays, 22:

Brown	Griffin	Main	Turner
Coleman	Grimstead	Mincks	Vance
Dodds	Hansen	O'Malley	Van Eaton
Dykhouse	Hill	Schroeder	Walter
Frommelt	Lisle	Shoeman	Wiley
Fulton	Lucken		

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 Shaff moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

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MESSAGES FROM 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 349, a bill for an act relating to the amendment of the articles or bylaws of cooperative associations.

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 fees for class "C" permits.

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 the buying and selling of eggs.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 579, a bill for an act relating to reciprocal enforcement of tax liabilities.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 588, a bill for an act allowing the state appeal board and special assistant attorney general power to approve or reject claims against the state.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 237, a bill for an act relating to the distribution, sale, transportation and use of pesticides and devices and to provide for registration and examination of such materials and regulation of their use.

Also: That the House insists on its amendments to Senate File 306, a bill for an act relating to retail sales tax and use tax on leases or rentals of equipment and requests a conference. The Speaker has appointed as members of the conference committee, on the part of the House, Camp of Clinton, Messerly of Black Hawk, Hagedorn of Clay and Millen of Van Buren.

WILLIAM R. KENDRICK, *Chief Clerk.*

CONFERENCE COMMITTEE APPOINTED

President Mooty announced the appointment of Senators Doran, Schroeder, Shaff and Wiley, on the part of the Senate, on the conference committee on Senate File 306.

HOUSE AMENDMENT TO SENATE FILE 349

Amend Senate File 349, section 2, line 5, by inserting after the word "directors" the following: ", by a vote of seventy-five percent (75%) of the directors,".

HOUSE AMENDMENTS TO SENATE FILE 237

Amend Senate File 237 as follows:

1. Section 2, line sixty-six (66), by striking the words "performing such

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service for another" and inserting in lieu thereof the words "trading work with another".

2. Section 3, line thirty (30), by inserting after the word "a" the word "confidential"; also by adding after the period in line thirty-three (33) the following sentence: "Except in official proceedings pursuant to section 10 of this Act, it shall be unlawful for the secretary or any representative of the department to disclose the translation or decipherment of any code number or designation shown on a container pursuant to this requirement."

3. Section 4, line forty-three (43), by striking the period after the word "based" and inserting in lieu thereof the following: ", if requested by the secretary."; also by striking the word "shall" in line forty-four (44) and inserting in lieu thereof the word "may".

4. Section 5, line twenty-four (24), by striking the word "shall" and inserting in lieu thereof the word "may".

HOUSE MESSAGES CONSIDERED

House File 444, a bill for an act to amend section one hundred twenty-four point twenty-four (124.24), Code 1962, relating to fees for class "C" permits.

Read first and second times and referred to sifting committee.

House File 460, a bill for an act to amend chapter one hundred ninety-six (196), Code 1962, relating to the buying and selling of eggs.

Read first and second times and referred to sifting committee.

House File 579, a bill for an act to amend chapter four hundred twenty-one (421), Code 1962, relating to reciprocal enforcement of tax liabilities.

Read first and second times and referred to sifting committee.

House File 588, a bill for an act allowing the state appeal board and special assistant attorney general power to approve or reject claims against the state.

Read first and second times and referred to sifting committee.

SENATE CONCURRENT RESOLUTION 86

By Beneke, Walker, Rigler, Wearin and Doran

Whereas, a number of Universities and Colleges located within the State of Iowa are interested in research projects of great importance to national defense and industry; and

Whereas, many industries and our national government find it to be expedient and beneficial to locate industrial complexes near the University and College research centers; and

Whereas, both the educational institutions and the industries can be mutually benefited by immediate exchange of theory, on one hand, and practical application, on the other; and

Whereas, the establishment of such industrial complexes would en-

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courage industrial development in our great state and, further, encourage and enable our Iowa-trained scientists and other specialists to take industrial positions here in Iowa rather than take the fruits of their education to our sister states;

Now, Therefore, Be It Resolved by the Senate, the House Concurring: That, the Iowa Development Commission and the Universities and Colleges in the State of Iowa investigate and encourage the establishment of industrial complexes in various locations throughout the state.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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 365; also, House Files 286 and 462.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 365; also, House Files 286 and 462.

BILL SENT TO THE GOVERNOR

Senator Benda, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 8th day of May, 1963, sent to the Governor for his approval: Senate File 365.

KENNETH BENDA, *Chairman.*

Passed on file.

AMENDMENTS FILED

Amend the House amendment to Senate File 437 as follows:

1. Amend division 39 by adding the following after "arrest," in line 23: "or to afford the arrested person the same rights or privileges available to him before preliminary hearing and arraignment as provided for by section seven hundred fifty-five point seventeen (755.17) of the Code,".

2. By adding the following at the end of section 48, division 30 of the House amendment:

"Any right heretofore maintainable in a civil action shall not be denied, abrogated or abridged by sections 39 through 48, inclusive, of this Act."

DONALD G. BENEKE.

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Amend the House amendment to Senate File 437 as follows:

1. Amend division 9, lines 52 and 53,

by striking the words "the board shall not issue any new licenses", and by inserting in lieu thereof the words "no new licenses shall be issued".

FRANKLIN S. MAIN

Amend the House amendment to Senate File 437 as follows:

1. Amend division 17 by adding the folling new paragraph after "commission." in line 8:

"The hours of operation hereinbefore set forth in this section shall not apply to Class 'C' liquor control licensed premises. Premises operated under a Class 'C' liquor control license shall not sell or dispense any alcoholic beverage on the licensed premises or permit the consumption thereon between the hours of twelve (12) o'clock midnight and seven (7) a.m. on any day of the week except Sunday, and between the hours of twelve (12) o'clock midnight on Saturday and seven (7) a.m. on the following Monday, or on any general, special or primary election day during the hours that polls are open, or during such other periods or days as may be designated by the commission. The punishment for violation of the above hours of operation regulation shall be the same as is applicable under the provisions of paragraph 'b' of subsection four (4) of this section."

EARL ELIJAH.
HOWARD C. BUCK.

On motion of Senator Rigler, the Senate adjourned until 9:30 a.m., Thursday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MAY 9, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Clinton Wolf, pastor of the Christian Church, Osceola, Iowa.

PRESENTATION OF VISITORS

Senator Doran asked and received unanimous consent to present to the Senate thirty students, members of the fifth grade class of the Meeker Elementary School, Ames, who were present in the balcony accompanied by their instructor, Ann Mathre.

Senator Doran also presented sixty-three students from the East Greene Community Elementary School, Rippey, who were present in the balcony accompanied by their instructors, Carol Lantow, Ila Lappe and Marilyn Heater.

Senator Walker asked and received unanimous consent to present to the Senate thirty students from the Northeast Hamilton High School, Blairsburg, who were present in the balcony accompanied by their instructor, Tom Ouverson.

Senator Shoeman asked and received unanimous consent to present to the Senate sixteen students, members of the senior class of the St. Paul's High School, Defiance, who were present in the Senate chamber accompanied by their instructor, Father Deere.

INTRODUCTION OF BILLS

Senate File 474, by committee on appropriations, a bill for an act to appropriate from the general fund of the State of Iowa to the state board of regents for capital improvements; repairs, replacements, alterations and equipment.

Read first and second times and placed on the calendar.

Senate File 475, 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, 1963, and ending June 30, 1965, to the state board of regents for the support, maintenance, equipment, repairs, replacements and alterations of institutions under said state board of regents.

Read first and second times and placed on the calendar.

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Senate File 476, by committee on appropriations, a bill for an act to appropriate from the general fund of the State of Iowa for capital improvements for buildings and grounds under the superintendent of public buildings and grounds.

Read first and second times and placed on the calendar.

Senate File 477, by committee on appropriations, a bill for an act to appropriate from the general fund of the State of Iowa for capital improvements to the fair board.

Read first and second times and placed on the calendar.

Senate File 478, by committee on appropriations, a bill for an act to appropriate funds to the state comptroller from motor vehicle fuel tax fund.

Read first and second times and placed on the calendar.

Senate File 479, by committee on appropriations, a bill for an act to appropriate funds from the primary road fund to the industrial commission for payment of workmen's compensation claims of employees of the state highway commission.

Read first and second times and placed on the calendar.

Senate File 480, by committee on appropriations, a bill for an act to appropriate funds to the state comptroller from the primary road fund.

Read first and second times and placed on the calendar.

Senate File 481, by committee on appropriations, 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.

Read first and second times and placed on the calendar.

Senate File 482, by committee on appropriations, a bill for an act to appropriate thirty-nine million fifty-nine thousand five hundred sixty dollars ($39,059,560.00) from the general fund of the State of Iowa to the department of public instruction for general state aid for school districts as provided by chapter two hundred eighty-six A (286A), Code 1962.

Read first and second times and placed on the calendar.

Senate File 483, by committee on appropriations, a bill for an act to appropriate from the general fund of the State of Iowa eight million dollars ($8,000,000.00) to the department of public instruction for supplemental aid to certain school districts of the state, as provided by chapter two hundred eighty-six (286), Code 1962.

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Read first and second times and placed on the calendar.

Senate File 484, by committee on appropriations, a bill for an act to appropriate from the general fund of the State of Iowa eight million dollars ($8,000,000.00) to the department of public instruction for state aid for transportation as provided by chapter two hundred eighty-five (285), Code 1962.

Read first and second times and placed on the calendar.

Senator Rigler called up for further consideration Senate File 437.

The Chair announced that the Call of the Senate on any action on Senate File 437 was still in effect, and directed the Secretary to call the roll.

Roll call revealed all members present.

HOUSE AMENDMENTS CONSIDERED

Senator Schroeder called up for consideration Senate File 437, a bill for an act providing for home rule liquor control and the licensing and strict control of the retail sale of products sold by Iowa state liquor stores, amended by the House.

House amendments to Senate File 437, found on pages 1171-1179, inclusive, of the Senate Journal.

Senator Main offered the following amendment and moved its adoption:

Amend the House amendment to Senate File 437 as follows:
1. Amend division 9, lines 52 and 53, by striking the words "the board shall not issue any new licenses", and by inserting in lieu thereof the words "no new licenses shall be issued".

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 15:

Buck	Elthon	Hill	Shivvers
Cowden	Flatt	Main	Stephens
Doran	Getting	Phelps	Vincent
Elijah	Grimstead		Walker

Nays, 35:

Benda	Elvers	Long	Shoeman
Beneke	Fisher	Lucken	Turner
Brown	Frommelt	Mincks	Vance
Burrows	Fulton	Nolan	Van Eaton
Campbell	Griffin	O'Malley	Walter
Coleman	Hansen	Rigler	Wearin
Curran	Kyhl	Schroeder	Wiley
Dodds	Lisle	Scott	Wilson
Dykhouse	Lodwick	Shaff	

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Absent or not voting, none.

The amendment to the amendment was lost.

Senator Beneke offered the following amendment and asked and received unanimous consent that the amendment be considered by divisions:

Amend the House amendment to Senate File 437 as follows:

1. Amend division 39 by adding the following after "arrest," in line 23: "or to afford the arrested person the same rights or privileges available to him before preliminary hearing and arraignment as provided for by section seven hundred fifty-five point seventeen (755.17) of the Code,".

2. By adding the following at the end of section 48, division 30 of the House amendment:

"Any right heretofore maintainable in a civil action shall not be denied, abrogated or abridged by sections 39 through 48, inclusive, of this Act."

Senator Beneke moved the adoption of division 1 of the amendment.

Division 1 of the amendment to the amendment was lost.

Senator Beneke asked and received unanimous consent to withdraw division 2 of the amendment.

Senator Elijah offered the following amendment, filed by Senators Elijah and Buck, and moved its adoption:

Amend the House amendment to Senate File 437 as follows:

1. Amend division 17 by adding the following new paragraph after "commission." in line 8:

"The hours of operation hereinbefore set forth in this section shall not apply to Class 'C' liquor control licensed premises. Premises operated under a Class 'C' liquor control license shall not sell or dispense any alcoholic beverage on the licensed premises or permit the consumption thereon between the hours of twelve (12) o'clock midnight and seven (7) a.m. on any day of the week except Sunday, and between the hours of twelve (12) o'clock midnight on Saturday and seven (7) a.m. on the following Monday, or on any general, special or primary election day during the hours that polls are open, or during such other periods or days as may be designated by the commission. The punishment for violation of the above hours of operation regulation shall be the same as is applicable under the provisions of paragraph 'b' of subsection four (4) of this section."

Roll call was requested.

On the question "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 15:

Buck	Elthon	Main	Vincent
Cowden	Getting	Phelps	Walker
Doran	Grimstead	Shivvers	Wilson
Elijah	Hill	Stephens	

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Nays, 35:

Benda	Elvers	Lodwick	Shaff
Beneke	Fisher	Long	Shoeman
Brown	Flatt	Lucken	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Griffin	O'Malley	Wearin
Curran	Hansen	Rigler	Walter
Dodds	Kyhl	Schroeder	Wiley
Dykhouse	Lisle	Scott	

Absent or not voting, none.

The amendment to the amendment was lost.

Senator Schroeder moved that the Senate concur in the House amendments.

Roll call was requested.

On the question "Shall the Senate concur in the House amendments?" the vote was:

Ayes, 37:

Benda	Elvers	Hill	Schroeder
Brown	Fisher	Kyhl	Scott
Buck	Flatt	Lisle	Shaff
Burrows	Frommelt	Lodwick	Shoeman
Coleman	Fulton	Long	Vance
Cowden	Getting	Lucken	Van Eaton
Curran	Griffin	Mincks	Walter
Dodds	Grimstead	O'Malley	Wearin
Dykhouse	Hansen	Rigler	Wiley
Elijah			

Nays, 13:

Beneke	Main	Shivvers	Vincent
Campbell	Nolan	Stephens	Walker
Doran	Phelps	Turner	Wilson
Elthon			

Absent or not voting, none.

The motion prevailed and the Senate concurred in the House amendments.

Senator Schroeder moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Rule 8 was invoked.

Ayes, 27:

Benda	Campbell	Dodds	Fulton
Brown	Coleman	Elvers	Griffin
Burrows	Curran	Frommelt	Hansen

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Kyhl	Nolan	Scott	Van Eaton
Lodwick	O'Malley	Shaff	Wearin
Lucken	Rigler	Shoeman	Wiley
Mincks	Schroeder	Turner	

Nays, 23:

Beneke	Elthon	Lisle	Vance
Buck	Fisher	Long	Vincent
Cowden	Flatt	Main	Walker
Doran	Getting	Phelps	Walter
Dykhouse	Grimstead	Shivvers	Wilson
Elijah	Hill	Stephens	

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 Schroeder moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

EXPLANATION OF VOTE

I wish to make the following comment concerning my vote on Senate File 437.

I interpret section 10, subsecion 7, paragraph dealing with the reverse option feature to apply only to those areas outside the corporate limits of cities and towns, thus only those areas under the jurisdiction of the Board of Supervisors. Also I feel this reverse option feature is unworkable, susceptible to questionable interpretation, therefore there is little chance of this amendment to be effective in creating county option, which I oppose for the sake of safety.

Determining there is in actuality no county option, I vote Aye on Senate File 437.

JOHN L. CAMPBELL.

MESSAGES FROM 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 179, a bill for an act to abolish individual liquor permits.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 115, a bill for an act relating to bait advertising in the field of corrective eyeglasses.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 179

Amend Senate File 179 as follows:

1. By striking all of section 2 and subsections one (1), four (4) and six (6) of section 3.

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2. Amend by striking all of section 4 and inserting in lieu thereof the following:

Section one hundred twenty-three point twenty-two (123.22), subsection one (1), Code 1962, is hereby amended by adding after the words "nor may any person" in line two (2) the words "required by law to have a permit,".

Section one hundred twenty-three point twenty-two (123.22), subsection two (2), Code 1962, is hereby amended by striking paragraphs "a" and "b".

3. Amend by striking all of section 5.

4. Amend by striking all of section 6 and inserting in lieu thereof the following:

Section one hundred twenty-three point twenty-seven (123.27), Code 1962, is hereby amended by striking all of lines one (1), two (2), three (3) and four (4) and inserting in lieu thereof the words "Special permits shall be issued as herein provided."

Section one hundred twenty-three point twenty-seven (123.27), Code 1962, is further amended by striking all of paragraph "a" of subsection two (2).

5. Amend section 7 by striking from lines one (1) and two (2) the words and figures "one hundred twenty-three point twenty-eight (123.28), one hundred twenty-three point twenty-nine (123.29),".

6. Amend by inserting after section 7 the following new section:

Section one hundred twenty-three point twenty-eight (123.28), Code 1962, is hereby amended by striking therefrom the first sentence.

7. Amend by striking all of section 9.

8. Amend by striking all of section 10 and inserting in lieu thereof the following:

Section one hundred twenty-three point forty-five (123.45), Code 1962, is hereby repealed.

9. Amend section 13, line six (6), by striking the word and figures "twenty-five (25)" and inserting in lieu thereof the word and figures "twenty-one (21)".

10. Amend by striking all of section 14.

11. Amend section 15, line eight (8), by inserting the word "to" following the word "judgment".

12. Amend section 16, line eight (8), by inserting the word "to" following the word "judgment".

13. Amend by renumbering the remaining sections to conform with these amendments.

HOUSE MESSAGE CONSIDERED

House File 115, a bill for an act relating to bait advertising in the field of corrective eyeglasses, their components, and related services.

Read first and second times and referred to sifting committee.

On motion of Senator Rigler, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

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REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bill under consideration and recommends that it be placed on the sifting committee calendar:

S. F. 473.

ROBERT R. RIGLER, *Chairman*,
Sifting Committee.

THIRD READING OF BILLS

On motion of Senator Shoeman, Senate File 469, a bill for an act to appropriate to certain named firms or persons in settlement of claims made against the State of Iowa, with report of committee on appropriations recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered:

Amend Senate File 469, section 1, line 10, by striking the word "Emmetsburg" and inserting in lieu thereof the word "Farmersburg".

The amendment was adopted.

Senator Campbell moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

Nays, none.

Absent or not voting, none.

The bill having received a constitutional and two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Shoeman, Senate File 470, a bill for an act to appropriate from the general fund of the State of Iowa to the Iowa state commerce commission for the purpose of providing immediate funds necessitated by passage of Senate File 11, Acts of the Sixtieth General Assembly, was taken up and considered.

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Senator Shoeman offered the following amendment and moved its adoption:

Amend Senate File 470 as follows:

1. By striking the word, "the" in line 4 of section 2 and by inserting in lieu thereof the word, "The".

The amendment was adopted.

Senator Shoeman moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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 Shoeman, Senate File 471, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1963, and ending June 30, 1965, to the capitol planning commission the sum of twenty thousand (20,000) dollars, was taken up and considered.

Senator Shoeman moved that the bill be read a third 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:

Benda	Doran	Griffin	Mincks
Beneke	Dykhouse	Grimstead	Nolan
Brown	Elijah	Hansen	O'Malley
Buck	Elthon	Hill	Phelps
Burrows	Elvers	Kyhl	Rigler
Campbell	Fisher	Lisle	Schroeder
Coleman	Flatt	Lodwick	Scott
Cowden	Frommelt	Long	Shaff
Curran	Fulton	Lucken	Shivvers
Dodds	Getting	Main	Shoeman

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Stephens	Van Eaton	Walter	Wiley
Turner	Vincent	Wearin	Wilson
Vance	Walker		

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 Shoeman, House File 351, a bill for an act to appropriate from the general fund of the state to the department of agriculture for the purchase and equipment of a special purpose truck, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Buck moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

Nays, none.

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENTS CONSIDERED

Senator Lodwick called up for consideration House File 280, a bill for an act relating to the place of holding election meetings to elect members of the county agricultural extension council, amended by the Senate, and moved that the Senate concur in the following House amendment:

HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE FILE 280

Amend the Senate amendment to House File 280 by striking all of line 6 which reads as follows: "which other township is also holding a township election meeting,".

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The Senate concurred in the House amendment to the Senate amendment.

Senator Lodwick moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 50:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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 Walker called up for consideration Senate File 237, a bill for an act relating to the distribution, sale, transportation and use of pesticides and devices and to provide for registration and examination of such materials and regulation of their use, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 237 as follows:

1. Section 2, line sixty-six (66), by striking the words "performing such service for another" and inserting in lieu thereof the words "trading with another".

2. Section 3, line thirty (30), by inserting after the word "a" the word "confidential"; also by adding after the period in line thirty-three (33) the following sentence: "Except in official proceedings pursuant to section 10 of this Act, it shall be unlawful for the secretary or any representative of the department to disclose the translation or decipherment of any code number or designation shown on a container pursuant to this requirement."

3. Section 4, line forty-three (43), by striking the period after the word "based" and inserting in lieu thereof the following: ", if requested by the secretary."; also by striking the word "shall" in line forty-four (44) and inserting in lieu thereof the word "may".

4. Section 5, line twenty-four (24), by striking the word "shall" and inserting in lieu thereof the word "may".

The Senate concurred in the House amendments.

Senator Walker moved that the bill as amended by the House and

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concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 50:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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 called up for consideration Senate File 179, a bill for an act to abolish individual liquor permits, amended by the House, and moved that the Senate concur in the House amendments.

The Senate concurred in the House amendments.

Senator Van Eaton moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 40:

Benda	Dykhouse	Lisle	Shaff
Beneke	Elvers	Lodwick	Shoeman
Brown	Fisher	Long	Stephens
Burrows	Flatt	Lucken	Turner
Campbell	Frommelt	Mincks	Vance
Coleman	Fulton	Nolan	Van Eaton
Cowden	Getting	O'Malley	Walker
Curran	Griffin	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Kyhl	Scott	Wiley

Nays, 5:

Hill	Phelps	Shivvers	Vincent
Main			

Absent or not voting, 8:

Buck	Elthon	Grimstead

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Voting present, 2:

Elijah Wilson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Getting called up for consideration Senate File 349, a bill for an act relating to the amendment of the articles or bylaws of cooperative associations, amended by the House, and moved that the Senate concur in the following amendment:

HOUSE AMENDMENT TO SENATE FILE 349

Amend Senate File 349, section 2, line 5, by inserting after the word "directors" the following: ", by a vote of seventy-five percent (75%) of the directors,".

The Senate concurred in the House amendment.

Senator Getting moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 50:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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 127

On motion of Senator Wiley, Senate File 127, a bill for an act to amend section four hundred twenty-two point forty-five (422.45), Code 1962, relating to exemptions from the imposition of the retail sales tax, was taken up for further consideration.

Senator Wiley moved to reconsider the vote by which Senate File 127 passed the Senate, which motion prevailed.

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Senator Wiley moved to reconsider the vote by which Senate File 127 went to its third reading, which motion prevailed.

Senator Wiley moved to reconsider the vote by which the Senate amendment to the House amendment was adopted on April 18, and found on page 930 of the Senate Journal, which motion prevailed.

Senator Wiley moved to reconsider the vote by which the Senate amendment to the House amendment was adopted on April 15, and found on page 870 of the Senate Journal, which motion prevailed.

Senator Wiley offered the following amendment to the House amendment:

Amend the House amendment to Senate File 127 by striking all after the colon in line 3 and inserting in lieu thereof the following:

Section 1. Section four hundred twenty-two point forty-five (422.45), Code 1962, is hereby amended by striking all of subsection five (5) and inserting in lieu thereof the following:

"The gross receipts of all sales of goods, wares or merchandise used for public purposes to any tax certifying or tax-levying body of the State of Iowa or governmental subdivision thereof, including the state board of regents, board of control of state institutions, state highway commission and all divisions, boards, commissions, agencies or instrumentalities of state, federal, county or municipal government which derive disbursable funds from appropriations or allotments of funds raised by the levying and collection of taxes, except sales of goods, wares or merchandise used by or in connection with the operation of any municipally-owned public utility engaged in selling gas, electricity or heat to the general public.

"The exemption provided by this subsection shall also apply to all such sales of goods, wares or merchandise subject to use tax under the provisions of chapter four hundred twenty-three (423).

Sec. 2. Section four hundred twenty-two point forty-five (422.45), Code 1962, is further amended by inserting after the word "thereof" in line three (3) of subsection six (6) the following:

"including the state board of regents, board of control of state institutions, state highway commission, and all divisions, boards, commissions, agencies or instrumentalities of state, federal, county or municipal government which derive disbursable funds from appropriations or allotments of funds raised by the levying and collection of taxes."

Sec. 3. The refunds provided in the preceding section two (2) shall be retroactive and apply to any applications for refund now on file with the state tax commission, or hereafter filed therewith for projects now in process, upon which sales or use taxes are paid prior to the taking effect of this Act. Any of the above mentioned governmental bodies or subdivisions thereof shall be entitled to a refund of such taxes so paid upon making application to the state tax commission therefor.

Sec. 4. This Act being deemed of immediate importance shall be in full force and effect from and after its publication in the Cedar Rapids Gazette, a newspaper published at Cedar Rapids, Iowa, and The Mount Vernon Hawkeye-Record and The Lisbon Herald, a newspaper published at Mount Vernon, Iowa.

On motion of Senator Wiley, the amendment to the House amendment was adopted.

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On the motion of Senator Wiley, the Senate concurred in the House amendment as amended.

Senator Wiley moved that the bill as amended by the House and further amended by the Senate, and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 48:

Benda	Elijah	Lisle	Shaff
Beneke	Elthon	Lodwick	Shivvers
Brown	Elvers	Long	Shoeman
Buck	Fisher	Lucken	Stephens
Burrows	Flatt	Main	Turner
Campbell	Frommelt	Mincks	Vance
Coleman	Fulton	Nolan	Van Eaton
Cowden	Getting	O'Malley	Vincent
Curran	Griffin	Phelps	Walker
Dodds	Grimstead	Rigler	Walter
Doran	Hansen	Schroeder	Wearin
Dykhouse	Kyhl	Scott	Wiley

Nays, none.

Absent or not voting, none.

Voting present, 2:

Hill Wilson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENTS CONSIDERED

Senator Doran called up for further consideration Senate File 19, a bill for an act to provide for the establishment of water recreational areas and facilities normally associated therewith, amended by the House and found on pages 1143-1144 of the Senate Journal.

Senator Doran called up the following amendment to the House amendment filed by him:

Amend the amendment as follows:

1. Strike divisions 1, 3, 4, 5, 7, and 11.

2. Amend division 10, line 14, by adding the following after "condemnation,": "including all costs occasioned by appeal as set out in section four hundred seventy-two point thirty-three (472.33) of the Code, and ".

3. Further amend division 10 by striking the words, "in the public interest" in line 21 and by inserting in lieu thereof, the following: "for free public access and use".

Senator Doran 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:

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Ayes, 19:

Beneke	Fulton	Lodwick	Shivvers
Campbell	Getting	Lucken	Stephens
Curran	Grimstead	Main	Vincent
Dodds	Hill	Mincks	Wiley
Doran	Kyhl	Shaff	

Nays, 24:

Benda	Elvers	Lisle	Turner
Burrows	Fisher	Long	Vance
Cowden	Flatt	Nolan	Van Eaton
Dykhouse	Frommelt	O'Malley	Walter
Elijah	Griffin	Schroeder	Wearin
Elthon	Hansen	Shoeman	Wilson

Absent or not voting, 6:

Brown	Coleman	Scott	Walker
Buck	Rigler		

Voting present, 1:

Phelps

Division 1 of the amendment was lost.

Senator Doran moved the adoption of division 2 of the amendment.

Roll call was requested.

On the question "Shall division 2 of the amendment be adopted?" the vote was:

Ayes, 31:

Beneke	Frommelt	Lucken	Stephens
Buck	Fulton	Main	Turner
Campbell	Getting	Mincks	Vance
Curran	Grimstead	Nolan	Walker
Dodds	Hill	Phelps	Walter
Doran	Kyhl	Rigler	Wearin
Elijah	Lisle	Shaff	Wilson
Elthon	Lodwick	Shivvers	

Nays, 17:

Benda	Fisher	Long	Shoeman
Burrows	Flatt	O'Malley	Van Eaton
Cowden	Griffin	Schroeder	Vincent
Dykhouse	Hansen	Scott	Wiley
Elvers			

Absent or not voting, 2:

Brown	Coleman

Division 2 of the amendment was adopted.

Senator Doran moved the adoption of division 3 of the amendment.

Roll call was requested.

On the question "Shall division 3 of the amendment be adopted?" the vote was:

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Ayes, 26:

Beneke	Frommelt	Lodwick	Rigler
Buck	Fulton	Long	Shaff
Campbell	Getting	Lucken	Shivvers
Curran	Griffin	Main	Stephens
Dodds	Hill	Mincks	Wearin
Doran	Kyhl	O'Malley	Wilson
Elijah	Lisle		

Nays, 18:

Benda	Elvers	Phelps	Van Eaton
Burrows	Fisher	Schroeder	Vincent
Cowden	Flatt	Shoeman	Walter
Dykhouse	Hansen	Turner	Wiley
Elthon	Nolan		

Absent or not voting, 5:

Brown	Grimstead	Scott	Walker
Coleman			

Voting present, 1:

Vance

Division 3 of the amendment was adopted.

Senator Cowden moved that the Senate concur in the House amendments as amended.

The Senate concurred in the House amendments as amended.

Senator Cowden moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 27:

Benda	Elvers	Long	Shoeman
Buck	Fisher	Lucken	Turner
Burrows	Getting	Nolan	Vance
Cowden	Griffin	O'Malley	Van Eaton
Dykhouse	Grimstead	Phelps	Walter
Elijah	Hansen	Rigler	Wilson
Elthon	Lisle	Schroeder	

Nays, 20:

Beneke	Flatt	Lodwick	Stephens
Campbell	Frommelt	Main	Vincent
Curran	Fulton	Mincks	Walker
Dodds	Hill	Shaff	Wearin
Doran	Kyhl	Shivvers	Wiley

Absent or not voting, 3:

Brown	Coleman	Scott

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

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Senator Cowden moved that the 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 Cowden asked and received unanimous consent that Senate File 19 be immediately messaged to the House, which request was complied with.

THIRD READING OF BILLS

On motion of Senator Long, Senate File 473, a bill for an act to amend Senate File four hundred forty-five (445), Acts of the Sixtieth General Assembly, relating to the organization of domestic insurance companies, was taken up, considered, and the report of the committee adopted.

Senator Long moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 45:

Benda	Flatt	Long	Shoeman
Buck	Frommelt	Lucken	Stephens
Burrows	Fulton	Main	Turner
Cowden	Getting	Mincks	Vance
Curran	Griffin	Nolan	Van Eaton
Dodds	Grimstead	O'Malley	Vincent
Doran	Hansen	Phelps	Walker
Dykhouse	Hill	Rigler	Walter
Elijah	Kyhl	Schroeder	Wearin
Elthon	Lisle	Shaff	Wiley
Elvers	Lodwick	Shivvers	Wilson
Fisher			

Nays, none.

Absent or not voting, 5:

Beneke	Campbell	Coleman	Scott
Brown			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Long asked and received unanimous consent that Senate File 473 be immediately messaged to the House, which request was complied with.

Senator Doran called up the following report:

CONFERENCE COMMITTEE REPORT ADOPTED

CONFERENCE COMMITTEE REPORT ON HOUSE FILE 17

TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES:

We, the undersigned members of the conference committee appointed to

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consider the difference between the Senate and the House on House File 17, a bill for an act relating to rules of administrative agencies, beg leave to report and to make the following recommendations:

1. That the Senate amendments to House File 17 be stricken.

2. That House File 17, as passed by the House, be amended as follows:

a. By striking from the second line after the enacting clause the words and figure "through eight (8)" and inserting in lieu thereof the words and figures "through fifteen (15)".

b. By striking all of sections two (2), three (3), and four (4) and inserting in lieu thereof the following:

Sec. 2. There is hereby created a bipartisan legislative committee of six (6) members which shall be designated the departmental rules review committee. The committee shall be composed of three (3) members of the senate to be appointed by the president of the senate and three (3) members of the house to be appointed by the speaker of the house. Members shall be appointed prior to the adjournment of each regular biennial session and shall serve for two-year terms beginning May 1 after the convening of the general assembly in regular session; provided, however, that members shall serve until their successors are appointed. Vacancies on the committee shall be filled by the original appointing authority. A vacancy shall exist whenever a committee member ceases to be a member of the general assembly.

Sec. 3. The committee shall choose a chairman from its members and prescribe its rules of procedure. Regular meetings of the committee shall be held at the seat of government on the second Tuesday in July and on the second Tuesday of each second month thereafter during the interim between regular sessions to review all proposed departmental rules and make recommendations to the department proposing each such rule. The chairman may call special meetings at any time and at any place in the state and cause notice thereof to be published in a newspaper of general circulation in the area affected by the rule. All said meetings, regular or special, shall be open to the public and any interested person may be heard and present evidence. If any agency shall conduct a public hearing in regard to any rule such agency shall notify the members of the departmental rules review committee ten (10) days prior to such hearing.

Sec. 4. Member of the committee shall receive a per diem of thirty (30) dollars per day for each day in attendance and shall be reimbursed for the actual necessary expenses incurred by them in the discharge of their duties. All such expenses and expense of publication shall be provided for by the budget and financial control committee from the contingent fund provided for the budget and financial control committee.

Sec. 5. Any agency empowered by law to make rules shall submit a copy of each proposed rule, in the style and form prescribed by the code editor, to the attorney general, and shall submit six (6) copies of such proposed rule to the chairman of the departmental rules review committee.

Sec. 6. Within sixty (60) days after receiving such copy of a proposed rule, the attorney general shall give to the agency in writing his advisory opinion on the form and legality of the proposed rule. If the attorney general fails to render an opinion within sixty (60) days after receiving such copy, the agency may proceed as if an opinion had been given.

Sec. 7. If the departmental rules review committee finds objection to a proposed rule, it shall report such finding to the agency proposing the rule together with its recommendations on how the objectionable part may be corrected. If the committee finds no objection to a proposed rule, it may at any time report such finding to the agency, but shall not be required to do so. If the committee does not report any finding to the agency within sixty

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(60) days after receiving such copies, the agency may proceed as if a finding had been reported.

Sec. 8. Four (4) copies of all proposed rules shall be filed with the secretary of state. There shall be attached to each such copy of any proposed rule, (a) a copy of the attorney general's opinion rendered pursuant to this Act or a statement that the proposed rule was submitted to the attorney general on a stated date and that the attorney general did not render an opinion thereon within sixty (60) days after such date, and (b) a copy of the finding of the departmental rules review committee rendered pursuant to this Act or a statement that six (6) copies of the proposed rule were submitted to the chairman of the departmental rules review committee on a stated date and that the committee did not report any finding to the agency within sixty (60) days after receiving such copies. Temporary rules shall become effective upon filing. Other rules, unless otherwise provided for, shall not become effective until thirty (30) days after such filing, but a later effective date may be specified in the rule. The secretary of state shall endorse upon the copies of rules so filed the date of filing and the date of the attorney general's opinion and index one (1) copy in the files of his office, transmit one (1) copy to the code editor, and transmit two (2) copies to the chairman of the departmental rules review committee.

Sec. 9. If any agency amends, supplements, or revises a proposed rule at the request of or pusuant to the recommendation of the attorney general or the departmental rules review committee, such amendment, supplement, or revision shall be part of the proposed rule but shall be clearly described in an attachment to the proposed rule as filed with the secretary of state. Any other amendment, supplement, or modification of a proposed rule shall be regarded as a new proposed rule and shall be subject to the procedure provided in this Act.

Sec. 10. All rules hereafter filed as provided in section eight (8) of this Act shall be referred by the chairman of the departmental rules review committee to the speaker of the house and the president of the senate of the next regular session of the general assembly, who shall refer rules to the appropriate committees of the general assembly.

If the committee to which a department rule has been referred finds objection to such rule, it may report such finding to the general assembly together with its suggestion for the general assembly to proceed by law to overcome the objection. Any committee of the general assembly may at any time consider any departmental rule previously filed and, if it finds such rule objectionable, proceed as above.

Sec. 11. Nothing contained in this Act shall adversely affect the substantive rights of any person arising out of or affected by any rules adopted by any agency, including the right to review by the courts. Reporting, referral, and filing of rules pursuant to this Act, any action or inaction by the department rules review committee on any rule, and any inaction by the general assembly on any rule, shall not be construed as approval or enactment of any rule by the general assembly.

c. By inserting the following new section preceding the publication clause:

In all cases where any administrative agency has reported or filed any rule, regulation, or amendment pursuant to sections seventeen A point two (17A.2) or seventeen A point three (17A.3), Code 1962, such reporting or filing and any inaction by the general assembly shall not be construed as approval or enactment of any rule, regulation, or amendment by the general assembly, anything in section seventeen A point two (17A.2), Code

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1962, to the contrary notwithstanding.

d. By renumbering the sections to conform to these amendments.

A. V. DORAN, *Chairman.*	LAWRENCE D. CARSTENSEN, *Chairman.*
GEORGE E. O'MALLEY.	DAVID STANLEY.
DONALD G. BENEKE.	DEWEY E. GOODE.
CLIFFORD M. VANCE.	JOHN L. DUFFY.
On the Part of the Senate.	*On the Part of the House.*

On motion by Senator Doran, the report was adopted.

On motion of Senator Doran, the recommendations and amendments contained therein were adopted.

Senator Doran moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 42:

Beneke	Fisher	Mincks	Stephens
Buck	Flatt	Nolan	Turner
Burrows	Frommelt	O'Malley	Vance
Campbell	Getting	Phelps	Van Eaton
Curran	Hansen	Rigler	Vincent
Dodds	Hill	Schroeder	Walker
Doran	Kyhl	Scott	Walter
Dykhouse	Lodwick	Shaff	Wearin
Elijah	Long	Shivvers	Wiley
Elthon	Lucken	Shoeman	Wilson
Elvers	Main		

Nays, 1:

Griffin

Absent or not voting, 7:

Benda	Coleman	Fulton	Lisle
Brown	Cowden	Grimstead	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Rigler called up the following resolution:

SENATE CONCURRENT RESOLUTION 18

By Rigler

Be It Resolved by the Senate, the House Concurring: That the Sixtieth General Assembly adjourn sine die at five o'clock p.m., Tuesday, April 23, 1963.

Senator Rigler asked and received unanimous consent to withdraw the amendment to Senate Concurrent Resolution 18 filed by him on May 3, 1961, and found on page 974 of the Senate Journal.

Senator Rigler offered the following amendment and moved its adoption:

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Amend Senate Concurrent Resolution 18, lines 2 and 3, by striking "five o'clock p.m., Tuesday, April 23, 1963." and inserting in lieu thereof the following: "twelve o'clock noon, Wednesday, May 15, 1963.".

The amendment was adopted.

On motion of Senator Rigler, 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 failed to pass the following bill in which the concurrence of the House was asked:

Senate File 175, a bill for an act relating to salaries of the board of trustees of public utility plants in cities.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 468, a bill for an act relating to inheritance tax.

WILLIAM R. KENDRICK, *Chairman.*

HOUSE AMENDMENT TO SENATE FILE 468

Amend Senate File 468 by adding thereto the following new section:

Section four hundred fifty point eighty-six (450.86), Code 1962, is hereby amended by inserting after the word "assets" in line three (3) the words ", exclusive of life insurance policies payable to named beneficiaries, and exclusive of checking accounts up to the amount of two thousand dollars which are in the name of the decedent and other person or persons as joint tenants with right of survivorship and not as tenants in common,".

SENATE RESOLUTION 2

By Wearin, Shoeman, Turner, Flatt, Kyhl and Hansen

Whereas, one of the responsibilities of the state is to provide equal educational opportunity to all of its citizens, and

Whereas, this responsibility of the state extends beyond primary and secondary schools to the level of higher education, and

Whereas, it is a recognized fact that cost of transportation, room and board is an established factor in determining whether some individuals can attend institutions of higher learning, and

Whereas, there are no vocational and technical schools, community colleges and four year private colleges, and no state college or university in western and southwestern Iowa, in an area comprising nearly one-fourth of the state, and only two community colleges are located in southwestern Iowa, and

Whereas, students in western Iowa are not afforded equal educational opportunities due to the absence of higher education facilities; now, therefore,

Be It Resolved by the Senate, that the legislative research committee designated by the General Assembly create a joint advisory committee of legislators under the provisions of chapter 2, Code of 1962, with committee members to be appointed by the President of the Senate.

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The joint advisory committee may with the approval of the President of the Senate and the Speaker of the House request the assistance of five educators or citizens of the state interested in higher education. Such individuals shall be reimbursed for all expenses incurred in providing assistance to the advisory committee.

Be It Further Resolved, that the advisory committee shall have full power and authority to conduct hearings and shall make a complete study of higher educational opportunities available to residents of western Iowa. All departments, agencies and political subdivisions of the state shall cooperate and provide assistance to said committee upon request.

Be It Further Resolved, that said committee shall by January 1, 1965, make a report of its findings and recommendations to members of the Sixty-first General Assembly. All committee recommendations shall be accompanied by bills.

RESIGNATION OF EMPLOYEES

Senator Lodwick announced the resignation of his committee clerk, Dorothea Bauer of Lee County, effective Friday, May 10, 1963.

Senator Nolan announced the resignation of his committee clerk, Hope Donaghy of Polk County, effective Friday, May 10, 1963.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on May 9, 1963, the Governor had approved the following bills:

Senate File 307, relating to antique motor vehicles.

Senate File 411, relating to an appropriation to the department of social welfare.

REPORTS OF COMMITTEE

Senator Shoeman submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred **Senate File 472**, a bill for an act to make appropriations to certain named persons, firms and/or political subdivisions in settlement of claims made against the State of Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass**.

JOHN D. SHOEMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 402**, a bill for an act relating to the re-gilding of the domes of the state capitol and to make an appropriation therefor, begs leave to report it has had the same under consideration and **returns the bill without recommendation**.

JOHN D. SHOEMAN, *Chairman*.

Ordered passed on file.

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AMENDMENTS FILED

Amend House File 468 by striking from lines 4 and 5 of section 2 the words "economic welfare" and inserting in lieu thereof the words "development of industry and agriculture".

Further amend said House File by striking from line 5 of section 5 the words "economic welfare" and inserting in lieu thereof the words "interests of the development of industry and agriculture".

JOHN A. WALKER.

Amend House File 593 as follows:

1. Amend section 6, subsection 7, by striking the words and figures "fifteen (15) in line 21, and inserting in lieu thereof the words and figures "twenty-four (24)".

2. Amend section 9, subsection 4, by adding the following sentence after the period in line 18: "Students, absent for legitimate reasons, shall be privileged to make up any lost time not to exceed six (6) hours in any one week."

3. Further amend section 9, subsection 4, by striking after the word "phrase" in line 35, the following: ": 'All services performed by students.' in print of as large type and prominence as any other matter, excluding the school name and price, if given. In the case of radio and television advertising, said phrase shall be repeated at the beginning and end of the advertisement." and insert in lieu thereof the following: ": 'All services performed under the supervision of licensed cosmetologists.' in 11 point bold type. All radio and television advertising shall repeat the phrase, at least once during the program."

JOHN A. WALKER.

On motion of Senator Rigler, the Senate adjourned until 10:00 a.m., Monday, May 13, 1963.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MONDAY, MAY 13, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend A. D. Mohr, pastor of the Ankeny Baptist Church, Ankeny, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Griffin for the day on request of Senator Hansen.

PRESENTATION OF VISITORS

Senator Campbell asked and received unanimous consent to present to the Senate thirty-one students from the Fremont Elementary School who were present in the balcony accompanied by their instructor, Lucile Smith.

Senator Vincent asked and received unanimous consent to present to the Senate twenty-three students, members of the sixth grade class of the Cambria-Corydon Elementary School, who were present in the balcony accompanied by their instructor, Darrel E. Teter.

On motion of Senator Rigler, the Senate resolved itself into executive session.

EXECUTIVE SESSION

The Senate arose from executive session and resumed regular session, President Mooty presiding.

Senator Hansen called up the following resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION 21

Whereas, one of the responsibilities of legislators is to help instill in young people of Iowa an appreciation for and understanding of our system of government, particularly the state legislative process; and

Whereas, the Iowa Youth and Government Program, which is sponsored by the North Central Area Council of YMCA's and local Hi-Y groups in Iowa, provides a means for high school youth to learn about state government and issues and to participate in model legislative session; and

Whereas, the Eighth Biennial Model Legislature will be held in the spring of 1964; and

Whereas, Representative Ray C. Cunningham is the State Chairman of

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the State Sponsoring Committee and members of the Senate and House through the years have served on this committee and have assisted with the pre-legislative conference and Model Legislature; therefore,

Be It Resolved by the House, the Senate Concurring, That the Sixtieth General Assembly commends the North Central Area Council of the YMCA's and local Hi-Y groups in Iowa for sponsoring and supervising this fine program;

Be It Further Resolved, that the Sixtieth General Assembly pledges its support for the Youth and Government Program and expresses the willingness of its members to assist and advise local Hi-Y groups on legistavie matters and to assist with the Model Legislature; and

Be It Further Resolved, that a copy of this resolution be sent to the North Central Area Council of the YMCA and to the local H-Y groups which have participated in the Youth and Government Program.

The motion prevailed and the resolution was adopted.

THIRD READING OF BILLS

Senator Rigler asked and received unanimous consent to take up the following appropriation bills:

On motion of Senator Shoeman, Senate File 472, a bill for an act to make appropriations to certain named persons, firms and/or political subdivisions in settlement of claims made against the State of Iowa, with report of committee on appropriations recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Grimstead moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Cowden	Getting	O'Malley	Vincent
Curran	Grimstead	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Schroeder	Wearin
Dykhouse	Kyhl	Scott	Wiley
Elijah	Lisle	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Coleman	Griffin

The bill having received a constitutional and two-thirds majority was declared to have passed the Senate and the title was agreed to.

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On motion of Senator Shoeman, Senate File 476, a bill for an act to appropriate from the general fund of the State of Iowa for capital improvements for buildings and grounds under the superintendent of public buildings and grounds, was taken up and considered.

Senator Flatt moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Cowden	Getting	O'Malley	Vincent
Curran	Grimstead	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Schroeder	Wearin
Dykhouse	Kyhl	Scott	Wiley
Elijah	Lisle	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Coleman	Griffin

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Shoeman, Senate File 477, a bill for an act to appropriate from the general fund of the State of Iowa for capital improvements to the fair board, was taken up and considered.

Senator Flatt moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Cowden	Getting	O'Malley	Vincent
Curran	Grimstead	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Schroeder	Wearin
Dykhouse	Kyhl	Scott	Wiley
Elijah	Lisle	Shaff	Wilson

Nays, none.

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Absent or not voting, 2:

Coleman Griffin

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Shoeman, Senate File 478, a bill for an act to appropriate funds to the state comptroller from motor vehicle fuel tax fund, was taken up and considered.

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, 48:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Cowden	Getting	O'Malley	Vincent
Curran	Grimstead	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Schroeder	Wearin
Dykhouse	Kyhl	Scott	Wiley
Elijah	Lisle	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Coleman Griffin

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Shoeman, Senate File 479, a bill for an act to appropriate funds from the primary road fund to the industrial commission for payment of workmen's compensation claims of employees of the state highway commission, was taken up and considered.

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, 48:

Benda	Dodds	Frommelt	Lodwick
Beneke	Doran	Fulton	Long
Brown	Dykhouse	Getting	Lucken
Buck	Elijah	Grimstead	Main
Burrows	Elthon	Hansen	Mincks
Campbell	Elvers	Hill	Nolan
Cowden	Fisher	Kyhl	O'Malley
Curran	Flatt	Lisle	Phelps

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Rigler	Shivvers	Vance	Walter
Schroeder	Shoeman	Van Eaton	Wearin
Scott	Stephens	Vincent	Wiley
Shaff	Turner	Walker	Wilson

Nays, none.

Absent or not voting, 2:

Coleman	Griffin

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Shoeman, Senate File 480, a bill for an act to appropriate funds to the state comptroller from the primary road fund, was taken up and considered.

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, 48:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Cowden	Getting	O'Malley	Vincent
Curran	Grimstead	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Schroeder	Wearin
Dykhouse	Kyhl	Scott	Wiley
Elijah	Lisle	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Coleman	Griffin

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Shoeman, Senate File 481, 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, was taken up and considered.

Senator Walker moved that the bill be read a third 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:

Benda	Brown	Burrows	Cowden
Beneke	Buck	Campbell	Curran

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Dodds	Getting	Mincks	Stephens
Doran	Grimstead	Nolan	Turner
Dykhouse	Hansen	O'Malley	Vance
Elijah	Hill	Phelps	Van Eaton
Elthon	Kyhl	Rigler	Vincent
Elvers	Lisle	Schroeder	Walker
Fisher	Lodwick	Scott	Walter
Flatt	Long	Shaff	Wearin
Frommelt	Lucken	Shivvers	Wiley
Fulton	Main	Shoeman	Wilson

Nays, none.

Absent or not voting, 2:

Coleman Griffin

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Shoeman, Senate File 482, a bill for an act to appropriate thirty-nine million fifty-nine thousand five hundred sixty dollars ($39,059,560.00) from the general fund of the State of Iowa to the department of public instruction for general state aid for school districts as provided by chapter two hundred eighty-six A (286A), Code 1962, was taken up and considered.

Senator Walker moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Cowden	Getting	O'Malley	Vincent
Curran	Grimstead	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Schroeder	Wearin
Dykhouse	Kyhl	Scott	Wiley
Elijah	Lisle	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Coleman Griffin

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Shoeman, Senate File 483, a bill for an act to appropriate from the general fund of the State of Iowa eight million dollars ($8,000,000.00) to the department of public instruc-

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tion for supplemental aid to certain school districts of the state, as provided by chapter two hundred eighty-six (286), Code 1962, was taken up and considered.

Senator Turner offered the following amendment and moved its adoption:

Amend Senate File 483 as follows:

1. Amend the title, line 2 by striking the figures "8,000,000.00" and substituting in lieu thereof the figures "16,000,000.00".

2. Amend section 1 by striking in line 4 the figures "4,000,000.00" and substituting in lieu thereof the figures "8,000,000.00".

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 10:

Dodds	Hansen	O'Malley	Walter
Frommelt	Hill	Turner	Wiley
Fulton	Mincks		

Nays, 36:

Benda	Elijah	Lodwick	Shaff
Beneke	Elthon	Long	Shivvers
Brown	Elvers	Lucken	Shoeman
Buck	Fisher	Main	Stephens
Burrows	Flatt	Nolan	Vance
Campbell	Getting	Phelps	Vincent
Cowden	Grimstead	Rigler	Walker
Curran	Kyhl	Schroeder	Wearin
Doran	Lisle	Scott	Wilson

Absent or not voting, 4:

Coleman	Dykhouse	Griffin	Van Eaton

The amendment was lost.

Senator Walker moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Noland	Van Eaton
Cowden	Getting	O'Malley	Vincent
Curran	Grimstead	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Schroeder	Wearin
Dykhouse	Kyhl	Scott	Wiley
Elijah	Lisle	Shaff	Wilson

Nays, none.

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Absent or not voting, 2:
Coleman Griffin

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Shoeman asked and received unanimous consent that the appropriation bill just passed be immediately messaged to the House, which request was complied with.

On motion of Senator Rigler, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty 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 31, a concurrent resolution providing that Iowa join the nation in the all-across-the-nation bell-ringing observance of the Fourth of July.

Also: That the House has concurred in Senate amendment to House amendment to and passed Senate File 19, a bill for an act to provide for establishment of water recreational areas and facilities normally associated therewith.

Also: That the House has concurred in Senate amendment to House amendment to and passed Senate File 127, a bill for an act relating to exemptions from the imposition of the retail sales tax.

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 the use and licensing of cigarette vending machines.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 291, a bill for an act to require county recorders to compile a list of deeds.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 466, a bill for an act to appropriate from the general fund for capital improvements for institutions under the board of control.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 465, a bill for an act to appropriate from the general fund for the biennium to the board of control for salaries, support, maintenance, repairs, replacements, alterations or equipment of institutions under said board of control.

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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 bids on secondary road construction work and materials therefor.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 410, a bill for an act relating to the adoption of city and town codes.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 554, a bill for an act to provide for the regulation of the practice of nursing.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 126

Amend Senate File 126 by adding after the word "machines" in line 19 of section 2 the following: "and the location where the machine or machines are placed is covered by a local retail permit".

HOUSE AMENDMENT TO SENATE FILE 291

Amend Senate File 291 by inserting after the word "office" in line 4 thereof the words and figures "subsequent to July 4, 1951".

HOUSE MESSAGES CONSIDERED

House File 178, a bill for an act relating to bids on secondary road construction work and materials therefor.

Read first and second times and referred to sifting committee.

House File 410, a bill for an act relating to the adoption of city and town codes.

Read first and second times and referred to sifting committee.

House File 554, a bill for an act to provide for the regulation of the practice of nursing.

Read first and second times and referred to sifting committee.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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 179 and 437; also, House Files 280, 351 and 539.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
Chairman House Committee.

Report adopted.

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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 179 and 437; also, House Files 280, 351 and 539.

BILLS SENT TO THE GOVERNOR

Senator Benda, 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 May, 1963, sent to the Governor for his approval: Senate Files 179 and 437.

KENNETH BENDA, *Chairman.*

Passed on file.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on May 10, 1963, the Governor had approved the following bill:

Senate File 365, relating to powers and duties of school boards.

PRESENTATION

Senator Beneke of Pocahontas County and Senator Doran of Boone County presented to Carroll Lane, Secretary of the Senate, an authentic Indian tomahawk from Boone County for display in his Tomahawk Room at his Okoboji resort.

Carroll thanked the Senators and assured them it would be placed on display.

HAPPY BIRTHDAY

Senator O'Malley rose on a point of personal privilege and announced that today was the birthday of the youngest member of the Senate—Senator Fulton—"Happy Birthday, Senator Fulton."

INTRODUCTION OF BILL

Senate File 485, by committee on judiciary 2, a bill for an act to amend the liquor control Act, Senate File four hundred thirty-seven (437) of the Sixtieth General Assembly, relating to the control, sale and use of alcoholic beverages.

Read first and second times and referred to the sifting committee.

THIRD READING OF BILLS

On motion of Sentaor Shoeman, House File 402, a bill for an act relating to the re-gilding of the domes of the state capitol and to

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make an appropriation therefor, with report of committee without recommendation, was taken up, considered, and the report of the committee 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, 46:

Benda	Elvers	Long	Shoeman
Beneke	Fisher	Lucken	Stephens
Brown	Flatt	Mincks	Turner
Buck	Frommelt	Nolan	Vance
Campbell	Fulton	O'Malley	Van Eaton
Cowden	Getting	Phelps	Vincent
Curran	Grimstead	Rigler	Walker
Dodds	Hansen	Schroeder	Walter
Doran	Hill	Scott	Wearin
Dykhouse	Kyhl	Shaff	Wiley
Elijah	Lisle	Shivvers	Wilson
Elthon	Lodwick		

Nays, none.

Absent or not voting, 4:

Burrows	Coleman	Griffin	Main

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hansen asked and received unanimous consent that Senate File 22 be withdrawn from further consideration of the Senate.

On motion of Senator Shoeman, Senate File 484, a bill for an act to appropriate from the general fund of the State of Iowa eight million dollars ($8,000,000.00) to the department of public instruction for state aid for transportation as provided by chapter two hundred eighty-five (285), Code 1962, was taken up and considered.

Senator Walker moved that the bill be read a third 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:

Benda	Doran	Getting	Main
Beneke	Dykhouse	Grimstead	Mincks
Brown	Elijah	Hansen	Nolan
Buck	Elthon	Hill	O'Malley
Burrows	Elvers	Kyhl	Phelps
Campbell	Fisher	Lisle	Rigler
Cowden	Flatt	Lodwick	Schroeder
Curran	Frommelt	Long	Scott
Dodds	Fulton	Lucken	Shaff

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Shivvers	Turner	Vincent	Wearin
Shoeman	Vance	Walker	Wiley
Stephens	Van Eaton	Walter	Wilson

Nays, none.

Absent or not voting, 2:

Coleman	Griffin

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Shoeman asked and received unanimous consent that Senate File 484 be immediately messaged to the House, which request was complied with.

HOUSE AMENDMENTS CONSIDERED

Senator Hansen called up for consideration Senate File 126, a bill for an act relating to the use of vending machines in the sale of cigarettes and providing for the licensing of such machines, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 126 by adding after the word "machines" in line 19 of section 2 the following: "and the location where the machine or machines are placed is covered by a local retail permit".

The Senate concurred in the House amendment.

Senator Hansen moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 41:

Benda	Elvers	Long	Shivvers
Beneke	Fisher	Lucken	Shoeman
Brown	Flatt	Mincks	Turner
Buck	Frommelt	Nolan	Vance
Burrows	Fulton	O'Malley	Van Eaton
Campbell	Getting	Phelps	Vincent
Cowden	Hansen	Rigler	Walker
Curran	Kyhl	Schroeder	Walter
Dodds	Lisle	Scott	Wearin
Doran	Lodwick	Shaff	Wiley
Dykhouse			

Nays, 2:

Hill	Stephens

Absent or not voting, 5:

Coleman	Griffin	Grimstead	Main
Elthon			

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Voting present, 2:

Elijah Wilson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hansen moved that the 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 Shaff called up for consideration Senate File 291, a bill for an act to require county recorders to compile a list of deeds, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 291 by inserting after the word "office" in line 4 thereof the words and figures "subsequent to July 4, 1951".

The Senate concurred in the House amendment.

Senator Shaff moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 48:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Cowden	Getting	O'Malley	Vincent
Curran	Grimstead	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Schroeder	Wearin
Dykhouse	Kyhl	Scott	Wiley
Elijah	Lisle	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Coleman Griffin

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 Walker, House File 468, a bill for an act relating to size, weight, and load vehicle permits, was taken up and considered.

Senator Turner called up the following amendments filed by Senators Turner and Benda:

Amend House File 468 by adding the following after the word, "proper" in line 4 of section 3: "at such additional registration fee as it deems necessary and proper for the additional use made of our state highway system".

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Amend House File 468 by striking the period (.) after the word "proper'" in line 17 and inserting in lieu thereof the following, "at such additional registration fee as it deems necessary and proper for the additional use made of our state highway system'."

Senator Walker raised a point of order on the amendments for the reason that the amendments were not germane to the bill.

The Chair ruled the point well taken and the amendments out of order.

Senator Hill offered the following amendment:

Amend House File 468 by striking sections 2 and 5 and by renumbering the remaining sections.

Senator Lucken moved the previous question on the amendment, which motion prevailed.

Senator Long moved that House File 468 be laid on the table.

Roll call was requested.

On the question "Shall House File 468 be laid on the table?" the vote was:

Ayes, 26:

Benda	Doran	Long	Shivvers
Beneke	Elijah	Lucken	Turner
Buck	Fisher	Rigler	Vance
Burrows	Fulton	Schroeder	Wearin
Campbell	Hill	Scott	Wiley
Cowden	Lisle	Shaff	Wilson
Curran	Lodwick		

Nays, 20:

Brown	Flatt	Main	Stephens
Dodds	Getting	Nolan	Van Eaton
Dykhouse	Grimstead	O'Malley	Vincent
Elthon	Hansen	Phelps	Walker
Elvers	Kyhl	Shoeman	Walter

Absent or not voting, 4:

Coleman	Frommelt	Griffin	Mincks

The motion prevailed and House File 468 was laid on the table.

Senator Long moved that the vote by which House File 468 was laid on the table be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

RESIGNATION OF EMPLOYEE

Senator Wilson announced the resignation of his committee clerk, Janice Weber, of Appanoose County, effective May 10, 1963.

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 sifting committee calendar:

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H. F. 205 H. F. 342 H. F. 588 S. F. 485
H. F. 579

ROBERT R. RIGLER, *Chairman,*
Sifting Committee.

AMENDMENTS FILED

Amend Senate Concurrent Resolution 25 as follows:
Strike the words "legislative research committee" in lines 2 and 3 and insert in lieu thereof the words "budget and financial control committee".

J. HENRY LUCKEN.
RICHARD L. STEPHENS.

Amend the House amendment to Senate File 468 adopted May 9, 1963, as follows:
1. By striking all of said amendment after the word "accounts" and inserting in lieu thereof the following:
"and time deposits in banks, share accounts in building and loan and savings and loan associations, patronage dividends in cooperative associations, credit union shares or deposits, tax refunds due the decedent or the decedent and spouse, and all instruments transferring real, personal or mixed property delivered by the decedent prior to death,".
2. By striking the words "payable to named beneficiaries".

ROBERT R. RIGLER.

Amend Senate File 474 by striking all of section 7 and inserting in lieu thereof the following:
"Sec. 7. This Act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in The Atlantic News Telegraph, a newspaper published in Atlantic, Iowa, and The Daily Times, a newspaper published in Davenport, Iowa."

JACK SCHROEDER.

Amend Senate File 475 as follows:
1. Amend section 10 by striking in line 7 the figures "883,300.00" and substituting in lieu thereof the figures "893,000.00".
2. Further amend section 10 by striking in line 9 the figures "901,000.00" and substituting in lieu thereof the figures "910,700.00".
3. Amend section 11 by striking in line 12 the figures "50,000,000.00" and substituting in lieu thereof the figures "50,009,700.00".

RICHARD C. TURNER.

Amend Senate File 475 by striking all of section 16 and inserting in lieu thereof the following:
"Sec. 16. This Act, being deemed of immediate importance, shall take effect and be in full force from and after its passage and publication in The Atlantic News Telegraph, a newspaper published in Atlantic, Iowa, and in The Daily Times, a newspaper published in Davenport, Iowa."

JACK SCHROEDER.

On motion of Senator Rigler, the Senate adjourned until 9:30 a.m., Tuesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, TUESDAY, MAY 14, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Charles H. Lacquement, pastor of the Winebrenner Church of God, Ida Grove, Iowa.

PRESENTATION OF VISITORS

Senator Walter asked and received unanimous consent to present to the Senate thirty students, members of the eighth grade class of the Prescott Community School, who were present in the balcony accompanied by their instructor, Marjorie McKee.

INTRODUCTION OF BILLS

Senate File 486, by committee on appropriations, 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 one million one hundred fifty thousand dollars ($1,150,000.00) to carry on soil conservation work in soil conservation districts.

Read first and second times and placed on the calendar.

Senate File 487, by committee on appropriations, a bill for an act to appropriate from the general fund of the State of Iowa to the national guard and state guard for the purpose of various capital improvements, repairs, replacements, alterations, equipment and rehabilitation, and the purchase of an airplane to be utilized by the governor and other state officials.

Read first and second times and placed on the calendar.

Senate File 488, by committee on appropriations, a bill for an act authorizing expenditures by the state highway commission from the primary road fund for the biennium beginning July 1, 1963, and ending June 30, 1965, and relating to salaries of highway commission members.

Read first and second times and placed on the calendar.

Senate File 489, by committee on appropriations, a bill for an act to accept the national defense education act of 1958 and to make an appropriation from the general fund of the State of Iowa to the department of public instruction for participation in said Act.

Read first and second times and placed on the calendar.

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Senate File 490, by committee on appropriations, a bill for an act to appropriate from the general fund of the State of Iowa to the department of public safety for capital improvements for highway patrol buildings and for radio equipment for the division of radio communications.

Read first and second times and placed on the calendar.

Senate File 491, by committee on appropriations, a bill for an act making appropriations for payment of miscellaneous expense incurred or authorized by the Sixtieth General Assembly.

Read first and second times and placed on the calendar.

Senator Beneke called up the following resolution:

SENATE CONCURRENT RESOLUTION 36
By Beneke, Walker, Rigler, Wearin and Doran

Whereas, a number of Universities and Colleges located within the State of Iowa are interested in research projects of great importance to national defense and industry; and

Whereas, many industries and our national government find it to be expedient to locate industrial complexes near the University and College research centers; and

Whereas, both the educational institutions and the industries can be mutually benefited by immediate exchange of theory, on one hand, and practical application, on the other; and

Whereas, the establishment of such industrial complexes would encourage industrial development in our great state and, further, encourage and enable our Iowa-trained scientists and other specialists to take industrial positions here in Iowa rather that take the fruits of their education to our sister states;

Now, Therefore, Be It Resolved by the Senate, the House Concurring: That, the Iowa Development Commission and the Universities and Colleges in the State of Iowa investigate and encourage the establishment of industrial complexes in various locations throughout the state.

Senator Beneke moved the adoption of the resolution, which motion prevailed and the resolution was adopted.

Senator Lucken called up the following resolution:

SENATE CONCURRENT RESOLUTION 25
By Lucken and Stephens

Be It Resolved by the Senate, the House Concurring, That in addition to the powers and duties granted by chapter two (2) of the Code, the legislative research committee shall have the power to receive any complaints or reports and to consider evidence of any unethical or unlawful practices being practiced or which have been practiced by any person while engaged in lobbying or attempting to influence legislation. After hearing the complaints and considering the evidence, if it appears to the committee that there have been any violations of section two point twenty-four (2.24),

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subsection two (2) of the Code, the committee shall make a report and file a copy of such report with the President of the Senate and the Speaker of the House at the next regular session of the General Assembly.

Senator Lucken offered the following amendment, filed by Senators Lucken and Stephens, and moved its adoption:

Amend Senate Concurrent Resolution 25 as follows:
Strike the words "legislative research committee" in lines 2 and 3 and insert in lieu thereof the words "budget and financial control committee".

The amendment was adopted.

Senator O'Malley moved that Senate Concurrent Resolution 25 be laid on the table, which motion prevailed, and Senate Concurrent Resolution 25 was laid on the table.

HOUSE AMENDMENT CONSIDERED

Senator Shaff called up for consideration Senate File 468, a bill for an act to amend section four hundred fifty point eighty-six (450.86), Code 1962, relating to inheritance tax, amended by the House as follows:

Amend Senate File 468 by adding thereto the following new section:
Section four hundred fifty point eighty-six (450.86), Code 1962, is hereby amended by inserting after the word "assets" in line three (3) the words ", exclusive of life insurance policies payable to named beneficiaries, and exclusive of checking accounts up to the amount of two thousand dollars which are in the name of the decedent and other person or persons as joint tenants with right of survivorship and not as tenants in common,".

Senator Shaff offered the following amendment and moved its adoption:

Amend the House amendment as follows:
By striking all of said amendment after the comma (,) following the word "beneficiaries" and inserting in lieu thereof the following:
"which securities or other assets are located in a safety deposit box or other such security enclosures".

The amendment to the House amendment was adopted.

On motion of Senator Shaff, the Senate concurred in the House amendment as amended.

Senator Rigler asked and received unanimous consent to withdraw the amendment filed by him to the House amendment on May 13 and found on page 1252 of the Senate Journal.

Senator Shaff moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

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Ayes, 46:

Benda	Fisher	Long	Shivvers
Beneke	Flatt	Lucken	Shoeman
Brown	Frommelt	Main	Stephens
Buck	Fulton	Mincks	Turner
Burrows	Getting	Nolan	Vance
Campbell	Griffin	O'Malley	Van Eaton
Dodds	Grimstead	Phelps	Vincent
Doran	Hansen	Rigler	Walker
Dykhouse	Hill	Schroeder	Walter
Elijah	Kyhl	Scott	Wearin
Elthon	Lisle	Shaff	Wilson
Elvers	Lodwick		

Nays, none.

Absent or not voting, 4:

Coleman	Cowden	Curran	Wiley

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

SENATE FILE 424 RETURNED TO SIFTING COMMITTEE

Senator Rigler asked and received unanimous consent that Senate File 424 be returned to the sifting committee.

On motion of Senator Rigler, the Senate resolved itself into executive session.

EXECUTIVE SESSION

The Senate, in executive session, confirmed the following appointment:

Paul F. Johnston of Des Moines, Polk County, Iowa, as State Superintendent of Public Instruction for the term ending January 1, 1967.

The Senate arose from executive session and resumed regular session.

THIRD READING OF BILLS

On motion of Senator Schroeder, Senate File 475, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1963, and ending June 30, 1965, to the state board of regents for the support, maintenance, equipment, repairs, replacements and alterations of institutions under said state board of regents, was taken up and considered.

Senator Schroeder asked and received unanimous consent to withdraw the amendment filed by him on May 13.

Senator Shoeman offered the following amendment and moved its adoption:

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Amend Senate File 475 by striking section 16.

The amendment was adopted.

Senator Turner offered the following amendment:

Amend Senate File 475 as follows:

1. Amend section 10 by striking in line 7 the figures "883,300.00" and substituting in lieu thereof the figures "893,000.00".
2. Further amend section 10 by striking in line 9 the figures "901,000.00" and substituting in lieu thereof the figures "910,700.00".
3. Amend section 11 by striking in line 12 the figures "50,000,000.00" and substituting in lieu thereof the figures "50,009,700.00".

On motion of Senator Schroeder, the amendment was adopted.

Senator Schroeder moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shivvers
Beneke	Elvers	Lodwick	Shoeman
Brown	Fisher	Long	Stephens
Buck	Flatt	Lucken	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Cowden	Getting	O'Malley	Vincent
Curran	Griffin	Phelps	Walker
Dodds	Grimstead	Rigler	Walter
Doran	Hansen	Schroeder	Wearin
Dykhouse	Hill	Scott	Wilson
Elijah	Kyhl	Shaff	

Nays, 1:

Main

Absent or not voting, 2:

Coleman Wiley

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Shoeman asked and received unanimous consent that Senate File 475 be immediately messaged to the House, which request was complied with.

On motion of Senator Rigler, the Senate stood at ease until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

THIRD READING OF BILLS

On motion of Senator Dykhouse, House File 205, a bill for an act to fix speed limits for motor vehicles on bridges or elevated

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structures where not sign-posted as provided by law, and to repeal section three hundred twenty-one point two hundred ninety-five (321.295), Code 1962, and to enact a substitute therefor, was taken up and considered.

Senator Dykhouse offered the following amendment and moved its adoption:

Amend House File 205 by striking all of section 2 and by inserting in lieu thereof the following:

"Sec. 2. This Act being deemed of immediate importance shall be in force and effect immediately after its passage and publication in The Mount Vernon Hawkeye-Record and The Lisbon Herald, a newspaper published at Mount Vernon, Iowa, and in The Sentinel, a newspaper published at Marion, Iowa."

The amendment was adopted.

Senator Dykhouse moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 47:

Benda	Elvers	Lodwick	Shivvers
Beneke	Fisher	Long	Shoeman
Brown	Flatt	Lucken	Stephens
Buck	Frommelt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Curran	Griffin	O'Malley	Vincent
Dodds	Grimstead	Phelps	Walker
Doran	Hansen	Rigler	Walter
Dykhouse	Hill	Schroeder	Wearin
Elijah	Kyhl	Scott	Wilson
Elthon	Lisle	Shaff	

Nays, none.

Absent or not voting, 3:

Coleman	Cowden	Wiley

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Shaff, House File 579, a bill for an act to amend chapter four hundred twenty-one (421), Code 1962, relating to reciprocal enforcement of tax liabilities, was taken up and considered.

Senator Shaff moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

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Ayes, 47:

Benda	Elvers	Lodwick	Shivvers
Beneke	Fisher	Long	Shoeman
Brown	Flatt	Lucken	Stephens
Buck	Frommelt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Curran	Grimstead	O'Malley	Vincent
Dodds	Griffin	Phelps	Walker
Doran	Hansen	Rigler	Walter
Dykhouse	Hill	Schroeder	Wearin
Elijah	Kyhl	Scott	Wilson
Elthon	Lisle	Shaff	

Nays, none.

Absent or not voting, 3:

Coleman	Cowden	Wiley

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 342, a bill for an act to clarify liability for support furnished by the county for patients admitted voluntarily to mental health institutes, was taken up and considered.

Senator O'Malley moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 47:

Benda	Elvers	Lodwick	Shivvers
Beneke	Fisher	Long	Shoeman
Brown	Flatt	Lucken	Stephens
Buck	Frommelt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Curran	Griffin	O'Malley	Vincent
Dodds	Grimstead	Phelps	Walker
Doran	Hansen	Rigler	Wearin
Dykhouse	Hill	Schroeder	Walter
Elijah	Kyhl	Scott	Wilson
Elthon	Lisle	Shaff	

Nays, none.

Absent or not voting, 3:

Coleman	Cowden	Wiley

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Beneke, House File 588, a bill for an act allowing the state appeal board and special assistant attorney general power to approve or reject claims against the state, was taken up and considered.

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Senator Beneke moved that the bill be read a third 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:

Benda	Elvers	Lodwick	Shivvers
Beneke	Fisher	Long	Shoeman
Brown	Flatt	Lucken	Stephens
Buck	Frommelt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Curran	Griffin	O'Malley	Vincent
Dodds	Grimstead	Phelps	Walker
Doran	Hansen	Rigler	Walter
Dykhouse	Hill	Schroeder	Wearin
Elijah	Kyhl	Scott	Wilson
Elthon	Lisle	Shaff	

Nays, none.

Absent or not voting, 3:

Coleman	Cowden	Wiley

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 Benda, 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 17 and 402.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 17 and 402.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on May 14, 1963, the Governor had approved the following bills:

Senate File 179, relating to individual liquor permits.
Senate File 437, relating to control, sale and use of alcoholic beverages.

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AMENDMENTS FILED

Amend Senate File 474 by inserting in section 5, line 5, after the word "any" the words "current or prior".

JOHN D. SHOEMAN.

Amend Senate File 485 as follows:

1. By adding the following new section thereto:

"Sec. 9. Section thirty-nine (39), of Senate File four hundred thirty-seven (437), Acts of the Sixtieth General Assembly, is amended by inserting after the word "condition" in line 16, the following sentence:

"If requested by the arrested person, no specimen of blood, breath, saliva or urine shall be withdrawn from his body except in the presence of some member of the family of the arrested person or an attorney of his choice".

DONALD BENEKE.

Amend Senate File 485 by striking section 2 and renumbering the remaining sections.

EUGENE M. HILL.

Amend Senate File 485 as follows:

1. By adding thereto the following new section:

"Section ten (10), of Senate File four hundred thirty-seven (437), Acts of the Sixtieth General Assembly, is hereby amended by striking all of lines 162 and 163 and inserting in lieu thereof the following: "each week for four (4) weeks in succession in the official newspapers in such county a notice of such special".

R. O. BURROWS.

Amend Senate File 485, section 7, line 7, by adding the following after the word, "intoxicated": "for all damages actually sustained".

A. V. DORAN.

Amend House File 156 as follows:

1. Section 1, line 5, by inserting after the word "husbandry" the words "and motor vehicles".

2. Further amend section 1, line 6, by inserting after the word "husbandry" the words "and motor vehicles".

VERNON H. KYHL.

On motion of Senator Rigler, the Senate adjourned until 9:00 a.m., Wednesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, WEDNESDAY, MAY 15, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Charles Hawtrey, pastor of the St. James Episcopal Church, Oskaloosa, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Cowden for the day on request of Senator Burrows.

HAPPY BIRTHDAY, SENATOR PHELPS

Senator Elijah rose on a point of personal privilege and announced that today was the birthday of Senator Phelps. "Happy Birthday to you, Senator Phelps," from all of us.

INTRODUCTION OF BILL

Senate File 492, by committee on ways and means, a bill for an act relating to refund of tax on special fuel in certain cases.

Read first and second times and placed on the calendar.

On motion of Senator Rigler, the Senate stood at ease until the fall of the gavel.

The Senate reconvened, President Mooty presiding.

THIRD READING OF BILLS

Senator Shoeman asked and received unanimous consent to take up the following appropriation bill:

On motion of Senator Shoeman, Senate File 490, a bill for an act to appropriate from the general fund of the State of Iowa to the department of public safety for capital improvements for highway patrol buildings and for radio equipment for the division of radio communications, was taken up and considered.

Senator Flatt moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

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Ayes, 47:

Benda	Fisher	Long	Shoeman
Brown	Flatt	Lucken	Stephens
Buck	Frommelt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Curran	Griffin	O'Malley	Vincent
Dodds	Grimstead	Phelps	Walker
Doran	Hansen	Rigler	Walter
Dykhouse	Hill	Schroeder	Wearin
Elijah	Kyhl	Scott	Wiley
Elthon	Lisle	Shaff	Wilson
Elvers	Lodwick	Shivvers	

Nays, 1:

Beneke

Absent or not voting, 2:

Coleman Cowden

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Rigler, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

PRESENTATION OF GIFTS

Upon request, Senator Schroeder appeared in the well of the Senate and on behalf of the members of the Senate presented to Lieutenant Governor Mooty, President of the Senate; Senator Robert R. Rigler, Majority Floor Leader, and Senator Andrew J. Frommelt, Minority Floor Leader, engraved silver table trays in recognition of their work during the Sixtieth General Assembly.

President Mooty in accepting the gift said:

I am overwhelmed. I wish to thank you very much indeed. It has been a pleasure to serve as your Lieutenant Governor and as President of the Senate during this session. The experience gained serving as your presiding officer in the Fifty-ninth General Assembly was most valuable and helpful in making this session an even greater pleasure. I feel that we have had a good session.

Mrs. Mooty, our daughters and I will enjoy and cherish this beautiful gift.

Senator Rigler said:

MR. PRESIDENT AND MEMBERS OF THE SENATE: It has been truly an honor and a distinct pleasure for me to serve as your majority floor leader this session. I honestly feel we have made an excellent legislative record, one that each of us can be proud of. The success of this session is due mainly to the fine spirit of cooperation and sincere devotion to duty of each of you.

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The staff has again performed admirably; the press has been most kind and cooperative.

Your gift is lovely. You have been most generous. I am sure my family will cherish this tray and the true friendships and memories it symbolizes, just as much as I will. We will prize it forever. Thank you all sincerely.

Senator Frommelt said:

MR. PRESIDENT AND MEMBERS OF THE SENATE: I would like to take this opportunity to express my sincere thanks to each and every one of you for this lovely silver tray presented to me as minority floor leader. I am at a loss to state how deeply appreciative I am, and how I will always cherish this expression from the Senate.

It has been a real pleasure to serve as a member of the Senate during the Sixtieth General Assembly and I will always hold dear my fond memories of your kindesses and courtesies shown me this session. Thank you again.

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 sifting committee calendar:

H. F. 46 H. F. 554

ROBERT R. RIGLER, *Chairman,*
Sifting Committee.

THIRD READING OF BILLS

Senator Shoeman asked and received unanimous consent to take up the following appropriation bills:

On motion of Senator Shoeman, Senate File 491, a bill for an act making appropriations for payment of miscellaneous expense incurred or authorized by the Sixtieth General Assembly, was taken up and considered.

Senator Shoeman moved that the bill be read a third 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:

Benda	Elvers	Lodwick	Shivvers
Beneke	Fisher	Long	Shoeman
Brown	Flatt	Lucken	Stephens
Buck	Frommelt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Curran	Griffin	O'Malley	Vincent
Dodds	Grimstead	Phelps	Walker
Doran	Hansen	Rigler	Walter
Dykhouse	Hill	Schroeder	Wearin
Elijah	Kyhl	Scott	Wiley
Elthon	Lisle	Shaff	Wilson

Nays, none.

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Absent or not voting, 2:

Coleman Cowden

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 Shoeman, Senate File 489, a bill for an act to accept the national defense education act of 1958 and to make an appropriation from the general fund of the State of Iowa to the department of public instruction for participation in said Act, was taken up and considered.

Senator Walker moved that the bill be read a third 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:

Benda	Elvers	Lodwick	Shivvers
Beneke	Fisher	Long	Shoeman
Brown	Flatt	Lucken	Stephens
Buck	Frommelt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Curran	Griffin	O'Malley	Vincent
Dodds	Grimstead	Phelps	Walker
Doran	Hansen	Rigler	Walter
Dykhouse	Hill	Schroeder	Wearin
Elijah	Kyhl	Scott	Wiley
Elthon	Lisle	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Coleman Cowden

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Shoeman, Senate File 486, 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 one million one hundred fifty thousand dollars ($1,150,000.00) to carry on soil conservation work in soil conservation districts, was taken up and considered.

Senator Flatt moved that the bill be read a third 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:

Benda	Campbell	Elijah	Frommelt
Beneke	Curran	Elthon	Fulton
Brown	Dodds	Elvers	Getting
Buck	Doran	Fisher	Griffin
Burrows	Dykhouse	Flatt	Grimstead

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Hansen	Main	Scott	Van Eaton
Hill	Mincks	Shaff	Vincent
Kyhl	Nolan	Shivvers	Walker
Lisle	O'Malley	Shoeman	Walter
Lodwick	Phelps	Stephens	Wearin
Long	Rigler	Turner	Wiley
Lucken	Schroeder	Vance	Wilson

Nays, none.

Absent or not voting, 2:

Cowden	Coleman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Shoeman, Senate File 487, a bill for an act to appropriate from the general fund of the State of Iowa to the national guard and state guard for the purpose of various capital improvements, repairs, replacements, alterations, equipment and rehabilitation, and the purchase of an airplane to be utilized by the governor and other state officials, was taken up and considered.

Senator Burrows offered the following amendment and moved its adoption:

Amend Senate File 487 as follows:

1. Amend section 1 by striking all of lines 20 through 29 inclusive.

2. Amend the title by striking all of line 4 after the word "rehabilitation" and all of line 5 preceding the period (.).

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 17:

Beneke	Dykhouse	Nolan	Stephens
Buck	Elthon	Phelps	Vance
Burrows	Grimstead	Scott	Vincent
Curran	Main	Shoeman	Walker
Doran			

Nays, 31:

Benda	Frommelt	Lodwick	Shivvers
Brown	Fulton	Lucken	Turner
Campbell	Getting	Long	Van Eaton
Dodds	Griffin	Mincks	Walter
Elijah	Hansen	O'Malley	Wearin
Elvers	Hill	Rigler	Wiley
Fisher	Kyhl	Schroeder	Wilson
Flatt	Lisle	Shaff	

Absent or not voting, 2:

Coleman	Cowden

The amendment was lost.

Senator Schroeder offered the following amendment and moved its adoption:

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Amend Senate File 487, section 1, line 29 by striking the figures "98,000.00" and inserting in lieu thereof the figures "68,000.00".

Further amend Senate File 487, section 1, line 3, by striking the following: "three hundred thirty-eight thousand dollars ($338,000.00)" and inserting in lieu thereof the following: "three hundred eight thousand dollars ($308,000.00)".

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 48:

Benda	Elvers	Lodwick	Shivvers
Beneke	Fisher	Long	Shoeman
Brown	Flatt	Lucken	Stephens
Buck	Frommelt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Curran	Griffin	O'Malley	Vincent
Dodds	Grimstead	Phelps	Walker
Doran	Hansen	Rigler	Walter
Dykhouse	Hill	Schroeder	Wearin
Elijah	Kyhl	Scott	Wiley
Elthon	Lisle	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Coleman	Cowden

The amendment was adopted.

Senator Flatt moved that the bill be read a third 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:

Benda	Elvers	Lodwick	Shivvers
Beneke	Fisher	Long	Shoeman
Brown	Flatt	Lucken	Turner
Buck	Frommelt	Main	Vance
Burrows	Fulton	Mincks	Van Eaton
Campbell	Getting	Nolan	Vincent
Curran	Griffin	O'Malley	Walker
Dodds	Grimstead	Phelps	Walter
Doran	Hansen	Rigler	Wearin
Dykhouse	Hill	Schroeder	Wiley
Elijah	Kyhl	Scott	Wilson
Elthon	Lisle	Shaff	

Nays, 1:

Stephens

Absent or not voting, 2:

Coleman	Cowden

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

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Senator Shoeman asked and received unanimous consent that the appropriation bills just passed be immediately messaged to the House, which request was complied with.

Senator Hansen called up the following resolution:

HOUSE CONCURRENT RESOLUTION 18

By Hagen, Lange, Hakes, Busch, Swisher, Kluever, Dietz and Den Herder

A concurrent resolution providing for a joint advisory committee under chapter 2 of the Code of 1962, to conduct a study of the trade practices being used in the dairy industry.

Whereas, dairy products are necessary products of human food and that the proper supply of them is vital to the public health and welfare; and,

Whereas, the production, transportation, processing, storage, distribution, wholesale and retail sales of milk are elements of commerce affecting the public health; and

Whereas, trade practices presently being carried on in the production, sale, processing and distribution of milk and other dairy products have a great effect on the stability of the dairy industry and of the economy of the State of Iowa, and,

Whereas, in order to present a well considered program for the continuation of fair competition among all businesses and to guarantee to the citizens of this state a proper supply of wholesome dairy products, it is desirable and necessary that further thorough study be made of all related problems concerning the production, transportation, processing, storage, and sale at wholesale and retail of milk and other dairy products and their non-milk fat imitations and to investigate the trade practices now in use in the dairy industry throughout this state; now, therefore,

Be It Resolved by the House of Representatives, the Senate Concurring: That the legislative research committee designated by this General Assembly create a joint advisory committee of legislators under the provisions of chapter 2, Code 1962.

Be It Further Resolved, that said committee shall have full power and authority during the session of the Sixtieth General Assembly, and following its adjournment to conduct hearings and make comprehensive inquiry into the production, processing, distribution, sale at wholesale, sale at retail and trade practices of the dairy industry in this state. It is further recommended that the committee, in addition to studying the trade practices presently being used in the dairy industry in Iowa, review the trade practices in the dairy industry of other states and the legislative programs enacted by them which affect the dairy industry, and, confer with the producers, processors, distributors and retailers of dairy products.

Be It Further Resolved, that said committee shall make a complete report to the next regular session of the General Assembly as by said act provided.

Senator Rigler offered the following amendment to the resolution and moved its adoption:

Amend House Concurrent Resolution 18 as follows:

1. By striking in lines 1 and 2 the words "advisory committee under chapter 2 of the Code of 1962," and inserting in lieu thereof the following: "bipartisan study committee".

2. By striking in the first resolving clause the words, "That the legislative research committee designated by this General Assembly create a joint

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advisory committee of legislators under the provisions of Chapter 2, Code 1962." and inserting in lieu thereof the following: "That a joint bipartisan study committee of six members be appointed, three from the Senate, to be appointed by the Lieutenant Governor, not more than two of whom shall be from the same political party, and three from the House of Representatives, to be appointed by the Speaker of the House, not more than two of whom shall be from the same political party. Any vacancy in the membership shall be filled by appointment from the representative body to which the retiring member of the committee belongs, as the case may be.".

The amendment was adopted.

On motion of Senator Hansen, the resolution as amended was adopted.

THIRD READING OF BILLS

On motion of Senator Schroeder, Senate File 485, a bill for an act to amend the liquor control Act, Senate File four hundred thirty-seven (437) of the Sixtieth General Assembly, relating to the control, sale and use of alcoholic beverages, was taken up and considered.

Senator Burrows offered the following amendment and moved its adoption:

Amend Senate File 485 as follows:

1. By adding thereto the following new section:

"Section ten (10), of Senate File four hundred thirty-seven (437), Acts of the Sixtieth General Assembly, is hereby amended by striking all of lines 162 and 163 and inserting in lieu thereof the following: "each week for four (4) weeks in succession in the official newspapers in such county a notice of such special".

The amendment was adopted.

Senator Hill offered the following amendment and moved its adoption:

Amend Senate File 485 by striking section 2 and renumbering the remaining sections.

The amendment was lost.

Senator Doran offered the following amendment and moved its adoption:

Amend Senate File 485, section 7, line 7, by adding the following after the word, "intoxicated": "for all damages actually sustained".

The amendment was adopted.

Sentaor Beneke offered the following amendment and moved its adoption and requested a roll call:

Amend Senate File 485 as follows:

1. By adding the following new section thereto:

"Sec. 9. Section thirty-nine (39), of Senate File four hundred thirty-

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seven (437), Acts of the Sixtieth General Assembly, is amended by inserting after the word "condition" in line 16, the following sentence:

"If requested by the arrested person, no specimen of blood, breath, saliva or urine shall be withdrawn from his body except in the presence of some member of the family of the arrested person or an attorney of his choice".

On the question "Shall the amendment be adopted?" the vote was:

The amendment was lost.

Ayes, 13:

Beneke	Doran	Mincks	Turner
Brown	Kyhl	Nolan	Vance
Burrows	Long	Shoeman	Wearin
Dodds			

Nays, 30:

Buck	Fulton	Main	Stephens
Campbell	Getting	O'Malley	Van Eaton
Curran	Griffin	Phelps	Vincent
Dykhouse	Grimstead	Rigler	Walker
Elijah	Hansen	Schroeder	Walter
Elthon	Hill	Scott	Wiley
Elvers	Lodwick	Shivvers	Wilson
Fisher	Lucken		

Absent or not voting, 7:

Benda	Cowden	Frommelt	Shaff
Coleman	Flatt	Lisle	

The amendment was lost.

Senator Long offered the following amendment and moved its adoption:

Amend Senate File 485 by striking section 5 and renumbering the remaining sections.

The amendment was lost.

Senator Shaff offered the following amendment and moved its adoption:

Amend Senate File 485 by striking section 3 and inserting in lieu thereof the following:

"Sec. 3. Amend section 10 of Senate File 437, Acts of the Sixtieth General Assembly, by inserting after the word 'one' in subsection nine (9) the words, 'class "C" liquor control'."

The amendment was adopted.

Senator Walker offered the following amendment filed by Senators Walker, Phelps, Getting and Elijah:

Amend Senate File 485 by adding as a new section the following:

Section ten (10) of Senate File four hundred thirty-seven (437), Acts of the Sixtieth General Assembly, is amended by adding at the end of subsection seven (7) the following:

"The word 'board' as used in this subsection shall include the board of supervisors of the county, city or town councils within the county and the

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state liquor commission insofar as issuance of licenses in said county or cities and towns therein is concerned."

Senator Fulton raised a point of order on the amendment for the reason that the subject matter contained therein had already been considered.

The Chair ruled the point well taken and the amendment out of order.

Senator Schroeder moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shaff
Beneke	Elvers	Lodwick	Shoeman
Brown	Fisher	Long	Turner
Buck	Flatt	Lucken	Vance
Burrows	Frommelt	Mincks	Van Eaton
Campbell	Fulton	Nolan	Walker
Curran	Getting	O'Malley	Walter
Dodds	Griffin	Rigler	Wearin
Doran	Grimstead	Schroeder	Wiley
Dykhouse	Hansen	Scott	Wilson
Elijah	Kyhl		

Nays, 6:

Hill	Phelps	Stephens	Vincent
Main	Shivvers		

Absent or not voting, 2:

Coleman	Cowden

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Schroeder asked and received unanimous consent that Senate File 485 be immediately messaged to the House, which request was complied with.

On motion of Senator Fisher, House File 46, a bill for an act relating to temporary motor vehicle instruction permits, was taken up and considered.

Senator Fisher moved that the bill be read a third 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:

Benda	Burrows	Doran	Elvers
Beneke	Campbell	Dykhouse	Fisher
Brown	Curran	Elijah	Flatt
Buck	Dodds	Elthon	Frommelt

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Fulton	Lodwick	Rigler	Vance
Getting	Long	Schroeder	Van Eaton
Griffin	Lucken	Scott	Vincent
Grimstead	Main	Shaff	Walker
Hansen	Mincks	Shivvers	Walter
Hill	Nolan	Shoeman	Wearin
Kyhl	O'Malley	Stephens	Wiley
Lisle	Phelps	Turner	Wilson

Nays, none.

Absent or not voting, 2:

Coleman	Cowden

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Wearin, House File 554, a bill for an act to provide for the regulation of the practice of nursing, was taken up and considered.

Senator Lisle took the chair at 3:15 p.m.

Senator Wearin asked and received unanimous consent that action on House File 554 be deferred and that the bill be placed on the calendar under "unfinished business."

On motion of Senator Rigler, the Senate stood at ease until the fall of the gavel.

The Senate reconvened, President Mooty presiding.

THIRD READING OF BILLS

On motion of Senator Shoeman, Senate File 488, a bill for an act authorizing expenditures by the state highway commission from the primary road fund for the biennium beginning July 1, 1963, and ending June 30, 1965, and relating to salaries of highway commission members, was taken up and considered.

Senator Wiley offered the following amendment:

Amend Senate File 488 by striking all of section 4 and renumbering the subsequent section.

Senator Lisle took the chair at 4:20 p.m.

Senator Shoeman asked and received unanimous consent that action of Senate File 488 be deferred and that the bill be placed on the calendar under "unfinished business."

Senator Flatt asked and received unanimous consent to take up the following resolution:

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SENATE CONCURRENT RESOLUTION 37
By Flatt and Elvers

Whereas, because of the voluminous accumulation of official records of the State of Iowa, it became necessary a number of years ago to purchase a building for the temporary storage of official records, and

Whereas, such building is known as the state archives building and is located at 513 East Thirteenth Street in Des Moines, Polk County, Iowa, and

Whereas, such building was originally a church and has been remodeled to accommodate record storage and microfilming, and

Whereas, said building is unsuited for the proper storage of official and important state records by reason of having a wooden inner structure and inadequate ventilation so as to present a fire hazard to said records, and also the large volume of records accummulating has nearly exhausted available storage space in said building, and

Whereas, it is necessary to make some provision for the adequate storage of state records, and it is important to the future welfare of the State of Iowa that such records be safely kept and stored, now therefore,

Be It Resolved by the Senate, the House Concurring, that the capitol planning commission, as provided for in chapter eighteen A (18A) of the Code, is hereby directed to study during the 1963-65 biennium the need for, feasibility, and cost of establishing a state record center for the safe storage of official records of the State of Iowa. Said commission shall determine what in its judgment would be the best method of acquiring and providing space for the storage of official records of the state, and shall make a report in writing of its findings and recommendations to the Sixty-first General Assembly.

Senator Flatt moved the adoption of the resolution, which motion prevailed, and the resolution was adopted.

Senator Flatt asked and received unanimous consent that Senate Concurrent Resolution 37 be immediately messaged to the House, which request was complied with.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 171, a bill for an act relating to inspection of multiple dwellings.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 430, a bill for an act relating to the exploration for and the development, conservation, production, transportation and storage of natural gas and oil.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 447, a bill for an act to make appropriations to certain named persons in settlement of claims made against the State of Iowa.

Also: That the House has concurred in Senate amendments to and

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passed House File 205, a bill for an act relating to fixing speed limits for motor vehicles on bridges or elevated structures.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 171

Amend Senate File 171 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section four hundred thirteen point one hundred twenty-three (413.123), Code 1962, is amended by adding at the end thereof the following:

"Cities of twenty-five thousand (25,000) or more population may establish a reasonable schedule of fees for the purpose of defraying the costs of inspection, enforcement, and administration of the provisions of this section relating to multiple dwellings. The fees shall not exceed seven dollars fifty cents ($7.50) for the first unit and seventy-five cents (75c) for each additional unit and shall apply only to the annual inspections."

Sec. 2. Section four hundred thirteen point one hundred twenty-four (413.124), Code 1962, is amended by adding in line four (4) after the word "fee" the words ", except as provided in section four hundred thirteen point one hundred twenty-three (413.123) of the Code,".

HOUSE AMENDMENT TO SENATE FILE 430

Amend Senate File 430 as follows:

1. Section 4, by inserting in line 43 after the word "any" the words "native and indigenous".

2. Section 4, by inserting in line 44 after the word "any" the words "native and indigenous".

3. Section 4, by inserting in line 48 after the word "processes" the words "native and indigenous".

4. By adding the following new sections after section 17 and renumbering the subsequent sections:

Sec. 18. All rights and interests in or to oil, gas or other minerals underlying land, whether created by or arising under deed, lease, reservation of rights, or otherwise, which rights or interests are owned by any person other than the owner of the land, shall be assessed and taxed separately to the owner of such rights or interests in the same manner as other real estate. The taxes on such rights or interests which are not owned by the owner of the land shall not be a lien on the land.

Sec. 19. In order to pay the costs of assessment and collection and provide a reasonable minimum standard of taxation, the taxes on any such rights or interests not owned by the owner of the land, shall be not less than five (5) cents per acre.

Sec. 20. When any such rights or interests not owned by the owner of the land are sold at tax sale, and when the owner of such rights or interests does not redeem under the provisions of chapter four hundred forty-seven (447) of the Code within ninety (90) days after such tax sale, the owner of the land shall thereafter have the same right of redemption as the owner of such rights or interests has, and redemption by the owner of the land shall terminate all right of redemption of the owner of such rights or interests.

HOUSE AMENDMENT TO SENATE FILE 447

Amend Senate File 447 by striking from section one (1), line thirty-two (32), the name "Heelby" and inserting in lieu thereof the name "Shelby".

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HOUSE AMENDMENT CONSIDERED

Senator Beneke called up for consideration Senate File 430, a bill for an act relating to the exploration for and the development, conservation, production, transportation and storage for natural gas and oil, amended by the House, and moved that the Senate concur in the House amendment.

The Senate concurred in the House amendment.

Senator Beneke moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 42:

Benda	Elvers	Mincks	Stephens
Beneke	Fisher	Nolan	Turner
Brown	Getting	O'Malley	Vance
Buck	Griffin	Phelps	Van Eaton
Burrows	Hansen	Rigler	Vincent
Campbell	Hill	Schroeder	Walker
Curran	Kyhl	Scott	Walter
Dodds	Lisle	Shaff	Wearin
Dykhouse	Lodwick	Shivvers	Wiley
Elijah	Long	Shoeman	Wilson
Elthon	Lucken		

Nays, 2:

Doran	Flatt

Absent or not voting, 5:

Coleman	Frommelt	Fulton	Main
Cowden			

Voting present, 1:

Grimstead

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

SENATE CONCURRENT RESOLUTION 38

By Campbell, Nolan, Dykhouse, Scott and Lodwick

Whereas, the Sixtieth General Assembly is the longest regular session on record; and

Whereas, although we, in the Legislature, feel this long session is due to the difficult and large number of important issues to come before the Assembly, we wish to curtail certain expenses in the interest of keeping the total session costs at a minimum;

Now, Therefore, Be It Resolved by the Senate, the House Concurring: That the per diem pay for members of the House of Representatives and the Senate for the regular Sixtieth General Assembly cease May 17, 1963.

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REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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 126, 127, 165, 291, 349 and 466.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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, 127, 165, 291, 349 and 466.

BILLS SENT TO THE GOVERNOR

Senator Benda, 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 May, 1963, sent to the Governor for his approval: Senate Files 126, 127, 165, 291, 349 and 466.

KENNETH BENDA, *Chairman.*

Passed on file.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on May 15, 1963, the Governor had approved the following bill:

Senate File 466, relating to an appropriation from the general fund of the State of Iowa for capital improvements for institutions under the board of control.

AMENDMENTS FILED

Amend Senate File 488 as follows:

By adding thereto as an additional section the following:

1. "There is hereby appropriated from the farm-to-market road fund for each year of the biennium beginning July 1, 1963, and ending June 30, 1965, the sum of one hundred thousand dollars ($100,000) and there is hereby appropriated from the urban road fund for each year of the biennium beginning July 1, 1963, and ending June 30, 1965, the sum of one hundred thousand dollars ($100,000) to be used in conjunction with the primary and federal funds for highway and street research.

2. Further amend Senate File 488 by renumbering the sections thereof in conformity of addition of above new section if renumbering is necessary.

3. Amend title to Senate File 488 by inserting following

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after the word "fund" in line 2: ", farm-to-market road fund and urban road fund".

MARTIN WILEY.

Amend Senate File 488 by striking all of section 5.

GEORGE O'MALLEY.

Amend House File 156 by adding thereto the following new section:

"Section four hundred twenty-two point forty-five (422.45), Code 1962, is hereby amended by adding thereto the following new subsection:

'The gross receipts from the first retail sale of a used motor vehicle following each acceptance of such motor vehicle as part payment for the purchase at retail in Iowa of another motor vehicle.'"

VERNON H. KYHL.

On motion of Senator Rigler, the Senate adjourned until 9:30 a.m., Thursday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, THURSDAY, MAY 16, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend Robert E. Cutbirth, pastor of the Congregational Church, Hartwick, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Cowden on account of illness on request of Senator Burrows.

PRESENTATION OF VISITORS

Senator Doran asked and received unanimous consent to present to the Senate twenty-eight students from the Edwards Elementary School, Ames, who were present in the balcony accompanied by their instructor, Sandra Nelson.

UNFINISHED BUSINESS

On motion of Senator Wearin, House File 554, a bill for an act to provide for the regulation of the practice of nursing, was taken up for further consideration.

Senator Wearin moved that the bill be read a third 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:

Benda	Fisher	Lucken	Shoeman
Brown	Flatt	Main	Stephens
Buck	Frommelt	Mincks	Turner
Burrows	Fulton	Nolan	Vance
Campbell	Getting	O'Malley	Van Eaton
Curran	Griffin	Phelps	Vincent
Dodds	Grimstead	Rigler	Walker
Doran	Hansen	Schroeder	Walter
Dykhouse	Kyhl	Scott	Wearin
Elijah	Lisle	Shaff	Wiley
Elthon	Lodwick	Shivvers	Wilson
Elvers	Long		

Nays, none.

Absent or not voting, 4:

Beneke	Coleman	Cowden	Hill

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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 488, a bill for an act authorizing expenditures by the state highway commission from the primary road fund for the biennium beginning July 1, 1963, and ending June 30, 1965, and relating to salaries of highway commission members, was taken up for further consideration.

The Senate resumed consideration of the following amendment filed by Senator Wiley:

Amend Senate File 488 by striking all of section 4 and renumbering the subsequent section.

Senator Wiley moved the adoption of the amendment.

Division was called for.

The amendment was adopted.

Senator Wiley offered the following amendment and moved its adoption:

Amend Senate File 488 as follows:

By adding thereto as an additional section the following:

1. "There is hereby appropriated from the farm-to-market road fund for each year of the biennium beginning July 1, 1963, and ending June 30, 1965, the sum of one hundred thousand dollars ($100,000) and there is hereby appropriated from the urban road fund for each year of the biennium beginning July 1, 1963, and ending June 30, 1965, the sum of one hundred thousand dollars ($100,000) to be used in conjunction with the primary and federal funds for the highway and street research.

2. Further amend Senate File 488 by renumbering the sections thereof in conformity of addition of above new section if renumbering is necessary.

3. Amend title to Senate File 488 by inserting following after the word "fund" in line 2: ", farm-to-market road fund and urban road fund".

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 27:

Benda	Elijah	Kyhl	Shivvers
Brown	Elthon	Lisle	Turner
Buck	Fisher	Ludwick	Van Eaton
Burrows	Frommelt	Mincks	Vincent
Campbell	Fulton	O'Malley	Walter
Curran	Griffin	Schroeder	Wiley
Dodds	Hill	Shaff	

Nays, 21:

Beneke	Grimstead	Nolan	Stephens
Doran	Hansen	Phelps	Vance
Dykhouse	Long	Rigler	Walker
Elvers	Lucken	Scott	Wearin
Flatt	Main	Shoeman	Wilson
Getting			

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Absent or not voting, 2:

Coleman	Cowden

The amendment was adopted.

Senator O'Malley offered the following amendment and moved its adoption:

Amend Senate File 488 by striking all of section 5.

Senator Shaff moved the previous question on the amendment and the bill, which motion prevailed.

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Rule 8 was invoked.

Ayes, 18:

Beneke	Frommelt	Main	Stephens
Brown	Fulton	Mincks	Van Eaton
Dodds	Griffin	O'Malley	Walter
Elvers	Hansen	Shivvers	Wiley
Flatt	Hill		

Nays, 29:

Benda	Elthon	Lucken	Shoeman
Buck	Fisher	Nolan	Turner
Burrows	Getting	Phelps	Vance
Campbell	Grimstead	Rigler	Vincent
Curran	Lisle	Schroeder	Walker
Doran	Lodwick	Scott	Wearin
Dykhouse	Long	Shaff	Wilson
Elijah			

Absent or not voting, 3:

Coleman	Cowden	Kyhl

The amendment was lost.

Senator Nolan offered the following amendment and moved its adoption:

Amend Senate File 488 as follows:

1. Amend section 1, line 23, by striking the figures "106,000.00" and inserting in lieu thereof the figures "146,000.00".

2. Further amend section 1, line 41, by striking the figures "140,000.00" and inserting in lieu thereof the figure "180,000.00".

3. Further amend section 1, line 42, by striking the figures "990,310.00" and inserting in lieu thereof the figures "1,070,310.00".

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:

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Ayes, 44:

Benda	Elthon	Lisle	Shoeman
Beneke	Elvers	Lodwick	Stephens
Brown	Fisher	Long	Turner
Buck	Flatt	Lucken	Vance
Burrows	Fulton	Nolan	Van Eaton
Campbell	Getting	Phelps	Vincent
Curran	Griffin	Rigler	Walker
Dodds	Grimstead	Schroeder	Walter
Doran	Hansen	Scott	Wearin
Dykhouse	Hill	Shaff	Wiley
Elijah	Kyhl	Shivvers	Wilson

Nays, 2:

Main Mincks

Absent or not voting, 2:

Coleman Cowden

Voting present, 2:

Frommelt O'Malley

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 Rigler, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

THIRD READING OF BILLS

On motion of Senator Shoeman, Senate File 474, a bill for an act to appropriate from the general fund of the State of Iowa to the state board of regents for capital improvements; repairs, replacements, alterations and equipment, was taken up and considered.

Senator Schroeder offered the following amendment:

Amend Senate File 474 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 to the board of regents the sum of sixteen million ($16,000,000) dollars to be used in the following manner, to wit:

To supplement any appropriations for capital improvement items for construction of new buildings, repairs, improvements, replacements, or alterations, or for any other capital expenditures the board of regents may deem necessary for the proper and necessary function of any institution under its jurisdiction.

"Sec. 2. Before any of the funds herein appropriated shall be expended, it shall be determined by the board of regents, with the approval of the budget and financial control committee, that the expenditure shall be for the best interests of the state.

"Sec. 3. Contracts, plans and specifications, or plan of operation for improvements for which funds are herein appropriated shall be submitted by the board of regents to the budget and financial control committee for

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approval, except that items commonly known as change orders need not be submitted to the budget and financial control committee for approval unless such change orders actually increase the total cost of that particular project by three (3) percent or more.

"Sec. 4. The board of regents and the budget and financial control committee are hereby authorized to accept federal grants to the state to be used in connection with the funds above appropriated.

"Sec. 5. Any unencumbered balance remaining as of June 30, 1967, of the appropriation of this Act made by the Sixtieth General Assembly, shall revert to the general fund of the state as of June 30, 1967.

"Sec. 6. Section ninety-eight point six (98.6), Code 1962, is hereby amended by striking from line seven (7) of subsection one (1) the word 'two' and inserting in lieu thereof the words 'two and one-half (2½)'."

Further amend by adding in line three (3) of the title after the word "equipment" the words "and to increase the tax imposed on cigarettes".

Senator Getting raised a point of order on the amendment for the reason that it was not germane to the bill.

The Chair ruled, in accordance with a previous ruling, the point not well taken and the amendment in order.

Senator Flatt moved that action on Senate File 474 be temporarily deferred, which motion was lost.

Senator Schroeder moved the adoption of the amendment.

The amendment was adopted.

Senator Schroeder asked and received unanimous consent to withdraw the amendment filed by him to Senate File 474 on May 13 and found on page 1252 of the Senate Journal.

Senator Shoeman asked and received unanimous consent to withdraw the amendment filed by him to Senate File 474 on May 14 and found on page 1261 of the Senate Journal.

Senator Schroeder moved that the bill be read a third 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:

Benda	Elvers	Lisle	Scott
Beneke	Fisher	Lodwick	Shaff
Brown	Flatt	Long	Shoeman
Buck	Frommelt	Lucken	Turner
Campbell	Fulton	Mincks	Vance
Curran	Griffin	Nolan	Van Eaton
Dodds	Grimstead	O'Malley	Walker
Doran	Hansen	Phelps	Walter
Elijah	Hill	Rigler	Wearin
Elthon	Kyhl	Schroeder	Wilson

Nays, 4:

Getting	Main	Stephens	Vincent

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Absent or not voting, 5:

Burrows	Cowden	Dykhouse	Wiley
Coleman			

Voting present, 1:

Shivvers

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Schroeder moved that the 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 Shoeman asked and received unanimous consent that Senate File 474 be immediately messaged to the House, which request was complied with.

Senator Wearin called up the following resolution:

SENATE RESOLUTION 2

By Wearin, Shoeman, Turner, Flatt, Kyhl and Hansen

Whereas, one of the responsibilities of the state is to provide equal educational opportunity to all of its citizens, and

Whereas, this responsibility of the state extends beyond primary and secondary schools to the level of higher education, and

Whereas, it is a recognized fact that cost of transportation, room and board is an established factor in determining whether some individuals can attend institutions of higher learning, and

Whereas, there are no vocational and technical schools, community colleges and four year private colleges, and no state college or university in western and southwestern Iowa, in an area comprising nearly one-fourth of the state, and only two community colleges are located in southwestern Iowa, and

Whereas, students in western Iowa are not afforded equal educational opportunities due to the absence of higher education facilities; now, therefore,

Be It Resolved by the Senate, that the legislative research committee designated by the General Assembly create a joint advisory committee of legislators under the provisions of chapter 2, Code of 1962, with committee members to be appointed by the President of the Senate.

The joint advisory committee may with the approval of the President of the Senate and the Speaker of the House request the assistance of five educators or citizens of the state interested in higher education. Such individuals shall be reimbursed for all expenses incurred in providing assistance to the advisory committee.

Be It Further Resolved, that the advisory committee shall have full power and authority to conduct hearings and shall make a complete study of higher educational opportunities available to residents of western Iowa. All departments, agencies and political subdivisions of the state shall cooperate and provide assistance to said committee upon request.

Be It Further Resolved, that said committee shall by January 1, 1965, make a report of its findings and recommendations to members of the Sixty-first General Assembly. All committee recommendations shall be accompanied by bills.

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Senator Wearin moved the adoption of the resolution, which motion prevailed, and the resolution was adopted.

HOUSE AMENDMENTS CONSIDERED

Senator Beneke called up for consideration Senate File 447, a bill for an act to make appropriations to certain named persons in settlement of claims made against the State of Iowa, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 447 by striking from section one (1), line thirty-two (32), the name "Heelby" and inserting in lieu thereof the name "Shelby".

The Senate concurred in the House amendment.

Senator Beneke moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 48:

Benda	Elvers	Lodwick	Shivvers
Beneke	Fisher	Long	Shoeman
Brown	Flatt	Lucken	Stephens
Buck	Frommelt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Curran	Griffin	O'Malley	Vincent
Dodds	Grimstead	Phelps	Walker
Doran	Hansen	Rigler	Walter
Dykhouse	Hill	Schroeder	Wearin
Elijah	Kyle	Scott	Wiley
Elton	Lisle	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Coleman	Cowden

The bill having received a constitutional and two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Schroeder called up for consideration Senate File 171, a bill for an act relating to inspection of multiple dwellings, amended by the House, and moved that the Senate concur in the following amendment:

HOUSE AMENDMENT TO SENATE FILE 171

Amend Senate File 171 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section four hundred thirteen point one hundred twenty-three (413.123), Code 1962, is amended by adding at the end thereof the following:

"Cities of twenty-five thousand (25,000) or more population may establish

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a reasonable schedule of fees for the purpose of defraying the costs of inspection, enforcement, and administration of the provisions of this section relating to multiple dwellings. The fees shall not exceed seven dollars fifty cents ($7.50) for the first unit and seventy-five cents (75c) for each additional unit and shall apply only to the annual inspections."

Sec. 2. Section four hundred thirteen point one hundred twenty-four (413.124), Code 1962, is amended by adding in line four (4) after the word "fee" the words ", except as provided in section four hundred thirteen point one hundred twenty-three (413.123) of the Code,".

The Senate concurred in the House amendment.

Senator Schroeder moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 47:

Benda	Elvers	Lodwick	Shivvers
Beneke	Fisher	Long	Shoeman
Brown	Flatt	Lucken	Stephens
Buck	Frommelt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Curran	Griffin	O'Malley	Vincent
Dodds	Grimstead	Phelps	Walker
Doran	Hansen	Rigler	Walter
Dykhouse	Hill	Schroeder	Wearin
Elijah	Kyhl	Scott	Wilson
Elthon	Lisle	Shaff	

Nays, none.

Absent or not voting, 3:

Coleman	Cowden	Wiley

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Beneke called up Senate Concurrent Resolution 35 relating to claims rejected by the committee on claims filed on May 7 and found on pages 1166-1170, inclusive, of the Senate Journal and moved its adoption.

The motion prevailed and the resolution was adopted.

Senator Beneke asked and received unanimous consent that Senate Concurrent Resolution 35 be immediately messaged to the House, which request was complied with.

THIRD READING OF BILLS

On motion of Senator Lucken, Senate File 492, a bill for an act relating to refund of tax on special fuel in certain cases, was taken up and considered.

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Senator Lucken offered the following amendment and moved its adoption:

Amend Senate File 492 by adding thereto the following new section:
"Section three hundred twenty-four point sixteen (324.16), Code 1962, is hereby amended by inserting after the word 'fuel' in line two (2) the words, 'or special fuel'."

The amendment was adopted.

Senator Lucken moved that the bill be read a third 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:

Benda	Elvers	Lodwick	Shivvers
Beneke	Fisher	Long	Shoeman
Brown	Flatt	Lucken	Stephens
Buck	Frommelt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Curran	Griffin	O'Malley	Vincent
Dodds	Grimstead	Phelps	Walker
Doran	Hansen	Rigler	Walter
Dykhouse	Hill	Schroeder	Wearin
Elijah	Kyhl	Scott	Wilson
Elthon	Lisle	Shaff	

Nays, none.

Absent or not voting, 3:

Coleman	Cowden	Wiley

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Lucken asked and received unanimous consent that Senate File 492 be immediately messaged to the House, which request was complied with.

On motion of Senator Rigler, the Senate stood at ease until the fall of the gavel.

The Senate reconvened, President Mooty 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 passed the following bill in which the concurrence of the Senate is asked:

House File 380, a bill for an act relating to the powers of cities and towns and to confer upon them broad powers of self-determination with respect to local and internal affairs.

WILLIAM R. KENDRICK, *Chief Clerk.*

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HOUSE MESSAGE CONSIDERED

House File 380, a bill for an act relating to the powers of cities and towns and to confer upon them broad powers of self-determination with respect to local and internal affairs.

Read first and second times and referred to sifting committee.

STATEMENT

In debating House File 468 I opposed the bill as I felt it was too broad. To issue annual permits based on the "economic welfare of the state" is delegating too much power to the highway commission. Also it would invite almost irresistible pressure to grant the permits.

However, I am sympathetic to the problem that caused the proponents to introduce the bill. It was the problem of transporting boats and trailers manufactured in the state to markets outside of Iowa.

I had prepared an amendment to take care of this problem, which reads as follows:

"Amend House File 468 by striking from lines 4 and 5 of section 2 the words 'or in the interest of the economic welfare of this state' and inserting in lieu thereof the words 'or for hauling materials manufactured in Iowa that are so bulky in size that they cannot be economically hauled in trucks or trailers of a size otherwise provided by law';

"Further amend said House File 468 by striking from lines 4 and 5 of section 3 the words 'on an annual or such other basis as it deems proper' and inserting in lieu thereof the words 'on an annual basis';

"Further amend said House File 468 by striking from lines 4 and 5 of section 5 the words 'or is a movement in the economic welfare of this state' and inserting in lieu thereof the words 'or for hauling materials manufactured in Iowa that are so bulky in size that they cannot be economically hauled in trucks or trailers of a size otherwise provided by law'."

This was handed in to the Secretary's desk just before the bill was tabled. I suggest that if it is too late to act on it this session that it should be considered two years from now.

May 16, 1963. VERN LISLE.

RESIGNATION OF EMPLOYEE

Senator Scott announced the resignation of Vinson Jetter of Clinton County as a Senate Page effective May 16, 1963.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 19 and 237; also, House Files 46, 205, 342, 579 and 588.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
Chairman House Committee.

Report adopted.

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BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate Files 19 and 237; also, House Files 46, 205, 342, 579 and 588.

BILLS SENT TO THE GOVERNOR

Senator Benda, 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 May, 1963, sent to the Governor for his approval: Senate Files 19 and 237.

KENNETH BENDA, *Chairman.*

Passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on May 16, 1963, the Governor had approved the following bills:

Senate File 126, relating to cigarette vending machines.

Senate File 127, relating to exemptions from the imposition of the retail sales tax.

Senate File 165, relating to probate.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends they be placed on the sifting committee calendar:

H. F. 380 H. F. 178 H. F. 417

ROBERT R. RIGLER, *Chairman, Sifting Committee.*

On motion of Senator Rigler, the Senate adjourned until 9:00 a.m., Friday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FRIDAY, MAY 17, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Doctor Marshall Scott, Retiring Moderator of the Presbyterian General Assembly of the United States; Dean of the Institute of Industrial Relations at McCormick Theological Seminary, Chicago, Illinois.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Cowden on account of illness on request of Senator Burrows; Senator Coleman for the day on request of Senator Frommelt.

PRESENTATION OF VISITORS

Senator Buck asked and received unanimous consent to present to the Senate thirty-two students from the LDF LeGrand Junior High School who were present in the balcony accompanied by their instructors, Frances Anderson and Warren Davison.

THIRD READING OF BILLS

On motion of Senator Phelps, House File 156, a bill for an act relating to the imposition of the use tax and the retail sales tax and relating to exemptions therefrom, was taken up and considered.

Senator Kyhl asked and received unanimous consent to withdraw the amendment to House File 156 filed by him on May 14.

Senator Kyhl offered the following amendment and moved its adoption:

Amend House File 156 as follows:

Amend section 2, line 7, by adding after the word "operations" the following: "except vehicles subject to registration as provided in chapter three hundred twenty-one (321) of the Code".

The amendment was adopted.

Senator O'Malley offered the following amendment:

Amend House File 156, section 6, line 4, by inserting after the word "husbandry" the following: "and household appliances".

Senator Brown moved the previous question on the amendment, which motion prevailed.

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Senator O'Malley moved the adoption of the amendment.

The amendment was adopted.

Senator O'Malley asked and received unanimous consent to withdraw the amendment filed by him to the committee amendment on House File 156 on April 24 and found on page 1031 of the Senate Journal.

Senator Kyhl offered the following amendment and moved its adoption:

Amend House File 156 by adding thereto the following new subsection:
"Section four hundred twenty-two point forty-five (422.45), Code 1962, is hereby amended by adding thereto the following new subsection:
'The gross receipts from the first retail sale of a used motor vehicle following each acceptance of such motor vehicle as part payment for the purchase at retail in Iowa of another motor vehicle.'"

The amendment was adopted.

Senator Beneke moved the previous question on the bill, which motion prevailed.

Senator Benda asked unanimous consent that action on House File 156 be deferred.

Objection was raised.

Senator Benda moved that action on the bill be deferred, which motion was lost.

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, 29:

Beneke	Elvers	Kyhl	Scott
Brown	Fisher	Long	Shivvers
Curran	Flatt	Main	Turner
Dodds	Getting	Mincks	Van Eaton
Doran	Griffin	O'Malley	Walker
Dykhouse	Grimstead	Phelps	Walter
Elijah	Hansen	Rigler	Wiley
Elthon			

Nays, 17:

Benda	Hill	Schroeder	Vance
Buck	Lodwick	Shaff	Vincent
Burrows	Lucken	Shoeman	Wearin
Campbell	Nolan	Stephens	Wilson
Fulton			

Absent or not voting, 4:

Coleman	Cowden	Frommelt	Lisle

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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 O'Malley moved that the 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 Phelps asked and received unanimous consent that Senate File 92 be withdrawn from further consideration of the Senate.

Senator Phelps asked and received unanimous consent that House File 156 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 concurred in Senate amendment to and adopted House Concurrent Resolution 18, a concurrent resolution providing for a joint bipartisan study committee to conduct a study of the trade practices being used in the dairy industry.

Also: That the House has amended Senate amendment and concurred in said amendment as amended, and passed House File 550, a bill for an act relating to taxation; an increase in sales and use taxes and taxing sleeping rooms; repeal of moneys and credits tax and personal property tax; the payment of the Korean bonus bonds; a withholding tax on income; and to the appropriation of revenue.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE FILE 550

Amend the Senate amendment to House File 550 as follows:

1. By striking all of lines 25, 26, 27 and 28.

2. By striking all of lines 33 through 44.

3. By striking all of section 3.

4. By renumbering "Sec. 4" in line 51 as "Sec. 3".

5. By striking all of section 5.

6. By renumbering "Sec. 6" in line 58 as "Sec. 4".

7. By renumbering "Sec. 7" in line 69 as "Sec. 5".

8. By striking lines 71 through 80 and inserting in lieu thereof the following:

1. Section four hundred twenty-nine point two (429.2), Code 1962, is hereby amended by striking all after the word shall" in line fourteen (14) and inserting in lieu thereof the words "not assessed in the year 1964 or taxed after collection of the tax thereon for the year 1963 which shall be assessed, taxed, levied, listed, collected and apportioned in accordance with chapter four hundred twenty-nine (429), Code 1962, and other applicable laws."

9. By striking the figure "3" in line 81 and inserting in lieu thereof the figure "2".

10. Section 7, by inserting after line 85 the following: "and section four hundred thirty-two point five (432.5)".

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11. By striking all of section 8 and inserting in lieu thereof the following:

Sec. 6. Section four hundred thirty-one point one (431.1), Code 1962, is hereby amended by striking lines one (1) through five (5) thereof and inserting in lieu thereof the following:

"The shares of stock of insurance corporations and associations subject to taxation under section four hundred thirty-two point five (432.5) of the Code shall".

12. By striking all of sections 9 and 10.

13. By renumbering "Sec. 11" in line 131 as "Sec. 7".

14. By renumbering "Sec. 12" in line 134 as "Sec. 8".

15. By striking from line 136 the words and figures "ten million dollars ($10,000,000)" and inserting in lieu hereof the words and figures "twelve million dollars ($12,000,000)".

16. By inserting as section 9 the following:

Sec. 9. There is hereby created a permanent fund in the office of the treasurer of the state to be known as the moneys and credits tax replacement fund and for the purpose of establishing and replenishing said fund for each fiscal year beginning July 1, 1964, there is appropriated thereto from funds in the general fund not otherwise appropriated an amount equal to the total tax imposed upon moneys and credits as placed upon the various county tax lists for the year 1963. The county auditor of each county shall certify the amounts of such taxes imposed in his county for the year 1963 and deliver such certification to the state comptroller on or before December 31, 1963. On or before March 15, 1965 and on or before March 15th of each year thereafter, the state comptroller shall draw warrants on the moneys and credits tax replacement fund in the amounts of such certifications, payable to the county treasurers of the various counties and mail said warrants to the county auditors. The proceeds shall be apportioned within the counties according to section four hundred twenty-nine point three (429.3), Code 1962.

17. By striking all of section 13 and inserting in lieu thereof the following:

Sec. 10. There is hereby appropriated from the general fund for each year of the biennium to a "property tax credit fund", which is hereby created, the sum of thirty million dollars ($30,000,000), or as much thereof as may be available, as computed by the comptroller, from (1) the total of the excess, if any, by which the unencumbered general fund balance exceeds sixteen million dollars ($16,000,000) at the close of the preceding year, plus (2) the excess, if any, of estimated revenues for the ensuing year after providing for all other appropriations, including the apportionment of biennial appropriations between each year of the biennium. This property tax credit fund distribution shall be allocated each year to the several counties in the same proportion that the assessed valuation of real and personal property in that county for the preceding tax year bears to the total taxable real and personal property in the state for the preceding tax year. Not later than October 1 in the year 1963, and annually thereafter, the state comptroller shall certify to the county auditor of each county in the state the amount of money that will be allocated to that county the following year. The county auditor shall thereupon enter a credit against the tax bill of each taxpayer in said county, being the tax bill of the current year due and payable the following year, and the amount of said credit shall be in the same proportion to the total amount so certified to the county auditor by the state comptroller as the assessed valuation of such taxpayer's taxable real and personal property for the current tax year bears to the total assessed valuation of taxable real and personal property in that county for

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the current tax year. The amount of money so credited to the taxpayers of the county shall be distributed by the county treasurer to the several taxing districts of said county upon the receipts in the following year of the comptroller's warrant drawn on the property tax credit fund, the same as though the amount thereof had been paid to the treasurer of said county by the taxpayers of said taxing district.

18. By renumbering "Sec. 14" in line 172 as "Sec. 11".

19. By striking all of sections 15, 16, 17, 18, 19 and 20.

20. By adding the following new sections:

Sec. 12. Section four hundred twenty-two point seventeen (422.17), Code 1962, is hereby repealed.

Sec. 13. Section four hundred twenty-two point four (422.4), Code 1962, is hereby amended by striking subsection thirteen (13) thereof and inserting in lieu thereof the following:

The term "withhholding agent" means any individual, fiduciary, corporation, partnership or association in whatever capacity acting and including all officers and employees of the State of Iowa, or any municipal corporation of the State of Iowa and of any school district or school board of the state, or of any political subdivision of the State of Iowa that is obligated to pay or has control of paying or does pay to any resident or nonresident of the State of Iowa or his agent any income that is subject to the Iowa income tax in the hands of such resident or nonresident.

Sec. 14. Strike all of section four hundred twenty-two point sixteen (422.16), Code 1962, and insert in lieu thereof the following:

(1) Every employer as defined in the Internal Revenue Code of 1954, as amended through December 31, 1962, including domestic and foreign corporations, with respect to income tax collected at source, making payment of wages as defined in the Internal Revenue Code of 1954, as amended through December 31, 1962, to a resident employee or employees shall deduct and withhold from such wages an amount which will approximate the employee's tax liability at year end on the annual basis, upon tables and schedules prepared by and prescribed by the state tax commission.

(2) In the case of nonresidents, every employer as referred to in subsection one (1) of this section, or withholding agent as defined in section two (2) of this Act, shall deduct and withhold during each calendar year two percent (2%) of all gross income paid in the form of wages as defined in the Internal Revenue Code of 1954, as amended through December 31, 1962. Payments of other gross incomes subject to the Iowa income tax in the hands of the nonresident shall be subject to withholding at the rate of four percent (4%). The "gross income" referred to herein shall include the amount required to be withheld. The term "gross income" shall have the same meaning as for federal income tax purposes under the Internal Revenue Code of 1954, as amended through December 31, 1962.

The employers referred to in this subsection one (1) and subsection two (2) shall be deemed to be withholding agents as defined in section four hundred twenty-two point four (422.4), subsection thirteen (13), Code 1962.

(3) Every withholding agent required to deduct and withhold tax under subsections one (1) or two (2) of this section shall, for the quarterly period beginning July 1, 1963, and for each quarterly period thereafter, on or before the last day of the month following the close of each quarterly period make a return on forms prescribed by the state tax commission and pay over to the state tax commission in the form of remittances made payable to the state tax commission, the tax required to be withheld under the provisions of subsections one (1) and two (2) hereof. If the state tax commission in any case has reason to believe that the collection of the tax provided for in subsections one (1) and/or two (2) hereof is in jeopardy, it may

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require the employer or withholding agent to make such return and pay such tax at any time.

(4) Every withholding agent who fails to withhold or pay to the commission any sums required by this Act to be withheld and paid, shall be personally and individually liable therefor to the State of Iowa, and any sum or sums withheld in accordance with the provisions of subsections one (1) or two (2) hereof, shall be deemed to be held in trust for the State of Iowa.

(5) In the event a withholding agent fails to withhold and/or pay over to the commission any amount required to be withheld under subsections one (1) or two (2) of this section, such amount may be assessed against such employer or withholding agent in the same manner as prescribed for the assessment of income tax under the provisions of chapter four hundred twenty-two (422), Code 1962.

(6) The State of Iowa shall have a lien upon all the property of any employer or withholding agent who fails to withhold and/or pay over to the state tax commission sums required to be withheld under subsections one (1) or two (2) of this section. If the employer or withholding agent withholds but fails to pay the amounts withheld to the tax commission, the lien shall attach as of the date the amounts withheld were required to be paid over to the commission. If the employer or withholding agent fails to withhold, the lien shall attach as of the date the amounts which should have been withheld were required to be paid over to the commission had they been withheld under the provisions of subsections one (1) or two (2) of this section.

(7) Every withholding agent required to deduct and withhold from an employee or other person receiving taxable Iowa income, a tax under subsections one (1) or two (2) of this section shall furnish to such employee or other person in respect of the remuneration paid by such employer or withholding agent to such employee or other person during the calendar year, on or bfore January 31 of the succeeding year, or, if the employee's employment is terminated before the close of such calendar year, within thirty (30) days from the day on which the last payment of wages is made, a written statement showing the following:

a. The name of such employer or withholding agent.

b. The name of the employee or other person and his federal social security account number.

c. The total amount of wages, as defined in the Internal Revenue Code of 1954, as amended through December 1, 1962, or other taxable income paid to the employee or other person.

d. The total amount deducted and withheld as tax under the provisions of subsections (1) or two (2) of this section.

e. The total amount of federal income tax withheld.

The statement required to be furnished by this subsection in respect of any wages or other taxable Iowa income shall be in such form as the state tax commission may by regulation prescribe.

(8) An employer or withholding agent shall be liable for the payment of the tax required to be deducted and withheld under subsections one (1) or two (2) of this section and any amount deducted and withheld as tax under subsections one (1) or two (2) of this section during any calendar year upon the wages of any employee or other person shall be allowed as a credit to the employee or other person against the tax imposed by section four hundred twenty-two point five (422.5), Code 1962, irrespective of whether or not such tax has been, or will be, paid over by the employer or withholding agent to the state tax commission as provided by this Act.

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(9) The amount of any overpayment of the individual income tax liability of the employee taxpayer or other person which may result from the withholding and payment of withheld tax by the employer or withholding agent to the commission under subsections one (1) or two (2) hereof, as compared to the individual income tax liability of the employee taxpayer or other person properly and correctly determined under the provisions of section four hundred twenty-two point four (422.4), to and including section four hundred twenty-two point thirteen (422.13), Code 1962, may be credited against any income tax or installment thereof then due the State of Iowa and any balance of two dollars ($2.00) or more shall be refunded to the employee taxpayer or other person with interest at six percent (6%) per annum, such interest to begin to accrue one hundred eighty (180) days after the due dates of the return. Amounts less than two dollars ($2.00) shall be refunded to the taxpayer only upon written application, and only if such application is filed within twelve (12) months after the due date of the return. Refunds provided for by this subsection shall be paid by the state treasurer by means of warrants drawn by the comptroller at the direction of an authorized employee of the state tax commission, without requiring the taxpayer to file a claim for such refund. There is hereby appropriated, out of any funds in the state treasury not otherwise appropriated, a sum sufficient to carry out the provisions of this section.

(10) a. Any person or corporation required under the provisions of this Act to furnish a statement required by this Act who willfully furnishes a false or fraudulent statement, or who willfully fails to furnish such statement shall, for each such failure be subject to a civil penalty of one hundred dollars ($100.00), such penalty to be in addition to any criminal penalty otherwise provided for by the Code 1962.

b. Any employer or withholding agent required under the provisions of this Act to withhold taxes on wages or other taxable Iowa income who fails to withhold such taxes, or to make the required returns or who fails to remit to the commission the amounts withheld, shall be liable for the amount of such taxes which should have been withheld and paid and in addition shall be subject to a civil penalty, equal to five percent (5%) of the amount which should have been withheld and/or paid over to the commission, for each month or fraction thereof during which such failure continues, not to exceed twenty-five percent (25%) in the aggregate. Interest at the rate of six percent (6%) per annum shall be added to the amount of the tax required to be withheld and paid to the tax commission.

c. If the employer, being a domestic or foreign corporation, required under the provisions of this section to withhold on wages or other taxable Iowa income fails to withohld the amounts required to be withheld, make the required returns or remit to the state tax commission the amounts withheld, the commission may certify such fact or facts to the secretary of state, who shall thereupon cancel the articles of incorporation or certificate of authority (as the case may be) of such corporation and the rights of such corporation to carry on business in the State of Iowa shall thereupon cease. Any person or persons who shall exercise or attempt to exercise any rights, powers, privileges or franchise under articles of incorporation or certificate of authority after the same are cancelled shall pay a penalty of not less than one hundred dollars ($100.00) or more than one thousand dollars ($1,000.00), to be recovered in an action brought by the commission, such penalty to be in addition to all other penalties provided under chapter four hundred twenty-two (422), Code 1962.

(11) a. Every individual or married couple filing a joint return, shall make a declaration of estimated tax if his or their Iowa income tax at-

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tributable to income other than wages subject to withholding can reasonably be expected to amount to fifty dollars ($50.00) or more for the taxable year, except that in the case of farmers the provisions of the Internal Revenue Code of 1954, as amended through December 31, 1962, with respect to declarations shall apply.

The declarations provided for herein shall be filed at such time and in such form as the state tax commission may require by regulations, and the estimated tax shall be paid in four (4) equal installments, the first installment to be paid at the time of filing the declaration, except that at the election of the individual, or married couple filing jointly, any installment of the estimated tax may be paid prior to the date prescribed for its payment.

b. In the case of individuals or married couples filing jointly the total balance of the tax payable after credits for taxes paid through withholding, as provided in subsection one (1) or two (2) of this section, or through declaration and payment of estimated tax, as provided in subsection eleven (11) of this section, shall be due and payable on or before April 15, following the close of the calendar year, or if the return should be made on the basis of a fiscal year, then on or before the fifteenth day of the fourth month following the close of such fiscal year.

c. The declaration provided for in this section may be amended during the taxable year under regulations prescribed by the state tax commission.

d. If a taxpayer is unable to make his own declaration, the declaration may be made by duly authorized agent or by the guardian or other person charged with the care of the person or property of such taxpayer.

e. Any amount paid on a declaration of estimated tax shall be a credit against the amount of tax found payable on a final, completed return as provided in subsection nine (9) hereof relating to the credit for the tax withheld against the tax found payable on a return properly and correctly prepared under the provisions of section four hundred twenty-two point five (422.5) to and including section four hundred twenty-two point thirteen (422.13), Code 1962, and any overpayment of two dollars ($2.00) or more shall be refunded to the taxpayer as provided in subsection nine (9) hereof, relating to overpayments of tax through withholding. Amounts less than two dollars ($2.00) shall be refunded to the taxpayer only upon written application, and only if such application is filed within twelve (12) months after the due date for the return. The penalties provided by the Internal Revenue Code of 1954, as amended through December 31, 1962, for failure to file a declaration or for underpayment of the tax payable shall apply to persons required to file declarations and make payments of estimated tax under the provisions of this section.

Sec. 15. From funds in the general fund not otherwise appropriated, there is hereby appropriated sufficient funds for the purpose of redeeming the Korean service compensation bonds as issued under chapter thirty-five B (35B), Code 1962. This amount so appropriated, together with the balances of the Korean veteran bonus fund and the Korean veteran bonus tax fund shall be applied to redeem the total outstanding Korean service compensation bonds, together with interest and callable penalty of one and one-half percent (1½%) of par value at June 1, 1964.

Sec. 16. Section thirty-five B point eleven (35B.11), Code 1962, is hereby repealed effective December 31, 1963, provided that the tax of one (1) mill on moneys and credits for the year 1963 shall be collected and added to the existing funds.

21. By adding the following new sections:

Sec. 17. As compensation to employers for acting as withholding agents

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in withholding state income tax under this Act, an employer shall be paid by the state a sum equal to one percent (1%) of the amount of tax deducted and withheld and timely remitted to the state as provided in this Act; which said sum of one percent (1%) shall be paid to the said employer by his withholding same from said remittance.

Sec. 18. There is hereby appropriated from the general fund annually for each year of the ensuing biennium to the department of public instruction, in addition to all other appropriations, the sum of two million dollars ($2,000,000.00) for supplementary aid as provided by chapter two hundred eighty-six (286) of the Code.

Sec. 19. There is hereby appropriated from the general fund annually for each year of the ensuing biennium to the department of public instruction, in addition to all other appropriations, the sum of one million five hundred thousand dollars ($1,500,000) for aid to handicapped children through special education as provided in chapter two hundred eighty-one (281), Code 1962, and the sum of five hundred thousand dollars ($500,000) for vocational education aid as provided in chapter two hundred fifty-eight (258), Code 1962.

22. By renumbering "Sec. 21" in line two hundred three (203) as "Sec. 20".

23. By renumbering "Sec. 22" in line two hundred eight (208) as "Sec. 21".

24. Amend the Senate amendment to the title by striking all after the word "following:" in line two hundred thirteen (213) and inserting in lieu thereof the following: "relating to taxation; relating to an increase in sales and use taxes and taxing sleeping rooms; relating to the repeal of moneys and credits tax and personal property tax; relating to the payment of the Korean bonus bonds; relating to a withholding tax on income; and relating to the appropriation of revenue."

HOUSE AMENDMENTS CONSIDERED

Senator Shaff called up for consideration House File 550, a bill for an act relating to an increase in the tax imposed on cigarettes, on retail sales of tangible personal property, on gross receipts from operation of amusement devices and enterprises, and on the use tax; imposing a service tax on gross receipts for services performed by hotels, motels, rooming houses, tourist courts and trailer camps; relating to the apportionment and computation of the agricultural land tax credit; and relating to the tax levy for supplementary aid and general aid to school districts, amended by the Senate, and moved that the Senate concur in the House amendments to the Senate amendments.

Senator Dykhouse raised a point of order on the amendments for the reason that subject matter contained therein had already been considered by the Senate.

The Chair ruled the point well taken for the reason that the withholding portion of the amendment was improper since definite action on the same subject matter was taken by the Senate on May 8, 1963.

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Senator Rigler moved as a substitute motion that the Senate refuse to concur in the House amendments to the Senate amendments, which motion prevailed, and the Senate refused to concur in the House amendments to the Senate amendments.

On motion of Senator Rigler, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

THIRD READING OF BILLS

On motion of Senator Wearin, House File 178, a bill for an act relating to bids on secondary road construction work and materials therefor, was taken up and considered.

President pro tempore Vance took the chair at 2:00 p.m.

Senator Wearin moved that the bill be read a third 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:

Benda	Frommelt	Main	Shivvers
Brown	Fulton	Mincks	Shoeman
Buck	Getting	Nolan	Stephens
Campbell	Grimstead	O'Malley	Turner
Curran	Hansen	Phelps	Vance
Dodds	Hill	Rigler	Van Eaton
Elijah	Kyhl	Schroeder	Vincent
Elvers	Lisle	Scott	Walter
Fisher	Lodwick	Shaff	Wearin
Flatt	Long		

Nays, 7:

Burrows	Dykhouse	Walker	Wilson
Doran	Lucken	Wiley	

Absent or not voting, 5:

Beneke	Cowden	Elthon	Griffin
Coleman			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wearin moved that the 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

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House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 20, a concurrent resolution directing the legislative research bureau to study the problem of co-ordination of state, federal and city meat inspection.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 38, a bill for an act relating to notification of expiration of motor vehicle operator's license.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 183, a bill for an act increasing the number of deputies from three to four that the industrial commissioner may hire.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 227, a bill for an act relating to life, health and accident insurance by employees of the state, county, school district, city, town or institution supported by public funds.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 282, a bill for an act relating to maximum millage rates for taxes caused to be levied by cities and towns.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 340, a bill for an act relating to the confidential character of research studies for the purpose of reducing morbidity or mortality.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 403, a bill for an act relating to unauthorized signs and signals.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 407, a bill for an act relating to special plates for motor vehicles to manufacturers, transporters and dealers.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 419, a bill for an act relating to salaries of county attorneys.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 440, a bill for an act relating to controlled-access highways and resolutions filed by the state highway commission in relation thereto.

Also: That the House has concurred in Senate amendment to House amendment to and passed Senate File 468, a bill for an act relating to inheritance tax.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 345, a bill for an act relating to public safety peace officers' retirement, accident and disability system.

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Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 591, a bill for an act relating to the issuance of bonds for conservation purposes by certain counties.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 594, a bill for an act to legalize the publication of notice of incorporation and amendments of articles of incorporation of corporations for pecuniary profit where such notices were not published within the statutory time limit.

WILLIAM R. KENDRICK, *Chief Clerk*

HOUSE AMENDMENT TO SENATE FILE 38

Amend Senate File 38 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section three hundred twenty-one point one hundred ninety-six (321.196), Code 1962, is hereby amended by striking the period in line four (4) and inserting in lieu thereof the following: ", but shall be renewable without written examination or penalty within a period of thirty days after such birthday anniversary."

Sec. 2. Section three hundred twenty-one point one hundred ninety-seven (321.197), Code 1962, is hereby amended by striking from line two (2) the words "on the" and inserting in lieu thereof the following: "thirty days after the".

Section three hundred twenty-one point one hundred ninety-seven (321.197), Code 1962, is hereby further amended by striking from lines two (2) and three (3) the words "date of birth" and inserting in lieu thereof the words "birthday anniversary".

HOUSE AMENDMENTS TO SENATE FILE 227

Amend Senate File 227 as follows:

1. Amend by striking all of section 2 and inserting in lieu thereof the following:

Sec. 2. Section three hundred sixty-five A point two (365A.2), Code 1962, is hereby amended by striking all of subsection three (3) and inserting in lieu thereof the following: "Solely from the contributions of employees, except as provided in subsections one (1) and two (2) above, for any plan established after July 4, 1963."

2. Amend section 3 by adding thereto the following:

Section three hundred sixty-five A point three (365A.3), Code 1962, is further amended by adding thereto the following new paragraph:

"Any employee may authorize deductions from his wages or salary in payment for plans authorized in this chapter in the manner provided in section five hundred fourteen point sixteen (514.16) of the Code."

3. Amend section 6 by striking subsection two (2) and inserting in lieu thereof the following:

(2) By striking from lines four (4) and five (5) the words "a legal reserve life insurance company" and inserting in lieu thereof the following "any insurance company having a certificate of authority to transact an insurance business in this state".

4. Further amend section 6 by striking subsection four (4) and inserting in lieu thereof the following:

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(4) By inserting in line six (6) after the comma following the word "life" the following: "accident,".

5. Amend by striking all of section 7 and inserting in lieu thereof the following:

Sec. 7. Section three hundred sixty-five A point seven (365A.7), Code 1962, is hereby repealed and the following enacted in lieu thereof:

"The word 'employee' as used in this chapter shall not include temporary or retired employees; however, nothing herein shall be construed as preventing a retired employee from voluntarily continuing in force, at his own expense, an existing contract."

HOUSE AMENDMENT TO SENATE FILE 403

Amend Senate File 403 by striking the word "which" in line 5 and inserting in lieu thereof the following ", if such sign, signal, marking, or device".

HOUSE AMENDMENT TO SENATE FILE 419

Amend Senate File 419 by adding thereto the following new section:

Section three hundred forty point nine (340.9), Code 1962, is hereby amended by striking from line two (2) of subsection fifteen (15) the words "ten thousand" and inserting in lieu thereof the words and figures "twelve thousand (12,000)".

HOUSE AMENDMENT TO SENATE FILE 440

Amend Senate File 440 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section three hundred six A point five (306A.5), Code 1962, is amended by adding at the end thereof the following:

"No access rights to any highway shall be acquired by any authority having jurisdiction and control over the highways of this state by adverse possession or prescriptive right. No action heretofore or hereafter taken by any such authority shall form the basis for any claim of adverse possession of, or prescriptive right to any access rights by any such authority."

HOUSE MESSAGES CONSIDERED

House File 345, a bill for an act to amend chapter ninety-seven A (97A), Code 1962, relating to public safety peace officers' retirement, accident and disability system.

Read first and second times and referred to sifting committee.

House File 591, a bill for an act relating to the insurance of bonds for conservation purposes by certain counties.

Read first and second times and referred to sifting committee.

House File 594, a bill for an act to legalize the publication of notice of incorporation and amendments of articles of incorporation of corporations for pecuniary profit where such notices were not published within the statutory time limit.

Read first and second times and referred to sifting committee.

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HOUSE AMENDMENTS CONSIDERED

Senator Lisle called up for consideration Senate File 227, a bill for an act relating to life, health and accident insurance by employees of the state, county, city, town or institution supported by public funds, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 227 as follows:

1. Amend by striking all of section 2 and inserting in lieu thereof the following:

Sec. 2. Section three hundred sixty-five A point two (365A.2), Code 1962, is hereby amended by striking all of subsection three (3) and inserting in lieu thereof the following: "Solely from the contributions of employees, except as provided in subsections one (1) and two (2) above, for any plan established after July 4, 1963."

2. Amend section 3 by adding thereto the following:

Section three hundred sixty-five A point three (365A.3), Code 1962, is further amended by adding thereto the following new paragraph:

"Any employee may authorize deductions from his wages or salary in payment for plans authorized in this chapter in the manner provided in section five hundred fourteen point sixteen (514.16) of the Code."

3. Amend section 6 by striking subsection two (2) and inserting in lieu thereof the following:

(2) By striking from lines four (4) and five (5) the words "a legal reserve life insurance company" and inserting in lieu thereof the following: "any insurance company having a certificate of authority to transact an insurance business in this state".

4. Further amend section 6 by striking subsection four (4) and inserting in lieu thereof the following:

(4) By inserting in line six (6) after the comma following the word "life" the following: "accident,".

5. Amend by striking all of section 7 and inserting in lieu thereof the following:

Sec. 7. Section three hundred sixty-five A point seven (365A.7), Code 1962, is hereby repealed and the following enacted in lieu thereof:

"The word 'employee' as used in this chapter shall not include temporary or retired employees; however, nothing herein shall be construed as preventing a retired employee from voluntarily continuing in force, at his own expense, an existing contract."

The Senate concurred in the House amendment.

Senator Lisle moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 47:

Benda	Curran	Elthon	Getting
Beneke	Dodds	Elvers	Grimstead
Brown	Flatt	Fisher	Hansen
Buck	Doran	Hill	Kyhl
Burrows	Dykhouse	Frommelt	Lisle
Campbell	Elijah	Fulton	Lodwick

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Long	Phelps	Shoeman	Walker
Lucken	Rigler	Stephens	Walter
Main	Schroeder	Turner	Wearin
Mincks	Scott	Vance	Wiley
Nolan	Shaff	Van Eaton	Wilson
O'Malley	Shivvers	Vincent	

Nays, none.

Absent or not voting, 3:

Coleman	Cowden	Griffin

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Shoeman called up for consideration Senate File 38, a bill for an act relating to notification of expiration of motor vehicle operator's license, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 38 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section three hundred twenty-one point one hundred ninety-six (321.196), Code 1962, is hereby amended by striking the period in line four (4) and inserting in lieu thereof the following: ", but shall be renewable without written examination or penalty within a period of thirty days after such birthday anniversary."

Sec. 2. Section three hundred twenty-one point one hundred ninety-seven (321.197), Code 1962, is hereby amended by striking from line two (2) the words "on the" and inserting in lieu thereof the following: "thirty days after the".

Section three hundred twenty-one point one hundred ninety-seven (321.197), Code 1962, is hereby further amended by striking from lines two (2) and three (3) the words "date of birth" and inserting in lieu thereof the words "birthday anniversary".

The Senate concurred in the House amendment.

Senator Shoeman moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 47:

Beneke	Elvers	Long	Shoeman
Benda	Fisher	Lucken	Stephens
Brown	Flatt	Main	Turner
Buck	Frommelt	Mincks	Vance
Burrows	Fulton	Nolan	Van Eaton
Campbell	Getting	O'Malley	Vincent
Curran	Grimstead	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Schroeder	Wearin
Dykhouse	Kyhl	Scott	Wiley
Elijah	Lisle	Shaff	Wilson
Elthon	Lodwick	Shivvers	

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Nays, none.

Absent or not voting, 3:

Coleman	Cowden	Griffin

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 419, a bill for an act relating to salaries of county attorneys, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 419 by adding thereto the following new section:

Section three hundred forty point nine (340.9), Code 1962, is hereby amended by striking from line two (2) of subsection fifteen (15) the words "ten thousand" and inserting in lieu thereof the words and figures "twelve thousand (12,000)".

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 third 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:

Benda	Elvers	Long	Shoeman
Beneke	Fisher	Lucken	Stephens
Brown	Flatt	Main	Turner
Buck	Frommelt	Mincks	Vance
Burrows	Fulton	Nolan	Van Eaton
Campbell	Getting	O'Malley	Vincent
Curran	Grimstead	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Schroeder	Wearin
Dykhouse	Kyhl	Scott	Wiley
Eiljah	Lisle	Shaff	Wilson
Elthon	Lodwick	Shivvers	

Nays, none.

Absent or not voting, 3:

Coleman	Cowden	Griffin

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Nolan called up for consideration Senate File 440, a bill for an act relating to controlled-access highways and resolutions filed by the state highway commission in relation thereto, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 440 by striking all after the enacting clause and inserting in lieu thereof the following:

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Section 1. Section three hundred six A point five (306A.5), Code 1962, is amended by adding at the end thereof the following:

"No access rights to any highway shall be acquired by any authority having jurisdiction and control over the highways of this state by adverse possession or prescriptive right. No action heretofore or hereafter taken by any such authority shall form the basis for any claim of adverse possession of, or prescriptive right to any access rights by any such authority."

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 third 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:

Benda	Elvers	Long	Shivvers
Beneke	Fisher	Lucken	Shoeman
Brown	Flatt	Main	Stephens
Buck	Frommelt	Mincks	Vance
Burrows	Fulton	Nolan	Van Eaton
Campbell	Getting	O'Malley	Vincent
Curran	Grimstead	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Kyhl	Schroeder	Wearin
Dykhouse	Lisle	Scott	Wiley
Elijah	Lodwick	Shaff	Wilson
Elthon			

Nays, 2:

Hill	Turner

Absent or not voting, 3:

Coleman	Cowden	Griffin

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 Benda, House File 417, a bill for an act to amend chapter twenty-eight A (28A), Code 1962, commonly known as the "Civil Defense Act", and relating to the establishment of joint county-municipal civil defense administrations, their powers and duties, and the establishment of a joint civil defense fund for payment of expenses in connection therewith, was taken up and considered.

Senator Benda moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

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Ayes, 47:

Benda	Elvers	Long	Shoeman
Beneke	Fisher	Lucken	Stephens
Brown	Flatt	Main	Turner
Buck	Frommelt	Mincks	Vance
Burrows	Fulton	Nolan	Van Eaton
Campbell	Getting	O'Malley	Vincent
Curran	Grimstead	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Schroeder	Wearin
Dykhouse	Kyhl	Scott	Wiley
Elijah	Lisle	Shaff	Wilson
Elthon	Lodwick	Shivvers	

Nays, none.

Absent or not voting, 3:

Coleman	Cowden	Griffin

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Rigler, House File 380, a bill for an act relating to the powers of cities and towns and to confer upon them broad powers of self-determination with respect to local and internal affairs, was taken up and considered.

Senator Nolan offered the following amendments and moved their adoption:

Amend House File 380 as follows:

1. By striking in line 8 the word "purely" and inserting in lieu thereof the word "strictly".
2. By striking in lines 13 and 14 the words "the widest possible scope of implied power over" and inserting in lieu thereof the words "broad and implied power over all".
3. By striking in line 18 the word "police".
4. By striking in line 28 the word "However" and inserting in lieu thereof the words "Notwithstanding any of the provisions of this section".

The amendments were adopted.

Senator Rigler moved that the bill be read a third 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:

Benda	Dykhouse	Grimstead	Mincks
Beneke	Elijah	Hansen	Nolan
Brown	Elthon	Hill	O'Malley
Buck	Elvers	Kyhl	Phelps
Burrows	Fisher	Lisle	Rigler
Campbell	Flatt	Lodwick	Schroeder
Curran	Frommelt	Long	Scott
Dodds	Fulton	Lucken	Shaff
Doran	Getting	Main	Shivvers

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Shoeman	Vance	Walker	Wiley
Stephens	Van Eaton	Walter	Wilson
Turner	Vincent	Wearin	

Nays, none.

Absent or not voting, 3:

Coleman	Cowden	Griffin

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 that House File 380 be immediately messaged to the House, which request was complied with.

HOUSE AMENDMENTS CONSIDERED

Senator Dykhouse called up for consideration Senate File 403, a bill for an act to amend section three hundred twenty-one point two hundred fifty-nine (321.259), Code 1962, relating to unauthorized signs and signals, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 403 by striking the word "which" in line five (5) and inserting in lieu thereof the following: ", if such sign, signal, marking, or device".

The Senate concurred in the House amendment.

Senator Dykhouse moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 47:

Benda	Elvers	Long	Shoeman
Beneke	Fisher	Lucken	Stephens
Brown	Flatt	Main	Turner
Buck	Frommelt	Mincks	Vance
Burrows	Fulton	Nolan	Van Eaton
Campbell	Getting	O'Malley	Vincent
Curran	Grimstead	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Schroeder	Wearin
Dykhouse	Kyhl	Scott	Wiley
Elijah	Lisle	Shaff	Wilson
Elthon	Lodwick	Shivvers	

Nays, none.

Absent or not voting, 3:

Coleman	Cowden	Griffin

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

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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 insists on its amendment to the Senate amendment to House File 550, a bill for an act relating to taxation, an increase in sales and use taxes and taxing sleeping rooms; the repeal of moneys and credits tax and personal property tax, the payment of the Korean bonus bonds, withholding tax on income and relating to the appropriation of revenue, and requests a conference. The Speaker has appointed as members of the conference committee, on the part of the House, Baringer of Fayette, Edgington of Franklin, Vermeer of Marion and Wells of Taylor.

WILLIAM R. KENDRICK, *Chief Clerk.*

CONFERENCE COMMITTEE APPOINTED ON HOUSE FILE 550

President Mooty announced the appointment of Senators Shaff, Rigler, Shoeman and Nolan, on the part of the Senate, on the conference committee on House File 550.

MESSAGES FROM 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 174, a bill for an act to define the residence requirement for policemen and firemen under municipal civil service.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 250, a bill for an act relating to the allocation of general school aid funds to junior college districts.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 315, a bill for an act relating to the declaration of interest refunds by the board of directors of credit unions.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 392, a bill for an act to exempt personal property in transit from taxation.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 415, a bill for an act to set octane rating number for regular and premium grade gasoline.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 426, a bill for an act relating to workmen's compensation for occupational diseases.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

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Senate File 448, a bill for an act relating to credit against annual license fees of corporations and foreign corporations.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 457, a bill for an act relating to compensation of members of the Iowa development commission.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 473, a bill for an act to amend Senate File four hundred forty-five (445), Acts of the Sixtieth General Assembly, relating to the organization of domestic insurance companies.

Also: That the House has concurred in Senate amendments to and passed House File 156, a bill for an act relating to the imposition of the use tax and retail sales tax and relating to exemptions therefrom.

WILLIAM R. KENDRICK, *Chief Clerk.*

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bill under consideration and recommends that it be placed on the sifting committee calendar:

H. F. 594

CLIFFORD VANCE, *Ranking Member, Sifting Committee.*

On motion of Senator Rigler, the Senate stood at ease until the fall of the gavel.

The Senate reconvened, President pro tempore Vance presiding.

THIRD READING OF BILLS

Senator Schroeder asked and received unanimous consent to take up the following bill:

On motion of Senator Schroeder, House File 594, a bill for an act to legalize the publication of notice of incorporation and amendments of articles of incorporation of corporations for pecuniary profit where such notices were not published within the statutory time limit, was taken up and considered.

Senator Schroeder moved that the bill be read a third 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:

Benda	Curran	Elvers	Grimstead
Beneke	Dodds	Fisher	Hansen
Brown	Doran	Flatt	Hill
Buck	Dykhouse	Frommelt	Kyhl
Burrows	Elijah	Fulton	Lisle
Campbell	Elthon	Getting	Lodwick

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Long	Phelps	Shoeman	Walker
Lucken	Rigler	Stephens	Walter
Main	Schroeder	Turner	Wearin
Mincks	Scott	Vance	Wiley
Nolan	Shaff	Van Eaton	Wilson
O'Malley	Shivvers	Vincent	

Nays, none.

Absent or not voting, 3:

Coleman	Cowden	Griffin

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Schroeder asked and received unanimous consent that House File 594 be immediately messaged to the House, which request was complied with.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 37, a concurrent resolution resolving that the capitol planning commission is directed to study during the 1963-65 biennium the need for, feasibility, and cost of establishing a state record center for the safe storage of official records of the state.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 462, a bill for an act to make 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 464, a bill for an act to make appropriations to certain named counties 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 469, a bill for an act to make appropriations to certain named firm or 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 472, a bill for an act to make appropriations to certain named persons, firms and/or political subdivisions in settlement of claims made against the State of Iowa.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 491, a bill for an act making appropriations for payment of miscellaneous expense incurred or authorized by the Sixtieth General Assembly.

WILLIAM R. KENDRICK, *Chief Clerk.*

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HOUSE AMENDMENTS TO SENATE FILE 491

Amend Senate File 491, section 1, as follows:

1. Line eight (8), by striking the figures "14.00" and inserting in lieu thereof the figures "40.00".

2. By inserting after line twenty-two (22) the following:

"Storey Kenworthy, equipment (House) 4.20

Storey Kenworthy, photo copy supplies (House and Senate) .....145.90"

HOUSE AMENDMENTS CONSIDERED

Senator Schroeder called up for consideration Senate File 491, a bill for an act making appropriations for payment of miscellaneous expense incurred or authorized by the Sixtieth General Assembly, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 491, section 1, as follows:

1. Line eight (8), by striking the figures "14.00" and inserting in lieu thereof the figures "40.00".

2. By inserting after line twenty-two (22) the following:

"Storey Kenworthy, equipment (House) 4.20

Storey Kenworthy, photo copy supplies (House and Senate) .....145.90"

The Senate concurred in the House amendment.

Senator Schroeder moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 47:

Benda	Elvers	Long	Shoeman
Beneke	Fisher	Lucken	Stephens
Brown	Flatt	Main	Turner
Buck	Frommelt	Mincks	Vance
Burrows	Fulton	Nolan	Van Eaton
Campbell	Getting	O'Malley	Vincent
Curran	Grimstead	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Schroeder	Wearin
Dykhouse	Kyhl	Scott	Wiley
Elijah	Lisle	Shaff	Wilson
Elthon	Lodwick	Shivvers	

Nays, none.

Absent or not voting, 3:

Coleman	Cowden	Griffin

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Schroeder, the Senate recessed until the fall of the gavel.

The Senate reconvened, President Mooty presiding.

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MESSAGES FROM 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 Senate joint resolution in which the concurrence of the House was asked:

Senate Joint Resolution 18, a joint resolution to create an interim commission to study the court system of Iowa with a view to reorganization of the structure to secure the maximum utilization of personnel for the efficient handling of litigation.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 35, a concurrent resolution resolving that the claims contained therein 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 committee rejecting same be approved.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 240, a bill for an act relating to speed restrictions of certain motor vehicles.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 476, a bill for an act to appropriate from the general fund for capital improvements for buildings and grounds under the superintendent of public buildings and grounds.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 478, a bill for an act to appropriate funds to the state comptroller from motor vehicle fuel tax fund.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 477, a bill for an act to appropriate from the general fund of the state for capital improvements to the fair board.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 479, a bill for an act to appropriate funds from the primary road fund to the industrial commission for payment of workmen's compensation claims of employees of the state highway commission.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 480, a bill for an act to appropriate 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 House was asked:

Senate File 490, a bill for an act to appropriate from the general fund to the department of public safety for capital improvements for highway patrol building and for radio equipment for the division of radio communications.

WILLIAM R. KENDRICK, *Chief Clerk.*

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HOUSE AMENDMENTS TO SENATE FILE 240

Amend Senate File 240 as follows:

1. By striking subsection 2 and inserting in lieu thereof the following:

"2. By striking from lines five (5) and six (6) of subsection six (6) of such section the words 'three thousand' and inserting in lieu thereof the words 'four thousand five hundred (4,500)'."

2. By striking all of subsection 4.

HOUSE AMENDMENTS TO SENATE FILE 476

Amend Senate File 476 as follows:

1. Amend section 1, line 3, by striking the words and figures "two hundred sixty-seven thousand dollars ($267,000.00)" and inserting in lieu thereof the words and figures "two hundred ninety-two thousand dollars ($292,000.00)".

2. Amend section 2 by adding at the end thereof the following:

"Repair of the viaduct over Court Avenue on the capitol grounds and to repair and install a chain link fence on top of the viaduct 25,000.00

3. By striking all of section 5.

4. By adding thereto the following new section:

If any part, clause, sentence or paragraph of this Act be declared invalid, it shall not invalidate or impair the remainder of the Act.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on May 17, 1963, the Governor had approved the following bills:

Senate File 291, relating to county recorders.

Senate File 349, relating to cooperative associations.

AMENDMENTS FILED

Amend House File 410 as follows:

1. By striking lines 5, 6, and 7 of section 1 and inserting in lieu thereof the following:

"c. When an ordinance containing new substance or intent is proposed for adoption as part of a municipal code, it shall be published as provided in subsection one (1). However, when an ordinance is simply edited and brought up to date without change of substance or intent, such publication will not be required."

2. By striking lines 4 and 5 of section 2 and inserting in lieu thereof the following:

"However, the provisions of paragraph c. of subsection five (5) shall not apply."

SEELEY G. LODWICK.
R. O. BURROWS.

Amend House File 591 as follows:

1. By adding thereto the following new section:

Sec. 2. Chapter one hundred eleven A (111A), Code 1962, is hereby amended by adding thereto the following new section:

"Upon petition of two hundred (200) voters to the board of supervisors in any county where a county conservation board

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has been established, requesting that the conservation board be abolished, the board of supervisors shall submit to the voters of the county at the next general or primary election the question whether the county conservation board shall be abolished. If at said election a majority of the votes cast are for the proposition to abolish the county conservation board, the county conservation board of said county shall be abolished as of sixty (60) days from the date of the official canvass of the election.

All property, funds, proceeds, and facilities which were under the control and jurisdiction of the county conservation board, shall upon abolition of the conservation board, vest in the board of supervisors and be held in the name of the county and be used or disposed of as other county property in the manner provided by law."

2. Amend the title to House File 591 by striking all after the word "Act" and inserting in lieu thereof the following "relating to county conservation boards."

RICHARD C. TURNER.

On motion of Senator Rigler, the Senate adjourned until 9:00 a.m., Saturday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, SATURDAY, MAY 18, 1963.

The Senate met in regular session, President Mooty presiding.

Prayer was offered by Reverend George Mason, pastor of the Clifton Heights Presbyterian Church, Des Moines, Iowa.

On motion of Senator Rigler, the Senate resolved itself into executive session.

EXECUTIVE SESSION

The Senate, in executive session, confirmed the following appointments:

W. C. Hahle of Sumner, Bremer County, Iowa, as a member of the Iowa Commission for the Blind for the term ending June 30, 1967.

Mrs. Alvin H. Kirsner of Des Moines, Polk County, Iowa, as a member of the Iowa Commission for the Blind for the term ending June 30, 1966.

William S. Wimer of Des Moines, Polk County, Iowa, as a member of the Iowa Commission for the Blind for the term ending June 30, 1965.

Dr. A. R. Winter of Fredericksburg, Chickasaw County, Iowa, as a member of the Iowa Commission for the Blind for the term ending June 30, 1964.

John P. Bickel of Cedar Rapids, Linn County, Iowa, as Second Congressional District Representative on the State Judicial Nominating Commission for the term ending June 30, 1965.

Paul M. Larsen of Cedar Falls, Black Hawk County, Iowa, as Third Congressional District Representative on the State Judicial Nominating Commission for the term ending June 30, 1969.

Edris H. Owens of Newton, Jasper County, Iowa, as Fourth Congressional District Representative on the State Judicial Nominating Commission for the term ending June 30, 1967.

John M. Downey of Des Moines, Polk County, Iowa, as Fifth Congressional District Representative on the State Judicial Nominating Commission for the term ending June 30, 1967.

James W. Cravens of Sanborn, O'Brien County, Iowa, as Sixth Congressional District Representative on the State Judicial Nominating Commission for the term ending June 30, 1965.

Louis R. Galetich of Carroll, Carroll County, Iowa, as Seventh Congressional District Representative on the State Judicial Nominating Commission for the term ending June 30, 1969.

The Senate arose from executive session and resumed regular session.

On motion of Senator Rigler, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

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MESSAGES FROM 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 Senate joint resolution in which the concurrence of the House was asked:

Senate Joint Resolution 17, a joint resolution creating a commercial code study committee to investigate the need of revising the laws of Iowa concerning sales and to make an appropriation therefor.

Also: That the House as amended and adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 22, a concurrent resolution providing that the General Assembly agree to Interstate Library Compact.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 454, a bill for an act relating to public contracts and bonds.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 460, a bill for an act creating the general contingent fund of the state for the biennium.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 461, a bill for an act relating to the regulation and taxation of travel trailers.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 470, a bill for an act to appropriate from the general fund to the Iowa State Commerce Commission.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 471, a bill for an act to appropriate from the general fund for the biennium to the capitol planning commission.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 474, a bill for an act to appropriate from the general fund to the state board of regents for capital improvements; repairs, replacements, alterations and equipment and to increase the tax imposed on cigarettes.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 475, a bill for an act to appropriate from the general fnud for the biennium to the state board of regents for the support, maintenance, equipment, repairs, replacements and alterations of institutions under said state board of regents.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 481, a bill for an act to appropriate from the general fund to the department of public instruction for specified school aid.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

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Senate File 482, a bill for an act to appropriate thirty-nine million fifty-nine thousand five hundred sixty dollars ($39,059,560.00) to the department of public instruction for general state aid for school districts.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 483, a bill for an act to appropriate eight million dollars 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 House was asked:

Senate File 487, a bill for an act to appropriate from the general fund to the national guard for the purpose of various capital improvements and the purchase of an airplane for the use of the governor and other state officials.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 484, a bill for an act to appropriate from the general fund eight million dollars to the department of public instruction for state aid for transportation.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 488, a bill for an act authorizing expenditures by the state highway commission from the primary road fund, farm-to-market road fund and urban road fund for the biennium and relating to salaries of highway commission members.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 489, a bill for an act to accept the National Defense Education rence of the House was asked:

Also: That the House has adopted the following House concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 23, authorizing the appointment by the Governor of a state agency to accept federal funds.

Also: That the House has concurred in Senate amendments to and passed House File 380, a bill for an act relating to the powers of cities and towns and to confer upon them broad powers of self determination with respect to local and internal affairs.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 584, a bill for an act to appropriate funds to the state board of regents to expand existing fire training facilities at Iowa state university.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 23

Whereas, Congress is presently considering a bill whereby federal funds would be available to universities and colleges on a matching basis; and

Whereas, said proposed bill provides that funds granted to colleges and universities must be accepted and managed by a state agency; and

Whereas, the state of Iowa has no state agency which is authorized to manage such funds; and

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Whereas, the universities and colleges in Iowa will be deprived of these federal funds unless a state agency is designated to accept and manage the federal funds; therefore,

Be It Resolved by the House of Representatives, the Senate concurring, that the governor is hereby authorized to designate a state agency to accept, manage and administer federal funds for construction of academic buildings for institutions of higher education within the state.

HOUSE AMENDMENT TO
SENATE CONCURRENT RESOLUTION 22

Amend Senate Concurrent Resolution 22 as it appears in the House Journal on pages 1163 and 1164 by adding at the end thereof the following:

"*Be It Further Resolved*, that the director of the state traveling library shall be the compact administrator as provided in this resolution. The compact administrator shall receive copies of all agreements entered into by this state or its political subdivisions and other state or political subdivisions; consult with, advise and aid such governmental units in the formulation of such agreements; make such recommendations to the governor, legislature, governmental agencies and units as he deems desirable tc effectuate the purposes of this compact and consult and co-operate with the compact administrators of other party states.

The compact administrator and the chief executive of any county, city, village or town is hereby authorized and empowered to enter into agreements with other states or their political subdivisions pursuant to the compact. Such agreements as may be made pursuant to this compact on behalf of the State of Iowa shall be made by the compact administrator. Such agreements as may be made on behalf of a political subdivision shall be made after due notice to the compact administrator and consultation with him.

The agencies and officers of this state and its subdivisions shall enforce this compact and do all things appropriate to effect its purpose and intent which may be within their respective jurisdiction."

HOUSE AMENDMENT TO SENATE FILE 454

Amend Senate File 454 by striking all of section 1 and by renumbering the subsequent sections.

HOUSE AMENDMENTS TO SENATE FILE 461

Amend Senate File 461 by striking all after the enacting clause and inserting in lieu thereof the following:

Sections one hundred thirty-five D point nine (135D.9), one hundred thirty-five D point ten (135D.10) and one hundred thirty-five D point twenty-one (135D.21), Code 1962, are hereby repealed and sections one (1) to five (5), inclusive, hereof enacted in lieu thereof.

Section 1. The owner of each mobile home shall pay to the county treasurer a semiannual tax as herein provided. However, when the owner is any educational institution and the mobile home is used solely for student housing or when the owner is the State of Iowa or a subdivision thereof, the owner shall be exempt from the tax provided herein. The semiannual tax shall be computed as follows:

1. Multiply the number of square feet of floor space each mobile home contains when parked and in use by seven and one-half cents. In comput-

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ing floor space the exterior measurements of the mobile home shall be used as shown on the certificate of registration and title, but not including any area occupied by any hitching device.

2. The amount thus computed shall be the semiannual tax for all mobile homes for the first five years after the year of manufacture.

3. For the sixth through ninth years after the year of manufacture the semiannual tax shall be ninety percent of the tax computed according to subsection one (1) of this section.

4. For all mobile homes ten or more years after the year of manufacture the semiannual tax shall be eighty percent of the tax computed according to subsection one (1) of this section.

5. The semiannual tax shall be figured to the nearest whole dollar.

Sec. 2. There shall be exempted from the semiannual tax the manufacturer's and dealer's inventory of mobile homes not in use as a place of human habitation. All travel trailers shall be exempt from this tax. Mobile homes and travel trailers in the inventory of manufacturers and dealers shall be exempt from personal property tax. Mobile homes coming into Iowa from out of state shall be liable for the tax computed pro rata to the nearest whole month, for the time such mobile home is actually situated in Iowa.

Sec. 3. The semiannual tax provided herein shall be due and payable to the county treasurer semiannually on January 1 and July 1 in each year; and shall be delinquent February 1 and August 1 in each year, after which a penalty of five percent shall be added each month until paid. A mobile home parked and put to use at any time after January 1 or July 1 shall be immediately subject to the said taxes prorated for the remaining months or days of the tax period. Said tax shall be due and payable immediately, and delinquent thirty days after said parking and subject to the same penalties herein set out.

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, listing the owner's name, year and make of the unit and whether there is a current registration plate, and to report such information on or before the tenth day of each month to the county treasurer. The records of such licensee shall be open to inspection by a duly authorized representative of any law-enforcement agency. Any property owner, manager or tenant shall report to the assessor any and all mobile homes parked upon any property owned, managed, or rented by him.

The county treasurer shall report the name of any owner of a mobile home and the year, make, and serial number of each unit on which there is no current registration plate to the Iowa department of public safety. The motor vehicle registration division shall be the enforcement agency for enforcement of registration provisions.

The tax and registration fee shall be a lien on the vehicle senior to any other lien there may be upon it. The mobile home and automobile bearing current registration plates issued by any other state than the State of Iowa and remaining within this state for an accumulated period not to exceed ninety days in any twelve-month period shall not be subject to Iowa tax. However, when one or more persons occupying a mobile home bearing a foreign registration are employed, there shall be no exemption from Iowa registration and tax herein provided. This tax shall be in lieu of all other taxes general or local.

Sec. 4. The tax and any penalties provided by section three (3) herein shall be allocated to the school fund of the district wherein the mobile home is located.

Sec. 5. No mobile home shall be assessed for property tax nor be eligible for homestead tax credit or military service tax credit unless:

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1. The mobile home owner intends to convert his mobile home to real estate and does so by:

a. Attaching his unencumbered mobile home to a permanent foundation on real estate owned by him. Encumbered mobile homes shall not be converted to real property.

b. Destruction or modification of the vehicular frame rendering it impossible to reconvert the real property thus created to a mobile home.

2. After converting a mobile home to real estate, the owner shall notify the assessor who shall inspect the new premises for compliance with the provisions of this section and if the mobile home is properly converted, the assessor shall then collect the mobile home vehicle title, registration, and license plates from the owner and enter the property upon the tax rolls.

Sec. 6. Section one hundred thirty-five D point one (135D.1), Code 1962, is amended by striking subsection one (1) and inserting in lieu thereof the following:

1. "Mobile home" means any vehicle without motive power used or so manufactured or constructed as to permit its being used as a conveyance upon the public streets and highways and so designed, constructed, or reconstructed as will permit the vehicle to be used as a place for human habitation by one or more persons; but shall also include any such vehicle with motive power not registered as a motor vehicle in Iowa.

Sec. 7. Section four hundred forty-one point seventeen (441.17), Code 1962, is hereby amended by adding thereto the following new subsection:

Measure the exterior length and exterior width of all mobile homes except those for which said measurements are contained in the manufacturer's and importer's certificate of origin, and report said information to the county treasurer. In the calendar year 1963, said duty shall be performed between September 1 and November 30. Check all mobile homes and travel trailers for violations of registration and for inaccuracy or measurements as necessary or upon written request of the county treasurer and report such findings immediately to the county treasurer. If a mobile home has been converted to real estate the registration certificate, registration plates, and title shall be collected and returned to the county treasurer for cancellation. If the registration fees and any taxes due for prior years have not been paid, the assessor shall collect the unpaid registration fees and taxes due as a condition of conversion. It shall be the further duty of the assessor to make sufficiently frequent inspections and checks within his entire jurisdiction of all mobile homes and mobile home parks and travel trailers and make all the required and needed reports to carry out the intents and purposes of this section.

Sec. 8. Section three hundred twenty-one point one (321.1), Code 1962, is amended by striking subsection sixty-eight (68) and inserting in lieu thereof the following:

"Mobile home" means any vehicle without motive power used or so manufactured or constructed as to permit its being used as a conveyance upon the public streets and highways and so designed, constructed, or reconstructed as will permit the vehicle to be used as a place for human habitation by one or more persons.

"Travel trailer" or "camping trailer" means a vehicle without motive power used or so manufactured or constructed as to permit its being used as a conveyance upon public streets and highways and so designed to permit the vehicle to be used as a place of human habitation by one or more persons. Said vehicle may be up to eight feet in width and any length provided its gross weight does not exceed forty-five hundred pounds which shall be the manufacturer's shipping or the actual weight of the vehicle fully equipped, or any weight provided its overall length does not exceed

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twenty-eight feet. Such vehicle shall be customarily or ordinarily used for vacation or recreational purposes and not used as a place of permanent habitation. If any such vehicle is used in this state as a place of human habitation for more than ninety days in any twelve-month period it shall be classed as a mobile home regardless of the size and weight limitations herein provided.

Sec. 9. Section three hundred twenty-one point one hundred twenty-three (321.123), Code 1962, is amended by striking subsection three (3) and inserting in lieu thereof the following:

3. Mobile homes, regardless of whether or not they are used on highways, except those in a dealer's or a manufacturer's stock not used as a place for human habitation, a semiannual fee of two and one-half dollars which shall not be prorated or refunded. The semiannual tax provided in chapter one hundred thirty-five D (135D) of the Code shall be paid at the same time that the registration fee is paid and the issuance of the registration certificate and plate herein provided shall be subject thereto. However, when the owner is any educational institution and the mobile home is used solely for student housing or when the owner is the State of Iowa or a subdivision thereof, the owner shall be exempt from the provisions of this chapter.

Travel trailers and camping trailers, regardless of whether or not they are used on the highways, except those in manufacturer's or dealer's stock, an annual fee of fifteen cents per square foot of floor space computed on the exterior measurements, but excluding any area occupied by any trailer hitch as provided by and certified to by the owner, which amount shall not be prorated or refunded; except the annual fee for travel trailers or camping trailers, when registered in Iowa for the first time, shall be prorated on a monthly basis. The registrant of a travel trailer or camping trailer shall be issued a "travel trailer" plate. It is further provided the annual fee thus computed shall be limited to seventy-five percent of the full fee after the sixth registration.

If a mobile home, travel trailer or camping trailer, shall have been registered under the provisions of this chapter at any time during a calendar year, said mobile home, travel trailer or camping trailer, shall not be subject to a personal property tax for said year.

Sec. 10. Section three hundred twenty-one point forty-five (321.45), subsection one (1), Code 1962, is hereby amended by adding thereto the following:

For each new mobile home, travel trailer and camping trailer said manufacturer's or importer's certificate shall also contain thereon the exterior length and exterior width of said vehicle not including any area occupied by any hitching device, and the manufacturer's shipping weight.

Sec. 11. Sections one (1) to six (6), inclusive, and sections eight (8) and nine (9) of this Act shall become effective as of January 1, 1964.

Further amend Senate File 461 by inserting after the word "trailers" in the title the words "and mobile homes".

HOUSE AMENDMENTS TO SENATE FILE 488

Amend Senate File 488 as follows:

1. By striking all of section 4 thereof.
2. By striking all of section 5 thereof.
3. By adding thereto the following new sections:

(1) Section three hundred twelve point two (312.2), Code 1962, is hereby amended by adding after the word "expenses" in line eleven (11) of subsection five (5) thereof the following: ", including research,".

(2) Section three hundred ten point thirty-four (310.34), Code 1962, is hereby repealed.

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HOUSE MESSAGE CONSIDERED

House File 584, a bill for an act to appropriate funds to the state board of regents to expand existing fire training facilities at Iowa state university.

Read first and second times and referred to sifting committee.

ANNOUNCEMENT

The Chair announced that the report of the conference committee on House File 550 was on file; and that the "Call of the Senate" on all action on House File 550 was still in effect.

The Secretary was directed to call the roll.

Roll call revealed all members present with the exception of Senators Coleman and Griffin.

On motion of Senator Rigler, Senators Coleman and Griffin were excused from the Call.

Senator Shaff called up the following report of the conference committee on House File 550:

CONFERENCE COMMITTEE REPORT

TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE:

We, the undersigned members of the conference committee appointed to consider the differences between the Senate and House on House File 550, an act relating to taxation, vehicle registration fees and an increase in sales and use taxes, corporation income tax, and taxing sleeping rooms and the repeal of moneys and credits tax and personal property tax and the appropriation of revenue, beg leave to report and make the following recommendations:

1. That the House recede from its amendments to the Senate amendments.
2. That the Senate recede from its amendments.
3. By striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. "Section four hundred twenty-two point forty-two (422.42), Code 1962, is hereby amended as follows:

1. By adding an additional subsection as follows:

'The word "room" applies only to accommodations referred to generally as "sleeping rooms" and does not apply to accommodations in the nature of ballrooms, banquet rooms, reception rooms, meeting rooms and office space, nor does it apply where room is rented to an individual, firm, association or corporation for a period of more than twenty-eight (28) consecutive days.'

2. By adding after the word 'users,' in line six (6) of subsection three (3), the words 'and sale of the use of a room as herein defined,'.

"Sec. 2. Section four hundred twenty-two point forty-three (422.43), Code 1962, is hereby amended as follows:

1. By striking from line two (2) the words and figures "beginning the first day of April, 1937,'.

2. By striking from line three (3) the word 'two' and inserting in lieu thereof the word 'three'.

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3. By inserting at the end of the first paragraph the words '; also a like rate on the gross receipts from the sale of the use of a room in an inn, hotel, motel, public lodging house, tourist court or trailer camp.'.

4. By striking from lines twenty-two (22) and twenty-three (23) the words and figures 'beginning with the first day of July, 1947,' and by striking from line twenty-three (23) the word 'two' and inserting in lieu thereof the word 'three'.

"Sec. 3. Section four hundred twenty-three point two (423.2), Code 1962, is hereby amended as follows:

1. By striking the word 'two' in line five (5) and inserting in lieu thereof the word 'three'.

"Sec. 4. Chapter four hundred twenty-seven (427), Code 1962, is amended as follows:

1. Section four hundred twenty-seven point one (427.1), Code 1962, is hereby amended by striking all of lines one (1) through six (6) of subsection sixteen (16) and by inserting in lieu thereof the following:

'All tangible personal property customarily located and used in or about the private residence or residences of the owner of said property, everything used in a private home as household goods, articles of apparel, adornment and food.'.

"Sec. 5. Chapter four hundred twenty-nine (429), Code 1962, is amended as follows:

1. Section four hundred twenty-nine point two (429.2), Code 1962, is hereby amended by striking from line nineteen (19) thereof the words 'five mills' and inserting in lieu thereof the words 'one mill'.

2. Section four hundred twenty-nine point two (429.2), Code 1962, is further amended by adding the following thereto:

'The millage tax provided for in this section shall be and is the same as provided for in section thirty-five B point eleven (35B.11) of the Code and shall not be levied in addition thereto. The millage rate shall be remitted to the treasurer of state and applied to the payment of principal and interest of the Korean War Veterans' bonus bonds. Provided that the tax of five (5) mills on the dollar on moneys and credits is imposed for the year 1963 and shall be assessed, taxed, levied, listed, collected and apportioned in accordance with chapter four hundred twenty-nine (429), Code 1962, and other applicable laws. Provided that so long as funds are appropriated from the general fund sufficient to pay the principal and interest on the Korean Service Compensation Bonds, the one mill tax imposed by this section and section thirty-five B point eleven (35B.11), Code 1962, shall not be assessed or levied.'.

3. Section four hundred twenty-nine point three (429.3), Code 1962, is hereby amended by striking all of lines one (1) and two (2) and the words 'and credits and' from line three (3) and inserting in lieu thereof the following:

'The tax imposed by section four hundred thirty point seven (430.7) of the Code shall be five (5) mills on the dollar and that tax, together with the taxes imposed by sections four hundred thirty A point three (430A.3) and four hundred thirty-one point ten (431.10) of the Code,'.

"Sec. 6. Sections four hundred thirty-one point one (431.1) through four hundred thirty-one point five (431.5), inclusive, Code 1962, and sections four hundred thirty-one point sixteen (431.16), four hundred thirty-two point five (432.5), four hundred thirty-two point eight (432.8) and four hundred thirty-two point nine (432.9), Code 1962, are hereby repealed.

"Sec. 7. An additional tax of one (1) percent of tax is imposed on those corporations taxed under the provisions of section four hundred

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twenty-two point thirty-three (422.33), Code 1962, which tax shall expire at the end of the fiscal year in which the bonds issued pursuant to chapter thirty-five B (35B), Code 1962, are fully retired. There is hereby annually appropriated from the funds in the general fund not otherwise appropriated an amount sufficient to pay the principal and interest on the said Korean Service Compensation Bonds issued pursuant to chapter thirty-five B (35B), Code 1962, as the same becomes due.

"Sec. 8. Section four hundred twenty-two point thirteen (422.13), Code 1962, is hereby amended by adding the following new subsection thereto:

'5. Every individual having income from dividends or interest exceeding two hundred dollars ($200.00) for the tax year shall make and sign a return even though not otherwise required to do so.'.

"Sec. 9. Chapter four hundred twenty-two (422), Code 1962, is hereby amended by adding the following new section to Division II thereof:

'Every individual taxpayer subject to filing an Iowa income tax return shall make a separate accounting, on his tax return, of interest and dividends received during the tax year and forward to the tax commission, as a surtax, two (2) percent of the amount thereof. The provisions of this section shall not include the first two hundred (200) dollars of such interest and dividends for every individual taxpayer nor interest and dividends received on United States government securities, bank stock, insurance and annuity contracts, or on bonds or certificates issued by any municipality, board, commission or agency of the state, school district, drainage or levee district, river-front improvement commission or county within the State of Iowa. The amount of said surtax shall be paid at the same time and in the same manner as income taxes due on the tax return. The deductions provided for in section four hundred twenty-two point twelve (422.12) of the Code shall not be available against the surtax.

There is hereby created a permanent fund in the office of the treasurer of the state to be known as the Moneys and Credits Tax Replacement Fund and for the purpose of establishing and replenishing said fund for each fiscal year beginning July 1, 1964, there is appropriated thereto from funds in the general fund not otherwise appropriated an amount equal to the tax imposed upon moneys and credits computed at the rate of five (5) mills as placed upon the various county tax lists for the year 1963. The county auditor of each county shall certify the amounts of such taxes, computed at the rate of five (5) mills, imposed in his county for the year 1963 and deliver such certification to the state comptroller who shall draw warrants on the moneys and credits tax replacement fund in the amounts of such certifications, payable to the county treasurers of the various counties and mail said warrants to the county auditors. The proceeds shall be apportioned within the counties according to section four hundred twenty-nine point three (429.3), Code 1962.

"Sec. 10. Section four hundred twenty-six point one (426.1), Code 1962, is amended by striking from line nine (9) the word 'eleven' and inserting in lieu thereof the word 'twenty'.

"Sec. 11. There is hereby appropriated from the general fund annually for each year of the ensuing biennium to the department of public instruction, in addition to all other appropriations, the sum of eleven million dollars ($11,000,000.00) for general state aid to the school districts as provided by chapter two hundred eight-six A (286A) of the Code; provided, however, that no school districts shall receive financial aid under the provisions of said chapter of the Code in the event a school tax levy for the general fund of at least fifteen (15) mills was not made in such district for the preceding year.

"Sec. 12. There is hereby appropriated from the general fund annually

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for each year of the ensuing biennium to the department of public instruction, in addition to all other appropriations, the sum of one million dollars ($1,000,000.00) for supplementary aid as provided by chapter two hundred eighty-six (286) of the Code.

"Sec. 13. There is hereby appropriated from the general fund annually for each year of the ensuing biennium to the department of public instruction, in addition to all other appropriations, the sum of one million dollars ($1,000,000.00) for aid to handicapped children through special education as provided in chapter two hundred eighty-one (281), Code 1962, and the sum of five hundred thousand dollars ($500,000.00) for vocational education aid as provided in chapter two hundred fifty-eight (258), Code 1962.

"Sec. 14. There is hereby appropriated from the general fund for each year of the biennium to a 'property tax credit fund', which is hereby created, the sum of twenty-four million dollars ($24,000,000.00), or as much thereof as may be available, as computed by the comptroller, from (1) the total of the excess, if any, by which the unencumbered general fund balance exceeds sixteen million dollars ($16,000,000.00) at the close of the preceding year, plus (2) the excess, if any, of estimated revenues for the ensuing year after providing for all other appropriations, including the apportionment of biennial appropriations between each year of the biennium. This property tax credit fund distribution shall be allocated each year to the several counties in the same proportion that the assessed valuation of real and personal property in that county for the preceding tax years bears to the total taxable real and personal property in the state for the preceding tax year. Not later than October 1 in the year 1963, and annually thereafter, the state comptroller shall certify to the county auditor of each county in the state the amount of money that will be allocated to that county the following year. The county auditor shall thereupon enter a credit against the tax bill of each taxpayer in said county, being the tax bill of the current year due and payable the following year, and the amount of said credit shall be in the same proportion to the total amount so certified to the county auditor by the state comptroller as the assessed valuation of such taxpayer's taxable real and personal property for the current tax year bears to the total assessed valuation of taxable real and personal property in that county for the current tax year. The amount of money so credited to the taxpayers of the county shall be distributed by the county treasurer to the several taxing districts of said county upon the receipts in the following year of the comptroller's warrant drawn on the property tax credit fund, the same as though the amount thereof had been paid to the treasurer of said county by the taxpayers of said taxing district.

"Sec. 15. The increase in tax provided for in sections two (2) and three (3) of this Act shall not apply to tangible personal property such as building materials, supplies and equipment, but not the constructors' own tools or equipment, used in the performance of a building or construction contract executed prior to the effective date of this Act.

"Sec. 16. If any provisions of this Act or the application of such provision to any person or circumstance shall be held invalid, the remainder of this Act or the application of such provisions to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

"Sec. 17. This Act, being deemed of immediate importance shall be in full force and effect July 1, 1963, after its passage and publication in The Clinton Herald, a newspaper published at Clinton, Iowa, and in the Grinnell Herald-Register, a newspaper published at Grinnell, Iowa.".

2. Amend the title by striking all after the word "Act" and inserting in lieu thereof the following: "relating to taxation, and an increase in sales

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and use taxes, corporation income tax, and taxing sleeping rooms and the repeal of moneys and credits tax and personal property tax and to levy a tax on the interest and dividends from investments and the appropriation of revenue.".

DAVID SHAFF, *Chairman.*	MAURICE E. BARINGER, *Chairman.*
ROBERT R. RIGLER.	FLOYD P. EDGINGTON, SR.
JOHN D. SHOEMAN.	ELMER H. VERMEER.
D. C. NOLAN.	IVAN WELLS.
On the Part of the Senate.	*On the Part of the House.*

Senator Shaff moved the adoption of the conference committee report and the amendments proposed therein.

Senator Brown moved the previous question on the motion by Senator Shaff, which motion prevailed.

Senator Coleman arrived in the Senate chamber.

Roll call was requested.

On the question "Shall the conference committee report and the amendments proposed therein be adopted?" the vote was:

Ayes, 23:

Benda	Elijah	Main	Stephens
Beneke	Elvers	Nolan	Vincent
Campbell	Getting	Phelps	Walter
Cowden	Hansen	Rigler	Wearin
Curran	Lodwick	Shaff	Wilson
Doran	Long	Shivvers	

Nays, 26:

Brown	Fisher	Lisle	Shoeman
Buck	Flatt	Lucken	Turner
Burrows	Frommelt	Mincks	Vance
Coleman	Fulton	O'Malley	Van Eaton
Dodds	Grimstead	Schroeder	Walker
Dykhouse	Hill	Scott	Wiley
Elthon	Kyhl		

Absent or not voting, 1:

Griffin

The motion was lost and the report failed to be adopted.

RECONSIDERATION OF SENATE FILE 38

On motion of Senator Shoeman, Senate File 38, a bill for an act relating to notification of expiration of motor vehicle operator's license, amended by the House, was taken up for further consideration.

Senator Shoeman moved to reconsider the vote by which Senate File 38 passed the Senate, which motion prevailed.

Senator Shoeman moved to reconsider the vote by which Senate File 38 went to its third reading, which motion prevailed.

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Senator Shoeman moved to reconsider the vote by which the Senate concurred in the following House amendment, which motion prevailed.

Amend Senate File 38 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Section three hundred twenty-one point one hundred ninety-six (321.196), Code 1962, is hereby amended by striking the period in line four (4) and inserting in lieu thereof the following: ", but shall be renewable without written examination or penalty within a period of thirty days after such birthday anniversary."

Sec. 2. Section three hundred twenty-one point one hundred ninety-seven (321.197), Code 1962, is hereby amended by striking from line two (2) the words "on the" and inserting in lieu thereof the following: "thirty days after the".

Section three hundred twenty-one point one hundred ninety-seven (321.197), Code 1962, is hereby further amended by striking from lines two (2) and three (3) the words "date of birth" and inserting in lieu thereof the words "birthday anniversary".

Senator Shoeman offered the following amendment and moved its adoption:

Amend the House amendment by inserting at the end of section 1 after the word "anniversary" the following:

"and such person shall not be considered to be driving with an invalid license during such period before renewal, however for any license renewed within such thirty-day period, the date of issuance shall be considered to be the previous birthday anniversary on which it expired."

The amendment to the House amendment was adopted.

On motion of Senator Shoeman, the Senate concurred in the House amendment as amended.

Senator Shoeman moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Grimstead	Phelps	Walker
Curran	Hansen	Rigler	Walter
Dodds	Hill	Schroeder	Wearin
Doran	Kyhl	Scott	Wiley
Dykhouse	Lisle	Shaff	Wilson
Elijah			

Nays, none.

Absent or not voting, 1:

Griffin

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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 Campbell called up for consideration Senate File 461, a bill for an act relating to the regulation and taxation of travel trailers, amended by the House, and moved that the Senate concur in the House amendments.

The Senate concurred in the House amendments.

Senator Campbell moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 48:

Benda	Elijah	Lodwick	Shivvers
Beneke	Elthon	Long	Shoeman
Brown	Elvers	Lucken	Stephens
Buck	Fisher	Main	Turner
Burrows	Flatt	Mincks	Vance
Campbell	Frommelt	Nolan	Van Eaton
Coleman	Fulton	O'Malley	Vincent
Cowden	Getting	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Kyhl	Scott	Wiley
Dykhouse	Lisle	Shaff	Wilson

Nays, 1:

Hill

Absent or not voting, 1:

Griffin

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Lodwick called up for consideration Senate Concurrent Resolution 22, by committee on governmental affairs, filed and found on pages 749-750 of the Senate Journal, amended by the House, and moved that the Senate concur in the House amendments.

The Senate concurred in the House amendments.

On motion of Senator Lodwick, the resolution as amended was adopted.

Senator Nolan called up for consideration Senate File 488, a bill for an act authorizing expenditures by the state highway commission from the primary road fund for the biennium beginning July 1, 1963, and ending June 30, 1965, and relating to salaries of highway commis-

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sion members, amended by the House, and moved that the Senate concur in the following amendments:

HOUSE AMENDMENTS TO SENATE FILE 488

Amend Senate File 488 as follows:
1. By striking all of section 4 thereof.
2. By striking all of section 5 thereof.
3. By adding thereto the following new sections:
(1) Section three hundred twelve point two (312.2), Code 1962, is hereby amended by adding after the word "expenses" in line eleven (11) of subsection five (5) thereof the following: ", including research,".
(2) Section three hundred ten point thirty-four (310.34), Code 1962, is hereby repealed.

The Senate concurred in the House amendments.

Senator Nolan moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 49:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Grimstead	Phelps	Walker
Curran	Hansen	Rigler	Walter
Dodds	Hill	Schroeder	Wearin
Doran	Kyhl	Scott	Wiley
Dykhouse	Lisle	Shaff	Wilson
Elijah			

Nays, none.

Absent or not voting, 1:
Griffin

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Wiley called up for consideration Senate File 240, a bill for an act relating to speed restrictions of certain motor vehicles, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 240 as follows:
1. By striking subsection 2 and inserting in lieu thereof the following:
"2. By striking from lines five (5) and six (6) of subsection six (6) of such section the words 'three thousand' and inserting in lieu thereof the words 'four thousand five hundred (4,500)'."
2. By striking all of subsection 4.

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The Senate concurred in the House amendments.

Senator Wiley moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 49:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Grimstead	Phelps	Walker
Curran	Hansen	Rigler	Walter
Dodds	Hill	Schroeder	Wearin
Doran	Kyhl	Scott	Wiley
Dykhouse	Lisle	Shaff	Wilson
Elijah			

Nays, none.

Absent or not voting, 1:

Griffin

Voting present, 1:

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Shoeman called up for consideration Senate File 476, a bill for an act to appropriate from the general fund of the State of Iowa for capital improvements for buildings and grounds under the superintendent of public buildings and grounds, amended by the House, and moved that the Senate concur in the following amendments:

HOUSE AMENDMENTS TO SENATE FILE 476

Amend Senate File 476 as follows:

1. Amend section 1, line 3, by striking the words and figures "two hundred sixty-seven thousand dollars ($267,000.00)" and inserting in lieu thereof the words and figures "two hundred ninety-two thousand dollars ($292,000.00)".

2. Amend section 2 by adding at the end thereof the following:

"Repair of the viaduct over Court Avenue on the capitol grounds and to repair and install a chain link fence on top of the viaduct 25,000.00

3. By striking all of section 5.

4. By adding thereto the following new section:

If any part, clause, sentence or paragraph of this Act be declared invalid, it shall not invalidate or impair the remainder of the Act.

The Senate concurred in the House amendments.

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Senator Flatt moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 49:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Grimstead	Phelps	Walker
Curran	Hansen	Rigler	Walter
Dodds	Hill	Schroeder	Wearin
Doran	Kyhl	Scott	Wiley
Dykhouse	Lisle	Shaff	Wilson
Elijah			

Nays, none.

Absent or not voting, 1:

Griffin

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Long called up for consideration Senate File 454, a bill for an act relating to public contracts and bonds and to amend chapter twenty-three (23), Code 1962, relating thereto, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File 454 by striking all of section 1 and by renumbering the subsequent sections.

The Senate concurred in the House amendment.

Senator Long moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 49:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Grimstead	Phelps	Walker
Curran	Hansen	Rigler	Walter
Dodds	Hill	Schroeder	Wearin
Doran	Kyhl	Scott	Wiley
Dykhouse	Lisle	Shaff	Wilson
Elijah			

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Nays, none.

Absent or not voting, 1:
Griffin

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 453, a bill for an act to appropriate from the general fund for the biennium to the social welfare department.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 486, a bill for an act to appropriate from the general fund to the state soil conservation committee to carry on soil conservation work in soil conservation districts.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 492, a bill for an act relating to refund of tax on special fuel in certain cases.

Also: That the House has amended and adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 36, a concurrent resolution resolving that the Iowa Development Commission and the Universities and Colleges in the State of Iowa investigate and encourage the establishment of industrial complexes in various locations throughout the state.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE CONCURRENT RESOLUTION 36

Amend Senate concurrent resolution 36 by striking the period (.) at the end and adding thereto the following:

"and the making available at locations away from the campuses of each, courses of advanced and graduate level instruction in the physical science, engineering and industrial management."

HOUSE MESSAGE CONSIDERED

Senator Beneke called up Senate Concurrent Resolution 36, found on pages 1211-1212 of the Senate Journal, amended by the House, and moved that the Senate concur in the House amendment.

The Senate concurred in the House amendment.

On motion of Senator Beneke, the resolution as amended was adopted.

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MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 595, a bill for an act relating to the appropriation from the general fund of the state for the various state departments.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File 595, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1963, and ending June 30, 1965, funds for various departments and various divisions thereof, of the State of Iowa, for the purposes provided by law, and relating to the judicial and peace officers' retirement systems, to salaries and allowances for state officers and employees and to amend various sections of the Code relating to departments receiving appropriations under this Act.

Read first and second times and referred to committee on appropriations.

REPORT OF COMMITTEE

Senator Shoeman submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 595**, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1963, and ending June 30, 1965, funds for various departments and various divisions thereof, of the State of Iowa, for the purposes provided by law, and relating to the judicial and peace officers' retirement systems, to salaries and allowances for state officers and employees and to amend various sections of the Code relating to departments receiving appropriations under the Act, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

Amend the House amendments to House File 595 by striking all of divisions 30 through 34.

JOHN D. SHOEMAN, *Chairman.*

Ordered passed on file.

Senator Schroeder called up House Concurrent Resolution 23, relating to federal funds, and moved its adoption.

The motion prevailed and the resolution was adopted.

THIRD READING OF BILLS

Senator Shoeman asked and received unanimous consent to take up House File 595 as follows:

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On motion of Senator Shoeman, House File 595, a bill for an act to appropriate from the general fund of the State of Iowa for the biennium beginning July 1, 1963, and ending June 30, 1965, funds for various departments and various divisions thereof, of the State of Iowa, for the purposes provided by law, and relating to the judicial and peace officers' retirement systems, to salaries and allowances for state officers and employees and to amend various sections of the Code relating to departments receiving appropriations under this Act, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following House amendments were considered:

HOUSE AMENDMENTS TO HOUSE FILE 595

House File 595 has been amended by the House as follows:

1. Section 1, lines 4 and 5 by striking the words and figures "one hundred eleven thousand four hundred fifty dollars ($111,450,00)" and inserting in lieu thereof the words and figures "one hundred fourteen thousand fifty dollars ($114,050.00)".

2. Section 1, line 17, by striking the figures "12,400.00" and inserting in lieu thereof the figures "15,000.00".

3. Section 1, line 35, by striking the figures "111,450.00" and inserting in lieu thereof the figures "114,050.00".

4. Sections 13, lines 4 and 5, by striking the words and figures "six hundred ninety-eight thousand five hundred ninety dollars ($698,590.00)" and inserting in lieu thereof the words and figures "seven hundred ten thousand two hundred ninety-five dollars ($710,295.00)".

5. Section 13, line 78, by striking the figures "9,030.00" and inserting in lieu thereof the figures "10,417.00".

6. Section 13, line 79, by striking the figures "36,330.00" and inserting in lieu thereof the figures "37,717.00".

7. Section 13, line 82, by striking the figures "500.00" and inserting in lieu thereof the figures "875.00".

8. Section 13, line 84, by striking all after the word "For" and inserting in lieu thereof the following:

"salary of executive director .....$ 5,056.00".

9. Section 13, line 86, by striking the figures "1,140.00" and inserting in lieu thereof the figures "1,770.00".

10. Sections 13, line 87, by striking the figures "5,860.00" and inserting in lieu thereof the figures "6,826.00".

11. Section 13, line 91, by striking the figures "14,380.00" and inserting in lieu thereof the figures "18,780.00".

12. Section 13, line 92, by striking the figures "39,400.00" and inserting in lieu thereof the figures "43,800.00".

13. Section 13, line 95, by striking the figures "2,550.00" and inserting in lieu thereof the figures "4,807.00".

14. Section 13, line 98, by striking the figures "3,390.00" and inserting in lieu thereof the figures "5,040.00".

15. Section 13, line 107, by striking the figures "1,280.00" and inserting in lieu thereof the figures "1,950.00".

16. Section 13, line 109, by striking the figures "100,040.00" and inserting in lieu thereof the figures "111,745.00".

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17. Section 13, line 113, by striking the figures "698,590.00" and inserting in lieu thereof the figures "710,295.00".

18. Section 16, lines 4 and 5, by striking the words and figures "two hundred thirteen thousand six hundred dollars ($213,600.00)" and inserting in lieu thereof the words and figures "two hundred twenty-five thousand six hundred dollars ($225,600.00)".

19. Section 16, line 8, by striking the figures "182,700.00" and inserting in lieu thereof the figures "189,700.00".

20. Section 16, line 10, by striking the figures "18,900.00" and inserting in lieu thereof the figures "23,900.00".

21. Section 16, line 13, by striking the figures "213,600.00" and inserting in lieu thereof the figures "225,600.00".

22. Section 22, line 4, by striking the words and figures "ninety-three thousand thirty dollars ($93,030.00)" and inserting in lieu thereof the words and figures "ninety-five thousand thirty dollars ($95,030.00)".

23. Section 22, line 12, by striking the figures "30,360.00" and inserting in lieu thereof the figures "32,360.00".

24. Section 22, line 15, by striking the figures "93,030.00" and inserting in lieu thereof the figures "95,030.00".

25. Section 24, line 4, by striking the words and figures "ninety-one thousand dollars ($91,000.00)" and inserting in lieu thereof the words and figures "ninety-nine thousand dollars ($99,000.00)".

26. Section 24, line 10, by striking the figures "42,590.00" and inserting in lieu thereof the figures "50,590.00".

27. Section 24, line 13, by inserting at the end of said line the following: "Proceedings of the Iowa Academy of Science,".

28. Section 24, line 17, by striking the figures "91,000.00" and inserting in lieu thereof the figures "99,000.00".

29. Section 37, line 13, by striking the figures "11,138,330.00" and inserting in lieu thereof the figures "11,172,035.00".

30. Section 38, lines 4 and 5, by striking the words and figures "thirty-six thousand four hundred fifty dollars ($36,450.00)" and inserting in lieu thereof the words and figures "one hundred seven thousand sixty-eight dollars ($107,068.00)".

31. Section 38, line 8, by striking the figures "9,000.00" and inserting in lieu thereof the figures "10,500.00".

32. Section 38, line 10, by striking the figures "7,350.00" and inserting in lieu thereof the figures "66,159.00".

33. Section 38, line 12, by striking the figures "20,100.00" and inserting in lieu thereof the figures "30,409.00".

34. Section 38, line 15, by striking the figures "36,450.00" and inserting in lieu thereof the figures "107,068.00".

35. Section 39, lines 4 and 5, by striking the words and figures "five hundred eighty-five thousand five hundred dollars ($585,500.00)" and inserting in lieu thereof the words and figures "six hundred forty-two thousand three hundred fifty dollars ($642,350.00)".

36. Section 39, line 8, by striking the figures "317,400.00" and inserting in lieu thereof the figures "333,400.00".

37. Section 39, line 14, by striking the figures "193,100.00" and inserting in lieu thereof the figures "208,950.00".

38. Section 39, line 16, by striking the figures "37,500.00" and inserting in lieu thereof the figures "62,500.00".

39. Section 39, line 17, by striking the figures "75,000.00" and inserting in lieu thereof the figures "100,000.00".

40. Section 39, line 25, by striking the figures "585,500.00" and inserting in lieu thereof the figures "642,350.00".

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41. Section 45, by striking all of lines 7 and 8 and inserting in lieu thereof the following:

"For salaries .....$42,550.00".

42. Section 45, amend by inserting after line 10 the following:

"Section eight point five (8.5) of the Code shall not apply to appropriations made by this section."

43. Section 50, line 17, by striking the figures "7,412,860.00" and inserting in lieu thereof the figures "7,540,328.00".

44. By striking all of sections 63, 64, 65, 66, 67 and 68.

45. By renumbering section 69 as Sec. 63.

Senator Shoeman offered the following amendment to the House amendments, filed by the committee on appropriations, and moved its adoption:

Amend the House amendments by striking all of divisions 30 through 34.

The amendment to the House amendments was adopted.

Senator Turner offered the following amendment and moved its adoption:

Amend House File 595 as follows:

Amend section 5 by striking from line 9 the following figures and word "$10,000.00 each" and inserting in lieu thereof the following figures and words "$12,000.00 each of which $10,000.00 shall be provided from general administration and $2,000.00 shall be provided from the utilities division".

The amendment was lost.

Senator Shaff offered the following amendment and moved its adoption:

Amend House File 595 by adding immediately following section 68 the following new section and the remaining section renumbered:

1. For the purpose of improvement of the marketing division for which the foregoing appropriation in section 2, subsection 3, of this Act is made, the following provisions are adopted and said appropriation is contingent on these provisions:

Section one hundred fifty-nine point twenty (159.20), Code 1962, is amended as follows:

Strike from lines three (3) and four (4) the words, "within the Iowa department of agriculture".

Further amend said section by striking the words "may be" in line eight (8) and inserting in lieu thereof the word "is".

Further amend said section by striking from lines nine (9) and ten (10) the words "by this division of this chapter".

Further amend said section by inserting after the word "the" and before the word "division" in line sixteen (16) the words "state department of agriculture and the"; also strike from line twenty (20) the word "and".

Further amend said section by striking the words "secretary of agriculture upon approval of such appointment by the" from lines twenty-five (25), twenty-six (26) and twenty-seven (27).

Further amend said section by adding the following after the word "agencies" in line twenty-four (24):

"; and (7) to encourage sales of and quality in livestock and livestock products through education, research, marketing, animal disease indemnity

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and public relations programs at the state, national or international level, sponsored by the agriculture marketing board, or partially sponsored by it in co-operation with other interested parties, including governmental agencies".

Section one hundred fifty-nine point twenty-one (159.21), Code 1962, is amended by deleting the words "secretary of agriculture" in line three (3) and inserting in lieu thereof the words "agriculture marketing board".

Section one hundred fifty-nine point twenty-two (159.22), Code 1962, is amended by deleting therefrom the words "Iowa secretary of agriculture" in lines twelve (12) and thirteen (13) and inserting in lieu thereof the words: "auditor of state."

Section one hundred fifty-nine point twenty-three (159.23), Code 1962, is hereby repealed and the following enacted in lieu thereof:

"All moneys available to the marketing division, whether from appropriation, inspection and grading fees, or livestock deductions, shall be deposited in the state treasury in a separate marketing division fund. The board may, from any of the moneys received in accordance with the provisions of this Act, by approval of a majority of the board, make such expenditures as are necessary for the administration of this division. Such funds shall be subject at all times to the warrant of the state comptroller, drawn upon the written requisition of the chairman of the board and attested to by its secretary, for the payment of all salaries, costs and expenses necessary to carry out the provisions of this Act. Provided, however, that no moneys collected as a result of the livestock deduction provision herein shall be expended other than for promotion and quality improvement of livestock and livestock products, as referred to in section one hundred fifty-nine point twenty (159.20), subsection seven (7) herein enacted."

Section one hundred fifty-nine point twenty-five (159.25), Code 1962, is hereby repealed and the following enacted in lieu thereof:

"Marketing board. There is hereby established an agriculture marketing board, to be thus known and designated.

"The agriculture marketing board shall be composed of the secretary of agriculture and the dean of agriculture at Iowa state university of science and technology, who shall serve as members of the advisory board without vote, two producer members from each of the following statutory associations: Iowa swine producers association, Iowa beef cattle producers association, Iowa state sheep association, Iowa state dairy association; and one member each from the following statutory associations: Iowa crop improvement association, Iowa poultry and hatchery association and the state horticulture society. The names of five persons shall be certified to the secretary of agriculture by the presidents of the Iowa beef cattle producers association, Iowa state dairy association and Iowa state sheep association by June 1 of each odd-numbered year. The secretary of agriculture shall appoint by July 1, two of these five from each organization to the agriculture marketing board. Such an appointee shall serve for a period of two years beginning on July 1 of the year of his appointment and until his successor is appointed or qualified. Five names shall be submitted by the president of the Iowa swine producers association and three names shall be submitted from the Iowa poultry and hatchery association, state horticulture society, and Iowa crop investment association and appointments made in the same manner in even-numbered years for their representation. The secretary of agriculture shall appoint by July 1 of each such year two of those named by the swine producers association and one each from the names submitted by the poultry, horticulture and

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crop improvement organizations to the marketing board. Provided, however, that no appointive member shall serve more than two consecutive terms.

"However, the members from the swine producers association, the poultry and hatchery association, the horticulture society and the crop improvement association shall be selected and appointed in the year 1963 and serve until their successors are appointed and qualified in 1964.

"Appointive members of the board shall receive actual necessary expenses and mileage at the rate of seven cents per mile incurred while engaged in the business of the agriculture marketing board."

Section one hundred fifty-nine point twenty-six (159.26), Code 1962, is amended by inserting in line ten (10) thereof, after the word "advertising" the words "and other".

Further amend said section by adding at the end thereof the following: "; (6) to authorize its agents to enter upon the premises of any person charged by this chapter with remitting to the board deducted funds, and to cause to be examined by such agent or agents all books, records, documents and other instruments bearing upon the amount of such deductions; provided, however, that the board must first have reasonable grounds to believe that all such deductions have not been remitted or fully accounted for as required herein; (7) to expend from the deductions received from swine sold for slaughter pursuant to this Act, funds in payment of hog cholera indemnities properly certified under appropriate provisions of the Code of Iowa."

Section one hundred fifty-nine point twenty-seven (159.27), Code 1962, is amended by deleting the words "The marketing division" in lines one (1) and two (2) and the words "either" and "division or" in line four (4).

Chapter one hundred fifty-nine (159), Code 1962, is amended by adding the following new sections:

"1. For the purposes of this Act a 'first purchaser' shall be defined as that person, corporation, co-operative, partnership, association or other business unit making the first purchase for slaughter of any cattle, swine or sheep produced in whole or in part in Iowa.

"Deduction shall be made from sales in Iowa of all such cattle, swine or sheep by the first purchaser, who shall deduct from the proceeds of such sales ten (10) cents per head for cattle; five (5) cents per head for swine and veal calves; and two and one-half (2½) cents per head for sheep and lambs, and forward such deduction to the board not later than the last day of the month following the month in which the sale took place. Amounts forwarded after expiration of such period shall have a penalty included in the amount of ten (10) percent of such delinquent remittance.

"However, this deduction shall not apply to such livestock sales where sale is made directly to the consumer by the producer of such livestock.

"2. The board is authorized to enter into arrangements with persons purchasing Iowa livestock outside of Iowa on the basis provided in subsection one (1) above, for remission of the livestock deduction by such buyers.

"3. Any person from whom the livestock deduction shall have been collected may, by written application filed with the board within sixty (60) days after its payment by him, have said amount remitted to him by the board.

"4. Any person who shall violate or assist in the violation of any of the provisions of this Act shall be deemed guilty of a misdemeanor."

On the effective date of this Act the terms of the marketing board members appointed under section one hundred fifty-nine point twenty-five (159.25), Code 1962, repealed by this Act, are terminated.

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Senator Wearin moved the previous question on the amendment, which prevailed.

The amendment was lost.

Senator Elijah offered the following amendment and moved its adoption:

Amend House File 595 by inserting after line 22 of section 47 the following:

"There is hereby transferred from the Iowa Liquor Control Fund the sum of twenty-five thousand dollars for each year of the ensuing biennium to the Iowa Commission on Alcoholism created by chapter one hundred twenty-three A (123A) of the Code for the purposes specified in said chapter."

The amendment was adopted.

Senator Flatt moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Grimstead	Phelps	Walker
Curran	Hansen	Rigler	Walter
Dodds	Hill	Schroeder	Wearin
Doran	Kyhl	Scott	Wiley
Dykhouse	Lisle	Shaff	Wilson
Elijah			

Nays, none.

Absent or not voting, 1:

Griffin

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bill under consideration and recommends that it be placed on the sifting committee calendar:

H. F. 410

ROBERT R. RIGLER, *Chairman,*
Sifting Committee.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 18, resolving that the Sixtieth General Assembly adjourn sine die.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 26, a concurrent resolution resolving that the President of the Senate be presented with his desk and the Speaker of the House be presented with his chair.

Also: That the House has concurred in Senate amendment to House amendment to and passed Senate File 38, a bill for an act relating to notification of expiration of motor vehicle operator's license.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 459, a bill for an act to appropriate funds from the general fund to the conservation commission.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 485, a bill for an act to amend the liquor control act, Senate File four hundred thirty-seven (437) of the Sixtieth General Assembly.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE 485

Amend Senate File 485 as follows:

1. Section 3, by adding thereto the following:

"Further amend said section 10 by adding at the end of paragraph e. of subsection seven (7) the following:

Except for filing of the petition and the conduct of elections, whenever the word 'board' appears in this paragraph it shall include the county board of supervisors and city and town councils."

2. Section 5, by striking all of lines six (6) through thirteen (13) and inserting in lieu thereof the following:

"a. Commercial establishments located within the corporate limits of cities of ten thousand (10,000) population and over, one thousand (1,000) dollars;

"b. Commercial establishments located within the corporate limits of cities or towns of over fifteen hundred (1,500) and less than ten thousand (10,000) population, seven hundred fifty (750) dollars;

"c. Commercial establishments located within the corporate limits of towns of fifteen hundred (1,500) population or less, five hundred (500) dollars;

"d. Commercial establishments located outside the corporate limits of any city or town, one thousand (1,000) dollars."

3. By inserting after Section 5 the following new section:

Section twelve (12) of Senate File four hundred thirty-seven (437), Acts of the Sixtieth General Assembly, is hereby amended by inserting after the first semicolon the following:

"also by striking from line three (3) the word and figures 'June 30' and inserting in lieu thereof the words "the anniversary date;".

4. Section 7, line five (5), by inserting after the word "licensee" the words "or permittee".

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HOUSE AMENDMENT TO SENATE CONCURRENT RESOLUTION 18

Amend Senate Concurrent Resolution 18, line 2, by striking the words and figures "twelve o'clock noon, Wednesday, May 15," and inserting in lieu thereof the words and figures "Saturday, May 18, at six o'clock p.m.".

HOUSE AMENDMENTS CONSIDERED

Senator Rigler called up for consideration Senate File 485, a bill for an act to amend the liquor control act, Senate File four hundred thirty-seven (437) of the Sixtieth General Assembly, relating to the control, sale and use of alcoholic beverages, amended by the House, and moved that the Senate concur in the House amendments.

Roll call was requested.

On the question "Shall the Senate concur in the House amendments?" the vote was:

Ayes, 34:

Beneke	Fisher	Lucken	Shoeman
Buck	Flatt	Main	Stephens
Burrows	Frommelt	Nolan	Turner
Curran	Fulton	Phelps	Vance
Dodds	Getting	Rigler	Van Eaton
Doran	Hill	Schroeder	Vincent
Dykhouse	Kyhl	Scott	Walter
Elijah	Lodwick	Shivvers	Wiley
Elthon	Long		

Nays, 7:

Benda	Coleman	Elvers	Wilson
Campbell	Cowden	Wearin	

Absent or not voting, 9:

Brown	Hansen	Mincks	Shaff
Griffin	Lisle	O'Malley	Walker
Grimstead			

The Senate concurred in the House amendments.

Senator Rigler moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 40:

Benda	Elijah	Kyhl	Shivvers
Beneke	Elthon	Lodwick	Shoeman
Brown	Elvers	Long	Stephens
Buck	Fisher	Lucken	Turner
Burrows	Flatt	Main	Vance
Coleman	Frommelt	Nolan	Van Eaton
Curran	Fulton	Phelps	Vincent
Dodds	Getting	Rigler	Walter
Doran	Grimstead	Schroeder	Wearin
Dykhouse	Hill	Scott	Wiley

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Nays, 3:

Campbell	Cowden	Wilson

Absent or not voting, 7:

Griffin	Lisle	O'Malley	Walker
Hansen	Mincks	Shaff	

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 Lodwick, House File 410, a bill for an act relating to the adoption of city and town codes, was taken up and considered.

Senator Lodwick offered the following amendment, filed by Senators Lodwick and Brown, and moved its adoption:

Amend House File 410 as follows:

1. By striking lines 5, 6, and 7 of section 1 and inserting in lieu thereof the following:

"c. When an ordinance containing new substance or intent is proposed for adoption as part of a municipal code, it shall be published as provided in subsection one (1). However, when an ordinance is simply edited and brought up to date without change of substance or intent, such publication will not be required."

2. By striking lines 4 and 5 of section 2 and inserting in lieu thereof the following:

"However, the provisions of paragraph c. of subsection five (5) shall not apply."

The amendment was adopted.

Senator Lodwick moved that the bill be read a third 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:

Benda	Dykhouse	Kyhl	Shoeman
Beneke	Elijah	Lodwick	Stephens
Brown	Elthon	Long	Turner
Buck	Elvers	Lucken	Vance
Burrows	Fisher	Main	Van Eaton
Campbell	Flatt	Nolan	Vincent
Coleman	Frommelt	Phelps	Walter
Cowden	Fulton	Rigler	Wearin
Curran	Getting	Schroeder	Wiley
Dodds	Grimstead	Scott	Wilson
Doran	Hill	Shivvers	

Nays, none.

Absent or not voting, 7:

Griffin	Lisle	O'Malley	Walker
Hansen	Mincks	Shaff	

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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 Lodwick asked and received unanimous consent that House File 410 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 concurred in Senate amendments to and passed House File 410, a bill for an act relating to the adoption of city and town codes.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 441, a bill for an act relating to salaries paid to the clerks of the grand juries.

Also: That the House has concurred in Senate amendments to and passed House File 595, a bill for an act relating to the appropriations from the general fund of the state for the various state departments.

WILLIAM R. KENDRICK, *Chief Clerk.*

Senator Rigler called up the following resolution:

SENATE CONCURRENT RESOLUTION 18

***Be It Resolved by the Senate, the House Concurring:* That the Sixtieth General Assembly adjourn sine die at twelve o'clock noon, Wednesday, May 15, 1963.**

Senator Rigler moved that the Senate concur in the following House amendment:

Amend Senate Concurrent Resolution 18, line 2 by striking the words and figures "at twelve o'clock noon, Wednesday, May 15, 1963." and inserting in lieu thereof the words and figures "Saturday, May 18, 1963, at six o'clock p.m."

The Senate concurred in the House amendment.

On motion of Senator Rigler, the resolution as amended was adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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 171, 183, 403, 447, 465 and 468; also, House Files 156, 178, 380, 417, 554 and 594.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
Chairman House Committee.

Report adopted.

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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 171, 183, 403, 447, 465 and 468; also, House Files 156, 178, 380, 417, 554 and 594.

BILLS SENT TO THE GOVERNOR

Senator Benda, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 18th day of May, 1963, sent to the Governor for his approval: Senate Files 171, 183, 403, 447, 465 and 468.

KENNETH BENDA, *Chairman.*

Passed on file.

PRESENTATION OF TOKEN OF ESTEEM TO SENATOR D. C. NOLAN

Senator Shaff appeared at the President's station for the purpose of making a presentation and asked the Honorable Senator D. C. Nolan to come forward.

Senator Shaff said:

On behalf of your many friends in the Senate and in appreciation of your knowledge of constitutional law, which has had considerable influence on your ideas on legislation, we present to you this suitably bound Code of 1897.

Senator Nolan said:

I deeply appreciate your thoughtfulness and will receive much satisfaction and support for my ideas from this book.

RESIGNATION OF EMPLOYEE

Senator Scott announced the resignation of Curtis Lekwa of Hamilton County as Postmaster on the Joint Legislative Payroll effective May 17, 1963.

On motion of Senator Rigler, the Senate stood at ease until the fall of the gavel.

The Senate reconvened, President Mooty presiding.

STATEMENT

The purpose of that part of House File 156 applicable to motor vehicles is to facilitate the sale of traded-in used cars between Iowa motor vehicle dealers without sacrificing the established trade-in tax credit and to simplify the bookkeeping of motor vehicle dealers by removing the sales and use tax obligations on parts and accessories added to such trade-ins by Iowa selling dealers.

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It is not the intent of the bill to extend sales tax exemption on used motor vehicles sold at retail in Iowa beyond that amount allowed on such motor vehicles as part payment for other motor vehicles sold at retail in Iowa.

GEORGE E. O'MALLEY.
VERNON H. KYHL.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Joint Resolutions 17 and 18; Senate Files 38, 174, 227, 240, 250, 282, 315, 340, 392, 407, 415, 419, 426, 430, 440, 441, 448, 453, 454, 457, 459, 460, 461, 462, 464, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491 and 492; Senate File 468 correctly re-enrolled; also, House Files 410 and 595.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate Joint Resolutions 17 and 18; Senate File 38, 174, 227, 240, 250, 282, 315, 340, 392, 407, 415, 419, 426, 430, 440, 441, 448, 453, 454, 457, 459, 460, 461, 462, 464, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491 and 492; Senate File 468 correctly re-enrolled; also, House Files 410 and 595.

BILLS SENT TO THE GOVERNOR

Senator Benda, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 18th day of May, 1963, sent to the Governor for his approval: Senate Joint Resolutions 17 and 18; Senate Files 38, 174, 227, 240, 250, 282, 315, 340, 392, 407, 415, 419, 426, 430, 440, 441, 448, 453, 454, 457, 459, 460, 461, 462, 464, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491 and 492; Senate File 468 correctly re-enrolled.

KENNETH BENDA, *Chairman.*

Passed on file.

LEGISLATIVE INTERIM COMMITTEES SIXTIETH GENERAL ASSEMBLY

President Mooty announced the appointment of the following committees:

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BUDGET AND FINANCIAL CONTROL

Senate Members
C. Joseph Coleman, Clare ..... 4-year term
Robert R. Rigler, New Hampton ..... 4-year term
John D. Shoeman, Atlantic ..... 4-year term

INTERSTATE COOPERATION

Senate Members
Peter F. Hansen, Manning ..... 2-year term
D. C. Nolan, Iowa City ..... 2-year term
Jack Schroeder, Bettendorf ..... 2-year term
David O. Shaff, Clinton ..... 2-year term
Edward A. Wearin, Red Oak ..... 2-year term

LEGISLATIVE RESEARCH

Senate Members
Jake B. Mincks, Ottumwa ..... 2-year term
Charles S. Van Eaton, Sioux City ..... 2-year term
Martin Wiley, Cedar Rapids ..... 2-year term

CAPITOL PLANNING COMMISSION

Senate Members
John L. Campbell, Oskaloosa ..... 4-year term
J. Louis Fisher, Osceola ..... 4-year term

DAIRY STUDY COMMITTEE

Senate Members
J. T. Dykhouse, Rock Rapids ..... 2-year term
Eugene Hill, Newton ..... 2-year term
Irving D. Long, Manchester ..... 2-year term

COMMERCIAL CODE STUDY COMMITTEE

Senate Members
Kenneth Benda, Hartwick ..... 2-year term
John L. Brown, Emmetsburg ..... 2-year term
Jacob Grimstead, Lake Mills ..... 2-year term

COURT SYSTEM STUDY COMMITTEE

Senate Members
Donald G. Beneke, Laurens ..... 2-year term
Robert D. Fulton, Waterloo ..... 2-year term
Richard C. Turner, Council Bluffs ..... 2-year term

DEPARTMENTAL RULES REVIEW COMMITTEE

Senate Members
A. V. Doran, Boone ..... 2-year term
Leo Elthon, Fertile ..... 2-year term
Adolph Elvers, Elkader ..... 2-year term

COMMITTEE TO NOTIFY THE GOVERNOR

Senator Benda moved that a committee of five 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 appointed as such committee Senators Benda, Hill, Fisher, Buck and Shivvers.

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COMMITTEE TO NOTIFY THE HOUSE

Senator Cowden moved that a committee of four be appointed to notify the House that the Senate was ready to adjourn sine die.

The motion prevailed and the President appointed as such committee Senators Cowden, Mincks, Wearin and Doran.

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 Cowden reported that the committee appointed to notify the House that the Senate was ready to adjourn sine die had performed its duty.

The report was received and the committee discharged.

REPORT OF COMMITTEE TO NOTIFY THE GOVERNOR

Senator Benda reported that the committee appointed to notify the Governor that the Senate was ready to adjourn sine die had performed its duty, and that the Governor had sent the following message:

STATE OF IOWA
Office of the Governor
Des Moines

May 18, 1963.

HAROLD E. HUGHES
Governor
The Honorable W. L. Mooty,
Lieutenant Governor,
President of the Senate,
Sixtieth General Assembly,
Local.

HONORABLE MEMBERS OF THE GENERAL ASSEMBLY:

I hereby acknowledge receipt of your official notification that the Sixtieth General Assembly stands ready to adjourn sine die, pursuant to Senate Concurrent Resolution 18.

This session of the Iowa General Assembly has been the longest regular session in our state's history. It also has been one of the hardest working sessions. In many areas, it has been most productive.

I want to take this opportunity to pay tribute to the devotion you have shown to your duties throughout this session. Although I feel there is a considerable amount of unfinished business remaining, you have a great many achievements to show for your labors.

You are to be commended for your action in passing a liquor control act the majority of Iowans favor, can respect and will obey. Many of you had to stand up against great pressure from segments of your constituencies to vote for what you thought was best for Iowa. You showed genuine statesmanship and your state, in years to come, will be thankful to you.

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The enactment of legislation providing for state regulation of public utilities marks the culmination of 50 years of effort by the progressive forces in Iowa to legislate for the protection of the utility consumer.

Iowa will substantially benefit from legislation calling for mandatory testing of farm animals for brucellosis.

By authorizing an appropriation for a program of medical assistance to the aged you have made possible some relief from suffering for a large class of persons we have shamefully neglected for so many years—our elderly citizens who are not receiving Old Age Assistance payments.

The enactment of legislation permitting the investment of the operating funds of local governments represents a triumph of the public interest over narrow private interest. It will provide property tax relief of the most direct kind.

I hope the passage of legislation making discriminatory hiring practices unlawful will go far toward making available equal job opportunities for all Iowans.

Your action in allowing Iowa to join the growing ranks of states which have ratified the proposed Twenty-fourth Amendment to the U. S. Constitution was of national significance and was a necessary step toward securing equal voting rights for all qualified adults in our land.

The act to permit local communities to issue revenue bonds for industrial sites and buildings should make a significant contribution toward the economic development of Iowa.

The cities and towns of Iowa have been granted a measure of home rule that will free them from the shackles of state government while protecting the interests of local citizens. It is my hope that future Assemblies will complete this action by approving a home rule amendment to our State Constitution.

You have provided adequately for the needs of higher education, mental health and correctional institutions. Your action in increasing the benefits under the Iowa Public Employees Retirement System will lead to more just rewards for the faithful service of our governmental employees and to greater incentives for qualified persons to enter the profession of teaching.

However, I would be less than candid if I did not point out that I was disappointed at the Assembly's action—or failure to act—in a number of other vital areas.

No action was taken to protect our Interstate Highways from future encroachment by billboards.

A bill to abolish the death penalty was not allowed to come to a vote in the Iowa Senate even after it was passed by the Iowa House of Representatives.

With all due respect to many sincere legislators who felt the Shaff Plan was at least a step in the right direction, I do not feel that it meets the minimum requirements for a sound and equitable plan of legislative reapportionment.

It is a matter of deep regret to me that the Assembly did not see fit to provide adequate funds for some of our welfare programs, most notably the program for Aid to Dependent Children. Another serious omission, I feel, was the failure to enact improved legislation to protect the safety of our working men and women. It is also regrettable that the Assembly has failed to provide the reorganization our antiquated state government structure needs if it is to deal with the problems and challenges that economic and social change are bringing to Iowa.

This session has ended without an answer to the difficult problem of tax revenues and property tax relief. I know that a good many Legislators, as well as your Governor, did everything they felt was possible in a spirit of

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compromise to reach a solution. History will probably show that it was better to have no major tax bill at all than one which was inequitable.

One of the most serious omissions, in my view, was the Assembly's failure to enact legislation to equalize property assessments for taxation throughout the state. Such a measure is essential before any over-all solution to local property tax problems can be reached.

You have differed often among yourselves during this session. A majority of your membership has sometimes differed with me. But this is the sign of a healthy democratic system and is no cause for alarm.

I want to thank you for the many courtesies you have shown me during this session and give you the assurance, as you depart, that my office will be open to you in the months ahead any time you wish to discuss with me ways in which Iowa can be made a better state in which to live.

Very truly yours,
HAROLD E. HUGHES,
Governor.

HEH:jl

FINAL ADJOURNMENT

In accordance with Senate Concurrent Resolution 18, duly adopted, the hour of six o'clock p.m., May 18, 1963, having arrived, President Mooty declared the Senate of the Sixtieth General Assembly adjourned sine die.

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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 Joint Resolution 17, creating a commercial code study committee and providing an appropriation therefor. Approved May 24, 1963.

Senate Joint Resolution 18, creating an interim commission to study the court system of Iowa. Approved May 24, 1963.

Senate File 19, relating to the establishment of water recreational areas. Approved May 20, 1963.

Senate File 38, relating to expiration of motor vehicle operator's license. Approved June 4, 1963.

Senate File 171, relating to inspection of multiple dwellings. Approved May 20, 1963.

Senate File 174, relating to resident requirement for policemen and firemen under municipal civil service. Approved June 4, 1963.

Senate File 183, relating to deputies for the industrial commission. Approved May 27, 1963.

Senate File 227, relating to employees insurance paid for from public funds. Approved June 4, 1963.

Senate File 237, relating to pesticides and the regulation of their use. Approved May 20, 1963.

Senate File 240, relating to speed restrictions of certain motor vehicles. Approved June 4, 1963.

Senate File 250, relating to general school aid funds to junior college districts. Approved June 4, 1963.

Senate File 282, relating to maximum millage rates levied by cities and towns. Approved June 4, 1963.

Senate File 315, relating to refunds by boards of directors of credit unions. Approved June 4, 1963.

Senate File 340, relating to research for the purpose of reducing morbidity or mortality. Approved June 4, 1963.

Senate File 392, relating to exemption of personal property in transit. Approved June 4, 1963.

Senate File 403, relating to unauthorized signs and signals. Approved June 4, 1963.

Senate File 407, relating to special plates for motor vehicles. Approved June 5, 1963.

Senate File 415, relating to octane rating of gasoline. Approved June 4, 1963.

Senate File 419, relating to salaries of county attorneys. Approved June 4, 1963.

Senate File 426, relating to workmen's compensation for occupational diseases. Approved June 4, 1963.

Senate File 430, relating to natural gas and oil. Approved June 4, 1963.

Senate File 440, relating to controlled access highways. Approved June 4, 1963.

Senate File 441, relating to salaries of clerks of the grand juries. Approved June 4, 1963.

Senate File 447, relating to claims made against the State of Iowa. Approved May 20, 1963.

Senate File 448, relating to credit against annual license fees of corporations and foreign corporations. Approved June 4, 1963.

Senate File 453, relating to an appropriation to the social welfare department. Approved May 24, 1963.

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Senate File 454, relating to public contracts and bonds. Approved June 4, 1963.

Senate File 457, relating to compensation of members of the Iowa development commission. Approved June 4, 1963.

Senate File 459, relating to an appropriation to the conservation commission. Approved May 24, 1963.

Senate File 460, relating to the general contingent fund of the state for the biennium beginning July 1, 1963. Approved June 17, 1963.

Senate File 461, relating to regulation and taxation of travel trailers. Approved June 10, 1963.

Senate File 462, relating to claims made against the State of Iowa. Approved May 27, 1963.

Senate File 464, relating to appropriations to certain counties in settlement of claims made against the State of Iowa. Approved May 27, 1963.

Senate File 465, relating to an appropriation to the board of control. Approved May 22, 1963.

Senate File 468, relating to inheritance tax. Approved May 20, 1963. (Correctly enrolled June 4, 1963.)

Senate File 469, relating to claims made against the State of Iowa. Approved May 27, 1963.

Senate File 470, relating to an appropriation to the State Commerce Commission in accordance with Senate File 11 relating to public utilities. Approved May 24, 1963.

Senate File 471, relating to an appropriation to the capitol planning commission. Approved May 27, 1963.

Senate File 472, relating to claims made against the State of Iowa. Approved May 27, 1963.

Senate File 473, relating to the organization of domestic insurance companies. Approved June 4, 1963.

Senate File 474, relating to an appropriation to the board of regents. Approved May 24, 1963.

Senate File 475, relating to an appropriation to the board of regents. Approved May 24, 1963.

Senate File 476, relating to an appropriation for capital improvements for buildings and grounds under the superintendent of public buildings and grounds. Approved May 24, 1963.

Senate File 477, relating to an appropriation for capital improvements to the state fair board. Approved May 24, 1963.

Senate File 478, relating to an appropriation to the state comptroller from motor vehicle fuel tax fund. Approved May 27, 1963.

Senate File 479, relating to an appropriation from the primary road fund to the industrial commission for payment of workmen's compensation claims of employees of the state highway commission. Approved May 27, 1963.

Senate File 480, relating to an appropriation to the state comptroller from the primary road fund. Approved May 27, 1963.

Senate File 481, relating to an appropriation to the department of public instruction for specified school aid. Approved May 24, 1963.

Senate File 482, relating to an appropriation to the department of public instruction for general state aid to schools. Approved May 24, 1963.

Senate File 483, relating to an appropriation to the department of public instruction for supplemental aid to certain school districts. Approved May 24, 1963.

Senate File 484, relating to an appropriation to the department of public instruction for state aid for transportation. Approved May 24, 1963.

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Senate File 485, relating to control, sale and use of alcoholic beverages. Approved May 28, 1963.

Senate File 486, relating to an appropriation to the state soil conservation committee. Approved May 24, 1963.

Senate File 487, relating to an appropriation to the national guard and the state guard for various capital improvements, and the purchase of an airplane for the use of the Governor and other state officials. Approved May 24, 1963.

Senate File 488, relating to expenditures by the state highway commission, and to salaries of the members of the commission. Approved May 27, 1963.

Senate File 489, relating to the national defense education Act of 1958, and to an appropriation to the department of public instruction in relation thereto. Approved May 24, 1963.

Senate File 490, relating to an appropriation to the department of public safety for capital improvements for highway patrol buildings and for radio equipment for the division of radio communication. Approved May 24, 1953.

Senate File 491, relating to an appropriation for miscellaneous expenses of the Sixtieth General Assembly. Approved May 27, 1963.

Senate File 492, relating to refund of tax on special fuel in certain cases. Approved June 4, 1963.

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IN MEMORIAM

Senate

FRANK C. BYERS.....June 20, 1883-April 27, 1962

I. G. CHRYSTAL.....September 27, 1885-December 25, 1963

JOHN S. GRAY.....September 5, 1907-March 5, 1962

HARRY S. LOVE.....August 9, 1888-July 23, 1961

J. KENDALL LYNES.....March 22, 1903-May 5, 1962

FRED MAYTAG.....January 8, 1911-November 4, 1962

CLIFFORD N. NYSTROM.....February 12, 1902-August 22, 1962

JOHN M. SLOSSON.....October 27, 1876-February 9, 1963

CLYDE H. TOPPING.....January 8, 1884-October 31, 1962

FRANCIS A. TURNER.....March 24, 1900-January 12, 1962

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MEMORIALS

FRANK C. BYERS

MR. PRESIDENT: Your committee, appointed to prepare a suitable resolution commemorating the life, character and public service of the late Honorable Frank C. Byers, begs leave to submit the following memorial:

Frank C. Byers, whose record of continuous service in the Iowa legislature is longer than that of any other individual, was born June 20, 1883 at Alden, Iowa, and died April 27, 1962, in Cedar Rapids.

He attended public schools and Grinnell College before taking up the study of law at the University of Iowa. He was admitted to the bar in 1904 and the following year entered practice in Cedar Rapids. For the remainder of his life he resided either in Cedar Rapids or in nearby Marion.

He was married in 1909 to Myra Lyon who survives. Other survivors include a daughter, Mrs. Alden D. Avery of Spencer, Iowa, and two sons, Ganson L., of Tucson, Arizona, and Frank, Jr., of Cedar Rapids. Mrs. Avery's father-in-law was the late State Representative A. H. Avery of Spencer, with whom Mr. Byers served in the legislature for several sessions.

Mr. Byers first ran for the legislature in 1928 winning election to the House of Representatives. He took the oath of office on January 8, 1929, and from that time until his retirement on January 9, 1961, he was a member of the legislature—a total of thirty-two years plus one day.

Only the late Arch W. McFarlane of Waterloo, served longer in the Iowa Legislature, but his service was not continuous.

Mr. Byers was re-elected to the House of Representatives in 1930 and in 1932 was elected to the first of seven four-year terms in the Iowa Senate where he was elected president pro tempore in 1937, 1941, and again in 1943.

Virtually all of the laws enacted during nearly one-third of the state's history bear the imprint of Mr. Byers' work. He was named chairman of the judiciary 2 committee for so many years that he was considered the "permanent" chairman. He also served on every important committee of the Senate, as well as the budget and financial control which serves between legislative sessions.

He was the prime mover for legislative reapportionment, piloting the 1953 senatorial districting bill through the Senate. This was the last redistricting bill passed until 1961 and only the second passed since 1904.

He played a prominent role in the enactment of laws that created the Iowa Tax Commission, the Iowa Employment Security Commission and the Iowa Liquor Control Commission. His counsel and guidance was often sought by new Senators as well as long-time colleagues and he always gave it generously.

Mr. Byers had an uncanny ability to act as a mediator in bitter legislative disputes and enjoyed unusual success in bringing together people with widely differing views on controversial bills. When the legislature became

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bogged down in 1953 on a bill to permit the sale of colored oleomargarine, he was assigned the chairmanship of the second conference committee which, under his guidance, brought about a compromise that was accepted by both House and Senate and was signed into law by the Governor, after the legislature had fought the issue for nearly three months.

He was considered one the the best dressed and most distinguished-appearing members of the Senate. Seldom did he appear in the chamber without a white carnation in his lapel and one of the few times he appeared in shirtsleeves was when he removed his coat in the room where the colored oleo bill conference committee was working to make it quite clear he intended to keep the group in session until an agreement was reached. On the day he did appear without a carnation in his lapel, his Senate colleagues protested so vigorously that he never again showed up without one.

Mr. Byers occupied seat number thirty-four and his booming voice could be heard throughout the chamber without the use of a microphone until his later years. When he voted "no" it rolled across the room and echoed back, leaving no question about it.

In 1953, when he was "dean" of the Senate and Mr. McFarlane was "dean" of the House, they were honored together at a joint session of the legislature. Four years later, when both were senators, they were jointly honored a second time when the state house news corps named them "Outstanding Legislators".

On May 5, 1959, during his last session, Mr. Byers was singularly honored when Lt. Governor Edward J. McManus called him to the rostrum and presented him with a "Call of the Senate" signed by each of his forty-nine colleagues, who gave him a standing ovation. So far as it is known, this was the first and only time in Iowa legislative history a member of the General Assembly had been so honored.

Mr. Byers served on the board of education in Cedar Rapids from 1926 to 1932. He was a member of the Episcopal Church, Mt. Hermon Lodge, 263, A. F. and A. M., the Iowa Consistory, the Cedar Rapids Chamber of Commerce, the Cedar Rapids Country Club, the Linn County and Iowa State Bar Associations, Sigma Nu social fraternity and Phi Delta Phi legal fraternity.

Now, Therefore, Be It Resolved by the Senate of the Sixtieth General Assembly of Iowa: That in the passing of the Honorable Frank C. Byers, the State of Iowa has lost a valued and honored citizen, and by this resolution attests its respect for and admiration of him and tenders its sincere sympathy to his family.

Be It Further Resolved: That a copy of this resolution be spread upon the Journal of the Senate and the secretary be directed to send an enrolled copy to the members of his family.

MARTIN WILEY,
IRVING D. LONG,
R. O. BURROWS,
Committee.

The resolution was unanimously adopted.

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I. G. CHRYSTAL

MR. PRESIDENT: Your committee, appointed to prepare a suitable resolution commemorating the life, character and public service of the late Honorable I. G. Chrystal, begs leave to submit the following memorial:

I. G. Chrystal was born in Wapello County, Iowa, on September 27, 1885. Public school work, hotel business and farming were included among his occupations.

He was elected Senator from the forty-eighth Senatorial District of Iowa and served until 1939 during the Forty-fifth, Forty-fifth Extra, Forty-sixth and Forty-seventh General Assemblies of Iowa. He was very active in county politics in the Democratic Party. He was also a Director of the Iowa Savings Bank at Coon Rapids for many years. He made his home on his farm north of Coon Rapids, although he was retired from active farming.

He died December 25, 1963, at St. Anthony's Hospital in Carroll, Iowa.

In addition to his widow, Julia, Mr. Chrystal is survived by two sons, John Chrystal of Coon Rapids, Iowa; Tom Chrystal of Scranton, Iowa; and one daughter, Mrs. W. R. Davis, Salt Lake City, Utah. He was preceded in death by his first wife, Dorothy Garst, in 1936, and one daughter, Mary, in 1929.

Therefore, Be It Resolved by the Senate of the Sixtieth General Assembly: That in the passing of I. G. Chrystal the state has lost a valuable, loyal and honored citizen, and by this resolution tenders its sincere sympathy to the members of the family.

Be It Further Resolved: That a copy of this resolution be spread upon the Journal of the Senate and the secretary be directed to send an enrolled copy to the members of his family.

PETER F. HANSEN,
DONALD G. BENEKE,
CHARLES F. GRIFFIN,
Committee.

The resolution was unanimously adopted.

JOHN S. GRAY

MR. PRESIDENT: Your committee, appointed to prepare a suitable resolution commemorating the life, character and public service of the late Honorable John S. Gray, begs leave to submit the following memorial:

John S. Gray was born in Mahaska County on September 5, 1907, and passed away March 5, 1962, at the age of fifty-four. He was the son of Walter S. and Grace Wright Gray. On May 19, 1934, he married Helen Lamond of Oskaloosa. They had one son, John S. Gray of Oskaloosa.

Mr. Gray attended school and William Penn College in Oskaloosa, and Capital City Business College in Des Moines.

He entered active politics in 1954 when he was elected State Representative from Mahaska County. He served three terms, then was elected State Senator in 1960.

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Mr. Gray served as Spring Creek Trustee and Assessor, was president of the Mahaska County Board of Education, Mahaska Farm Bureau, and Board of Trustees of the Central Methodist Church, and was a member of the Masonic Lodge, Rotary Club and the Oskaloosa Chamber of Commerce.

Mr. Gray had engaged in farming east of Oskaloosa.

In addition to his widow, Mr. Gray is survived by a son, John S. Gray of Oskaloosa, two brothers, Joe W. Gray of Oskaloosa and William W. Gray of Searsboro, and one sister, Mrs. L. Virgil Briggs of Hampton.

Therefore, Be It Resolved by the Senate of the Sixtieth Geenral Assembly of Iowa: That in the passing of the Honorable John S. Gray, the state has lost an honored citizen and a faithful and useful servant, and the Senate by this resolution would express its appreciation of his service, and tender its sympathy to the members of his family.

Be It Further Resolved: That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be directed to forward an enrolled copy to each member of the family of the deceased.

JOHN L. CAMPBELL,
KENNETH BENDA,
VERA H. SHIVVERS,
Committee.

The resolution was unanimously adopted.

HARRY S. LOVE

MR. PRESIDENT: Your committee, appointed to prepare a suitable resolution commemorating the life, character and public service of the late Harry S. Love, begs leave to submit the following:

Harry S. Love was born August 9, 1888. He lived on a farm until twenty-one years of age at which time he moved to Bridgewater, Iowa, where he engaged in the produce business. He was educated in the rural and Bridgewater schools.

On August 23, 1913, he married Miss Ethel McDermott.

He was a member of the Masons, served on the city school board for twenty years, several years on the city council and as a township trustee. He served three terms in the House of Representatives and was elected to two terms in the Senate. In 1944 he resigned from the Senate to accept an appointment from Governor Robert D. Blue to the State Board of Social Welfare. He served six years on the board as member, vice-chairman, then chairman.

Mr. Love died Sunday, July 23, 1961. In addition to his widow, Mr. Love is survived by Hildreth Firch of California, Beverly Moser of California, Jean Dewey of Florida, Larry J. Love of Wisconsin, nine grandchildren, one sister and one brother.

Therefore, Be It Resolved by the Senate of the Sixtieth General Assembly: That in the passing of Harry S. Love the state has lost a valuable, loyal and honored citizen, and by this resolution tenders its sincere sympathy to the members of the family.

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Be It Further Resolved: That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be instructed to forward an enrolled copy to each member of his family.

JOSEPH B. FLATT,
HARRY L. COWDEN,
JOHN D. SHOEMAN,
Committee.

The resolution was unanimously adopted.

J. KENDALL LYNES

MR. PRESIDENT: Your committee, appointed to prepare a suitable resolution commemorating the life, character and public service of the late Honorable J. Kendall Lynes, begs leave to submit the following memorial:

James Kendall Lynes, familiarly known since boyhood as Buster, was born on March 22, 1903, in Plainfield, Iowa. He was the son of James Jay Lynes and his wife Jennie, nee Vosseller, and the fourth child in the family of seven children. When he was two years old the family moved to a farm south of Plainfield where the deceased spent his boyhood years, enjoying his father's interest in fine horses and often accompanying him on exhibition trips. He attended the Plainfield Public school and was graduated from the high school at the age of fifteen. He then attended the Cedar Valley Seminary at Osage.

At the age of sixteen, with his brother Leonard as a partner, he became actively engaged in farming and in the breeding of purebred Ayrshire cattle which he exhibited with great pride in the Midwestern and Western states. He was also a past director of the National Ayrshire Breeders Association and had sold Ayrshire cattle in many parts of the country.

On June 30, 1926, he was united in marriage to Miss Lenora Kuethe in St. Paul's Church with pastor Fred Kuethe, uncle of the bride, officiating. To this union three children were born, one daughter, Lorraine and two sons, J. William and Carl Wallace. Their entire married life was spent on the family farm south of Plainfield. On December 10, 1933, he entered the fellowship of St. Paul's Lutheran Church in Waverly by instruction in the Christian faith, and through the sacrament of Baptism. He continued his membership faithfully and was twice elected to the church council, serving as a trustee at the time of his death.

The deceased lived a busy life, following many interests and accepting many responsibilities. From 1940 until the time of his death he served without interruption as State Senator from his district and became widely known as an outstanding legislator. He was proud of the fact that he had achieved twenty-two (22) years of continuous Senate service at the youngest age of any of Iowa's longtime legislators. He capped his legislative career as President pro-tempore of the Iowa Senate in 1959, and majority floor leader in the 1961 sesion. Even though the legislature meets only once every two years, Buster made politics a full time job. He was beginning his second four year term on the Legislative Interim Committee after the close of the 1961 session, which committee meets regularly during the interim. At the conclusion of the 1961 General Assembly, Senator Lynes received a significant recognition by being honored by the representatives

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of the press, radio and television as the outstanding legislator of the Fifty-ninth General Assembly.

The interests and activities and public services in which he was involved during his busy lifetime were many and varied. His life was filled with adventure and excitement. As a youth the powerfully built Lynes had a reputation as a "strong man" who accepted challenges of boxers and wrestlers at county fairs. He reportedly was never defeated.

He participated freely and constructively in the life of his community, he served his district and the State of Iowa with distinction, he was beloved in his church. Many honors came to him but they came to him only because he worked hard and followed a predictable path of integrity. He took great pride in having been elected an honorary member of the Iowa Bar Association at the closing of the 1961 session. His massive personality made him a man to be remembered.

On Saturday, May 5, he followed his usual rugged schedule, including a trip to Des Moines. Greatly fatigued he retired early and passed from this life peacefully in his sleep sometime before 11:00 p.m. He had attained the age of fifty-nine years, one month and thirteen days.

He is survived by his widow, his daughter, Lorraine (Mrs. Lee Chester), his two sons, William and Wallace and five grandchildren. He was preceded in death by his parents.

Now, Therefore, Be It Resolved by the Senate of the Sixtieth General Assembly of Iowa: That in the passing of the Honorable J. Kendall Lynes, the State has lost an honored citizen and a dedicated public servant, and the Senate, by this resolution, expresses its appreciation of his service, and would tender its sympathy to the members of his family.

Be It Further Resolved: That a copy of this resolution be printed in the Journal of the Senate and that the Secretary of the Senate be directed to forward an enrolled copy of this resolution to each member of the family of the deceased.

VERNON H. KYHL,
ROBERT R. RIGLER,
GEORGE L. SCOTT,
Committee.

The resolution was unanimously adopted.

FRED MAYTAG

MR. PRESIDENT: Your committee, appointed to prepare a suitable resolution commemorating the life, character and public service of the Honorable Fred Maytag, begs leave to submit the following memorial.

Fred Maytag, nationally known chairman of the board of The Maytag Company, electrical appliance manufacturer, represented Jasper County as Senator in the Fifty-second and Fifty-third sessions of The General Assembly of Iowa.

Politics had a strong appeal to him. He had a wide and varied acquaintance, a reputation for ability and judgment in many fields, and a love for people that inspired confidence in him.

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He surprised many persons when he decided against seeking election to a full-time political office at the end of his term in the Legislature.

Maytag Company production was devoted to war material during World War II while research on home automatic washers and dryers was pursued without interruption. The post-war spurt in popularity of automatics was so rapid that Fred Maytag abandoned thought of staying in politics in 1948 to break ground for the new plant northeast of Newton to make automatic in addition to wringer washers.

His decision continued the Maytag Company as the leading independent manufacturer of washing machines.

Fred Maytag was born in Newton, January 8, 1911. He spent his entire life in Newton and at The Maytag Company. He was the grandson of F. L. Maytag, founder of the company; the son of Elmer H. Maytag, former president; and the nephew of Louis B. Maytag, also a former president.

He was graduated from Newton High School, Culver Military Academy, and the University of Wisconsin. He began his Maytag Company career as a high school student working summer vacations in the company machine shops.

In 1933, after his graduation from the University of Wisconsin, he became a full-time employee as a sales representative. He was vice president from 1936 until his father's death in 1940, when he was 29 years old. He became board chairman in 1960, taking a post that had remained unfilled since the death of F. L. Maytag in 1937.

He was modest. He entered his name on the Senate roll as Fred Maytag; rarely used his full name, Frederick Louis Maytag II. He believed every man should do his own thinking. He opposed on the floor of the Senate the World War II soldier bonus bill, that had his Republican party's backing, with advice to veterans they'd be paying taxes to retire the bonds.

He was a delegate-at-large to the 1960 Republican national convention, and was chairman of the 1952 and 1960 Iowa Republican state presidential national delegate selection conventions.

Fred Maytag also was president of the Maytag Co., Ltd., of Winnipeg, Canada, and of the Maytag Dairy Farms, Inc., of Newton. He was chairman of the board of the Jasper County Savings Bank of Newton, and the Kellogg Savings Bank of Kellogg.

He was a trustee of the Equitable Life Insurance Company of Iowa; a director of the Minneapolis-Honeywell Regulator Company of Minneapolis, Minnesota; a director of the Iowa Power and Light Company of Des Moines; a director of the Northwestern Bell Telephone Company of Des Moines; a director and regional vice president of the National Association of Manufacturers; a trustee of Grinnell College; and a trustee of Ducks Unlimited, Inc.

He was chairman of the executive committee of the Herbert Hoover Birthplace Foundation. He was active in Boy Scout, Salvation Army and Izaak Walton League work.

He received the Navy Distinguished Public Service award in 1956. He was named outstanding young man of the year by the Iowa Junior

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Chamber of Commerce in 1948. He held a private pilot's license and was a member of the Civilian Advisory Board of the Air Training Command.

He became ill on an advisory board inspection trip to Lowry Air Force Base in June, 1959. An emergency operation for removal of a small intestinal tumor at the base hospital was the forerunner of numerous operations in St. Louis, Missouri. He died of cancer at his home in Newton, November 4, 1962.

He was married to Ellen Elizabeth Pray of Narberth, Pennsylvania, a classmate at the University of Wisconsin, November 30, 1934. Their four children are Mrs. David Egger, Frederick Louis III, Mrs. Jon Dannerbeck, and Kenneth Pray.

Fred Maytag took seriously his obligations to his state, his community, his business and his church, St. Stephen's Episcopal in Newton. The Senate is proud to acknowledge the high character of his service and the influence of his life.

Now, Therefore, Be It Resolved by the Senate of the Sixtieth General Assembly of Iowa: That in the passing of the Honorable Fred Maytag the State of Iowa has lost a valued and honored citizen, and by this resolution attests its respect for and admiration of him and tenders its sincere sympathy to his family.

Be It Further Resolved: That a copy of this resolution be spread upon the Journal of the Senate and the secretary be directed to send an enrolled copy to Mrs. Maytag and the two sons and two daughters.

D. C. NOLAN,
EUGENE M. HILL,
J. T. DYKHOUSE,
Committee.

The resolution was unanimously adopted.

CLIFFORD N. NYSTROM

MR. PRESIDENT: Your committee, appointed to prepare a suitable resolution commemorating the life, character and public service of the late Clifford N. Nystrom, begs leave to submit the following memorial:

Clifford N. Nystrom was born in Boone, Iowa, February 12, 1902, son of Jacob F. and Nancy Nystrom.

He died of a heart attack on Wednesday, August 22, 1962.

Mr. Nystrom was educated in the Boone public schools and business college.

He served an apprenticeship on the Chicago-Northwestern Railway; entered the oil business in 1934; engaged in farm equipment retailing and at the time of his death operated the Nystrom Motors in Boone.

He was a member of the First Baptist Church, the Lions Club, Elks Club, Masonic Lodge and the Shrine.

Mr. Nystrom served his community well in many civic ways. He served six terms as Boone County Republican Chairman, fair board director,

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Director of the Chamber of Commerce and Deacon of the First Baptist Church, also serving as moderator.

He served two terms in the House of Representatives, the Fifty-third and the Fifty-fourth General Assemblies, and was elected to the Senate in 1960, serving in the Fifty-ninth General Assembly.

Mr. Nystrom was maried to Agnes L. Smiley in 1921.

Mrs. Nystrom passed away January 16, 1963.

He is survived by two sons, Jack of Boone, and Duane of Tucson, Arizona; also two grandchildren, Eric John of Boone, and Elisa Ann of Tucson.

Now, Therefore, Be It Resolved by the Senate of the Sixtieth General Assembly of Iowa: That in the passing of the Honorable Clifford N. Nystrom the state has lost a valuable, loyal and honored citizen, and by this resolution tenders its sincere sympathy to the members of his 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 instructed to forward an enrolled copy of this resolution to each of his sons.

HARRY L. COWDEN,
C. JOSEPH COLEMAN,
JOHN A. WALKER,
Committee.

The resolution was unanimously adopted.

JOHN M. SLOSSON

MR. PRESIDENT: Your committee, appointed to prepare a suitable resolution commemorating the life, character and public service of the late Honorable John M. Slosson, begs leave to submit the following memorial:

John M. Slosson was born on a farm near Northwood, Iowa, on the 27th day of October, 1876, a son of John and Jennie Slosson. He passed away on February 9, 1963, at the age of 86.

Senator Slosson was a member of the Iowa House of Representatives from 1917 to 1921 and was also a member of the Iowa State Senate through the Thirty-seventh to Fortieth General Assemblies. He was in the employ of the Iowa State Banking Department from 1926 to 1936, liquidating closed banks and was active in Republican politics.

He was a graduate of the Northwood high school and the Nora Springs Seminary at Nora Springs. He had served as Worth County Recorder and was in the real estate and loan business from 1912 to 1926. He was elected mayor of Northwood in 1947, taking an active part in community affairs, he was a member of the Commercial club and the Northwood Golf club.

In 1899 Senator Slosson married Sophia Savre who survives him. They were the parents of a daughter, Norma, who preceded him in death.

Therefore, Be It Resolved by the Senate of the Sixtieth General Assembly: That in the passing of John M. Slosson, the State of Iowa has lost a valuable and honorable citizen and by this resolution tenders its sincere sympathy to the surviving members of the family.

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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 his wife.

LEO ELTHON,
JACOB GRIMSTEAD,
LEIGH R. CURRAN,
Committee.

The resolution was unanimously adopted.

CLYDE H. TOPPING

MR. PRESIDENT: Your committee, appointed to prepare a suitable resolution commemorating the life, character and public service of the late Clyde H. Topping, begs leave to submit the following:

Clyde H. Topping was born in Nees County, Kansas on January 8, 1884, son of John W. and Ida Johnston Topping, one of five children.

Mr. Topping attended the State University of Iowa, and later married Helen Young in Burlington on May 21, 1908. As a young man Mr. Topping farmed in Saskatchewan, Canada, later becoming a colonization agent for the Canadian Pacific Railway. In 1928 he entered Iowa politics and served in the Forty-second and Forty-third General Assemblies. Subsequently he was associated with Home Owners Loan, and later with the Iowa State Tax Commission. In recent years he had operated the Topping business.

Mr. Topping was a member of First Congregational Church and of the Burlington Golf Club.

He died Wednesday, October 31, 1962, in the Burlington Hospital, Burlington, Iowa.

In addition to his widow, Mr. Topping is survived by a son and a daughter: Clyde Hamilton Topping, Jr., Waterloo, and Mrs. Berkeley McIntosh of Rockford, Illinois. There are nine grandchildren. Also surviving are four sisters: Mrs. Daniel Upp, Ft. Lauderdale, Florida; Mrs. Frank Lyons, Portland, Oregon; Mrs. Leslie Wilson, Davenport, and Mrs. Walter Metz of Burlington, Iowa. A daughter, Alice, and a brother, Glen, preceded him in death.

Therefore, Be It Resolved by the Senate of the Sixtieth General Assembly: That in the passing of Clyde H. Topping, the state has lost a valuable, loyal and honored citizen, and by this resolution tenders its sincere sympathy to the 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 instructed to forward an enrolled copy to each member of his family.

ROBERT R. DODDS,
CLIFFORD M. VANCE,
SEELEY G. LODWICK,
Committee.

The resolution was unanimously adopted.

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FRANCIS A. TURNER

MR. PRESIDENT: Your committee, appointed to prepare a suitable resolution commemorating the life, character and public service of the late Honorable Francis A. Turner, begs leave to submit the following memorial:

Francis A. Turner was born March 24, 1900, in Corning, Iowa, son of Austin B. Turner, Jr., and Ella S. Shuler Turner. He was a nephew of Dan W. Turner, former Governor of Iowa.

Senator Turner was educated in the Corning Public schools, Kiski prep school and Grinnell College, from which he received a B.A. degree in 1921.

He married LaNor Holmes of Keota, Iowa, in 1924. To this union was born a son, Austin B. Turner III, of Corning, and a daughter, Mrs. Bernard J. Hogan of Irving, Texas.

He was a merchant and farm manager in Corning since 1921, serving as an original member of the Corning municipal utilities board for twenty years, and as a member of the Corning public school board for eighteen years. For many years he was associated with his father at Turner's Store, one of Southwest Iowa's oldest business firms.

He was a member of the Presbyterian church and was active in community affairs, serving as Adams County U. S. Savings Bond chairman from 1942 to 1960, President of the Adams County Weather Modification Association, and a member of the American Legion and Rotary International.

He was elected to the Iowa Senate in 1956 and served during the 1957 and 1959 sessions from Adams and Taylor Counties.

He died at a Corning hospital Friday, January 12, 1962, at the age of 61.

Therefore, Be It Resolved by the Senate of the Sixtieth General Assembly of the State of Iowa: That in the passing of Francis A. Turner the state has lost a valuable, loyal and honored citizen, and by this resolution tenders its sincere sympathy to the 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 instructed to forward an enrolled copy to each member of his family.

EDWARD A. WEARIN,
ORVAL C. WALTER,
JOHN D. SHOEMAN,
Committee.

The resolution was unanimously adopted.

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SENATE AND HOUSE COMPANION BILLS

S.J.R.	H.J.R.
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185	176
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194	378
195	256
196	447
197	5
204	219
205	148
206	89
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214	227
218	347
221	346
222	353
223	273
224	345
225	362
226	563
227	522
229	344
231	354
237	504
239	385
240	409
241	318
243	348
245	268
246	328
250	350
251	394
252	403
253	95
254	361
257	526
267	531
270	472
271	473
275	304
276	474
278	479
282	209
283	482
285	523
286	415
292	487
293	391
294	485
296	437
297	355
298	397
303	445
304	364
307	368
312	375
314	238
315	446
316	469
318	510
321	428
326	357
327	405
328	371
332	535
334	537
338	491
340	432
343	389
344	392
345	398
346	406
348	411
350	374
351	246
357	194
360	450
363	468
365	518
367	492
374	486
375	462
378	393
380	400
387	427
390	236
391	553
401	317
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410	561
430	585
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467	483
487	596

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RECORD OF SENATE BILLS IN SENATE

SENATE JOINT RESOLUTIONS AND SENATE FILES PASSED AND APPROVED—208

S. J. R. 4, 16, 17, 18.

S. F.

2, 7, 9, 10, 11, 12, 19, 20, 23, 24, 28, 30, 35, 37, 38, 42, 50, 54, 57, 58, 61, 62, 63, 64, 70, 73, 76, 78, 80, 86, 87, 94, 97, 103, 104, 105, 106, 113, 114, 117, 122, 123, 124, 126, 127, 129, 143, 145, 146, 147, 148, 149, 150, 152, 153, 156, 159, 165, 167, 171, 174, 176, 178, 179, 180, 181, 182, 183, 184, 190, 191, 195, 207, 208, 210, 211, 219, 222, 226, 227, 230, 236, 237, 238, 240, 242, 246, 249, 250, 252, 254, 257, 265, 266, 268, 270, 271, 275, 276, 277, 281, 282, 285, 288, 291, 293, 307, 308, 309, 315, 319, 332, 340, 342, 349, 351, 356, 365, 366, 380, 385, 386, 387, 389, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 402, 403, 406, 407, 408, 409, 411, 412, 415, 418, 419, 420, 421, 422, 423, 426, 427, 428, 429, 430, 431, 432, 435, 437, 440, 441, 442, 443, 445, 447, 448, 449, 450, 451, 452, 453, 454, 457, 459, 460, 461, 462, 464, 465, 466, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492.

PASSED BOTH HOUSES, VETOED BY GOVERNOR—S. F. 1

SENT TO SECRETARY OF STATE—S. J. R. 1

PASSED OVER GOVERNOR'S VETO—BECAME LAW—S. F. 434

RECORD OF EACH SENATE BILL IN SENATE

S. J. R. Page

1 By Shaff. Relating to the composition of the General Assembly, the basis of representation of the members thereof, and to amend such constitution.

Introduced, passed on file 10
Amendments filed 43, 89, 90, 102
Referred 43
Recommended passage 43
Made special order 75
Motion to substitute S. J. R. 11.. 87
Motion to substitute S. J. R. 8 ... 93
Motion to substitute S. J. R. 9 .. 93
Call of the Senate requested 100
Motion to substitute S. J. R. 2 .. 101
Call of the Senate 106
Committee report adopted 106
Committee of the whole 106
Amendments withdrawn 108, 112
Point of order raised 109
Motions withdrawn 112
Passed; ayes 31, nays 19 115
Motion to reconsider vote laid on the table 115
Reported enrolled 209
Signed by President 209
Sent to Secretary of State 209

2 By Dykhouse. Relating to a constitutional amendment to provide for annual sessions of the General Assembly.

Introduced, passed on file 11
Referred 43
Motion to substitute for S. J. R. 1 101

3 By Hansen, Brown and Cowden. Relating to a proposed amendment to the constitution to authorize the licensing and regulation of bingo games conducted by charitable, religious, or veterans organizations.

Introduced, passed on file 23
Referred 43

S. J. R. Page

4 By Scott and Shoeman. Relating to an appropriation to the board of control over and above its usual appropriation, sufficient funds from the general fund to be used for the purchase of real estate located in Jasper county which is to be used as a prison honor farm, and to retain sufficient ceeds from the sale of the Clive prison honor farm, to reimburse the general fund for such appropriation.

Introduced, passed on file 24
Referred 43, 77
Recommended passage 78
Amendment filed 103
Recommended amendment, passage 133
Committee report adopted 153
Amendments adopted 153
Amendment withdrawn 153
Passed; ayes 40, nays none 154
Reported enrolled 255
Signed by President 255
Sent to Governor 255
Signed by Governor 258

5 By Dykhouse. Relating to a constitutional amendment regarding the apportionment of senators and representatives in the General Assembly; the Senate to consist of 50 members, and the House based on county and population.

Introduced, passed on file 48
Referred 63

6 By Lucken, Getting, Van Eaton, Burrows, Lisle and Wearin. Relating to a proposed constitutional amendment changing the term of office of Governor and Lieuten-

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S. J. R. Page

ant-Governor to four years and limiting an individual to two terms in office.
Introduced, passed on file 67
Referred 72

7 By Phelps, Curran, Elijah, Elvers, Long, Fisher, Scott, Elthon, Cowden and Vincent. Relating to proposed constitutional amendments relating to public officers within the state, providing for four year terms.
Introduced, passed on file 67
Referred 72

8 By Mincks. Relating to a constitutional amendment regarding the apportionment of senators and representatives in the General Assembly, the Senate to have 50 members, the house not more than 100 members based on population.
Introduced, passed on file 67
Referred 77
Motion to substitute for S. J. R. 1 93

9 By Wearin. Relating to a proposed constitutional amendment to reapportion the General Assembly, Senate to consist of 53 members, House 128, one each county and additional member for larger population.
Introduced, passed on file 74
Referred 77
Motion to substitute for S. J. R. 1 93
Amendment filed 103

10 By Lucken, Dykhouse, Van Eaton, Burrows and Walker. Relating to a constitutional amendment proposing to give the Governor item veto power on appropriation bills.
Introduced, passed on file 74
Referred 88

11 By Hill and Walter. Relating to a constitutional amendment to reapportion the General Assembly, Senate to consist of 53 districts, House 133, one each county and additional member for larger population.
Introduced, passed on file 74
Referred 88
Motion to substitute for S. J. R. 1 87

12 By Turner. Relating to a proposed constitutional amendment relating to representation in the House of Representatives of the state, based on number of election votes cast for Governor.
Introduced, passed on file 81
Referred 88

13 By Fulton and Dodds. Relating to a proposed amendment to the constitution reapportioning the General Assembly; each county having a population of two percent of more of the whole number of the population of the state shall be senatorial district; the House shall have 125 members based on population.

S. J. R. Page
Introduced, passed on file 91
Referred 102

14 By Lucken and Stephens. Relating to a proposed constitutional amendment to increase the term of members of the House of Representatives to four years and providing for staggered terms.
Introduced, passed on file 222
Referred 227

15 By Rigler and Frommelt. Relating to a constitutional amendment to provide home rule for city and town governments.
Introduced, passed on file 260
Referred 293
Recommended amendment, passage 752
Amendment filed 754
Committee report adopted 882
Amendments adopted 922
Passed; ayes 41, nays 7 923

16 By Wearin. Relating to ratifying a proposed amendment to the constitution of the United States of America relating to qualifications of electors.
Introduced, passed on file 322
Referred 332
Recommended passage 534
Committee report adopted 646
Passed; ayes 48, nays none 646
Reported enrolled 1070
Signed by President 1071
Sent to Governor 1071
Signed by Governor 1071

17 By Appropriations. Relating to creating a commercial code study committee to investigate the need of revising the laws of Iowa concerning sales; bills, notes and checks; bank deposits and collections; letters of credit; bulk transfers; warehouse receipts; bills of lading and other documents of title; investment securities, chattel mortgages; conditional sales and other secured transactions and to make an appropriation for such committee.
Introduced, placed on calendar ...1063
Passed; ayes 46, nays 2 1105
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

18 By Appropriations. Relating to creating an interim commission to study the court system of Iowa with a view to reorganization of the structure to secure the maximum utilization of personnel for the efficient handling of litigation.
Introduced, placed on calendar ..1130
Passed; ayes 46, nays 3 1156
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

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1 By Vance. Relating to controlled access highways.
Introduced, passed on file 11
Referred 43
Recommended passage 88
Amendment filed 93
Committee report adopted 128
Amendment adopted 129
Point of order raised 138
Passed; ayes 39, nays 7 148
Motion to reconsider vote laid on the table 148
Reported enrolled 564
Signed by President 564
Sent to Governor 564
Governor requested to return—S.C.R. 17 596
Returned to House 607
Sent to Governor 690
Vetoed by Governor 737

2 By Elvers. Relating to legalizing procedures in establishment of the Starmont Community School District of Strawberry Point, Arlington and Lamont in the counties of Clayton, Fayette, Buchanan and Delaware.
Introduced, passed on file 11
Referred 43
Amendment filed 66
Recommended amendment, passage 78
Proof of publication certified 81
Committee report adopted 82
Amendment adopted 82
Passed; ayes 46, nays none 82
Reported enrolled 117
Signed by President 117
Sent to Governor 117
Signed by Governor 117

3 By Rigler, Shoeman, Nolan and Frommelt. Relating to the Iowa Commission for the Blind, appointment of commission members.
Introduced, passed on file 11
Referred 43

4 By Shoeman. Relating to the taxation of feeder cattle on farms.
Introduced, passed on file 11
Referred 43
Recommended passage 753
Amendment filed 927

5 By Rigler. Relating to expanding the meaning of false drawing and uttering of checks to include payment of antecedent debts.
Introduced, passed on file 23
Referred 43

6 By Elvers. Relating to taxable personal property, to exempt some swine, cattle, and poultry.
Introduced, passed on file 23
Referred 43
Recommended passage 753

7 By Elvers. Relating to establishing requirements for installation of bulk tanks on farms for milk produced for manufacturing purposes.

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Introduced, passed on file 22
Referred 43
Recommended passage 102
Amendments filed 103, 134
Committee report adopted 128
Amendments adopted 128, 253
Re-referred to agriculture 1 128
Recommended amendment, passage 225
Committee report adopted 252
Amendment withdrawn 252
Passed; ayes 34, nays 10 253
Reported enrolled 1070
Signed by President 1071
Sent to Governor 1071
Signed by Governor 1127

8 By Elvers. Relating to fees charged by the clerk of the district court in probate matters.
Introduced, passed on file 23
Referred 43
Recommended passage 489
Amendment filed 491
Committee report adopted 642
Amendment adopted 642
Passed; ayes 47, nays none 642

9 By Grimstead. Relating to exempting from sales tax, casual sales by persons not regularly engaged in the business of selling.
Introduced, passed on file 23
Referred 43
Amendment filed 73
Recommended amendment, passage 134
Committee report adopted 154
Amendments adopted 154
Passed; ayes 42, nays none 155
Reported enrolled 461
Signed by President 461
Sent to Governor 461
Signed by Governor 505

10 By Grimstead. Relating to unlawful hunting with bow and arrow on land of another.
Introduced, passed on file 22
Referred 43
Recommended passage 88
Committee report adopted 98
Passed; ayes 46, nays 1 98
Reported enrolled 610
Signed by President 610
Sent to Governor 611
Signed by Governor 679

11 By Turner, Curran, Dykhouse, Elthon, Flatt, Long, Nolan, O'Malley, Schroeder, Scott, Shaff, Shoeman, Van Eaton and Wiley. Relating to authorizing the State Commerce Commission to regulate the rates and services of public utilities, to define public utilities to include those engaged in the furnishing of electricity, gas, water or communications services to the public for compensation, and to provide for appeals from orders and decisions of the State Commerce Commission.
Introduced, passed on file 24
Referred 43
Recommended passage 134

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Committee report adopted 155
Amendments filed 168, 178, 179, 187, 188, 189
Made special order 175
Amendments withdrawn 194, 197, 199, 200
Amendments adopted 194, 195, 196, 197, 198, 200
Passed; ayes 26, nays 20 201
Motion to reconsider vote laid on the table 201
Legislative intent 201
Explanation of vote 201
Concurred 868
Passed; ayes 49, nays 1 868
Reported enrolled 926
Signed by President 926
Sent to Governor 927
Signed by Governor 961

12 By Vincent. Relating to legalizing the proceedings of the Board of Directors of the Charlton Community School District, in the County of Lucas, authorizing the issuance of school building bonds and for the levy of taxes for the payment of said bonds.
Introduced, passed on file 24
Proof of publication certified 43
Referred 43
Amendment filed 90
Recommended passage 133
Committee report adopted 155
Amendment adopted 156
Passed; ayes 42, nays none 156
Reported enrolled 293
Signed by President 293
Sent to Governor 316
Signed by Governor 316

13 By Vance, Frommelt, Shoeman, Scott and O'Malley. Relating to the office of clerk of the supreme court and to combine such office with the office of reporter of said court.
Introduced, passed on file 24
Referred 63

14 By Phelps. Relating to the requirement that central standard time be the official time of the state.
Introduced, passed on file 44
Referred 63

15 By Turner and Beneke. Relating to making a license a right, defining right.
Introduced, passed on file 47
Referred 63
Recommended passage 256
Amendment filed 276
Committee report adopted 284
Amendment adopted 285
Failed; ayes 21, nays 28 285
Motions filed to reconsider vote.. ..... 316, 359
Vote reconsidered 360
Point of order raised 360
Amendment adopted 360
Passed; ayes 30, nays 19 360

16 By Nolan, Long, Frommelt, Schroeder, O'Malley, Vance and Hansen. Relating to subsidiary companies of life insurance companies.
Introduced, passed on file 47
Referred 63
Withdrawn 343

17 By Buck, Brown, Campbell, Elijah, Elvers, Fisher, Fulton, Mincks and O'Malley. Relating to abolishing the death penalty as a punishment for certain crimes and to substitute imprisonment for life or a term of years.
Introduced, passed on file 47
Referred 63

18 By Shoeman, Scott, Vance, Flatt and Walker. Relating to creating an appointive state board of public instruction.
Introduced, passed on file 47
Referred 63
Amendments filed 73, 616, 714
Recommended amendment, passage 656
Committee report adopted 810
Amendments adopted 811
Amendments withdrawn 811
Vote reconsidered 811
Passed; ayes 38, nays 7 811

19 By Cowden, Nolan and Shoeman. Relating to providing for the establishment of water recreational areas and facilities normally associated therewith.
Introduced, passed on file 47
Referred 63
Amendments filed 169, 267, 276
Recommended amendment, passage 256
Committee report adopted 285
Amendments adopted 286, 287, 291, 302
Amendment withdrawn 302
Passed; ayes 33, nays 17 303
Amendments adopted 1229, 1230
Concurred 1230
Passed; ayes 27, nays 20 1230
Motion to reconsider vote laid on the table 1231
Reported enrolled 1287
Signed by President 1288
Sent to Governor 1288
Signed by Governor.

20 By Wilson. Relating to legalizing the special election of the Independent School District of Centerville, in the County of Appanoose, for the issuance of school bonds.
Introduced, passed on file 47
Referred 63
Proof of publication certified 66
Recommended passage 133
Committee report adopted 156
Passed; ayes 42, nays none 156
Reported enrolled 177
Signed by President 177
Sent to Governor 177
Signed by Governor 187

21 By Buck, Mincks, Fulton, Grimstead, Elthon, Dykhouse, Wearin, Benda, Cowden, Walter, Elijah and O'Malley. Relating to foster care services for children, permitting board of social welfare to place

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children up to 16 years of age and those from state training schools in foster care homes. for children, permitting Board
Introduced, passed on file 64
Referred 72
Recommended passage 257
H. F. 57 substituted 303
Withdrawn 315

22 By Hansen. Relating to the installation of a new coat of gold leaf on the dome of the state capitol building and to make an appropriation therefor.
Introduced, passed on file 64
Referred 72
Withdrawn 1248

23 By Elijah, Shaff, Fisher, Burrows, Benda and Dodds. Relating to veterinary medicine and surgery, creating a board of veterinary medical examiners.
Introduced, passed on file 67
Referred 72
Amendment filed 134
Recommended amendment, passage 297
Committee report adopted 325
Amendment adopted 325
Amendment withdrawn 326
Passed; ayes 48, nays 1 326
Concurred 592
Passed; ayes 49, nays none 592
Reported enrolled 610
Signed by President 610
Sent to Governor 611
Signed by Governor 679

24 By Benda. Relating to legalizing the proceedings of the Board of Directors of the HLV Community School District, in the Counties of Iowa and Poweshiek, authorizing and providing for the issuance of school building bonds and for the levy of taxes for the payment of said bonds.
Introduced, passed on file 68
Proof of publication certified 72
Referred 72
Recommended passage 88
Committee report adopted 98
Passed; ayes 47, nays none 98
Reported enrolled 255
Signed by President 225
Sent to Governor 255
Signed by Governor 258

25 By Lucken. Relating to closing of local secondary roads, requiring Board of Supervisors to send written notification to land owners.
Introduced, passed on file 68
Referred 72
Withdrawn 310

26 By Flatt, Doran, Walker, Hansen and Buck. Relating to regulation of Sunday sales.
Introduced, passed on file 68
Referred 72
Amendment filed 188

27 By Griffin, Shoeman, Coleman, Rigler and Vance. Relating to forbidding unlicensed persons to fill prescriptions.
Introduced, passed on file 68
Referred 72
Amendment filed 103
Recommended amendment, passage 297
Committee report adopted 326
H. F. 26 substituted 326
Withdrawn 327

28 By Griffin, Shoeman, Coleman, Rigler and Vance. Relating to increasing pharmacy license fees.
Introduced, passed on file 68
Referred 72
Recommended passage 297
Committee report adopted 327
Passed; ayes 45, nays none 327
Concurred 380
Passed; ayes 45, nays none 380
Reported enrolled 435
Signed by President 435
Sent to Governor 435
Signed by Governor 445

29 By Long and Fisher. Relating to authorizing municipalities, counties, school districts and other local government units or political subdivisions. to invest idle funds.
Introduced, passed on file 68
Referred 72

30 By Elijah. Relating to state income taxes, to provide for the adoption of amendments to the Internal Revenue Code of 1954.
Introduced, passed on file 68
Referred 72
Recommended passage 73
Committee report adopted 76
Passed; ayes 48, nays none 76
Reported enrolled 101
Signed by President 101
Sent to Governor 101
Signed by Governor 117

31 By Flatt. Relating to creating a capital improvements fund to be used for capital improvements needed by state institutions, providing that such fund shall be administered by a board and providing for a service tax upon hotels and motels to provide for capital improvements.
Introduced, passed on file 69
Referred 72

32 By Elvers, Elijah, Walker, Scott, Dodds, Elthon, Grimstead and Coleman. Relating to the distribution of earnings of co-operative associations.
Introduced, passed on file 69
Referred 78
Recommended passage 294
Committee report adopted 337
H. F. 78 substituted 337
Withdrawn 358

33 By Phelps. Relating to the time of abandonment of cemeteries.
Introduced, passed on file 69

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Referred 78
Amendment filed 364

34 By Turner. Relating to the Iowa liquor control act and to provide for retail sale of liquor under license and strict controls.
Introduced, passed on file 69
Referred 78
Amendment filed 90

35 By Frommelt, Vance, Scott, O'Malley and Shoeman. Relating to county, municipal and school examiners' and their assistants' salaries.
Introduced, passed on file 69
Referred 78
Recommended passage 226
Committee report adopted 260
Passed; ayes 39, nays none 260
Reported enrolled 736
Signed by President 737
Sent to Governor 737
Signed by Governor 763

36 By Flatt. Relating to authorizing the executive council to sell certain property belonging to the state of Iowa situated in the City of Des Moines, Iowa.
Introduced, passed on file 69
Referred 78
Recommended passage 317
Committee report adopted 340
Failed; ayes 17, nays 19 495

37 By Elvers and O'Malley. Relating to the annexation of territory to cities and towns across county lines.
Introduced, passed on file 69
Referred 78
Recommended amendment, passage 226
Amendment filed 246
Committee report adopted 261
Amendment withdrawn 270
Amendment adopted 270
Passed; ayes 43, nays none 270
Reported enrolled 505
Signed by President 505
Sent to Governor 505
Signed by Governor 523

38 By Shoeman, O'Malley, Doran, Turner, Lodwick, Kyhl, Benda and Vincent. Relating to notification of expiration of motor vehicle operator's license.
Introduced, passed on file 69
Referred 78
Recommended amendment, passage 333
Committee report adopted 407
Amendment withdrawn 407
Passed; ayes 40, nays 8 407
Concurred 1303
Passed; ayes 47, nays none 1303
Vote reconsidered 1326
Amendment adopted 1327
Concurred 1327
Passed; ayes 49, nays none 1327
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

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39 By Doran. Relating to enforcement of foreign judgments.
Introduced, passed on file 70
Referred 78
Recommended passage 565
Amendment filed 628
Committee report adopted 672
Amendment adopted 672
Passed; ayes 47, nays none 673

40 By Rigler Relating to authorizing school districts to purchase annuity contracts for employees.
Introduced, passed on file 70
Referred 78

41 By Wearin, Nolan, Shaff, Schroeder, Burrows, Rigler, Shivvers and O'Malley. Relating to agricultural marketing, deduction in the form of a special excise tax on the sale of certain livestock sold in Iowa, proceeds to be used for the promotion of livestock and livestock products.
Introduced, passed on file 70
Referred 78

42 By Frommelt, Vance, Scott, O'Malley and Shoeman. Relating to changing the title of county, municipal and school examiner to auditor, and to amend certain sections of the Code to conform to the change.
Introduced, passed on file 70
Referred 78
Recommended passage 150
Committee report adopted 163
Amendment filed 179
Amendment adopted 183
Passed; ayes 44, nays none 183
Reported enrolled 737
Signed by President 737
Sent to Governor 737
Signed by Governor 763

43 By Schroeder, Wearin, Buck, O'Malley, Mincks and Hansen. Relating to prohibiting discriminatory employment practices and policies based upon race, color, religion, or country of ancestral origin; providing for a commission on human rights and providing for the enforcement of the provisions of this act, and to make an appropriation.
Introduced, passed on file 70
Referred 78
Amendments filed 150, 245

44 By Wiley, Long and Frommelt. Relating to fire insurance companies, permitting them to write multiple peril insurance policies.
Introduced, passed on file 74
Referred 78
Withdrawn 739

45 By Hansen, Flatt, Elijah and Cowden. Relating to outdoor advertising along the national system of interstate highway.
Introduced, passed on file 74
Referred 88

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46 By Shaff, Wiley, Buck, O'Malley, Mincks and Coleman. Relating to retirement systems for policemen and firemen, eliminating fixed pensions.
Introduced, passed on file 75
Referred 88
Amendments filed 150, 334

47 By Lisle, Long, Schroeder, Shoeman, Rigler, Wiley, Shaff and Van Eaton. Relating to workmen's compensation so as to liberalize certain benefits, to provide for certain credits and waivers, and the administration thereof.
Introduced, passed on file 75
Referred 88

48 By O'Malley. Relating to insurance protection for volunteer civil defense workers while engaged in civil defense activities.
Introduced, passed on file 75
Referred 88
Recommended passage 835

49 By O'Malley. Relating to speed limits for motor vehicles in cities.
Introduced, passed on file 75
Referred 88
Amendment filed 150
Withdrawn 961

50 By O'Malley. Relating to tax sale of public property.
Introduced, passed on file 75
Referred 88
Recommended passage 134
Committee report adopted 157
Passed; ayes 42, nays none 157
Concurred 796
Passed; ayes 49, nays none 796
Reported enrolled 861
Signed by President 861
Sent to Governor 861
Signed by Governor 885

51 By Benda. Relating to county conservation boards to participate in watershed projects of soil conservation districts and the federal government.
Introduced, passed on file 75
Referred 88
Amendment filed 179
Recommended amendment, passage 204
Committee report adopted 243
H. F. 14 substituted 243
Withdrawn 252

52 By Beneke. Relating to aid to dependent children, withholding information prior to divorce.
Introduced, passed on file 75
Referred 88

53 By Buck, Elthon, Elijah, Curran, Scott, Getting, Stephens, Van Eaton, Lucken, Griffin, Hill, Walter, Wilson, Phelps and Main. Relating to the operation of a motor vehicle while intoxicated, providing for the taking and testing of body substances, to determine whether or not a person is intoxicated while operating a motor vehicle.
Introduced, passed on file 79
Referred 88

54 By Mincks and Vance. Relating to requiring that the cause of death and attending physician's name be typewritten or legibly printed on all death certificates.
Introduced, passed on file 79
Referred 88
Recommended passage 256
Committee report adopted 304
Amendment adopted 304
Passed; ayes 48, nays none 305
Reported enrolled 554
Signed by President 554
Sent to Governor 554
Signed by Governor 600

55 By Mincks and Vance. Relating to repealing the provision requiring the county registrar to transmit copies of all death certificates to the county auditor.
Referred 88
Introduced, passed on file 79
Recommended passage 149
Committee report adopted 164
Amendment filed 188
Amendment adopted 208
Passed; ayes 39, nays none 208

56 By Mincks. Relating to permitting all school districts to hold biennial elections.
Introduced, passed on file 80
Referred 88
Amendment filed 318

57 By O'Malley. Relating to the compensation of members of election boards and counting judges and clerks.
Introduced, passed on file 80
Referred 88
Recommended passage 208
Committee report adopted 241
Passed; ayes 46, nays none 241
Concurred 869
Passed; ayes 48, nays none 869
Reported enrolled 926
Signed by President 926
Sent to Governor 927
Signed by Governor 938

58 By Schroeder, O'Malley, Vance and Fulton. Relating to paroles by courts.
Introduced, passed on file 80
Referred 88
Amendment filed 103
Reported without recommendation 150
Committee report adopted 164
Amendment adopted 165
Passed; ayes 39, nays 4 165
Amendment filed 334
Amendment adopted 405
Concurred 405
Passed; ayes 45, nays 1 406
Recalled from House 469
Amendment filed 490
Vote reconsidered 499
Amendment withdrawn 499

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Amendment adopted 500
Concurred 500
Passed; ayes 42, nays 3 500
Reported enrolled 564
Signed by President 564
Sent to Governor 564
Signed by Governor 600

59 By Turner, Beneke, Doran, Dykhouse, Fisher, Long, Lucken, Rigler, Schroeder, Scott, Stephens, Vance, Van Eaton, Walker, Wiley, Wilson, Getting and Flatt. Relating to abolishing the county school system.
Introduced, passed on file 80
Referred 88
Amendment filed 437

60 By Van Eaton, Long, Doran, Walker, Lucken, Nolan and Lisle. Relating to authorization for cities and towns to acquire industrial buildings; and to issue revenue bonds for the purpose of securing and developing industry, and provide for the payment of certain sums in lieu of taxes to the state, county, city, town, school district and other political subdivisions.
Introduced, passed on file 80
Referred 88
Amendments filed 246, 613, 714
Recommended passage 567
Committee report adopted 673
H. F. 149 substituted 759
Withdrawn 762

61 By Conservation. Relating to installment payments of subdistrict of soil conservation district assessments.
Introduced, placed on calendar .. 80
Passed; ayes 48, nays 1 127
Reported enrolled 209
Signed by President 209
Sent to Governor 209
Signed by Governor 227

62 By Conservation. Relating to the expenditure of tax funds for use in watershed projects.
Introduced, placed on calendar .. 80
Passed; ayes 48, nays 1 127
Reported enrolled 564
Signed by President 564
Sent to Governor 564
Signed by Governor 600

63 By Conservation. Relating to the powers of subdistricts of soil conservation districts.
Introduced, placed on calendar .. 80
Amendment adopted 126
Passed; ayes 48, nays 1 126
Reported enrolled 361
Signed by President 362
Sent to Governor 362
Signed by Governor 435

64 By Conservation. Relating to the powers of subdistricts of soil conservation districts, regarding tax methods to be used.
Introduced, placed on calendar .. 80
Passed; ayes 48, nays 1 128

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Reported enrolled 209
Signed by President 209
Sent to Governor 209
Signed by Governor 227

65 By Wilson and Long. Relating to erection of buildings by soil conservation districts and the renting of space in such buildings.
Introduced, passed on file 81
Referred 89
Amendments filed 297, 364
Recommended amendment, passage 332
Committee report adopted 407
Amendments adopted 408
Passed; ayes 28, nays 15 408

66 By Mincks and Fulton. Relating to eliminating the requirement that a claimant serve a waiting period before becoming eligible for employment security benefits.
Introduced, passed on file 8
Referred 89

67 By Mincks. Relating to the method of determining benefit amount and duration of benefits.
Introduced, passed on file 81
Referred 89

68 By Mincks and Fulton. Relating to disqualification of employment security benefits of individuals who are eligible for old age benefits under Title II of the Social Security Act.
Introduced, passed on file 81
Referred 89

69 By Rigler, Fisher, Hansen, Burrows and Brown. Relating to publication of real property assessments.
Introduced, passed on file 81
Referred 89
Recommended amendment, passage 149
Committee report adopted 185
Amendments filed ...205, 217, 218, 228
Amendments adopted 213, 235, 236
Amendments withdrawn 234, 235
Passed; ayes 38, nays 10 236

70 By Social Security. Relating to the Iowa public employees retirement system, increasing benefits.
Introduced, placed on calendar .. 92
Amendment adopted 174
Passed; ayes 44, nays 2 174
Concurred 402
Passed; ayes 48, nays 1..... 402
Reported enrolled 445
Signed by President 445
Sent to Governor 445
Signed by Governor 473

71 By Doran. Relating to notifying utility companies and property owners when altering, vacating, or closing roads.
Introduced, passed on file 92
Referred 102
Withdrawn 310

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72 By Mincks. Relating to changing the method of arriving at maximum benefits payable on permanent partial disabilities, permanent total disabilities, temporary total disabilities, and healing period.
Introduced, passed on file 94
Referred 102

73 By Hansen and Wilson. Relating to the assessment of shares of mutual funds.
Introduced, passed on file 94
Referred 102
Recommended passage 227
Committee report adopted 263
Amendment adopted 263
Passed; ayes 41, nays none 264
Reported enrolled 554
Signed by President 554
Sent to Governor 554
Legislative intent 580
Signed by Governor 600

74 By Main. Relating to prohibiting the sale of frozen poultry which does not have the date of freezing stamped on the package.
Introduced, passed on file 94
Referred 102

75 By Main. Relating to requiring the pricing, weights and measures be plainly stamped on packages prior to sale.
Introduced, passed on file 95
Referred 102

76 By Highways. Relating to the improvement of primary roads, permitting diagonal highways.
Introduced, placed on calendar .. 95
Passed; ayes 32, nays 15 129
Reported enrolled 350
Signed by President 350
Sent to Governor 351
Signed by Governor 362

77 By Highways. Relating to prohibiting parking on any portion of the national system of interstate and defense highways.
Introduced, placed on calendar .. 95
Passed; ayes 47, nays none 129

78 By Highways. Relating to prohibiting bicycles or animal drawn vehicles from using the interstate system.
Introduced, placed on calendar .. 95
Passed; ayes 46, nays none 130
Reported enrolled 554
Signed by President 554
Sent to Governor 554
Governor requested to return ... 579
Returned to House 619
Concurred 661
Passed; ayes 46, nays none 661
Reported enrolled 710
Signed by President 710
Sent to Governor 711
Signed by Governor 711

79 By Wiley. Relating to improvements of primary roads within cities and towns, removing the percentage limitation of funds which may be used.
Introduced, passed on file 95
Referred 102

80 By Cowden. Relating to legalizing the special election of Guthrie Center for the construction of a court house and the issuance of bonds.
Introduced, passed on file 95
Proof of publication certified ... 101
Referred 102
Recommended passage 216
Committee report adopted 232
Passed; ayes 48, nays none 232
Reported enrolled 461
Signed by President 461
Sent to Governor 461
Signed by Governor 505

81 By Hansen. Relating to audits of cities and towns, requiring state audits, population over 1,000 each year, population over 500 every four years.
Introduced, passed on file 95
Referred 102
Recommended passage 226
Committee report adopted 261
Amendment adopted 281
Failed; ayes 24, nays 23 282

82 By Nolan and Long. Relating to making teachers' qualifications subject to local school board.
Introduced, passed on file 95
Referred 102

83 By Hill, Grimstead, Fulton, Stephens, Main, Wilson, Walter, Buck, Getting, Flatt, Elijah, Phelps, Van Eaton, and Cowden. Relating to the licensing of private, fraternal, service, golf, and country clubs or associations which allow their members to consume alcoholic beverages in excess of four percent alcohol by weight that such members or guests bring upon the premises of such club or association.
Introduced, passed on file 95
Referred 102
Amendment filed 150

84 By Walker, Van Eaton, Wiley, Nolan and Benda. Relating to the appointment of a night deputy sheriff and providing for his duties.
Introduced, passed on file 96
Referred 102
Amendment filed 258

85 By Long, Walker, Mincks, Benda, Fisher and Nolan. Relating to providing uniforms for sheriffs and their deputies.
Introduced, passed on file 96
Referred 102
Recommended amendment, passage 333

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Committee report adopted 410
H. F. 100 substituted 410
Withdrawn 410

86 By Getting, Shoeman, Phelps, Shivvers and Wilson. Relating to scabies control in sheep and eradication with penalty provision.
Introduced, passed on file 96
Amendment filed 117
Referred 132
Recommended amendment, passage 294
Committee report adopted 328
Amendment withdrawn 328
Amendments adopted 330
Passed; ayes 48, nays none 330
Concurred 989
Passed; ayes 49, nays none 989
Reported enrolled 1047
Signed by President 1047
Sent to Governor 1047
Signed by Governor 1071

87 By Getting, Shoeman, Phelps, Shivvers and Wilson. Relating to infectious and contagious diseases among animals, to include ovine foot rot.
Introduced, passed on file 96
Referred 132
Recommended passage 226
Committee report adopted 261
Passed; ayes 40, nays none 261
Reported enrolled 815
Signed by President 815
Sent to Governor 815
Signed by Governor 885

88 By Walker, Elvers, Elthon, Flatt and Coleman. Relating to exemption from the provisions of retail sales tax of certain dairy, poultry and produce containers.
Introduced, passed on file 96
Referred 132
Recommended passage 835
Sifting recommends calendar 938
Committee report adopted 951
Passed; ayes 41, nays none 952

89 By Curran. Relating to correcting description of lands exchanged by Conservation Commission to Ellen M. Peterson.
Introduced, passed on file 105
Referred 132
Recommended passage 216
Committee report adopted 253
H. F. 84 substituted 253
Withdrawn 254

90 By Schroeder, Fulton, Mincks, Wiley, Coleman and Dodds. Relating to reducing hours of duty of members of fire departments.
Introduced, passed on file 105
Referred 132
Withdrawn 707

91 By Wiley. Relating to road use tax funds allotted for interstate highways.
Introduced, passed on file 105
Referred 132
Recommended passage 363

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Amendment filed 415
Committee report adopted 426
Amendments adopted 426, 510
Passed; ayes 27, nays 19 441
Recalled from House 488
Vote reconsidered 509
Amendment withdrawn 510
Passed; ayes 28, nays 11 510

92 By Phelps, O'Malley, Elijah, Dykhouse, Getting, Long, Grimstead and Coleman. Relating to permitting collection of sales tax only on the cash difference in sales of farm equipment where a trade-in is involved.
Introduced, passed on file 105
Referred 132
Amendments filed 267, 351
Withdrawn 1291

93 By Long, Wiley, Frommelt, Dodds and Van Eaton. Relating to the practice of barbering.
Introduced, passed on file 105
Referred 132

94 By Agriculture. Relating to the eradication of bovine brucellosis.
Introduced, placed on calendar .. 105
Amendment filed 134
Amendment withdrawn 137
Amendments adopted 137
Passed; ayes 48, nays none 137
Amendment filed 535
Amendment withdrawn 540
Amendment adopted 542
Concurred 542
Passed; ayes 49, nays none 542
Reported enrolled 654
Signed by President 654
Sent to Governor 655
Signed by Governor 690

95 By Phelps and Cowden. Relating to exempting certain owners, occupants or tenants of property from liability resulting from injury to or death or any person using bodies of water located thereon.
Introduced, passed on file 124
Referred 132

96 Judiciary 2. Relating to preventing subsidizing retail beer permittees by the extension of credit on beer from class "A" permit holders.
Introduced, placed on calendar .. 124
Passed; ayes 34, nays 8 163
Explanation of vote 168
Reported enrolled 361
Signed by President 362
Sent to Governor 362
Signed by Governor 435

97 By Schroeder. Relating to children under 5 years of age requiring special education.
Introduced, passed on file 124
Referred 132
Recommended passage 217
Committee report adopted 242
Passed; ayes 47, nays none 242
Reported enrolled 737

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Signed by President 737
Sent to Governor 737
Signed by Governor 763

98 By Doran, Shoeman and Walker. Relating to school district bond issue elections, defeated proposal not submitted for one year.
Introduced, passed on file 124
Referred 132

99 By Mincks and Van Eaton. Relating to providing for the establishment of wage rates for public works projects.
Introduced, passed on file 124
Referred 132

100 By Main. Relating to making optional the bounty on red or grey fox by counties.
Introduced, passed on file 125
Referred 132

101 By Fisher, Hansen and Curran. Relating to authorizing the Public Safety Department, Highway Safety Patrol Division, to use certain money for buildings.
Introduced, passed on file 125
Referred 132
Recommended passage 317
Committee report adopted 341
Passed; ayes 39, nays 4 341

102 By Highways. Relating to responsibility for damage to highways and highway structures.
Introduced, placed on calendar .. 125
Amendment filed 170
Amendment adopted 175
Failed; ayes 9, nays 34 176

103 By Highways. Relating to fixing the responsibility for maintenance of an extension of either a primary or a secondary highway which both enters and exits from the state park at separate points.
Introduced, placed on calendar .. 125
Amendment adopted 157
Passed; ayes 42, nays none 158
Reported enrolled 382
Signed by President 382
Sent to Governor 382
Signed by Governor 415

104 By Highways. Relating to defining the interstate system in the Code.
Introduced, placed on calendar .. 125
Passed; ayes 42, nays none 158
Reported enrolled 382
Signed by President 382
Sent to Governor 382
Signed by Governor 415

105 By Long. Relating to annual tax for soil conservation districts, provide penalty for delinquent.
Introduced, passed on file 125
Referred 132
Recommended passage 226
Committee report adopted 262
Passed; ayes 40, nays none 262

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Reported enrolled 610
Signed by President 610
Sent to Governor 611
Signed by Governor 679

106 By Cities and Towns. Relating to license fees and taxation of urban transit systems and companies.
Introduced, placed on calendar .. 136
Passed; ayes 42, nays none 164
Reported enrolled 209
Signed by President 209
Sent to Governor 209
Signed by Governor 227

107 By Phelps. Relating to mechanic's liens, prima facie evidence.
Introduced, passed on file 136
Referred 149

108 By Turner. Relating to implied warranties of titles, clarification of the status of persons assisting in the conduct of auctions.
Introduced, passed on file 136
Referred 149

109 By Turner. Relating to hunting and fishing upon cultivated or inclosed lands and waters, increasing fine for each offense to $100.
Introduced, passed on file 136
Referred 149

110 By Schroeder, Turner and Walker. Relating to the regulating, licensing and controlling of dispensing opticians.
Introduced, passed on file 136
Referred 149

111 By Shaff. Relating to notary public commissions issued to attorneys.
Introduced, passed on file 136
Referred 149

112 By Elijah. Relating to making an appropriation to the commission on alcoholism.
Introduced, passed on file 136
Referred 149
Amendment filed 601

113 By Social Security. Relating to county appropriations and reimbursement to the state from fund for aid to the blind.
Introduced, placed on calendar .. 136
Amendment filed 170
Amendment adopted 185
Passed; ayes 43, nays 2 185
Reported enrolled 737
Signed by President 737
Sent to Governor 737
Signed by Governor 763

114 By Judiciary 1. Relating to voluntary retirement of judges and causes for retirement.
Introduced, placed on calendar .. 152
Amendments adopted 185, 192
Amendment filed 188
Passed; ayes 44, nays none 192

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Concurred 433
Passed; ayes, 48, nays none 433
Reported enrolled 445
Signed by President 445
Sent to Governor 445
Signed by Governor 473

115 By Wiley and Schroeder. Relating to regulating the practice of architecture.
Introduced, passed on file 152
Referred 168

116 By Phelps, Elvers, Walker, Mincks and Buck. Relating to bait advertising in the field of corrective eyeglasses, their components, and related services.
Introduced, passed on file 152
Referred 168

117 By Schroeder, Nolan and O'Malley. Relating to the ownership of individual apartment units in an apartment building.
Introduced, passed on file 152
Referred 168
Amendment filed 204
Recommended amendment, passage 257
Committee report adopted 303
Amendments adopted 303, 304
Passed; ayes 48, nays none 304
Concurred 456
Passed; ayes 48, nays none 456
Reported enrolled 473
Signed by President 473
Sent to Governor 473
Signed by Governor 523

118 By Coleman. Relating to pipe lines and underground gas storage, removing right of eminent domain.
Introduced, passed on file 152
Referred 168

119 By Hansen. Relating to the control of muskrats, permitting continuous open season.
Introduced, passed on file 152
Referred 168

120 By Coleman, Wilson, Long, Doran, Brown, Frommelt, O'Malley and Griffin. Relating to the marketing of dairy products and imitations thereof.
Introduced, passed on file 152
Referred 168

121 By Coleman. Relating to abandoned railroad right of way, to be acquired by Highway Commission for exclusive use by commercial vehicles.
Introduced, passed on file 152
Referred 168
Amendment filed 368

122 By Shaff. Relating to the issuance of bonds for school purposes; providing funds to defray the cost of building, furnishing, reconstructing, repairing, improving or remodeling a schoolhouse.
Introduced, passed on file 161

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Referred 168
Recommended passage 363
Committee report adopted 427
Amendment adopted 427
Passed; ayes 48, nays none 427
Concurred 804
Passed; ayes 45, nays none 805
Reported enrolled 861
Signed by President 861
Sent to Governor 861
Signed by Governor 885

123 By O'Malley. Relating to permitting the board of directors in school districts which have terminated a previously existing pension and annuity retirement system to increase by fifty percent the retirement benefits to each surviving beneficiary entitled to receive benefits at date of termination of said system and to provide for the levy of an annual tax to supplement the retirement reserve fund to the extent necessary to pay the increase in retirement benefits.
Introduced, passed on file 161
Referred 168
Amendment filed 386
Recommended passage 476
Committee report adopted 595
Amendment adopted 595
Passed; ayes 49, nays none 595
Reported enrolled 1110
Signed by President 1111
Sent to Governor 1111
Signed by Governor 1140

124 By Lucken. Relating to refund of tax on special fuel consumed in the operation of corn shellers, roller mills and feed grinders mounted on trucks.
Introduced, passed on file 161
Referred 168
Amendment filed 209
Recommended amendment, passage 227
Committee report adopted 262
Amendments adopted 262, 263
Passed; ayes 32, nays 7 263
Reported enrolled 382
Signed by President 382
Sent to Governor 382
Signed by Governor 415

125 By Benda. Relating to appropriating from the general fund of the state for the biennium beginning July 1, 1963, and ending June 30, 1965, to the board of regents for the psychopathic hospital at Iowa City for establishment of new community mental health centers.
Introduced, passed on file 161
Referred 168

126 By Hansen, Shaff, Schroeder, O'Malley and Nolan. Relating to the use of vending machines in the sale of cigarettes and providing for the licensing of such machines.
Introduced, passed on file 162
Referred 168

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Reported without recommendation 318
Committee report adopted 340
Amendment filed 351
Amendment adopted 359
Passed; ayes 36, nays 12 359
Concurred 1249
Passed; ayes 41, nays 2 1249
Motion to reconsider vote laid on the table 1250
Reported enrolled 1276
Signed by President 1276
Sent to Governor 1276
Signed by Governor 1288

127 By Wiley. Relating to exemptions from the imposition of the retail sales tax, on goods purchased by public boards, funds of which come from tax levies.
Introduced, passed on file 162
Referred 168
Amendment filed 476
Recommended amendment, passage 533
Committee report adopted 647
Amendment adopted 647
Passed; ayes 49, nays none 647
Amendment filed 862
Amendment adopted 870
Concurred 870
Passed; ayes 48, nays none 870
Recalled from House 902
Amendment filed 927
Vote reconsidered 930
Amendments adopted 930
Passed; ayes 46, nays none 930
Reported enrolled 1047
Signed by President 1047
Sent to Governor 1047
Governor requested to return 1065
Returned to House 1069
Returned to House 1138
Amendment filed 1192
Vote reconsidered 1226
Amendment adopted 1227
Concurred 1228
Passed; ayes 50, nays none 1228
Reported enrolled 1276
Signed by President 1276
Sent to Governor 1276
Signed by Governor 1288

128 By Mincks. Relating to providing for temporary extended duration benefits during periods of substantial unemployment.
Introduced, passed on file 162
Referred 168

129 By Banks, Building and loan. Relating to investments by savings banks and state banks and trust companies.
Introduced, placed on calendar .. 162
Amendment filed 204
Amendment adopted 236
Passed; ayes 48, nays 1 237
Reported enrolled 293
Signed by President 293
Sent to Governor 316
Signed by Governor 316

130 By Shaff. Relating to the issuance of sewer bonds by cities and towns.
Introduced, passed on file 162
Referred 168

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131 By Mincks, Coleman and Dodds. Relating to disqualification for employment security benefits due to voluntarily leaving work.
Introduced, passed on file 172
Referred 177

132 By Mincks and Coleman. Relating to the definition of an employer under the employment security law and to the termination of coverage thereunder.
Introduced, passed on file 172
Referred 177

133 By Mincks and Frommelt. Relating to eliminating the provision that vacation pay shall be deducted from employment security benefits.
Introduced, passed on file 172
Referred 177

134 By Mincks, Coleman and Dodds. Relating to disqualification for employment security benefits of individuals required by company policy to retire.
Introduced, passed on file 172
Referred 177

135 By Mincks, Wiley and Coleman. Relating to providing notices of determination shall not be given to employers which fail to notify the employment security commission of disqualifiable separations from employment.
Introduced, passed on file 172
Referred 177

136 By Frommelt, Vance, Scott, O'Malley and Shoeman. Relating to the executive council payment for repair, rebuild-contingent fund, authorizing ing, or restoring damaged state property.
Introduced, passed on file 172
Referred 177
Referred to appropriations 1014
Recommended passage 1073
Passed; ayes 48, nays none 1106

137 By Hansen and Van Eaton. Relating to prohibiting the posting of advertising and campaign posters on utility poles, providing penalty.
Introduced, passed on file 173
Referred 177

138 By Dykhouse. Relating to the definition of unauthorized signs and signals.
Introduced, passed on file 173
Referred 177

139 By Beneke. Relating to bail, released on written promise to appear, certain charges.
Introduced, passed on file 173
Referred 177
Recommended passage 256
Committee report adopted 306
Amendments adopted 306
Passed; ayes 47, nays none 307

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140 By Van Eaton. Relating to employment and other privileges for certain prisoners.
Introduced, passed on file 173
Referred 177

141 By Highways. Relating to the elimination of the requirement of a sworn statement on small claims for reimbursement from the primary road fund.
Introduced, placed on calendar .. 181
Passed; ayes 45, nays none 237

142 By Schroeder. Relating to rate of interest allowable on loans to corporations.
Introduced, passed on file 182
Referred 187

143 By O'Malley and Schroeder. Relating to authorizing city and town councils to finance the acquisition of sites, books and equipment from the proceeds of a bond issue.
Introduced, passed on file 182
Referred 187
Recommended passage 463
Committee report adopted 512
Passed; ayes 41, nays none 512
Concurred 794
Passed; ayes 49, nays none 794
Reported enrolled 861
Signed by President 861
Sent to Governor 861
Signed by Governor 885

144 By Wiley, Lisle, Long, Rigler, Nolan, Dykhouse and Shaff. Relating to providing certain credits to individual taxpayers against corporate taxes on income represented by dividends paid to the individual taxpayer.
Introduced, passed on file 182
Referred 187
Recommended passage 385
Committee report adopted 428
Re-referred to tax revision 488

145 By Cities and Towns. Relating to authorizing cities and towns to incur indebtedness for the purchase of sites for certain public utilities and other improvements.
Introduced, placed on calendar .. 182
Passed; ayes 48, nays none 238
Reported enrolled 610
Signed by President 610
Sent to Governor 611
Signed by Governor 679

146 By Cities and Towns. Relating to approval of plats in cities and towns and to expressly authorize improvement bonds for the protection of the public.
Introduced, placed on calendar .. 182
Passed; ayes 45, nays none 271
Concurred 1053
Passed; ayes 43, nays none 1054
Reported enrolled 1070
Signed by President 1071
Sent to Governor 1071
Signed by Governor 1111

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147 By Military Affairs. Relating to the state military forces, creating an advisory council.
Introduced, placed on calendar .. 182
Referred 216
Recommended amendment, passage 384
Committee report adopted 425
Amendment adopted 425
Passed; ayes 46, nays none 426
Reported enrolled 1027
Signed by President 1027
Sent to Governor 1027
Signed by Governor 1071

148 By O'Malley and Dykhouse. Relating to waive of immunity of the state from any action at law or in equity brought to enforce, or to determine a controversy rising out of any contract in which the highway commission is a party and to prescribe the venue, the manner of service of notice and the time limitation for instituting action.
Introduced, passed on file 191
Referred 204
Recommended passage 256
Amendments filed 276, 297, 298
Committee report adopted 305
Amendment withdrawn 305
Amendments adopted 305
Passed; ayes 48, nays none 306
Concurred 608
Passed; ayes 50, nays none 608
Reported enrolled 627
Signed by President 627
Sent to Governor 627
Signed by Governor 690

149 By Curran. Relating to legalizing the proposed sale of certain real estate owned by the county of Cerro Gordo, and to authorize conveyance of legal title.
Introduced, passed on file 191
Proof of publication certified 204
Referred 204
Amendment filed 209
Recommended amendment, passage 257
Committee report adopted 264
Amendment adopted 264
Passed; ayes 39, nays none 264
Concurred 542
Passed; ayes 48, nays none 543
Reported enrolled 564
Signed by President 564
Sent to Governor 564
Signed by Governor 600

150 By Conservation. Relating to the elimination of the necessity of fire extinguishers for boats with motors under 10 horsepower.
Introduced, placed on calendar .. 191
Passed; ayes 48, nays 1 191
Reported enrolled 610
Signed by President 610
Sent to Governor 611
Governor requested to return 660
Returned to House 690
Concurred 730
Passed; ayes 49, nays none 730
Reported enrolled 752
Signed by President 752

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Sent to Governor 752
Signed by Governor 763

151 By Dykhouse. Relating to the altering of state boundary rivers, without the consent of the legislature.
Introduced, passed on file 192
Referred 204
Recommended passage 332
Committee report adopted 411
Amendment adopted 411
Passed; ayes 43, nays none 411

152 By Buck, Frommelt, Doran, O'Malley and Schroeder. Relating to parolees and court probationers, providing penalty for aiding or abetting.
Introduced, passed on file 192
Referred 204
Recommended passage 489
Committee report adopted 521
Passed; ayes 40, nays 1 521
Reported enrolled 1027
Signed by President 1027
Sent to Governor 1027
Signed by Governor 1071

153 By Griffin. Relating to the use of the term "drug" and related terms by licensed wholesalers.
Introduced, passed on file 207
Referred 209
Recommended passage 297
Amendment filed 334
Committee report adopted 338
Amendment adopted 338
Passed; ayes 43, nays none 338
Reported enrolled 554
Signed by President 554
Sent to Governor 554
Signed by Governor 600

154 By Doran. Relating to allowing road authorities to take immediate possession of the land under the power of eminent domain.
Introduced, passed on file 207
Referred 216
Recommended passage 363
Committee report adopted 426
Passed; ayes 47, nays none 427

155 By Lodwick. Relating to the exemption of farm land from zoning ordinance.
Introduced, passed on file 207
Referred 216
Recommended passage 294
Committee report adopted 338
Passed; ayes 37, nays 10 400

156 By Lisle. Relating to permitting the erection of junior college buildings and provide for equipment and to permit indebtedness and issuance of bonds.
Introduced, passed on file 207
Referred 216
Recommended amendment, passage 384
Committee report adopted 431
Amendments adopted 431
Passed; ayes 46, nays none 431
Concurred 608
Passed; ayes 50, nays none 609

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Reported enrolled 627
Signed by President 627
Sent to Governor 627
Signed by Governor 679

157 By Walker and Getting. Relating to the duties of the sheriff in the execution of the death penalty.
Introduced, passed on file 207
Referred 216

158 By Flatt, Shoeman, Turner, Campbell, Van Eaton, Fisher and Curran. Relating to the time the State Comptroller shall close out biennial appropriations.
Introduced, passed on file 207
Referred 216
Recommended passage 333
Committee report adopted 410
Passed; ayes 27, nays 22 411

159 By Flatt, Shoeman, Turner, Campbell, Van Eaton, Fisher and Curran. Relating to the executive council furnishing supplies to various state departments.
Introduced, passed on file 208
Referred 216
Recommended passage 385
Committee report adopted 428
Passed, ayes 41, nays none 495
Reported enrolled 884
Signed by President 885
Sent to Governor 885
Signed by Governor 1014

160 By Wiley. Relating to facsimile signatures of mayors.
Introduced, passed on file 212
Referred 216

161 By Schroeder. Relating to regulating industrial loan companies, to provide for the licensing of such businesses, to specify the powers of industrial loan companies, to prescribe penalties for violations and to provide for administration and enforcement.
Introduced, passed on file 212
Referred 216

162 By Wiley. Relating to authorizing cities to establish zoos.
Introduced, passed on file 212
Referred 216

163 By Beneke. Relating to fish and game law violations pertaining to juveniles.
Introduced, passed on file 212
Referred 216

164 By Agriculture. Relating to creating a state agricultural products utilization research committee and to make an appropriation.
Introduced, referred 212
Referred to appropriations 216

165 By Judiciary 2. Relating to revising and codifying the law relating to probate, including

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descent and distribution, wills, administration and distribution of estates of decedents, trusts, administration of estates of persons under conservatorship, custody of persons under guardianship and to establish a probate code.
Introduced, placed on calendar .. 220
Made special order 279
Amendments filed 318, 365
Amendments adopted 377
Amendment withdrawn 377
Passed; ayes 38, nays 11 378
Motion to reconsider vote laid on the table 379
Concurred 1064
Passed; ayes 47, nays none 1064
Reported enrolled 1276
Signed by President 1276
Sent to Governor 1276
Signed by Governor 1288

166 By Turner, Schroeder, Fulton and Coleman. Relating to making contributory negligence an affirmative defense in civil actions.
Introduced, passed on file 220
Referred 227

167 By Elijah, Walker, Rigler, Getting, Campbell, Beneke, Kyhl, Wilson, Fisher, Vance, Doran, Cowden, Curran, Hansen, Phelps, O'Malley, Shoeman, Long, Main, Vincent, Flatt and Elthon. Relating to authorizing examinations of the financial condition and transactions of county and memorial hospitals by certified or registered public accountants in lieu of examinations by the Auditor of State.
Introduced, passed on file 220
Referred 227
Recommended amendment, passage 385
Committee report adopted 429
Amendment adopted 429
Passed; ayes 48, nays none 429
Concurred 454
Passed; ayes 48, nays none 455
Reported enrolled 473
Signed by President 473
Sent to Governor 473
Signed by Governor 523

168 By Shaff. Relating to sales and use taxes and expendable chemicals, solvents and reagents used in processing personal property.
Introduced, passed on file 221
Referred 227
Recommended passage 927
Withdrawn. 969

169 By Walker, Coleman, Flatt, Mincks, Dodds and Van Eaton. Relating to the equipment of rail track motor cars used or furnished by common carriers by railroad for transporting employees, installing windshields and wipers.
Introduced, passed on file 221
Referred 227

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170 By Shaff. Relating to nonprofit corporations and the formation, merger, consolidation, dissolution, liquidation, admission to do business in this state and withdrawal therefrom, authority, powers and rights thereof, and requirements therefor, and the regulation and conduct of affairs thereof.
Introduced, passed on file. 221
Referred 227
Recommended passage 753
Committee report adopted 797
Passed; ayes 46, nays none 797

171 By Cities and Towns. Relating to inspection of multiple dwelling, establishing fees.
Introduced, placed on calendar. .. 221
Passed; ayes 46, nays 1 282
Returned to House 1024
Concurred 1285
Passed; ayes 47, nays none 1285
Reported enrolled 1343
Signed by President 1344
Sent to Governor 1344
Signed by Governor.

172 By Cities and Towns. Relating to providing that the state-required retirement and pension systems for policemen and firemen, shall be optional for any city which adopts, or has adopted, civil service after January 1, 1960.
Introduced, placed on calendar .. 221
Referred 283

173 By Cities and Towns. Relating to removing the millage limitations upon the several functional funds and permitting each city to decide amount used. Keeping 30-mill over-all levy.
Introduced, placed on calendar .. 221
Passed; ayes 38, nays 9 283

174 By Cities and Towns. Relating to defining the residence requirement for policemen and firemen under municipal civil service.
Introduced, placed on calendar .. 221
Passed; ayes 46, nays none 271
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

175 By Mincks. Relating to increasing salaries of the board of trustees of public utility plants in cities.
Introduced, passed on file 222
Referred 227
Recommended passage 296
Committee report adopted 339
Passed; ayes 43, nays none 339

176 By Fulton. Relating to legalizing the proposed sale of certain real estate owned by the city of Cedar Falls, county of Black Hawk, and to authorize conveyance of legal title.
Introduced, passed on file 222

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Proof of publication certified ... 225
Referred ... 227
Recommended passage ... 257
Committee report adopted ... 265
Passed; ayes 38, nays none ... 265
Reported enrolled ... 554
Signed by President ... 554
Sent to Governor ... 554
Signed by Governor ... 580

177 By Board of Control. Relating to giving the superintendents of the hospitals for the mentally ill authority to designate a qualified person to examine prisoners believed to be mentally ill.
Introduced, placed on calendar .. 222
Passed; ayes 37, nays 7 ... 272

178 By Shaff. Relating to liens for inheritance taxes and prescribing the duration thereof.
Introduced, passed on file ... 222
Referred ... 227
Recommended passage ... 256
Committee report adopted ... 307
Passed; ayes 49, nays none ... 307
Reported enrolled ... 610
Signed by President ... 610
Sent to Governor ... 611
Signed by Governor ... 690

179 By Van Eaton. Relating to abolishing individual liquor permits.
Introduced, passed on file ... 222
Referred ... 227
Recommended passage ... 462
Amendment filed ... 554
Committee report adopted ... 575
Amendments adopted ... 626
Passed; ayes 35, nays 13 ... 626
Concurred ...1225
Passed; ayes 40, nays 5 ...1225
Reported enrolled ...1246
Signed by President ...1247
Sent to Governor ...1247
Signed by Governor ...1260

180 By Printing. Relating to special or emergency contracts by the state printing board—increasing to $1,000 limitation on such contracts.
Introduced, placed on calendar .. 222
Passed: ayes 48, nays none ... 284
Reported enrolled ...1110
Signed by President ...1111
Sent to Governor ...1111
Signed by Governor ...1150

181 By Cowden and Phelps. Relating to permitting use of county mental health funds in care, treatment, and habilitation of mentally retarded persons.
Introduced, passed on file ... 231
Referred ... 245
Recommended passage ... 385
Committee report adopted ... 430
Passed: ayes 48, nays none ... 430
Reported enrolled ... 815
Signed by President ... 815
Sent to Governor ... 815
Signed by Governor ... 885

182 By Schroeder. Relating to granting authority to the industrial commissioner to compromise and settle workmen's compensation cases on behalf of the state.
Introduced, passed on file ... 231
Referred ... 245
Recommended passed ... 462
Amendment filed ... 535
Committee report adopted ... 576
Amendment adopted ... 576
Passed; ayes 45, nays none ... 576
Reported enrolled ... 815
Signed by President ... 815
Sent to Governor ... 815
Signed by Governor ... 885

183 By Schroeder. Relating to increasing the number of deputies from three to four that the industrial commissioner may hire.
Introduced, passed on file ... 231
Referred ... 245
Recommended passage ... 461
Amendment filed ... 535
Committee report adopted ... 576
Amendment adopted ... 576
Passed; ayes 49, nays none ... 592
Reported enrolled ...1343
Signed by President ...1344
Sent to Governor ...1344
Signed by Governor.

184 By Schroeder. Relating to granting the industrial commissioner authority to require a shorthand reporter to report proceedings of any hearing before the commissioner or one of his deputies, or board of arbitration.
Introduced, passed on file ... 231
Referred ... 245
Recommended passage ... 462
Committee report adopted ... 577
Passed; ayes 45, nays none ... 577
Reported enrolled ...1110
Signed by President ...1111
Sent to Governor ...1111
Signed by Governor ...1150

185 By Hill and Griffin. Relating to the regulation of trading stamps, giving the purchaser a choice between acceptance of the stamps or receipt of actual cash value as a cash discount.
Introduced, passed on file ... 231
Referred ... 245

186 By Frommelt, Buck, Elijah and Dodds. Relating to providing for the payment of accrued vacation pay to employees of the state whose employment is terminated.
Introduced, passed on file ... 231
Referred ... 245

187 By Coleman. Relating to deducting credit union payments from wages of state, county, city and town government employees.
Introduced, passed on file ... 232
Referred ... 245

188 By Beneke. Relating to abolishing the special courses fund of school districts.
Introduced, passed on file ... 248
Amendment filed ... 277

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Referred 293
Recommended amendment, passage 476
Committee report adopted 519
Amendment adopted 519
Passed; ayes 50, nays none 529

189 By O'Malley, Nolan and Frommelt. Relating to cosmetology shop licenses.
Introduced, passed on file 248
Referred 293

190 By Conservation. Relating to registration period for motorboats to be used in Iowa waters.
Introduced, placed on calendar .. 248
Amendment filed 298
Amendments adopted 308, 323
Passed; ayes 49, nays none 323
Concurred 455
Passed; ayes 47, nays none 456
Reported enrolled 473
Signed by President 473
Sent to Governor 473
Signed by Governor 523

191 By Stephens, Scott, Van Eaton and Walter. Relating to defeated elections on bond issue proposals not submitted for one year.
Introduced, passed on file 248
Referred 293
Recommended amendment passage 565
Committee report adopted 673
Amendments adopted 673, 674
Passed; ayes 47, nays none 674
Reported enrolled 1110
Signed by President 1111
Sent to Governor 1111
Signed by Governor 1140

192 By Dodds and Coleman. Relating to compensation of appointive members of the marketing board.
Introduced, passed on file 248
Referred 293

193 By Dodds. Relating to compensation of the elected members of the fair board.
Introduced, passed on file 248
Referred 293
Reported without recommendation 904

194 By Shoeman, Elthon, Turner, Long, Hansen, Walker, Walter and Lucken. Relating to the creation of a single examining and licensing board for physicians and surgeons, osteopaths, and osteopathic physicians and surgeons and matters relating thereto.
Introduced, passed on file 249
Referred 293
Amendments filed 415, 974, 1016
Sifting recommends calendar 965
Withdrawn 1005

195 By Judiciary 2. Relating to the rate of interest which domestic or foreign corporations may contract in writing to pay and interest on judgments and decrees.
Introduced, placed on calendar .. 260
Amendment adopted 324
Passed; ayes 36, nays 12 324
Motion to reconsider vote laid on table 324
Reported enrolled 361
Signed by President 362
Sent to Governor 362
Signed by Governor 435

196 By Buck, Long, Fulton, Beneke, Frommelt, Vance, Doran, Elijah, Mincks, Wiley and Van Eaton. Relating to the salaries and duties of county attorneys.
Introduced, passed on file 260
Referred 293

197 By Curran and Dykhouse. Relating to the tax on moneys and credits except that tax necessary to retire Korean Veterans' bonus bonds.
Introduced, passed on file 269
Referred 293

198 By Hill. Relating to changing the name county conservation board to county recreation board.
Introduced, passed on file 269
Referred 293

199 By Wiley and O'Malley. Relating to providing for the reservation of right-of-way for future streets in cities and towns and providing for relief in cases of undue hardships caused by right-of-way reservation.
Introduced, passed on file 269
Referred 293

200 By Wiley. Relating to matching funds for interstate highways.
Introduced, passed on file 269
Withdrawn 279

201 By Brown. Relating to repealing annual reports on trusts established for prearranged funeral plans.
Introduced, passed on file 269
Referred 293

202 By Schools and Educational Institutions. Relating to revocation or suspension of teaching certificates by board of educational examiners.
Introduced, placed on calendar .. 270
Passed; ayes 41, nays none 337

203 By Doran. Relating to the maintenance of certain roads by the conservation commission.
Introduced, passed on file 279
Referred 293

204 By Banks, Building and Loan. Relating to loans by savings and state banks secured by direct obligations of the United States.
Introduced, placed on calendar .. 279
H. F. 219 substituted 379
Withdrawn 380

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205 By O'Malley. Relating to long-term leases for libraries, library sites, books, and equipment and to authorize contributions to the support thereof by other public bodies.
Introduced, passed on file 280
Referred 293
Withdrawn 916

206 By O'Malley. Relating to the use of parking meter revenue.
Introduced, passed on file 280
Referred 293

207 By Mincks. Relating to authorizing the issuance of a patent to certain real estate to board of park commissioners of the City of Ottumwa, Iowa, by the Governor and Secretary of State.
Introduced, passed on file 280
Referred 293
Recommended passage 317
Committeed report adopted 340
Passed; ayes 45, nays none 340
Reported enrolled 554
Signed by President 554
Sent to Governor 554
Signed by Governor, ... 580

208 By Mincks. Relating to authorizing the issuance of a patent to certain real estate to Edith F. Hoskinson and Hessel Laverne Hoskinson, by the Governor and Secretary of State.
Introduced, passed on file 280
Referred 293
Recommended passage 317
Passed; ayes 44, nays none 342
Reported enrolled 554
Signed by President 554
Sent to Governor 554
Signed by Governor 580

209 By Board of Control. Relating to the selection of the chairman of the board of control.
Introduced passed on file 280
Amendment filed 386
Amendment adopted 402
Passed; ayes 50, nays none 403

210 By Board of Control. Relating to placement of patients, who have no county of legal settlement and who have been confined in a state mental institute, on convalescent leave or in custodial or nursing homes, and to provide for the payment of support of such patients.
Introduced, placed on calendar .. 280
Amendment adopted 400
Passed; ayes 50, nays none 401
Reported enrolled 1027
Signed by President 1027
Sent to Governor 1027
Signed by Governor 1071

211 By Board of Control. Relating to consolidating industry revolving funds for the state reformatory and the state penitentiary.

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Introduced, placed on calendar .. 280
Amendment adopted 403
Passed; ayes 50, nays none 403
Reported enrolled 1027
Signed by President 1027
Sent to Governor 1027
Signed by Governor 1071

212 By Lisle and Long. Relating to granting relief to long-term mentally ill persons or persons liable for their support, appropriation to establish state mentally ill assistance fund.
Introduced, passed on file 280
Referred 293
Recommended passage 600
Referred to appropriations 601

213 By Lisle, Schroeder, Long, Wiley, Van Eaton, Curran, Kyhl and Fulton. Relating to the exemption from taxation of shares of stock of manufacturing companies having a manufacturing plant in Iowa.
Introduced, passed on file 281
Referred 293

214 By Cowden and Phelps. Relating to revising and reorganizing the statutes providing for the treatment, training, instruction, care, habilitation, and support of mentally retarded persons in state hospital-schools.
Introduced, passed on file 281
Referred 293

215 By Highways. Relating to bids on farm-to-market and primary road construction projects.
Introduced, placed on calendar .. 281
Passed; ayes 48, nays none 404

216 By Highways. Relating to clarifying obligations of the public corporations with regard to retained percentage.
Introduced, placed on calendar .. 281
Passed; ayes 49, nays none 404

217 By Cities and Towns. Relating to motor vehicle testing stations in cities and towns.
Introduced, placed on calendar .. 300
Amendment adopted 440
Failed; ayes 18, nays 24. 440
Motion filed to reconsider vote ... 445
Vote reconsidered 457
Passed; ayes 41, nays 7 457

218 By Schroeder. Relating to the movement of mobile homes over the highways of this state.
Introduced, passed on file 300
Referred 331

219 By Printing. Relating to deposits to be made by bidders for public printing contracts.
Introduced, placed on calendar .. 301
Passed; ayes 46, nays none 406
Reported enrolled 815
Signed by President 815
Sent to Governor 815
Signed by Governor 885

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220 By Nolan, Turner, Wiley, Schroeder, Frommelt, Campbell, O'Malley, Shaff, Van Eaton, Cowden, Wearin and Buck. Relating to providing for the construction and reconstruction of state and interstate highways, to provide for the payment of the cost thereof from road use tax funds, and to authorize the borrowing of money and the issuance of bonds in anticipation of the collection of such funds.
Introduced, passed on file 301
Referred 331
Recommended passage 692
Amendments filed 782, 836, 862
Committee report adopted 850
Amendments adopted 897, 899
Amendments withdrawn 897, 898
Passed; ayes 31, nays 18 899
Motion to reconsider vote laid on the table 899

221 By Wiley. Relating to the registration of mobile homes, house trailers and travel trailers.
Introduced, passed on file 301
Referred 331

222 By Judiciary 1. Relating to services of process on foreign corporations.
Introduced, placed on calendar .. 301
Amendment adopted 409
Passed; ayes 48, nays none 409
Concurred 757
Passed; ayes 44, nays none 757
Reported enrolled 780
Signed by President 780
Sent to Governor 780
Signed by Governor 861

223 By Buck, Elijah, Mincks, Wilson, Walter, Getting, Elvers, Scott and Grimstead. Relating to revising and codifying the statutes regarding adoption of children.
Introduced, passed on file 301
Referred 331

224 By Schroeder, Wiley, O'Malley, Fisher, Dodds, Flatt and Van Eaton. Relating to public safety peace officers' retirement, accident and disability system.
Introduced, passed on file 301
Referred 331
Amendment filed 465

225 By O'Malley. Relating to the grand jury, two members drawn township population 60,000.
Introduced, passed on file 301
Referred 331
Withdrawn 959

226 By Nolan. Relating to the State of Iowa conveying to the United States the perpetual right to permanently overflow, flood and submerge all portions of easements for highway purposes of certain highways in Marion, Polk and Warren Counties, in connection with the Red Rock reservoir project.
Introduced, passed on file 301
Referred 331
Amendment filed 364
Recommended passage 462
Committee report adopted 593
Amendment adopted 593
Passed; ayes 49, nays none 594
Reported enrolled 1070
Signed by President 1071
Sent to Governor 1071
Signed by Governor 1127

227 By Lisle. Relating to life, health and accident insurance by employees of the state, county, city, town or institution supported by public funds.
Introduced, passed on file 302
Referred 331
Recommended passage 862
Sifting recommends calendar ... 938
Committee report adopted 954
Amendments adopted 964
Passed; ayes 48, nays none 964
Concurred 1302
Passed; ayes 47, nays none 1302
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

228 By Wiley. Relating to establishing a street research fund and regulating use of such fund.
Introduced, passed on file 302
Referred 332
Recommended passage 474
Amendment filed 555
Committee report adopted 596
Amendments adopted 597
Passed; ayes 44, nays none 597

229 By Lisle. Relating to empowering the mayor in all cities and towns where the council is composed of only four members to vote on any and all matters where the vote of the council is evenly divided.
Introduced, passed on file 302
Referred 332
Withdrawn 1119

230 By Elijah. Relating to legalizing the proceedings of the town council of the town of Mechanicsville, in connection with the making of a contract for street improvements.
Introduced, passed on file 320
Referred 332
Proof of publication certified ... 362
Recommended passage 627
Committee report adopted 640
Passed; ayes 35, nays 13 640
Reported enrolled 737
Signed by President 737
Sent to Governor 737
Signed by Governor 737

231 By Shaff. Relating to corporations for profit during emergency.
Introduced, passed on file 320

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Referred 332
Referred to judiciary 1 353
Recommended passage 565
Committee report adopted 674
H. F. 354 substituted 683
Withdrawn 683

232 By Fulton and Beneke. Relating to malicious injury of building and fixtures.
Introduced, passed on file 320
Referred 332

233 By Walker. Relating to selection of newspapers for official publications.
Introduced, passed on file 320
Referred 332

234 By Mincks. Relating to increasing to ten years the liability from occupational diseases.
Introduced, passed on file 321
Referred 332

235 By Mincks. Relating to permitting the public employees of the state to join a union.
Introduced, passed on file 321
Referred 332

236 By Long. Relating to legalizing the purchase, platting and sale of certain real estate owned by the West Delaware County Community School District.
Introduced, passed on file 321
Referred 332
Proof of publication certified ... 444
Recommended passage 462
Committee report adopted 510
Passed; ayes 41, nays none 511
Reported enrolled 737
Signed by President 737
Sent to Governor 737
Signed by Governor 763

237 By Agriculture. Relating to the distribution, sale, transportation and use of pesticides and devices and to provide for registratioin and examination of such materials and regulation of their use.
Introduced, placed on calendar .. 321
Amendments filed 415, 477, 536
Amendments withdrawn 543, 544
Amendments adopted 544
Passed; ayes 45, nays 3..... 544
Concurred 1224
Passed; ayes 50, nays none 1225
Reported enrolled 1287
Signed by President 1288
Sent to Governor 1288
Signed by Governor.

238 By Conservation. Relating to management of state-owned areas by municipalities.
Introduced, placed on calendar .. 321
Passed; ayes 47, nays none 412
Reported enrolled 1027
Signed by President 1027
Sent to Governor 1027
Signed by Governor 1071

239 By Wiley. Relating to the platting of rural subdivisions.
Introduced, passed on file 321
Referred 332
Recommended passage 534
Committee report adopted 648
Passed; ayes 50, nays none 648

240 By Wiley. Relating to speed restrictions of motor vehicles pulling one or two wheel trailers.
Introduced, passed on file 321
Referred 332
Sifting recommends calendar ...1073
Passed; ayes 45, nays 2 1117
Concurred 1330
Passed; ayes 49, nays none 1330
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

241 By Banks, Building and Loan. Relating to salaries of the deputy superintendent of banking and bank examiners and enabling the state banking board to compensate said employees on a basis comparable to the compensation provided to those in positions of similar responsibility by federal bank supervisory departments.
Introduced, placed on calendar .. 321
Amendments filed 416, 418
Amendments adopted 423
Passed; ayes 46, nays none 424
Reported enrolled 610
Signed by President 610
Sent to Governor 611
Signed by Governor 679

242 By Van Eaton. Relating to permitting any municipal corporation in Iowa to contract for sewage disposal with any similar area in an adjoining state.
Introduced, passed on file 321
Referred 332
Recommended passage 333
Committee report adopted 344
Amendment adopted 344
Passed; ayes 43, nays none 345
Reported enrolled 461
Signed by President 461
Sent to Governor 461
Signed by Governor 473

243 By Shaff. Relating to mobile home parks and mobile homes and travel trailers and to provide fees and taxes thereon.
Introduced, passed on file 322
Referred 332
Amendments filed 535, 613

244 By Lisle. Relating to legalizing the establishment and operation of the public junior college department of the Clarinda Community School District in the county of Page.
Introduced, passed on file 322
Referred 332
Proof of publication certified 383

245 By Shaff, Shoeman and Van Eaton. Relating to the regulation of the practice and teaching of cosmetology.

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Introduced, passed on file 322
Referred 332

246 By Governmental Affairs. Relating to requiring the submission of the social security number and/or tax number by those persons or corporations registered or licensed by the state.
Introduced, placed on calendar .. 322
Passed; ayes 48, nays 1 413
Reported enrolled 815
Signed by President 815
Sent to Governor 815
Signed by Governor 861

247 By Hansen, Van Eaton and Brown. Relating to the use of certain state parks; requiring a motor vehicle to have a sticker affixed to the windshield before being permitted in state parks over 50 acres in area.
Introduced, passed on file 336
Referred 362

248 By Hill. Relating to the formula by which income of corporations is to be apportioned between the State of Iowa and other states for purposes of the Iowa income tax on corporations.
Introduced, passed on file 336
Referred 362

249 By Flatt, Fulton, Walker and Van Eaton. Relating to permitting cities and towns to donate real estate to the state for public use.
Introduced, passed on file 336
Referred 362
Recommended passage 474
Committee report adopted 518
Passed; ayes 41, nays none 518
Reported enrolled 1027
Signed by President 1027
Sent to Governor 1027
Signed by Governor 1071

250 By Lisle, Shaff, Doran, Brown, Walker, Main, Dodds, and Wilson. Relating to the allocation of general school aid funds to junior college districts.
Introduced, passed on file 337
Referred 362
Recommended passage 611
Committee report adopted 759
Passed; ayes 44, nays none 759
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

251 By Rigler and Wearin. Relating to providing for the eslishment of a minimum foundation program to equalize educational opportunities.
Introduced, passed on file 337
Referred 362

252 By Iowa Development. Relating to authorizing the Iowa Development Commission to from a nonprofit corporation and to accept grants from the federal government and gifts from other sources.
Introduced, placed on calendar .. 354
Amendments filed 463, 506, 537
Amendment withdrawn 527
Amendments adopted 545
Passed; ayes 38, nays 7 546
Concurred 724
Passed; ayes 48, nays 2 724
Reported enrolled 752
Signed by President 752
Sent to Governor 752
Signed by Governor 780

253 By Elijah and Wearin. Relating to school buses, increasing safety measures.
Introduced, passed on file 354
Referred 362

254 By Turner and Vincent. Relating to electric transmission lines to clarify the authority of the commerce commission to determine whether such lines serve the public use before authorization of franchise or eminent domain.
Introduced, passed on file 354
Referred 362
Recommended passage 475
Committee report adopted 597
Amendments adopted 598, 635, 636
Amendments filed 613, 629
Passed; ayes 49, nays none 636
Reported enrolled 1027
Signed by President 1027
Sent to Governor 1027
Signed by Governor 1071

255 By Dodds, Coleman, Curran, and Phelps. Relating to the agricultural land tax credit, owner resident of state.
Introduced, passed on file 354
Referred 362

256 By Dodds. Relating to municipal public utility plants, trustees salary increase.
Introduced, passed on file 354
Referred 362

257 By O'Malley. Relating to the practice of accountancy, registration requirement.
Introduced, passed on file 371
Referred 382
Recommended passage 660
Committee report adopted 849
Passed; ayes 46, nays none 849
Reported enrolled 1027
Signed by President 1027
Sent to Governor 1027
Signed by Governor 1071

258 By Frommelt. Relating to homestead tax credit, increasing the millage.
Introduced, passed on file 371
Referred 382
Referred to appropriations 1014

259 By Shaff, Fisher, Schroeder, Nolan and Rigler. Relating to prohibiting the employment of a fiscal agent or financial consultant in connection with the selling of public bonds.

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Introduced, passed on file 371
Referred 382

260 By Nolan and Turner. Relating to the rules of civil procedure.
Introduced, passed on file 372
Referred 382
Recommended passage 566
Committee report adopted 674
Passed; ayes 46, nays 1 675

261 By Fulton. Relating to increasing the rates of state corporation income tax.
Introduced, passed on file 372
Referred 383

262 By Fulton. Relating to eliminating the deduction of federal income taxes in computing taxable income for the state corporation income tax.
Introduced, passed on file 372
Referred 383

263 By O'Malley. Relating to increasing the dollars that can be levied per census child for school purposes.
Introduced, passed on file 372
Referred 383

264 By Campbell, Long, Elthon and Frommelt. Relating to the registration of motorboats to include passenger capacity.
Introduced, passed on file 372
Referred 383
Recommended passage 655
Committee report adopted 723
Passed; ayes, 50, nays none 723

265 By Banks, Building and Loan. Relating to the appointment of alternate members of credit committees of credit unions.
Introduced, placed on calendar .. 372
Passed; ayes 49, nays none 458
Concurred 701
Passed; ayes 41, nays none 701
Reported enrolled 737
Signed by President 737
Sent to Governor 737
Signed by Governor 780

266 By Banks, Building and Loan. Relating to the authority of the board of directors of a credit union to appoint a membership committee or a membership officer.
Introduced, placed on calendar .. 372
Amendment adopted 458
Passed; ayes 49, nays none 458
Reported enrolled 737
Signed by President 737
Sent to Governor 737
Signed by Governor 780

267 By O'Malley. Relating to persons or agencies engaging in the traffic of professional strike breakers.
Introduced, passed on file 372
Referred 383

268 By Board of Control. Relating to allowing counties to provide care for patients or inmates from mental health institutes, hospital-schools, training schools, and homes for children from the state institution fund.
Introduced, placed on calendar .. 372
Amendments filed 464, 524, 536
Amendments adopted 496, 546, 547
Passed; ayes, 49, nays none 547
Reported enrolled 1027
Signed by President 1027
Sent to Governor 1027
Signed by Governor 1071

269 By Nolan. Relating to the examination and cross-examination of witnesses.
Introduced, passed on file 373
Referred 383
Recommended passage 566
Committee report adopted 675
Passed; ayes 44, nays none 675

270 By Shoeman, Flatt and Scott. Relating to reverting to the general fund of the state the unexpended balances of the Fifty-Eighth General Assembly board of regents institutions appropriations.
Introduced, passed on file 373
Referred 383
Recommended passage 533
Committee report adopted 570
Passed; ayes 45, nays none 570
Reported enrolled 815
Signed by President 815
Sent to Governor 815
Signed by Governor 861

271 By Shoeman, Flatt and Scott. Relating to the reversion of appropriations for capital improvements to the general fund of the state.
Introduced, passed on file 373
Referred 383
Recommended passage 533
Committee report adopted 570
Passed; ayes 45, nays none 570
Reported enrolled 815
Signed by President 815
Sent to Governor 815
Signed by Governor 861

272 By Fulton. Relating to state teachers' pensions including superintendent of public instruction or county superintendent of public schools.
Introduced, passed on file 373
Referred 383

273 By Shaff. Relating to legalizing the proceedings providing for the organization, reorganization, enlargement, or change in the boundaries of school corporations.
Introduced, passed on file 373
Referred 383
Recommended amendment, passage 532
Committee report adopted 634
Amendment adopted 635
Passed; ayes 49, nays none 635

274 By Highways. Relating to the purchase of secondary road equipment.

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Introduced, placed on calendar .. 373
Passed; ayes 47, nays none 460

275 By Transportation and Highway Safety. Relating to the overall length of combinations of vehicles, semi-trailers.
Introduced, placed on calendar .. 373
Amendments filed 416, 449, 465
Amendments withdrawn 460
Amendments adopted 470
Failed; ayes 21, nays 25 471
Motion to reconsider vote laid on the table 471
Point of order raised 471
Call of the Senate requested 472
Motion filed to reconsider vote .. 473
Call of the Senate 485
Vote reconsidered 486
Amendment withdrawn 486
Amendment adopted 486
Motion to reconsider vote withdrawn 486
Passed; ayes 32, nays 18 486
Reported enrolled 678
Signed by President 678
Sent to Governor 678
Signed by Governor 690

276 By Flatt and Lisle. Relating to the office of the State Comptroller and his signature.
Introduced, passed on file 373
Referred 383
Recommended passage 534
Amendment filed 628
Committee report adopted 665
Amendment adopted 665
Passed; ayes 46, nays none 665
Reported enrolled 1027
Signed by President 1027
Sent to Governor 1027
Signed by Governor 1071

277 By Printing. Relating to changing the responsibility of indexing legislature bills and journals.
Introduced, placed on calendar .. 374
Passed; ayes 44, nays none 497
Reported enrolled 815
Signed by President 815
Sent to Governor 815
Signed by Governor 885

278 By Wiley. Relating to mileage and fees of municipal court bailiffs and deputy bailiffs.
Introduced, passed on file 374
Referred 383

279 By Curran, Wiley, Burrows and Walter. Relating to increasing the motor fuel tax one cent per gallon.
Introduced, passed on file 374
Referred 383

280 By Printing. Relating to publication and hearing of financial matters by school districts.
Introduced, placed on calendar .. 374
Amendment filed 657
Amendment adopted 661
Passed; ayes 45, nays none 662

281 By Frommelt. Relating to the sale of certain instruments by credit unions for payment of money.
Introduced, passed on file 374
Referred 383
Sifting recommends calendar 938
Passed; ayes 44, nays none 959
Reported enrolled 1110
Signed by President 1111
Sent to Governor 1111
Signed by Governor 1140

282 By O'Malley. Relating to maximum millage rates for taxes caused to be levied by cities and towns.
Introduced, passed on file 374
Referred 383
Amendment filed 417
Recommended indefinite postponement 475
Re-referred to cities and towns .. 487
Recommended passage 903
Sifting recommends calendar 1025
Amendment filed 1047
Committee report adopted 1055
Amendments adopted 1055
Passed; ayes 42, nays 1 1055
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

283 By O'Malley. Relating to bids on public improvements made by cities and towns.
Introduced, passed on file 374
Referred 383

284 By Turner and Nolan. Relating to providing law clerks for judges of the supreme court.
Introduced, passed on file 374
Referred 383

285 By O'Malley. Relating to raising the annual salary of the county attorney and his assistants in counties having a population of 150,000 and over.
Introduced, passed on file 374
Referred 383
Recommended amendment, passage 612
Amendments filed 679, 714
Committee report adopted 703
Amendment withdrawn 703
Amendments adopted 731
Passed; ayes 47, nays 1 732

286 By Buck. Relating to the taking of certain tax deeds by the state board of social welfare.
Introduced, passed on file 374
Referred 383

287 By Griffin. Relating to pharmacies and licenses to operate pharmacies.
Introduced, passed on file 375
Referred 383

288 By Board of Control. Relating to admission to mental health institutes.
Introduced, placed on calendar .. 375
Amendments filed 490, 524
Amendments adopted 497, 528
Passed; ayes 50, nays none 528

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289 By Elthon, Stephens, Van Eaton, Beneke, Hansen, Burrows, Getting, Elvers, Elijah, Curran, Phelps, Walter and Wilson. Relating to repealing certain taxes on personal property and moneys and credits and to enact substitutes therefor in taxes on individual incomes, business taxes on corporations, sales taxes and excise taxes on the sales of property for use in Iowa.
Introduced, passed on file 375
Referred 383

290 By Hansen. Relating to providing for the depositing of sales tax receipts by retailers if the total amount collected in preceding month exceeds $300.00.
Introduced, passed on file. 375
Referred 383

291 By Shaff and Long. Relating to requiring county recorders to compile a list of deeds for inheritance tax purposes.
Introduced, passed on file 375
Referred 383
Sifting recommends calendar 1073
Passed; ayes 49, nays none 1117
Concurred 1250
Passed; ayes 48, nays none 1250
Reported enrolled 1276
Signed by President 1276
Sent to Governor 1276
Signed by Governor 1313

292 By Benda. Relating to notation and release of liens on motor vehicles by county treasurers.
Introduced, passed on file 375
Referred 383
Recommended passage 711
Committee report adopted 854
H. F. 487 substituted 854
Withdrawn 854

293 By Wiley. Relating to the leasing of municipal property including air space over any street or alley.
Introduced, referred 375
Recommended passage 384
Committee report adopted 430
Amendment adopted 430
Passed; ayes 46, nays none 430
Reported enrolled 473
Signed by President 473
Sent to Governor 473
Signed by Governor 505

294 By Hill. Relating to providing for withholding of state income taxes on income earned in Iowa; to provide for payment of estimated income tax by self-employed individuals having self-employment income derived from sources within the state.
Introduced, passed on file 375
Referred 383

295 By Hill. Relating to adjusting income tax rates, exemptions and manner of payment, so as to provide funds for the biennium beginning July 1, 1963, and ending June 30, 1965.
Introduced, passed on file 376
Referred 383

296 By Nolan and Wiley. Relating to empowering the state highway commission to make emergency repairs to any highway under its jurisdiction, estimated to cost not more than $5,000.00 without submitting the work for bids.
Introduced, passed on file 376
Referred 383

297 By Wiley. Relating to registration of voters in cities having permanent registration increasing time for correction of lists.
Introduced, passed on file 376
Referred 383

298 By Stephens, Elthon and Vincent. Relating to minimum course standards in public high schools.
Introduced, passed on file 389
Referred 414

299 By Mincks. Relating to increasing homestead tax credit for eligible people who are retired.
Introduced, passed on file 389
Referred 414

300 By Mincks. Relating to the creation of an Iowa state labor relations board.
Introduced, passed on file 389
Referred 414

301 By Dykhouse. Relating to the exemption from taxation of personal property used in private homes.
Introduced, passed on file 389
Referred 414

302 By Rigler, Getting and Kyhl. Relating to providing state aid to persons or corporations first discovering crude oil in this state and making an appropriation therefor.
Introduced, passed on file 390
Referred 414
Recommended passage 564
Referred to appropriations 567
Recommended passage 712
Amendment filed 782
Committee report adopted 792
Amendment adopted 793
Passed; ayes 36, nays 12 793
Motion to reconsider vote laid on the table 794

303 By Fulton and Turner. Relating to the establishment of the office of public defender by boards of supervisors.
Introduced, passed on file 390
Referred 414

304 By Main, Flatt and Coleman. Relating to the taxable value of farm buildings when making repairs.

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Introduced, passed on file 390
Referred 414

305 By Walker, O'Malley, Van Eaton and Mincks. Relating to health and safety appliances for railway and express employees.
Introduced, passed on file 390
Referred 414

306 By Tax Revision. Relating to retail sales tax and use tax on leases or rentals of equipment.
Introduced, placed on calendar .. 390
Passed; ayes 45, nays none 501
Refused to concur 1123
Conference committee appointed.1210

307 By Highways. Relating to increasing registration fees for antique motor vehicles.
Introduced, placed on calendar .. 390
Amendment filed 477
Passed; ayes 36, nays 9 502
Reported enrolled 1180
Signed by President 1180
Sent to Governor 1180
Signed by Governor 1236

308 By Tax Revision. Relating to retail sales taxes on vending machines and amusement devices.
Introduced, placed on calendar .. 390
Passed; ayes 45, nays none 503
Reported enrolled 1027
Signed by President 1027
Sent to Governor 1027
Signed by Governor 1071

309 By Tax Revision. Relating to retail sales tax definition of "gross receipts".
Introduced, placed on calendar .. 390
Passed; ayes 49, nays 1 529
Reported enrolled 1027
Signed by President 1027
Sent to Governor 1027
Signed by Governor 1071

310 By Tax Revision. Relating to the retail sales tax imposed on amusement devices.
Introduced, placed on calendar .. 390
Passed; ayes 45, nays none 575

311 By Flatt, Main, Coleman and Shaff. Relating to deer hunting, permitting land owners or tenants to hunt on their land 2 days prior to regular season.
Introduced, passed on file 390
Referred 414

312 By Fulton. Relating to the regulation and licensure by cities and towns of door-to-door solicitation for purpose of tree trimming, insect or pest extermination, and sale or repair of furnaces.
Introduced, passed on file 391
Referred 414

313 By Fulton. Relating to extending the present sales tax to include receipts from the renting of hotel and motel rooms.
Introduced, passed on file 391
Referred 414

314 By Fulton, Grimstead and Mincks. Relating to establishing a merit system of personnel administration for the civil service of the state and to repeal acts and parts of acts in conflict therewith.
Introduced, passed on file 391
Referred 414

315 By Frommelt, Shaff, O'Malley and Shoeman. Relating to the declaration of interest refunds by the board of directors of credit unions.
Introduced, passed on file 391
Referred 414
Sifting recommends calendar 1025
Passed; ayes 43, nays none 1054
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

316 By Turner. Relating to waterworks employees group insurance in cities 50,000 population.
Introduced, passed on file 391
Referred 414
Recommended passage 475
Committee report adopted 516
Amendment adopted 516
Passed; ayes 35, nays 3 516

317 By Dodds. Relating to the filing date of individual and corporate income tax returns to coincide with the federal filing date.
Introduced, passed on file 391
Referred 414
Recommended passage 612
Committee report adopted 807
Failed; ayes 17, nays 27 808

318 By Fulton, Shaff and Dodds. Relating to authorizing the Governor to prepare plans for the reorganization of the executive branch of the government of the State of Iowa which shall become law unless disapproved by both houses of the General Assembly within sixty days of being submitted thereto by the Governor, and to make an appropriation therefor.
Introduced, passed on file 391
Referred 414

319 By Long, O'Malley and Vance. Relating to the bonds of distributors of motor fuel, special fuel dealers and special fuel users.
Introduced, passed on file 391
Referred 414
Recommended passage 753
Committee report adopted 796
Passed; ayes 44, nays none 797
Reported enrolled 1027
Signed by President 1027
Sent to Governor 1027
Signed by Governor 1071

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320 By Dykhouse, O'Malley, Fisher and Brown. Relating to providing for the advance purchase of primary road right-of-way and authorizing payment for such purchase by the issuance of anticipatory primary road warrants.
Introduced, passed on file 392
Referred 415

321 By Buck, O'Malley, Elijah, Shaff, Frommelt and Fulton. Relating to revising and codifying the statutes relating to juvenile court structure and dependent, neglected, and delinquent children.
Introduced, passed on file 392
Referred 415
Recommended passage 713
Committee report adopted 855
Referred to judiciary 1 913
Amendment filed 927

322 By Beneke. Relating to insuring of property owned by recipient of old age assistance.
Introduced, passed on file 392
Referred 415
Amendment filed 464
Recommended passage 554
Committee report adopted 669
Amendment adopted 669
Passed; ayes 47, nays none 669

323 By Schroeder. Relating to school districts leasing buildings from nonprofit corporations.
Introduced, passed on file 392
Referred 415

324 By Schroeder. Relating to fines collected for violation of municipal parking ordinances.
Introduced, passed on file 392
Referred 415

325 By Cities and Towns. Relating to street finances and reports in cities and towns.
Introduced, placed on calendar .. 392
Amendments filed 614
H. F. 187 substituted 639
Withdrawn 639

326 By Shaff. Relating to agreements between cities and towns on annexing territory.
Introduced, passed on file 392
Referred 415
Withdrawn 921

327 By Walker, Coleman, Getting and Kyhl. Relating to truck operators and contract carriers, limiting load.
Introduced, passed on file 392
Referred 415

328 By Doran, Rigler, Schroeder and Shoeman. Relating to the registration of interstate motor carriers with the state commerce commission.
Introduced, passed on file 392
Referred 415

329 By Turner. Relating to urban renewal projects, authorization by 60 percent vote of the people.
Introduced, passed on file 393
Referred 415
Amendment filed 581

330 By Main. Relating to authorizing the superintendent of public buildings and grounds and the Executive Council to accept federal monies as reimbursements for expenses incurred in the maintenance of public buildings.
Introduced, passed on file 393
Referred 415
Recommended passage 524
Committee report adopted 645
Passed; ayes 45, nays none 662

331 By Hansen. Relating to providing for the reconstruction and hard surfacing of state park roads around Black Hawk Lake in Sac County and to make an appropriation therefor.
Introduced, passed on file 393
Referred 415

332 By O'Malley and Coleman. Relating to authorizing county boards of supervisors to enter into contractual agreements with cities, towns, privvate corporations or private individuals, for the use of dumps, disposal grounds, and sanitary land fills for the use of residents residing outside of cities and towns.
Introduced, passed on file 393
Referred 415
Sifting recommends calendar 1004
Passed; ayes 50, nays none 1020
Reported enrolled 1110
Signed by President 1111
Sent to Governor 1111
Signed by Governor 1140

333 By O'Malley. Relating to increasing the compensation of certain county officers.
Introduced, passed on file 393
Referred 415
Amendment filed 741

334 By Shaff. Relating to providing for the creation of a local improvement guaranty fund, by cities and towns.
Introduced, passed on file 393
Referred 415

335 By Lucken, Walker and Griffin. Relating to watchmakers' licenses.
Introduced, passed on file 393
Referred 415
Recommended passage 763

336 By Shaff. Relating to street improvements and sewers to eliminate the right of the owner of property assessed therefor to prepay such assessment or any installment thereof unless such assessment is paid within thirty days after the date of levy of such assessment.

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Introduced, passed on file 394
Referred 415
Recommended passage 612
Amendment filed 717
Committee report adopted 807
Amendment adopted 807
Tabled 844

337 By Flatt and Mincks. Relating to providing additional death benefits under workmen's compensation for employees without dependents.
Introduced, passed on file 394
Referred 415

338 By Schroeder, Long, Shoeman, Scott, Campbell and Lisle. Relating to unemployment compensation benefits, the eligibility therefor, causes for disqualification, changes in the contribution rates for certain employers, increases in weekly benefit amounts, and the administration thereof.
Introduced, passed on file 394
Referred 415
Amendment filed 629

339 By Buck. Relating to the disposal of certain buildings and property by cities, towns, and counties.
Introduced, passed on file 394
Referred 415

340 By Vance and Beneke. Relating to the confidential character of research studies for the purpose of reducing morbidity or mortality.
Introduced, passed on file 394
Referred 415
Recommended passage 714
Amendment filed 740
Committee report adopted 878
Amendments adopted 900
Passed; ayes 43, nays 2 900
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

341 By Schroeder and Turner. Relating to liability of driver to guest passengers.
Introduced, passed on file 394
Referred 415
Recommended passage 566
Committee report adopted 676
Failed; ayes 7, nays 37 746

342 By Beneke, Brown, Flatt and Hill. Relating to extending to December 31, 1963 the date for filing application for Korean veterans' bonus.
Introduced, passed on file 349
Referred 416
Recommended amendment, passage 656
Committee report adopted 846
Amendment adopted 846
Passed; ayes 47, nays none 846
Refused to concur 1019
Reported enrolled 1070
Signed by President 1071
Sent to Governor 1071
Signed by Governor 1111

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343 By Nolan and Wearin. Relating to the licensing and qualifications of physical therapists.
Introduced, passed on file 394
Referred 415

344 By Doran. Relating to the merger of school districts.
Introduced, passed on file 395
Referred 415
Recommended passage 691
Amendment filed 764
Committee report adopted 850
H. F. 392 substituted 850
Withdrawn 850

345 By Fulton. Relating to intra-city routes of an urban transit system.
Introduced, passed on file 395
Referred 415
Recommended passage 533
Committee report adopted 665
Passed; ayes 47, nays none 665

346 By Doran and Coleman. Relating to defining liquor.
Introduced, passed on file 395
Referred 435

347 By Kyhl and Wearin. Relating to establishing a historical markers commission.
Introduced, passed on file 395
Referred 435
Amendments filed 754, 1027
Sifting recommends calendar ...1025
Amendments adopted 1045
Passed; ayes 49, nays none 1045

348 By Lucken, Getting and Elvers. Relating to authorizing the Secretary of Agriculture of the State of Iowa to provide regulations setting forth minimum general safety standards for design, construction, location, installation and operation of storage facilities, the handling of transportation and utilization of anhydrous ammonia as an agricultural fertilizer.
Introduced, passed on file 395
Referred 435
Recommended passage 656
Amendment filed 764
Committee report adopted 847
Re-referred to agriculture 931

349 By Getting, Dodds, Elijah and Elvers. Relating to the amendment of the articles or bylaws of cooperative associations.
Introduced, passed on file 395
Referred 436
Recommended amendment, passage 532
Committee report adopted 666
Amendment adopted 666
Passed; ayes 46, nays none 666
Concurred 1226
Passed; ayes 50, nays none 1226
Reported enrolled 1276
Signed by President 1276
Sent to Governor 1276
Signed by Governor 1313

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350 By Frommelt, Brown and Coleman. Relating to providing for the health, safety, welfare, and transportation of school children to and from school other than a public school.
Introduced, passed on file 395
Referred 436

351 By Wiley. Relating to the acquisition of emergency vehicles and equipment by cities and towns.
Introduced, passed on file 395
Referred 436
Recommended passage 475
Committee report adopted 520
Passed; ayes 41, nays none 520
Reported enrolled 654
Signed by President 654
Sent to Governor 655
Signed by Governor 679

352 By Walker and Stephens. Relating to agricultural land tax credit.
Introduced, passed on file 396
Referred 436
Referred to appropriations 1014
Amendment filed 1016

353 By O'Malley. Relating to powers of a local board of health and providing criminal penalties.
Introduced, passed on file 396
Referred 436
Recommended passage 815

354 By Wiley. Relating to classification of highways, and responsibility therefor.
Introduced, passed on file 396
Referred 436
Recommended passage 886
Sifting recommends calendar ...1073
Amendment filed 1087
Committee report adopted 1121
Amendments adopted 1122
Passed; ayes 36, nays 9 1122

355 By Shaff. Relating to the office of city clerk and to make such office a civil service position.
Introduced, passed on file 396
Referred 436

356 By Curran. Relating to legalizing the proposed sale of certain real estate owned by the county of Cerro Gordo, and to authorize conveyance of legal title.
Introduced, passed on file 396
Referred 436
Proof of publication certified ... 444
Recommended passage 565
Committee report adopted 578
Passed; ayes 45, nays none 579
Concurred 1006
Passed; ayes 48, nays none 1006
Reported enrolled 1047
Signed by President 1047
Sent to Governor 1047
Signed by Governor 1071

357 By Mincks. Relating to the power of boards of supervisors to adopt building codes.

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Introduced, passed on file 396
Referred 436
Withdrawn 877

358 By Lodwick and Schroeder. Relating to the adoption of an interstate compact to authorize cooperation in providing library services.
Introduced, passed on file 396
Referred 436

359 By Nolan, Shaff, Elijah, Phelps, Scott and Getting. Relating to the personnel administration of state employees by the executive council.
Introduced, passed on file 396
Referred 436

360 By Buck and Frommelt. Relating to the licensing and bonding of persons, corporations, partnerships, copartnerships and agencies engaged in the collection of claims owed.
Introduced, passed on file 396
Referred 436
Amendment filed 581

361 By Campbell. Relating to cities and towns establishing county zoning commission.
Introduced, passed on file 396
Referred 436

362 By Beneke. Relating to reorganization of school districts.
Introduced, passed on file 397
Referred 436

363 By Flatt, Walker and O'Malley. Relating to size, weight, and load vehicle permits.
Introduced, passed on file 397
Referred 436

364 By Turner. Relating to denying aid to dependent children, mother gives birth to second illegitimate child.
Introduced, passed on file 397
Referred 436

365 By Wearin. Relating to the powers and duties of school boards.
Introduced, passed on file 397
Referred 436
Recommended passage 691
Committee report adopted 851
Passed; ayes 37, nays 6 851
Reported enrolled 1212
Signed by President 1212
Sent to Governor 1212
Signed by Governor 1247

366 By Walker. Relating to legalizing the proceedings for the organization and establishment of the Northeast Hamilton Community School District in the counties of Hamilton and Wright.
Introduced, passed on file 397
Referred 436
Proof of publication certified ... 739
Recommended passage 740

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Committee report adopted 798
Passed; ayes 46, nays none 798
Reported enrolled 1070
Signed by President 1071
Sent to Governor 1071
Signed by Governor 1111

367 By Shaff. Relating to providing for recovery of damages against parents of minors for malicious or willful injury to property by minors.
Introduced, passed on file 397
Referred 436

368 By Main, Walker, Coleman and Kyhl. Relating to repurchase of equipment and parts by wholesalers from dealers when the dealer and wholesalers discontinue contract relations affecting farm implement and automotive businesses.
Introduced, passed on file 397
Referred 436

369 By Walker, Getting, Stephens and Elvers. Relating to providing an indemnity for the owner of hogs contracting hog cholera.
Introduced, passed on file 397
Referred 436

370 By Fulton and Schroeder. Relating to the exemption of certain nonprofit organizations providing special educational facilities, from the motor vehicle registration fees and the state motor fuel tax.
Introduced, passed on file 398
Referred 436

371 By Walker, Stephens, Coleman, Getting, Lucken, Scott, Beneke, Main, Doran, Turner, Shoeman, Dykhouse, Burrows, Elthon, Walters, Vance, Wilson, Griffin, Vincent, Nolan and Flatt. Relating to making the superintendent of public instruction elective and establish qualifications.
Introduced, passed on file 398
Referred 436
Recommended passage 534
Committee report adopted 667
Amendment adopted 667
Amendment filed 680
Point of order raised 725
Passed; ayes 26, nays 24 726
Motion to reconsider vote laid on the table 727

372 By Frommelt, Dodds, Coleman and Mincks. Relating to providing for the union shop.
Introduced, passed on file 398
Referred 436

373 By Turner. Relating to desertion and abandonment of children.
Introduced, passed on file 398
Referred 436
Amendment filed 490

374 By Main. Relating to valuation of stocks of merchandise of retail merchants for taxation.
Introduced, passed on file 398
Referred 436

375 By Flatt and Elijah. Relating to highway signs of camp and camp areas.
Introduced, passed on file 398
Referred 436
Withdrawn 1131

376 By Shaff. Relating to municipal elections.
Introduced, passed on file 398
Referred 436

377 By Beneke, Doran, Fulton, Long, Nolan, O'Malley, Schroeder, Shaff, Turner and Vance. Relating to creation and establishment of a state tort claims act; permitting each state agency to settle certain claims conferring jurisdiction in the district court to hear, determine and render judgment; provide for the practice and procedure to establish liability of the state.
Introduced, passed on file 398
Referred 436
Recommended passage 566
Committee report adopted 684
Amendment adopted 730
Passed; ayes 42, nays 6 747

378 By Buck. Relating to joint county-city or town buildings.
Introduced, passed on file 399
Referred 436
Recommended passage 533
Committee report adopted 667
H. F. 393 substitued 728

379 By Turner and Schroeder. Relating to measure of damage recovered by husband or father by negligent injury or death.
Introduced, passed on file 399
Referred 436

380 By Frommelt. Relating to setting the dates general aid to schools is to be paid.
Introduced, passed on file 399
Referred 436
Recommended passage 533
Committee report adopted 667
Passed; ayes 47, nays none 667
Reported enrolled 961
Signed by President 961
Sent to Governor 961
Signed by Governor 1014

381 By Highways. Relating to clarify the definition of an implement of husbandry.
Introduced, placed on calendar .. 419
Passed; ayes 41, nays none 511

382 By Highways. Relating to the purchase or condemnation of right of way by commission or board having jurisdiction.
Introduced, placed on calendar .. 420
Amendment adopted 548
Passed; ayes 41, nays none 548

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383 By Highways. Relating to fire protection for highway commission property.
Introduced, placed on calendar .. 420
Amendments adopted 549
Passed; ayes 47, nays none 549

384 By Highways. Relating to entry upon private property for surveys.
Introduced, placed on calendar .. 420
Amendments filed 537
Amendments adopted 578
Passed; ayes 44, nays none 578

385 By Agriculture. Relating to regulating the distribution of commercial feeds and customer-formula feeds in Iowa.
Introduced, placed on calendar .. 453
Amendment filed 581
Amendment adopted 594
Passed; ayes 49, nays none 594
Reported enrolled 1087
Signed by President 1087
Sent to Governor 1087
Signed by Governor 1127

386 By Cities and Towns. Relating to shop and special inspections of boilers, establishing fees.
Introduced, placed on calendar .. 468
Amendment filed 506
Amendments adopted 513
Passed; ayes 39, nays none 513
Concurred 795
Passed; ayes 49, nays none 795
Reported enrolled 861
Signed by President 861
Sent to Governor 861
Signed by Governor 885

387 By Appropriations. Relating to authorizing the Iowa Development Commission to use money appropriated and extending the appropriation limit to June 30, 1965.
Introduced, placed on calendar .. 468
Passed; ayes 46, nays none 497
Reported enrolled 861
Signed by President 861
Sent to Governor 861
Signed by Governor 885

388 By Governmental Affairs. Relating to license plates, permitting use of renewal sticker.
Introduced, placed on calendar .. 468
Amendments filed ..601, 657, 679, 715
Amendments adopted ...732, 733, 735
Amendment withdrawn 732
Passed; ayes 34, nays 12 735

389 By Judiciary 2. Relating to legalizing the proceedings for the attachment of certain land in Hamilton County to the South Hamilton Community School District, in the Counties of Hamilton and Boone and declaring the boundaries of said school district to be legally established.
Introduced, placed on calendar .. 468
Proof of publication certified .. 655
Passed; ayes 46, nays none 664
Reported enrolled 1070
Signed by President 1071
Sent to Governor 1071
Signed by Governor 1111

390 By Cities and Towns. Relating to resolutions of necessity and award of contracts for public improvements in cities and towns.
Introduced, placed on calendar .. 484
H. F. 236 substituted 644
Withdrawn 644

391 By Cities and Towns. Relating to providing for the issuance of registration certificates and license plates to urban transit companies or systems for use on urban transit busses.
Introduced, placed on calendar .. 484
Passed; ayes 46, nays none 645
Concurred 701
Passed; ayes 42, nays none 702
Reported enrolled 737
Signed by President 737
Sent to Governor 737
Signed by Governor 780

392 By Iowa Development. Relating to exempting personal property in transit from taxation.
Introduced, placed on calendar .. 493
Amendments filed 716, 766
Amendment adopted 842
Amendment withdrawn 842
Passed; ayes 42, nays 2 842
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

393 By Insurance. Relating to valuation and nonforfeiture benefits of life insurance policies—standards set by state insurance commissioner.
Introduced, placed on calendar .. 493
Passed; ayes 50, nays none 634
Reported enrolled 861
Signed by President 861
Sent to Governor 861
Signed by Governor 885

394 By Appropriations. Relating to an appropriation from the general fund of the state to the Department of Public Instruction $10,000.00 for use as a revolving fund for the Veterans Administration, and $5,000.00 for the school lunch program and $15,000.00 for mentally retarded children and students who fail to complete their high school education and to make a study of mental retardation in Iowa.
Introduced, placed on calendar .. 539
Passed; ayes 45, nays none 571
Reported enrolled 884
Signed by President 885
Sent to Governor 885
Signed by Governor 1014

395 By Appropriations. Relating to an appropriation from the general fund of the state for the biennium to the State Fair Board for the purpose of state aid to agricultural societies.

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Introduced, placed on calendar .. 539
Passed; ayes 45, nays none 572
Reported enrolled 861
Signed by President 861
Sent to Governor 861
Signed by Governor 885

396 By Appropriations. Relating to an appropriation from the general fund of the state for the biennium to the State Printing Board for printing and binding.
Introduced, placed on calendar .. 540
Passed; ayes 45, nays none 572
Reported enrolled 861
Signed by President 861
Sent to Governor 861
Signed by Governor 885

397 By Appropriations. Relating to the Iowa Tax Commission's audit revolving fund.
Introduced, placed on calendar .. 540
Passed; ayes 45, nays none 573
Reported enrolled 861
Signed by President 861
Sent to Governor 861
Signed by Governor 885

398 By Appropriations. Relating to an appropriation from the Iowa public employees retirement system fund ($521,000.00) to the Employment Security Commission for the costs of the administration of chapter ninety-seven B (97B), Code 1962.
Introduced, placed on calendar .. 540
Passed; ayes 45, nays none 573
Concurred 843
Passed; ayes 47, nays none 844
Reported enrolled 884
Signed by President 885
Sent to Governor 885
Signed by Governor 1014

399 By Appropriations. Relating to an appropriation to defray expenses of the inaugural ceremonies.
Introduced, placed on calendar .. 540
Amendment filed 555
Amendment adopted 574
Passed; ayes 45, nays none 574
Concurred 1050
Passed; ayes 42, nays none 1050
Reported enrolled 1070
Signed by President 1071
Sent to Governor 1071
Signed by Governor 1111

400 By Cities and Towns. Relating to requiring mailing of notices to all property owners whose property is subject to special assessments.
Introduced, placed on calendar .. 540
Amendment filed 628
Amendment adopted 672
Passed; ayes 47, nays none 672
Concurred 1104
Passed; ayes 46, nays none 1104
Reported enrolled 1139
Signed by President 1139
Sent to Governor 1139
Signed by Governor 1180

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401 By Agriculture. Relating to agricultural seeds, regulating, testing and labeling.
Introduced, placed on calendar 558
Amendment filed 581
H. F. 317 substituted 684
Withdrawn 684

402 By Judiciary 1. Relating to judicial nominating commissions, terms of office, judicial elections, mandatory retirement, temporary service by retired judges and residence of supreme court judges.
Introduced, placed on calendar 558
Made special order 579
Amendments filed 604, 613, 614, 616
Amendment adopted 620, 621, 622
Amendment withdrawn 622
Point of order raised 623
Amendment adopted 624
Passed; ayes 46, nays none 624
Amendment filed 863
Amendment adopted 872
Concurred 872
Passed; ayes 47, nays none 872
Reported enrolled 961
Signed by President 961
Sent to Governor 961
Signed by Governor 1014

403 By Judiciary 1. Relating to the definition of unauthorized signs and signals.
Introduced, placed on calendar .. 558
Passed; ayes 44, nays none 685
Concurred 1307
Passed; ayes 47, nays none 1307
Reported enrolled 1343
Signed by President 1344
Sent to Governor 1344
Signed by Governor.

404 By Manufacturing, Commerce and Trade. Relating to the marketing and dairy products.
Introduced, placed on calendar .. 569
Amendments filed 613, 693, 764
Made special order 756
Call of the Senate requested .. 762
Motion to return to committee .. 762
Point of order raised 762
Call of the Senate 772
Amendment withdrawn 772
Amendments adopted 775, 777
Motion withdrawn 777
Passed; ayes 28, nays 22 777
Motion filed to reconsider vote .. 814
Call of the Senate 893
Motion to reconsider vote laid on the table 894

405 By Iowa Development. Relating to economic development corporations.
Introduced, placed on calendar .. 569
H. F. 452 substituted 807
Withdrawn 845

406 By Judiciary 2. Relating to legalizing and validating the proceedings of the Board of Supervisors of Chickasaw County providing for the vacation of certain secondary highways within said county.
Introduced, placed on calendar .. 584
Amendment filed 836
Proof of publication certified ... 861

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Amendment adopted 866
Passed; ayes 48, nays none 866
Reported enrolled 1139
Signed by President 1139
Sent to Governor 1139
Signed by Governor 1150

407 By Transportation and Highway Safety. Relating to special plates for motor vehicles to manufacturers, transporters and dealers.
Introduced, placed on calendar .. 584
Amendment filed 681
Amendment adopted 687
Passed; ayes 48, nays none 687
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

408 By Board of Control. Relating to the funds and support of mentally ill patients in the State Mental Health Institutes.
Introduced, placed on calendar .. 606
Amendments filed 741, 837
Amendment withdrawn 845
Amendment adopted 873
Passed; ayes 42, nays 3 874
Reported enrolled 1127
Signed by President 1127
Sent to Governor 1127
Signed by Governor 1180

409 By Military Affairs. Relating to consolidating the functions of the boards paying bonuses for federal military service.
Introduced, placed on calendar .. 606
Passed; ayes 50, nays none 722
Concurred 1019
Passed; ayes 50, nays none 1019
Reported enrolled 1047
Signed by President.....1047
Sent to Governor 1047
Signed by Governor 1071

410 By Schools and Educational Institutions. Relating to a tax levy for the purpose of securing schoolhouse sites in any school districts.
Introduced, placed on calendar .. 607
Passed; ayes 45, nays none 808

411 By Appropriations. Relating to appropriating $1,680,000 to the State Department of Social Welfare to be used for medical assistance to the aged.
Introduced, placed on calendar .. 618
Amendment filed 681, 741, 783
Amendment adopted 790
Amendments withdrawn 791
Passed; ayes 48, nays none 791
Explanation of vote 792
Concurred 1142
Passed; ayes 50, nays none 1142
Reported enrolled 1180
Signed by President 1180
Sent to Governor 1180
Signed by Governor 1236

412 By Appropriations. Relating to appropriations to members and representatives of the Committee on Interstate Co-operation, namely: W. L. Mooty, Jack Schroeder, Harold O. Fischer, D. C. Nolan, Robert R. Rigler, David O. Shaff, Ray C. Cunningham, Elmer H. Den Herder, Raymond Eveland, Robert W. Naden, Charles F. Eppers, Maurice B. Crabbe, C. Edwin Gilmour, John Gray (deceased), and Paul W. Knowles.
Introduced, placed on calendar .. 618
Amendments adopted 670
Passed; ayes 44, nays none 670
Reported enrolled 861
Signed by President 861
Sent to Governor 861
Signed by Governor 885

413 By Tax Revision. Relating to the State Tax Commission and its powers and duties.
Introduced, placed on calendar.. 618
Amendments filed 716, 741, 764, 765, 815, 938, 1016, 1017, 1087
Committee of the whole 1079
Committee of the whole 1093
Withdrawn 1103

414 By Conservation. Relating to authorizing the State Conservation Commission to cooperate with the United States government and to accept federal funds for planning, acquisition and development of outdoor recreational areas.
Introduced, placed on calendar .. 633
H. F. 424 substituted 932
Withdrawn 933

415 By Agriculture. Relating to setting octane rating number for regular and premium grade gasoline.
Introduced, placed on calendar .. 633
Passed; ayes 46, nays none 847
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

416 By Schools and Educational Institutions. Relating to the preparation and publication of the proposed budget for each school district.
Introduced, placed on calendar .. 633
Amendment filed 784
Amendments adopted 895, 896
Passed; ayes 40, nays 2 896

417 By Agriculture. Relating to an indemnity for the owner of hogs contracting hog cholera.
Introduced, placed on calendar .. 633
Amendment filed 741
Amendment adopted 848
Passed; ayes 40, nays 3 848

418 By Claims. Relating to an appropriation from the gas tax refund to certain named persons in settlement of claims made against the state.
Introduced, placed on calendar .. 633
Referred 655
Recommended passage 712
Committee report adopted 748

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Passed; ayes 49, nays none 748
Reported enrolled 1070
Signed by President 1071
Sent to Governor 1071
Signed by Governor 1111

419 By Compensation of Public Officers and Employees. Relating to increasing salaries of county attorneys.
Introduced, placed on calendar .. 633
Passed; ayes 49, nays none 723
Concurred 1304
Passed; ayes 47, nays none 1304
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

420 By Claims. Relating to an appropriation to certain named persons in settlement of claims made against the state.
Introduced, placed on calendar .. 634
Referred 655
Recommended passage..... 712
Committee report adopted 748
Passed; ayes 48, nays none 748
Reported enrolled 1087
Signed by President 1087
Sent to Governor 1087
Signed by Governor 1140

421 By Claims. Relating to an appropriation to certain named persons in settlement of claims made against the state.
Introduced, placed on calendar .. 634
Referred 655
Recommended passage 712
Committee report adopted 749
Passed; ayes 48, nays none 749
Reported enrolled 1087
Signed by President 1087
Sent to Governor 1087
Signed by Governor 1140

422 By Claims. Relating to an appropriation from old age assistance funds to certain named persons in settlement of claims made against the state.
Introduced, placed on calendar .. 659
Referred 679
Recommended passage 902
Committee report adopted 908
Passed; ayes 50, nays none 908
Reported enrolled 1070
Signed by President 1071
Sent to Governor 1071
Signed by Governor 1111

423 By Claims. Relating to an appropriation to certain named persons in settlement of claims made against the state.
Introduced, placed on calendar .. 698
Referred 711
Recommended passage 903
Committee report adopted 908
Passed; ayes 50, nays none 908
Recalled from House 1042
Amendment filed 1047
Vote reconsidered 1051
Amendment adopted 1051
Passed; ayes 43, nays none 1051
Report enrolled 1110
Signed by President 1111
Sent to Governor 1111
Signed by Governor 1140

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424 By Banks, Building and Loan. Relating to providing for the licensing and regulation of domestic corporations engaged in the business of lending money to the public to provide penalties for violations.
Introduced, placed on calendar .. 698
Amendments filed .....
..... 904, 975, 1027, 1074, 1089
Referred 1256

425 By Schools and Educational Institutions. Relating to authorizing the State Board of Regents to acquire, maintain and control buildings for use as student residence halls, dormitories, and dining halls at the State University of Iowa, the Iowa State University of Science and Technology and the State College of Iowa, and to establish and collect rates, fees and rentals.
Introduced, placed on calendar .. 698
H. F. 543 substituted 878
Withdrawn 901

426 By Industrial Relations. Relating to workmen's compensation for occupational diseases.
Introduced, placed on calendar .. 698
Amendment filed 904
Point of order raised 918
Passed; ayes 46, nays none 918
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

427 By Judiciary 2. Relating to legalizing the proceedings for the organization and establishment of the Community School District of Parkersburg in the Counties of Butler and Grundy, fixing the boundaries and declaring said district a duly and legally organized corporate body as provided by law.
Introduced, placed on calendar 698
Amendment filed 742
Amendment adopted 866
Passed; ayes 48, nays none 867
Proof of publication certified ... 885
Reported enrolled 1127
Signed by President 1127
Sent to Governor 1127
Signed by Governor 1150

428 By Board of Control. Relating to authorizing the Board of Control to permit the state libraries and historical department division of archives to microfilm records of inmates.
Introduced, placed on calendar .. 699
Passed; ayes 41, nays none 855
Concurred 1104
Passed; ayes 48, nays none 1105
Reported enrolled 1139
Signed by President 1139
Sent to Governor 1139
Signed by Governor 1180

429 By Claims. Relating to an appropriation to certain named

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persons in settlement of claims made against the state.
Introduced, placed on calendar .. 719
Referred 739
Recommended passage 903
Committee report adopted 909
Passed; ayes 50, nays none 909
Recalled from House 1042
Amendment filed 1047
Vote reconsidered 1052
Amendment adopted 1052
Passed; ayes 43, nays none 1052
Reported enrolled 1110
Signed by President 1111
Sent to Governor 1111
Signed by Governor 1140

430 By Judiciary 1. Relating to the exploration and the development, conservation, production, transportation and storage of natural gas and oil.
Introduced, placed on calendar .. 719
Amendments filed .983, 985, 1028, 1047
Amendment withdawn 1038
Amendments adopted 1038, 1066
Committee of the whole 1065
Passed; ayes 46, nays none 1066
Concurred 1275
Passed; ayes 42, nays 2 1275
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

431 By Appropriations. Relating to an appropriation to members of the committee on Highway Study, namely: Martin Wiley, Merle W. Hagedorn, John J. Brown, J. Louis Fischer, Russell L. Eldred (deceased), Harold O. Fischer, Dewey E. Goode, J. F. Arthurs, Jr., Charles F. Iles, Robert Keir, Kenneth Robinson, and Miles Sutera.
Introduced, placed on calendar .. 719
Amendment adopted 799
Passed; ayes 45, nays none 799
Reported enrolled 1070
Signed by President 1071
Signed by Governor 1111

432 By Cities and Towns. Relating to construction of storm sewers in cities of 125,000 or more population.
Introduced, placed on calendar .. 720
Passed; ayes 48, nays none 933
Reported enrolled 1110
Signed by President 1111
Sent to Governor 1111
Signed by Governor 1140

433 By Cities and Towns. Relating to taxation of city and town property.
Introduced, placed on calendar .. 720
Passed; ayes 38, nays 2 881

434 By Governmental Affairs. Relating to the confirmation of appointments by the Senate and the eligibility of rejected nominees to interim appointments.
Introduced, placed on calendar .. 720
Passed; ayes 36, nays 12 917
Reported enrolled 1047

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Signed by President 1047
Sent to Governor 1047
Vetoed by Governor 1072
Vote reconsidered 1078
Passed over veto; ayes 36 nays 12 1078
Became law 1127
Transmitted to Secretary of State for deposit 1127

435 By Claims. Relating to an appropriation to certain named persons in settlement of claims made against the state.
Introduced, placed on calendar .. 720
Referred 739
Recommended passage 903
Committee report adopted 909
Passed; ayes 50, nays none 910
Recalled from House 1042
Amendment filed 1048
Vote reconsidered 1052
Amendment adopted 1053
Passed; ayes 43, nays none 1053
Reported enrolled 1110
Signed by President 1111
Sent to Governor 1111
Signed by Governor 1140

436 By Governmental Affairs. Relating to the appointment of the director of the State Traveling Library as compact administrator for any interstate library compact.
Introduced, placed on calendar .. 743
Amendment filed 886
Amendment adopted 913
Passed; ayes 50, nays none 913

437 By Judiciary 2. Relating to providing for home rule liquor control and the licensing and strict control of the retail sale of products sold by state liquor stores.
Introduced, placed on calendar .. 743
Amendments filed 768, 784, 785, 816, 818
Call of the Senate requested 814
Call of the Senate 823
Amendments adopted 824, 825, 826
Amendment withdrawn 825, 826
Point of order raised 828
Amendments adopted 829, 830
Point of order raised 829
Passed; ayes 26, nays 24 831
Motion to reconsider vote laid on the table 831
Amendments filed 1212, 1213
Amendment withdrawn 1217
Concurred 1218
Passed; ayes 27, nays 23 1218
Motion to reconsider vote laid on the table 1219
Explanation of vote 1219
Reported enrolled 1246
Signed by President 1247
Sent to Governor 1247
Signed by Governor 1260

438 By Judiciary 1. Relating to providing a uniform procedure for the conduct of administrative hearings now provided for by statute.
Introduced, placed on calendar .. 743
Amendments filed 816, 938
Amendment adopted 934, 988
Amendment withdrawn 934, 987

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Passed; ayes 44, nays 3 934
Recalled from House 963
Vote reconsidered 987
Passed; ayes 48, nays 2 988

439 By Schools and Educational Institutions. Relating to the powers of the state board of public instruction.
Introduced, placed on calendar .. 756
Amendments filed 886, 928

440 By Judiciary 1. Relating to controlled-access highways and resolutions filed by the state highway commission in county courthouses are declared to be null and void.
Introduced, placed on calendar .. 788
Amendments filed 886, 905
Sifting recommends calendar 938
Amendments adopted 966, 967
Point of order raised 966
Passed; ayes 30, nays 19 967
Concurred 1305
Passed; ayes 45, nays 2 1305
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

441 By Judiciary 2. Relating to increasing salaries paid to the clerks of the grand juries.
Introduced, placed on calendar .. 822
Passed; ayes 41, nays none 855
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

442 By Judiciary 2. Relating to legalizing the acts and proceedings of the board of trustees of the Iowa River-Flint Creek levee district No. 16 of Des Moines and Louisa Counties.
Introduced, placed on calendar .. 822
Sifting recommends calendar 938
Passed; ayes 43, nays none 952
Proof of publication certified 961
Reported enrolled 1110
Signed by President 1111
Sent to Governor 1111
Signed by Governor 1140

443 By Insurance. Relating to benefits under accident and sickness insurance policies excluding replacement of whole human blood or blood products.
Introduced, placed on calendar .. 822
Sifting recommends calendar 938
Passed; ayes 41, nays none 957
Vote reconsidered 957
Amendment adopted 957
Passed; ayes 42, nays none 958
Reported enrolled 1110
Signed by President 1111
Sent to Governor 1111
Signed by Governor 1140

444 By Tax Revision. Relating to including the term "gross income" under definitions and to define the word "nonresident".
Introduced, placed on calendar .. 822
Sifting recommends calendar ... 938
Passed; ayes 43, nays none 953

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445 By Insurance. Relating to the organization of domestic insurance companies.
Introduced, placed on calendar .. 822
Sifting recommends calendar 938
Passed; ayes 42, nays none 956
Reported enrolled 1127
Sent to Governor 1127
Signed by President 1127
Signed by Governor 1180

446 By Judiciary 2. Relating to real property legalizing acts, changing dates.
Introduced, placed on calendar .. 822
Passed; ayes 43, nays none 884

447 By Claims. Relating to an appropriation to certain named persons in settlement of claims made against the state.
Introduced, referred 865
Recommended passage 962
Committee report adopted 993
Passed; ayes 50, nays none 993
Concurred 1284
Passed; ayes 48, nays none 1284
Reported enrolled 1343
Signed by President 1344
Sent to Governor 1344
Signed by Governor.

448 By Judiciary 1. Relating to credit against annual license fees of corporations and foreign corporations.
Introduced, placed on calendar .. 865
Sifting recommends calendar 938
Passed; ayes 48, nays none 968
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

449 By Appropriations. Relating to an appropriation to members of the legislative research committee and legislative advisory committees.
Introduced, placed on calendar .. 889
Amendment adopted 912
Passed; ayes 40, nays none 912
Reported enrolled 1070
Signed by President 1071
Sent to Governor 1071
Signed by Governor 1111

450 By Appropriations. Relating to an appropriation to members of legislative advisory committees.
Introduced, placed on calendar .. 889
Passed; ayes 39, nays none. 910
Reported enrolled 1087
Signed by President 1087
Sent to Governor 1087
Signed by Governor 1140

451 By Appropriations. Relating to an appropriation to members of legislative advisory committees.
Introduced, placed on calendar .. 889
Amendment adopted 911
Passed; ayes 41, nays none 911
Reported enrolled 1070
Signed by President 1071
Sent to Governor 1071
Signed by Governor 1111

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452 By Appropriations. Relating to an appropriation to ex-officio members of the advisory investment board of the Iowa public employees' retirement system, namely—Howard Buck and A. L. Mensing.
Introduced, placed on calendar .. 890
Passed; ayes 49, nays none 911
Reported enrolled 1070
Signed by President 1071
Sent to Governor 1071
Signed by Governor 1111

453 By Appropriations. Relating to an appropriation from the general fund of the state for the biennium beginning July 1, 1963, and ending June 30, 1965, to the social welfare department for the purpose of aid to blind fund, aid to dependent children fund, child welfare fund, emergency relief fund, old-age assistance fund, aid to the disabled and support for Indians residing on a reservation.
Introduced, placed on calendar .. 890
Amendment filed 962
Passed; ayes 48, nays none 991
Explation of votes 992
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

454 By Cities and Towns. Relating to public improvement contracts and bond appeal hearings and number of petitions required.
Introduced, placed on calendar .. 890
Sifting recommends calendar 938
Passed; ayes 40, nays 1 955
Concurred 1331
Passed; ayes 49, nays none 1331
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

455 By Schools and Educational Institutions. Relating to joint operation of county boards of education.
Introduced, placed on calendar .. 906

456 By Compensation of Public Officers and Employees. Relating to the salaries of clerks and bailiffs of the municipal courts.
Introduced, placed on calendar .. 907

457 By Compensation of Public Officers and Employees. Relating to compensation of members of the Iowa development commission.
Introduced, placed on calendar .. 907
Sifting recommends calendar 965
Passed; ayes 50, nays none 997
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

458 By Social Security. Relating to making it unlawful for any person or employer to discriminate against any individual, and for a labor organization to discriminate in membership against any individual, because of race, color, religion, national origin or ancestry.
Introduced, placed on calendar .. 929
Amendment filed 962
Withdrawn 1125

459 By Appropriations. Relating to an appropriation from the general fund of the state to the conservation commission for construction, replacement, repairs, acquisition of land, development, forestry, water area improvements, siltation, boundary surveys and dredging.
Introduced, placed on calendar .. 949
Amendments filed 983
Amendments adopted 994
Passed; ayes 50, nays none 995
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

460 By Appropriations. Relating to creating the general contingent fund of the state for the biennium beginning July 1, 1963, and appropriating $2,000,000.00 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.
Introduced, placed on calendar .. 949
Amendment filed 983
Amendment adopted 992
Passed; ayes 50, nays none 992
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

461 By Transportation and Highway Safety. Relating to the regulation and taxation of travel trailers.
Introduced, referred to sifting .. 987
Sifting recommends calendar ...1004
Amendment adopted 1023
Passed; ayes 50, nays none 1023
Concurred 1328
Passed; ayes 48, nays 1 1328
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

462 By Claims. Relating to an appropriation to certain named persons in settlement of claims made against the state.
Introduced, referred to appropriations 1038
Recommended passage 1074
Committee report adopted 1106
Passed; ayes 48, nays none 1106
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor .

463 By Ways and Means. Relating to empowering and direct-

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ing the state tax commission to equalize the assessed value of real and personal property within the state.
Introduced, placed on calendar ..1038
Amendments filed 1061, 1074, 1088
Amendments adopted 1068, 1093, 1094, 1102
Committee of the whole 1079
Committee of the whole 1093
Amendment withdrawn 1094
Point of order raised 1094
Passed; ayes 44, nays 4 1102

464 By Claims. Relating to an appropriation to certain named counties in settlement of claims made against the state.
Introduced, referred 1062
Recommended passage 1140
Committee report adopted 1156
Passed; ayes 50, nays none 1156
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

465 By Appropriations. Relating to an appropriation from the general fund of the state for the biennium, to the board of control for salaries, support, maintenance, repairs, replacements, alterations or equipment of institutions under said board of control.
Introduced, placed on calendar ..1062
Passed; ayes 47, nays 1 1108
Reported enrolled 1343
Signed by President 1344
Sent to Governor 1344
Signed by Governor.

466 By Appropriations. Relating to an appropriation from the general fund of the state for 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 for the expenditure thereof by the board of control and the budget and financial control committee.
Introduced, placed on calendar ..1062
Amendment filed 1088
Amendment adopted 1109
Passed; ayes 48, nays none 1109
Reported enrolled 1276
Signed by President 1276
Sent to Governor 1276
Signed by Governor 1276

467 By Transportation and Highway Safety. Relating to the licensing of manufacturers, distributors, wholesalers, factory branches, distributor branches, factory representatives and distributor representatives of motor vehicles.
Introduced, referred to sifting ..1078
Sifting recommends calendar 1112
Passed; ayes 30, nays 8 1130

468 By Ways and Means. Relating to inheritance tax.
Introduced, placed on calendar ..1091

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Passed; ayes 48, nays 1 1115
Amendment filed 1252
Amendment adopted 1255
Concurred 1255
Amendment withdrawn 1255
Passed; ayes 46, nays none 1256
Reported enrolled 1343
Signed by President 1344
Sent to Governor 1344
Signed by Governor.

469 By Claims. Relating to an appropriation from gas tax refund to certain named firms or persons in settlement of claims made against the state.
Introduced, referred 1091
Recommended amendment, passage 1140
Committee report adopted 1221
Amendment adopted 1221
Passed; ayes 50, nays none 1221
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

470 By Appropriations. Relating to an appropriation from the general fund of the state to the state commerce commission for the purpose of providing immediate funds necessitated by passage of Senate File 11, Acts of the Sixtieth General Assembly.
Introduced, placed on calendar ..1129
Amendment filed 1150
Amendment adopted 1222
Passed; ayes 50, nays none 1222
Reported enrolled 1345
Signed by president 1345
Sent to Governor 1345
Signed by Governor.

471 By Appropriations. Relating to an appropriation from the general fund of the state for the biennium beginning July 1, 1963, and ending June 30, 1965, to the capitol planning commission the sum of $20,000.
Introduced; placed on calendar ..1129
Passed; ayes 50, nays none 1222
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

472 By Claims. Relating to an appropriation to certain named persons, firms and/or political subdivisions in settlement of claims made against the state.
Introduced, referred 1155
Recommended passage 1236
Committee report adopted 1239
Passed; ayes 48, nays none 1239
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

473 By Insurance. Relating to the organization of domestic insurance companies, correcting Code reference in S. F. 445.
Introduced, referred 1194
Sifting recommends calendar ...1221

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Committee report adopted 1231
Passed; ayes 45, nays none 1231
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

474 By Appropriations. Relating to an appropriation from the general fund of the state to the state board of regents for capital improvements; repairs, replacements, alterations and equipment.
Introduced, placed on calendar ..1214
Amendments filed 1252, 1261
Point of order raised 1282
Amendment adopted 1282
Amendments withdrawn 1282
Passed; ayes 40, nays 4 1282
Motion to reconsider vote laid on the table 1283
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

475 By Appropriations. Relating to an appropriation from the general fund of the state for the biennium to the state board of regents for the support, maintenance, equipment, repairs, replacements and alterations of institutions under said state board of regents.
Introduced, placed on calendar ..1214
Amendments filed 1252
Amendment withdrawn 1256
Amendments adopted 1257
Passed; ayes 47, nays 1 1257
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

476 By Appropriations. Relating to an appropriation from the general fund of the state for capital improvements for buildings and grounds under the superintendent of buildings and grounds.
Introduced, placed on calendar ..1215
Passed; ayes 48, nays none 1240
Concurred 1330
Passed; ayes 49, nays none 1331
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

477 By Appropriations. Relating to an appropriation from the general fund of the state for capital improvements to the fair board.
Introduced, placed on calendar ..1215
Passed; ayes 48, nays none 1240
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

478 By Appropriations. Relating to appropriating funds to the State Comptroller from motor vehicle fuel tax fund.
Introduced, placed on calendar ..1215
Passed; ayes 48, nays none 1241

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Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

479 By Appropriations. Relating to appropriating funds from the primary road fund to the industrial commission for payment of workmen's compensation claims of employees of the state highway commission.
Introduced, placed on calendar ..1215
Passed; ayes 48, nays none 1241
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

480 By Appropriations. Relating to appropriating funds to the State Comptroller from the primary road fund.
Introduced, placed on calendar ..1215
Passed; ayes 48, nays none 1242
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

481 By Appropriations. Relating to an appropriation from the general fund of the state to the department of public instruction for specified school aid.
Introduced, placed on calendar ..1215
Passed; ayes 48, nays none 1242
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

482 By Appropriations. Relating to appropriating $39,059,560.00 from the general fund of the state to the department of public instruction for general state aid for school districts.
Introduced, placed on calendar ..1215
Passed; ayes 48, nays none 1243
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

483 By Appropriations. Relating to appropriating from the general fund of the state $8,000,000.00 to the department of public instruction for supplemental aid to certain school districts of the state.
Introduced, placed on calendar ..1215
Passed; ayes 48, nays none 1244
Reported correctly enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

484 By Appropriations. Relating to appropriating from the general fund of the state $8,000,000.00 to the department of public instruction for state aid for transportation.
Introduced, placed on calendar ..1216
Passed; ayes 48, nays none 1248
Reported enrolled 1345
Signed by President 1345

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Sent to Governor 1345
Signed by Governor.

485 By Judiciary 2. Relating to the control, sale and use of alcoholic beverages, amending the liquor control act, Senate File 437.
Introduced, referred to sifting ..1247
Sifting recommends calendar 1252
Amendments filed 1261
Amendments adopted 1269, 1270
Point of order raised 1271
Passed; ayes 42, nays 6 1271
Concurred 1341
Passed; ayes 40, nays 3 1341
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

486 By Appropriations. Relating to an appropriation from the general fund of the state to the state soil conservation committee the sum of $1,150,000.00 to carry on soil conservation work in soil conservation districts.
Introduced, placed on calendar ..1253
Passed; ayes 48, nays none 1265
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

487 By Appropriations. Relating to an appropriation from the general fund of the state to the national guard and state guard for the purpose of various capital improvements, repairs, replacements, alterations, equipment and rehabilitation, and the purchase of an airplane to be utilized by the Governor and other state officials.
Introduced, placed on calendar ..1253
Amendment adopted 1267
Passed; ayes 47, nays 1 1267
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

488 By Appropriations. Relating to authorizing expenditure by the state highway commission from the primary road fund for the biennium beginning July 1, 1963, and ending June 30, 1965, and relating to salaries of highway commission members.
Introduced, placed on calendar ..1253
Amendments filed 1276, 1277

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Amendments adopted 1279, 1280
Passed; ayes 44, nays 2 1281
Concurred 1329
Passed; ayes 49, nays none 1329
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

489 By Appropriations. Relating to accepting the national defense education act of 1958 and to make an appropriation from the general fund of the state to the department of public instruction for participation in said act.
Introduced, placed on calendar ..1253
Passed; ayes 48, nays none 1265
Signed by President 1345
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

490 By Appropriations. Relating to an appropriation from the general fund of the state to the department of public safety for capital improvements for highway patrol buildings and for radio equipment for the division of radio communications.
Introduced, placed on calendar ..1254
Passed; ayes 47, nays 1 1263
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

491 By Appropriations. Relating to an appropriation for payment of miscellaneous expense incurred or authorized by the Sixtieth General Assembly.
Introduced, placed on calendar ..1254
Passed; ayes 48, nays none 1264
Concurred 1311
Passed; ayes 47, nays none 1311
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

492 By Ways and Means. Relating to refund of tax on special fuel in certain cases, amending S. F. 124.
Introduced, placed on calendar ..1262
Amendment adopted 1286
Passed; ayes 47, nays none 1286
Reported enrolled 1345
Signed by President 1345
Sent to Governor 1345
Signed by Governor.

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RECORD OF HOUSE BILLS IN SENATE

HOUSE JOINT RESOLUTIONS AND HOUSE FILES PASSED AND APPROVED—163

H. F.

3, 4, 8, 11, 14, 15, 16, 17, 21, 22, 23, 24, 25, 26, 29, 35, 36, 41, 43, 46, 52, 54, 56, 57, 59, 63, 65, 66, 67, 68, 71, 72, 73, 76, 77, 78, 83, 84, 85, 100, 107, 110, 113, 114, 117, 122, 132, 134, 135, 139, 148, 149, 152, 154, 157, 159, 168, 173, 178, 187, 188, 189, 190, 191, 193, 194, 196, 197, 205, 208, 210, 213, 215, 218, 219, 222, 231, 232, 234, 236, 239, 240, 243, 247, 250, 251, 252, 257, 258, 259, 275, 280, 286, 287, 291, 298, 308, 309, 310, 315, 316, 317, 319, 320, 321, 322, 324, 325, 331, 335, 342, 344, 351, 354, 357, 358, 362, 378, 380, 386, 392, 393, 401, 402, 407, 410, 412, 413, 414, 415, 417, 420, 421, 423, 424, 425, 443, 452, 454, 457, 462, 481, 487, 489, 490, 505, 539, 543, 548, 549, 554, 558, 564, 566, 573, 579, 586, 587, 588, 589, 590, 584, 595.

PASSED BOTH HOUSES, VETOED BY GOVERNOR—H. J. R. 48, 156

SENT TO SECRETARY OF STATE—H. J. R. 1, 3

H. J. R. — Page

1 By Goode, Wier and Walter. Relating to a proposed amendment to the constitution; requiring that the results of a constitutional convention be submitted to the people for approval.

Received, passed on file 116
Referred 132
Recommended passage 257
Committee report adopted 308
Passed; ayes 49, nays none 309
Reported enrolled 331
Signed by President 331
Sent to Secretary of State.

3 By Mensing. Relating to the effective date of laws of the General Assembly passed at a general session.

Received, passed on file 289
Referred 294
Recommended passage 474
Committee report adopted 517
Passed; ayes 43, nays 7 530
Reported enrolled 580
Signed by President 580
Sent to Secretary of State.

7 By Riley, Frazier, Bock, Dietz, Hagen, Sersland, Maule, Carstensen, Baringer, Falvey, Eveland, Reppert, Stanley, Den Herder and Hanson of Lyon. Relating to a constitutional amendment to provide for annual sessions of the General Assembly.

Received, passed on file 289
Referred 294

H. F. — Page

1 By Camp and Scherle. Relating to creeper lanes on certain roads.

Received, passed on file 203
Referred 204
Amendment filed 693

2 By Camp and Hagen. Relating to place-name signs on primary roads by highway commission.

Received, passed on file 203
Referred 204

3 By Swisher, Mowry, Eveland, Sersland, Bock, Van Alstine, Vermeer and Den Herder. Relating to the Iowa Commission for the Blind, appointment of commission members.

Received, passed on file 100
Referred 102
Amendments filed 506, 863
Recommended amendment, passage 781
Committee report adopted 878
Point of order raised 924
Amendments adopted 924, 931
Point of order withdrawn 931
Record expunged 931
Amendment withdrawn 931
Passed; ayes 42, nays 3 931
Reported enrolled 1047
Signed by President 1047
Signed by Governor.

4 By Briles. Relating to hunting and fishing upon cultivated or inclosed lands and waters, increasing fine for each offense to $100.

Received, passed on file 203
Referred 204
Recommended passage 445
Committee report adopted 575
Amendments filed 581, 615
Amendment withdrawn 619
Amendment adopted 625
Passed; ayes 33, nays 14 625
Reported enrolled 737
Signed by President 737
Signed by Governor.

8 By Carstensen and Camp. Relating to providing equal population for city and town wards.

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H. F. Page

Received, passed on file 166
Referred 168
Recommended passage 296
Committee report adopted 339
Passed; ayes 45, nays none 339
Reported enrolled 361
Signed by President 362
Signed by Governor.

9 By Scherle, Camp, Smith of O'Brien, Hagen, Carstensen, Nelson, Den Herder, Wier and Walter. Relating to raising to 55 the speed limit on trucks.
Received, passed on file 240
Referred 245
Amendment filed 1017

10 By Grassley, Prine, Edgington, Fisher of Greene, Stanley, Bock, Kluever, Kreager, Nielsen of Emmet, Patton, Olson, Stokes and Hanson of Mitchell. Relating to the operation of a motor vehicle while intoxicated; providing for the taking and testing of body substances; to determine whether or not a person is intoxicated while operating a motor vehicle.
Received, passed on file 346
Referred 362
Amendment filed 365

11 By Messerly. Relating to notice for public hearing on county zoning changes.
Received, passed on file 116
Referred 132
Recommended passage 257
Committee report adopted 309
Passed; ayes 47, nays none 309
Reported enrolled 331
Signed by President 331
Signed by Governor.

14 By Scherle, McElroy, Loss, Miller of Page, Gittins, Camp, Johnson, Crane, Hagie, Messerly, Knowles, Knock, Hanson of Lyon, Balloun, Kreager, Hirsch, Hagedorn, Nielsen of Shelby, Hagen, Dietz and Kluever. Relating to county conservation boards, to participate in watershed projects of soil conservation districts and the federal government.
Received, passed on file 240
Substituted for S. F. 51 243
Point of order raised 245
Amendment adopted 251
Passed; ayes 48, nays none 251
Reported enrolled 276
Signed by President 276
Signed by Governor.

15 By Stanley. Relating to legalizing the organization of the area six community school district, in the county of Muscatine.
Received, passed on file 100
Proof of publication certified ... 101
Referred 102
Recommended passage 217
Committee report adopted 233
Passed; ayes 48, nays none 233
Reported enrolled 255
Signed by President 255
Signed by Governor.

H. F. Page

16 By Stanley. Relating to legalizing the proceedings of the board of directors of the Area Six Community School District, in the county of Muscatine, authorizing the issuance of school building bonds.
Received, passed on file 100
Proof of publication certified ... 101
Referred 102
Recommended passage 217
Committee report adopted 233
Passed; ayes 48, nays none 233
Reported enrolled 255
Signed by President 255
Signed by Governor.

17 By Mowry, Carstensen and Duffy. Relating to rules of administrative agencies, to make uniform.
Received, passed on file 149
Referred 149
Amendments filed 466, 477
Recommended amendment, passage 489
Committee report adopted 636
Amendment adopted 638
Amendment withdrawn 638
Passed; ayes 50, nays none 638
Insisted 746
Conference committee appointed.. 746
Conference committee report ...1084
Conference committee report adopted 1231
Passed; ayes 42, nays 1 1234
Reported enrolled 1260
Signed by President 1260
Signed by Governor.

21 By Mowry, Goode, Swisher, Fischer of Grundy, Eveland and Andersen of Woodbury. Relating to subsidiary companies of life insurance companies.
Received, passed on file 203
Referred 204
Recommended passage 317
Committee report adopted 342
Passed; ayes 44, nays none 342
Reported enrolled 361
Signed by President 362
Signed by Governor.

22 By Carstensen, Camp, Olson, Parker, Messerly and Hougen. Relating to the duties of county recorders.
Received, passed on file 116
Referred 132
Recommended passage 258
Committee report adopted 313
Point of order raised 313
Amendment adopted 313
Passed; ayes 49, nays none 314
Reported enrolled 331
Signed by President 331
Signed by Governor.

23 By Fisher of Greene and Graham. Relating to notifying utility companies and property owners when altering, vacating or closing roads.
Received, passed on file 203
Referred 204
Amendment filed 246
Recommended passage 276
Committee report adopted 310
Amendment adopted 310

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H. F. Page
Passed; ayes 49, nays none 310
Reported enrolled 361
Signed by President 362
Signed by Governor.

24 By Mensing. Relating to supervisor districts in counties, districting privileges regardless of number of townships.
Received, passed on file 116
Referred 132
Recommended amendment, passage 333
Committee report adopted 413
Amendment adopted 421
Passed; ayes 43, nays 2 421
Reported enrolled 473
Signed by President 473
Signed by Governor.

25 By Swisher, Nelson, Loss, Paul, Parker and Ely. Relating to fire insurance companies; permitting them to write multiple peril insurance policies.
Received, passed on file 203
Referred 204
Recommended passage 474
Committee report adopted 641
Passed; ayes 43, nays 3 641
Reported enrolled 737
Signed by President 737
Signed by Governor.

26 By Wright, Edgington and Denman. Relating to forbidding unlicensed persons to fill prescriptions.
Received, passed on file 311
Substituted for S. F. 27 326
Passed; ayes 47, nays none 327
Reported enrolled 350
Signed by President 350
Recalled from House 358
Amendment filed 417, 464
Vote reconsidered 420
Amendment adopted 420
Passed; ayes 45, nays 1 420
Motion to reconsider vote withdrawn 527
Amendment withdrawn 527
Reported enrolled 600
Signed by President 600
Signed by Governor.

28 By Falvey, Patton, Dunton, Hanson of Lyon, Denman, Baringer and Carstensen. Relating to abolishing the death penalty as a punishment for certain crimes and to substitute imprisonment for life or a term of years.
Received, passed on file 186
Referred 187
Amendment filed 228

29 By Knowles. Relating to boiler inspections, to permit biennial inspections of certain boilers.
Received, passed on file 356
Referred 363
Recommended passage 524
Committee report adopted 645
Passed; ayes 46, nays none 663
Reported enrolled 710
Signed by President 710
Signed by Governor.

H. F. Page
31 By Briles. Relating to implied warranties of titles—clarification of the status of persons assisting in the conduct of auctions.
Received, passed on file 116
Referred 132

35 By Reppert and Denman. Relating to speed limits for motor vehicles in cities.
Received, passed on file 215
Referred 216
Sifting recommends calendar 938
Passed; ayes 44, nays none 960
Reported enrolled 974
Signed by President 974
Signed by Governor.

36 By Riley. Relating to workmen's compensation benefits to a minor employee.
Received, passed on file 116
Referred 132
Recommended passage 383
Committee report adopted 432
Passed; ayes 47, nays none 432
Reported enrolled 445
Signed by President 445
Signed by Governor.

39 By Vermeer, Prine, Hagedorn, Knock, Riley and Dietz. Relating to regulating the practice of architecture.
Received, passed on file 433
Referred 436
Recommended amendment, passage 764

41 By Riley. Relating to certified common carriers of passengers operating on charter.
Received, passed on file 443
Referred 461
Recommended passage 886
Committee report adopted 919
Passed; ayes 47, nays none 919
Reported enrolled 961
Signed by President 961
Signed by Governor.

43 By McElroy, Scherle and Miller of Page. Relating to reimbursement for use by county conservation boards of county-owned real estate, materials, equipment or operators.
Received, passed on file 215
Referred 216
Recommended passage 332
Amendment filed 334
Committee report adopted 413
Amendments adopted 413, 422
Passed; ayes 46, nays none 422
Reported enrolled 445
Signed by President 445
Signed by Governor.

44 By Shaw, Dietz and Knowles. Relating to commercial driving schools and instructors; licensing and regulating to be under the department of public safety—penalties for violations.
Received, passed on file 289
Referred 294
Recommended passage 691
Committee report adopted 851
Failed; ayes 16, nays 27 875

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H. F. Page

46 By Robinson. Relating to temporary motor vehicle instruction permits, allowing a person under 16, having a permit, to operate motor vehicle while accompanied by a person 25 years or older who holds a valid operator's or chauffeur's license.
Received, passed on file 240
Referred 245
Sifting recommends calendar 1264
Passed; ayes 48, nays none 1271
Reported enrolled 1287
Signed by President 1288
Signed by Governor.

48 By County and Township Affairs. Relating to the licensing and the annual inspection of County Homes.
Received, passed on file 96
Referred 102
Recommended amendment, passage 385
Amendment filed 535
Amendments adopted 552
Passed; ayes 28, nays 20 552
Reported enrolled 610
Signed by President 610
Vetoed by Governor.

52 By Mowry and Carstensen. Relating to criminal indictments being brought within 30 days when a person is held to answer for a public offense and also that he must be brought to trial within 60 days after the indictment.
Received, passed on file 215
Referred 216
Recommended passage 566
Committee report adopted 685
Passed; ayes 40, nays 7 685
Reported enrolled 752
Signed by President 752
Signed by Governor.

54 By Hagle, Mowry, Mensing and Riley. Relating to workmen's compensation so as to liberalize certain benefits, to provide for certain credits and waivers, and the administration thereof.
Received, passed on file 240
Referred 245
Recommended amendment, passage 383
Amendments filed 417, 437, 446, 464, 535
Committee report adopted 558
Amendments withdrawn 561
Amendments adopted 560, 562
Passed; ayes 47, nays none 562
Explanation of vote 563
Passed; ayes 95, nays none 811
Reported enrolled 610
Signed by President 610
Signed by Governor.

56 By Sersland, Messerly and Prine. Relating to the establishment of community mental health centers.
Received, passed on file 289
Referred 294
Recommended passage 476
Amendment filed 556

H. F. Page

Committee report adopted 639
Amendment adopted 640
Passed; ayes 44, nays 5 640
Reported enrolled 752
Signed by President 752
Signed by Governor.

57 By Mensing, Kreager, McElroy, Jarvis, Maule, Wright, Vetter, Petersen of Dallas, Hirsch, Gittins, Andersen of Woodbury, Mahan, Falvey, Hakes, Van Alstine, Crane, Stokes, Edgington, Frazier, Messerly, Walter, Palas, Darrington, Dietz, Sersland, Chalupa and Millen. Relating to foster care services for children, permitting board of social welfare to place children up to 16 years of age and those from state training schools in foster care homes.
Received, passed on file 240
Substituted for S. F. 21 303
Amendment adopted 315
Passed; ayes 47, nays 1 315
Concurred 454
Passed; ayes 48, nays none 454
Reported enrolled 489
Signed by President 489
Signed by Governor.

59 By Jarvis, Lange, Hakes, Prine, Hagedorn, Briles and Smith of Dickinson. Relating to requirements for real estate brokers' licenses.
Received, passed on file 356
Referred 363
Recommended passage 436
Committee report adopted 575
Amendment adopted 609
Passed; ayes 26, nays 24 609
Reported enrolled 737
Signed by President 737
Signed by Governor.

62 By Riley and Dietz. Relating to regulating industrial loan companies, to provide for the licensing of such businesses, to specify the powers of industrial loan companies, to prescribe penalties for violations and to provide for the administration and enforcement.
Received, referred 1068

63 By Den Herder and Lange. Relating to raising $75,000 the limit of expenditures on bridges on secondary roads.
Received, passed on file 203
Referred 204
Recommended passage 276
Committee report adopted 312
Passed; ayes 46, nays none 312
Reported enrolled 331
Signed by President 331
Signed by Governor.

65 By Reppert and Denman. Relating to compensation of county supervisors in counties of over 150,000 population.
Received, passed on file 356
Referred 363
Recommended passage 612

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H. F. Page

Committee report adopted 809
Amendment adopted 809
Passed; ayes 48, nays none 809
Reported enrolled 885
Signed by President 885
Signed by Governor.

66 By Reppert and Denman. Relating to method of payment of municipal court judges and other municipal court officers.
Received, passed on file 241
Referred 245
Sifting recommends calendar 938
Passed; ayes 43, nays none 960
Reported enrolled 974
Signed by President 974
Signed by Governor.

67 By Prine. Relating to correcting an error in a land patent issued in 1879, Governor and Secretary of State authorized to deliver patent to Goldie Chilcote.
Received, passed on file 166
Referred 168
Recommended passage 217
Committee report adopted 242
Passed; ayes 47, nays none 242
Reported enrolled 267
Signed by President 267
Signed by Governor.

68 By Reppert and Denman. Relating to increasing the maximum millage levy which may be levied for county public hospitals in counties having a population of more than 135,000.
Received, passed on file 356
Referred 363
Recommended passage 613
Committee report adopted 702
Passed; ayes 43, nays none 702
Reported enrolled 737
Signed by President 737
Signed by Governor.

70 By Denman, Robinson, Reppert, Nielsen, Dunton and Balloun. Relating to the keeping and consumption of alcoholic liquor upon the premises of clubs and to provide for the licensure, taxation, regulation and inspection thereof.
Received, passed on file 643
Referred 655

71 By McElroy, Busch and Miller of Page. Relating to holders for registration certificates of motor vehicles.
Received, passed on file 357
Referred 363
Recommended passage 490
Committee report adopted 520
Passed; ayes 41, nays none 520
Reported enrolled 554
Signed by President 554
Signed by Governor.

72 By Wier. Relating to authorization for the issuance of a patent to certain real estate to Howard J. Greene and Alice E. Greene by the Governor and Secretary of State.
Received, passed on file 289
Referred 294
Recommended passage 318
Committee report adopted 343
Passed; ayes 43, nays none 343
Reported enrolled 361
Signed by President 362
Signed by Governor.

73 By Coffman, Dietz, Swisher, Stanley, Riley, Loss and Nielsen. Relating to the practice of barbering.
Received, passed on file 515
Referred 523
Recommended amendment, passage 815
Sifting recommends calendar ...1004
Committee report adopted 1022
Amendments adopted 1022
Passed; ayes 26, nays 21 1022
Motion to reconsider vote laid on the table 1023
Reported enrolled 1060
Signed by President 1060
Signed by Governor.

76 By Dietz, Knowles, Duffy, Breitbach, Prine, Stanley, Ely, Messerly, Reppert and Swisher. Relating to reducing hours of duty of members of fire departments, effective date January 1, 1964.
Received, passed on file 312
Referred 332
Recommended passage 475
Amendment filed 490
Committee report adopted 641
Amendment adopted 706
Point of order raised 706
Passed; ayes 29, nays 20 707
Motion to reconsider vote laid on the table 707
Reported enrolled 752
Signed by Pesident 752
Signed by Governor.

77 By Falvey, Den Herder, Swisher, Van Alstine, Reppert, Eveland and Denman. Relating to the governing bodies of the cities and counties of Iowa and adjoining states; authorizing them to create regional or metropolitan planning commissions, and for school districts and other such bodies to participate in such commissions.
Received, passed on file 346
Referred 363
Recommended passage 713
Committee report adopted 856
Passed; ayes 40, nays none 856
Reported enrolled 902
Signed by President 902
Signed by Governor.

78 By Den Herder, Hagen, Hanson of Mitchell, Parker, Briles, Paul, Olson, Stanley, Lange and Mueller. Relating to the distribution of earnings of cooperative associations.
Received, passed on file 312
Substituted for S. F. 32 337
Passed; ayes 46, nays 2 358
Reported enrolled 435
Signed by President 435
Signed by Governor.

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H. F. Page

80 By Reppert and Denman. Relating to preserving and protecting the lien for special assessments in certain cities where the property subject to the assessment is sold at tax sale, redeemed, or conveyed by tax deed.
Received, passed on file 312
Referred 332

83 By Ely, Mowry, Messerly, Reppert, Hanson of Lyon, Kreager, Olson, Dietz, Denman, Stanley, Riley, Falvey and Duffy. Relating to public health nurses; county supervisors, city councils, and school boards enter into contracts.
Received, passed on file 347
Referred 363
Recommended passage 534
Committee report adopted 668
Passed; ayes 47, nays none 668
Reported enrolled 710
Signed by President 710
Signed by Governor.

84 By Olson. Relating to correcting description of lands exchanged by conservation commission to Ellen M. Peterson.
Received, passed on file 215
Referred 216
Recommended passage 249
Substituted for S. F. 89 253
Committee report adopted 254
Passed; ayes 45, nays none 254
Reported enrolled 267
Signed by President 267
Signed by Governor.

85 By Smith of O'Brien, Edgington and Loss. Relating to erecting, rebuilding or repairing of fences of adjacnt owners.
Received, passed on file 215
Referred 216
Recommended passage 532
Amendments filed 556, 717
Committee report adopted 668
Amendments adopted 683, 758
Passed; ayes 41, nays none 758
Reported enrolled 885
Signed by President 885
Signed by Governor.

86 By Jarvis, Nelson, Briles, Dietz, Knock, Lange, Hagedorn and Coffman. Relating to the powers and duties of the real estate commission.
Received, referred 1083

93 By Messerly, Riley and Hougen. Relating to employment and other privileges for certain prisoners.
Received, passed on file 241
Referred 245
Amendment filed 446

95 By Wier, Maule and Winkelman. Relating to school buses, increasing safety measures.
Received, passed on file 588
Referred 611

H. F. Page

96 By Chalupa, Balloun, Camp, Fischer of Grundy and Smith of O'Brien. Relating to exemption from taxation of property of education institutions.
Received, passed on file 804
Referred 886

100 By Paul, Loss, Riley, Mensing, Hagedorn, Coffman and Mahan. Relating to providing uniforms for sheriffs and their deputies.
Received, passed on file 357
Substituted for S. F. 85 410
Passed; ayes 43, nays 4 410
Reported enrolled 445
Signed by President 445
Signed by Governor.

107 By Appropriations. Relating to making an additional transfer of fees, taxes, interest and penalties imposed to the division of motor vehicle registration of the Department of Public Safety for the purpose of purchasing supplies and materials and for the cost of manufacture of motor vehicle registration plates at the prison industries.
Received, passed on file 203
Referred 204
Committee report adopted 250
Passed; ayes 45, nays none 250
Reported enrolled 267
Signed by President 267
Signed by Governor.

109 By Dietz. Relating to listing of tax exempt property by assessor.
Received, passed on file 347
Referred 363

110 By Moffitt. Relating to old age pensioners; homes, simplifying states method of recovering pension from estate.
Received, passed on file 699
Referred 711
Recommended passage 836
Committee report adopted 913
Passed; ayes 50, nays none 914
Reported enrolled 938
Signed by President 938
Signed by Governor.

113 By Riley, Ely and Wright. Relating to legalizing proceedings in establishment of the Benton-Linn benefitted fire district, in the counties of Benton and Linn.
Received, passed on file 289
Referred 294
Recommended passage 318
Committee report adopted 343
Passed; ayes 44, nays none 343
Reported enrolled 361
Signed by President 362
Signed by Governor.

114 By Riley and Stanley. Relating to the marking of ballots —permitting voter to use check mark.
Received, passed on file 588
Referred 611

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H. F. Page
Recommended passage 713
Committee report adopted 856
Passed; ayes 40, nays none 857
Reported enrolled 902
Signed by President 902
Signed by Governor.

115 By Nelson, Swisher, Parker, Cunningham and Petersen of Dallas. Relating to bait advertising in the field of corrective eyeglasses, their components, and related services.
Received, referred 1220

117 By Casey. Relating to making optional the bounties on red or grey fox, by counties.
Received, passed on file 357
Referred 363
Recommended passage 489
Committee report adopted 517
Passed; ayes 37, nays 4 517
Reported enrolled 554
Signed by President 554
Signed by Governor.

119 By Gittins, Denman, Riley, Walter, Messerly, Cunningham, Falvey, Nielsen and Ely. Relating to extending state aid presently paid to counties for care of mentally ill patients in county homes or private institutions to cover care of mentally retarded persons in similar facilities, and to permit counties to credit such state aid to the state institution fund of the county, and increasing the appropriation.
Received, referred 1126

122 By Riley. Relating to housing regulations in cities and towns.
Received, passed on file 515
Referred 523
Recommended passage 712
Committee report adopted 857
Passed; ayes 43, nays 1 876
Reported enrolled 938
Signed by President 938
Signed by Governor.

128 By Hagen. Relating to permitting free distribution of copies of the Code of Iowa to Iowa congressmen.
Received, passed on file 357
Referred 363

131 By Riley and Ely. Relating to authorizing cities to establish zoos.
Received, passed on file 292
Referred 294

132 By Insurance. Relating to suspension or revocation of insurance agents' licenses.
Received, passed on file 215
Referred 216
Recommended passage 317
Committee report adopted 344
Passed; ayes 42, nays none 344
Reported enrolled 361
Signed by President 362
Signed by Governor.

134 By Institutions of Higher Learning. Relating to providing more specifically for collection and distribution of medical fees for private patients at the University Hospital.
Received, passed on file 215
Referred 216
Recommended passage 351
Committee report adopted 424
Passed; ayes 48, nays none 424
Reported enrolled 445
Signed by President 445
Signed by Governor.

135 By Institutions of Higher Learning. Relating to distribution of medical fees for private patients with psychopathic hospital at Iowa City.
Received, passed on file 215
Referred 216
Recommended passage 351
Committee report adopted 425
Passed; ayes 48, nays none 425
Reported enrolled 445
Signed by President 445
Signed by Governor.

136 By Institutions of Higher Learning. Relating to authorizing the board of regents to establish and administer a sabbatical-leave program for college professors.
Received, passed on file 312
Referred 332
Recommended passage 691
Re-referred to appropriations ... 711

139 By Winkelman, Den Herder, Knowles, Riley, Lange and Ely. Relating to public libraries; clarifying the power to contract between library boards and providing that all cities and towns can hold and dispose of devises and bequests.
Received, passed on file 292
Referred 294
Recommended passage 474
Committee report adopted 517
Passed; ayes 41, nays none 518
Reported enrolled 554
Signed by President 554
Signed by Governor.

146 By Camp, Riley, Carnahan, Denman, Peterson of Woodbury, Gittins and Murray. Relating to retirement systems for policemen and firemen eliminating fixed pensions.
Received, referred 1138

148 By Reppert and Denman. Relating to permitting cities to enter into long-term leases for libraries, library sites, books, and equipment and to authorize contributions to the support thereof other public bodies.
Received, passed on file 558
Referred 611
Recommended passage 903
Committee report adopted 916
Passed; ayes 50, nays none 916
Reported enrolled 916
Signed by President 961
Signed by Governor.

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149 By Peterson of Woodbury and Andersen of Woodbury. Relating to authorizing cities and towns to acquire industrial buildings, issue revenue bonds for the purpose of securing and developing industry and provide for the payment of certain sums in lieu of taxes to the state, county, city, town, school district and other political subdivisions.
Received, passed on file 531
Referred 532
Amendments filed 693, 741, 754
Reported without recommendation 753
Substituted for S. F. 60 759
Committee report adopted 760
Amendments adopted 760, 761
Passed; ayes 31, nays 9 761
Reported enrolled 974
Signed by President 974
Singed by Governor.

152 By Institutions of Higher Learning. Relating to changing the name of the Iowa Child Welfare Research Station at the State University of Iowa to Institute of Child Behavior and Development.
Received, passed on file 215
Referred 216
Recommended passage 363
Committee report adopted 428
Passed; ayes 48, nays none 428
Reported enrolled 445
Signed by President 445
Signed by Governor.

154 By Mowry and Eveland. Relating to the investment and deposit of county, city, town and school funds.
Received, referred to sifting 972
Sifting recommends calendar ...1004
Amendment filed 1028
Passed; ayes 35, nays 14 1044
Reported enrolled 1087
Signed by President 1087
Signed by Governor.

156 By Mensing, Sersland, Miller of Page, Walter, Miller of Jones, Palas, Scherle, Hagedorn, Nelson, Parker, Vermeer, Moffitt, Kibbie, McElroy, Darrington and Worthington. Relating to permitting collection of sales tax on the cash difference in sales of farm equipment where a trade-in is involved.
Received, referred 1000
Sifting recommends calendar 1004
Amendments filed 1017, 1031, 1048, 1261, 1277
Amendments withdrawn ...1289, 1290
Amendments adopted 1289, 1290
Passed; ayes 29, nays 17 1290
Motion to reconsider vote laid on the table 1291
Reported enrolled 1343
Statement 1344
Signed by President 1344
Vetoed by Governor.

157 By Appropriations. Relating to funds for the manufacture of motor vehicle registration plates, changing limit to sufficient sum.
Received, passed on file 241
Referred 245
Recommended amendment, passage 463
Amendment filed 1017
Committee report adopted 1021
Amendments adopted 1021
Passed; ayes 50, nays none 1021
Reported enrolled 1060
Signed by President 1060
Signed by Governor.

159 By Cunningham. Relating to ratifying the sale of certain real estate owned by the Ames Community School District in Story County and authorizing conveyance of legal title to Mary Tripp.
Received, passed on file 357
Referred 363
Recommended passage 462
Committee report adopted 519
Passed; ayes 41, nays none 519
Reported enrolled 554
Signed by President 554
Signed by Governor.

161 By Ely, Darrington, Falvey, Halling, Duffy and Carstensen. Relating to the equipment of rail track motor cars used or furnished by common carriers by railroad for transporting employees, installing windshields and wipers.
Received, referred 1083

162 By Reppert, Denman, Mensing and Messerly. Relating to corporation stock taxation, defining place of assessment.
Received, passed on file 292
Referred 294

168 By Crane. Relating to legalizing the proceedings of the city council of the city of Denison, in Crawford County, authorizing the issuance of airport bonds and for the levy of taxes for the payment of said bonds.
Received, passed on file 443
Referred 461
Proof of publication certified 531
Recommended passage 657
Committee report adopted 677
Passed; ayes 47, nays none 677
Reported enrolled 710
Signed by President 710
Signed by Governor.

169 By Hagen, Vetter, Riley and Robinson. Relating to the deposit of litter in or upon lands and waters under the jurisdiction of the state conservation commission.
Received, passed on file 588
Referred 611

171 By Ely. Relating to maximum rates which may be charged the consumers where bonds are sold by cities to construct utility plants.
Received, passed on file 832
Referred 886

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172 By Tax Revision. Relating to creating the office of state assessor and a state board of review and prescribing their powers and duties.
Received, referred 1041

173 By Cities and Towns. Relating to retirement systems for policemen and firemen, hospital, nursing, medical attention.
Received, passed on file 255
Referred 294
Recommended passage 475
Committee report adopted 642
Amendments adopted 707, 725
Passed; ayes 50, nays none 725
Reported enrolled 780
Signed by President 780
Signed by Governor.

175 By Conservation. Relating to the personnel powers of the director of the state conservation commission.
Received, passed on file 241
Referred 245
Amendment filed 447

178 By Nielsen of Shelby, Halling, Briles, Hanson of Mitchell and Busch. Relating to bids on secondary road construction work and materials therefor; increasing the allowable limit before competitive bids must be let.
Received, referred 1246
Sifting recommends calendar ...1288
Passed; ayes 38, nays 7 1298
Motion to reconsider vote laid on the table 1298
Reported enrolled 1343
Signed by President 1344
Signed by Governor.

182 By Reppert and Denman. Relating to the possession of beer, malt liquor, or alcoholic liquor by persons under 21 years of age.
Received, passed on file 489
Referred 523
Amendment filed 535

187 By Hagedorn, Bock, Grassley, Miller of Page, Miller of Jones and Winkelman. Relating to road use tax reporting requirements in cities and towns.
Received, passed on file 607
Referred 611
Recommended passage 627
Amendments filed 629, 657
Substituted for S. F. 325 639
Amendment adopted 705
Passed; ayes 45, nays none 705
Reported enrolled 752
Signed by President 753
Signed by Governor.

188 By Board of Control. Relating to the attendance at approved public high schools of children from any institution under jurisdiction of the board of control.
Received, passed on file 289

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Referred 294
Recommended passage 692
Committee report adopted 745
Passed; ayes 45, nays none 745
Reported enrolled 780
Signed by President 780
Signed by Governor.

189 By Board of Control. Relating to adopting the interstate compact on mental health and designate an administrator with other states.
Received, passed on file 444
Referred 461
Recommended passage 534
Committee report adopted 668
Passed; ayes 42, nays none 736
Reported enrolled 763
Signed by President 763
Signed by Governor.

190 By Board of Control. Relating to allowing prisoners who volunteer to be sent to the state university hospital for medical research.
Received, passed on file 290
Referred 294
Recommended passage 524
Committee report adopted 646
Passed; ayes 47, nays none 671
Reported enrolled 710
Signed by President 710
Signed by Governor.

191 By Board of Control. Relating to reciprocal agreements with other states for the supervision of mentally ill or mentally retarded persons on convalescent leave.
Received, passed on file 505
Referred 523
Recommended passage 692
Committee report adopted 851
Passed; ayes 43, nays none 852
Reported enrolled 902
Signed by President 902
Signed by Governor.

193 By Edgington, Stokes, Prine and Smith of O'Brien. Relating to speed limits on hard surfaced secondary roads.
Received, passed on file 599
Referred 611
Recommended passage 763
Sifting recommends calendar ... 938
Committee report adopted 950
Passed; ayes 37, nays 2 950
Reported enrolled 1027
Signed by President 1027
Signed by Governor.

194 By Messerly, Gittins and Swisher. Relating to the power of boards of supervisors to adopt building codes.
Received, passed on file 505
Referred 523
Recommended passage 713
Committee report adopted 857
Passed; ayes 41, nays 3 876
Reported enrolled 938
Signed by President 938
Signed by Governor.

196 By Insurance. Relating to regulation of securities agents

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and dealers under the Iowa securities law.
Received, passed on file 290
Referred 294
Recommended passage 739
Committee report adopted 812
Passed; ayes 45, nays 2 812
Motion filed to reconsider vote .. 832
Vote reconsidered 882
Amendment withdrawn 882
Amendment adopted 882
Passed; ayes 37, nays 3 883
Reported enrolled 961
Signed by President 961
Signed by Governor.

197 By Board of Control. Relating to the penalty charges imposed on counties delinquent in the payment of their billings for mental health care.
Received, passed on file 290
Referred 294
Recommended passage 524
Committee report adopted 646
Passed; ayes 41, nays 4 664
Reported enrolled 737
Signed by President 737
Signed by Governor.

199 By Van Nostrand. Relating to delinquent uncollectible personal property taxes, after 15 years.
Received, passed on file 588
Referred 611

201 By Scherle, Nelson, Knock, McElroy, Walter and Busch. Relating to the duties of the sheriff in the execution of the death penalty.
Received, passed on file 292
Referred 294

203 By Den Herder, Loss, Messerly, Paul, Prine, Van Alstine, Eveland, Cunningham, Murray and Vermeer. Relating to the marketing of dairy products and imitations thereof.
Received, passed on file 599
Referred 611

205 By Riley. Relating to fixing speed limits for motor vehicles on bridges or elevated structures.
Received, passed on file 588
Referred 611
Sifting recommends calendar 1252
Amendment adopted 1258
Passed; ayes 47, nays none 1258
Reported enrolled 1287
Signed by President 1288
Signed by Governor.

208 By Camp, Carstensen, Knowles, Messerly, Stanley and Vermeer. Relating to sales and use taxes and expendable chemicals, solvents and reagents used in processing personal property.
Received, passed on file 709
Referred 711
Sifting recommends calendar 938
Passed; ayes 43, nays 3 968
Reported enrolled 1047
Signed by President 1047
Signed by Governor.

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210 By Van Nostrand. Relating to permitting the destruction of tax lists more than ten years old.
Received, passed on file 788
Referred 886
Recommended passage 927
Sifting recommends calendar 938
Committee report adopted 956
Passed; ayes 44, nays none 956
Reported enrolled 974
Signed by President 974
Signed by Governor.

211 By Van Nostrand. Relating to providing that the whole of the real and personal property tax of ten dollars or less may not be paid in installments.
Received, passed on file 857
Referred 863

213 By Aeronautics. Relating to increasing compensation of the members of the aeronautics commission.
Received, passed on file 290
Referred 294
Recommended passage 612
Committee report adopted 809
Passed; ayes 29, nays 13 845
Reported enrolled 902
Signed by President 902
Signed by Governor.

215 By Andersen of Woodbury and Denman. Relating to the imposition of special parking restrictions in cities and towns in aid of snow removal operations and to provide the manner for posting notice thereof.
Received, passed on file 588
Referred 611
Recommended passage 712
Committee report adopted 857
Passed; ayes 37, nays none 858
Reported enrolled 902
Signed by President 902
Signed by Governor.

216 By Ely and Riley. Relating to the printing of city council proceedings, city population over 90,000.
Received, passed on file 531
Referred 532

217 By Denman and Busch. Relating to forfeiture of class "B" club beer permit bonds and class "C" beer permit bonds.
Received, passed on file 599
Referred 611

218 By Aeronautics. Relating to airports and permitting leasing property up to 50 years.
Received, passed on file 290
Referred 294
Recommended passage 713
Committee report adopted 858
Passed; ayes 38, nays none 858
Reported enrolled 902
Signed by President 902
Signed by Governor.

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219 By Banks, Building and Loan. Relating to loans by savings and state banks secured by direct obligations of the United States.
Received, passed on file 290
Referred 294
Substituted for S. F. 204 379
Passed; ayes 46, nays 1 379
Reported enrolled 435
Signed by President 435
Signed by Governor.

222 By Insurance. Relating to insurance other than life, permitting certain risks be written in foreign or alien insurers.
Received, passed on file 290
Referred 294
Recommended amendment, passage 835
Amendment filed 887
Committee report adopted 914
Amendments adopted 914
Passed; ayes 50, nays none 915
Reported enrolled 974
Signed by President 974
Signed by Governor.

229 By Mowry and Kreager. Relating to increasing compensation of county supervisors, in counties over 35,000.
Received, passed on file 588
Referred 611

231 By Judiciary 2. Relating to annual license fees of domestic and foreign corporations.
Received, passed on file 290
Referred 294
Recommended passage 333
Committee report adopted 414
Passed; ayes 46, nays none 423
Reported enrolled 445
Signed by President 445
Signed by Governor.

232 By Schools, Libraries, State Educational Institutions. Relating to election of state board of public instruction members.
Received, passed on file 293
Referred 294
Recommended passage 384
Amendments filed 447, 479, 581
Committee report adopted 662
Amendments withdrawn 703
Amendment adopted 703
Passed; ayes 49, nays none 703
Reported enrolled 752
Signed by President 752
Signed by Governor.

234 By Hagie. Relating to legalizing the proceedings of the board of supervisors of Wright County in connection with a contract made with the D. C. Taylor Company of Cedar Rapids, for the repair of the west and north elevations of the Wright County courthouse located in Clarion.
Received, passed on file 357
Referred 363
Recommended passage 463
Committee report adopted 501
Passed; ayes 45, nays 1 502

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Reported enrolled 523
Signed by President 523
Proof of publication certified ... 532
Signed by Governor.

236 By Riley, Duffy, Denman, Frazier and Paul. Relating to resolutions of necessity and award of contracts for public improvements in cities and towns.
Received, passed on file 599
Substituted for S. F. 390 644
Passed; ayes 46, nays none 644
Reported enrolled 710
Signed by President 710
Signed by Governor.

237 By Briles and Riley. Relating to the terms of office for members of the Iowa civil defense administration.
Received, passed on file 357
Referred 363
Recommended passage 474
Committee report adopted 642
Amendments filed 764, 786
Amendments adopted 806
Passed; ayes 44, nays 2 806
Motion filed to reconsider vote ... 832
Senate insisted 1064
Conference committee appointed .1064

239 By Goode. Relating to minimum teachers' wages.
Received, referred 972
Sifting recommends calendar 1073
Passed; ayes 49, nays none 1118
Reported enrolled 1139
Signed by President 1139
Signed by Governor.

240 By Wier. Relating to levee and drainage districts selling land when no longer needed.
Received, referred 972
Sifting recommends calendar 1025
Passed; ayes 49, nays none 1044
Reported enrolled 1060
Signed by President 1060
Signed by Governor.

243 By Knowles, Stanley, Kreager, Gittins, Scherle, Hagedorn and Prine. Relating to income tax deduction for aged or blind persons.
Received, passed on file 607
Referred 611
Sifting recommends calendar 965
Passed; ayes 47, nays 1 998
Reported enrolled 1060
Signed by President 1060
Signed by Governor.

247 By Millen. Relating to the issuance of special mobile equipment certificate and plates.
Received, passed on file 444
Referred 461
Recommended passage 763
Sifting recommends calendar 965
Committee report adopted 996
Passed; ayes 50, nays none 996
Reported enrolled 1027
Signed by President 1027
Signed by Governor.

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248 By Paul and Dunton. Relating to permitting specially qualified high school students to attend a college or university for advanced courses and to pay tuition from school corporation funds.
Received, passed on file 589
Referred 611
Recommended passage 691
Committee report adopted 852
Re-referred to schools and educational institutions 852

250 By Knock. Relating to the denominations of public bonds issued by counties, cities, towns and school districts.
Received, passed on file 589
Referred 611
Sifting recommends calendar 1128
Passed; ayes 41, nays none 1134
Reported enrolled 1149
Signed by President 1149
Signed by Governor.

251 By Stokes. Relating to the power of academic corporations to confer degrees.
Received, passed on file 804
Referred 886
Sifting recommends calendar 1128
Passed; ayes 42, nays none 1132
Reported enrolled 1149
Signed by President 1149
Signed by Governor.

252 By Goode. Relating to workmen's compensation, including county boards of education.
Received, passed on file 515
Referred 523
Recommended passage 713
Committee report adopted 880
Passed; ayes 48, nays none 880
Reported enrolled 902
Signed by President 902
Signed by Governor.

254 By Carstensen. Relating to the admissibility into evidence of certain testimony regarding crime against a minor by either parent.
Received, passed on file 699
Referred 711

257 By Judiciary 1. Relating to making it a misdemeanor to obtain or attempt to obtain goods, property or service by false or fraudulent use of credit cards or other false or fraudulent means, and providing penalties therefor.
Received, passed on file 347
Referred 363
Recommended passage 566
Committee report adopted 686
Passed; ayes 48, nays none 686
Reported enrolled 737
Signed by President 737
Signed by Governor.

258 By Public Health and Pharmacy. Relating to abolishing the licensing of itinerant practitioners.
Received, passed on file 347
Referred 363

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Recommended passage 476
Committee report adopted 512
Amendment filed 567
Amendment adopted 590
Passed; ayes 48, nays none 590
Reported enrolled 737
Signed by President 737
Signed by Governor.

259 By Board of Control. Relating to the legal settlement of a mentally ill person at the time of admission to a state institution.
Received, passed on file 347
Referred 363
Recommended passage 692
Committee report adopted 745
Passed; ayes 45, nays none 745
Reported enrolled 780
Signed by President 780
Signed by Governor.

264 By Judiciary 1. Relating to mandatory retirement and temporary service by retired judges.
Received, passed on file 472
Referred 523

275 By Hirsch, Fisher of Greene, Kibbie, Den Herder, Hagedorn, Dunton and Walter. Relating to brucellosis control in swine.
Received, passed on file 553
Referred 554
Recommended passage 565
Amendment filed 657
Committee report adopted 686
Amendment adopted 686
Passed; ayes 48, nays none 687
Reported enrolled 752
Signed by President 752
Signed by Governor.

280 By Hagie, Falvey, Moffitt, Parker, McElroy and Olson. Relating to the place of holding election meetings to elect members of the county agricultural extension council.
Received, passed on file 444
Referred 461
Recommended passage 656
Amendments filed 681, 863
Committee report adopted 849
Amendment withdrawn 874
Amendment adopted 874
Passed; ayes 48, nays none 874
Return to House 1125
Concurred 1224
Passed; ayes 50, nays none 1224
Reported enrolled 1246
Signed by President 1247
Signed by Governor.

286 By Riley. Relating to memorial commissions, including chartered veteran's organizations.
Received, referred 972
Sifting recommends calendar ...1073
Amendment filed 1088
Amendment adopted 1116
Passed; ayes 47, nays none 1116
Reported enrolled 1212
Signed by President 1212
Signed by Governor.

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287 By Ely and Hirsch. Relating to permitting the legislative research bureau to obtain copies of the Code and Code annotations without charge.
Received, passed on file 788
Referred 886
Sifting recommends calendar 965
Passed; ayes 50, nays none 997
Reported enrolled 1027
Signed by President 1027
Signed by Governor.

291 By Highway Safety. Relating to setting speed limits on roadways at institutions under the control of the state board of regents.
Received, passed on file 444
Referred 461
Recommended passage 691
Committee report adopted 852
Passed; ayes 42, nays none 852
Reported enrolled 902
Signed by President 902
Signed by Governor.

298 By Safety and Law Enforcement. Relating to temporary extensions of motor vehicle operators' licenses in certain instances.
Received, passed on file 357
Referred 363
Recommended passage 490
Committee report adopted 521
Passed; ayes 41, nays none 521
Reported enrolled 554
Signed by President 554
Signed by Governor.

308 By Petersen of Dallas. Relating to authorizing the board of directors of the Central Dallas Community School District, Dallas County, to transfer to the schoolhouse fund of said community school district, certain funds now held by the community school under the name and style of the "Hoover Fund".
Received, passed on file 459
Referred 461
Recommended passage 473
Committee report adopted 493
Passed; ayes 45, nays none 493
Reported enrolled 523
Signed by President 523
Reported enrolled 564
Signed by President 564
Signed by Governor.

309 By Dietz and Knowles. Relating to authorizing the sale and conveyance to Iowa-Illinois Gas and Electric Company of certain land in Scott County, lying below the ordinary highwater mark of the Mississippi River.
Proof of publication certified ... 506
Received, passed on file 589
Referred 611
Recommended passage 862
Committee report adopted 877
Passed; ayes 48, nays none 877
Reported enrolled 902
Signed by President 902
Signed by Governor.

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310 By Social Security. Relating to the investment and reinvestment of the Iowa Public Employees Retirement Fund.
Received, passed on file 553
Recommended passage 714
Amendment filed 765
Committee report adopted 879
Amendment adopted 879
Passed; ayes 47, nays none 879
Reported enrolled 938
Signed by President 938
Signed by Governor.

315 By Board of Control. Relating to empowering the Board of Control or an agent designated by the board to temporarily exercise the authority normally vested in its employees when problems arise.
Received, passed on file 564
Recommended passage 781
Sifting recommends calendar 938
Committee report adopted 951
Passed; ayes 40, nays none 951
Reported enrolled 974
Signed by President 974
Signed by Governor.

316 By Board of Control. Relating to orders to return mental patients on convalescent leave to the hospital, and providing for payment of travel expenses incurred.
Received, passed on file. 553
Sifting recommends calendar ..1128
Passed; ayes 41, nays none 1134
Reported enrolled 1149
Signed by President 1149
Signed by Governor.

317 By Agriculture 2. Relating to agricultural seeds, regulating testing and labeling.
Received, passed on file 589
Substituted for S. F. 401 684
Passed; ayes 48, nays none 684
Reported enrolled 737
Signed by President 737
Signed by Governor.

319 By Insurance. Relating to the sale of mortgage guaranty insurance by licensed insurance companies.
Received, passed on file 589
Referred 611
Recommended passage 835
Sifting recommends calendar .. 938
Committee report adopted 953
Passed; ayes 42, nays 1 953
Reported enrolled 1027
Signed by President 1027
Signed by Governor. .....

320 By Insurance. Relating to clarifying definitions under the Iowa Securities Law.
Received, passed on file 444
Referred 461
Sifting recommends calendar ..1025
Passed; ayes 50, nays none 1042
Reported enrolled 1060
Signed by President 1060
Signed by Governor.

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321 By Insurance. Relating to registration exemptions under the Iowa Securities Law, removing benevolent and charitable.
Received, passed on file 444
Referred 461
Recommended passage 740
Committee report adopted 812
Passed; ayes 49, nays none 813
Reported enrolled 861
Signed by President 861
Signed by Governor.

322 By Insurance. Relating to securities between certain organizations under common or overlapping control.
Received, referred 972
Sifting recommends calendar ..1025
Passed; ayes 50, nays none 1042
Signed by President 1060
Signed by Governor.

323 By Insurance. Relating to increase in capital and surplus requirements for insurance companies seeking new licenses in the state of Iowa.
Received, referred 972

324 By Insurance. Relating to the sale of securities.
Received, passed on file 699
Referred 711
Recommended passage 740
Committee report adopted 813
Passed; ayes 49, nays none 813
Reported enrolled 861
Signed by President 861
Signed by Governor.

325 By Fish and Game. Relating to increasing salaries of State Conservation officers.
Received, passed on file 788
Referred 886
Recommended passage 904
Committee report adopted 919
Passed; ayes 47, nays 1 919
Reported enrolled 961
Signed by President 961
Signed by Governor.

331 By Insurance. Relating to increasing the maximum per diem of insurance examiners.
Received, passed on file 699
Referred 711
Recommended passage 740
Committee report adopted 813
Passed; ayes 48, nays none 814
Reported enrolled 861
Signed by President 861
Signed by Governor.

332 By Tax Revision. Relating to enabling the exchange of inheritance tax information with the federal government.
Received, passed on file 444
Referred 461
Recommended passage 754
Sifting recommends calendar 938
Committee report adopted 950
Passed; ayes 42, nays 1 950
Reported enrolled 1027
Signed by President 1027
Signed by Governor.

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335 By Kreager, Mensing, Ely, Knock, Carstensen and Winkelman. Relating to interest in contracts with cities and towns on the part of councilmen, when entered into prior to being elected.
Received, passed on file 788
Referred 886
Recommended passage 903
Committee report adopted 920
Passed; ayes 48, nays none 920
Reported enrolled 961
Signed by President 961
Signed by Governor.

342 By Gittins and Coffman. Relating to clarifying liability for support furnished by the county for patients admitted voluntarily to mental health institutes.
Received, referred 972
Sifting recommends calendar 1252
Passed; ayes 47, nays none 1259
Reported enrolled 1287
Signed by President 1288
Signed by Governor.

344 By Mowry. Relating to empowering the mayor in all cities and towns where the council is composed of only four members to vote on any and all matters where the vote of the council is evenly divided.
Received, passed on file 699
Referred 711
Sifting recommends calendar ...1112
Passed; ayes 49, nays none 1119
Reported enrolled 1139
Signed by President 1139
Signed by Governor.

345 By Mensing, Robinson, Kreager, Sersland, Jarvis, Maule and Stokes. Relating to public safety peace officers' retirement, accident and disability system.
Received, referred 1301

351 By Agriculture 1. Relating to appropriating from the general fund of the state to the state to the Department of Agriculture for the purchase and equipment of a special purpose truck.
Received, referred 1060
Recommended passage 1140
Committee report adopted 1223
Passed; ayes 50, nays none 1223
Reported enrolled 1246
Signed by President 1247
Signed by Governor.

354 Private Corporations. Relating to corporations for profit during emergency.
Received, passed on file 589
Substituted for S. F. 231 683
Passed; ayes 47, nays none 683
Reported enrolled 737
Signed by President 737
Signed by Governor.

357 By Carstensen and Camp. Relating to agreements be-

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tween cities and towns on annexing territory.
Received, passed on file 699
Referred 711
Recommended passage 904
Committee report adopted 921
Passed; ayes 50, nays none 921
Reported enrolled 961
Signed by President 961
Signed by Governor.

358 By Sokol, Nelson, Balloun and Loss. Relating to the manner of estimating state aid for school budgeting purposes.
Received, passed on file 589
Referred 611
Recommended passage 692
Committee report adopted 853
Passed; ayes 42, nays none 853
Reported enrolled 902
Signed by President 902
Signed by Governor.

362 By Denman and Reppert. Relating to the grand jury, two members drawn from townships with population 60,000.
Received, passed on file 700
Referred 711
Sifting recommends calendar 938
Passed; ayes 43, nays none 959
Reported enrolled 974
Signed by President 974
Signed by Governor.

364 By Anderson of Ringgold. Relating to the taxable value of farm buildings when making repairs.
Received, referred 1000

378 By Edgington, Walter, Duffy, Nielsen of Emmet, Wright, Eveland, Smith of O'Brien, Den Herder, Vermeer and Dietz. Relating to the creation of a single examining and licensing board for physicians and surgeons and matters relating thereto.
Received, referred 1004
Sifting recommends calendar 1004
Amendment adopted 1005
Passed; ayes 46, nays none 1005
Reported enrolled 1060
Signed by President 1060
Signed by Governor.

380 By Stanley, Mowry, Carstensen, Eveland, Darrington, Swisher, Riley and Mensing. Relating to the powers of cities and towns and to confer upon them broad powers, of self-determination with respect to local and internal affairs.
Received, referred 1287
Sifting recommends calendar ..1288
Amendment adopted 1306
Passed; ayes 47, nays none 1306
Reported enrolled 1343
Signed by President 1344
Signed by Governor.

386 By Elections, Political and Judicial Districts. Relating to lengthening to four years the term of office of county supervisors and township trustees.
Received, referred 972

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Amendment filed 1018
Sifting recommends calendar 1025
Amendment adopted 1056
Passed; ayes 35, nays 4 1056
Reported enrolled 1139
Signed by President 1139
Signed by Governor.

392 By Fisher of Greene. Relating to the merger of school districts.
Received, passed on file 700
Referred 711
Substituted for S. F. 344 850
Passed; ayes 44, nays none 850
Reported enrolled 885
Signed by President 885
Signed by Governor.

393 By Mowry. Relating to joint county-city or town buildings.
Received, passed on file 700
Substituted for S. F. 378 728
Amendments adopted 729
Passed; ayes 40, nays none 729
Motion filed to reconsider vote .. 752
Amendment filed 887
Vote reconsidered 891
Amendment withdrawn 891
Amendment adopted 892
Passed; ayes 36, nays 6 892
Senate insisted 1025
Conference committee appointed 1025
Conference committee report ...1070
Conference committee report adopted 1092
Amendments adopted 1092
Passed; ayes 47, nays none 1092
Reported enrolled 1139
Signed by President 1139
Signed by Governor.

396 By Anderson of Ringgold Siglin, Lutz, and Casey. Relating to notice of proposed establishment of a secondary road district.
Received, referred 1083

401 By Ways and Means. Relating to penalties for failure to file a sales or use tax return or failure to pay sales or use tax within the time required.
Received, passed on file 589
Referred 611
Recommended passage 1014
Committee report adopted 1020
Passed; ayes 40, nays none 1020
Reported enrolled 1047
Signed by President 1047
Signed by Governor.

402 By Public Lands and Buildings. Relating to the re-gilding of the domes of the state capitol and to make an appropriation therefor.
Received, passed on file 860
Referred 886
Sifting recommends calendar ..1128
Referred to appropriations 1128
Reported without recommendation 1236
Committee report adopted 1248
Passed; ayes 44, nays 1 1248
Reported enrolled 1260
Signed by President 1260
Signed by Governor.

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407 By Board of Control. Relating to the place of holding quarterly conferences of the board of control.
Received, passed on file 700
Referred 711
Recommended passage 781
Committee report adopted 916
Passed; ayes 50, nays none 917
Reported enrolled 961
Signed by President 961
Signed by Governor.

410 By Vermeer. Relating to the adoption of city and town codes making it unnecessary to publish in a newspaper thereby reducing costs.
Received, referred 1246
Amendment filed 1313
Sifting recommends calendar ..1339
Amendment adopted 1342
Passed; ayes 43, nays none 1342
Reported enrolled 1345
Signed by President 1345
Signed by Governor.

412 By Board of Control. Relating to transferring jurisdiction to Dallas County certain land now comprising a part of the Woodward State Hospital and School at Woodward, Dallas County, Iowa.
Received, passed on file 515
Referred 523
Recommended passage 660
Committee report adopted 720
Passed; ayes 45, nays none 720
Reported enrolled 752
Signed by President 752
Signed by Governor.

413 By Board of Control. Relating to transferring jurisdiction to Boone County certain land now comprising a part of the Woodward State Hospital and School at Woodward, Iowa.
Received, passed on file 515
Referred 523
Recommended passage 657
Committee report adopted 721
Passed; ayes 43, nays none 721
Reported enrolled 752
Signed by President 752
Signed by Governor.

414 By Board of Control. Relating to transferring jurisdiction to Boone County certain land now comprising a part of the Woodward State Hospital and School at Woodward, Iowa.
Received, passed on file 516
Referred 523
Recommended passage 660
Committee report adopted 721
Passed; ayes 47, nays none 722
Reported enrolled 752
Signed by President 752
Signed by Governor.

415 By Social Security. Relating to the taking of certain tax deeds by the state board of social welfare.
Received, passed on file 516
Referred 523
Recommended passage 714
Committee report adopted 880
Passed; ayes 46, nays none 880
Reported enrolled 902
Signed by President 902
Signed by Governor.

417 By Riley and Briles. Relating to establishment of joint county-municipal civil defense administrations, their powers and duties, and the establishment of a joint civil defense fund for payment of expenses in connection therewith.
Received, passed on file 789
Referred 886
Sifting recommends calendar 1288
Passed; ayes 47, nays none 1306
Reported enrolled 1343
Signed by President 1344
Signed by Governor.

420 By County and Township Affairs. Relating to increasing the maximum levy for ordinary revenue allowed upon the assessed valuation of the taxable property in the county.
Received, passed on file 709
Referred 711
Recommended passage 836
Committee report adopted 924
Passed; ayes 39, nays none 924
Reported enrolled 961
Signed by President 961
Signed by Governor.

421 By Board of Control. Relating to authorizing the board of control to increase the amount of money paid to inmates upon release from the women's reformatory.
Received, passed on file 700
Referred 711
Recommended passage 781
Committee report adopted 925
Passed; ayes 37, nays none 925
Reported enrolled 961
Signed by President 961
Signed by Governor.

423 By Fish and Game. Relating to requirements for tags to be used in conjunction with traps and license fees.
Received, passed on file 700
Referred 711
Sifting recommends calendar ... 965
Passed; ayes 50, nays none 995
Reported enrolled 1027
Signed by President 1027
Signed by Governor.

424 By Fish and Game. Relating to authorizing the State Conservation Commission to cooperate with the United States government and to accept federal funds for planning, acquisition and development of outdoor recreational areas.
Received, passed on file 804
Substituted for S. F. 414 932
Passed; ayes 27, nays 22 932
Reported enrolled 1013
Signed by President 1013
Signed by Governor.

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425 By Institutions of Higher Learning. Relating to authorizing the University Hospital at Iowa City to collect and settle claims for the care of patients.
Received, passed on file 589
Referred 611
Sifting recommends calendar ... 965
Passed; ayes 48, nays none 1001
Reported enrolled 1027
Signed by President 1027
Signed by Governor.

443 By Knowles. Relating to legalizing the proceedings of the city council of Davenport, in Scott County, authorizing and providing for the issuance, sale and delivery of motor vehicle parking facilities revenue bonds.
Received, passed on file 564
Proof of publication certified .. 580
Referred 585
Recommended passage 590
Committee report adopted 591
Passed; ayes 48, nays none 591
Reported enrolled 627
Signed by President 627
Signed by Governor.

444 By Dietz. Relating to increasing fees for Class "C" beed permits.
Received, referred 1211

452 By State Planning and Development. Relating to economic development corporations.
Received, passed on file 700
Referred 711
Recommended passage 752
Amendment filed 786
Substituted for S. F. 405 807
Amendment adopted 844
Passed; ayes 44, nays none 845
Reported enrolled 974
Signed by President 974
Signed by Governor.

454 By Dunton, Fisher of Greene, Camp, Falvey, Mowry, Prine, Worthington, Denman, Paul, Kibbie, Balloun, Casey, Kreager, Riley, Cunningham, Anderson of Ringgold, Bock, Murphy, Hagie, Grassley, Moffitt, Steffen, Petersen of Dallas, Parker and Hanson of Lyon. Relating to the use of maintenance equipment of the county for care and maintenance of county fairgrounds.
Received, passed on file 700
Referred 711
Sifting recommends calendar ... 965
Passed; ayes 49, nays 1 996
Reported enrolled 1060
Signed by President 1060
Signed by Governor.

457 By Briles, Breitbach, Kibbie, Casey and Nielsen of Emmet. Relating to the issuance of special automobile license plates to seriously disabled veterans.
Received, referred 972

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Sifting recommends calendar 1112
Passed; ayes 49, nays none 1120
Reported enrolled 1139
Signed by President 1139
Signed by Governor.

460 By Briles, Strothman, Maule, Lutz, Crane, Tabor and Wells. Relating to the buying and selling of eggs, fixing a license for dealers and processors.
Received, referred 1211

462 By Hirsch, Messerly, Robinson, Kreager and Graham. Relating to highway signs of camp and camp areas.
Received, referred 1083
Amendments filed 1088, 1128
Sifting recommends calendar 1128
Amendments adopted 1131
Passed; ayes 44, nays none 1131
Reported enrolled 1212
Signed by President 1212
Signed by Governor.

463 By Hanson of Mitchell, Olson, Edgington and Mensing. Relating to the state fair board enlarging membership, providing for selection of officers.
Received, referred 972

468 By Nelson and Scherle. Relating to size, weight, and load vehicle permits.
Received, referred 1126
Sifting recommends calendar ...1128
Amendments filed 1128, 1141, 1237
Point of order raised 1251
Tabled 1251
Motion to reconsider vote laid on the table 1251
Statement 1287

481 By Balloun and Van Nostrand. Relating to warehouses for agricultural products, repealing licensing of unbonded.
Received, referred 972
Sifting recommends calendar ...1025
Passed; ayes 50, nays none 1046
Reported enrolled 1060
Signed by President 1060
Signed by Governor.

487 By Miller of Page. Relating to notation and release of liens on motor vehicles by county treasurers.
Received, passed on file 789
Substituted for S. F. 292 854
Passed; ayes 41, nays none 854
Reported enrolled 902
Signed by President 902
Signed by Governor.

489 By Meyer, Baringer, Balloun, Kibbie, Palas, Strothman and Anderson of Ringgold. Relating to authorizing the State Commerce Commission to enter into a contract with the United States Government or any designated agency thereof for the purpose of releasing information pertaining to inspections of warehouses bonded and licensed and to provide for

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recovering the cost of providing such information.
Received, referred 1084
Sifting recommends calendar 1128
Passed; ayes 41, nays none 1135
Reported enrolled 1149
Signed by President 1149
Signed by Governor.

490 By Carstensen and Camp. Relating to dock commissions, to broaden their powers.
Received, passed on file 804
Referred 886
Recommended passage 904
Sifting recommends calendar 938
Committee report adopted 955
Passed; ayes 41, nays none 955
Reported enrolled 974
Signed by President 974
Signed by Governor.

491 By Mowry, Mensing, Paul, Kreager, Hagie, Hirsch and Vetter. Relating to unemployment compensation benefits, the eligibility therefor, causes for disqualification, changes in the contribution rates for certain employers, increases in weekly benefit amounts, and the administration thereof.
Received, referred 973

495 By Maule. Relating to retension of right to vote for president and vice-president by persons who leave Iowa.
Received, passed on file 804
Referred 886

505 By Miller of Des Moines. Relating to certain tangible property being subject to taxation.
Received, passed on file 709
Referred 711
Recommended passage 927
Sifting recommends calendar 938
Committee report adopted 958
Passed; ayes 43, nays none 958
Reported enrolled 974
Signed by President 974
Signed by Governor.

539 By Conservation. Relating to the purchase and operation of such aircraft as required by the conservation commission in the performance of its duties.
Received, referred 1084
Sifting recommends calendar 1128
Passed; ayes 41, nays 1 1133
Reported enrolled 1246
Signed by President 1247
Signed by Governor.

543 By Institutions of Higher Learning. Relating to authorizing the state board of regents to acquire, maintain and control buildings for use as student residence halls, dormitories and dining halls at the State University of Iowa, Iowa State University of Science and Technology and the State College of Iowa, and to establish and collect rates, fees and rentals.

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Received, passed on file 709
Amendment filed 816
Substituted for S. F. 425 878
Amendment withdrawn 901
Passed; ayes 49, nays none 901
Reported enrolled 961
Signed by President 961
Signed by Governor.

544 By Fish and Game. Relating to hunting and fishing licenses for nonresidents of Iowa, repealing reciprocal, setting hunting license at $15, and fishing at $2.50.
Received, passed on file 789
Referred 886

548 By Judiciary 2. Relating to legalizing and validating the proceedings for the organization and establishment of the boundaries of the Traer-Clutier Community School District, in the county of Tama, and declaring said district a duly and legally organized corporate body as provided by law.
Proof of publication certified .. 532
Received, passed on file 548
Referred 554
Recommended passage 657
Committee report adopted 676
Passed; ayes 47, nays none 676
Reported enrolled 710
Signed by President 710
Signed by Governor.

549 By Judiciary 2. Relating to legalizing and validating the proceedings of the board of directors of the Traer-Clutier Community School District, in the county of Tama, authorizing and providing for the issuance of school building bonds and for the levy of taxes for the payment of said bonds and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said school district.
Proof of publication certified 532
Received, passed on file 548
Referred 554
Recommended passage 660
Committee report adopted 676
Passed; ayes 47, nays none 677
Reported enrolled 710
Signed by President 710
Signed by Governor.

550 By Ways and Means. Relating to creating a school property tax replacement fund, to provide for the revenue for its establishment, and to prescribe the method for making distribution from such fund, and to provide for revision in the general fund revenue to the state.
Received, referred 936
Made special order 1001
Recommended amendment, passage 1014
Placed on calendar under unfinished business 1027
Amendments filed .....
.....1031, 1032, 1033, 1034,

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1036, 1074, 1075, 1088, 1089, 1112, 1128, 1150, 1151, 1180, 1185, 1186, 1187
Call of the Senate 1145
Point of order raised 1147
Amendments withdrawn 1158, 1159, 1164, 1165, 1195, 1196, 1201, 1204, 1205
Amendments adopted 1160, 1195, 1197, 1198, 1201, 1206, 1208, 1209
Points of order raised 1197, 1198, 1199, 1204
Explanation of vote 1201
Passed; ayes 28, nays 22 1209
Motion to reconsider vote laid on the table 1209
Point of order raised 1297
Refused to concur 1298
Conference committee appointed 1308
Conference committee report 1322
Conference committee report rejected 1326

551 By Social Security. Relating to the federal social security enabling act.
Received, referred 973

554 By Public Health and Pharmacy. Relating to providing for the regulation and licensing of the practice of nursing.
Received, referred 1246
Sifting recommends calendar ...1264
Passed; ayes 46, nays none 1278
Reported enrolled 1343
Signed by President 1344
Signed by Governor.

558 By Judiciary 2. Relating to legalizing and validating the proceedings of the city council of Denison in Crawford County, authorizing and providing for the issuance of street improvement bonds for paving, sanitary sewer and water mains and extensions, and for the levy of special assessments against benefited property for the payment of said bonds, and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of the city of Denison.
Proof of publication certified ... 580
Received, passed on file 599
Referred 611
Recommended passage 862
Committee report adopted 883
Passed; ayes 45, nays none 883
Reported enrolled 902
Signed by President 902
Signed by Governor.

562 By Conservation. Relating to authorizing county conservation boards to cooperate with the government of the United States and to accept federal funds for planning, acquisition and development of outdoor recreational areas.
Received, passed on file 789
Referred 886

564 By Fish and Game. Relating to the granting of permission to the state conservation commission to incorporate into state regulations by administrative order the regulations under the federal migratory bird treaty act and the migratory bird hunting stamp act.
Received, referred 973
Sifting recommends calendar ..1128
Passed; ayes 44, nays none 1132
Reported enrolled 1149
Signed by President 1149
Signed by Governor.

566 By Tax Revision. Relating to county conservation boards, eliminating requirement to levy one-fourth mill tax.
Received, referred 973
Sifting recommends calendar 1112
Passed; ayes 49, nays none 1121
Reported enrolled 1139
Signed by President 1139
Signed by Governor.

570 By Judiciary 2. Relating to the powers of cities and towns in regard to water plants, facilities and connections.
Received, referred 973

573 By Judiciary 2. Relating to enabling the state conservation commission to release an easement in favor of the people of the State of Iowa which presently encumbers the property of Henrietta G. Pitman, L. G. Pitman, Clarence P. McConnell, and Loveta Opal McConnell.
Received, referred 973
Sifting recommends calendar 1004
Passed; ayes 48, nays none 1005
Reported enrolled 1047
Signed by President 1047
Signed by Governor.

575 By Schools, Libraries, State Educational Institutions. Relating to the power of electors to vote a tax for the purchase of a school bus garage without a bond issue.
Received, referred 973

579 By Tax Revision. Relating to reciprocal enforcement of tax liabilities between states.
Received, referred 1211
Sifting recommends calendar ...1252
Passed; ayes 47, nays none 1259
Reported enrolled 1287
Signed by President 1288
Signed by Governor.

584 By Safety and Law Enforcement. Relating to appropriating funds to the State Board of Regents to expand existing fire training facilities at Iowa State University.
Received, referred 1322

586 By Judiciary 2. Relating to legalizing the acceptance, organization, and establishment of the county public hospital in county of Franklin, and to declare said hospital a duly erected hospital as provided by law.

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Proof of publication certified ... 962
Received, referred 974
Sifting recommends calendar 1073
Passed; ayes 49, nays none 1115
Reported enrolled 1139
Signed by President 1139
Signed by Governor.

587 By Elections, Political and Judicial Districts. Relating to providing for political party precinct caucuses and the election of delegates to county conventions at such caucuses.
Received, referred 1084
Sifting recommends calendar 1112
Passed; ayes 48, nays none 1120
Reported enrolled 1139
Signed by President 1139
Signed by Governor.

588 By Claims. Relating to allowing the state appeal board and special assistant attorney general power to approve or reject claims against the state.
Received, referred 1211
Sifting recommends calendar 1252
Passed; ayes 47, nays none 1260
Reported enrolled 1287
Signed by President 1288
Signed by Governor.

589 By Judiciary 1. Relating to making it unlawful for any person or employer to discriminate in employment against any individual, and for a labor organization to discriminate in membership against the individual, because of race, color, religion, national origin or ancestry.
Received, referred 1041
Sifting recommends calendar 1112
Passed; ayes 32, nays 12 1124
Motion to reconsider vote laid on the table 1125
Reported enrolled 1139
Signed by President 1139
Signed by Governor.

590 By Judiciary 2. Relating to legalizing the action of the Marion Rural Community School District in changing the name of the school district.
Received, referred 1084

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Sifting recommends calendar 1112
Passed; ayes 49, nays none 1118
Reported enrolled 1139
Signed by President 1139
Signed by Governor.

591 By Conservation. Relating to the issuance of bonds for conservation purposes by certain counties.
Received, referred 1301
Amendment filed 1313

593 By Ways and Means. Relating to cosmetology.
Amendment filed 1237

594 By Judiciary 1. Relating to legalizing the publication of notice of incorporation and amendments of Articles of Incorporation of corporations for pecuniary profit where such notices were not published within the statutory time limit.
Received, referred 1301
Sifting recommends calendar 1309
Passed; ayes 47, nays none 1309
Reported enrolled 1343
Signed by President 1344
Signed by Governor.

595 By Appropriations. Relating to appropriating from the general fund of the state for the biennium beginning July 1, 1963, and ending June 30, 1965, funds for various departments and various divisions thereof, of the state for the purposes provided by law, and relating to the judicial and peace officers' retirement systems, to salaries and allowances for state officers and employees and to amend various sections of the Code relating to departments receiving appropriations under this Act.
Received, referred 1333
Recommended amendment, passage 1333
Committee report adopted 1334
Amendments adopted 1336, 1339
Passed; ayes 49, nays none 1339
Reported enrolled 1345
Signed by President.....1345
Signed by Governor.

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7—Requesting space in Official Register for commemoration of the Civil War Centennial 131, 223
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18—Sixtieth General Assembly adjourn sine die 655, 974, 1234, 1235, 1343
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Hog cholera, indemnity to owners. S. F. 369, Walker, et al.
Artificial insemination, bull services subject to lien. H. F. 116, Coffman, et al.
Indemnity for hog owners contracting hog cholera. S. F. 417, agriculture.

ALCOHOLISM—

General

Commission, appropriation for biennium. S. F. 112, Elijah.

ANIMALS—

General

Dogs, scientific research requisition repealed. H. F. 516, Carstensen, Carnahan.

Disease

Rabies control act. H. F. 515, Kluever, et al.

Farm

Feeder cattle, exempt from taxation. S. F. 4, Shoeman.
Feeder cattle, swine, poultry exempt from taxation. S. F. 6, Elvers.
Cattle under two years exempt from personal property tax. H. F. 12, Anderson of Ringgold.

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Sheep, control and eradication of scabies, provide penalty. S. F. 86, Getting, et al.; H. F. 295, Walter, et al.
Diseases, infectious include bovine foot rot. S. F. 87, Getting, et al.
Bovine, eradication of brucellosis. S. F. 94, agriculture.
Artificial insemination, bull services subject to lien. H. F. 116, Coffman, et al.
Cattle, swine, sheep exempt from taxation. H. F. 128, Johnson, et al.
Livestock tax exemption, not to exceed 100 head. H. F. 184, Knock, et al.
Swine, eradication of brucellosis. H. F. 275, Hirsch, et al.
Hogs, destroyed for cholera control, indemnity payment. H. F. 365, Walter, Hirsch.
Sale of certain livestock, deductions in form of special excise tax, proceeds used to promote products. H. F. 40, Hagie, et al.; S. F. 41, Wearin, et al.
Livestock slaughter, humane method. H. F. 285, Riley, Ely.
Livestock, written statement of weight when selling. H. F. 416, agriculture 1.
Hog cholera, indemnity to owners. S. F. 369, Walker, et al.
Livestock dealers, packer buyers, surety bond. H. F. 183, Balloun and Maule.
Livestock loss report to assessment insurance associations, 48 hours. H. F. 192, Paul, et al.

Non-domesticated
Foxes, payment of bounty optional by county auditor. S. F. 100, Main; H. F. 117, Casey.
Muskrats, permitting continuous open season for control. S. F. 119, Hansen; H. F. 158, Lange.
Muskrats, extending open season to May 1. H. F. 303, fish and game.

APARTMENTS—
General
Cooperative, individual ownership, operation and taxation. S. F. 117, Schroeder, et al.; H. F. 321, Mowry, Swisher.

APPRAISERS—
General
Special tax, appraisers fund, real and personal property valuation. H. F. 326, Andersen of Woodbury.
Inheritance tax, mileage allowance increased. H. F. 511, Messerly, Kluever.

APPROPRIATIONS—
General
Board of control, funds to pay balance on prison honor farm in Jasper County. S. J. R. 4, Scott, Shoeman.
Medical assistance to the aged. H. F. 30, Reppert, et al.
Commission on human rights. H. F. 49, Riley, et al.; S. F. 43, Schroeder, et al.
Constitutional amendment, Governor given item veto power on bills. S. J. R. 10, Lucken, et al.; H. J. R. 10, Stanley, et al.
College student loan fund established. H. F. 88, Andersen of Woodbury.
Commission on alcoholism for biennium. S. F. 112, Elijah.
Board of regents, psychopathic hospital at Iowa City, establish new community mental health centers. S. F. 125, Benda.
New community mental health centers. S. F. 125, Benda.
Comptroller of state, biennial close out date. S. F. 158, Flatt, et al.
Agricultural products utilization research committee created. S. F. 164, agriculture.
Park, state owned, establish. H. J. R. 12, Patton.
Agricultural land tax credit. H. F. 289, Mueller, et al.
Mentally ill assistance fund, establish, relief to long term patients. S. F. 212, Lisle, Long; H. F. 341, Gittins, Ossian.
Governor plan reorganization executive branch, 30 day General Assembly disapprove. H. F. 329, Reppert, et al.
Agriculture department, purchase, and equipment of special purpose truck. H. F. 351, agriculture.

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Board of regents, Fifty-eighth General Assembly, unexpended, revert to general fund. S. F. 270, Shoeman, et al.; H. F. 472, Edgington, et al.
Capital improvements, Fifty-eighth General Assembly, unexpended, revert to general fund. S. F. 271, Shoeman, et al.; H. F. 473, Edgington, et al.
Governor plan reorganization executive branch, 60 day General Assembly disapprove. S. F. 318, Fulton, et al.; H. F. 510, Ely.
Iowa commission on state and local government, from liquor control fund. H. F. 430, Grassley, Eveland.
Traveling library, $100,000 each year of biennium. H. F. 465, Dietz, et al.
Legislative research bureau, direct appropriation from General Assembly. H. F. 467, Ely, Hirsch.
Aid to blind fund, county appropriation, reimbursement to state. S. F. 113, social security; H. F. 143, Mensing, et al.
Board of regents, $30,000 to each state university and university of Iowa for advance graduate instruction away from campuses. H. F. 497, Knowles.
Hospital, maximum security, mentally ill prisoners, patients. H. F. 513, Ely, et al.
Human rights commission, $20,000 for biennium. H. F. 509, Riley.
Fifty-ninth General Assembly members for expenses. H. F. 520, Reppert, Kluever.
Iowa development commission, extending to June 30, 1965. H. F. 427, state planning and development; S. F. 538, appropriations.
Department of public instruction for veterans administration, school lunch program, mentally retarded children. S. F. 394, appropriations.
State fair board. S. F. 395, appropriations.
Printing board for biennium, printing, binding. S. F. 396, appropriations.
Iowa public employees retirement system to security commission. S. F. 398, appropriations.
Inauguration expenses, $6,701.96. S. F. 399, appropriations.
Department of public safety, authorize money for construction of buildings. S. F. 101, Fisher, et al.
Iowa legislative council, for expense of publications required by law. H. F. 559, consolidation and coordination of state government.
Social welfare, medical assistance for the aged. S. F. 411, appropriations.
Interstate cooperation committee members. S. F. 412, appropriations.
Claims settlement, gas tax refund. S. F. 418, claims.
Claims settlement certain persons. S. F. 420, claims.
Claims settlement certain persons. S. F. 421, claims.
Old age assistance fund, claims settlement. S. F. 422, claims.
Claims settlement certain persons. S. F. 423, claims.
Claims settlement certain persons. S. F. 429, claims.
Highways study committee members. S. F. 431, appropriations.
Claims settlement certain persons, appropriation. S. F. 435, claims.
Firemanship training center expansion, appropriation. H. F. 584, safety and law enforcement.
Claims settlement certain persons. S. F. 447, claims.
Legislative research, advisory committees. S. F. 449, appropriations.
Legislative advisory committee members. S. F. 450, appropriations.
Legislative advisory committee members. S. F. 451, appropriations.
Public employees retirement system advisory investment board. S. F. 452, appropriations.
Social welfare department for biennium. S. F. 453, appropriations.
Conservation commission, repair, improvement. S. F. 459, appropriations.
General contingent fund, $2,000,000, for biennium. S. F. 460, appropriations.
Claims settlement certain persons. S. F. 462, claims.
Counties, claims settlements. S. F. 464, claims.
Board of control for biennium. S. F. 465, appropriations.
Board of control, capital improvements. S. F. 466, appropriations.
Iowa-Nebraska boundary, special study committee. H. J. R. 21, Andersen of Woodbury, Maule.
Claims settlement, gas tax refund. S. F. 469, claims.

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Commerce commission, establish public utility commission. S. F. 470, appropriations.
Capitol planning commission for biennium. S. F. 471, appropriations.
Commission to study court system, created. S. J. R. 18, appropriations.
Claims settlement certain persons or firms. S. F. 472, claims.
Board of regents, capital improvements for institutions under control. S. F. 474, appropriations.
Board of regents for biennium. S. F. 475, appropriations.
Capital improvements. S. F. 476, appropriations.
State fair board, for capital improvements. S. F. 477, appropriations.
State comptroller from motor vehicle fuel tax fund. S. F. 478, appropriations.
Primary road fund to industrial commission, workmen's compensation claims. S. F. 479, appropriations.
State comptroller from primary road fund. S. F. 480, appropriations.
Department of public instruction for specified school aid. S. F. 481, appropriations.
Department of public instruction, general aid to school district. S. F. 482, appropriations.
Department of public instruction, supplemental aid to certain schools. S. F. 483, appropriations.
Department of public instruction, state aid for transportation. S. F. 484, appropriations.
State departments, divisions for biennium. H. F. 595, appropriations.
Soil conservation committee. S. F. 486, appropriations.
National, state guard, capital improvements, purchase airplane. S. F. 487, appropriations; H. F. 596, appropriations.
Highway commission authorized use primary road fund for biennium. S. F. 488, appropriations.
Department of public instruction for national defense education act. S. F. 489, appropriations.
Department of public safety, highway patrol buildings. S. F. 490, appropriations.
Sixtieth General Assembly, miscellaneous expenses. S. F. 491, appropriations.

Capitol Improvements

Dome, new gold leaf. S. F. 22, Hansen.

ARCHITECTS—

General

Regulating practice and setting registration requirements. H. F. 39, Vermeer, et al.; S. F. 115, Wiley, Schroeder.

ASSESSOR—

General

Tax exempt property to be listed. H. F. 109, Dietz.
State, state board of review, creating, prescribing powers and duties. H. F. 172, tax revision.
Moneys and credits, person list all. H. F. 224, Andersen of Woodbury.
County, city, property valuation for taxation purposes determined by state tax commission. S. F. 413, tax revision.

ATTORNEY GENERAL—

General

Special assistant make recommendation to state appeal board on payment of claims made against state. H. F. 588, claims.

ATTORNEYS—

General

Notary public commissions, effective, valid license. S. F. 111, Shaff.
County, abolishing fee system, setting salary. H. F. 226, Carstensen.
County, population 30,000 to 80,000, devote entire time to duties of this office. S. F. 196, Buck, et al.; H. F. 447, Kreager, et al.

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County, assistants, salary increase counties over 150,000 population. S. F. 285, O'Malley; H. F. 523, Denman, et al.
County, prosecute candidate for public office for failure to file statement of expense. H. F. 376, elections, political and judicial districts.
Constitutional amendment to change term of office to 4 years. H. J. R. 5, Carstensen.
County, salary increase. S. F. 419, compensation of public officers and employees.

AUCTIONEERS—
General
Assistants, classification of status. H. F. 31, Briles; S. F. 108, Turner.
Public auctions, liability for taxes on goods sold, retain money. H. F. 434, Andersen of Woodbury.

AUDITS—
General
Certain cities and towns, required by staff. S. F. 81, Hansen.
Hospitals, county and memorial, financial conditions examined by public accountants. S. F. 167, Elijah, et al.; H. F. 233, Fisher of Greene, et al.

AUDITOR—
General
County, municipal and school examiners title changed. S. F. 42, Frommelt, et al.
County, receive copy of certificate of death. S. F. 55, Mincks, Vance.
County, removed as cemetery trustee. H. F. 129, Coffman.
County, payment of fox bounty optional. S. F. 100, Main; H. F. 117, Casey.
County, pay bounty claim not less than $1. H. F. 461, Ely.
County, notified by clerk of district court of change of title to real property to avoid probate of certain estates. H. F. 583, judiciary 1.

AUDITOR OF STATE—
General
Constitutional amendment, increasing term to 4 years. S. J. R. 7, Phelps, et al.

BALLOTS—
General
Check mark acceptable. H. F. 114, Riley, Stanley.
Voter deposit in presence of election judge. H. F. 438, Stanley.
Absentee, president, vice-president when moving out of state. H. F. 495, Maule.

BANKING—
General
Unclaimed property act, established. H. F. 82, judiciary 1.
Savings and state, investment of funds in public or private securities, prescribed by superintendent. S. F. 129, banks, building and loan.
Banks loan up to 25 percent of capital, secured direct obligation of the United States. H. F. 219, banks, building and loan; S. F. 204, banks, building and loan.
State banks, investment of funds, up to 20 percent total resources, in public or private securities, regulation superintendent of banking. H. F. 220, banks, building and loan.
Moneys and credits tax pay rate on bank stock at 6 mills. H. F. 224, Andersen of Woodbury.
Superintendent, business of debt management, regulate, license. H. F. 230, Knowles.
Deputy superintendent, bank examiners, salary comparable to federal. S. F. 241, banks, building and loan; H. F. 318, banks, building and loan.
False drawing and uttering of checks to include payment of antecedent debts. S. F. 5, Rigler.
Economic development corporation organized. H. F. 452, state planning and development; S. F. 405, Iowa development.

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BARBERS AND BARBERING—

General

Apprentice, 9 month study before eligible for examination, 24 months to be licensed. H. F. 73, Coffman, et al.; S. F. 93, Long, et al.

BEER—

General

Class A permit holders, pay cash. S. F. 96, judiciary 2.
Minors, misdemeanor to possess beer, liquor. H. F. 182, Reppert and Denman.
Revocation "B" Club, "C" permits, forfeiture of bond. H. F. 217, Denman, Busch.
Permits, class "B", "C" increase fee. H. F. 283, Darrington.
Class "C" permit, increase fee, not less than $100 or over $300. H. F. 444, Dietz.
Class "C" permit eliminated. H. F. 456, Dietz, et al.
Dram shop law, beer included. H. F. 502, Stanley.

BENEFITED FIRE DISTRICT—

General

Benton-Linn, legalizing organization. H. F. 113, Riley, et al.
Multicounty districts established. H. F. 339, Riley.
Intra county, trustees fee $10 per meeting. Clarify law. H. F. 341, Riley.

BENEFITED WATER DISTRICTS—

General

Maximum assessment increased. H. F. 521, Denman, Reppert.

BETTING—

General

Pari-mutuel or certificate of racing. H. F. 390, Meyer, et al.

BINGO—

General

Constitutional amendment to legalize. S. J. R. 3, Hanson, et al.

BIRDS—

General

State conservation commission granted permission to incorporate Federal migratory game bird hunting regulations. H. F. 564, fish and game.

BLIND—

General

Commission members appointed by Governor. S. F. 3, Rigler, et al.; H. F. 3, Swisher, et al.
Aid to, fund, county appropriation, reimbursement to state. S. F. 113, social security; H. F. 143, Mensing, et al.
Income tax, additional $15 exemption. H. F. 243, Knowles, et al.

BOARD OF CONTROL—

General

To appropriate funds to pay balance on prison honor farm in Jasper county. S. J. R. 4, Scott, Shoeman.
Children, any institution under board of control, attend public high schools, payment of tuition, transportation. H. F. 188, board of control.
Director mental health administrator of interstate compact on mental health. H. F. 189, board of control.
Prisoners from state penitentiary, volunteer medical research, send to university hospital. H. F. 190, board of control.
Make reciprocal agreements with other states, mentally ill, retarded. H. F. 191, board of control.
Mental health, comptroller modify penalty, payments delinquent when delay beyond county control. H. F. 197, board of control.
Mentally retarded persons in state hospital-schools, reorganizing statutes providing for treatment, training, care and support. H. F. 227, Ely, et al.; S. F. 214, Cowden, Phelps.

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Hospital superintendent, authority to designate qualified person examine prisoners believed to be mentally ill. S. F. 177, board of control.
Mentally ill, admission to state institution, legal settlement. H. F. 259, board of control.
Chairman, method of selection. S. F. 209, board of control.
Mental health institute patients, no legal settlement, placement in nursing or custodial homes. S. F. 210, board of control.
Reformatory, penitentiary revolving funds consolidated. S. F. 211, board of control.
Institutions under its control, manage temporarily. H. F. 315, board of control.
Mental patients on leave, authority to peace officers to return to mental health institute. H. F. 316, board of control.
Mental health patients, county care for in other than institutions. S. F. 268, board of control.
Admission to mental health institutes, mental health officer. S. F. 288, board of control.
Quarterly conference, place of meeting. H. F. 407, board of control.
Dallas county, jurisdiction of certain land comprising part of Woodward state hospital and school. H. F. 412, board of control.
Boone county jurisdiction of certain land comprising part of Woodward state hospital and school. H. F. 413, board of control.
Boone county jurisdiction of certain land comprising part of Woodward state hospital and school. H. F. 414, board of control.
Women's reformatory, money paid inmates on release increased. H. F. 420, board of control.
Director of mental health establish paid educational leave for employees of institutions under his control. H. F. 477, Van Alstine, et al.
Mental health institutes, hospital administrators, medical directors, appointment and duties. H. F. 556, board of control.
Mental health hospitals, patients personal deposit fund, established. S. F. 408, board of control.
Appropriation for biennium. S. F. 465, appropriations.
Appropriation for capital improvements. S. F. 466, appropriations.

BOARD OF EDUCATION—
General
Workmen's compensation. H. F. 252, Goode.
Counties, 3 or more, establish co-operative agreement for schools. S. F. 455, schools and educational institutions.

BOARD OF NURSING—
General
Practice of nursing; qualifications for registered and practical, licensing and fees; powers and duties of the board. H. F. 170, Diets, et al.; H. F. 554, public health and pharmacy.

BOARD OF PUBLIC INSTRUCTION—
General
Appointive, seven members. S. F. 18, Shoeman, et al.
Election of members, correcting error of omission in acts of the Fifty-eighth General Assembly. H. F. 232, schools, libraries, state educational institutions.
Board of educational examiners, revoke or suspend certificates. S. F. 202; schools and educational institutions.
Election of members, reducing to seven, nomination by petition. H. F. 313, Den Herder, et al.
Election of members, reducing to seven, nomination on primary ballot. H. F. 314, Knock, et al.
Power granted to hold rehearings on appeals. S. F. 439, schools and educational institutions.

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BOARD OF REGENTS—

General

University hospital physicians and surgeons, private patients, fees collected and disbursed. H. F. 134, institutions of higher learning.

Psychopathic hospital, physician, private patients, fees collected and disbursed. H. F. 135, institutions of higher learning.

Sabbatical-leave program established, state institutions of higher education, college professors. H. F. 136, institutions of higher learning.

University of Iowa, child welfare research station, name changed to institute of child behavior and development. H. F. 152, institutions of higher learning.

Certain high school students, attend college for advanced courses, tuition from school corporation fund. H. F. 248, Paul, Dunton.

Roadways at institutions, speed limits set. H. F. 291, highway safety.

Acquire, maintain and control buildings for residence halls, dormitories and dining halls in institutions of higher learning. H. F. 543, institutions of higher learning; S. F. 425, schools, educational institutions.

Water resources research centers established, federal funds allocated. H. F. 577, institutions of higher learning.

Appropriations

Psychopathic hospital at Iowa City, establishment of new community mental health centers. S. F. 125, Benda.

Appropriation from Fifty-eighth General Assembly, unexpended, revert to general fund. S. F. 270, Shoeman, et al.; H. F. 472, Edgington, et al.

Appropriate $30,000 to each state university and university of Iowa for advanced graduate instruction away from campuses. H. F. 497, Knowles.

Appropriation to expand fire training center. H. F. 584, safety and law enforcement.

Appropriation, improvements at institutions. S. F. 474, appropriations.

Appropriation for biennium. S. F. 475, appropriations.

BOARD OF REVIEW—

General

Creating, assessment authority, state assessor actions. H. F. 172, tax revision.

BOARD OF SUPERVISORS—

Counties

Districting privilege, regardless number of townships. H. F. 24, Mensing.

Salary increased to $9,500 in counties with population over 150,000. H. F. 65, Reppert, Denman.

Fences, erecting, rebuilding, repairing. H. F. 85, Smith of O'Brien, et al.

Deputy night sheriff, appoint and provide duties. S. F. 84, Walker, et al.; H. F. 101, Loss, et al.

Sheriffs, deputies, uniforms provided. S. F. 85, Long, et al.; H. F. 100, Paul, et al.

Secondary roads, in towns 400 population or less, leading to state parks, full cost option supervisors. H. F. 98, Smith of Dickinson.

Adopt building codes, regulate, inspect, counties population 30,000. H. F. 194, Messerly, et al.

Road equipment used to clear private driveways. H. F. 330, Meyer.

Voting places outside precinct boundaries, no suitable place inside precinct. H. F. 370, Smith of Dickinson.

Public defender, establishment of office. S. F. 303, Fulton, Turner; H. F. 445, Murray, et al.

County maintenance equipment assigned fair ground use. H. F. 454, Dunton, et al.

Contract with nonprofit nurses organization for public health nursing service. H. F. 83, Ely, et al.

Iowa association of county officers, annual dues. H. F. 204, Kluever, et al.

Farm land exempt from zoning. S. F. 155, Lodwick.

Destruction of tax list more than 10 years old. H. F. 210, Van Nostrand.

Compensation increased, counties 35,000 population. H. F. 239, Mowry, Kreager.

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Zoning changes, public hearing notice specify location by township, section and road of area affected. H. F. 11, Messerly.
School boards, city councils cooperate jointly to perform functions. H. F. 496, Ely, Riley.

BOATS—
General
Fire extinguishers, elimination of requirement. S. F. 150.
Registration, changing expiration date. S. F. 190, conservation.
Registration on rental include passenger capacity. S. F. 264, Campbell, et al.

BOILER—
General
Inspections biennial certain boilers. H. F. 29, Knowles.
Inspection, requested by manufacturers, fees established. S. F. 386, cities and towns.

BONDS—
General
Korean, repeal tax moneys and credits except one mill. H. F. 5, Knowles, et al.; S. F. 197, Curran, Dykhouse.
Guthrie county, legalizing court house bonds. S. F. 80, Cowden, Robinson.
Livestock dealer, packer buyer. H. F. 183, Balloun and Maule.
Milk and cream processors, licensing, bonding. H. F. 207, Patton.
Forfeiture of beer bond, revocation of permit. H. F. 217, Denman, Busch.
School, county, city and town, increase denomination of bonds. H. F. 250, Knock.
School district, defeated, not submitted to voters within one year. S. F. 98, Doran, et al.
Proposals, defeated, not submitted to voters within one year. S. F. 191, Stephens, et al.
Interstate highways, construction, reconstruction, road use tax fund. S. F. 220, Nolan, et al.
Fiscal agent not employed by county, township, school district, cities and towns. S. F. 259, Shaff, et al.
Motor fuel, special fuel dealer, special fuel users, increase. S. F. 319, Long, et al.
Davenport off street parking, legalized. H. F. 443, Knowles.
Korean bonus, repeal millage tax, use unclaimed funds for payment. H. F. 581, tax revision.
Certain counties allowed bond issue for conservation purposes. H. F. 591, conservation.
Cities and Towns
Sewer, authorize to issue. S. F. 130, Shaff; H. F. 440, Stanley.
Utility plant bonds sold by cities, maximum rates requirement removed. H. F. 171, Ely.
Cities and towns, library, permit financing sites, buildings, books, equipment. S. F. 143, O'Malley, Schroeder; H. F. 530, Reppert, Kluever.
Contractor furnish improvement bonds. S. F. 146, cities and towns.
Industrial buildings, issue bonds to acquire. S. F. 60, Van Eaton, et al.; H. F. 149, Peterson of Woodbury, Andersen of Woodbury.
School, county, city and town, increase denomination of bonds. H. F. 250, Knock.
Legalizing issuance, Denison airport. H. F. 168, Crane.
Denison, paving, sewer, water mains, legalizing bond issue. H. F. 558, judiciary 2.
Schools
Chariton Community School District, legalizing school bond issue. S. F. 12, Vincent.
School bonded indebtedness, millage limitation increase, ten mills. H. F. 13, Knowles.

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School district, simple majority vote required in bond issue election. H. F. 37, Ely.
School, issue for repair, remodel. S. F. 122, Shaff.
Junior college, permit indebtedness, buildings and equipment. S. F. 156, Lisle; H. F. 202, Mowry.
School, county, city and town, increase denomination of bonds. H. F. 250, Knock.
School district, defeated, not submitted to voters within one year. S. F. 98, Doran, et al.
School districts increase maximum bond levy to 10 mills, having more than half their land in county with population over 28,000. H. F. 488, Cunningham, et al.
Traer-Clutier Community School District, legalizing bond issue. H. F. 549, judiciary 2.

BONUS—
General
Tax on moneys and credits repealed except necessary retire Korean bonus bonds. H. F. 5, Knowles, et al.; S. F. 197, Curran Dykhouse.
Korean bonus, date for filing extended. H. F. 133, military and veterans affairs.
Korean bonus, date for filing extended to December 31, 1963. S. F. 342, Beneke, et al.
Veterans, transfer functions from state auditor. S. F. 409, military affairs.
Korean, repeal millage tax to pay bonds, use unclaimed funds. H. F. 581, tax revision.

BOUNDARIES—
General
River, unlawful to change or alter. S. F. 151, Dykhouse.
Iowa-Nebraska boundary line established. H. F. 263, Maule, et al.
Missouri river 1943 compromise, conservation commission make claim in name of state. H. F. 404, Scherle, et al.
Iowa-Nebraska, special committee to study. H. J. R. 21, Andersen of Woodbury, Maule.

BOUNTIES—
General
Foxes, payment optional by county auditor. S. F. 100, Main; H. F. 117, Casey.
County auditor pay claim not less than $1. H. F. 461, Ely.

BOXING—
General
Amateur, permit holding contests, awarding trophies, charging admission. H. F. 547, safety and law enforcement.

BRIDGES—
General
Secondary roads, expenditures maximum raised to $75,000. H. F. 63, Den Herder, Lange.
Speed limits. H. F. 205, Riley.
Counties levy up to 5 mills certain cities or towns to construct, repair, maintain bridges. H. F. 225, Smith of O'Brien, et al.

BRUCELLOSIS—
General
Swine, control. H. F. 275, Hirsch, et al.
Bovine, control. S. F. 94, agriculture.

BUDGET AND FINANCIAL CONTROL COMMITTEE—
General
Operating expenses approved. S. F. 136, Frommelt, et al.

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Comptroller require social security, tax number from applicant. S. F. 246, governmental affairs; H. F. 328, Patton, Wright.
Salary structure change, approval during interim. H. F. 359, et al., Fischer of Grundy, Den Herder.
Committee administrator, general contingent fund, $2,000,000, appropriation. S. F. 460, appropriations.
Board of control, capital improvements, appropriation. S. F. 466, appropriations.

BUDGETS—
General
School, estimating state aid. H. F. 358, Sokol, et al.
School district existing and proposed, publication. H. F. 541, printing.
School district, prepare and publish. S. F. 416, schools and educational institutions.

BUILDINGS—
General
Apartments, cooperative, individual ownership, operation and taxation. S. F. 117, Schroeder, et al.; H. F. 221, Mowry, Swisher.
Soil conservation, erection and renting of space. H. F. 87, Moffitt; S. F. 65, Wilson, Long.

CAPITAL IMPROVEMENTS—
General
Service tax, hotels and motels to provide funds. S. F. 31, Flatt.
Appropriation, building and grounds under superintendent of building and grounds. S. F. 476, appropriations.

CAPITAL PUNISHMENT—
General
Abolished, definite term of years. S. F. 17, Buck, et al.; H. F. 28, Falvey, et al.
Execution, sheriff from county crime was committed. S. F. 157, Walker, Getting; H. F. 201, Scherle, et al.

CAPITOL IMPROVEMENTS—
General
Dome, new gold leaf, appropriation. S. F. 22, Hansen.
Domes, re-gilded, executive council, appropriation. H. F. 402, public lands and buildings.

CAPITOL PLANNING COMMISSION—
General
Appropriations for biennium. S. F. 471, appropriations.

CEMETERIES—
General
Abandonment, reducing time. S. F. 33, Phelps.
Trustees, compensation authorized by city council. H. F. 75, Knock.
Trustees, county auditor removed. H. F. 129, Coffman.

CENTRAL STANDARD TIME—
General
Official time of state. S. F. 14, Phelps; H. F. 181, Wier.

CHECKS—
General
False drawing and uttering of checks to include payment of antecedent debts. S. F. 5, Rigler.

CHILDREN—
General
Foster home care, laws broadened. S. F. 21, Buck, et al.; H. F. 57, Mensing, et al.

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Aid to dependent, of war veterans, transfer counties share to soldier's relief fund. H. F. 38, Paul.
Aid to dependent, information not available prior to divorce. S. F. 52, Beneke.
Special education, include children under 5 years of age. S. F. 97, Schroeder.
Residents any institution under board of control, attend public high school, payment tuition, transportation. H. F. 188, board of control.
Aid to dependent, second illegitimate child, not suitable home. S. F. 364, Turner.
Desertion, abandonment. S. F. 373, Turner.
Kindergarten entrance based on ability. H. F. 439, Stanley.
University of Iowa, child welfare research station, name changed to institute of child behavior and development. H. F. 152, institutions of higher learning.
Juvenile court structure, revising, codifying statutes, regarding dependent, neglected and delinquent children. S. F. 321, Buck, et al.; H. F. 428, Mensing, et al.

CIGARETTES—
General
Vending machines. S. F. 126, Hansen, et al.

CITIES AND TOWNS—
General
Annexation of territory to cities and towns across county lines. H. F. 6, Hagen, et al.; S. F. 37, Elvers, O'Malley.
Daylight time prohibited. S. F. 14, Phelps; H. F. 181, Wier.
Wards, population equalized. H. F. 8, Carstensen, Camp.
Public officers permitted contract interests, population 5,000 or less. H. F. 45, Ely.
Clubs, where liquor kept on premises, licensing, regulation, taxation. H. F. 70, Denman, et al.
Cemetery trustees, authorize compensation. H. F. 75, Knock.
Firemen, reduction working hours per week, effective January 1, 1964. H. F. 76, Dietz, et al.; S. F. 90, Schroeder, et al.
Regional or metropolitan planning commission, creation of. H. F. 77, Falvey, et al.
City council, contract with nonprofit nurses organization for public health nursing service. H. F. 83, Ely, et al.
Liability, property damage, cities or towns power to buy, cover risk from faulty condition of streets. H. F. 91, Reppert, Denman.
Audits, required by state, certain conditions. S. F. 81, Hansen.
Building lines, damage to existing use. H. F. 102, Reppert, Denman.
Transit system, updating Code sections, making previously granted relief permanent. H. F. 106, cities and towns; S. F. 106, cities and towns.
Special assessments procedures, defining lot. H. F. 126, Stanley.
Establish zoos. H. F. 131, Riley, Ely; S. F. 162, Wiley.
Assess property outside city limit, abutting city street. H. F. 137, Riley, Ely.
Library board contract with other boards, dispose of devices, bequests. H. F. 139, Winkelman, et al.
Mayor, councilmen, setting salary, city 90,000 population. H. F. 140, Riley, Ely.
Long term leases for libraries. H. F. 148, Reppert, Denman; S. F. 205, O'Malley.
Idle funds, short term investment. H. F. 154, Mowry, Eveland.
Functional funds, remove millage limit, keep 30-mill over-all levy. H. F. 166, Miller of Jones, et al.; S. F. 173, cities and towns.
Signs and signals, unauthorized, approval required. S. F. 138, Dykhouse; S. F. 403, judiciary 1.
Indebtedness, purchase sites certain public utilities and other improvements. S. F. 145, cities and towns.
Municipal revenue, 30 mills, maximum rate in addition to other sources. H. F. 209, Andersen of Woodbury, et al.; S. F. 282, O'Malley.

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Mayor, permit facsimile signature, certain documents. S. F. 160, Wiley; H. F. 242, Ely, et al.
Council proceedings, print booklet form, 90,000 population. H. F. 216, Ely, Riley.
Airport, 50 year lease. H. F. 218, aeronautics.
Counties levy up to 5 mills certain cities or towns to construct, repair, maintain bridges. H. F. 225, Smith of O'Brien, et al.
Policemen, firemen, state retirement system optional in cities having civil service after January 1, 1960. S. F. 172, cities and towns.
Policemen, firemen, state residence of one year required. S. F. 174, cities and towns.
Public utility, board of trustees, salary increase. S. F. 175, Mincks.
Emergency, fire-crash trucks, lease. H. F. 246, Reppert, et al.; S. F. 351, Wiley.
Home rule. S. J. R. 15, Rigler, Frommelt; H. J. R. 14, Van Alstine.
Territory reservation, planned growth and annexation. H. F. 269, Reppert, et al.
Assess benefited property, street, sewer improvement prior to platting. H. F. 292, Ely, Riley.
League of municipalities, commerce commission regulate rates of public utilities. H. F. 302, Den Herder and Murray.
Motor vehicle testing station, fees. S. F. 217, cities and towns.
Employees, establish group insurance. S. F. 227, Lisle; H. F. 522, Denman, et al.
Mayor, permitted to break tie vote on four-member council. S. F. 229, Lisle; H. F. 344, Mowry.
Real estate donated to state for public use. H. F. 305, Lange, Carstensen; S. F. 249, Flatt, et al.
Public utility, board of trustees, salary increase, minimum $40, maximum $50. S. F. 256, Dodds.
Contracts with councilmen fulfilled when entered into before election to office. H. F. 335, Kreager.
Annexation agreements. H. F. 357, Carstensen, Camp; S. F. 326, Shaff.
Lease air space over any street or alley. S. F. 293, Wiley; H. F. 391, cities and towns.
Public improvements, eliminating bids when own equipment or employees are used. S. F. 283, O'Malley; H. F. 482, Miller of Page, et al.
Door-to-door solicitors licensed. H. F. 375, Cunningham; S. F. 313, Fulton.
Employees, group insurance. H. F. 377, Kreager, et al.
Home rule, modification. H. F. 380, Stanley, et al.
Buildings, joint with county. H. F. 393, Mowry; S. F. 378, Buck.
Transit systems, urban, intra-city, council authority. H. F. 398, Murray; S. F. 345, Fulton.
Urban renewal projects authorization by 60 percent vote of the people. S. F. 329, Turner.
Board of supervisors, contractual agreements for dumps, disposal grounds, sanitary land fill. S. F. 332, O'Malley, Coleman; H. F. 535, Denman, Reppert.
Improvement guaranty fund, creation, tax levy for payment of bonds. S. F. 334, Shaff; H. F. 537, cities and towns.
Special assessment, street improvements, sewers. S. F. 336, Shaff.
Buildings, property; disposal approved by voters. S. F. 339, Buck.
Codes, proposed ordinances. H. F. 410, Vermeer.
Civil defense, cooperation with countries. H. F. 417, Riley, Briles.
City clerk, made civil service position. S. F. 355, Shaff.
Municipal election, relating party designation. S. F. 376, Shaff.
Ordinances, method of amending. H. F. 433, Eveland, et al.
Ambulance service contract. H. F. 436, Stanley.
Property damage claims from faulty streets, notice, period of limitation. H. F. 455, Kluever.
Governmental bodies, meeting open to public. H. F. 478, Stanley.

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League of municipalities, dues paid by cities and towns increased. H. F. 480, Den Herder, Eveland.
Dock commission powers broadened. H. F. 490, Carstensen, Camp.
Council, school boards. supervisors cooperate jointly to perform functions. H. F. 496, Ely, Riley.
Gas, purchase for distribution. H. F. 508, Hanson of Mitchell.
Council order sanitary toilet installation, issuance of certificates to finance. H. F. 528, Denman, Reppert.
Urban transit busses, registration certificates, license plates issued by motor vehicle department. S. F. 391, cities and towns; H. F. 553, cities and towns.
Police chief, appointment and qualifications. H. F. 552, cities and towns.
Property owners subject to special assessment for improvements, notified by certified mail. S. F. 400, cities and towns.
Water systems, power to provide. H. F. 570, judiciary 2.
Population 125,000 or more relocating in code for purposes of storm sewers. S. F. 432, cities and towns.
Municipal property exempt from taxation. S. F. 432, cities and towns.

Bonds

Sewer, issuance authorized. S. F. 130, Shaff; H. F. 440, Stanley.
Legalizing issuance, Denison airport. H. F. 168, Crane.
Policemen, firemen, state retirement system optional in cities having civil service after January 1, 1960. S. F. 172, cities and towns; H. F. 418, Baringer.
Libraries, bond issue, permit financing sites, building, books, equipment. S. F. 143, O'Malley, Schroeder; H. F. 530, Reppert, Kluever.
Bonds, increase denominations. H. F. 250, Knock.
Fiscal agent not to be employed sale of bonds. S. F. 259, Shaff, et al.
Improvement bonds, contractors furnish. S. F. 146, cities and towns.
Industrial buildings, issue bonds to acquire. S. F. 60, Van Eaton, et al.; H. F. 149, Peterson of Woodbury, Andersen of Woodbury.
Denison, paving, sewer, water mains, legalizing bond issue. H. F. 558, judiciary 2.

Housing

Regulations conform to state, adjacent to or within 1 mile, city population 15,000. H. F. 122, Riley.
Fair housing, fair employment act by ordinance. H. F. 150, Ely, et al.
Fees, establish, inspection multiple dwellings. S. F. 171, cities and towns.
Unfair housing practice, penalty. H. F. 512, Ely.
Inspection of one and two family dwellings cities 180,000 population. H. F. 533, Denman, Reppert.

Parking

Post signs, no parking during snow removal. H. F. 215, Andersen of Woodbury, Denman.
Parking meter revenue, increase to 50 percent amount used. H. F. 89, Reppert, Denman; S. F. 206, O'Malley.
Parking ordinance fines, deposited in parking meter fund. S. F. 324, Schroeder.

Streets

Speed limit adjusted, approval highway commission after request by city council. H. F. 35, Reppert, Denman; S. F. 49, O'Malley.
Primary roads, construction fund limitation removed. S. F. 79, Wiley.
Collect franchise tax from utility companies using city streets, 2 percent on gross revenue after January 1, 1964. H. F. 138, Reppert, Denman.
Driveway approaches to property line, build, assess owner. H. F. 165, Reppert, et al.
Arterial, local, eliminate break-down in reporting street program, city population, 5,000 or less. H. F. 187, Hagedorn, et al.
Resolution of necessity, separate resolutions for streets and sewers. H. F. 236, Riley, et al.; S. F. 390, cities and towns.
Streets, reservation of right-of-way for future. S. F 199, Wiley, O'Malley.

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Streets, research fund established. S. F. 228, Wiley.
Road use tax fund, council permit unused portion to be used on local streets. S. F. 325, cities and towns.
Primary highway eliminated, street extension leading into town put in good repair by highway commission. H. F. 475, Knowles.
Truck routes established, penalties for violations. H. F. 476, Swisher, Diets.
Control sign at street intersections. H. F. 501, Stanley, et al.

CIVIL DEFENSE—
General
Insurance protection for volunteer during civil defense activities. H. F. 33, Reppert, Denman; S. F. 84, O'Malley.
Administration members, appointment, terms of office. H. F. 237, Briles and Riley.
County, city and town cooperation. H. F. 417, Riley, Briles.

CIVIL RIGHTS—
General
Expanding to include beauty shops, nursing homes, barber colleges, schools of beauty training, altering penalty for violation. H. F. 144, Ely, et al.
Commission administer fair employment, housing ordinance. H. F. 150, Ely, et al.
Commission on human rights created, appropriation. H. F. 49, Riley, et al.; S. F. 43, Schroeder, et al.
Employment prohibited because of age. H. F. 99, Hagedorn, et al.
Housing, penalty for unfair practice. H. F. 512, Ely.
Employment, discrimination unlawful. H. F. 589, judiciary 1; S. F. 458, social security.

CIVIL SERVICE—
General
Policemen, firemen, state retirement system optional, cities having civil service after January 1, 1960. S. F. 172, cities and towns; H. F. 418, Baringer.
Policemen, firemen, state residence of one year required. S. F. 174, cities and towns.
Merit system, personnel administration for state. H. F. 238, Riley, et al.; S. F. 314, Fulton, et al.
City clerk. S. F. 355, Shaff.

CLAIMS—
General
Highway commission eliminate sworn statement of small claims. S. F. 141, highways.
Psychopathic, collect accounts of indigent or private patients. H. F. 425, institutions of higher learning.
Property damage from faulty streets, against cities and towns, notice, period of limitation. H. F. 455, Kluever.
Appropriation, gas tax refund. S. F. 418, claims.
Appropriation, settlement certain persons. S. F. 420, claims.
Appropriation, settlement certain persons. S. F. 421, claims.
Old age assistance fund, appropriation S. F. 422, claims.
Appropriation, settlement certain persons. S. F. 423, claims.
Appropriation, settlement certain named persons. S. F. 429, claims.
Appropriation, settlement certain persons. S. F. 435, claims.
Appropriation, settlement certain persons. S. F. 447, claims.
Attorney general special assistant make recommendation to state appeal board on payment of claims made against state. H. F. 588, claims.
Appropriation, settlement certain persons. S. F. 462, claims.
Appropriation, settlement certain counties. S. F. 464, claims.
Appropriation, gas tax refund. S. F. 469, claims.

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Appropriation, settlement certain persons or firms. S. F. 472, claims.
Workmen's compensation, appropriation, primary road fund. S. F. 479, appropriations.

CLUBS—
General
Licensing, regulation, taxation, inspecting, places alcoholic liquor on premises. H. F. 70, Denman, et al.
License required, members bring own liquor. S. F. 83, Hill, et al.

CODE—
General
Copy provided United States Senator, Representative from Iowa. H. F. 128, Hagen.
Iowa probate, established. S. F. 165, judiciary 2.

COLLEGES—
General
Income tax, deduction for tuition, room and board. H. F. 53, Riley.
Student loan fund established, appropriation. H. F. 88, Andersen of Woodbury.
Junior, permit indebtedness, bond issue, buildings and equipment. S. F. 156, Lisle; H. F. 202, Mowry.
United academic corporations, confer degrees. H. F. 251, Stokes.
Junior, Clarinda Community School District, legalizing act. S. F. 244, Lisle.
Junior, allocation of general school aid funds. S. F. 250, Lisle, et al.; H. F. 350, Hagie, et al.

COMMERCE COMMISSION—
General
Public utilities, rates and services regulated. S. F. 11, Turner, et al.; H. F. 81, Kluever, et al.
Railroads terminal, shops abandoned public hearing. H. F. 141, Riley; H. F. 167, Riley, et al.
Signs and signals, unauthorized, approval required. S. F. 138, Dykhouse; S. F. 403, judiciary 1.
Public utilities, regulate rates and service, league of municipalities. H. F. 302, Den Herder and Murray.
Electric transmission lines, determine public use before authorizing franchise or eminent domain. S. F. 254, Turner, Vincent; H. F. 361, Fisher of Green, Frazier.
Motor carriers operating over highways in this state register. H. F. 371, Eveland, et al.; S. F. 328, Doran, et al.
Bonded warehouse inspection information to United States government. H. F. 489, Meyer, et al.
Appropriation, establish public utility commission. S. F. 470, appropriations.

COMMERCIAL CODE—
General
Study committee created to investigate need for revising commercial law. S. J. R. 17, appropriations.

COMMISSIONS—
General
Memorial, United States chartered veterans organizations included. H. F. 286, Riley.

COMMON CARRIERS—
General
Certificate of convenience and necessity, abolish requirement. H. F. 41, Riley.
Rail track motor cars, transporting employees, equip with top, windshield and wipers, penalty failure to provide. H. F. 161, Ely, et al.; S. F. 169, Walker, et al.

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COMMUNICATIONS—
General
Telephone, telegraph, taxation, clarifying terminology. H. F. 262, Reppert, Denman.
Telephone long-distance calls charges by mileage. H. F. 448, Knowles.
Telephone, telegraph companies, taxation of real property and improvements. H. F. 534, Denman, Reppert.

COMMUNITY SCHOOL DISTRICTS—
General
Starmont, legalizing organization. S. F. 2, Elvers.
Chariton, legalizing bond issue. S. F. 12, Vincent.
Area six, legalizing organization. H. F. 15, Stanley.
Area six, legalizing school bond issue. H. F. 16, Stanley.
H. L. V., legalize bond issue. S. F. 24, Benda.
Ames, legalizing sale of real estate to Mary Tripp, H. F. 159, Cunningham.
Central Dallas transfer Hoover Fund to the schoolhouse fund. H. F. 308, Petersen of Dallas.
West Delaware county community school district, buying and selling real estate, legalizing. S. F. 236, Long.
Clarinda, public junior college, legalizing act. S. F. 244, Lisle.
Northeast Hamilton, organization, legalizing. S. F. 366, Walker.
South Hamilton community school district, boundaries established. S. F. 389, judiciary 2.
Traer-Clutier, legalizing organization and establishment of boundaries. H. F. 548, judiciary 2.
Traer-Clutier, legalizing bond issue. H. F. 549, judiciary 2.
Parkersburg, legalize established boundaries. S. F. 427, judiciary 2.
Linn-Mar, legalizing name change. H. F. 590, judiciary 2.

COMPENSATION—
General
Election board, increase for judges and clerks. S. F. 57, O'Malley.
Cemetery trustees, city council authorized to pay. H. F. 75, Knock.
State employees, higher rate for emergency overtime. H. F. 90, et al.
Wages of public works projects, rates established. S. F. 99, Mincks, Van Eaton; H. F. 185, Andersen of Woodbury, et al.
Hospitalization commissioners, increasing. H. F. 163, Riley, Carstensen.
Aeronautics commission members, increased. H. F. 213, aeronautics.
Board of supervisors increased, counties 35,000 population. H. F. 229, Mowry, Kreager.
Insurance examiners, per diem compensation increased. H. F. 331, insurance.
Election board, increased. H. F. 360, Lutz.
County officers, increased. H. F. 542, compensation of public officers and employees.
Public health examiners, increasing compensation. H. F. 555, public health and pharmacy.
State conservation commission members, increased. H. F. 571, conservation.
Iowa development commission members. S. F. 457, compensation of public officers and employees.

Salaries
Department of agriculture, marketing board, increase. S. F. 193, Dodds, Coleman.
Fair board members, increase. S. F. 193, Dodds.
Municipal clerks, bailiffs, salaries increased. H. F. 277, Riley.
General assembly members, increased to $40. H. F. 442, Duffy, et al.
Public officers, county supervisors, salary increased to $9,500 in counties with population over 150,000. H. F. 65, Reppert, Denman.
City mayor, councilmen, setting salary, city 90,000 population. H. F. 140, Riley, Ely.
Inheritance tax appraisers, increased. H. F. 484, Messerly, Kluever.

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County, municipal, school examiners and assistants, increase. S. F. 35, Frommelt, et al.; H. F. 111, Smith of O'Brien, et al.
Superior court judges, increase. H. F. 58, Frazier.
County attorneys, abolishing fee system, setting salary. H. F. 226, Carstensen.
Board of trustees of public utilities, increase. S. F. 175, Mincks.
County attorney, salary and duties. S. F. 196, Buck, et al.; H. F. 447, Kreager, et al.
Municipal clerks, bailiffs, salaries increased. H. F. 277, Riley.
Board of trustees of public utilities, increase. S. F. 256, Dodds.
Budget and financial control committee approve salary structure changes during interim. H. F. 359, Fischer of Grundy, Den Herder.
County attorneys certain counties, increased. H. F. 447, Kreager, et al.
Conservation officers, increased. H. F. 325, fish and game.

COMPTROLLER OF STATE—

General

Mental health care payments delinquent, modify penalty, delay beyond county control. H. F. 197, board of control.
Appropriations, biennial, close out date. S. F. 158, Flatt, et al.
Social security number, tax number submitted by applicant. S. F. 246, governmental affairs; H. F. 328, Patton, Wright.
Mental health institutes, voluntary patients care support. H. F. 342, Gittins, Coffman.
Warrants bear signature or facsimile. S. F. 276, Flatt, Lisle; H. F. 474, Walter.
School general aid, pay one-half November 1, one-half May 1. H. F. 400, schools, libraries, state educational institutions; S. F. 380, Frommelt; H. F. 565, tax revision.
Office reorganized into five divisions. H. F. 449, Knowles.
Appropriation, motor vehicle fuel tax fund. S. F. 478, appropriations.
Appropriation, primary road fund. S. F. 480, appropriations.

CONSERVATION—

General

County board participate in watershed and soil conservation program to increase recreation resources. H. F. 14, Scherle, et al.; S. F. 51, Benda.
County boards, enter into co-operative agreements with municipalities on recreational projects. H. F. 79, Bock, et al.
County board, change name to county recreation board. S. F. 198, Hill.
Boards, eliminating requirement to levy one-fourth mill tax. H. F. 566, tax revision.
Bond issue allowed in certain counties for conservation purposes. H. F. 591, conservation.

Soil

Assessment, increase minimum levy before installment payments. S. F. 61, conservation; H. F. 104, drainage and flood control.
Tax funds, acquire land, repair and maintenance in watershed projects. S. F. 62, conservation.
Powers of subdistricts. S. F. 63, conservation.
Districts, state tax method. S. F. 64, conservation; H. F. 121, drainage and flood control.
Buildings, erection and renting of space. S. F. 65, Wilson, Long; H. F. 87, Moffitt.
Subdistrict laws, penalty, S. F. 105, Long.
Boards to reimburse for use of county-owned real estate, materials, equipment or operators from county conservation funds. H. F. 43, McElroy, et al.
Appropriation, soil conservation work. S. F. 486, appropriations.

CONSERVATION COMMISSION—

General

Lands and waters under jurisdiction, deposit of litter illegal. H. F. 169, Hagen, et al.

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Director, powers, employment and removal of employees. H. F. 175, conservation.
Roads, maintain certain. S. F. 203, Doran.
Trapping, information book published. H. F. 307, Riley.
Executive council convey land to Iowa-Illinois Gas and Electric Company upon majority recommendation. H. F. 309, Dietz, Knowles.
Officers, salary increased. H. F. 325, fish and game.
State parks, motor vehicle sticker required, $2 annual fee. S. F. 247, Hansen, et al.
Officers, enforce penalties of trap and fur theft. H. F. 337, Riley.
Missouri River 1943 compromise, conservation commission make claim in name of state. H. F. 404, Scherle, et al.
Recreational projects, qualify for federal funds. H. F. 424, fish and game; S. F. 414, conservation.
Aircraft, purchase, equip and operate for law enforcement, survey, and census taking. H. F. 539, conservation commission.
State-owned areas, maintained by municipalities, not called state parks. S. F. 238, conservation.
Recreational areas, county conservation boards cooperate for federal funds. H. F. 562, conservation.
State, permission granted to incorporate federal migratory game bird hunting regulations. H. F. 564, fish and game.
Members compensation increased. H. F. 571, conservation.
Release easement in Lakeview. H. F. 573, judiciary 2.
Appropriation, repair, improvements. S. F. 459, appropriations.

CONSTABLES—
General
Mileage fees increased. H. F. 279, Jarvis, et al.

CONSTITUTIONAL AMENDMENTS—
General
Senatorial districts 58, population basis; representative 99, 1 to a county. S. J. R. 1, Shaff.
General assembly, provide for annual session. S. J. R. 2, Dykhouse.
Vote of the people required on each amendment for changes recommended by convention. H. J. R. 1, Goode, et al.
Bingo, licensing regulation. S. J. R. 3, Hansen, et al.
Voting age qualification lowered to 18 years. H. J. R. 2, Falvey, Carstensen.
Reapportionment, senate 50 members, house based on county and population. S. J. R. 5, Dykhouse.
Laws passed by General Assembly, effective date July 1. H. J. R. 3, Mensing.
Governor and Lieutenant Governor terms of office, 4 years. H. J. R. 4, Carstensen.
County Attorney, 4 year term. H. J. R. 5, Carstensen.
Governor and Lieutenant Governor, terms of office 4 years, limit 2 terms. S. J. R. 6, Lucken, et al.; H. J. R. 9, Smith of O'Brien, et al.
Public officers increasing term of office to 4 years. S. J. R. 7, Phelps, et al.
Reapportionment, senate not to exceed 50 members, house not to exceed 100 members, population basis. S. J. R. 8, Mincks.
Reapportionment, senate consist of 53 members, house 128 members, 1 each county, additional larger population. S. J. R. 9, Wearin.
Delegates to convention elected on population basis. H. J. R. 6, Riley.
Governor given item veto power on appropriation bills. S. J. R. 10, Lucken, et al.; H. J. R. 10, Stanley, et al.
Reapportionment, Senate consist 53 districts, House 133 members, 1 each county additional larger population. S. J. R. 11, Hill, Walter.
Reapportionment of House of Representatives, 1 each county and additional based on number of votes cast for Governor. S. J. R. 12, Turner.
Reapportionment, senatorial districts, established, one senator from each, house to have 125 members. S. J. R. 13, Fulton, Dodds; H. J. R. 18, Reppert.

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Governor appoint state officers. H. J. R. 8, Carstensen.
Governor, Lieutenant Governor, elected same ballot. H. J. R. 11, Denman and Reppert.
House of Representatives, four year term of office. S. J. R. 14, Lucken, Stephens.
Home rule cities and towns. S. J. R. 15, Rigler, Frommelt; H. J. R. 14, Van Alstine.
United States, voting privilege, failure to pay poll tax. S. J. R. 16, Wearin; H. J. R. 15, Eveland.
Voters, residence requirements. H. J. R. 16, Stanley.
Voters, residence requirements, moving to Iowa, qualified one state, eligibility to vote in national election. H. J. R. 17, Maule.
Annual sessions. H. J. R. 7, Riley, et al.
Voters, eligibility for national elections, moving to Iowa or one county to another. H. J. R. 19, constitutional amendment.

CONSTITUTIONAL CONVENTION—

General

Constitutional amendment, vote of the people required on each amendment, on results of convention. H. J. R. 1, Goode, et al.
Constitutional amendment requiring delegates be elected on population basis. H. J. R. 6, Riley.

CONSUMER COUNSEL—

General

Created in office of governor, appointed by him. H. F. 453, Murray, et al.

CONTAINER—

General

Dairy, poultry, produce, exempt from retail sales tax. S. F. 88, Walker, et al.

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General

Mechanics liens, written notice of labor and materials. S. F. 107, Phelps; H. F. 155, Chalupa.
Cities and towns, land developers furnish improvement bonds. S. F. 146, cities and towns.
Highway commission, state waive immunity from suits to settle construction disputes. S. F. 148, O'Malley and Dykhouse.

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General

Distribution of earnings each year. S. F. 32, Elvers, et al.; H. F. 78, Den Herder, et al.
Nonprofit corporation, electric transmission lines, tax assessment against corporation. H. F. 300, Dietz.
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Articles, bylaws, regarding amendments. S. F. 349, Getting, et al.

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General

Articles of incorporation, specify place of filing, taxation purposes. H. F. 162, Reppert, et al.
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Taxes, credit to individual taxpayers. S. F. 144, Wiley, et al.; H. F. 294, Stanley, et al.
Nonprofit, rules, regulations. S. F. 170, Shaff; H. F. 538, private corporations.
Foreign, domestic, annual license fee $5. H. F. 231, judiciary 2.
Academic, united corporations, degrees conferred. H. F. 251, Stokes.
Domestic or foreign, rate of interest. H. F. 256, private corporations; S. F. 195, judiciary 2.

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Foreign, service of process. S. F. 222, judiciary 1; H. F. 353, private corporations.
Profit, emergency conduct of business during a disaster. S. F. 231, Shaff; H. F. 354, private corporations.
Registration exemption repealed, charitable, benevolent. H. F. 321, insurance.
Securities, regulate transfer, common or overlapping control. H. F. 322, insurance.
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Iowa development commission, establish nonprofit, accept grants or gifts for research in science, arts, technology. S. F. 252, Iowa development; H. F. 403, state planning and development.
Income tax, state, increase. S. F. 261, Fulton.
Income tax, eliminate deduction of federal tax. S. F. 262, Fulton.
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Economic development corporation organized. H. F. 452, state planning and development; S. F. 405, Iowa development.
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Domestic, foreign credit against annual license fees. S. F. 448, judiciary 1.
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Councilmen, contracts with cities, towns fulfilled when entered into before election to office. H. F. 335, Kreager.

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Homes, exempt from nursing home license. H. F. 48, county and township affairs.
Death certificate, all information typed or printed. S. F. 54, Mincks, Vance.
Auditor, receive copy of certificate of death. S. F. 55, Mincks, Vance.
Abolish county school system. S. F. 59, Turner, et al.
Hospitals, maximum levy increased to 4 mills in counties over 135,000 population. H. F. 68, Reppert, Denman.
Regional or metropolitan planning commission, creation of. H. F. 77, Falvey, et al.
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Auditor, removed as cemetery trustee. H. F. 129, Coffman.
Authorized contribute to city libraries. H. F. 148, Reppert, Denman; S. F. 205, O'Malley.
Idle funds, short term investment. H. F. 154, Mowry, Eveland.
Reorganization of school districts, establish procedure concerning tie vote of joint boards, reorganization involving 2 or more counties. H. F. 160, Peterson of Woodbury.
Abolishing county school system where 75 percent of students enrolled in districts maintaining 12-grade system. H. F. 186, Strothman.
Mental health, comptroller modify penalty, payments delinquent when delay beyond county control. H. F. 197, board of control.
Execution, sheriff from county where crime was committed. S. F. 157, Walker, Getting; H. F. 201, Scherle, et al.
Levy up to 5 mills certain cities or towns to construct, repair, maintain bridges. H. F. 225, Smith of O'Brien, et al.
Hospitals, financial conditions examined by public accountants. S. F. 167, Elijah, et al.; H. F. 233, Fisher of Greene, et al.
Mentally retarded persons, funds for care, treatment, habilitation. S. F. 181, Cowden, Phelps; H. F. 245, Ely, et al.
Mutual associations, licensing, taxing, same basis other similar insurance carriers. H. F. 249, insurance.
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Agricultural extension council election of members may be held outside township in county. H. F. 280, Hagie, et al.
Patients in state institutions, unpaid expenses, levy tax. H. F. 290, Darrington.
Farm-to-market, primary, mandatory letting construction work, same amount. S. F. 215, highways.
Employees, establish group insurance. S. F. 227, Lisle; H. F. 522, Denman, et al.
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Schools, estimating budget for state aid. H. F. 358, Sokol, et al.
Fiscal agent not to be employed sale of bonds. S. F. 259, Shaff, et al.
Superintendent of public schools or superintendent of public instruction included in teachers pension. S. F. 272, Fulton.
Recorder, compile list of deeds, copy each month to inheritance tax division. S. F. 291, Shaff, Long.
Buildings, joint with cities. H. F. 393, Mowry; S. F. 378, Buck.
Auditor, treasurer, recorder, district court clerk, salary increase. S. F. 333, O'Malley.
Civil defense, cooperation with cities and towns. H. F. 417, Riley, Briles.
Tax levy increased. H. F. 420, county and township affairs.
Zoning, cities and towns establish. S. F. 361, Campbell.
Ambulance service contract. H. F. 436, Stanley.
Auditor, pay bounty claim not less than $1. H. F. 461, Ely.
Governmental bodies, meetings open to public. H. F. 478, Stanley. School boards in counties where institutions of higher learning located, increase maximum levy to 10 mills. H. F. 466, Swisher.
Benefited fire district, establish multicounty. H. F. 339, Riley.
Officers, compensation increased. H. F. 542, compensation of public officers and employees.
Treasurer retain 75 cents of motor vehicle registration fees. H. F. 546, county and township affairs.
Political conventions, election of delegates at precinct caucuses. H. F. 587, elections, political and judicial districts.
Board of education establish co-operative agreement in 3 or more counties. S. F. 455, schools and educational institutions.
Appropriation, settlement certain claims. S. F. 464, claims.

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Constitutional amendment to change term of office to 4 years. H. J. R. 5, Carstensen.

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Abolishing fee system, setting salary. H. F. 226, Carstensen.
Population 30,000 to 80,000, devote entire time to duties of this office. S. F. 196, Buck, et al.; H. F. 447, Kreager et al.
Salary increase, counties population over 150,000. S. F. 285, O'Malley; H. F. 523, Denman, et al.
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Board of Supervisors

Zoning changes, public hearing notice specify location by townships, section and road of area affected. H. F. 11, Messerly.
Districting privilege, regardless number of townships. H. F. 24, Mensing.
Salary increased to $9,500 in counties with population over 150,000. H. F. 65, Reppert, Denman.
Contract with nonprofit nurses organization for public health nursing service. H. F. 83, Ely, et al.
Deputy night sheriff, appoint and provide duties. S. F. 84, Walker, et al.; H. F. 101, Loss, et al.
Sheriffs, deputies, uniforms provided. S. F. 85, Long, et al.; H. F. 100, Paul, et al.
Adopt building codes, regulate, inspect, counties population 30,000. H. F. 194, Messerly, et al.
Iowa association of county officers, annual dues. H. F. 204, Kluever, et al.
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Compensation increased, counties 35,000 population. H. F. 229, Mowry, Kreager.
Road, subdivision plats, approval. S. F. 239, Wiley; H. F. 385, Hagedorn, et al.
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Public defender, establishment of office. S. F. 303, Fulton, Turner; H. F. 445, Murray, et al.
Supervisors, township trustees, 4 year term. H. F. 386, elections, political and judicial districts.
Contractual agreements for dumps, disposal grounds, sanitary land fill. S. F. 332, O'Malley, Coleman; H. F. 535, Denman, Reppert.
Maintenance equipment assigned county fair ground use. H. F. 454, Dunton, et al.
Secondary roads, in towns 400 population or less, leading to state parks, full cost option supervisors. H. F. 98, Smith of Dickinson.
School boards, city councils cooperate jointly to perform functions. H. F. 496, Ely, Riley.
Road control signs at intersections. H. F. 501, Stanley, et al.
Vacating certain secondary highways in Chickasaw county. S. F. 406, judiciary 2.
Flood control projects, cooperate with federal agencies. H. F. 560, roads and highways.

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Board to participate in watershed and soil conservation program to increase recreation resources. H. F. 14, Scherle, et al.; S. F. 51, Benda.
Boards to reimburse for use of county-owned real estate, materials, equipment or operators from county conservation funds. H. F. 43, McElroy, et al.
Boards, enter into co-operative agreements with municipalities on recreational projects. H. F. 79, Bock, et al.
Conservation board, change name to county recreation board. S. F. 198, Hill.
Recreational areas, county boards cooperate for federal funds. H. F. 561, conservation.
Boards, eliminating requirement to levy one-fourth mill tax. H. F. 566, tax revision.
Bond issue allowed in certain counties for conservation purposes. H. F. 591, conservation.

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COUNTIES—
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Centerville, legalizing special school district election. S. F. 20, Wilson; H. F. 42, Moffitt.

Benton
Benefited fire district, legalizing organization. H. F. 113, Riley, et al.

Black Hawk
Highway safety patrol, purchase real estate in Cedar Falls. S. F. 176, Fulton.

Boone
Boone county jurisdiction of certain land comprising part of Woodward state hospital and school. H. F. 413, board of control.
Boone county jurisdiction of certain land comprising part of Woodward state hospital and school. H. F. 414, board of control.
South Hamilton community school district, boundaries established. S. F. 389, judiciary 2.

Buchanan
Starmont community school district, legalizing act. S. F. 2, Elvers.

Butler
Parkersburg community school district, boundaries established. S. F. 427, judiciary 2.

Cerro Gordo
Real estate conveyance exchanged with Ellen M. Peterson. H. F. 84, Olson; S. F. 89, Curran.
Highway safety patrol, purchase real estate. S. F. 149, Curran.
Real estate conveyance, legalizing. S. F. 356, Curran.

Chickasaw
Vacating certain secondary highways, legalizing act. S. F. 406, judiciary 2.

Clayton
Starmont community school district, legalizing act. S. F. 2, Elvers.

Crawford
Denison, airport bonds issued, legalizing act. H. F. 168, Crane.
Denison, paving, sewer, water mains, legalizing bond issue. H. F. 553, judiciary 2.

Dallas
Central Dallas community school district transfer Hoover fund to the schoolhouse fund. H. F. 308, Petersen of Dallas.
Land of Woodward state hospital and school jurisdiction transferred. H. F. 413, board of control.

Delaware
Starmont community school district, legalizing act. S. F. 2, Elvers.
West Delaware county community school district, buying and selling real estate in Manchester. S. F. 236, Long.

Des Moines
Legalizing act, Iowa River, Flint Creek levy district special assessment. S. F. 442, judiciary 2.

Fayette
Starmont community school district, legalizing act. S. F. 2, Elvers.

Franklin
Public hospital, legalizing acceptance, organization and establishment. H. F. 586, judiciary 2.

Grundy
Parkersburg community school district, boundaries established. S. F. 427, judiciary 2.

Guthrie
Legalize court house bond issue. S. F. 80, Cowden, Robinson.

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Hamilton
South Hamilton community school district, boundaries established. S. F. 339, judiciary 2.

Iowa
H. L. V. community school district legalizing act. S. F. 24, Benda.

Lee
Executive council convey land to W. E. Caldwell. H. F. 408, Kreager.

Linn
Benefited fire district, legalizing organization. H. F. 113, Riley, et al.
Linn-Mar community school district, legalizing name change. H. F. 590, judiciary 2.

Louisa
Land patent, Howard J. Greene and Alice E. Greene. H. F. 72, Wier.
Legalizing act, Iowa River, Flint Creek levy district special assessment. S. F. 442, judiciary 2.

Lucas
Chariton community school district, legalizing school bond issue. S. F. 12, Vincent.

Mahaska
Land patent, Goldie Chilcote. H. F. 67, Prine.

Muscatine
Area six community school district, legalizing act. H. F. 15, Stanley.
Area six community school district, legalizing school bond issue. H. F. 16, Stanley.

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Scott
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Story
Ames community school district, legalizing sale of real estate to Mary Tripp. H. F. 159, Cunningham.

Tama
Traer-Clutier community school district, legalizing established boundaries. H. F. 548, judiciary 2.
Traer-Clutier community school district, legalizing bond issue. H. F. 549, judiciary 2.

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Clarion courthouse repair, legalizing contract with D. C. Taylor Company. H. F. 234, Hagie.

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General
Clerk of district court, establish fees charged in probate matters. S. F. 8, Elvers.
Clerk of supreme, combine duties of clerk and reporter. S. F. 13, Vance, et al.
District, order marriage license issued when one party under age, certain conditions. H. F. 34, Riley.
Foreign judgments, simplified. S. F. 39, Doran.
Indictment within 30 days, trial 60 days. H. F. 52, Mowry, Carstensen.
Paroles, terminology change. S. F. 58, Schroeder, et al.; H. F. 112, Swisher, et al.

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Municipal, judges, officers, alternative method payment of salaries. H. F. 66, Reppert, Denman.
Prisoners granted employment privileges. H. F. 93, Messerly, et al., S. F. 140, Van Eaton.
District, increasing compensation hospitalization commissioners. H. F. 163, Riley, Carstensen.
Bail, misdemeanor, release on written promise to appear when required. S. F. 139, Beneke.
Parolee or court probationer, penalty for aiding. S. F. 152, Buck, et al.
Contributory negligence an affirmative defense in civil actions. S. F. 166, Turner, et al.
Iowa probate code, established. S. F. 165, judiciary 2.
Admissibility of evidence, husband or wife testify against the other, committed crime against minor child. H. F. 254, Carstensen.
Supreme, district judges, retirement mandatory, temporary service after retirement. H. F. 264, judiciary 1.
Municipal bailiffs, deputies, fees and mileage equal to county sheriff. H. F. 276, Riley.
Municipal clerks, bailiffs, salaries increased. H. F. 277, Riley; S. F. 456, compensation of public officers and employees.
Witnesses, examine, cross-examine. S. F. 269, Nolan.
Municipal bailiffs, deputy, mileage, fees same as allowed by law for sheriffs. S. F. 278, Wiley; H. F. 479, Ely.
Juvenile structure, revising, codifying statutes regarding dependent, neglected and delinquent children. S. F. 321, Buck, et al.; H. F. 428, Mensing, et al.
Husband, father, recover damages from negligent injury or death. S. F. 379, Turner, Schroeder.
District court judges, increasing to five in 18th district. H. F. 529, Riley, et al.
Judicial nominating commissions, terms of office, judiciary elections, mandatory retirement, temporary service by retired judges, and residence of supreme court judges. S. F. 402, judiciary 1.
District clerk notify county auditor of change of title of real property to avoid probate of certain estates. H. F. 583, judiciary 1.
Commission to study court system, created. S. J. R. 18, appropriations.

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General

Fraudulent use, misdemeanor. H. F. 257, judiciary 1.

CREDIT UNIONS—

General

Employees, state, county, city, authorize deductions from wages. S. F. 187, Coleman.
Alternate members of credit committee, elected. S. F. 265, banks, building and loan.
Appoint membership committee or officer. S. F. 266, banks, building and loan.
Permitted to sell certain instruments for payment of money. S. F. 281, Frommelt.
Interest refund declared by board of directors. S. F. 315, Frommelt; H. F. 446, Mensing, Hirsch.

CRIME—

General

Homicide by motor vehicle, penalty. H. F. 19, Carstensen.
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Misdemeanor, bail, release on written promise to appear when required. S. F. 139, Beneke.
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DAIRY—
Foods
Establish requirements for installation of bulk tanks for milk, penalty for failure to comply. S. F. 7, Elvers.
Products and imitations, marketing regulations and penalty. S. F. 120, Coleman; H. F. 203, Den Herder, et al.
Milk and cream processors, suspension failure to post bond. H. F. 207, Patton.
Dairy, poultry, produce containers, exempt from retail sales tax. S. F. 88, Walker, et al.
Products and imitations, excluding butter, marketing regulations and penalty. S. F. 404, manufacturing, commerce and trade.

DAYLIGHT TIME—
General
Daylight time prohibited. S. F. 14, Phelps; H. F. 181, Wier.

DEBTS—
General
False drawing and uttering of checks to include payment of antecedent debts. S. F. 5, Rigler.

DISEASE—
General
Occupational, employer liable for 10 years for disablement or death. S. F. 234, Mincks.
Venereal, updating laws. H. F. 532, Denman, Reppert.
Animal
Sheep, control and eradication of scabies, provide penalty. S. F. 86, Getting, et al.; H. F. 295, Walter, et al.
Ovine foot rot included. S. F. 87, Getting, et al.
Bovine brucellosis, eradication. S. F. 94, agriculture.
Swine, brucellosis, eradication. H. F. 275, Hirsch, et al.
Hogs, destroyed for cholera control, indemnity payment. H. F. 365, Walter, Hirsch.
Hog cholera, indemnity to owners. S. F. 369, Walker, et al.
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DIVORCE—
General
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Conciliator established, cost by parties to action. H. F. 395, Falvey, et al.

DOCKS—
General
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DRAINAGE DISTRICTS—
General
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DRAM SHOP LAW—
General
Beer included. H. F. 502, Stanley.

DRUGS—
General
Licensed wholesaler permitted to use the term "drug" or related terms. S. F 153, Griffin; H. F. 244, Wright.

EDUCATIONAL INSTITUTIONS—
General
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Sabbatical-leave program established, state institutions, college professors. H. F. 136, institutions of higher learning.
Property owned, used educational purposes, tax exempt. H. F. 142, Reppert, Denman.
Real property used pecuniary profit, tax. H. F. 296, Dietz.
Property owned, gradual removal from tax exempt status, not directly used for educational or experimental purposes. H. F. 281, Dietz.

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General

Buyers and dealers, license, surety bond, disposition of fees. H. F. 334, Walter, et al.
Tax levy of 2 cents on each 30 dozen crate. H. F. 435, Walter.
Buying, selling, license fee $10, renewable July 1 each year. H. F. 460, Briles, et al.

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General

School district permitted biennial. S. F. 56, Mincks; H. F. 97, Carnahan.
Boards, compensation increase for judges and clerks. S. F. 57, O'Malley.
School district bond issue, defeated, not submitted to voters within one year. S. F. 98, Doran, et al.
School, polls open 8 a.m. to 8 p.m. H. F. 118, Coffman.
Campaign posters, penalty for placing on utility poles. S. F. 137, Hansen and Van Eaton.
Bond issue proposals, defeated, not submitted to voter within one year. S. F. 191, Stephens, et al.
County agricultural extension council, held some other place in county. H. F. 280, Hagie, et al.
Board of public instruction members, nomination by petition. H. F. 313, Den Herder, et al.
Board of public instruction members, reducing to seven, nomination on primary ballot. H. F. 314, Knock, et al.
Voters registration deadline 14 days preceding. H. F. 355, Ely, Riley; S. F. 297, Wiley.
Board, compensation increased. H. F. 360, Lutz.
Voting by paper ballot, contest board established to decide seats in House of Representatives. H. F. 363, Nielsen of Emmet, et al.
Voting places outside precinct boundaries, no suitable place inside precinct. H. F. 370, Smith of Dickinson.
Voter deposit in presence of election judge. H. F. 438, Stanley.
Residence requirements, preserving rights of voters moving immediately before an election. H. F. 493, Stanley, Loss.
Absentee ballot, president, vice president when moving out of state. H. F. 495, Maule.
Board of public instruction election of members, correcting error of omission in acts of Fifty-eighth General Assembly. H. F. 232, schools, libraries, state educational institutions.
Political party precinct caucuses, elect delegates to county conventions. H. F. 587, elections, political and judicial districts.

ELECTRIC TRANSMISSION LINES—

General

Commerce commission, determine public use before authorizing franchise or eminent domain. S. F. 254, Turner, Vincent; H. F. 362, Fisher of Greene, Frazier.
Nonprofit co-operative association, tax assessment against corporation. H. F. 300, Dietz.

EMINENT DOMAIN—

General

Gas storage facilities, underground, prohibited. S. F. 118, Coleman.
Road authorities immediate possession of land. S. F. 154, Doran.

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Electric transmission lines, commerce commission determine public use before authorizing franchise. S. F. 254, Turner, Vincent; H. F. 361, Fisher of Greene, Frazier.

EMPLOYEE—
General
Minor, receive workmen's compensation benefits direct. H. F. 36, Riley.
School district purchase annuity contracts. H. F. 47, Knowles, Andersen of Woodbury; S. F. 40, Rigler.
Iowa public, retirement benefits increased. S. F. 70, social security; H. F. 103, social security.
State, higher rate of pay for emergency overtime. H. F. 90, Ely, et al.
Railroad, sanitary facilities. H. F. 127, Riley, et al.
State, employment terminated, accrued vacation pay. S. F. 186, Frommelt, et al.; H. F. 524, Denman, et al.
State, county, city, authorize deduction from wages for credit unions. S. F. 187, Coleman.
School, physical examination, evidence physical fitness. H. F. 271, Gittins, et al.
Iowa public, retirement, funds invest, reinvest. H. F. 310, social security.
Physician, freedom of choice under workman's compensation. H. F. 311, Goode.
Public, organize unions. S. F. 235, Mincks.
Public, authorize deductions from salary for certain insurance. H. F. 372, Andersen of Woodbury, et al.
Railway, express, health and safety appliances enforced. S. F. 305, Walker, et al.
Municipal, group insurance. H. F. 377, Kreager, et al.
Workmen's compensation death benefits, additional for employees without dependents. S. F. 337, Flatt, Mincks.
Waterworks, group insurance. S. F. 316, Turner; H. F. 469, Gittins, Van Nostrand.
Institutions under director of mental health, paid educational leave. H. F. 477, Van Alstine, et al.
Minimum wages, administration enforcement. H. F. 494, Stanley, et al.
Employment safety commission created. H. F. 498, Stanley, et al.
Iowa governing bodies, federal social security, maintain coverage on broad basis. H. F. 551, social security.
Workmen's compensation for occupational diseases, claim filed 90 days after disablement. S. F. 426, industrial relations.
Employment security commission, retirement system, paid for from contribution by employees, money received from title III of federal social security act and money appropriated by state. H. F. 576, social security.
Employment, discrimination unlawful. H. F. 589, judiciary 1; S. F. 458, social security.

EMPLOYERS—
General
Discrimination in employment because of age prohibited. H. F. 99, Hagedorn, et al.
Cities, towns establish fair employment act by ordinance. H. F. 150, Ely, et al.
Defining under employment security, reducing number of employees to one or more. S. F. 132, Mincks, Coleman; H. F. 527, Denman, Reppert.
Employment security commission notified within 7 days of disqualifiable separation of employees. S. F. 135, Mincks, et al.; H. F. 284, Riley, et al.
Employees select own physician under workman's compensation. H. F. 311, Goode.
Professional strike breakers. S. F. 267, O'Malley; H. F. 531, Denman, Reppert.
Employment safety commission created. H. F. 498, Stanley, et al.
Employment, discrimination unlawful. H. F. 589, judiciary 1; S. F. 458, social security.

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EMPLOYMENT SECURITY—

General

Benefits, eliminate waiting period requirement. S. F. 66, Mincks, Fulton; H. F. 200, Reppert, et al.

Benefits, determining amount and duration. S. F. 67, Mincks; H. F. 179, Carstensen.

Benefits, repeal disqualification of persons eligible for old age assistance. S. F. 68, Mincks, Fulton; H. F. 198, Camp, et al.

Benefits, temporary extension of duration. S. F. 128, Mincks; H. F. 235, Ely, et al.

Disqualification, voluntarily leaving work, forfeit certain amount of benefits. S. F. 131, Mincks, et al.; H. F. 525, Denman, Reppert.

Employer, defining, reducing number of employees to one or more. S. F. 132, Mincks, Coleman; H. F. 527, Denman, Reppert.

Eliminate vacation pay deduction from benefits. S. F. 133, Mincks, Frommelt; H. F. 253, Miller of Des Moines, et al.

Benefits payable, retirement required by company. S. F. 134, Mincks, et al.; H. F. 296, Murray.

Employer notify within 7 days of disqualifiable separation of employee. S. F. 135, Mincks, et al.; H. F. 284, Riley, et al.

Appropriation, Iowa public employees retirement system. S. F. 398, appropriations.

Commission employees retirement system, paid for from contribution by employees, money received from title III of federal social security act and money appropriated by state. H. F. 576, social security.

ESTATES—

General

Intestate decedents, executor apply for authority expend funds to locate heirs. H. F. 514, Dunton.

Clerk of district court notify county auditor of change of title of real property to avoid probate of certain estates. H. F. 583, judiciary 1.

EVIDENCE—

General

Admissibility of testimony husband or wife against the other, committed crime against minor child. H. F. 254, Carstensen.

EXECUTIVE COUNCIL—

General

Permitted to sell certain property belonging to the state. S. F. 36, Flatt.

Real estate conveyance exchanged with Ellen M. Peterson. H. F. 84, Olson; S. F. 89, Curran.

Operating expenses approval budget and financial control committee. S. F. 136, Frommelt, et al.

State departments, pay for supplies from appropriation. S. F. 159, Flatt, et al.

Real estate conveyed to Iowa-Illinois Gas and Electric Company upon majority recommendation of conservation commission. H. F. 309, Dietz, Knowles.

Capitol domes re-gilded, appropriation. H. F. 402, public lands and buildings.

Superintendent of public building and grounds accept federal monies for maintenance expense. S. F. 330, Main.

Land conveyed to W. E. Caldwell. H. F. 408, Kreager.

State personnel division, included. S. F. 359, Nolan, et al.

FAIRS—

General

Board members, compensation increase. S. F. 193, Dodds.

State board, membership enlarged, officers selected from personnel of board. H. F. 463, Hanson of Mitchell, et al.

State board, appropriation. S. F. 395, appropriations.

State fair board, appropriations for capital improvements. S. F. 477, appropriations.

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FARMS—
General
Establish requirements for installation of bulk tanks for milk on farms, penalty for failure to comply. S. F. 7, Elvers.
Bodies of water, owners, tenants exempt from liability. H. F. 92, Hirsch, et al.; S. F. 95, Phelps, Cowden.
Equipment sales, trade in, sales tax on cash difference. S. F. 92, Phelps, et al.; H. F. 156, Mensing, et al.
Tax refund, special fuel used operation corn shellers, roller mills, feed grinders mounted on trucks. H. F. 151, Nelson; S. F. 124, Lucken.
Livestock, loss report to assessment insurance associations, 48 hours. H. F. 192, Paul, et al.
Land, exempted from zoning. S. F. 155, Lodwick.
Buildings repaired no tax value increase. H. F. 364, Anderson of Ringgold; S. F. 304, Main, et al.
Implements, cars, parts, wholesaler discontinue contract. S. F. 368, Main, et al.
Tax valuation based on productivity. H. F. 431, Sokol.
Iowa commercial feed law, updated. S. F. 385, agriculture.

FEEDS—
General
Iowa commercial feed law, updated. S. F. 385, agriculture.

FEES—
General
Clerk of district court, establish fees in probate matters. S. F. 8, Elvers.
Private patients, University Hospital, collection and disbursement of fees. H. F. 134, institutions of higher learning.
Psychopathic Hospital, physicians, private patients collection and disbursement of fees. H. F. 135, institutions of higher learning.
Insurance Commissioner, $5 examination fee for agents, dealers. H. F. 196, insurance.
Cities and towns, establish for inspection of multiple dwellings. S. F. 171, cities and towns.
Criminal, justices of the peace, increased townships population 4,000 to 10,000. H. F. 278, Jarvis, et al.
Constable, mileage fees increased. H. F. 279, Jarvis, et al.
Mobile homes, house trailers, travel trailers, registration fee. S. F. 221, Wiley; H. F. 346, Darrington, Gittins.
State park, motor vehicle sticker, $2. S. F. 247, Hansen, et al.
Boiler inspection, requested by manufacturers, fees established. S. F. 386, cities and towns.
Motor vehicle certificate of title increased to $1, duplicates increased to $3. H. F. 567, roads and highways.
Motor vehicle registration on new cars, value set according to retail price suggested by manufacturer. H. F. 568, roads and highways.
Agriculture, certain fees increased. H. F. 569, agriculture.

FENCES—
General
Erecting, rebuilding, repairing responsibility board of supervisors. H. F. 85, Smith of O'Brien, et al.

FIRE—
General
Permit writing multiple peril policies. H. F. 25, Swisher, et al.; S. F. 44, Wiley, et al.
Benton-Linn, legalizing organization. H. F. 113, Riley, et al.
Fire extinguishers, elimination of requirement on certain boats. S. F. 150, conservation.
Emergency, fire-crash trucks, lease. H. F. 246, Reppert, et al.; S. F. 351, Wiley.

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Firemanship training center expansion, appropriation. H. F. 584, safety and law enforcement.

FIREMEN—
General
Retirement pension, elimination of fixed income. S. F. 46, Shaff, et al.; H. F. 146, Camp, et al.
Pensions, adjusted according to salaries paid active members. H. F. 69, Mensing, et al.
Reduction working hours per week, effective January 1, 1964. H. F. 76, Dietz, et al.; S. F. 90, Schroeder, et al.
Retirement system, include hospital, nursing and medical attention, hours of duty under an additional section of Code. H. F. 173, cities and towns.
Retirement, state system optional in cities having civil service after January 1, 1960. S. F. 172, cities and towns; H. F. 418, Baringer.
State residence of one year required. S. F. 174, cities and towns.
Retirement, equalizing working years. H. F. 241, Mensing, et al.
Pension adjusted according to current salaries, effective gradually over 3 year period, increasing contribution to fund. H. F. 306, Mensing, et al.

FISH AND GAME—
General
Bow and arrow hunting prohibited on land of another without permission. S. F. 10, Grimstead.
Fine increased for failure to obtain permission cultivated or inclosed land. H. F. 4, Briles; S. F. 109, Turner.
Residents 65 or over, license $1. H. F. 20, Messerly, et al.
Muskrats, permitting continuous open season for control. S. F. 119, Hansen; H. F. 158, Lange.
Violations, pertaining to minors. S. F. 163, Beneke.
Muskrats, extending open season to May 1. H. F. 303, fish and game.
Trapping, conservation commission publish book of information. H. F. 307, Riley.
Trapping, open seasons begin at sunrise. H. F. 336, Riley.
Trapping, stealing traps and furs, misdemeanor, fine. H. F. 337, Riley.
Trappers, license fee increased, traps tagged. H. F. 338, Riley.
Deer, owner, tenant hunt own land 2 days prior open season. S. F. 311, Flatt, et al.
Raccoon trapping and hunting open season the same. H. F. 383, Riley.
Trapping, open dates not to coincide with opening date of season for hunting pheasant. H. F. 387, Riley.
Trappers under 16 years of age, license fee $1, over 16 years $3. Traps carry metal name tags. H. F. 423, fish and game.
Bait, seine minnows, cross state line. H. F. 441, fish and game.
Nonresident hunting and fishing license, repealing reciprocal, setting hunting at $15, fishing at $2.50. H. F. 544, fish and game.
State conservation commission granted permission to incorporate federal migratory game bird hunting regulations. H. F. 564, fish and game.

FLAGS—
General
Vehicle operated less than 30 miles per hour. H. F. 223, Stanley, et al.

FOOD—
General
Frozen poultry, date of freezing on package. S. F. 74, Main.
Packaged, weights, measures and prices clearly marked prior to sale. S. F. 75, Main.

FRATERNAL BENEFICIARY—
General
Tax levy, same as commercial insurance. H. F. 265, insurance.

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FUNDS—

General

Municipalities, counties, school districts permitted to invest idle funds. S. F. 29, Long, Fisher.

Mutual, assessed at bid price January each year. S. F. 73, Hansen, Wilson.

County, city, town and school, short term investments. H. F. 154, Mowry, Eveland.

Cities, towns functional, remove millage limit, keep 30-mill over-all levy. H. F. 166, Miller of Jones, et al.; S. F. 173, cities and towns.

Special courses school fund, abolished. S. F. 188, Beneke.

Revolving, reformatory and penitentiary, consolidated. S. F. 211, board of control.

Streets, research, established. S. F. 228, Wiley.

Cities and towns improvement guaranty, tax levy for payment of bonds. H. F. 537, cities and towns; S. F. 384, Shaff.

School student activities, receipts and disbursement, publish at end of each semester. H. F. 545, printing.

FUNERALS—

Pre-arranged, annual reports or trusts established abolished. S. F. 201, Brown.

GASOLINE—

General

Octane rating number for regular and premium grades. S. F. 415, agriculture.

GENERAL ASSEMBLY—

General

Annual session. S. J. R. 2, Dykhouse.

Annual sessions. H. J. R. 7, Riley, et al.

July 1 effective date laws passed. H. J. R. 3, Mensing.

Legislative successors, repealing chapter 388 of Code. H. F. 293, Goode, Mensing.

Indexing of legislative journals and bills responsibility of secretary of the senate and the chief clerk of the house. S. F. 277, printing.

Fifty-ninth, members reimbursed $350 for expenses. H. F. 520, Reppert, Kluever.

Members, compensation increased to $40. H. F. 442, Duffy, et al.

Interim appointments by governor after rejection by senate. S. F. 434, governmental affairs.

Appropriations for miscellaneous expenses. S. F. 491, appropriations.

Re-Apportionment

Senatorial districts 58, population basis, representatives 99, 1 to a county. S. J. R. 1, Shaff.

Senate 50 members, house based on county and population. S. J. R. 5, Dykhouse.

Constitutional amendment, senate not to exceed 50 members, house not to exceed 100 members, population basis. S. J. R. 8, Mincks.

Constitutional amendment, senate to consist of 58 members, house 128 members, 1 each county, additional larger population. S. J. R. 9, Wearin.

Constitutional amendment, senate to consist 58 districts, house 133 members, 1 each county addition larger population. S. J. R. 11, Hill, Walter.

Constitutional amendment, representatives, 1 each county and additional based on number of votes cast for governor. S. J. R. 12, Turner.

Senatorial districts established, one senator from each. House to have 125 members. S. J. R. 13, Fulton, Dodds; H. J. R. 18, Reppert.

GOVERNOR—

Commission for blind, appoint 3 members. S. F. 3, Rigler, et al.; H. F. 3, Swisher, et al.

Public instruction board, appointed by. S. F. 18, Shoeman, et al.

Constitutional amendment to change term of office to 4 years. H. J. R. 4, Carstensen.

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Constitutional amendment to change term of office to 4 years, limit 2 terms. S. J. R. 6, Lucken, et al.; H. J. R. 9, Smith of O'Brien, et al.

Constitutional amendment, item veto power given on appropriation bills. S. J. R. 10, Lucken, et al.; H. J. R. 10, Stanley, et al.

Land patent, Goldie Chilcote. H. F. 67, Prine.

Land patent, Howard J. Greene and Alice E. Greene. H. F. 72, Wier.

State officers appointed. H. J. R. 8, Carstensen.

Elect same ballot as lieutenant governor. H. J. R. 11, Denman, Reppert.

Civil defense administration members, appointment. H. F. 237, Briles and Riley.

Land patent, park commissioners of Ottumwa. S. F. 207, Mincks.

Land patent to Edith F. Hoskinson and Hessel La Verne Hoskinson. S. F. 208, Mincks.

Plan reorganization executive branch, 30 day General Assembly disapprove. H. F. 329, Reppert, et al.

Plan reorganization executive branch, 60 day General Assembly disapprove. S. F. 318, Fulton, et al.; H. F. 510, Ely.

Consumer counsel appointed by. H. F. 453, Murray, et al.

Interim appointments, after Senate rejection. S. F. 434, governmental affairs.

HEALTH DEPARTMENT—

General

Board, examining and licensing, physicians and surgeons, osteopaths, and osteopathic physicians and surgeons, creating single examining board. S. F. 194, Shoeman, et al.; H. F. 378, Edgington, et al.

Itinerant practitioners, license abolished. H. F. 258, public health.

Medical research, personal information confidential. S. F. 340, Vance, Beneke; H. F. 432, Kluever.

Local board, powers, persons violating rules, penalty. S. F. 353, O'Malley.

Veneral disease, updating laws. H. F. 532, Denman, Reppert.

Public health examiners, increasing compensation. H. F. 555, public health and pharmacy.

HIGHWAY COMMISSION—

General

Railroad right of way abandoned, obtainable for commercial vehicle use. S. F. 121, Coleman.

Signs and signals, unauthorized, approval required. S. F. 138, Dykhouse; S. F. 403, judiciary 1.

Contractors permitted to bring suit in construction disputes. S. F. 148, O'Malley and Dykhouse.

Streets, research fund established. S. F. 228, Wiley.

Emergency repairs, without submitting bids, estimated cost not more than $5,000, estimates up to $50,000 informal bids from not less than three qualified persons. S. F. 296, Nolan, Wiley; H. F. 437, Sokol.

Fire protection, contract with city, town or municipal corporation. S. F. 383, highways.

Abolish, single elective commissioner, annual salary $25,000. H. F. 458, Fischer of Grundy.

Highway eliminated from primary system, extension leading into city or town put in good repair. H. F. 475, Knowles.

Highway access rights, resolutions filed in county courthouses declared to be null and void. S. F. 440, judiciary 1.

Roads

Highway not carrying more than 300 vehicles per day eliminate from primary road system. H. F. 147, Peterson of Woodbury, et al.

Primary roads, small claims, elimination of sworn statement. S. F. 151, highways.

Erect control sign at intersections. H. F. 501, Stanley, et al.

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HIGHWAY SAFETY PATROL—
General
Department of public safety, authorize money for construction of buildings. S. F. 101, Fisher, et al.
Cerro Gordo county, sell real estate. S. F. 149, Curran.
Black Hawk county sell real estate. S. F. 176, Fulton.
Department of public safety, appropriation for capital improvements. S. F. 490, appropriations.

HIGHWAYS—
General
Right of access restricted, legal acquisition of property by commission. S. F. 1, Vance.
Commission, erect place-name signs at entrance of villages. H. F. 2, Camp and Hagen.
Creeper lanes provided, heavy truck travel. H. F. 1, Camp, Scherle.
Truck, speed limit increased to 55 miles per hour. H. F. 9, Scherle, et al.
Interstate, advertising prohibited within 660 feet. H. F. 51, Hirsch, et al.; S. F. 45, Hansen, et al.
Diagonal permitted. S. F. 76, highways.
Stopping, parking prohibited. S. F. 77, highways.
Vehicles, slow moving prohibited. S. F. 78, highways.
Interstate, road use tax fund adjusted, payments available monthly. S. F. 91, Wiley.
Damage responsibility, include cost of repair, replacement and temporary construction. S. F. 102, highways.
State parks, responsibility for maintenance. S. F. 103, highways.
Interstate, defined in Code. S. F. 104, highways.
Primary road system, elimination of highways traffic load not to exceed 300 vehicles per day. H. F. 147, Peterson of Woodbury, et al.
Interstate, authorities immediate possession of land, power of eminent domain. S. F. 154, Doran.
Tiling across, owner of land pay one-half cost. H. F. 260, Edgington, et al.
Interstate, road use tax fund adjusted. S. F. 200, Wiley.
Farm-to-market, primary, mandatory letting construction work, same amount. S. F. 215, highways.
Public improvement contracts, clarifying obligations regarding retained percentage. S. F. 216, highways.
Mobile homes movement, rules, regulations. S. F. 218, Schroeder; H. F. 347, Darrington, Gittins.
Interstate, construction, reconstruction, road use tax fund and bonds. S. F. 220, Nolan, et al.
State convey easements for Red Rock reservoir project. S. F. 226, Nolan; H. F. 563, roads and highways.
Classification, responsibility. S. F. 354, Wiley.
Camp, camp area signs, uniform system. S. F. 375, Flatt, Elijah; H. F. 462, Hirsch, et al.
Right-of-way, condemnation. S. F. 382, highways.
Private property, entry for survey. S. F. 384, highways.
Eliminated from primary system, extension leading into city or town put in good repair by commission. H. F. 475, Knowles.
Control sign at intersections. H. F. 501, Stanley, et al.
Vehicle weight regulation, increase to 120 days temporary restriction due to condition of road. H. F. 507, Carnahan.
Vacating certain secondary highways in Chickasaw county. S. F. 406, judiciary 2.
Closing, altering, vacating, notify property owners, utility companies. H. F. 23, Fisher of Greene, Graham; S. F. 71, Doran.
Close and vacate, written notification to property owners. S. F. 25, Lucken.
Bridges on secondary roads. H. F. 63, Den Herder, Lange.
Primary, cities and towns, remove construction fund limitation. S. F. 79, Wiley.

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Secondary, in towns 400 population or less, leading to state parks, full cost option supervisors. H. F. 98, Smith of Dickinson.
Highway commission, eliminate sworn statement of small claims. S. F. 141, highways.
Secondary, limit raised before bids required for construction work. H. F. 178, Nielsen of Shelby, et al.
Secondary, paved, speed limits increased. H. F. 193, Edgington, et al.
Speed limits, institutions under board of regents. H. F. 291, highway safety.
Conservation commission, maintenance duty. S. F. 203, Doran.
Subdivision plats, roads, approval board of supervisors, county engineer prior to filing with auditor. S. F. 239, Wiley; H. F. 385, Hagedorn, et al.
Board of supervisors accept bids on equipment cost exceed $5,000. S. F. 274, highways.
Secondary research fund, repealing certain sections of Code. H. F. 366, Hagedorn, et al.
Secondary district establishment notice. H. F. 396, Anderson of Ringgold, et al.
Primary, advance purchase by issuance of anticipatory warrants. S. F. 320, Dykhouse, et al.
State park, Black Hawk lake, appropriation for reconstruction and hard surfacing. S. F. 321, Hansen.
Speed limits on bridges. H. F. 205, Riley.
Emergency repairs, without submitting bids, estimated cost not more than $5,000, estimates up to $50,000 informal bids from not less than three qualified persons. S. F. 296, Nolan, Wiley; H. F. 437, Sokol.
Study committee members, appropriation. S. F. 431, appropriations.
Junkyards prohibited within 2,000 feet, enforced by safety commissioner. H. F. 582, judiciary 2.
Commission, acquired access rights resolutions filed in county courthouses declared to be null and void. S. F. 440, judiciary 1.
Commission authorized use primary road fund for biennium. S. F. 488, appropriations.

HISTORICAL MARKERS—

General

Commission, establish. S. F. 347, Kyl, Wearin.
Commission established, 9 members appointed by governor. H. F. 519, Denman.

HOMES—

General

County, exempt from nursing home law. H. F. 48, county and township affairs.

Foster

Children's care, laws, broadened. S. F. 21, Buck, et al.; H. F. 57, Mensing, et al.

HOSPITALS—

General

County, maximum levy increased to 4 mills in counties over 135,000 population. H. F. 68, Reppert, Denman.
University, physicians, surgeons private patients, fees collected and disbursed. H. F. 134, institutions of higher learning.
Psychopathic, physicians private patients, fees collected and disbursed. H. F. 135, institutions of higher learning.
State university, medical research, prisoners volunteer. H. F. 190, board of control.
County and memorial, financial conditions examined by public accountants. S. F. 167, Elijah, et al.; H. F. 233, Fisher of Greene, et al.
Psychopathic, collect accounts of indigent or private patients. H. F. 425, institutions of higher learning.
Maximum security, mentally ill prisoners, patients, appropriation. H. F. 513, Ely, et al.
Administrators, medical directors of mental health institutes, appointment and duties. H. F. 556, board of control.
Franklin County public, legalising acceptance, organization and establishment. H. F. 586, judiciary 2.

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HOTELS—
General
Service tax, provide capital improvement funds. S. F. 31, Flatt.
Sales tax included in rent. S. F. 313, Fulton.

HOUSING—
General
Cities and towns 15,000 population, adjacent to or within 1 mile, conform to state regulations. H. F. 122, Riley.
Cities, towns establish fair housing act by ordinance. H. F. 150, Ely, et al.
Cities and towns, establish inspection fees for multiple dwellings. S. F. 171, cities and towns.
Unfair practice, penalty. H. F. 512, Ely.
Inspection of one and two family dwellings cities 180,000 population. H. F. 533, Denman, Reppert.

HUMAN RIGHTS—
General
Commission created, appropriation. H. F. 49, Riley, et al.; S. F. 43, Schroeder, et al.
Employment prohibited because of age. H. F. 99, Hagedorn, et al.
Appropriation for biennium, $20,000. H. F. 509, Riley.
Housing, penalty for unfair practice. H. F. 512, Ely.
Employment, discrimination unlawful. H. F. 589, judiciary 1; S. F. 458, social security.

HUNTING—
General
Bow and arrow prohibited on land of another without permission. S. F. 10, Grimstead.
Fine increased for failure to obtain permission cultivated or inclosed lands. H. F. 4, Briles; S. F. 109, Turner.
Muskrats, permitting continuous open season for control. S. F. 119, Hansen; H. F. 158, Lange.
Fish and game violations, pertaining to minors. S. F. 163, Beneke.
Deer, owner, tenant hunt own land 2 days prior open season. S. F. 311, Flatt, et al.

IMPLIED CONSENT—
General
Testing of body substances for proof of driving while intoxicated. H. F. 10, Grassley, et al.; S. F. 53, Buck, et al.

INAUGURATION—
General
Appropriation, defray expense. S. F. 399, appropriations.

INCOME TAX—
General
Permit state tax law to use federal 7 percent investment credit regulation. S. F. 30, Elijah; H. F. 61, tax revision.
College tuition, room and board deductible. H. F. 53, Riley.
Corporation taxes, credit to individual taxpayers. S. F. 144, Wiley, et al.; H. F. 294, Stanley, et al.
Blind, aged, additional $15 exemption. H. F. 243, Knowles, et al.
Optional standard deduction conform to federal. H. F. 270, Stanley, et al.
Corporations, formula for apportioning between Iowa and other states. S. F. 248, Hill.
Corporation, rates increased. S. F. 261, Fulton.
Corporation, eliminate deduction of federal tax. S. F. 262, Fulton.
Rates increased, exemptions and manner of payment adjusted to provide funds for biennium. S. F. 295, Hill.

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State, withhold from wages earned in Iowa, pay of estimated by self-employed. S. F. 294, Hill; H. F. 485, Worthington, Stanley.
Individual, corporation deduct contribution to United Nations. H. F. 373, Ely.
Individual, corporate returns due same date as federal. S. F. 317, Dodds.
Gross income same meaning as federal, defined "non-resident". S. F. 444, tax revision.

INDUSTRIAL COMMISSIONER—

General

Workmen's compensation, authority to compromise and settle cases for the state. S. F. 182, Schroeder.
Deputies, increase number from three to four. S. F. 183, Schroeder.
Shorthand reporter, appoint, report proceedings of hearings. S. F. 184, Schroeder.

INDUSTRY—

General

Cities and towns, issue bonds acquire buildings. S. F. 60, Van Eaton, et al.; H. F. 149, Peterson of Woodbury, Andersen of Woodbury.
Development tax credit. H. F. 503, Stanley, et al.

INSTITUTIONS—

General

Board of control, temporary management. H. F. 315, board of control.
State, estates of patients liable for support. H. F. 343, Gittins, Van Nostrand.
Mental health patients, county care for in other than institutions. S. F. 268, board of control.
Board of regents, acquire, maintain and control buildings for residence halls, dormitories and dining halls. H. F. 543, institutions of higher learning; S. F. 425, schools, educational institutions.
Mental health, hospital administrators, medical directors, appointment and duties. H. F. 556, board of control.
Board of control, permit microfilm copies of records of inmates of institutions. S. F. 428, board of control.
Printing practices and procedures, special study committee created to investigate. H. J. R. 20, printing.

INSURANCE—

General

Permitting companies to organize or purchase whole or part of subsidiary company. S. F. 16, Nolan, et al.; H. F. 21, Mowry, et al.
Agents license, revocation by commissioner. H. F. 132, insurance.
Commissioner, provide for examination for agents, dealers, $5 fee. H. F. 196, insurance.
Agents write certain risks in foreign or alien companies. H. F. 222, insurance.
County mutual associations, licensing, taxing, same basis other similar insurance carriers. H. F. 249, insurance.
Fraternal beneficiary associations, tax levy same as commercial. H. F. 265, insurance.
Adjusters, qualifying and licensing, $2 fee. H. F. 266, insurance.
Life, standard valuation law. H. F. 267, insurance.
Cancellation reasons. H. F. 272, Briles.
State, county, city, town, established group insurance. S. F. 227, Lisle; H. F. 522, Denman, et al.
Mortgage guaranty insurer, contingency reserve maintained 180 months. H. F. 319, insurance.
Iowa security law, sale of security defined. H. F. 320, insurance.
Companies seeking new license in state, requirements increased. H. F. 323, insurance.
Sale of securities by issuer, limited offering, exemption modernized. H. F. 324, insurance.
Examiners, per diem compensation increased. H. F. 331, insurance.
Life, regulations of investments in Iowa securities. H. F. 356, Knock, Vermeer.

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Public employees authorize deductions from salary for certain insurance. H. F. 372, Andersen of Woodbury, et al.
Waterworks employees, establish group insurance plans in cities of 50,000 population. S. F. 316, Turner; H. F. 469, Gittins, Van Nostrand.
Municipal employees, group insurance. H. F. 377, Kreager, et al.
Companies join together for health and accident to persons over 65 years. H. F. 426, Knowles.
Insurance protection for volunteer during civil defense activities. H. F. 33, Reppert, Denman; S. F. 48, O'Malley.
Life, certain proceeds exempt from inheritance tax. H. F. 499, Stanley, et al.
State commissioner, standards set to determine cash surrender values and nonforfeiture benefits of life insurance policies. S. F. 393, insurance.
Accident and sickness, not include blood or blood products. S. F. 443, insurance.
Domestic companies, organization law changed. S. F. 445, insurance.
Correcting code reference in S. F. 445. S. F. 374, insurance.

Fire

Permit writing multiple peril policies. H. F. 25, Swisher, et al.; S. F. 44, Wiley, et al.

INTERSTATE COOPERATION—

General

Appropriation, committee members. S. F. 412, appropriations.

IOWA COMMISSION ON STATE AND LOCAL GOVERNMENT—

General

Creating, appropriating $10,000 from liquor control fund. H. F. 430, Grassley, Eveland.

IOWA DEVELOPMENT COMMISSION—

General

Nonprofit corporation established, accept grant or gifts for research in science, arts, technology. S. F. 252, Iowa development; H. F. 403, state planning and development.
Appropriation for municipal planning assistance, time extended to June 30, 1965. H. F. 427, state planning and development commission; S. F. 387, appropriations.
Compensation of members. S. F. 457, compensation of public officers and employees.

IOWA LEGISLATIVE COUNCIL—

General

Creating, combining legislative fiscal director, legislative research and code editor. H. F. 559, consolidation and coordination of state government.

IOWA NATURAL RESOURCES COUNCIL—

General

Temporary permits issued for storage of water. H. F. 327, drainage and flood control.

IPERS—IOWA PUBLIC EMPLOYEES RETIREMENT SYSTEM—

General

Increase benefits. S. F. 70, social security; H. F. 103, social security.
Funds, invest, reinvest. H. F. 310, social security.
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Malicious or willful injury to property, parents responsibility. S. F. 367, Shaff; H. F. 492, Carstensen, Camp.
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General
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Franklin County public hospital, legalizing acceptance, organization and establishment. H. F. 586, judiciary 2.
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Accidents, when using body of water, owner, tenant exempt. H. F. 92, Hirsch, et al.; S. F. 95, Phelps, Cowden.

LIBRARIES—
General
Boards contract with other boards, all cities, towns dispose of devices, bequests. H. F. 139, Winkelman, et al.
Cities enter into long term leases for libraries, counties, school districts authorized to contribute. H. F. 148, Reppert, Denman; S. F. 205, O'Malley.
Cities and towns, bond issue, permit financing sites, building, books, equipment. S. F. 143, O'Malley, Schroeder; H. F. 530, Reppert, Kluever.
Interstate compact, cooperation in providing services. S. F. 358, Lodwick, Schroeder.
Traveling, appropriation $100,000 each year of biennium. H. F. 465, Dietz, et al.
Traveling, state director made administrator for interstate library compact. S. F. 436, governmental affairs.

LICENSE—
General
Liquor by drink, legalize under local license system unless prohibited by vote of the county. Fees and bond set. H. F. 7, Dietz, et al.
Making a right, revocation due process of law. S. F. 15, Turner, Beneke.
Marriage, order district court. H. F. 34, Riley.
County homes exempt, nursing home law. H. F. 48, county and township affairs.
Liquor by the drink. S. F. 34, Turner.
Real estate broker, licensed real estate salesman for 24 months. H. F. 59, Jarvis, et al.
Industrial loan companies. H. F. 62, Riley, Dietz; S. F. 161, Schroeder.
Clubs, where liquor on premises. H. F. 70, Denman, et al.
Real estate, clarification expiration date, voluntary surrender. H. F. 86, Jarvis, et al.
Clubs, associations, permit required members bring own liquor. S. F. 83, Hill, et al.
Dispensing opticians, regulating, controlling. S. F. 110, Schroeder, et al.
Insurance agents, revocation by commissioners. H. F. 132, insurance.
Cigarette vending machines. S. F. 126, Hansen, et al.
Milk and cream processors, suspension failure to post bond. H. F. 207, Patton.

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Marriage, three-day waiting period eliminated. H. F. 228, Carnahan, Riley.
Debt management, superintendent of banking regulate. H. F. 230, Knowles.
Foreign, domestic corporations annual fee $5. H. F. 231, judiciary 2.
Cosmetology, shop owners and operators. S. F. 189, O'Malley, et al.; H. F. 282, Chalupa, et al.
Insurance adjusters, $2 fee. H. F. 266, insurance.
Itinerant practitioners, license abolished. H. F. 258, public health.
Insurance companies, requirements increased. H. F. 323, insurance.
Egg buyers and dealers, disposition of fees. H. F. 334, Walter, et al.
Trappers, fee increased. H. F. 338, Riley.
Pharmacies, three classes. S. F. 287, Griffin.
Motor vehicle registration minimum increased. H. F. 367, Hagedorn, et al.
Motor vehicle, reduction eleventh year. H. F. 368, Hagedorn, et al.
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Racing, pari-mutuel betting. H. F. 390, Meyer, et al.
Watchmakers, requirements. S. F. 335, Lucken, et al.
Collection agencies. S. F. 360, Buck, Frommelt; H. F. 450, Reppert, et al.
Agricultural warehouse, licensing or unbonded repealed. H. F. 481, Balloun, Van Nostrand.
Motor vehicle, renewal stickers permitted. S. F. 388, governmental affairs.
Attorneys, notary public commission not expire while holding valid license. S. F. 111, Shaff.
Nursing, regulating practice. H. F. 170, Dietz, et al.
Pharmacists, licensed, exempt from requirement of a permit to deal in anti-hog cholera serum and viruses. H. F. 572, agriculture 1.
Domestic corporations engaged in lending money, penalties for violations. S. F. 424, banks, building and loans.
Home rule liquor control act. S. F. 437, judiciary 2.
Domestic, foreign corporations, credit against annual license fees. S. F. 448, judiciary 1.

Fees

Pharmacy fee increased. H. F. 27, Wright, et al.; S. F. 28, Griffin, et al.
Mobile home parks, S. F. 243, Shaff; H. F. 348, Darrington, Gittins.
Egg buyer, seller, $10, renewable July 1 each year. H. F. 460, Briles, et al.
Trailers, camp, travel defined, registration fee established. S. F. 461, transportation and highway safety.

Fish and Game

Fishing, residents over 65, fee reduced. H. F. 20, Messerly, et al.
Trappers under 16 years of age, license fee $1, over 16 years $3. Traps carry metal name tags. H. F. 423, fish and game.
Fur dealers, fee increased to $50. Agent or employee, $10 fee. H. F. 429, Anderson of Ringgold, Briles.
Nonresident hunting and fishing, repealing reciprocal setting hunting at $15, fishing at $2.50. H. F. 544, fish and game.

Motor Vehicles

Operators, notify 30 days prior to expiration. S. F. 38, Shoeman, et al.
Special mobile equipment, certificate, plates, $3 fee. H. F. 247, Millen.
Motor vehicle operator, temporary extension, holder absent from state or incapacitated at renewal time. H. F. 298, safety and law enforcement.
Disabled veterans, special automobile plates. H. F. 457, Briles, et al.
Operator, chauffeurs, point system repealed. H. F. 464, Scherle, Gittins.
Motor vehicle factory branch, representative, licensing system. H. F. 483, Swisher; S. F. 467, transportation and highway safety.
Urban transit busses, registration certificates, license plates issued by motor vehicle department. S. F. 391, cities and towns; H. F. 553, cities and towns.
Instruction permit, holder may drive with any designated, licensed driver over 25. H. F. 46, Robinson.
Registration certificate holders. H. F. 71, McElroy, et al.
Registration plates, treasurer transfer $175,000 to department of public safety for manufacturing purpose. H. F. 107, appropriations.

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Registration refused, delinquent personal taxes. H. F. 130, Casey.
Registration, minimum increased. H. F. 367, Hagedorn, et al.
Antique, registration fees increased. H. F. 368, Hagedorn, et al.; S. F. 307, highways.
Registration fee reduction, eleventh year. H. F. 369, Hagedorn, et al.
Farm truck registration. H. F. 382, Nielsen of Emmet, et al.
License, renewal stickers permitted. S. F. 388, governmental affairs.
Registration fees, county treasurer retain 75 cents. H. F. 546, county and township affairs.
Registration on new cars, value set according to retail price suggested by manufacturer. H. F. 568, roads and highways.

LIEN—
General

Artificial insemination, bull services. H. F. 116, Coffman, et al.
Mechanics, written notice of labor and materials. S. F. 107, Phelps; H. F. 155, Chalupa.
Old age pensioners' homes, simplifying method by which state recovers. H. F. 110, Moffitt.
Inheritance tax, prescribing duration. S. F. 178, Shaff.
Real estate, renewal judgment expirations. H. F. 333, Dunton.
Motor vehicle, notation and release. S. F. 292, Benda; H. F. 487, Miller of Page.
Factors established, method, notice of existence. H. F. 422, Reppert.

LIEUTENANT GOVERNOR—
General

Constitutional amendment to change term of office to 4 years. H. J. R. 4, Carstensen.
Constitutional amendment to change term of office to 4 years, limit 2 terms. S. J. R. 6, Lucken, et al.; H. J. R. 9, Smith of O'Brien, et al.
Elected same ballot as governor. H J. R. 11, Denman and Reppert.

LIQUOR—
General

Legalizing by drink under local licensing system, unless prohibited by vote of the county. Fees and bond set. H. F. 7, Dietz, et al.
Testing of body substances for proof of driving while intoxicated. H. F. 10, Grassley, et al.; S. F. 53, Buck, et al.
Liquor by the drink, license and control. S. F. 34, Turner.
Abolish individual liquor permit. H. F. 50, Andersen of Woodbury, Kibbie; S. F. 179, Van Eaton.
Clubs, license, taxation, regulation. H. F. 70, Denman, et al.
Clubs, associations, license required when members bring own liquor. S. F. 83, Hill, et al.
Liquor by the drink, eliminate illegal sale, provide revenue. H. F. 164, Duffy, et al.
Control license, disposition of revenue therefrom. H. F. 177, Reppert, et al.
Minors, misdemeanor to possess beer, liquor. H. F. 182, Reppert and Denman.
Intoxicating, defining. H. F. 406, Fisher of Greene, et al.; S. F. 346, Doran and Coleman.
Control Act repealed. H. F. 419, Dietz.
Beer, Class "C" increase fee, not less than $100 or over $300. H. F. 444, Dietz.
Beer, Class "C" permit eliminated. H. F. 456, Dietz, et al.
Control Act repealed, prohibition. H. F. 459, Dietz.
Class "A" beer permit holders, pay cash. S. F. 96, judiciary 2.
Revocation "B" club, "C" beer permits, forfeiture of bond. H. F. 317, Denman, Busch.
Dram shop law, beer included. H. F. 502, Stanley.
Liquor by the drink, local option. H. F. 517, Van Nostrand.
Opened bottles, prohibited in area of motor vehicle normally occupied by driver or passengers. H. F. 574, safety and law enforcement.

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Home rule liquor control act. S. F. 437, judiciary 2.
Amending S. F. 437. S. F. 485, judiciary 2

LIVESTOCK—
General
Artificial insemination, bull services subject to lien. H. F. 116, Coffman, et al.
Cattle, swine, sheep exempt from taxation. H. F. 123, Johnson, et al.
Dealers, packer buyers, surety bond. H. F. 183, Balloun and Maule.
Tax exemption, not to exceed 100 head. H. F. 184, Knock, et al.
Loss report to assessment insurance associations, 48 hours. H. F. 192, Paul, et al.
Slaughter, humane methods. H. F. 285, Riley, Ely.
Sale, written statement of weight. H. F. 416, agriculture 1.

LOANS—
General
Industrial loan companies, provide for licensing, specify powers, prescribe penalties for violation. H. F. 62, Riley, Diets; S. F. 161, Schroeder.
College student loan fund established, appropriation. H. F. 88, Andersen of Woodbury.
Domestic corporations, licensing and regulation, penalties for violations. S. F. 424, banks, building and loan.

MANUFACTURING—
General
Capital stock exemption, company with plant in Iowa. S. F. 213, Lisle, et al.

MARRIAGE—
General
License by order district court. H. F. 34, Riley.
Marriage, three-day waiting period eliminated. H. F. 228, Carnahan, Riley.

MENTAL HEALTH—
General
Community mental health centers, establish, one or more counties combined population 40,000. H. F. 56, Sersland, et al.
Mentally retarded, extending to include in state aid care in county homes, permit counties credit state aid to such institution fund. H. F. 119, Gittins, et al.
Board of regents, appropriation, psychopatic hospital Iowa City, establish new community centers. S. F. 125, Benda.
Interstate compact on mental health adopted, administrated by director mental health. H. F. 189, board of control.
Mentally ill, retarded, board of control make reciprocal agreements with other states. H. F. 191, board of control.
Delinquent payments, delay beyond county control, comptroller modify penalty. H. F. 197, board of control.
Mentally retarded persons in state hospital-schools, reorganizing statutes providing for treatment, training, care and support. H. F. 227, Ely, et al.; S. F. 214, Cowden, Phelps.
Hospital superintendent, authority to designate qualified person to examine prisoners believed to be mentally ill. S. F. 177, board of control.
County funds used for care, treatment, habilitation of mentally retarded persons. S. F. 181, Cowden, Phelps; H. F. 245, Ely, et al.
Mentally ill, admission to state institution, legal settlement. H. F. 259, board of control.
Board of control, patients, no legal settlement, placement in nursing or custodial homes. S. F. 210, board of control.
Mentally ill assistance fund, establish, appropriation, relief to long term patients. S. F. 212, Lisle, Long; H. F. 341, Gittins, Ossian.
Patients on leave, peace officers return to mental health institute. H. F. 316, board of control.

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Voluntary patients in institutions, care support paid to state comptroller. H. F. 342, Gittins, Coffman.
County provide care in other than institutions. S. F. 268, board of control.
Admissions to institutes, mental health officer. S. F. 288, board of control.
Director establish paid educational leaves for employees of institutions under his control. H. F. 477, Van Alstine, et al.
Mentally ill prisoners, patients, maximum security hospital, appropriation. H. F. 513, Ely, et al.
Hospital administrators, medical directors of institutes, appointment and duties. H. F. 556, board of control.
Hospitals, patients personal fund, established. S. F. 408, board of control.

MERIT SYSTEM—

General

Civil service personnel administration for state. H. F. 238, Riley, et al.; S. F. 314, Fulton, et al.

MINING—

General

Natural resources, severance tax, 5 cents per ton. H. F. 212, Meyer.

MINOR—

General

Employee, receive workmen's compensation benefit direct. H. F. 36, Riley.
Motor vehicle instruction, holder, driver when accompanied by designated person 25 holding valid license. H. F. 46, Robinson.
Liquor, beer misdemeanor to possess. H. F. 182, Reppart and Denman.
Fish and game violations, provide penalty. S. F. 163, Beneke.
Malicious or willful injury to property, parents responsibility. S. F. 367, Shaff; H. F. 492, Carstensen, Camp.
Juvenile court structure, revising, codifying statutes regarding dependent, neglected and delinquent children. S. F. 321, Buck, et al.; H. F. 428, Mensing, et al.

MOBILE HOMES—

General

Movement of highways, rules, regulations. S. F. 218, Schroeder; H. F. 347, Darrington, Gittins.
House trailers, travel trailers, registration fee. S. F. 221, Wiley; H. F. 346, Darrington, Gittins.
Park, license, regulation. S. F. 243, Shaff; H. F. 348, Darrington, Gittins.
Taxation, clarifying law. H. F. 349, Gittins, et al.

MONEYS AND CREDITS—

General

Tax two mills, eliminate exemption certain persons owning corporate stock. H. F. 224, Andersen of Woodbury.
Korean, repeal tax moneys and credits except one mill. H. F. 5, Knowles, et al.; S. F. 197, Curran, Dykhouse.
Korean veterans' bonus bonds, repeal millage tax, use unclaimed funds for payment. H. F. 581, tax revision.

MORTGAGE—

General

Guaranty insurance by licensed company, contingency reserve maintained 120 months. H. F. 319, insurance.

MOTELS—

General

Service tax, provide capitol improvement funds. S. F. 31, Flatt.
Sales tax included in rent. S. F. 313, Fulton.

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MOTOR VEHICLES—

General

Testing of body substances for proof of driving while intoxicated. H. F. 10, Grassley, et al.; S. F. 53, Buck, et al.

Homicide, establishing crime, penalty. H. F. 19, Carstensen.

Speed limits adjusted on city streets, approval highway commission on request of city council. H. F. 35, Reppert, Denman; S. F. 49; O'Malley.

Certificate of convenience and necessity, abolish requirement. H. F. 41, Riley.

School busses, modernizing safety laws and equipment. H. F. 95, Wier, et al.; S. F. 253, Elijah, Wearin.

Safety belts required after July 5, 1963. H. F. 60, Riley.

Highway and highway structure damage responsibility, include cost of repair, replacement and temporary construction. S. F. 102, highways.

Tax refund, special fuel used operation corn shellers, roller mills, feed grinders mounted on trucks. H. F. 161, Nelson; S. F. 124, Lucken.

Registration plates, treasurer transfer sufficient sum for manufacturing. H. F. 157, appropriations.

Speed limits on bridges or elevated structures. H. F. 205, Riley.

Flag required vehicles operated less than 30 miles per hour. H. F. 223, Stanley, et al.

Emergency, fire-crash trucks, cities, towns lease. H. F. 246, Reppert, et al.; S. F. 351, Wiley.

Registration expiration and renewal dates spread over calendar year in counties over 100,000 population. H. F. 384, Reppert.

Cities and towns, establish testing stations, fees. S. F. 217, cities and towns.

Tractors, semitrailers increasing overall length. H. F. 304, Nelson, et al.; S. F. 275, transportation and highway safety.

Speed increased, pulling one or two wheel trailer. S. F. 240, Wiley; H. F. 409, Robinson.

Sticker to use state park, $2 annual fee. S. F. 247, Hansen, et al.

Liens, notation and release. S. F. 292, Benda; H. F. 487, Miller of Page.

Fuel, diesel engine fuel tax, increased one cent per gallon. S. F. 279, Curran, et al.

Carriers operating over highways in this state, register with commerce commission. H. F. 371, Eveland, et al.; S. F. 328, Doran, et al.

Truck operator, contract carriers, not carry more than 5 persons goods at a time. S. F. 327, Walker, et al.; H. F. 405, Paul, et al.

Liability of driver regarding guest passengers. S. F. 341, Schroeder, Turner.

Auto-boat transport trucks, increase overall length. S. F. 363, Flatt, et al.; H. F. 468, Nelson, Scherle.

Factory branch, representative licensing system. H. F. 483, Swisher; S. F. 467, transportation and highway safety.

Weight regulation, increase to 120 days temporary restriction on highways because of condition. H. F. 507, Carnahan.

Rail track motor cars, transporting employees, equip with top, windshield and wipers, penalty failure to provide. H. F. 161, Ely, et al.; S. F. 169, Walker, et al.

Dealers, special plates, new and used cars, defining status. S. F. 407, transportation and highway safety.

Certificates of title, increasing fees to $1, duplicates increased to $3. H. F. 567, roads and highways.

Liquor bottles opened, prohibited in area normally occupied by driver or passengers. H. F. 574, safety and law enforcement.

Commercial vehicles, reciprocal fees or charges to provide for obligations, prohibitions or limitations imposed. H. F. 592, motor vehicle, commerce and trade.

Licenses

Instruction permit, holder may drive with any designated, licensed driver over 25. H. F. 46, Robinson.

Notify operator 30 days prior to license expiration. S. F. 38, Shoeman, et al.

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Registration certificate holders. H. F. 71, McElroy, et al.
Registration plates, treasurer transfer $175,000 to department of public safety for manufacturing purpose. H. F. 107, appropriations.
Registration refused, delinquent personal taxes. H. F. 130, Casey.
Special mobile equipment, certificate, plates, $3 fee. H. F. 247, Millen.
Operators license, temporary extension, holder absent from state or incapacitated at renewal time. H. F. 298, safety and law enforcement.
Registration, minimum increased. H. F. 367, Hagedorn, et al.
Antique, registration fees increased. H. F. 368, Hagedorn, et al.; S. F. 307, highways.
Registration fee reduction, eleventh year. H. F. 369, Hagedorn, et al.
Farm truck registration. H. F. 382, Nielsen of Emmet, et al.
Special license plates, disabled veterans. H. F. 457, Briles, et al.
License, renewal stickers permitted. S. F. 388, governmental affairs.
Urban transit busses, registration certificates, license plates. S. F. 391, cities and towns; H. F. 553, cities and towns.
Registration fees, county treasurer retain 75 cents. H. F. 546, county and township affairs.
Operator, chauffeurs, point system repealed. H. F. 464, Scherle, Gittins.
Motor vehicle factory branch, representative, licensing system. H. F. 483, Swisher.
Registration on new cars, value set according to retail price suggested by manufacturer. H. F. 568, roads and highways.

Treasurer of State

Gas tax refunds, claims filed 12 months from purchase date. H. F. 105, Kibbie.

MUNICIPAL CORPORATIONS—

General

Examiners and assistants salary increase. S. F. 35, Frommelt, et al.; H. F. 111, Smith, et al.
Examiners title changed to auditor. S. F. 42, Frommelt, et al.

Cities and Towns

Wards, population equalized. H. F. 8, Carstensen, Camp.
Insurance, cover risk from faulty condition of streets. H. F. 91, Reppert, Denman.
State-owned areas, maintained by municipalities, not called state parks. S. F. 238, conservation.
Sewage disposal, contract similar area adjoining state. S. F. 242, Van Eaton.
League of municipalities, dues paid by cities and towns increased. H. F. 480, Den Herder, Eveland.

NATIONAL GUARD—

General

Appropriation, capital improvements, purchase airplane. S. F. 487, appropriations; H. F. 596, appropriations.

Military Affairs

Advisor council, creating, updating code. S. F. 147, military affairs.

NEWSPAPERS—

General

Official publication, selection. S. F. 233, Walker.

NOTARY PUBLIC—

General

Attorney commission, effective valid license. S. F. 111, Shaff.

NURSES—

General

Public health, nursing service, city council, school boards, boards of supervisors contract. H. F. 83, Ely, et al.
Regulating practice, licensing. H. F. 170, Dietz, et al.; H. F. 554, public health and pharmacy.

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OFFICERS—
General
Municipal court, alternative method payment of salaries. H. F. 66, Reppert, Denman.
Iowa association of county officers, annual dues. H. F. 204, Kluever, et al.
Mayor, permit facsimile signature, certain documents. S. F. 160, Wiley; H. F. 242, Ely, et al.
Conservation, salary increased. H. F. 325, fish and game.
County attorney prosecute candidate for public office for failure to file statement of expenses. H. F. 376, elections, political and judicial districts.
County, compensation increased. H. F. 542, compensation of public officers and employees.

OIL—
General
Crude, state aid to person or corporation first discovering. S. F. 302, Rigler, et al.
Wells, or gas, state geologist jurisdiction. S. F. 430, judiciary 1; H. F. 585, motor vehicles, commerce and trade.

OLD AGE ASSISTANCE—
General
Property insurance. S. F. 322, Beneke.
Appropriation, claims settlement. S. F. 422, claims.

OPTOMETRY—
General
Eyeglasses, bait advertising, premium, discount prohibited. H. F. 115, Nelson, et al.; S. F. 116, Phelps, et al.
Dispensing opticians, regulating, licensing, controlling. S. F. 110, Schroeder, et al.

OSTEOPATHY—
General
Physicians, surgeons, creating single examining board. S. F. 194, Shoeman, et al.; H. F. 378, Edgington, et al.

PARKING—
General
Cities post signs, no parking during snow removal. H. F. 215, Andersen of Woodbury, Denman.
Davenport off street, bond issue legalized. H. F. 443, Knowles.

PARKING METERS—
General
Revenue, increase to 50 percent amount used. H. F. 89, Reppert, Denman; S. F. 206, O'Malley.

PARKS—
General
Roads, maintenance responsibility, highway commission, board of supervisors. S. F. 103, highways.
Establish state owned on Mahaska river, appropriation. H. J. R. 12, Patton.
Roads, conservation commission maintain. S. F. 203, Doran.
State, name changed when maintained by municipalities. S. F. 238, conservation.
Mobile home, license, regulation. S. F. 243, Shaff; H. F. 348, Darrington, Gittins.
State motor vehicle sticker, $2 annual fee. S. F. 247, Hansen, et al.
Roads, Black Hawk Lake State Park, hard surfacing. S. F. 331, Hansen.

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PAROLE—
General
Parolee or court probationer, penalty for aiding. S. F. 152, Buck, et al.

PEACE OFFICERS—
General
Public safety, retirement, accident and disability system. S. F. 224, Schroeder, et al.; H. F. 345, Mensing, et al.

PENSIONS—
Retirement
Policemen and firemen, elimination of fixed income. S. F. 46, Shaff, et al.; H. F. 146, Camp, et al.
Policemen, firemen, adjusted according to salaries paid active members. H. F. 69, Mensing, et al.
Policemen, firemen, state system optional, cities having civil service after January 1, 1960. S. F. 172, cities and towns; H. F. 418, Baringer.
Policemen, firemen adjust according to current salaries, effective gradually over 3 year period, increase contribution to fund. H. F. 306, Mensing, et al.
Teachers include superintendent of public instruction or county superintendent of public schools. S. F. 272, Fulton.

PERMITS—
General
Motor vehicle instruction, holder, driver when accompanied by designated person 25 holding valid license. H. F. 46, Robinson.
Liquor, abolish individual. H. F. 50, Andersen of Woodbury, Kibbie; S. F. 179, Van Eaton.
Iowa natural resources council issue temporary permit for storage of water. H. F. 327, drainage and flood control.
Beer, Class "C" increase fee, not less than $100 or over $300. H. F. 44, Dietz.
Beer, Class "C" permit eliminated. H. F. 456, Dietz, et al.
Anti-hog cholera serum and viruses, licensed pharmacists exempt. H. F. 572, agriculture 1.

PHARMACIES—
General
Unlicensed persons not permitted to fill prescriptions. H. F. 26, Wright, et al.; S. F. 27, Griffin, et al.
License fee increased. H. F. 27, Wright, et al.; S. F. 28, Griffin, et al.
Licenses issued in three classes. S. F. 287, Griffin
Licensed, exempt from requirement of a permit to deal in anti-hog cholera serum and viruses. H. F. 572, agriculture 1.

PHYSICAL THERAPISTS—
General
License, qualification, examining board established. H. F. 389, Mowry; S. F. 343, Nolan, Wearin.

PHYSICIANS—
General
Death certificates, all information typed or printed. S. F. 54, Mincks, Vance.
Surgeons, osteopathic surgeons, creating single examining board. S. F. 194, Shoeman, et al.; H. F. 378, Edgington, et al.

POLICE—
General
Retirement pension, elimination of fixed income. S. F. 46, Shaff, et al.; H. F. 146, Camp, et al.
Pensions, adjusted according to salaries paid active members. H. F. 69, Mensing, et al.
Retirement system, include hospital, nursing and medical attention, hours of duty under an additional section of code. H. F. 173, cities and towns.

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Retirement, state system optional cities having civil service after January 1, 1960. S. F. 172, cities and towns; H. F. 418, Baringer.
State residence of one year required. S. F. 174, cities and towns.
Retirement, equalizing working years. H. F. 241, Mensing, et al.
Pension adjusted according to current salaries, effective gradually over 3 year period, increasing contribution to fund. H. F. 306, Mensing, et al.
Chief, appointment and qualifications. H. F. 552, cities and towns.

POLITICAL ORGANIZATIONS—
General
County conventions, election of delegates at precinct caucuses. H. F. 587, elections, political and judicial districts.

POULTRY—
General
Frozen, date of freezing on package. S. F. 74, Main.
Buyer for the marker of, license, surety bond. H. F. 274, Walter, et al.

PRINTING BOARD—
General
Emergency contracts, $1,000. S. F. 180, printing.
Public printing contracts, bidders may furnish bonds or deposits. S. F. 219, printing.
Appropriation for biennium, printing, binding. S. F. 396, appropriations.

PRINTING (PUBLISHING)—
General
School, districts, publication and hearing of financial matters. S. F. 280, printing.
School boards publish statement of proceedings. H. F. 540, printing.
School district publish existing and proposed budget and teachers salaries. H. F. 541, printing.
School student activities funds, publish receipts and disbursements at end of each semester. H. F. 545, printing.
School district publish proposed budget. S. F. 416, schools and educational institutions.
Study committee created, practices and procedures among state institutions. H. J. R. 20, printing.

PRISONS—
Penal Institutions
To appropriate funds to board of control to pay balance on prison honor farm in Jasper county. S. J. R. 4, Scott, Shoeman.
Reformatory, penitentiary revolving funds consolidated. S. F. 211, board of control.

PRISONERS—
General
Employment privileges. H. F. 93, Messerly, et al.; S. F. 140, Van Eaton.
Volunteer for medical research, state university hospital. H. F. 190, board of control.
Hospital superintendent, authority to designate qualified person to examine prisoners believed to be mentally ill. S. F. 177, board of control.
Money paid inmates released from women's reformatory increased. H. F. 421, board of control.

PROPERTY—
General
Right of access to highway, legal acquisition by highway commission. S. F. 1, Vance.
Public, prevent tax sales, not removed from tax rolls some reason. H. F. 32, Reppert, Denman; S. F. 50, O'Malley.

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Notify in writing intent to close and vacate roads. S. F. 25, Lucken.
Tax assessment, 25 percent actual value. H. F. 65, Knowles, et al.
Publication of assessments in quadrennial year. S. F. 69, Rigler, et al.; H. F. 125, Den Herder, et al.
Owners notified when closing roads. H. F. 23, Fisher of Greene, Graham; S. F. 71, Doran.
Special assessment protected where property sold at tax sale, redeemed or conveyed by tax deed. H. F. 80, Reppert, Denman.
Unclaimed property act, established. H. F. 82, judiciary 1.
Personal, household tax exempt. H. F. 94, Stanley, et al.
Educational institutions, used pecuniary profit, not tax exempt. H. F. 96, Chalupa, et al.
Damages by building lines to existing use. H. F. 102, Reppert, Denman.
Exempt from tax, assessor list. H. F. 109, Dietz.
Tax assessment property outside city limit, abutting city street. H. F. 137, Riley, Ely.
Educational institutions, used educational purposes, tax exempt. H. F. 142, Reppert, Denman.
Cities, towns build driveway approaches, assess owner. H. F. 165, Reppert, et al.
Personal taxes, allow $20 credit. H. F. 180, Reppert and Denman.
Personal, delinquent tax uncollectible after 15 years. H. F. 199, Van Nostrand.
Educational institutions, taxes on real property used for pecuniary profit. H. F. 206, Dietz.
Personal tax, $10 or less be paid in full. H. F. 211, Van Nostrand.
Educational institutions owned property, gradual removal from tax exempt status, not used for educational or experimental purposes. H. F. 281, Dietz.
Assess benefited property, street, sewer improvement prior to platting. H. F. 292, Ely, Riley.
Real, reappraisal by appraisal firm, tax valuation. H. F. 471, Edgington, Nelson.
Drainage district, sell no longer needed. H. F. 240, Wier.
Tangible subject to taxation. H. F. 505, Miller of Des Moines.
Personal property taxes, exempt while in storage or transit. S. F. 392, Iowa development.
Executive council permitted to sell certain property belonging to the state. S. F. 36, Flatt.
Owners subject to special assessment for improvement notified by certified mail. S. F. 400, cities and towns.
State tax commission, valuation and assessment for taxation purposes. S. F. 413, tax revision.
Conservation commission release easement in Lakeview. H. F. 573, judiciary 2.
Taxes, credits when excessive taxes are levied as result of inaccurate estimates in local government budget. H. F. 578, ways and means.
Real, clerk of district court notify county auditor of change of title to avoid probate of certain estates. H. F. 583, judiciary 1.
Real, sold for taxes date changed. S. F. 446, judiciary 2.
State tax commission, equalize assessed value of real and personal property. S. F. 463, ways and means.

PUBLIC IMPROVEMENTS—

General

Cities and towns, indebtedness, purchase sites certain public utilities and other improvements. S. F. 145, cities and towns.
Street improvements, sewers, special assessments, remove from jurisdiction state appeal board, increase number petition signers for appeal. H. F. 214, Den Herder, et al.
Special committee created to review, recommend changes in laws, procedure of financing improvements, issuance of bonds. H. J. R. 13, Reppert and Murray.

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Cities and towns make resolution of necessity, separate resolutions for streets and sewers. H. F. 236, Riley, et al.; S. F. 390, cities and towns.
Assess benefited property, street, sewer improvement prior to platting. H. F. 292, Ely, Riley.
Clarifying obligations of the public corporations with regard to retaining percentage. S. F. 216, highways.

PUBLIC INSTRUCTION—

General

Appointive, seven members. S. F. 18, Shoeman, et al.
Election of members, correcting error of omission in acts of the Fifty-eighth General Assembly. H. F. 232, schools, libraries, state educational institutions.
Board of educational examiners, revoke or suspend certificates. S. F. 202, schools and educational institutions.
Election of members, reducing to seven, nomination by petition. H. F. 313 Den Herder, et al.
Election of members, reducing to seven, nomination on primary ballot. H. F. 314, Knock, et al.
Pension, include superintendent of public instruction or county superintendent of public schools. S. F. 272, Fulton.
Board members, 7 elected from congressional district, 2 appointed by governor. H. F. 388, Petersen of Dallas, et al.
Superintendent, elective, establish qualifications. S. F. 371, Walker, et al.
Superintendent, election by the people. H. F. 506, Grassley, et al.
Appropriation, veterans administration, school lunch program, mentally retarded children. S. F. 394, appropriations.
Board, power to hold rehearings on appeals. S. F. 439, schools and educational institutions.
Appropriation for specified school aid. S. F. 481, appropriations.
Appropriation for general aid to school district. S. F. 482, appropriations.
Appropriation, supplemental aid, certain school districts. S. F. 483, appropriations.
Appropriation for state aid for transportation. S. F. 484, appropriations.
National defense education act, appropriations. S. F. 489, appropriations.

PUBLIC SAFETY—

General

Department, license and regulate driving schools. H. F. 44, Shaw, et al.
Department of motor vehicles registration plates, $175,000 for manufacturing purpose. H. F. 107, appropriations.
Department of, authorize money for construction of highway safety patrol buildings. S. F. 101, Fisher, et al.
Peace officers, retirement, accident and disability system. S. F. 224, Schroeder, et al.; H. F. 345, Mensing, et al.
Operator, chauffeur license, point system repealed. H. F. 464, Scherle, Gittins.
Motor vehicle factory branch, representative, licensing system. H. F. 483, Swisher; S. F. 467, transportation and highway safety.
Commissioner, enforcement of prohibited junkyards within 2,000 feet of roads and highways. H. F. 582, judiciary 2.
Appropriation, capital improvements, highway patrol buildings. S. F. 490, appropriations.

PUBLICATION—

General

Newspapers, selection for official. S. F. 233, Walker.
School boards publish statement of proceedings. H. F. 540, printing.
School district publish existing and proposed budget and teachers salaries. H. F. 541, printing.
School district, publish proposed budget. S. F. 416, schools and educational institutions.

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RABIES—

General

Control act. H. F. 515, Kluever, et al.

RAILROADS—

General

Sanitary facilities for employees. H. F. 127, Riley, et al.

Abandoned right of way, operated 4 years or less, highway commission acquire. S. F. 121, Coleman.

Shops or terminals abandoned, public hearing approval commerce commission. H. F. 141, Riley; H. F. 167, Riley, et al.

Rail track motor cars, transporting employees, equip with top, windshield and wipers, penalty failure to provide. H. F. 161, Ely, et al.; S. F. 169, Walker, et al.

Employees, health and safety appliances enforced. S. F. 305, Walker, et al.

REAL ESTATE—

General

Brokers license, licensed real estate salesman for 24 months. H. F. 59, Jarvis, et al.

Executive council conveyance exchanged with Ellen M. Peterson. H. F. 84, Olson; S. F. 89, Curran.

Commission, license clarification. H. F. 86, Jarvis, et al.

Liens, renewal judgment expirations. H. F. 333, Dunton.

Farm lands, tax valuation based on productivity. H. F. 431, Sokol.

Land developers furnish improvement bonds. S. F. 146, cities and towns.

RE-APPORTIONMENT OF LEGISLATURE—

General

Senatorial districts 58, population basis; representatives 99, 1 to a county. S. J. R. 1, Shaff.

Senate 50 members, House based on county and population. S. J. R. 5, Dykhouse.

Constitutional amendment, Senate not to exceed 50 members. House not to exceed 100 members, population basis. S. J. R. 8, Mincks.

Constitutional amendment, Senate to consist of 58 members, House 128 members, 1 each county, additional larger population. S. J. R. 9, Wearin.

Constitutional amendment, Senate to consist 58 districts, House 133 members, 1 each county addition larger population. S. J. R. 11, Hill, Walter.

Constitutional amendment, Representatives, 1 each county and additional based on number of votes cast for Governor. S. J. R. 12, Turner.

Senatorial districts established, one Senator from each, House to have 125 members. S. J. R. 13, Fulton, Dodds; H. J. R. 18, Reppert.

RECORDER—

General

County, compile list of deeds, copy each month to inheritance tax division. S. F. 291, Shaff, Long.

RECORDS—

General

Public, right of citizens to examine and copy. H. F. 379, Stanley.

RECREATION—

General

Municipalities, individuals or corporations establish water recreational areas without public funds. S. F. 19, Cowden, et al.; H. F. 55, Robinson, Kluever.

County conservation board participate in watershed and soil conservation program to increase recreation resources. H. F. 14, Scherle, et al.; S. F. 51, Benda.

County conservation board, change name to county recreation board. S. F. 198, Hill.

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Iowa recreation board established, consultation services for programs of communities. H. F. 399, Vermeer.
Conservation commission qualify for federal funds for recreational projects. H. F. 424, fish and game.
County conservation boards cooperate for federal funds. H. F. 562, conservation.

RED ROCK RESERVOIR PROJECT—
General
Highway easement by state. S. F. 226, Nolan; H. F. 563, roads and highways.

REGISTRATION—
General
Motor vehicle certificate helder. H. F. 71, McElroy, et al.
Motor vehicle plates, $175,000 to department of public safety for manufacturing purposes. H. F. 107, appropriations.
Motor vehicle, refused delinquent personal taxes. H. F. 130, Casey.
Motor vehicle plates, treasurer transfer sufficient sum for manufacturing. H. F. 157, appropriations.
Mobile homes, house trailers, travel trailers, registration fee. S. F. 221, Wiley; H. F. 346, Darrington, Gittins.
Boats, rental include passenger capacity. S. F. 264, Campbell, et al.
Voters, deadline 14 days preceding election. H. F. 355, Ely, Riley; S. F. 297, Wiley.
Motor vehicle, minimum increased. H. F. 367, Hagedorn, et al.
Antique motor vehicle, fee increased. H. F. 368, Hagedorn, et al.; S. F. 307, highways.
Motor vehicle, reduction eleventh year. H. F. 368, Hagedorn, et al.
Motor vehicle expiration and renewal dates spread over calendar year in counties over 100,000 population. H. F. 384, Reppert.
Motor vehicle fees, county treasurer retain 75 cents. H. F. 546, county and township affairs.
Motor vehicle, new car value set according to suggested retail price of manufacturer. H. F. 568, roads and highways.

REORGANIZATION OF SCHOOL DISTRICTS—
General
Establish procedure concerning tie vote of joint county boards, reorganization involving 2 or more counties. H. F. 160, Peterson of Woodbury.
Adjacent districts, high school discontinued. H. F. 288, Goode.
School districts, maintain 12 grades by July 1, 1964. H. F. 500, Stanley, Van Alstine.

RETAILER—
General
Sales tax receipts deposited monthly if exceed $300. S. F. 290, Hansen.
Sales tax, retain one percent when filed within specified time and remit correct amount due, $3 permit annually. H. F. 557, tax revision.
Bait advertising schemes, penalty set. H. F. 580, judiciary 2.

RETIREMENT SYSTEMS—
General
Judges, supreme, district, retirement mandatory, temporary service after retirement. H. F. 264, judiciary 1.
Public safety peace officers, accident and disability system. S. F. 224, Schroeder, et al.; H. F. 345, Mensing, et al.
Pensions
Policemen and firemen, elimination of fixed income. S. F. 46, Shaff, et al.; H. F. 146, Camp, et al.
Policemen, firemen pensions adjusted according to salaries paid active members. H. F. 69, Mensing, et al.
Judges, voluntary and other causes. S. F. 114, judiciary 1.

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Terminated system, permitting school boards to increase benefits by 50 percent, tax levy to supplement reserve fund. S. F. 123, O'Malley; H. F. 255, Denman, et al.

Policemen, firemen, include hospital, nursing and medical attention, hours of duty under an additional section of Code. H. F. 173, cities and towns.

Policemen and firemen, state system optional, cities having civil service after January 1, 1960. S. F. 172, cities and towns.

Policemen, firemen, equalizing working years. H. F. 241, Mensing, et al.

Policemen, firemen adjust pension according to current salaries, effective gradualy over 3 year period, increasing contribution to fund. H. F. 306, Mensing, et al.

Public Retirement System

Iowa employees, increase benefits. S. F. 70, social security; H. F. 103, social security.

Iowa employees, invest, reinvest funds. H. F. 310, social security.

Iowa public employees, appropriation to security commission. S. F. 398, appropriations.

Employment security commission, paid for from contribution by employees, money received from title III of federal social security act and money appropriated by state. H. F. 576, social security.

Advisory investment board, appropriation. S. F. 452, appropriations.

RIVERS—

General

Boundary, unlawful to alter or change without consent of the legislature. S. F. 151, Dykhouse.

ROAD USE TAX FUND—

General

Interstate highways, adjusting allotment, payments available monthly. S. F. 91, Wiley.

Cities 5,000 or less population, reporting street program, eliminate classification break-down. H. F. 187, Hagedorn, et al.

Interstate highways, adjusting allotment. S. F. 200, Wiley.

Interstate highways, construction, reconstruction, issue bonds. S. F. 220, Nolan, et al.

Road use tax fund, council permit unused portion to be used on local streets. S. F. 325, cities and towns.

ROADS AND HIGHWAYS—

General

Creeper lanes provided, heavy truck travel. H. F. 1, Camp and Scherle.

Place-name signs erected at entrance to village. H. F. 2, Camp and Hagen.

Closing, altering, vacating, notify property owners, utility companies. H. F. 23, Fisher of Greene, Graham; S. F. 71, Doran.

Close and vacate written notification to property owners. S. F. 25, Lucken.

Bridges on secondary roads. H. F. 63, Den Herder, Lange.

Diagonal highways, permitted. S. F. 76, highways.

Primary cities and towns, remove construction fund limitation. S. F. 79, Wiley.

Secondary, in towns 400 population or less, leading to state parks, full cost option supervisors. H. F. 98, Smith of Dickinson.

Damage responsibility, include cost of repair, replacement and temporary construction. S. F. 102, highways.

State parks, responsibility for maintenance. S. F. 103, highways.

Interstate, defined in code. S. F. 104, highways.

Highway commission, eliminate sworn statement of small claims. S. F. 141, highways.

Secondary, limit raised before bids required for construction work. H. F. 173, Nielsen of Shelby, et al.

Secondary, paved, speed limits increased. H. F. 193, Edgington, et al.

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Authorities immediate possession of land, power of eminent domain. S. F. 154, Doran.
Speed limits, institutions under board of regents. H. F. 291, highway safety.
Conservation commission, maintenance duty. S. F. 203, Doran.
Farm-to-market, primary, mandatory letting construction work, same amount. S. F. 215, highways.
Public improvement contracts, clarifying obligations regarding retrained percentages. S. F. 216, highways.
Subdivision plats, roads, approval board of supervisors, county engineer prior to filing with auditor. S. F. 239, Wiley; H. F. 385, Hagedorn, et al.
Board of supervisors accept bids on equipment cost exceed $5,000. S. F. 274, highways.
Secondary research fund, repealing certain sections of code. H. F. 366, Hagedorn, et al.
Secondary district establishment notice. H. F. 396, Anderson of Ringgold, et al.
Primary, advance purchase by issuance of anticipatory warrants. S. F. 320, Dykhouse, et al.
State park, Black Hawk Lake, appropriation for reconstruction and hard surfacing. S. F. 331, Hansen.
Speed limits on bridges. H. F. 205, Riley.
Emergency repairs, without submitting bids, estimated cost not more than $5,000. Estimates up to $50,000 informal bids from not less than three qualified persons. S. F. 296, Nolan, Wiley; H. F. 437, Sokol.
Vehicle weight regulation, increase to 120 days temporary restriction due to condition of highway. H. F. 507, Carnahan.
Control sign at intersections. H. F. 501, Stanley, et al.
Vacating certain secondary highways in Chickasaw county. S. F. 406, judiciary 2.
Right of access restricted, legal acquisition of property by commission. S. F. 1, Vance.
Truck, speed limit increased to 55 miles per hour. H. F. 9, Scherle, et al.
Interstate, advertising prohibited within 660 feet. H. F. 51, Hirsch, et al.; S. F. 45, Hansen, et al.
Interstate, stopping, parking prohibited. S. F. 77, highways.
Interstate, slow moving vehicles, prohibited. S. F. 78, highways.
Interstate, road use tax fund adjusted, payments available monthly. S. F. 91, Wiley.
Primary system, elimination of highways traffic load not to exceed 800 vehicles per day. H. F. 147, Peterson of Woodbury, et al.
Tiling across, owner of land pay one-half cost. H. F. 260, Edgington, et al.
Interstate, road use tax fund adjusted. S. F. 200, Wiley.
Movement of mobile homes, rules, regulations. S. F. 218, Schroeder; H. F. 347, Darrington, Gittins.
Interstate, construction, reconstruction, road use tax fund and bonds. S. F. 220, Nolan, et al.
State convey easements for Red Rock reservoir project. S. F. 226, Nolan; H. F. 563, roads and highways.
Classification, responsibility. S. F. 354, Wiley.
Camp, camp area signs, uniform system. S. F. 375, Flatt, Elijah; H. F. 462, Hirsch, et al.
Right-of-way, condemnation. S. F. 382, highways.
Private property, entry for survey. S. F. 384, highways.
Eliminated from primary system, extension leading into city or town, put in good repair by commission. H. F. 475, Knowles.
Junkyards prohibited within 2,000 feet, enforced by safety commissioner. H. F. 582, judiciary 2.
Commission, acquired access rights resolutions filed in county courthouses declared to be null and void. S. F. 440, judiciary 1.
Appropriation to comptroller of state from primary fund. S. F. 480, appropriations.

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Highway commission authorized use primary road fund for biennium. S. F. 488, appropriations.

RULES OF CIVIL PROCEDURE—

General

Changes reported by supreme court. S. F. 260, Nolan, Turner.

SAFETY—

General

Belts, required on motor vehicles after July 5, 1963. H. F. 60, Riley.
School busses, modernizing safety laws and equipment. H. F. 95, Wier, et al.; S. F. 253, Elijah, Wearin.
Liquid and gas fertilizers, storage regulations. H. F. 297, Vermeer.
Employment safety commission created. H. F. 498, Stanley, et al.

SALARY—

General

County, municipal, school examiners and assistants, increase. S. F. 35, Frommelt, et al.
Superior court judges, increase. H. F. 58, Frazier.
Supervisors, increase in counties over 150,000 population. H. F. 65, Reppert, Denman.
City mayor, councilmen, setting salary, city 90,000 poppulation. H. F. 140, Riley, Ely.
County attorneys, abolishing fee system, setting salary. H. F. 226, Carstensen.
Board of trustees of public utilities, increase. S. F. 175, Mincks.
County attorney, salary and duties. S. F. 196, Buck, et al.; H. F. 447, Kreager, et al.
Municipal clerks, bailiffs, salaries increased. H. F. 277, Riley; S. F. 456, compensation of public officers and employees.
Conservation officers, increased. H. F. 325, fish and game.
Board of trustees of public utilities, increase, minimum $40 maximum $50. S. F. 256, Dodds.
Budget and financial control committee approve salary structure changes during interim. H. F. 359, Fischer of Grundy, Den Herder.
Department of agriculture, marketing board, increase. S. F. 192, Dodds, Coleman.
Fair board members, increase. S. F. 193, Dodds.
General assembly members, increased to $40. H. F. 442, Duffy, et al.
Inheritance tax appraisers, increased. H. F. 484, Messerly, Kluever.
County attorneys, increase. S. F. 419, compensation of public officers and employees.
Clerk grand jury, increase, certain counties. S. F. 441, judiciary 2.

SALES—

General

Casual sales exempt from sales tax. S. F. 9, Grimstead.
Frozen poultry, date of freezing on package. S. F. 74, Main.
Packaged commodities, weights, measures and prices clearly marked. S. F. 75, Main.
Public auctions, auctioneers withhold money for personal taxes on goods sold, liability for taxes, penalties. H. F. 434, Andersen of Woodbury.

SALES TAX—

General

Casual sales of personal property exempt. S. F. 9, Grimstead.
Dairy, poultry, produce containers exempt. S. F. 88, Walker, et al.
Farm equipment sales, trade in, tax on cash difference. S. F. 92, Phelps, et al.; H. F. 156, Mensing, et al.
Chemicals, solvents, reagents used in processing personal property, excluded from tax. H. F. 208, Camp, et al.; S. F. 168, Shaff.
Retailer, compensating, eliminating some exemptions. H. F. 261, Dietz.
Retailers deposit receipts monthly if exceed $300. S. F. 290, Hansen.

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Trade-in allowance exemption eliminated. H. F. 381, Ely.
Failure to pay, penalty computed from time due until paid. H. F. 401, ways and means.
Retailer retain one percent when filed within specified time and remit correct amount due, $3 permit annually. H. F. 557, tax revision.

SCHOOLS—
General
Bonded indebtedness, millage limitation increase, ten mills. H. F. 13, Knowles.
Board to lease sites for buildings and equipment. H. F. 18, Knowles.
Bond issue, simple majority vote required. H. F. 37, Ely.
Driving, instructors, licensed, regulated by department of public safety. H. F. 44, Shaw, et al.
Annuity contracts purchased for employees. H. F. 47, Knowles, Andersen of Woodbury; S. F. 40, Rigler.
Examiners and assistants salary increase. S. F. 35, Frommelt, et al.; H. F. 111, Smith, et al.
Examiners title changed to auditor. S. F. 42, Frommelt, et al.
District permitted biennial elections. S. F. 56, Mincks; H. F. 97, Carnahan.
Abolish county school system. S. F. 59, Turner, et al.
Regional or metropolitan planning commission, Creation of. H. F. 77, Falvey, et al.
Boards, contract with nonprofit nurses organization for public health nursing service. H. F. 83, Ely, et al.
Teachers, local school board decide qualifications. S. F. 82, Nolan, Long.
Busses, modernizing safety laws and equipment. H. F. 95, Wier, et al.; S. F. 253, Elijah, Wearin.
County, intermediate districts, duties and powers. H. F. 108, Dunton, et al.
Bond issue elections, defeated, not submitted to voters within one year. S. F. 98, Doran, et al.
Special education, include children under 5 years of age. S. F. 97, Schroeder.
Election polls open 8 a.m. to 8 p.m. H. F. 118, Coffman.
Districts, authorized contribute to city libraries. H. F. 148, Reppert, Denman; S. F. 205, O'Malley.
Bond issue for repair, remodel. S. F. 122, Shaff.
Terminated retirement system, permitting school boards to increase benefits by 50 percent, tax levy to supplement reserve fund. S. F. 123, O'Malley; H. F. 255; Denman, et al.
State public school building authority created. Organization, powers and duties described. H. F. 153, Reppert, Denman.
Idle funds, short term investment. H. F. 154, Mowry, Eveland.
County school system, abolishing where 75 percent of students enrolled in districts maintaining 12-grade system. H. F. 186, Strothman.
Children, institutions under board of control, attend public high schools, payment of tuition, transportation. H. F. 188, board of control.
Junior colleges, permit indebtedness and bond issue, buildings, equipment. S. F. 156, Lisle; H. F. 202, Mowry.
Certain high school students, attend college for advanced courses, tuition from school corporation fund. H. F. 248, Paul, Dunton.
Bonds, increase denominations. H. F. 250, Knock.
Special courses fund, abolished. S. F. 188, Beneke.
Physical examinations, evidence physical fitness certain employees. H. F. 271, Gittins, et al.
Transportation of elementary pupils, residing along school bus route less than required distance. H. F. 312, Busch.
Junior college, allocation of general school aid funds. S. F. 250, Lise, et al.; H. F. 350, Hagie, et al.
Minimum foundation program to equalize educational opportunities, established. S. F. 251, Rigler, Wearin; H. F. 394, Petersen of Dallas.
Teachers provided fringe benefits by boards. H. F. 352, Ely.
State aid, estimating budget. H. F. 358, Sokol, et al.
Fiscal agent not to be employed sale of bonds. S. F. 259, Shaff, et al.

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Transportation for public and nonpublic school children. H. F. 374, Swisher; S. F. 350, Frommelt, et al.
Teachers pension, include superintendent of public instruction or county superintendent of public schools. S. F. 272, Fulton.
Publication and hearing of financial matters. S. F. 280, printing.
High, minimum course standards. S. F. 298. Stephens, et al.; H. F. 397, Halling, et al.
Districts maintaining a high school, effect more than one merger prior to July 1 of any given year. H. F. 392, Fisher of Greene; S. F. 344, Doran.
General aid, comptroller pay one-half November 1, one-half May 1, H. F. 400, schools, libraries, state educational institutions; S. F. 380, Frommelt; H. F. 565, tax revision.
Leasing buildings from nonprofit corporations when approved by election. S. F. 323, Schroeder.
Attendance, size, relating to quality of education offered. S. F. 362, Beneke.
Board, general fund transfer to school fund, repealed. S. F. 365, Wearin; H. F. 518, Petersen of Dallas.
Board, increase dollar limits levied per census child. S. F. 263, O'Malley.
Kindergarten children entrance based on ability. H. F. 439, Stanley.
Teachers contracts terminated, appeal reinstatement. H. F. 470, Ely.
Income tax, deduction for tuition, room and board. H. F. 53, Riley.
District increase maximum bond levy to 10 mills, having more than half their land in county with population over 28,000. H. F. 488, Cunningham, et al.
United academic corporations, confer degrees. H. F. 251, Stokes.
Boards, city council, board of supervisors cooperate jointly to perform functions. H. F. 496, Ely, Riley.
School districts, maintain 12 grades by July 1, 1964. H. F. 500, Stanley, Van Alstine.
Boards in counties where institution of higher learning located, increase maximum levy to 10 mills. H. F. 466, Swisher.
Boards publish statement of proceedings. H. F. 540, printing.
Publish at end of each semester. H. F. 545, printing.
District publish existing and proposed budget and teachers salaries. H. F. 541, printing.
State aid, increase by creating school property tax replacement fund. H. F. 550, ways and means.
Appropriation, veterans administration, school lunch program, mentally retarded children. S. F. 394, appropriations.
District levy tax for schoolhouse sites. H. F. 561, schools, libraries, state educational institutions; S. F. 410, schools and educational institutions.
District, prepare and publish budget. S. F. 416, schools and educational institutions.
Bus garage, electors vote tax for purchase without bond issue. H. F. 575, schools, libraries and state educational institutions.
Board of public instruction, power to hold hearings on appeals. S. F. 439, schools and educational institutions.
Board of education establish co-operative agreement in 3 or more counties. S. F. 455, schools and educational institutions.
Appropriation for specified school aid. S. F. 481, appropriations.
Appropriation, general state aid. S. F. 482, appropriations.
Appropriation, supplemental aid, certain school districts. S. F. 483, appropriations.

Community School Districts

Starmont, legalizing organization. S. F. 2, Elvers.
Chariton, legalizing school bond issue. S. F. 12, Vincent.
H.L.V., legalize bond issue. S. F. 24, Benda.
West Delaware county community school district, buying and selling real estate, legalizing. S. F. 236, Long.
Clarinda community school district, junior college, legalizing act. S. F. 244, Lisle.

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Northeast Hamilton, organization, legalizing. S. F. 366, Walker.
Area six, legalizing organization. H. F. 15, Stanley.
Area six, legalizing school bond issue. H. F. 16, Stanley.
South Hamilton, legalizing established boundaries. S. F. 389, judiciary 2.
Traer-Clutier, legalizing organization and establishment of boundaries. H. F. 548, judiciary 2.
Traer-Clutier, legalizing bond issue. H. F. 549, judiciary 2.
Parkersburg, legalize established boundaries. S. F. 427, judiciary 2.
Linn-Mar, legalizing name change. H. F. 590, judiciary 2.

Legalizing Acts

Centerville, special election. S. F. 20, Wilson; H. F. 42, Moffitt.
Legalizing organization, reorganization enlargement or changes in school corporations. S. F. 273, Shaff.

SECRETARY OF STATE—
General

Constitutional amendment, increasing term to 4 years. S. J. R. 7, Phelps, et al.
Land patent, Goldie Chilcote. H. F. 67, Prine.
Land patent, Howard J. Greene and Alice E. Greene. H. F. 72, Wier.
Land patent, park commissioners of Ottumwa. S. F. 207, Mincks.
Land patent to Edith F. Hoskinson and Hessel La Verne Hoskinson. S. F. 208, Mincks.
Foreign corporations, serving of notice. S. F. 222, judiciary 1; H. F. 353, private corporations.

SECURITIES—
General

Iowa security law, sale of security defined. H. F. 320, insurance.
Corporations charitable, benevolent, registration exemption repealed. H. F. 321, insurance.
Corporations, common or overlapping control regulate transfer. H. F. 322, insurance.
Sale by issuer, limited offering exemption modernized. H. F. 324, insurance.
Life insurance companies invest in Iowa securities. H. F. 356, Knock, Vermeer.

SEEDS—
General

Uniform state seed law, labeling, testing, mustard classed as noxious. H. F. 317, agriculture 2 and horticulture; S. F. 401, agriculture.

SEWER SYSTEMS—
General

Sewage disposal, municipal corporation contract similar area in adjoining state. S. F. 242, Van Eaton.

SHERIFFS—
General

Deputy night, board of supervisors appoint and provide duties. S. F. 84, Walker, et al.; H. F. 101, Loss, et al.
Deputy, board of supervisors provide uniforms. S. F. 85, Long, et al.; H. F. 100, Paul, et al.
Execution, by sheriff from county where crime was committed. S. F. 157, Walker, Getting; H. F. 201, Scherle, et al.

SIGNS—
General

Signals, unauthorized, approval required. S. F. 138, Dykhouse; S. F. 403, judiciary 1.
Highway, uniform system, camp, camp area. S. F. 375, Flatt, Elijah; H. F. 462, Hirsch, et al.
Highway, street intersection control signs. H. F. 501, Stanley, et al.

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SOCIAL SECURITY—

General

Federal, maintain coverage for employees of Iowa governing bodies on broad basis. H. F. 551, social security.

Appropriation, medical assistance. H. F. 30, Reppert, et al.

Benefits, eliminate waiting period requirement. S. F. 66, Mincks, Fulton; H. F. 200, Reppert, et al.

Benefits, determining amount and duration. S. F. 67, Mincks; H. F. 179, Carstensen.

Benefits, repeal disqualification of persons eligible for aid age assistance. S. F. 68, Mincks, Fulton; H. F. 198, Camp, et al.

Benefits, temporary extension of duration. S. F. 128, Mincks; H. F. 235, Ely, et al.

Disqualification, voluntarily leaving work, forfeit certain amount of benefits. S. F. 131, Mincks, et al.; H. F. 525, Denman, Reppert.

Employer, defining, reducing number of empployees to one or more. S. F. 132, Mincks, Coleman; H. F. 527, Denman, Reppert.

Eliminate vacation pay deduction from benefits. S. F. 133, Mincks, Frommelt; H. F. 253, Miller of Des Moines, et al.

Benefits payable, retirement required by company. S. F. 134, Mincks, et al.; H. F. 296, Murray.

Employer notify within 7 days of disqualifiable separation of employee. S. F. 135, Mincks, et al.; H. F. 284, Riley, et al.

Appropriation from Iowa public employees retirement system. S. F. 398, appropriations.

Appropriation, medical assistance to the aged. S. F. 411, appropriations.

Employment security commission employees, retirement system, paid for from contribution by employees, moneys received from title III of federal social security act and money appropriated by state. H. F. 576, social security.

SOCIAL WELFARE—

General

Old age pensioners homes, simplifying method by which state recovers money. H. F. 110, Moffitt.

Tax deeds, legalizing, acquired prior July 4, 1959. S. F. 286, Buck; H. F. 415, social security.

Appropriation, medical assistance for the aged. S. F. 411, appropriations.

Appropriation for biennium. S. F. 453, appropriations.

Children

Foster home care, laws broadened. S. F. 21, Buck, et al.; H. F. 57, Mensing, et al.

Aid to dependent children, information not available prior to divorce. S. F. 52, Beneke.

University of Iowa, child welfare research station, name changed to institute of child behavior and development. H. F. 152, institutions of higher learning.

Aid to dependent, second illegitimate child, not suitable home. S. F. 364, Turner.

SOIL CONSERVATION—

General

Assessment, increase minimum levy before installment payments. S. F. 61, conservation; H. F. 104, drainage and flood control.

Tax funds, acquire land, repair and maintenance in watershed projects. S. F. 62, conservation.

Powers of subdistricts. S. F. 63, conservation.

Districts, state tax method. S. F. 64, conservation; H. F. 121, drainage and flood control.

Buildings, erection and renting of space. S. F. 65, Wilson, Long; H. F. 87, Moffitt.

Subdistrict laws, penalty. S. F. 105, Long.

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County cooperate with federal agencies in flood control projects. H. F. 560, roads and highways.
Appropriation, soil conservation work. S. F. 486, appropriations.

SPECIAL COMMITTEE IN G. A., CREATION OF—
General
To confer with members of Nebraska legislature and study the present boundary between Nebraska and Iowa. H. J. R. 21, Andersen of Woodbury and Maule.
To study the commercial code, investigate revising the laws. S. J. R. 17, appropriations.
To study court system, reorganization of structure. S. J. R. 18, appropriations.

SPEED RESTRICTIONS—
General
City streets, adjusted, approval highway commission on request by city council. H. F. 35, Reppert, Denman; S. F. 49, O'Malley.
Secondary roads, paved, increase speed limit. H. F. 193, Edgington, et al.
Motor vehicles, bridges or elevated structures. H. F. 205, Riley.
Roadways at institutions under board of regents. H. F. 291, highway safety.
Highways
Trucks increase to 55 miles per hour on highways. H. F. 9, Scherle, et al.
Motor vehicles pulling one or two wheel trailers, speed increased. S. F. 240, Wiley; H. F. 409, Robinson.

SPORTS—
General
Boxing, amateur, permit holding contests, awarding trophy, charging admission. H. F. 547, safety and law enforcement.

STATE BOUNDARIES—
General
River, unlawful to change or alter. S. F. 151, Dykhouse.
Iowa-Nebraska boundary line established. H. F. 263, Maule, et al.
Iowa-Nebraska, special committee to study. H. J. R. 21, Andersen of Woodbury, Maule.

STATE OF IOWA—
General
Sunday sales regulation. S. F. 26, Flatt, et al.; H. F. 124, Hirsch, et al.
Department public safety license commercial driving schools. H. F. 44, Shaw, et al.
Regional or metropolitan planning commission, creation of. H. F. 77, Falvey, et al.
Unclaimed funds, make available to state. H. F. 82, judiciary 1.
State officers appointed by governor. H. J. R. 8, Carstensen.
Discrimination in employment because of age prohibited. H. F. 99, Hagedorn, et al.
County, intermediate school districts, powers, duties. H. F. 108, Dunton, et al.
Public school building authority created, organization, powers and duties described. H. F. 153, Reppert and Denman.
National guard, advisory council, creating, updating Code. S. F. 147, military affairs.
Governor, lieutenant governor, elected same ballot. H. J. R. 11, Denman, Reppert.
Highway commission, contractors permitted to bring suit for construction disputes. S. F. 148, O'Malley and Dykhouse.
Interstate compact on mental health adopted. H. F. 189, board of control.
Iowa-Nebraska boundary line established. H. F. 263, Maule, et al.
Legislative successors, repealing chapter 388 of Code. H. F. 293, Goode, Mensing.
Highway easements for Red Rock reservoir project. S. F. 226, Nolan; H. F. 563, roads and highways.

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Cities and towns donate real estate to state for public use. H. F. 305, Lange, Carstensen; S. F. 249, Flatt, et al.
Insurance company seeking new license, requirements increased. H. F. 323, insurance.
Corporation income, formula for apportioning. S. F. 248, Hill.
Junior college, allocation of general school aid funds. S. F. 250, Lisle, et al.; H. F. 350, Hagie, et al.
School districts, establish minimum foundation program to equalize educational opportunities. S. F. 251, Rigler, Wearin.
Governor plan reorganization of the executive branch, 30 day general assembly disapprove. H. F. 329, Reppert, et al.
Governor plan reorganization executive branch, 60 day general assembly disapprove. S. F. 318, Fulton, et al.; H. F. 510, Ely.
Tort claims act, create, establish. S. F. 377, Beneke, et al.
School districts, maintain 12 grades by July 1, 1964. H. F. 500, Stanley, Van Alstine.
Tax commission's audit revolving fund abolished, moneys returned to general fund. S. F. 397, appropriations.
Tax liability of former residents of state, reciprocal enforcement. H. F. 579, tax revision.
Attorney general special assistant make recommendation to appeal board on payment of claims. H. F. 588, claims.
Iowa-Nebraska boundary, special committee to study. H. J. R. 21, Andersen of Woodbury, Maule.
Appropriations, department divisions, for biennium. H. F. 595, appropriations.

Employees

Constitutional amendment, increasing term to 4 years. S. J. R. 7, Phelps, et al.
Merit system, establishing. H. F. 238, Riley, et al.; S. F. 314, Fulton, et al.
Employees, termination, accrued vacation pay. S. F. 186 Frommelt, et al.; H. F. 524, Denman, et al.
Employees, establish group insurance. S. F. 227, Lisle; H. F. 522, Denman, et al.
Public employees, permitted to join union. S. F. 235, Mincks.

Public Improvements

Capitol dome, new gold leaf, appropriation. S. F. 22, Hansen.
Special committee created to review, recommend changes in laws, procedure of financing improvements, issuance of bonds. H. J. R. 13, Reppert and Murray.

STATE TAX COMMISSION—

General

Assessing authority removed, state board of review created. H. F. 172, etx revision.
Audit revolving fund abolished, moneys returned to general fund. S. F. 397, appropriations.
Powers and duties, property valuation and assessment for taxation purposes. S. F. 413, tax revision.
Real and personal property, assessed value equalized within the state. S. F. 463, ways and means.

STREETS—

General

Cities and towns, reservation of right-of-way for future. S. F. 199, Wiley, O'Malley.
Research fund established. S. F. 228, Wiley.
Mechanicsville, improvement, legalizing. S. F. 230, Elijah.
Truck routes established through cities, towns, penalties for violation. H. F. 476, Swisher, Dietz.

SUNDAY SALES—

General

Regulation, certain articles allowed to be sold, penalties for violation. S. F. 26, Flatt, et al.; H. F. 124, Hirsch, et al.

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SUPERINTENDENT OF PRINTING—
General
State, legislative research bureau furnished Code, Code Annotations without charge. H. F. 287, Ely, Hirsch.
Indexing of legislative journals and bills responsibility of Secretary of the Senate and the Chief Clerk of the House. S. F. 277, printing.

SUPERINTENDENT OF PUBLIC BUILDINGS AND GROUNDS—
General
Executive council accept federal monies for maintenance expense. S. F. 330, Main.
Capital improvements, appropriation. S. F. 476, appropriations.

SUPERVISORS—
General
Districting privilege, regardless number of townships. H. F. 24, Mensing.
Road, subdivision plats, approval. S. F. 239, Wiley; H. F. 385, Hagedorn, et al.
Road equipment used to clear private driveways. H. F. 330, Meyer.
Road equipment, bids if cost exceeds $5,000. S. F. 274, highways.
Voting places outside precinct boundaries, no suitable place inside precinct. H. F. 370, Smith of Dickinson.
Public defender, establishment of office. S. F. 303, Fulton, Turner; H. F. 445, Murray, et al.
County, 4 year term. H. F. 386, elections, political and judicial districts.
Board, contractual agreements for dumps, disposal grounds, sanitary land fill. S. F. 332, O'Malley, Coleman; H. F. 535, Denman, Reppert.
County maintenance equipment assigned fair ground use. H. F. 454, Dunton, et al.
School boards, city councils cooperate jointly to perform functions. H. F. 496, Ely, Riley.
Road control signs at intersections. H. F. 501, Stanley, et al.
Vacating certain secondary highways in Chickasaw County. S. F. 406, judiciary 2.
County cooperate with federal agencies in flood control projects. H. F. 560, roads and highways.

SUPREME COURT—
General
Abolish office of clerk, combine duties with reporter. S. F. 13, Vance, et al.
Rules of civil procedure, change. S. F. 260, Nolan, Turner.
Judge, provide law clerk. S. F. 284, Turner, Nolan.

TAXES—
General
Feeder cattle exempt from taxation. S. F. 4, Shoeman.
Feeder cattle, swine, poultry exempt from taxation. S. F. 6, Elvers.
Moneys and credits, repeal except necessary retire Korean veterans bonus bonds. H. F. 5, Knowles, et al.; S. F. 197, Curran, Dykhouse.
Cattle under two years exempt. H. F. 12, Anderson of Ringgold
School bonded indebtedness, millage limitation increase, ten mills. H. F. 13, Knowles.
Sale of public property prevented, not removed from tax rolls some reason. H. F. 32, Reppert, Denman; S. F. 50, O'Malley.
Service tax, hotels and motels to provide capital improvements fund. S. F. 31, Flatt.
Property assessment, 25 percent actual value. H. F. 64, Knowles, et al.
Soil conservation funds, acquire land, repair and maintenance in watershed projects. S. F. 62, conservation.
Soil conservation districts, state tax method. S. F. 64, conservation; H. F. 121, drainage and flood control.
Property, publication of assessments in quadrennial year. S. F. 69, Rigler, et al.; H. F. 125, Den Herder, et al.

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Property special assessment protected where property sold at tax sale, redeemed or conveyed by tax deed. H. F. 80, Reppert, Denman.

Mutual funds, assessed at bid price January each year. S. F. 73, Hansen, Wilson.

Personal property, household exempt. H. F. 94, Stanley, et al.

Property owned educational institutional, pecuniary profit not exempt. H. F. 96, Chalupa, et al.

Property exempt, assessor list. H. F. 109, Dietz.

Cattle, swine, sheep exempt. H. F. 123, Johnson, et al.

Personal, delinquent, motor vehicle registration refused. H. F. 130, Casey.

Franchise by utility companies using city streets, 2 percent on gross revenues after January 1, 1964. H. F. 138, Reppert, Denman.

Property owned by educational institution, used educational purpose, tax exempt. H. F. 142, Reppert, Denman.

Assessment of property outside city limits abutting city street. H. F. 137, Riley, Ely.

Terminated retirement system, permitting school boards to increase benefits by 50 percent, levy to supplement reserve fund. S. F. 123, O'Malley; H. F. 255, Denman, et al.

Refund, special fuel used operation corn shellers, roller mills, feed grinders mounted on trucks. H. F. 151, Nelson; S. F. 124, Lucken.

Corporation stock, specify place articles of incorporation filed, taxation purposes. H. F. 162, Reppert, et al.

Personal property, allow $20 credit. H. F. 180, Reppert and Denman.

Livestock, exemption, not exceed 100 head. H. F. 184, Knock, et al.

Delinquent personal property, uncollectible after 15 years. H. F. 199, Van Nostrand.

Real property, educational institutions, used pecuniary profit. H. F. 206, Dietz.

Municipal revenue, 30 mills, maximum rate in addition to other sources. H. F. 209, Andersen of Woodbury, et al.; S. F. 232, O'Malley.

Destruction of tax list more than 10 years old. H. F. 210, Van Nostrand.

Personal property, $10 or less be paid in full. H. F. 211, Van Nostrand.

Natural resources, severance tax, 5 cents per ton. H. F. 212, Meyer.

Inheritance, liens, prescribing duration. S. F. 178, Shaff.

Educational institutions owned property, gradual removal from tax exempt status, not used for educational or experimental purposes. H. F. 281, Dietz.

Assess benefited property, street, sewer improvement prior to platting. H. F. 292, Ely, Riley.

Capital stock exemption, company with manufacturing plant in Iowa. S. F. 213, Lisle, et al.

Homestead tax credit doubled, sixty-five or over. H. F. 299, Riley.

Nonprofit co-operative associations, electric transmission lines, assessment against corporation. H. F. 300, Dietz.

Excise, commodities or services of co-operative associations, municipal or federal corporations. H. F. 301, Dietz.

Property, establish minimum foundation program to equalize educational opportunities in school districts. S. F. 251, Rigler, Wearin; H. F. 394, Petersen of Dallas.

Special tax to establish appraisers fund, real and personal property valuation. H. F. 326, Andersen of Woodbury.

Inheritance, information exchanged with another state of federal government. H. F. 332, tax revision.

Agricultural land tax credit, land owner not resident of state. S. F. 255, Dodds, et al.

Homestead, millage increased. S. F. 258, Frommelt.

Personal property repealed, money and credits tax reduced, corporation income tax and sales tax increased. S. F. 289, Elthon, et al.

Motor vehicle fuel, diesel engine fuel, increase one cent per gallon. S. F. 279, Curran, et al.

Farm buildings repaired, no tax value increase. H. F. 364, Anderson of Ringgold; S. F. 304, Main, et al.

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Homestead credit, increased for eligible persons who are retired. S. F. 299, Mincks.
Personal property, household goods exempt. S. F. 301, Dykhouse.
Special assessment, street improvements, sewers. S. F. 336, Shaff.
Educational facilities, special nonprofit, exemption motor vehicle registration. S. F. 370, Fulton, Schroeder.
Merchants, valuation of retail stocks for assessment. S. F. 374, Main; H. F. 486, Worthington, et al.
Real estate, farm lands, valuation based on productivity. H. F. 431, Sokol.
Eggs, 2 cents on each 30 dozen crate. H. F. 435, Walter.
Real property valuation reappraisal by appraisal firm. H. F. 471, Edgington, Nelson.
Inheritance, appraisers compensation increased. H. F. 484, Messerly, Kluever.
School districts increase maximum bond levy to 10 mills, having more than half their land in county with population over 28,000. H. F. 488, Cunningham, et al.
Inheritance tax, certain proceeds of life insurance exempt. H. F. 499, Stanley, et al.
Development tax credit by manufacturing corporations. H. F. 503, Stanley, et al.
Property, tangible subject to taxation. H. F. 505, Miller of Des Moines.
Inheritance appraisers, mileage allowance increased. H. F. 511, Messerly, Kluever.
Telephone, telegraph companies, taxation of real property and improvements. H. F. 534, Denman, Reppert.
School boards in counties where institution of higher learning located, increase maximum levy to 10 mills. H. F. 466, Swisher.
Cities and towns levy for creation of improvement guaranty fund. H. F. 537, cities and towns; S. F. 334, Shaff.
Personal property, exempt while in storage or transit. S. F. 392, Iowa development.
School property tax replacement fund, creating. H. F. 550, ways and means.
Commission's audit revolving fund, abolished, moneys returned to general fund. S. F. 397, appropriations.
Property owners, cities and towns, subject to special assessment for improvements, notified by certified mail. S. F. 400, cities and towns.
School districts levy tax for schoolhouse sites. H. F. 561, schools, libraries, state educational institutions; S. F. 410, schools, educational institutions.
Gas refund, claims settlement. S. F. 418, claims.
School bus garage, electors vote tax for purchase without bond issue. H. F. 575, schools, libraries, state educational institutions.
Cities and towns, certain property exempt. S. F. 433, cities and towns.
Property, credits when excessive taxes are levied as result of inaccurate estimates in local government budget. H. F. 578, ways and means.
Liability of former residents of state, reciprocal enforcement. H. F. 579, tax revision.
Korean veterans' bonus bonds, repeal millage tax, use unclaimed funds for payment. H. F. 581, tax revision.
Inheritance, paid before delivery of securities or assets. S. F. 468, ways and means.
Gas tax refund, claims settlement. S. F. 469, claims.
Motor vehicle fuel tax, appropriation to state comptroller. S. F. 478, appropriations.

County

County hospitals, increase maximum levy to 4 mills in counties over 135,000 population. H. F. 68, Reppert, Denman.
County levy tax for unpaid expenses of patients in state institutions. H. F. 290, Darrington.
County levy increased. H. F. 420, county and township affairs.

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State of Iowa
1964

JOURNAL OF THE SENATE

of the

SIXTIETH GENERAL ASSEMBLY

in

Extraordinary Session

•

Convened February 24, 1964
Adjourned April 8, 1964

•

HAROLD E. HUGHES, Governor
W. L. MOOTY, President of the Senate
ROBERT W. NADEN, Speaker of the House

Published by the
STATE OF IOWA
Des Moines

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SIXTIETH GENERAL ASSEMBLY

in

Extraordinary Session

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CLIFFORD M. VANCE, President Pro Tempore.....Mount Pleasant
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ANDREW G. FROMMELT, Minority Floor Leader.....Dubuque
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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MONDAY, FEBRUARY 24, 1964.

Pursuant to the proclamation of the Governor, the Honorable Harold E. Hughes, the Sixtieth General Assembly of Iowa convened in Extraordinary Session at 10:00 a.m.

The Senate was called to order by Lieutenant Governor W. L. Mooty, President of the Senate.

Prayer was offered by Reverend Duane Heap, pastor of the First Presbyterian Church, Grundy Center, Iowa.

COMMUNICATION FROM THE GOVERNOR

The following communication was received from the Governor:

STATE OF IOWA
Office of the Governor
Des Moines

February 3, 1964.

Mr. Carroll A. Lane,
Secretary of the Senate,
State House,
Des Moines, Iowa.
Dear Mr. Lane:

Enclosed is a copy of my proclamation issued January 17, 1964, calling into Extraordinary Session the Sixtieth General Assembly, to convene at 10:00 a.m., on the 24th day of February, 1964.

Very truly yours,
S/ HAROLD E. HUGHES, *Governor.*

STATE OF IOWA
Executive Department

THE GOVERNOR OF THE STATE OF IOWA
PROCLAMATION

Whereas, a panel of judges convened in the United States District Court for the Southern District of Iowa has declared that the existing Iowa constitutional and statutory provisions for the apportionment of members of the Iowa General Assembly are "invidiously discriminatory . . . null and void, and inoperative for all future elections to the General Assembly of the State of Iowa, except elections to fill vacancies in the present General Assembly," and

Whereas, the Federal Court panel has further declared that "the present General Assembly has the power to and is the appropriate body to provide for interim reapportionment which meets Federal constitutional standards, and action should be taken in time to make new apportionment provisions operative with respect to the 1964 election for members of the General Assembly which meets in regular session in 1965," and

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Whereas, the Federal Court panel has ordered that "if a special session of the Legislature is not called within a reasonable time, or if the Legislature is convened and it becomes apparent that no substantial progress has been made to provide for constitutional apportionment, this court reserves jurisdiction to consider prescribing an interim plan of reapportionment," and

Whereas, because of the conditions and the Federal Court order above referred to, an extraordinary occasion exists within the contemplation of Section Eleven (11), Article Four (IV), of the Constitution of the State of Iowa,

Now Therefore, I, Harold E. Hughes, Governor of the State of Iowa, do hereby proclaim that the Sixtieth General Assembly shall convene in Extraordinary Session at the State House in the City of Des Moines, Iowa, at 10:00 a.m., on the 24th day of February, A.D., 1964, and to that end I do call upon and direct the members of the House of Representatives and of the Senate of the Sixtieth General Assembly to convene in their respective chambers in the State House at Des Moines, Iowa, at 10 o'clock a.m., on February 24, 1964, for the purpose of receiving from the Chief Executive of the State of Iowa his message pertaining to the purpose for which such assembly is convened, and to transact such legislative business in keeping therewith as may come before the houses of the General Assembly and such other emergency matters as are necessary to provide for continued operation of government in the State of Iowa in the interim prior to the convening of the next regular session of the General Assembly.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Iowa to be affixed. Done at Des Moines this 17th day of January in the year of Our Lord one thousand nine hundred sixty-four.

(Seal)

HAROLD E. HUGHES, *Governor.*

Attest:
MELVIN D. SYNHORST,
Secretary of State.

TEMPORARY OFFICERS

Senator Rigler moved that the following be elected as temporary officers of the Senate:

Carroll A. Lane—Temporary Secretary.
Edna Gillespie—Temporary Assistant Secretary and Journal Clerk.
Fred A. Smith—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.

PRELIMINARY PROCEDURE

Senator Vance moved that no bills, joint resolutions, petitions or any other such documents or papers except those relating to the organization of the Senate and the Joint Convention of the Sixtieth General Assembly of Iowa in Extraordinary Session be received from or filed by any member or members of the Senate prior to the

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adoption of the Rules of the Senate of the Sixtieth General Assembly of Iowa in Extraordinary Session.

The motion prevailed.

ANNOUNCEMENT

Senator Doran rose on a point of personal privilege and announced that he had called on Senator Buck who was injured recently in an automobile accident. He stated that the Senator as well as Mrs. Buck, who also was injured, was still in the hospital but that he expected to be back in the Senate in a few days.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Buck on account of hospitalization, on request of Senator Doran.

COMMITTEE ON CREDENTIALS

Senator Shaff moved that a committee of five be appointed as a committee on credentials.

The motion prevailed and the President appointed as such committee Senators Shaff, Shoeman, Turner, Brown and Mincks.

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 Sixtieth General Assembly of Iowa in Extraordinary Session as shown by the duplicate copies of the certificates of election on file in the office of Secretary of State:

CERTIFICATION

STATE OF IOWA

Office of

THE SECRETARY OF STATE

TO THE HONORABLE, THE 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 on November 6, 1962.

Districts		Districts	
First	Seeley G. Lodwick	Eighth	Clifford M. Vance
Fourth	Howard Vincent	Ninth	Jake B. Mincks
Fifth	Franklin S. Main	Tenth	Richard L. Stephens
Sixth	Vern Lisle	Fourteenth	John D. Shoeman
Seventh	Robert R. Dodds	Fourteenth	John L. Campbell

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Districts		Districts	
Seventeenth	Jack Schroeder	Thirty-second	Andrew G. Frommelt
Eighteenth	David O. Shaff	Thirty-fourth	Robert D. Fulton
Twenty-second	R. O. Burrows, Sr.	Thirty-fifth	John A. Walker
Twenty-third	Kenneth Benda	Thirty-seventh	Donald G. Beneke
Twenty-fifth	Eugene M. Hill	Thirty-ninth	Vernon H. Kyhl
Twenty-seventh	George E. O'Malley	Forty-fourth	Robert R. Rigler
Thirtieth	Peter F. Hansen	Forty-fifth	Leo Elthon
Thirty-first	Charles F. Griffin	Fifteenth	L. C. Shivvers (Deceased)
Thirty-first	A. V. Doran		

I FURTHER CERTIFY, that Vera H. Shivvers has been declared by the State Canvassing Board to have been elected State Senator for the Fifteenth Senatorial District in a Special Election held on January 10, 1963.

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 8, 1960:

Districts		Districts	
Second	Dewey B. Phelps	Twenty-seventh	C. Joseph Coleman
Third	Joe N. Wilson	Twenty-eighth	Howard C. Buck
Sixth	Orval C. Walter	Thirty-second	Charles S. Van Eaton
Eighth	Edward A. Wearin	Thirty-third	Irving D. Long
Eleventh	J. Louis Fisher	Thirty-sixth	Adolph Elvers
Sixteenth	Joseph B. Flatt	Fortieth	George L. Scott
Seventeenth	Harry L. Cowden	Forty-first	Jacob Grimstead
Nineteenth	Richard C. Turner	Forty-third	Leigh R. Curran
Twenty-third	Earl Elijah	Forty-sixth	J. Henry Lucken
Twenty-fourth	J. T. Dykhouse	Forty-seventh	LeRoy Getting
Twenty-fifth	D. C. Nolan	Forty-ninth	John J. Brown
Twenty-sixth	Martin Wiley		

(Seal)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Capitol, in Des Moines, this fourteenth day of January, A. D. 1963.

MELVIN D. SYNHORST, *Secretary of State.*
DAVID O. SHAFF, *Chairman.*
JOHN D. SHOEMAN.
RICHARD C. TURNER.
JOHN J. BROWN.
JAKE B. MINCKS.

Roll call revealed all members present with the exception of Senator Buck who was granted a leave of absence.

On motion of Senator Shaff the report was adopted.

COMMITTEE TO NOTIFY THE GOVERNOR

Senator Elthon moved that a committee of three be appointed to notify the Governor that the Senate was organized and ready to receive any communications that he might be ready to transmit.

The motion prevailed and the President appointed as such committee Senators Elthon, Fisher and Elvers.

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COMMITTEE TO NOTIFY THE HOUSE

Senator Beneke 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 Beneke, Campbell and Hansen.

ASSIGNMENT OF SEATS

Senator Wearin moved that the Senators be granted the privilege of retaining the seats occupied by them during the Sixtieth General Assembly, which motion prevailed.

PRESENTATION OF VISITORS

Senator Main asked and received unanimous consent to present to the Senate six students from the Mormon Trail School, Humeston, who were present in the balcony.

COMMITTEE ON MILEAGE

Senator Phelps moved that a committee of three be appointed to determine the mileage for the Lieutenant Governor and the members of the Senate of the Sixtieth General Assembly in Extraordinary Session, which motion prevailed, and the President appointed as such committee Senators Phelps, Doran, and Coleman.

REPORT OF COMMITTEE ON MILEAGE

MR. PRESIDENT: Your committee, appointed to determine the mileage for the Lieutenant Governor and the members of the Senate of the Sixtieth General Assembly in Extraordinary Session, submits the following report and moves its adoption:

	Miles	Amount
Lieutenant Governor W. L. Mooty	80	$ 11.20
Benda, Kenneth	80	11.20
Beneke, Donald G.	160	22.40
Brown, John J.	167	23.38
Buck, Howard C.	38	5.32
Burrows, R. O., Sr.	92	12.88
Campbell, John L.	60	8.40
Coleman, C. Joseph	118	16.52
Cowden, Harry L.	55	7.70
Curran, Leigh R.	119	16.66
Dodds, Robert R.	155	21.70
Doran, A. V.	48	6.72
Dykhouse, J. T.	260	36.40

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Elijah, Earl	150	21.00
Elthon, Leo	135	18.90
Elvers, Adolph W.	200	28.00
Fisher, J. Louis	40	5.60
Flatt, Joseph B.	43	6.02
Frommelt, Andrew G.	200	28.00
Fulton, Robert	110	15.40
Getting, LeRoy	224	31.36
Griffin, Charles F.	157	21.98
Grimstead, Jacob	135	18.90
Hansen, Peter F.	100	14.00
Hill, Eugene M.	33	4.62
Kyhl, Vernon H.	105	14.70
Lisle, Vern	130	18.20
Lodwick, Seeley G.	170	23.80
Long, Irving D.	164	22.96
Lucken, J. Henry	210	29.40
Main, Franklin S.	95	13.30
Mincks, J. B.	90	12.60
Nolan, D. C.	120	16.80
O'Malley, George E.		No claim
Phelps, Dewey B.	140	19.60
Rigler, Robert R.	155	21.70
Schroeder, Jack	186	26.04
Scott, George L.	185	25.90
Shaff, David O.	200	28.00
Shivvers, Vera H.	35	4.90
Shoeman, John D.	89	12.46
Stephens, Richard L.	135	18.90
Turner, Richard C.	150	21.00
Vance, Clifford M.	137	19.18
Van Eaton, Charles S.	204	28.56
Vincent, Howard	72	10.08
Walker, John A.	72	10.08
Walter, Orval C.	98	13.72
Wearin, Edward A.	126	17.64
Wiley, Martin	120	16.80
Wilson, Joe N.	90	12.60

DEWEY B. PHELPS, *Chairman.*
A. V. DORAN.
C. JOSEPH COLEMAN.

The motion prevailed and the report was adopted.

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ASSIGNMENT OF SEATS IN PRESS GALLERY

Senator Burrows moved that the Secretary of the Senate be authorized to assign seats to representatives of the press, radio and television.

The motion prevailed and the Secretary assigned the following:

51. Allan Hoschar, Des Moines Register
Jack Magarrell, Des Moines Register
52. Drake Mabry, Des Moines Tribune
53. Chad Skaggs, Associated Press
54. Otto Weber, WHO and WHO-TV
55. Don R. Finley, United Press International
56. Harrison Weber, Iowa Daily Press Association
57. Don Reid, Iowa Press Association
59. Robt. W. Clyde, WOI-TV
60. Frank T. Nye, Cedar Rapids Gazette
Dora Jane Hamblin, Life Magazine
61. Martin Jensen, WMT and WMT-TV
Ros Jensen, Omaha World-Herald
62. Wm. D. Severin, Waterloo Daily Courier
Max P. Rauer, KSO News
63. Larry Heintz, Davenport Daily Times
Dillard Stokes, The Council Bluffs Nonpareil
64. Mac Danielson, KRNT and KRNT-TV
John Stowell, Telegraph-Herald, Dubuque
65. Al F. Faber, Iowa Legionnaire
Republican State Central Committee

COMMITTEE ON ENROLLED BILLS

Senator Benda moved that a committee of three be appointed as a committee on enrolled bills for the Sixtieth General Assembly in Extraordinary Session, which motion prevailed, and the President appointed as such committee Senators Benda, Doran and Fulton.

ELECTION OF PERMANENT OFFICERS

Senator Scott 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 A. Lane, Milford
Assistant Secretary and Journal Clerk—Edna Gillespie, Des Moines
Secretary's Secretary—Ruth Fisher, Des Moines
Assistant Journal Clerk—Helen Wagner, Des Moines
Secretary's Clerk—Phyllis Hall, Des Moines
Engrossing Clerk—Maretta Blanchard, Des Moines
Payroll Clerk—Billie Jean Walling, Des Moines
Supply Clerk—Dorothy Hohnbaum, Grimes

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Assistant Enrolled Bills Clerk—Margaret Schultz, Des Moines
Sergeant-at-Arms—Fred A. Smith, Des Moines
Assistant Sergeant-at-Arms—Victor E. Lindquist, Chariton
Assistant Sergeant-at-Arms—John Nelson, Jewell
Bill Clerk—Helen Goreham, Des Moines
File Clerk—Jerry Mark, Cedar Falls
Assistant Doorkeeper—Charley Hanson, Des Moines
Assistant Doorkeeper—Robert K. Nielsen, Des Moines
Assistant Doorkeeper—Eaton R. Johnson, Des Moines
Assistant Doorkeeper—Clyde P. Wilson, Des Moines
Assistant Doorkeeper—J. Willard Stranahan, Des Moines
Postmistress—Dora Dykhouse, Rock Rapids
Telephone Page—Lynda Lane, Milford

The motion prevailed and the foregoing officers and employees appeared before the bar of the Senate and were duly sworn and subscribed to their oaths of office.

APPOINTMENT OF SECRETARY TO LIEUTENANT GOVERNOR

Lieutenant Governor Mooty announced the appointment of Mrs. Ruth Mosher of Des Moines as his Secretary and the appointment of Samuel Meacham Withers III of Pocahontas County as his Page.

APPOINTMENT OF PAGES

Lieutenant Governor Mooty announced the appointment of the following Pages of the Senate:

Paul Van Steenwyk, Sioux County, Secretary's Page
Ronald Marvin Zobel, Fayette County
John D. Long, Page County
Jerry Lee Hulbert, Madison County

The above named Secretary and Pages appeared before the desk of the Lieutenant Governor and were duly sworn.

COMMITTEE ON COMMITTEE CLERKS

Senator Kyhl moved that a committee of three be appointed to determine the standing and qualifications of the candidates for committee clerks and provide for their assignment.

The motion prevailed and the President appointed as such committee Senators Kyhl, Lodwick and Main.

REPORT OF COMMITTEE TO NOTIFY THE GOVERNOR

Senator Elthon reported that the committee appointed to notify the Governor that the Senate was organized and ready for business had performed its duty and that the Governor had received the

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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 Beneke reported that the committee appointed 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.

Senator Rigler asked and received unanimous consent to take up the following resolution and moved its adoption:

SENATE CONCURRENT RESOLUTION 1
By Rigler

Be It Resolved by the Senate, the House Concurring: That a joint convention of the two houses of the Sixtieth General Assembly in Extraordinary Session be held on February 24, 1964, at 2:00 p.m.

Be It Further Resolved: That Governor Harold E. Hughes be invited to read his message at this joint convention of the two houses of the Sixtieth General Assembly in Extraordinary Session, convened by him by proclamation, and that the Speaker of the House and the President of the Senate be designated to extend the invitation to him.

The motion prevailed and the resolution was adopted.

Senator Burrows asked and received unanimous consent to take up the following resolution and moved its adoption:

SENATE CONCURRENT RESOLUTION 2
By Burrows

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 Senate and House bill of the Sixtieth General Assembly of Iowa in Extraordinary Session on date of introduction and printing thereof, and that same, with binders, be furnished to such officers free of charge.

The motion prevailed and the resolution was adopted.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and notified the Senate that the House was duly organized and ready to received any communications the Senate might wish to transmit.

President Mooty announced the appointment of the following committees:

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COMMITTEES OF THE SIXTIETH GENERAL ASSEMBLY IN EXTRAORDINARY SESSION

APPROPRIATIONS

Shoeman— Chairman	Curran	Hansen	Turner
	Dodds	Hill	Vincent
Dykhouse*	Elijah	Lodwick	Walker
Beneke	Fulton	Mincks	Wearin
Buck	Getting	Phelps	Wilson
Campbell	Griffin	Shivvers	

REAPPORTIONMENT

Rigler— Chairman	Elthon	Lucken	Shoeman
	Elvers	O'Malley	Stephens
Van Eaton*	Flatt	Schroeder	Vance
Brown	Frommelt	Shaff	Wiley
Cowden	Lisle		

RULES

Vance— Chairman	Burrows	Grimstead	Main
	Coleman	Kyhl	Scott
Nolan*	Doran	Long	Walter
Benda	Fisher		

*Indicates ranking member.

President Mooty addressed the Senate as follows:

As a result of the special election last December 3, and the Federal Court opinion concerning reapportionment on January 15, the normal uncertainties of politics do not adequately cover our present situation in Iowa.

This General Assembly convened in Special Session today with a twofold responsibility specifically placed upon it by Judges Van Osterhout, Stephenson, and McManus. This is a responsibility, first and primarily, to enact a new apportionment plan to govern the composition of the next General Assembly, which will begin its regular session in January 1965. A secondary responsibility, though not one specifically placed upon the Special Session by the Federal Court, is the initiation of amendments to the Iowa Constitution which will implement, in a permanent way, the standards for legislative reapportionment which had been set forth in the January 15 judgment of the Court.

There is no political certainty in Iowa right now . . . except that the general election will take place on Tuesday, November 3. There is no assurance, at all, that any of the prescribed steps preliminary to the general election will occur according to the familiar timetable laid out in present statutes. Obviously no primary election can be held and, hence, none of the primary election machinery can be set in motion until new legislative districts are established on an interim basis, or old ones re-established. It is scarcely necessary to add that this will be an intricate undertaking, which can be successfully accomplished only through the bringing together of several divergent interests:

The present Senate and the present House

Counties of large population and counties of small population

The Republican and Democratic parties

And finally the General Assembly and the Governor.

Furthermore, the interim reapportionment act as finally adopted will be subject to scrutiny by the same three Federal Judges who struck down the present system of apportionment. Points six and seven of their "judgment entry", issued January 15, are very explicit in keeping the case open for further review. They say: "if . . . it becomes apparent that no substantial

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progress has been made to provide for constitutional apportionment, this court reserves jurisdiction to consider prescribing an interim plan of reapportionment." Then the Judges add . . . and I continue to quote: "jurisdiction is reserved to conduct such further hearings and make such further orders as may be appropriate or necessary upon the court's own motion or upon motion of either party." Thus, you see, it will not be sufficient to draft a stopgap reapportionment plan. The adopted plan must stand a reasonble chance of passing the two tests fixed by the three Judges for a suitable legislative apportionment of Iowa. These tests are:

First, one house of the General Assembly shall be apportioned on a population basis,

Secondly (in the words of the Judges themselves), "any departure from a population basis in the other house shall be on a rational basis: extreme departures from the population basis such as now exist in the General Assembly, or as were proposed under the Shaff Plan, which was rejected, cannot be justified."

It would be irresponsible to proceed on the assumption that the Judges meant less than they said. The Judges have stated: "reapportionment is a legislative responsibility. We have no reason to believe that those concerned will not exercise their various responsibilities promptly." I agree wholeheartedly with this statement . . . yet, there are powerful reasons, of both principle and practical reality, which dictate a course of moderation and restraint by the members of this legislature who have the hard responsibility of threading their way through this reapportionment thicket. There is a real danger that an appearance of unyielding stubbornness within this legislature could dangerously cripple its effectiveness for years to come. Such an appearance could result from actions on our part, which large portions of the public might construe as tactics of evasion and protracted delay. It is for this reason, I am sure, that the Attorney General of Iowa . . . who defended the state in the reapportionment case brought against it . . . has not seen fit to appeal the court's judgment and, indeed, has counselled against doing so. However, it may be necessary to appeal later, in the event that the Federal Court should strike down a reasonable reapportionment act passed by this Special Session, in an honest attempt to comply with the orders of their Court. I must confess that this is hard doctrine for one like myself who sincerely and actively supported the Shaff Plan in the gruelling campaign which preceded the December election. The effect of the Federal Court ruling is to abolish all legislative districts as now constituted. It is impossible for prospective candidates to take the first step toward seeking seats in either the House or Senate until new districts are created by the Special Session, or the old ones re-established in the House and the Senate. The prospect of getting this done in 34 days between February 24 and March 28 is doubtful, indeed. The present primary filing date may have to be changed, furthermore, there would appear to be a strong likelihood that the primary election itself will have to be held on some date later than June 1, as set by present statute. These are relatively routine mechanical matters, compared with the basic problem facing us. Such seemingly simple uncertainties create a condition of flux and indecisiveness which is unique in Iowa political history.

I am confident that the responsible majorities in both chambers will fully measure up to their difficult obligations in the weeks before us, and that they will formulate a program of reapportionment which is fair to all interests and areas of the state. I have complete confidence in the dedicated spirit with which members of the Special Session will approach their duties.

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I also have complete confidence in the common sense, good judgment and fair play of Iowa citizens, whether they live in the east or west, whether they reside in cities or on farms, and whether they earn their livings in office, field, or factory. I feel this way because they are people of good judgment and fair play, they are less interested in "scoring points" against one another than in creating here the best possible environment for achieving the good life, both in our generation and in the endless future generations whose world we help to shape.

Let us get on with the task at hand, and accomplish the best possible result for the good of all Iowa.

Senator Rigler asked and received unanimous consent that the address by President Mooty be printed in the Senate Journal.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 1, providing for a joint convention on February 24, 1964, at 2:00 p.m.

WILLIAM A. KENDRICK, *Chief Clerk.*

On motion of Senator Rigler, the Senate recessed until 1:45 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty 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.

In accordance with Senate Concurrent Resolution 1, duly adopted, the Senate proceeded to the House under the direction of the Sergeant-at-Arms.

JOINT CONVENTION

In accordance with Senate Concurrent Resolution 1 duly adopted, the joint convention was called to order, President Mooty presiding.

President Mooty announced a quorum present and the joint convention duly organized.

Senator Rigler of Chickasaw moved that a committee of four, consisting of two members from the Senate and two members from the House, be appointed to notify Governor Harold E. Hughes that the joint convention was ready to receive him.

Motion prevailed and the President appointed as such committee

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Lisle of Page and Fulton of Black Hawk, on the part of the Senate, and Kibbie of Palo Alto and Hougen of Black Hawk, on the part of the House.

The committee waited upon Governor Harold E. Hughes and escorted him to the Speaker's station.

President Mooty presented to the joint convention Governor Harold E. Hughes who delivered the following message:

MR. PRESIDENT, MR. SPEAKER, HONORABLE MEMBERS OF THE SIXTIETH GENERAL ASSEMBLY, LADIES AND GENTLEMEN:

We are met here today in this extraordinary session of the Sixtieth General Assembly to consider, against the backdrop of our state's history, certain momentous issues that will profoundly affect the lives of our children and our children's children.

I know that it is inconvenient for most of you to participate in a legislative session at this time. I realize that for many of you it means a considerable financial sacrifice and the abandonment of long-standing plans. I appreciate, deeply, therefore, the evidences of good will and cooperation I have seen on your part.

Let me add, too, that I know you have come here with the determination to do the best job within your powers to enact legislation that will be for the general welfare of the people of Iowa and to do this in the shortest possible time.

I know that you, as well as I, are concerned with the heavy expense of the special session and will resist all pressures to unnecessarily prolong it.

As you know, Section 11, Article IV, of the Constitution of Iowa provides that the Chief Executive "may, on extraordinary occasions, convene the General Assembly and shall state to both Houses, when assembled, the purpose for which they shall have been convened."

On the 17th of January, I issued the proclamation convening this session and today I am here to state my purpose, as the law provides.

The central purpose of this extraordinary session of the Sixtieth Assembly is, of course, to reapportion the Iowa legislature in accordance with the January 14, 1964, federal court order in the case of Davis v. Synhorst.

While the struggle for equitable reapportionment in Iowa has gone on for many years, three historic events in the past year led up to the convening of this session here today.

On May 3 of 1963, a panel of three judges, convened in the United States District Court for the Southern District of Iowa, declared that the present distribution of seats in the Iowa General Assembly discriminates unjustly against certain segments of our state's population and violates that part of the Federal Constitution which guarantees every citizen equal protection of the laws.

At that time, however, the court deferred opinion upon all constitutional issues then pending and withheld a decree to permit the electorate of Iowa to vote on the Shaff Plan.

The second of the three major events to which I have referred came on December 3 when the voters of Iowa rejected the Shaff Plan by a vote of 272,382 to 190,424.

Then, on January 14 of this year, less than six weeks ago, the federal court panel mentioned before made its final ruling in the case of Davis v. Synhorst and ordered a special session of the Legislature to be called to

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adopt new apportionment provisions before this year's elections. That is the point at which we stand today.

While our first order of business here is reapportionment and this will be the principal subject of my brief remarks here today, it has also become apparent that certain corrective legislation is needed to carry out the intent of the regular session of the Sixtieth General Assembly in at least two areas.

The first of these deals with the authority of local school districts to issue bonds for junior college purposes. Senate File 156 of the last session was intended to grant such authority, but bonding attorneys have held that it fails to do so. At the present time, at least two of the sixteen Iowa communities which have junior colleges—Clinton and Fort Dodge—are thus stalemated in their efforts to issue bonds for junior college construction.

Secondly, House Concurrent Resolution 23, passed near the close of the last session, was intended to provide legislation to enable the State of Iowa to participate in a new federal program for construction of academic buildings for institutions of higher education within the state. However, it has become apparent that the resolution does not clearly permit Iowa to qualify for participation in the Federal Higher Education Facilities Act of 1963.

A third problem has arisen since the last session. It involves Iowa's participation in Public Law 88-164, the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963, which was signed into law by President Kennedy less than a month before his tragic death. Enabling legislation is needed to permit Iowa to qualify for federal funds under this program to assist public and nonprofit groups in the construction of facilities for the mentally retarded and the construction of community mental health centers.

I therefore state it to be the additional purpose of this special session to deal, as the legislature sees fit, with these and such other enabling and legalizing acts of noncontroversial nature that carry out the unfulfilled legislative intent of the regular session, or enable this state to participate in federal programs that were authorized by the Congress subsequent to the adjournment of the regular legislative session, or to take care of such emergency matters as are necessary to provide for continued operation of the government of the state in the interim prior to the convening of the next session of the General Assembly.

Such items are, I believe, largely routine and noncontroversial. The reapportionment issue, on the other hand, is both complex and controversial. As we work on it, the eyes of the entire nation, as well as those of our own state, are upon us.

At this time, I believe it is my obligation to spell out in clear terms once again where I stand on reapportionment legislation and how I interpret the federal court order.

In the first place, I would repeat what I have said many times in the past —that I am interested in a plan of apportionment that will be fair to *all* of the people of this state, both rural and urban. During the Shaff Plan debates, it was stated that I want both houses on population exclusively. This was not true then. It is not true now.

On the other hand, let me state very plainly my complete conviction that those who think the federal judges and the people of Iowa will accept another minority-controlled reapportionment plan—a Shaff Plan in reverse, for example—are deluding themselves. Minority representation to protect the legitimate interests of the more sparsely populated counties is entirely different from the minority *control* we have had so long.

In the long debate through the years over reapportionment in this state,

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we have sometimes become hypnotized by words and arguments that sound logical, but ignore the basic issue—which is equality of representation.

In the final analysis, it is *people's* rights that must come first.

The Fourteenth Amendment to the Constitution of the United States says that "no state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States."

There are those who would have us believe that the federal court is some outside agency that has no business moving into our state to tell us what to do. I would point out that the three federal judges come from our own state and know this state and its needs as well as we. And they considered this matter only because a group of Iowans asked them to.

There are those who would have us believe that the federal court order violates our rights by intervening in apportionment matters. The exact contrary, of course, is true. The court order is protecting the rights of the individual citizens, as guaranteed by the federal constitution.

As to my own individual preference for a reapportionment plan, I would say, as I have said before, that I favor a bicameral legislative pattern with the House on population and the Senate on population and area factors.

The federal court has ruled that one house shall be apportioned on a purely population basis and that "any departure from a population basis in the other house shall be on a rational basis." I construe this to mean that the second house would have a very substantial population factor.

I have stated in very general terms the legislative pattern I favor and which I believe would come within the court's guidelines.

But, notwithstanding my preference, I want to make it perfectly clear that I am open-minded about the mechanics of the actual apportionment and will support any plan that will get the job done properly.

It is not my intention to submit a specific plan at this time. Quite frankly, I think this would be prejudicial to the cause. The development of specific legislation is the prerogative of the legislators—and in both houses, the majority party is clearly in the saddle.

I am not interested in what individual or what group may get the credit for developing a good plan. If those who previously supported the Shaff Plan will come up with a good plan in line with the court's guidelines, I think this would be the most wholesome thing that could happen. As I have always said, the issue of equality of representation should not be a partisan issue.

I am well aware that the actual drawing up of a workable reapportionment plan is not an easy job. On the other hand, let us not deceive ourselves—the guidelines laid down by the federal judges are clear, not fuzzy. The only thing that would seriously impede the development of a good plan would be the mistaken notion that the will of the people and the ruling of the judges could somehow be circumvented. If we keep the shape of the forest firmly in view, the trees will fall in place.

I will stand ready to confer with any of you members of the Assembly on reapportionment (or other) matters at all times. I will be available to arbitrate differences on the issue, if desired.

Moreover, let me say this: I have complete confidence in your ability to develop and enact a fair reapportionment plan that will make it unnecessary for the federal court to do the job for us. We may differ on some of the points involved, but I respect your desire and your intention to keep faith with the people.

Presumably, the interim apportionment plan the court has ordered the legislature to enact will require executive approval. If the plan developed falls within the guidelines of the court, there will be no problem. If not,

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I will do what I consider to be right, but you may be assured that I would not, under any circumstances, exercise executive power capriciously or to implement personal prejudice.

We are, as I see it, standing on the threshold of a magnificent era of potential progress and economic development for this state. In our efforts to keep a reasonable share of our talented young people in Iowa, I am convinced that a fair system of reapportionment will have a magnetic influence. Moreover, I am convinced that good apportionment will give the entire state—rural and urban—a spiritual lift. For if there is any one quality that characterizes the people of this state over the long run—it is the sense of fair play.

I realize that those of you who come from small counties that stand to lose representation in the change face a difficult task. I can understand this for I come from a small community myself and have lived most of my life close to farm people. Yet, I sincerely believe that such wounds as there may be will heal and the state will be the stronger in the long run.

The truth of the matter is that the issues that divide us as neighbors and fellow-citizens here in Iowa are small by comparison with the common causes that should unite us.

It is time, ladies and gentlemen, to let bygones be bygones and to work together for the future of our state.

Many of the personalities and controversies that command the headlines today will be forgotten with the passage of the years. But what we do about apportionment—what we do to assure our citizens the constitutional guarantee of equality of voting rights—will live on for generations.

We *can* not—and I am confident we *will* not—fail to act rightfully on this fundamental issue of fair voting rights which, in the final analysis, is the basic issue of democracy itself.

You have a most difficult task ahead, yes.

But you also have the greatest opportunity in the history of this legislative body to do something truly great for the people of Iowa.

The spotlight of the nation is on Iowa at this hour. If we can display statesmanship on the great issue before us—and I believe we can—our example will be an inspiration to men of good will in all the states of the Union and will live forever in the future history of this beloved state.

Governor Hughes was escorted from the House chamber by the committee previously appointed.

Mowry of Marshall moved that the joint convention be now dissolved.

The motion prevailed.

The Senate returned to the Senate chamber and resumed regular session.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 1, relating to compensation of officers and employees of the Sixtieth General Assembly in Extraordinary Session.

WILLIAM R. KENDRICK, *Chief Clerk.*

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HOUSE CONCURRENT RESOLUTION 1
By Robinson

Whereas, section two point nineteen (2.19), Code 1962, 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; and

Whereas, said compensation was so fixed at the opening of the Sixtieth General Assembly;

Now, Therefore, Be It Resolved by the House, the Senate Concurring: That the compensation of said chaplains, officers and employees of the Extraordinary Session of the Sixtieth General Assembly shall be the same as that fixed for the regular session of the Sixtieth General Assembly.

Be It Further Resolved: That the same compensation shall be paid to such officers and employees as were engaged in the preliminary work of the Extraordinary Session.

Senator Scott 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 Vance submitted the following report:

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 adopted for the procedure of the Senate of the Sixtieth General Assembly of Iowa shall be the rules of the Senate of the Sixtieth General Assembly of Iowa in Extraordinary Session, except by striking all of Rule 16, the first sentence of Rule 17, all of Rules 20, 21, 22, 23, 26, 27, 28, the first sentence of Rule 29, all of Rules 30, 32, 35, 36, 37 and except as modified by the following Special Rules for the Sixtieth General Assembly of Iowa in Extraordinary Session as follows:

Special Rule 1

No bill or joint resolution shall be filed in or received by the Senate of the Sixtieth General Assembly of Iowa in Extraordinary Session, except bills or joint resolutions introduced or filed by the Reapportionment Committee; bills or joint resolutions introduced or filed by the Appropriations Committee; bills or joint resolutions filed by the Rules Committee and bills or joint resolutions passed by the House of Representatives of the Sixtieth General Assembly of Iowa in Extraordinary Session.

Special Rule 2

The only bills or joint resolutions that shall be considered by the Senate of the Sixtieth General Assembly of Iowa in Extraordinary Session shall be bills or joint resolutions introduced and filed by the Reapportionment Committee relating to a change in the legislative apportionment of the Senate and of the House of Representatives; bills or joint resolutions introduced and filed by the Appropriations Committee for the purpose of paying the expenses of the Sixtieth General Assembly of Iowa and the Sixtieth General Assembly of Iowa in Extraordinary Session; bills or joint resolutions introduced or filed by the Rules Committee; and bills

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or joint resolutions passed by the House of Representatives of the Sixtieth General Assembly of Iowa in Extraordinary Session; and to the expenses of the Sixtieth General Assembly of Iowa and the Sixtieth General Assembly of Iowa in Extraordinary Session.

Special Rule 3

Amend Rule 33, line 2, by striking ", on rules and on printing," and inserting in lieu thereof the following: "and on rules".

Special Rule 4

Whenever the standing rules of the Senate of the Sixtieth General Assembly of Iowa are in conflict with the special rules of this extraordinary session the special rules of the extraordinary session shall prevail.

Special Rule 5

Amend Senate Rule 40 by striking the word "present" from line 4.

Special Rule 6

Upon the second reading of a bill or joint resolution received from the House of Representatives the President shall refer the bill or joint resolution to an appropriate standing committee.

CLIFFORD M. VANCE, *Chairman.*

Senator Frommelt moved to strike the word "joint" wherever it appears in the report of the committee on rules.

Roll call was requested.

On the question "Shall the motion be adopted?" the vote was:

Ayes, 11:

Brown	Elvers	Hansen	O'Malley
Coleman	Frommelt	Hill	Walter
Dodds	Fulton	Mincks	

Nays, 38:

Benda	Fisher	Main	Stephens
Beneke	Flatt	Nolan	Turner
Burrows	Getting	Phelps	Vance
Campbell	Griffin	Rigler	Van Eaton
Cowden	Grimstead	Schroeder	Vincent
Curran	Kyhl	Scott	Walker
Doran	Lisle	Shaff	Wearin
Dykhouse	Lodwick	Shivvers	Wiley
Elijah	Long	Shoeman	Wilson
Elthon	Lucken		

Absent or not voting, 1:

Buck

The motion was lost.

Senator Hill moved that action on the adoption of the report of the committee on rules be deferred.

Roll call was requested.

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On the question "Shall action on the adoption of the report be deferred?" the vote was:

Ayes, 14:

Brown	Elvers	Hill	O'Malley
Coleman	Frommelt	Main	Turner
Dodds	Fulton	Mincks	Walter
Elijah	Hansen		

Nays, 35:

Benda	Fisher	Lucken	Stephens
Beneke	Flatt	Nolan	Vance
Burrows	Getting	Phelps	Van Eaton
Campbell	Griffin	Rigler	Vincent
Cowden	Grimstead	Schroeder	Walker
Curran	Kyhl	Scott	Wearin
Doran	Lisle	Shaff	Wiley
Dykhouse	Lodwick	Shivvers	Wilson
Elthon	Long	Shoeman	

Absent or not voting, 1:

Buck

The motion to defer was lost.

Senator Vance moved the adoption of the report of the committee on rules, which motion prevailed.

Senator Vance moved the adoption of the rules contained in the report.

Roll call was requested.

On the question "Shall the rules contained in the report be adopted?" the vote was:

Ayes, 38:

Benda	Elvers	Lucken	Shoeman
Beneke	Fisher	Main	Stephens
Burrows	Flatt	Nolan	Van Eaton
Campbell	Getting	Phelps	Vance
Cowden	Griffin	Rigler	Vincent
Curran	Grimstead	Schroeder	Walker
Doran	Kyhl	Scott	Wearin
Dykhouse	Lisle	Shaff	Wiley
Elijah	Lodwick	Shivvers	Wilson
Elthon	Long		

Nays, 11:

Brown	Frommelt	Hill	Turner
Coleman	Fulton	Mincks	Walter
Dodds	Hansen	O'Malley	

Absent or not voting, 1:

Buck

The motion prevailed and the rules were adopted.

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SENATE CONCURRENT RESOLUTION 3
By Flatt

Whereas, the United States District Court for the Southern District of Iowa ruled January 14, 1964, that the present methods of apportioning the Iowa General Assembly are "invidiously discriminatory and in violation of the equal protection clause of the 14th amendment"; and

Whereas, the Court has ruled that it will abstain from imposing a legislative apportionment plan on the State of Iowa provided a special session of the Sixtieth General Assembly is convened to reapportion the General Assembly in accordance with guidelines outlined by the Court; and

Whereas, a special session of the Sixtieth General Assembly has been convened for the specific purpose of reapportioning the Legislature within a reasonable time; now therefore,

Be It Resolved by the Senate, the House Concurring, That the General Assembly may discuss and consider issues other than reapportionment during the special session but that no final action on issues other than reapportionment can be taken until such time as an interim reapportionment plan is enacted.

On motion of Senator Rigler, the Senate adjourned until 10:00 a.m., Tuesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, TUESDAY, FEBRUARY 25, 1964.

The Senate met in extraordinary session, President Mooty presiding.

Prayer was offered by Reverend Kirby Webster, rector of the St. Paul Episcopal Church, Marshalltown, Iowa.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 2, instructing superintendent of printing to mail to each county auditor in Iowa copy of daily Senate and House Journals and bills free of charge.

WILLIAM R. KENDRICK, *Chief Clerk.*

The Chair announced that the Senate would stand at ease until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Vance presiding.

REPORT OF COMMITTEE ON CLERKS

MR. PRESIDENT: Your committee appointed to determine the standing and qualifications of the candidates for committee clerks begs leave to report that it has made investigation and examinations and finds the following persons competent as stenographers to which they have been appointed. Assignments have been made as follows:

Capper, Marie .....Senator Phelps—Senator Elthon
Carter, Wilma .....Senator Buck—Senator Elijah
Cowles, Audrey .....Senator Mincks—Senator Hill
Cram, Helen L. .....Senator Wearin—Senator Schroeder
Cram, Helen M. .....Senator Rigler—Senator Grimstead
Curran, Dorothy .....Senator Curran—Senator Wilson
Davis, Joy .....Senator O'Malley—Senator Elvers
Dysart, Betty .....Senator Campbell—Senator Beneke
Edwards, Dorothy .....Senator Scott—Senator Walker
Lovett, Donna Jean .....Senator Hansen—Senator Main
Fanning, Isabelle .....Senator Shaff—Senator Long
Haun, Elsie .....Senator Van Eaton—Senator Stephens
Heins, Audrey .....Senator Kyhl—Senator Lodwick

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Johnson, Doris .....Senator Fulton—Senator Dodds
Johnson, Dorla .....Senator Doran—Senator Fisher
Martin, Ardith .....Senator Dykhouse—Senator Lucken
Metcalf, Narola .....Senator Brown—Senator Coleman
Mills, Katherine .....Senator Burrows—Senator Vincent
Mitchell, Betty .....Senator Benda—Senator Cowden
Nepstad, Dorothy .....Senator Getting—Senator Turner
Nolan, Betty .....Senator Nolan—Senator Shivvers
Russell, Betty .....Senator Griffin—Senator Wiley
Shortell, Betty .....Senator Frommelt—Senator Walter
Swab, Phyllis .....Senator Flatt—Senator Lisle
Williams, Irene .....Senator Vance—Senator Shoeman

VERNON H. KYHL, *Chairman.*
SEELEY G. LODWICK.
FRANKLIN S. MAIN.

On motion of Senator Kyhl, the report was adopted and the foregoing clerks appeared before the bar of the Senate and were duly sworn and subscribed to their oaths of office.

On motion of Senator Benda, the Senate adjourned until 10:00 a.m., Wednesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, WEDNESDAY, FEBRUARY 26, 1964.

The Senate met in extraordinary session, President Mooty presiding.

Prayer was offered by Reverend William Simbro, pastor of the Methodist Church, Ainsworth, Iowa.

Senator Scott asked and received unanimous consent to take up the following report and moved its adoption:

REPORT OF JOINT COMMITTEE ON JOINT LEGISLATIVE EMPLOYEES

We, your joint committee appointed to nominate employees for the extra help of the Sixtieth General Assembly of Iowa in Extraordinary Session, hereby submit the following:

JOINT HELP

Post Office Assistant:
Larry James Hilton, Clinton County

Mail Carrier:
Wm. Edwin Swygard, Polk County

Index Clerk:
Bertha Schenke, Polk County

ENROLLING ROOM

Assistant Enrolling Clerks:
Pauline Kephart, Polk County
Jane Sperry, Polk County

CODE OFFICE

Secretary to the Code Editor:
Olive Bennum, Polk County

CUSTODIAN

Janitors:
Harry Freed, Polk County
Hamon E. Johnson, Polk County
Michael Monahan, Polk County
Fred W. Hood, Polk County
Harold Kennerly, Polk County
Remmer S. Paterna, Polk County
Harold S. Davis, Polk County

Head Policeman:
Pirl B. Stuart, Polk County

Policemen:
Omer K. Wright, Polk County
Dean Young, Polk County
Claude Higens, Warren County
Francis E. Compton, Jr., Polk County

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Elevator Operators:
Marcella Lyons, Polk County
Gladys Richardson, Polk County
Matron:
Mary Wilson, Polk County
Watchmen:
Charlie Foster, Polk County
John Wilfon, Polk County
Telephone Operator:
Gertrude Cantwell, Polk County

GEORGE L. SCOTT,
On the Part of the Senate.
SAMUEL E. ROBINSON,
On the Part of the House.

The motion prevailed and the report was adopted.

The Chair announced that the Senate would stand at ease until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

On motion of Senator Wearin, the Senate adjourned until 10:00 a.m., Thursday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, THURSDAY, FEBRUARY 27, 1964.

The Senate met in extraordinary session, President Mooty presiding.

Prayer was offered by Reverend Robert Gildner, pastor of the Immanuel Methodist Church, Des Moines, Iowa.

ANNOUNCEMENT

Senator Buck upon his return to the Senate rose on a point of personal privilege and thanked the members of the Senate for the beautiful roses sent him during his stay in the hospital.

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 report of the joint committee on joint legislative employees.

WILLIAM R. KENDRICK, *Chief Clerk.*

On motion of Senator Rigler, the Senate stood at ease until the fall of the gavel.

The Senate reconvened, President Mooty presiding.

INTRODUCTION OF BILL

Senate File 1, by committee on reapportionment, a bill for an act to provide for representation in the Senate and House of Representatives in the Sixty-first General Assembly and thereafter.

Read first and second times and placed on the calendar.

On motion of Senator Rigler, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

AMENDMENTS FILED

Amend Senate File 1 as follows:
1. By striking everything after the enacting clause and inserting in lieu thereof the following:
"Section 1. Amend chapter forty-one (41), Code 1962, by striking all of section forty-one point one (41.1) and inserting in lieu thereof the following:

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'The state is hereby divided into fifty (50) senatorial districts, each district to have one (1) senator, plus one additional senator for each senatorial population unit above one (1), said senators to be elected at large from their respective districts. The senatorial population unit shall be determined by dividing the state's population as shown by the last United States decennial census by fifty (50). The districts shall be as follows:

1. Lee county shall constitute the first (1st) district.

2. Appanoose county, Davis county and Van Buren county shall constitute the second (2nd) district.

3. Lucas county, Monroe county and Wayne county shall constitute the third (3rd) district.

4. Decatur county, Ringgold county and Union county shall constitute the fourth (4th) district.

5. Adams county, Montgomery county and Taylor county shall constitute the fifth (5th) district.

6. Fremont county, Mills county and Page county shall constitute the sixth (6th) district.

7. Des Moines county shall constitute the seventh (7th) district.

8. Henry county and Jefferson county shall constitute the eighth (8th) district.

9. Wapello county shall constitute the ninth (9th) district.

10. Louisa county and Washington county shall constitute the tenth (10th) district.

11. Keokuk county and Mahaska county shall constitute the eleventh (11th) district.

12. Marion county and Warren county shall constitute the twelfth (12th) district.

13. Adair county, Clarke county and Madison county shall constitute the thirteenth (13th) district.

14. Audubon county, Cass county and Shelby county shall constitute the fourteenth (14th) district.

15. Pottawattamie county shall constitute the fifteenth (15th) district.

16. Cedar county and Muscatine county shall constitute the sixteenth (16th) district.

17. Scott county shall constitute the seventeenth (17th) district.

18. Clinton county shall constitute the eighteenth (18th) district.

19. Jackson county and Jones county shall constitute the nineteenth (19th) district.

20. Linn county shall constitute the twentieth (20th) district.

21. Johnson county shall constitute the twenty-first (21st) district.

22. Benton county and Tama county shall constitute the twenty-second (22nd) district.

23. Iowa county and Poweshiek county shall constitute the twenty-third (23rd) district.

24. Marshall county shall constitute the twenty-fourth (24th) district.

25. Jasper county shall constitute the twenty-fifth (25th) district.

26. Story county shall constitute the twenty-sixth (26th)

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district.

27. Polk county shall constitute the twenty-seventh (27th) district.

28. Boone county and Greene county shall constitute the twenty-eighth (28th) district.

29. Dallas county and Guthrie county shall constitute the twenty-ninth (29th) district.

30. Carroll county, Crawford county and Sac county shall constitute the thirtieth (30th) district.

31. Harrison county and Monona county shall constitute the thirty-first (31st) district.

32. Dubuque county shall constitute the thirty-second (32nd) district.

33. Buchanan county and Delaware county shall constitute the thirty-third (33rd) district.

34. Black Hawk county shall constitute the thirty-fourth (34th) district.

35. Hamilton county and Hardin county shall constitute the thirty-fifth (35th) district.

36. Webster county shall constitute the thirty-sixth (36th) district.

37. Buena Vista county, Calhoun county and Pocahontas county shall constitute the thirty-seventh (37th) district.

38. Cherokee county, Ida county and Plymouth county shall constitute the thirty-eighth (38th) district.

39. Woodbury county shall constitute the thirty-ninth (39th) district.

40. Allamakee county and Clayton county shall constitute the fortieth (40th) district.

41. Fayette county and Winneshiek county shall constitute the forty-first (41st) district.

42. Bremer county, Butler county and Grundy county shall constitute the forty-second (42nd) district.

43. Franklin county, Humboldt county and Wright county shall constitute the forty-third (43rd) district.

44. Chickasaw county and Floyd county shall constitute the forty-fourth (44th) district.

45. Howard county, Mitchell county and Worth county shall constitute the forty-fifth (45th) district.

46. Cerro Gordo county shall constitute the forty-sixth (46th) district.

47. Hancock county, Kossuth county and Winnebago county shall constitute the forty-seventh (47th) district.

48. Clay county, Emmet county and Palo Alto county shall constitute the forty-eighth (48th) district.

49. Dickinson county, O'Brien county and Osceola county shall constitute the forty-ninth (49th) district.

50. Lyon county and Sioux county shall constitute the fiftieth (50th) district.

Sec. 2. Further amend chapter forty-one (41), Code 1962, by adding the following section:

Following each United States decennial census, upon receipt by the secretary of state of the official population figures for the state and counties, it shall be the duty of the secretary of state, in accordance with the foregoing provisions, to notify the county,

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or counties, within each senatorial district as to the number of senators to which the district is entitled. This action shall be effective as to the nomination and election of senators at the next general election to be held after the census year. If a change in population reduces the number of senators to which a district is entitled and the terms of the senators do not expire before the next regular session of the general assembly, such reduction shall be accomplished by the withdrawal of the junior senator. Where two or more senators have the same seniority then the withdrawal shall be by lot.

Sec. 3. Amend chapter forty-two (42), Code 1962, by striking all of sections forty-two point one (42.1), forty-two point two (42.2) and forty-two point three (42.3) and inserting in lieu thereof the following:

The state shall be divided into fifty-three (53) representative districts along county boundaries as follows:

1st District.....Van Buren and Lee counties
2nd District.....Appanoose and Davis counties
3rd District.....Lucas and Wayne counties
4th District.....Ringgold and Decatur counties
5th District.....Union and Clark counties
6th District.....Adams and Taylor counties
7th District.....Fremont and Page counties
8th District.....Mills and Montgomery counties
9th District.....Monroe and Wapello counties
10th District.....Washington and Jefferson counties
11th District.....Henry and Des Moines counties
12th District.....Muscatine and Louisa counties
13th District.....Mahaska and Keokuk counties
14th District.....Warren and Marion counties
15th District.....Adair and Madison counties
16th District.....Shelby and Cass counties
17th District.....Pottawattamie county
18th District.....Monona and Harrison counties
19th District.....Audubon and Guthrie counties
20th District.....Greene and Dallas counties
21st District.....Polk county
22nd District.....Jasper and Poweshiek counties
23rd District.....Iowa and Johnson counties
24th District.....Jones and Cedar counties
25th District.....Scott county
26th District.....Jackson and Clinton counties
27th District.....Linn county
28th District.....Tama and Benton counties
29th District.....Grundy and Marshall counties
30th District.....Boone and Story counties
31st District.....Sac and Carroll counties
32nd District.....Ida and Crawford counties
33rd District.....Woodbury county
34th District.....Calhoun and Webster counties
35th District.....Hamilton and Hardin counties
36th District.....Black Hawk county
37th District.....Buchanan and Delaware counties
38th District.....Dubuque county
39th District.....Allamakee and Clayton counties

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40th District.....Chickasaw and Fayette counties
41st District.....Butler and Bremer counties
42nd District.....Wright and Franklin counties
43rd District.....Kossuth and Humboldt counties
44th District.....Buena Vista and Pocahontas counties
45th District.....Plymouth and Cherokee counties
46th District.....Sioux and O'Brien counties
47th District.....Dickinson and Clay counties
48th District.....Emmet and Palo Alto counties
49th District.....Hancock and Cerro Gordo counties
50th District.....Mitchell and Floyd counties
51st District.....Howard and Winneshiek counties
52nd District.....Winnebago and Worth counties
53rd District.....Lyon and Osceola counties

Sec. 4. Each representative district shall be entitled to one (1) representative plus one additional representative for each representative population unit above one (1) or major fraction thereof, to be elected at large within each district.

The representative population unit shall be determined by dividing the state's population as shown on the last United States decennial census by one hundred ten (110).

If following a United States decennial census, the population of a legislative district is found to be less than a major fraction of the representative population unit, such respresentative district shall be eliminated by action of the general assembly at the next regular session to be held after the census year, and the counties composing such district shall be combined with contiguous two-county districts to form three-county districts. Counties joined only at the point of a corner shall not be deemed to be contiguous.

Sec. 5. Following each United States decennial census, upon receipt by the secretary of state of the official population figures for the state and counties, it shall be the duty of the secretary of state to notify the county, or counties, within each representative district as to the number of representatives to which the district is entitled. This action shall be effective as to the nomination and election of representatives at the next general election to be held after the census year."

EUGENE M. HILL.

Amend Senate File 1, by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Chapter forty-one (41), Code 1962, is hereby repealed and the following enacted in lieu thereof:

The number of senators in the general assembly is hereby fixed at sixty (60) and they are hereby apportioned among the several counties and under said apportionment the state is hereby divided into fifty (50) senatorial districts, each district to have a number of senators as hereafter provided, as follows:

1. Lee county shall constitute the first (1st) district and elect one (1) senator.

2. Appanoose county, Davis county and Van Buren county shall constitute the second (2nd) district and elect one (1) senator.

3. Lucas county, Monroe county and Wayne county shall constitute the third (3rd) district and elect one (1) senator.

4. Decatur county, Ringgold county and Union county shall

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constitute the fourth (4th) district and elect one (1) senator.

5. Adams county, Montgomery county and Taylor county shall constitute the fifth (5th) district and elect one (1) senator.

6. Fremont county, Mills county and Page county shall constitute the sixth (6th) district and elect one (1) senator.

7. Des Moines county shall constitute the seventh (7th) district and elect one (1) senator.

8. Henry county and Jefferson county shall constitute the eighth (8th) district and elect one (1) senator.

9. Wapello county shall constitute the ninth (9th) district and elect one (1) senator.

10. Louisa county and Washington county shall constitute the tenth (10th) district and elect one (1) senator.

11. Keokuk county and Mahaska county shall constitute the eleventh (11th) district and elect one (1) senator.

12. Marion county and Warren county shall constitute the twelfth (12th) district and elect one (1) senator.

13. Adair county, Clarke county and Madison county shall constitute the thirteenth (13th) district and elect one (1) senator.

14. Audubon county, Cass county and Shelby county shall constitute the fourteenth (14th) district and elect one (1) senator.

15. Pottawattamie county shall constitute the fifteenth (15th) district and elect two (2) senators.

16. Cedar county and Muscatine county shall constitute the sixteenth (16th) district and elect one (1) senator.

17. Scott county shall constitute the seventeenth (17th) district and elect two (2) senators.

18. Clinton county shall constitute the eighteenth (18th) district and elect one (1) senator.

19. Jackson county and Jones county shall constitute the nineteenth (19th) district and elect one (1) senator.

20. Linn county shall constitute the twentieth (20th) district and elect three (3) senators.

21. Johnson county shall constitute the twenty-first (21st) district and elect one (1) senator.

22. Benton county and Tama county shall constitute the twenty-second (22nd) district and elect one (1) senator.

23. Iowa county and Poweshiek county shall constitute the twenty-third (23rd) district and elect one (1) senator.

24. Marshall county shall constitute the twenty-fourth (24th) district and elect one (1) senator.

25. Jasper county shall constitute the twenty-fifth (25th) district and elect one (1) senator.

26. Story county shall constitute the twenty-sixth (26th) district and elect one (1) senator.

27. Polk county shall constitute the twenty-seventh (27th) district and elect five (5) senators.

28. Boone county and Greene county shall constitute the twenty-eighth (28th) district and elect one (1) senator.

29. Dallas county and Guthrie county shall constitute the twenty-ninth (29th) district and elect one (1) senator.

30. Carroll county, Crawford county and Sac county shall constitute the thirtieth (30th) district and elect one (1) senator.

31. Harrison county and Monona county shall constitute the thirty-first (31st) district and elect one (1) senator.

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32. Dubuque county shall constitute the thirty-second (32nd) district and elect one (1) senator.

33. Buchanan county and Delaware county shall constitute the thirty-third (33rd) district and elect one (1) senator.

34. Black Hawk county shall constitute the thirty-fourth (34th) district and elect two (2) senators.

35. Hamilton county and Hardin county shall constitute the thirty-fifth (35th) district and elect one (1) senator.

36. Webster county shall constitute the thirty-sixth (36th) district and elect one (1) senator.

37. Buena Vista county, Calhoun county and Pocahontas county shall constitute the thirty-seventh (37th) district and elect one (1) senator.

38. Cherokee county, Ida county and Plymouth county shall constitute the thirty-eighth (38th) district and elect one (1) senator.

39. Woodbury county shall constitute the thirty-ninth (39th) district and elect two (2) senators.

40. Allamakee county and Clayton county shall constitute the fortieth (40th) district and elect one (1) senator.

41. Fayette county and Winneshiek county shall constitute the forty-first (41st) district and elect one (1) senator.

42. Bremer county, Butler county and Grundy county shall constitute the forty-second (42nd) district and elect one (1) senator.

43. Franklin county, Humboldt county and Wright county shall constitute the forty-third (43rd) district and elect one (1) senator.

44. Chickasaw county and Floyd county shall constitute the forty-fourth (44th) district and elect one (1) senator.

45. Howard county, Mitchell county and Worth county shall constitute the forty-fifth (45th) district and elect one (1) senator.

46. Cerro Gordo county shall constitute the forty-sixth (46th) district and elect one (1) senator.

47. Hancock county, Kossuth county and Winnebago county shall constitute the forty-seventh (47th) district and elect one (1) senator.

48. Clay county, Emmet county and Palo Alto county shall constitute the forty-eighth (48th) district and elect one (1) senator.

49. Dickinson county, O'Brien county and Osceola county shall constitute the forty-ninth (49th) district and elect one (1) senator.

50. Lyon county and Sioux county shall constitute the fiftieth (50th) district and elect one (1) senator.

Sec. 2. This Act shall not affect the term of office of senators now holding certificates of election from the present senatorial districts. In the event of any vacancy occurring in any senatorial district after the effective date of this Act it shall be filled by the electors of the district as it existed at the time the vacancy occurred. All senatorial districts whose senator's term expires at the end of the year 1964 shall elect one (1) senator for a full four (4) year term, in addition the following districts shall elect additional senators for a two (2) year term as outlined below.

District fifteen (15) shall elect one (1) senator for a two (2) year term.

District seventeen (17) shall elect one (1) senator for a two (2) year term.

District twenty (20) shall elect two (2) senators for a two (2) year term.

District twenty-seven (27) shall elect four (4) senators for a two (2) year term.

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District thirty-four (34) shall elect one (1) senator for a two (2) year term.

District thirty-nine (39) shall elect one (1) senator for a two (2) year term.

Sec. 3. Chapter forty-two (42), Code 1962, is hereby repealed and the following enacted in lieu thereof:

The number of representatives in the general assembly is hereby fixed at one hundred twenty (120), and they are hereby apportioned among the several legislative districts as set out in section one (1) of this Act according to the number of inhabitants in each, and under said apportionment each district is to have the number of representatives as hereafter provided as follows:

1. Lee county shall constitute the first (1st) district and elect two (2) representatives.

2. Appanoose county, Davis county and Van Buren county shall constitute the second (2nd) district and elect two (2) representatives.

3. Lucas county, Monroe county and Wayne county shall constitute the third (3rd) district and elect one (1) representative.

4. Decatur county, Ringgold county and Union county shall constitute the fourth (4th) district and elect one (1) representative.

5. Adams county, Montgomery county and Taylor county shall constitute the fifth (5th) district and elect one (1) representative.

6. Fremont county, Mills county and Page county shall constitute the sixth (6th) district and elect two (2) representatives.

7. Des Moines county shall constitute the seventh (7th) district and elect two (2) representatives.

8. Henry county and Jefferson county shall constitute the eighth (8th) district and elect one (1) representative.

9. Wapello county shall constitute the ninth (9th) district and elect two (2) representatives.

10. Louisa county and Washington county shall constitute the tenth (10th) district and elect one (1) representative.

11. Keokuk county and Mahaska county shall constitute the eleventh (11th) district and elect two (2) representatives.

12. Marion county and Warren county shall constitute the twelfth (12th) district and elect two (2) representatives.

13. Adair county, Clarke county and Madison county shall constitute the thirteenth (13th) district and elect one (1) representative.

14. Audubon county, Cass county and Shelby county shall constitute the fourteenth (14th) district and elect two (2) representatives.

15. Pottawattamie county shall constitute the fifteenth (15th) district and elect four (4) representatives.

16. Cedar county and Muscatine county shall constitute the sixteenth (16th) district and elect two (2) representatives.

17. Scott county shall constitute the seventeenth (17th) district and elect five (5) representatives.

18. Clinton county shall constitute the eighteenth (18th) district and elect two (2) representatives.

19. Jackson county and Jones county shall constitute the nineteenth (19th) district and elect two (2) representatives.

20. Linn county shall constitute the twentieth (20th) district and elect six (6) representatives.

21. Johnson county shall constitute the twenty-first (21st) district and elect two (2) representatives.

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22. Benton county and Tama county shall constitute the twenty-second (22nd) district and elect two (2) representatives.

23. Iowa county and Poweshiek county shall constitute the twenty-third (23rd) district and elect two (2) representatives.

24. Marshall county shall constitute the twenty-fourth (24th) district and elect two (2) representatives.

25. Jasper county shall constitute the twenty-fifth (25th) district and elect two (2) representatives.

26. Story county shall constitute the twenty-sixth (26th) district and elect two (2) representatives.

27. Polk county shall constitute the twenty-seventh (27) district and elect twelve (12) representatives.

28. Boone county and Greene county shall constitute the twenty-eighth (28th) district and elect two (2) representatives.

29. Dallas county and Guthrie county shall constitute the twenty-ninth (29th) district and elect two (2) representatives.

30. Carroll county, Crawford county and Sac county shall constitute the thirtieth (30th) district and elect three (3) representatives.

31. Harrison county and Monona county shall constitute the thirty-first (31st) district and elect one (1) representative.

32. Dubuque county shall constitute the thirty-second (32nd) district and elect three (3) representatives.

33. Buchanan county and Delaware county shall constitute the thirty-third (33rd) district and elect two (2) representatives.

34. Black Hawk county shall constitute the thirty-fourth (34th) district and elect five (5) representatives.

35. Hamilton county and Hardin county shall constitute the thirty-fifth (35th) district and elect two (2) representatives.

36. Webster county shall constitute the thirty-sixth (36th) district and elect two (2) representatives.

37. Buena Vista county, Calhoun county and Pocahontas county shall constitute the thirty-seventh (37th) district and elect two (2) representatives.

38. Cherokee county, Ida county and Plymouth county shall constitute the thirty-eighth (38th) district and elect two (2) representatives.

39 Woodbury county shall constitute the thirty-ninth (39th) district and elect five (5) representatives.

40. Allamakee county and Clayton county shall constitute the fortieth (40th) district and elect two (2) representatives.

41. Fayette county and Winneshiek county shall constitute the forty-first (41st) district and elect two (2) representatives.

42. Bremer county, Butler county and Grundy county shall constitute the forty-second (42nd) district and elect two (2) representatives.

43. Franklin county, Humboldt county and Wright county shall constitute the forty-third (43rd) district and elect two (2) representatives.

44. Chickasaw county and Floyd county shall constitute the forty-fourth (44th) district and elect two (2) representatives.

45. Howard county, Mitchell county and Worth county shall constitute the forty-fifth (45th) district and elect two (2) representatives.

46. Cerro Gordo county shall constitute the forty-sixth (46th) district and elect two (2) representatives.

47. Hancock county, Kossuth county and Winnebago county shall constitute the forty-seventh (47th) district and elect two (2)

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representatives.

48. Clay county, Emmet county and Palo Alto county shall constitute the forty-eighth (48th) district and elect two (2) representatives.

49. Dickinson county, O'Brien county and Osceola county shall constitute the forty-ninth (49th) district and elect two (2) representatives.

50. Lyon county and Sioux county shall constitute the fiftieth (50th) district and elect two (2) representatives.

Sec. 4. Nothing in this Act shall affect the present terms of the senators or representatives from any of the districts.

Sec. 5. This Act being deemed of immediate importance shall take effect and be in force from and after its passage and publication in _____, a newspaper in _____, Iowa, and in _____, a newspaper published in _____, Iowa.

JAKE B. MINCKS.
ANDREW G. FROMMELT.
GEORGE E. O'MALLEY.
ROBERT D. FULTON.

Amend Senate File 1 as follows:

1. Strike from lines thirty-nine (39), forty-five (45), seventy-three (73) and eighty-three (83) the word "two" in each instance and insert in lieu thereof the word "one".

2. Strike from line fifty-nine (59) the word "three" and insert in lieu thereof the word "one".

3. Strike all of line one hundred seventeen (117).

4. Strike all of line one hundred twenty-one (121).

5. Strike all of line one hundred twenty-five (125).

6. Add after line one hundred sixteen (116) the following: "Sixteenth (16th)".

7. Strike all of lines one hundred forty (140), one hundred forty-two (142), one hundred forty-four (144) and one hundred forty-five (145).

8. Strike from line one hundred fifty (150) the words ", except as otherwise indicated,".

9. Strike from line one hundred sixty-nine (169) the words "(two to be elected)".

JOSEPH B. FLATT.
VERN LISLE.
LEO ELTHON.
JOE N. WILSON.
LEROY GETTING.
JACOB GRIMSTEAD.
JOHN A. WALKER.
RICHARD L. STEPHENS.
DEWEY B. PHELPS.
HARRY L. COWDEN.
HOWARD VINCENT.
J. HENRY LUCKEN.
D. C. NOLAN.
JOHN L. CAMPBELL.
VERNON H. KYHL.
R. O. BURROWS.
EDWARD A. WEARIN.
HOWARD C. BUCK.
GEORGE L. SCOTT.
CHARLES F. GRIFFIN.
RICHARD C. TURNER.
J. T. DYKHOUSE.
EARL ELIJAH.
J. LOUIS FISHER.
IRVING D. LONG.
A. V. DORAN.

Amend Senate File 1 by striking all after the enacting clause and substitute the following in lieu thereof:

Section 1. The state shall be divided into fifty-three (53) legislative districts along county lines as they existed

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on January 1, 1964, as follows:

1. Lee and Van Buren counties shall constitute the first district.

2. Appanoose and Davis counties shall constitute the second district.

3. Wayne and Lucas counties shall constitute the third district.

4. Ringgold and Decatur counties shall constitute the fourth district.

5. Taylor and Adams counties shall constitute the fifth district.

6. Fremont and Page counties shall constitute the sixth district.

7. Mills and Montgomery counties shall constitute the seventh district.

8. Union and Clarke counties shall constitute the eighth district.

9. Monroe and Wapello counties shall constitute the ninth district.

10. Jefferson and Henry counties shall constitute the tenth district.

11. Louisa and Des Moines counties shall constitute the eleventh district.

12. Keokuk and Washington counties shall constitute the twelfth district.

13. Marion and Mahaska counties shall constitute the thirteenth district.

14. Warren and Jasper counties shall constitute the fourteenth district.

15. Madison and Dallas counties shall constitute the fifteenth district.

16. Cass and Adair counties shall constitute the sixteenth district.

17. Pottawattamie county shall constitute the seventeenth district.

18. Harrison and Monona counties shall constitute the eighteenth district.

19. Shelby and Crawford counties shall constitute the nineteenth district.

20. Audubon and Guthrie counties shall constitute the twentieth district.

21. Polk County shall constitute the twenty-first district.

22. Poweshiek and Tama counties shall constitute the twenty-second district.

23. Iowa and Johnson counties shall constitute the twenty-third district.

24. Cedar and Muscatine counties shall constitute the twenty-fourth district.

25. Scott county shall constitute the twenty-fifth district.

26. Clinton and Jackson counties shall constitute the twenty-sixth district.

27. Jones and Delaware counties shall constitute the twenty-seventh district.

28. Linn county shall constitute the twenty-eighth district.

29. Benton and Buchanan counties shall constitute the

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twenty-ninth district.

30. Marshall and Grundy counties shall constitute the thirtieth district.

31. Story and Hardin counties shall constitute the thirty-first district.

32. Greene and Boone counties shall constitute the thirty-second district.

33. Carroll and Calhoun counties shall constitute the thirty-third district.

34. Woodbury county shall constitute the thirty-fourth district.

35. Ida and Sac counties shall constitute the thirty-fifth district.

36. Webster and Humboldt counties shall constitute the thirty-sixth district.

37. Hamilton and Wright counties shall constitute the thirty-seventh district.

38. Black Hawk county shall constitute the thirty-eighth district.

39. Dubuque county shall constitute the thirty-ninth district.

40. Clayton and Allamakee counties shall constitute the fortieth district.

41. Bremer and Fayette counties shall constitute the forty-first district.

42. Franklin and Butler counties shall constitute the forty-second district.

43. Buena Vista and Pocahontas counties shall constitute the forty-third district.

44. Plymouth and Cherokee counties shall constitute the forty-fourth district.

45. Sioux and Lyon counties shall constitute the forty-fifth district.

46. O'Brien and Osceola counties shall constitute the forty-sixth district.

47. Clay and Palo Alto counties shall constitute the forty-seventh district.

48. Kossuth and Winnebago counties shall constitute the forty-eighth district.

49. Hancock and Cerro Gordo counties shall constitute the forty-ninth district.

50. Floyd and Chickasaw counties shall constitute the fiftieth district.

51. Howard and Winneshiek counties shall constitute the fifty-first district.

52. Worth and Mitchell counties shall constitute the fifty-second district.

53. Dickinson and Emmet counties shall constitute the fifty-third district.

Sec. 2. Each legislative district shall elect one Senator. (a) The electors of legislative districts numbered: 2, 3, 4, 5, 7, 8, 14, 15, 17, 19, 20, 23, 24, 27, 28, 30, 31, 32, 34, 35, 36, 40, 41, 42, 44, 45, 46, 47, 48, 49, 51, and 53 shall elect Senators in the 1964 General Election and every four (4) years thereafter;

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(b) Senators elected in 1962 and residing in legislative districts numbered: 1, 6, 9, 10, 11, 12, 13, 16, 18, 21, 22, 25, 26, 29, 33, 37, 38, 39, 43, 50, and 52 shall represent the respective districts in which they reside until successors are elected and qualified.

Sec. 3. The electors of each legislative district shall at the General Election in 1964 and every two (2) years thereafter elect one (1) representative, except:

(a) The following legislative districts consisting of two (2) counties shall have representatives as follows:

First District—Lee county, one (1) Van Buren county, one (1);

Ninth District—Monroe county, one (1), Wapello county, one (1);

Eleventh District—Des Moines county, one (1), Louisa county, one (1);

Thirteenth District—Mahaska county, one (1), Marion county, one (1);

Fourteenth District—Warren county, one (1), Jasper county, one (1);

Twenty-second District—Poweshiek county, one (1), Tama county, one (1);

Twenty-third District—Iowa county, one (1), Johnson county, two (2);

Twenty-fourth District—Cedar county, one (1), Muscatine county, one (1);

Twenty-sixth District—Clinton county, two (2), Jackson county, one (1);

Twenty-seventh District—Jones county, one (1), Delaware county, one (1);

Twenty-ninth District—Benton county, one (1), Buchanan county, one (1);

Thirtieth District—Marshall county, one (1), Grundy county, one (1);

Thirty-first District—Story county, two (2), Hardin county, one (1);

Thirty-second District—Boone county, one (1), Greene county, one (1);

Thirty-third District—Carroll county, one (1), Calhoun county, one (1);

Thirty-sixth District—Webster county, one (1), Humboldt county, one (1);

Thirty-seventh District—Hamilton county, one (1), Wright county, one (1);

Fortieth District—Clayton county, one (1), Allamakee county, one (1);

Forty-first District—Fayette county, one (1), Winneshiek county, one (1);

Forty-fourth District—Cherokee county, one (1), Plymouth county, one (1);

Forty-fifth District—Sioux county, one (1), Lyon county, one (1);

Forty-eighth District—Kossuth county, one (1), Winnebago county, one (1);

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Forty-ninth District—Hancock county, one (1), Cerro Gordo county, two (2);

(b) The following legislative districts consisting of one county shall have representatives as follows:

Seventeenth District—Pottawattamie county, three (3);

Twenty-first District—Polk county, eleven (11);

Twenty-fifth District—Scott county, five (5);

Twenty-eighth District—Linn county, five (5);

Thirty-fourth District—Woodbury county, four (4);

Thirty-eighth District—Black Hawk county, five (5);

Thirty-ninth District—Dubuque county, three (3).

Sec. 4. This Act being deemed of immediate importance shall take effect and be in full force from and after its passage and publication as provided by law.

D. C. NOLAN.

On motion of Senator Rigler, the Senate adjourned until 10:00 a.m., Friday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FRIDAY, FEBRUARY 28, 1964.

The Senate met in extraordinary session, President Mooty presiding.

Prayer was offered by Reverend George Myskens, pastor of the Trinity Reformed Church, Pella, Iowa.

PRESENTATION OF VISITORS

Senator Dykhouse asked and received unanimous consent to present to the Senate forty students from the Orange City Christian School who were present in the balcony accompanied by their instructors, Al Vanden Bosch and Ray Geerdes.

PROOF OF PUBLICATION

Published copy of House File 3 and verified proof of publication of said bill in The Tabor Beacon on February 26, 1964, 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 the Senate.*

AMENDMENTS FILED

Amend the Hill amendment to Senate File 1, filed February 27, 1964, as follows:

1. By adding the following new sections:

"Sec. 6. This Act shall be effective as to the nomination and election of senators in the year 1964 and thereafter. The term of office shall be four (4) years, except as herein provided to equalize the different classes. The terms of senators elected in 1960 for terms of four (4) years, or elected to fill a vacancy in any such terms, shall continue until December 31, 1964. The terms of senators elected in 1962 for terms of four (4) years, or elected to fill a vacancy in any such term, shall continue until December 31, 1966. The terms of senators elected in 1964 from the nineteenth (19th), twenty-sixth (26th) and forty-third (43rd) senatorial districts shall be for two (2) years. Thereafter they shall be elected for terms of four (4) years. The initial terms of those senators who represent an increase over entitlement under previous apportionment shall be divided by the Secretary of State equally by lot between two (2) and four (4) years, except that where possible the terms of senators within a senatorial district shall be made to fall in different classes.

Sec. 7. This Act shall be effective as to the nomination and election of representatives in the year 1964 and thereafter. The term of office shall be two (2) years. The terms of representatives elected in 1962 for terms of two (2) years, or subsequently elected

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to fill a vacancy in any such term, shall continue until December 31, 1964."

EUGENE M. HILL.

Amend Senate File 1 by striking all of section two (2) and inserting the following:

Sec. 2. Chapter forty-two (42), Code 1962, is repealed and the following enacted in lieu thereof:

"The House of Representatives shall be composed of members elected as follows:

A ratio shall be established by dividing the population of the state by one hundred. Each county having a population of one-half such ratio, or less, shall elect a member who shall have a voting power of one-half vote. Each county having a population between one-half ratio and one ratio shall elect a member who shall have a voting power of one vote. Each county having a population equal to one ratio, or more, shall elect one member for each segment of population equal to a ratio and one additional representative for any excess of population equal to a fraction of a ratio of one-half, or more; each of whom shall have a voting power of one vote."

VERN LISLE.

On motion of Senator Rigler, the Senate adjourned until 10:00 a.m., Monday, March 2, 1964.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MONDAY, MARCH 2, 1964.

The Senate met in extraordinary session, President Mooty presiding.

Prayer was offered by Reverend Melvin Mattox, pastor of the Grace Baptist Church, Winterset, Iowa.

PRESENTATION OF VISITORS

Senator Lucken asked and received unanimous consent to present to the Senate thirty-one students, members of the government class of the Ida Grove High School, who were present in the balcony accompanied by their instructor, Clara Bekman.

The Chair announced the consideration of Senate File 1.

The Chair also announced that the following Call of the Senate on Senate File 1 was on file and directed the Secretary to call the roll.

CALL OF THE SENATE

MR. PRESIDENT: Pursuant to Rule 5 of the Rules of the Senate of the Sixtieth General Assembly of Iowa in Extraordinary Session, we, the undersigned, do hereby request a Call of the Senate on Senate File 1, and all motions and amendments thereto.

RICHARD L. STEPHENS.
DAVID O. SHAFF.
CLIFFORD M. VANCE.
EDWARD A. WEARIN.
LEROY GETTING.
ROBERT R. RIGLER.
JOSEPH B. FLATT.
LEO ELTHON.
R. O. BURROWS.
HARRY L. COWDEN.
VERNON H. KYHL.
SEELEY G. LODWICK.
JOE N. WILSON.

Roll call revealed all members present, and the Chair declared the Call of the Senate in effect.

THIRD READING OF BILLS

On motion of Senator Rigler, Senate File 1, a bill for an act to provide for representation in the Senate and House of Representatives in the Sixty-first General Assembly and thereafter, was taken up and considered.

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Senator Turner moved that action on Senate File 1 be deferred, which motion was lost.

With reference to the consideration of Senate File 1, Senator Rigler asked and received unanimous consent that the presiding officer interpret the rules of procedure as liberally as possible, and that any question defeated may be considered a second time prior to any consideration by a conference committee.

Senator Hill called up the amendment to Senate File 1, filed by him on February 27 and found on pages 25-29, inclusive, of the Senate Journal.

Senator Hill asked and received unanimous consent to withdraw the amendment.

Senator Frommelt called up the amendment to Senate File 1, filed by Senators Mincks, Frommelt, O'Malley and Fulton February 27 and found on pages 29-34, inclusive, of the Senate Journal.

On motion of Senator Rigler, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

CALL OF THE SENATE

The Chair announced that the Call of the Senate was still in effect and directed the Secretary to call the roll.

Roll call revealed all members present.

The Senate resumed consideration of Senate File 1 and the amendment filed by Senators Frommelt, et al.

Senator Fulton asked and received unanimous consent to substitute the following amendment filed by Senators Mincks, Frommelt, O'Malley and Fulton for the amendment now under consideration by the Senate:

Amend Senate File 1 by striking all after the enacting clause and inserting in lieu thereof the following:

"Chapters forty-one (41) and forty-two (42), Code 1962, are hereby repealed and the following enacted in lieu thereof:

"Section 1. The state is hereby divided into fifty (50) legislative districts. The legislative districts shall be as follows:

1. Lee county shall constitute the first (1st) district.

2. Appanoose county, Davis county and Van Buren county shall constitute the second (2nd) district.

3. Lucas county, Monroe county and Wayne county shall constitute the third (3rd) district.

4. Decatur county, Ringgold county and Union county shall constitute the fourth (4th) district.

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5. Adams county, Montgomery county and Taylor county shall constitute the fifth (5th) district.

6. Fremont county, Mills county and Page county shall constitute the sixth (6th) district.

7. Des Moines county shall constitute the seventh (7th) district.

8. Henry county and Jefferson county shall constitute the eighth (8th) district.

9. Wapello county shall constitute the ninth (9th) district.

10. Louisa county and Washington county shall constitute the tenth (10th) district.

11. Keokuk county and Mahaska county shall constitute the eleventh (11th) district.

12. Marion county and Warren county shall constitute the twelfth (12th) district.

13. Adair county, Clarke county and Madison county shall constitute the thirteenth (13th) district.

14. Audubon county, Cass county and Shelby county shall constitute the fourteenth (14th) district.

15. Pottawattamie county shall constitute the fifteenth (15th) district.

16. Cedar county and Muscatine county shall constitute the sixteenth (16th) district.

17. Scott county shall constitute the seventeenth (17th) district.

18. Clinton county shall constitute the eighteenth (18th) district.

19. Jackson county and Jones county shall constitute the nineteenth (19th) district.

20. Linn county shall constitute the twentieth (20th) district.

21. Johnson county shall constitute the twenty-first (21st) district.

22. Benton county and Tama county shall constitute the twenty-second (22nd) district.

23. Iowa county and Poweshiek county shall constitute the twenty-third (23rd) district.

24. Marshall county shall constitute the twenty-fourth (24th) district.

25. Jasper county shall constitute the twenty-fifth (25th) district.

26. Story county shall constitute the twenty-sixth (26th) district.

27. Polk county shall constitute the twenty-seventh (27th) district.

28. Boone county and Greene county shall constitute the twenty-eighth (28th) district.

29. Dallas county and Guthrie county shall constitute the twenty-ninth (29th) district.

30. Carroll county, Crawford county and Sac county shall constitute the thirtieth (30th) district.

31. Harrison county and Monroe county shall constitute the thirty-first (31st) district.

32. Dubuque county shall constitute the thirty-second (32nd) district.

33. Buchanan county and Delaware county shall constitute the thirty-third (33rd) district.

34. Black Hawk county shall constitute the thirty-fourth (34th) district.

35. Hamilton county and Hardin county shall constitute the thirty-fifth (35th) district.

36. Webster county shall constitute the thirty-sixth (36th) district.

37. Buena Vista county, Calhoun county and Pocahontas county shall constitute the thirty-seventh (37th) district.

38. Cherokee county, Ida county and Plymouth county shall constitute the thirty-eighth (38th) district.

39. Woodbury county shall constitute the thirty-ninth (39th) district.

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40. Allamakee county and Clayton county shall constitute the fortieth (40th) district.

41. Fayette county and Winneshiek county shall constitute the forty-first (41st) district.

42. Bremer county, Butler county and Grundy county shall constitute the forty-second (42nd) district.

43. Franklin county, Humboldt county and Wright county shall constitute the forty-third (43rd) district.

44. Chickasaw county and Floyd county shall constitute the forty-fourth (44th) district.

45. Howard county, Mitchell county and Worth county shall constitute the forty-fifth (45th) district.

46. Cerro Gordo county shall constitute the forty-sixth (46th) district.

47. Hancock county, Kossuth county and Winnebago county shall constitute the forty-seventh (47th) district.

48. Clay county, Emmet county and Palo Alto county shall constitute the forty-eighth (48th) district.

49. Dickinson county, O'Brien county and Osceola county shall constitute the forty-ninth (49th) district.

50. Lyon county and Sioux county shall constitute the fiftieth (50th) district.

Sec. 2. The number of senators in the general assembly is hereby fixed at sixty (60). Senators shall be elected at large from the fifty (50) legislative districts. A senatorial population unit shall be determined by dividing the population of the state as shown by the last United States decennial census by sixty (60). Each legislative district shall elect one (1) senator and one (1) additional senator for each senatorial population unit above one (1). The remaining senators shall be apportioned among the legislative districts, one (1) senator to each district as follows:

1. For each legislative district, multiply the sum of the senatorial population unit by the number of senators allotted the district in accordance with paragraph one (1) of this section.

2. Subtract the product from the total population of the district.

3. Those districts with a population remainder nearest one (1) senatorial population unit shall each elect one (1) additional senator.

Sec. 3. The number of representatives in the general assembly is hereby fixed at one hundred twenty (120). Representatives shall be elected at large from the fifty (50) legislative districts. A representative population unit shall be determined by dividing the population of the state as shown by the last United States decennial census by one hundred twenty (120). Each legislative district shall elect one (1) representative for each representative population unit. The remaining representatives shall be apportioned among the legislative districts in the same manner as senators are apportioned in subsections one (1), two (2), and three (3) of section two (2) of this Act except that the representative population unit will be used in determining the allocation.

Sec. 4. Following each United States decennial census, the secretary of state shall certify the number of senators and representatives each legislative district shall elect. Such certification shall be made by July 1 following the year in which the decennial census is taken. The action of the secretary of state shall be effective for the nomination and election of senators and representatives at the next primary and general elections held after the year of the census.

Sec. 5. It shall be the duty of the secretary of state to provide that legislative districts eletcing more than one (1) senator shall elect such

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senators in alternating years so the terms of all senators within the district do not expire the same year. If the secretary of state determines that a legislative district is no longer entitled to elect an additional senator, no election shall be held at the succeeding primary and general elections for the office of the senator, or one (1) of the senators, whose term expires preceding the convening of the next regular session of the general assembly.

Sec. 6. Within ten (10) days after the effective date of this Act, the secretary of state shall certify the number of senators and representatives each legislative district shall elect in the 1964 general election. This Act shall not affect the term of office of senators now holding certificates of election from the present senatorial districts. In the event of any vacancy occurring in any senatorial district after the effective date of this Act it shall be filled by the electors of the district as it existed at the time the vacancy occurred. All senatorial districts whose senator's term expires at the end of the year 1964 shall elect one (1) senator for a full four (4) year term. The term of office of senators elected from districts electing more than one senator shall be determined by the secretary of state to comply with the provisions of this Act.

Sec. 7. This Act being deemed of immediate importance shall take effect and be in force from and after its passage and publication in ...., a newspaper published in ....., Iowa, and in ....., a newspaper published in ...., Iowa.

Senator Fulton asked and received unanimous consent to withdraw the amendment filed by Senators Mincks, et al., on February 27.

On motion of Senator Rigler, the Senate stood at ease until the fall of the gavel.

The Senate reconvened, President Mooty 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 adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 2, resolving that a committee of six be appointed to investigate conditions existing in the Pleasantville Community School District in Marion County.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 2

By Vermeer

Whereas, many citizens residing in the Pleasantville Community School District in Marion County are greatly concerned about the future of said school district, because of the fact that it now appears that it may not be possible to obtain a qualified teaching staff for the 1964-65 school year; and

Whereas, it is essential that the children of all school districts in the state receive adequate education; now, therefore,

Be Resolved by the House of Representatives, the Senate Concurring: That a committee of six (6) members be appointed, three (3) from the

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House of Representatives appointed by the Speaker, and three (3) from the Senate appointed by the President of the Senate, for purpose of investigating the conditions now existing in such school district, and the causes resulting in the apparent inability of such school district to obtain a qualified teaching staff for the next school year; and

Be It Further Resolved: That the said committee report to the General Assembly the results of its findings within ten (10) days, together with its recommendations of needed additional legislation, if any.

Senator Shivvers asked and received unanimous consent to take up for consideration House Concurrent Resolution 2.

Senator Beneke moved that House Concurrent Resolution 2 be referred to the committee on rules.

Senator Shivvers moved as a substitute that action on House Concurrent Resolution 2 be deferred, which motion prevailed.

APPOINTMENT OF PAGE

Lieutenant Governor Mooty announced the appointment of Margaret Schumacher of Iowa County as a Senate Page.

SUPPLEMENT TO REPORT OF JOINT COMMITTEE ON JOINT LEGISLATIVE EMPLOYEES

Senator Scott announced the resignation of Gladys Richardson and the appointment of Annabelle Ross, both of Polk County, as an Elevator Operator, effective February 23, 1964.

AMENDMENTS FILED

Amend the Flatt, et al., amendment to Senate File 1, filed February 27, 1964, line 1, by inserting after the numeral "1" the following: ", section one (1)".

JOE FLATT.

Amend the Flatt, et al., amendment to Senate File 1 as follows:

1. By striking in line 6 the word "one" and inserting in lieu thereof the word "two".

2. By striking in line 13 the following: ", one hundred forty-four (144)".

JOHN A. WALKER.

Amend section 2 of the Nolan amendment to Senate File 1 as follows:

1. Insert following line 120: "(c) In the year 1966 and every four (4) years thereafter, the electors in legislative districts numbered 25 (Scott), 28 (Linn), 34 (Woodbury), and 38 (Black Hawk) shall elect (1) additional senator, and the electors in legislative district numbered 21 (Polk) shall elect two (2) additional senators."

MARTIN WILEY.

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Amend the Nolan amendment filed February 27 to Senate File 1 as follows:

1. By striking the word "legislative" in line 4 and inserting in lieu thereof the word "senatorial".

2. By striking section 3 and inserting in lieu thereof the following:

"Sec. 3. Chapter forty-two (42), Code 1962, is hereby repealed and the following enacted in lieu thereof:

The House of Representatives shall be composed as follows and elect representatives in 1964 and each two years thereafter:

The counties of Lyon and Osceola shall comprise one district and elect one representative.

The county of Sioux shall comprise one district and elect one representative.

The county of Plymouth shall comprise one district and elect one representative.

The county of Woodbury shall comprise one district and elect five representatives.

The county of Harrison shall comprise one district and elect one representative.

The county of Pottawattamie shall comprise one district and elect four representatives.

The counties of Mills and Fremont shall comprise one district and elect one representative.

The county of O'Brien shall comprise one district and elect one representative.

The county of Cherokee shall comprise one district and elect one representative.

The counties of Ida and Monona shall comprise one district and elect one representative.

The county of Crawford shall comprise one district and elect one representative.

The counties of Shelby and Audubon shall comprise one district and elect one representative.

The county of Cass shall comprise one district and elect one representative.

The counties of Montgomery and Adams shall comprise one district and elect one representative.

The county of Page shall comprise one district and elect one representative.

The counties of Dickinson and Emmet shall comprise one district and elect one representative.

The county of Clay shall comprise one district and elect one representative.

The county of Buena Vista shall comprise one district and elect one representative.

The county of Sac shall comprise one district and elect one representative.

The county of Carroll shall comprise one district and elect one representative.

The counties of Palo Alto and Humboldt shall comprise one district and elect one representative.

The counties of Pocahontas and Calhoun shall comprise one district and elect one representative.

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The counties of Greene and Guthrie shall comprise one district and elect one representative.

The counties of Adair and Madison shall comprise one district and elect one representative.

The counties of Union and Clarke shall comprise one district and elect one representative.

The counties of Taylor and Ringgold shall comprise one district and elect one representative.

The county of Kossuth shall comprise one district and elect one representative.

The county of Webster shall comprise one district and elect two representatives.

The county of Boone shall comprise one district and elect one representative.

The county of Dallas shall comprise one district and elect one representative.

The counties of Decatur and Wayne shall comprise one district and elect one representative.

The counties of Winnebago and Hancock shall comprise one district and elect one representative.

The county of Wright shall comprise one district and elect one representative.

The county of Hamilton shall comprise one district and elect one representative.

The county of Story shall comprise one district and elect two representatives.

The county of Polk shall comprise one district and elect twelve representatives.

The county of Warren shall comprise one district and elect one representative.

The counties of Worth and Mitchell shall comprise one district and elect one representative.

The county of Cerro Gordo shall comprise one district and elect two representatives.

The counties of Franklin and Grundy shall comprise one district and elect one representative.

The county of Hardin shall comprise one district and elect one representative.

The county of Marshall shall comprise one district and elect two representatives.

The county of Jasper shall comprise one district and elect two representatives.

The county of Marion shall comprise one district and elect one representative.

The counties of Lucas and Monroe shall comprise one district and elect one representative.

The county of Floyd shall comprise one district and elect one representative.

The county of Butler shall comprise one district and elect one representative.

The counties of Howard and Chickasaw shall comprise one district and elect one representative.

The county of Bremer shall comprise one district and elect one representative.

The county of Black Hawk shall comprise one district and elect

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five representatives.

The county of Tama shall comprise one district and elect one representative.

The county of Poweshiek shall comprise one district and elect one representative.

The county of Mahaska shall comprise one district and elect one representative.

The county of Wapello shall comprise one district and elect two representatives.

The counties of Appanoose and Davis shall comprise one district and elect one representative.

The county of Winneshiek shall comprise one district and elect one representative.

The county of Fayette shall comprise one district and elect one representative.

The county of Buchanan shall comprise one district and elect one representative.

The county of Benton shall comprise one district and elect one representative.

The counties of Iowa and Keokuk shall comprise one district and elect one representative.

The counties of Jefferson and Van Buren shall comprise one district and elect one representative.

The county of Allamakee shall comprise one district and elect one representative.

The county of Clayton shall comprise one district and elect one representative.

The county of Delaware shall comprise one district and elect one representative.

The county of Linn shall comprise one district and elect six representatives.

The county of Johnson shall comprise one district and elect two representatives.

The county of Washington shall comprise one district and elect one representative.

The counties of Henry and Louisa shall comprise one district and elect one representative.

The county of Jones shall comprise one district and elect one representative.

The county of Cedar shall comprise one district and elect one representative.

The county of Muscatine shall comprise one district and elect one representative.

The county of Des Moines shall comprise one district and elect two representatives.

The county of Lee shall comprise one district and elect two representatives.

The county of Dubuque shall comprise one district and elect three representatives.

The county of Jackson shall comprise one district and elect one representative.

The county of Clinton shall comprise one district and elect two representatives.

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The county of Scott shall comprise one district and elect five representatives.".

DAVID O. SHAFF.
JACK SCHROEDER.

Amend the Nolan amendment to Senate File 1 as follows:

1. Strike the word "Winneshiek" in line 163 and substitute the word "Bremer".

2. Strike the word and figure "five (5)" in line 177 and substitute the word and figure "six (6)".

D. C. NOLAN.

Amend the Mincks, et al., amendment to Senate File 1 filed March 2, 1964 as follows:

1. Section 2, line 2, by striking "sixty (60)" and inserting in lieu thereof the following: "fifty-eight (58)".

2. Further amend section 2, line 5, by striking "sixty (60)" and inserting in lieu thereof the following: "fifty-eight (58)".

3. Section 3, line 2, by striking "one hundred twenty (120)" and inserting in lieu thereof the following: "one hundred sixteen (116)".

2. Further amend section 3, line 6, by striking "one hundred twenty (120)" and inserting in lieu thereof the following: "one hundred sixteen (116)".

ANDREW FROMMELT.
JAKE MINCKS.
GEORGE O'MALLEY.
ROBERT FULTON.

Amend the Nolan amendment to Senate File 1, filed February 27, 1964, as follows:

1. By striking from lines three (3) and four (4) the word "fifty-three (53)" and inserting in lieu thereof the word "fifty-four (54)".

2. By striking from line forty-seven (47) the word "Tama" and inserting in lieu thereof the word "Iowa".

3. By striking from line forty-nine (49) the words "Iowa and Johnson counties" and inserting in lieu thereof the words "Johnson county".

4. By striking from line fifty-four (54) the words "and Jackson counties" and inserting in lieu thereof the word "county".

5. By striking from line fifty-six (56) the word "Delaware" and inserting in lieu thereof the word "Jackson".

6. By striking from line fifty-nine (59) the word "Buchanan" and inserting in lieu thereof the word "Tama".

7. By inserting after line seventy-eight (78) the following:

"39. Delaware and Buchanan counties shall constitute the thirty-ninth district."

8. By striking from line seventy-nine (79) the number "39" and the word "thirty-ninth" and inserting in lieu thereof the number "40" and the word "fortieth".

9. By striking from line eighty-one (81) the number "40" and inserting in lieu thereof the number "41".

10. By striking from line eighty-two (82) the word "fortieth" and inserting in lieu thereof the word "forty-first".

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11. By striking from line eighty-three (83) the number "41" and inserting in lieu thereof the number "42".

12. By striking from line eighty-four (84) the word "forty-first" and inserting in lieu thereof the word "forty-second".

13. By striking from line eighty-five (85) the number "42" and inserting in lieu thereof the number "43".

14. By striking from line eighty-six (86) the word "forty-second" and inserting in lieu thereof the word "forty-third".

15. By striking from line eighty-seven (87) the number "43" and inserting in lieu thereof the number "44".

16. By striking from line eighty-eight (88) the word "forty-third" and inserting in lieu thereof the word "forty-fourth".

17. By striking from line eighty-nine (89) the number "44" and inserting in lieu thereof the number "45".

18. By striking from line ninety (90) the word "forty-fourth" and inserting in lieu thereof the word "forty-fifth".

19. By striking from line ninety-one (91) the number "45" and inserting in lieu thereof the number "46".

20. By striking from lines ninety-one (91) and ninety-two (92) the word "forty-fifth" and inserting in lieu thereof the word "forty-sixth".

21. By striking from line ninety-three (93) the number "46" and inserting in lieu thereof the number "47".

22. By striking from line ninety-four (94) the word "forty-sixth" and inserting in lieu thereof the word "forty-seventh".

23. By striking from line ninety-five (95) the number "47" and inserting in lieu thereof the number "48".

24. By striking from line ninety-six (96) the word "forty-seventh" and inserting in lieu thereof the word "forty-eighth".

25. By striking from line ninety-seven (97) the number "48" and inserting in lieu thereof the number "49".

26. By striking from line ninety-eight (98) the word "forty-eighth" and inserting in lieu thereof the word "forty-ninth".

27. By striking from line ninety-nine (99) the number "49" and inserting in lieu thereof the number "50".

28. By striking from line one hundred (100) the word "forty-ninth" and inserting in lieu thereof the word "fiftieth".

29. By striking from line one hundred one (101) the number "50" and inserting in lieu thereof the number "51".

30. By striking from line one hundred two (102) the word "fiftieth" and inserting in lieu thereof the word "fifty-first".

31. By striking from line one hundred three (103) the number "51" and inserting in lieu thereof the number "52".

32. By striking from line one hundred four (104) the word "fifty-first" and inserting in lieu thereof the word "fifty-second".

33. By striking from line one hundred five (105) the number "52" and inserting in lieu thereof the number "53".

34. By striking from line one hundred six (106) the word "fifty-second" and inserting in lieu thereof the word "fifty-third".

35. By striking from line one hundred seven (107) the number "53" and inserting in lieu thereof the number "54".

36. By striking from line one hundred eight (108) the word "fifty-third" and inserting in lieu thereof the word "fifty-fourth".

37. By striking all of line one hundred twelve (112) and inserting in lieu thereof the following:

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"35, 36, 39, 41, 42, 43, 45, 46, 47, 48, 49, 50, 52, and 54 shall".

38. By striking from line one hundred seventeen (117) all after the number "38," and inserting in lieu thereof the following: "40, 44, 51, and 53".

39. By striking from line one hundred thirty-seven (137) the word "Tama" and inserting in lieu thereof the word "Iowa".

40. By striking all of lines one hundred thirty-eight (138) and one hundred thirty-nine (139).

41. By striking all of lines one hundred forty-two (142) and one hundred forty-three (143).

42. By striking from line one hundred forty-five (145) the word "Delaware" and inserting in lieu thereof the word "Jackson".

43. By striking from line one hundred forty-seven (147) the word "Buchanan" and inserting in lieu thereof the word "Tama".

44. By inserting after line one hundred fifty-nine (159) the following:

"Thirty-ninth District—Delaware county, one (1), Buchanan county one (1);"

45. By striking from line one hundred sixty (160) the word "Fortieth" and inserting in lieu thereof the word "Forty-first".

46. By striking from line one hundred sixty-two (162) the word "Forty-first" and inserting in lieu thereof the word "Forty-second".

47. By striking from line one hundred sixty-four (164) the word "Forty-fourth" and inserting in lieu thereof the word "Forty-fifth".

48. By striking from line one hundred sixty-six (166) the word "Forty-fifth" and inserting in lieu thereof the word "Forty-sixth".

49. By striking from line one hundred sixty-eight (168) the word "Forty-eighth" and inserting in lieu thereof the word "Forty-ninth".

50. By striking from line one hundred seventy (170) the word "Forty-ninth" and inserting in lieu thereof the word "Fiftieth".

51. By inserting after line one hundred seventy-five (175) the following:

"Twenty-third District—Johnson county, two (2);"

52. By inserting after line one hundred seventy-six (176) the following:

"Twenty-fifth District—Clinton county, two (2);"

53. By striking from line one hundred eighty (180) the word "Thirty-ninth" and inserting in lieu thereof the word "Fortieth".

KENNETH BENDA.

Amend the Mincks, et al., amendment to Senate File 1, filed March 2, 1964, as follows:

1. By amending section four (4) by adding thereto the following sentence:

"If the secretary of state determines that a legislative district is no longer entitled to elect an additional senator, no election shall be held at the succeeding primary and general elections for the office of the senator, or one (1) of the senators, whose term expires preceding the convening of the next regular session of the general assembly."

2. By striking all of section five (5) and inserting in lieu thereof the following:

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"Sec. 5. Senators from the legislative districts numbered 2, 3, 4, 5, 11, 12, 13, 15, 16, 20, 21, 24, 28, 29, 33, 36, 38, 39, 40, 41, 42, 46, 47, 48, 49, and 50 shall be elected in the 1964 general election and every four (4) years thereafter." Senators from the legislative districts numbered 19, 26, and 43 shall be elected in the 1964 general election for two (2) year terms and every four (4) years thereafter. Senators elected in 1962 and residing in legislative districts numbered 1, 6, 7, 8, 9, 10, 14, 17, 18, 22, 23, 25, 27, 30, 31, 32, 34, 35, 37, 44, and 45, shall represent the legislative districts in which they reside until successors are elected and qualified.

In districts electing more than one (1) senator, such senators shall be elected in alternating years so the terms of all senators within the districts do not expire the same year. For the 1964 general elections, one-half of the senators shall be elected for four (4) year terms and one-half of the senators for two (2) year terms. Thereafter, the terms of all senators in such districts shall be for four (4) years. In districts electing more than one (1) senator where the number being elected is uneven, the majority of such senators shall be elected for four (4) year terms. The provisions of this paragraph shall not affect the term of office of those senators elected in 1962 but the term of such senators shall be taken into consideration in determining the length of terms of senators in districts electing more than one senator.

3. By striking all of section six (6) and inserting in lieu thereof the following:

"Sec. 6. Within ten (10) days after the effective date of this Act, the secretary of state shall certify the number of senators and representatives each legislative district shall elect in the 1964 general election. In the event of any vacancy occurring in any senatorial district after the effective date of this Act it shall be filled by the electors of the district as it existed at the time the vacancy occurred. The term of office of senators elected from districts electing more than one senator shall be determined by the secretary of state to comply with the provisions of this Act."

ROBERT D. FULTON.

On motion of Senator Rigler, the Senate adjourned until 10:00 a.m., Tuesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, TUESDAY, MARCH 3, 1964.

The Senate met in extraordinary session, President Mooty presiding.

Prayer was offered by Reverend Wilbur Wood, pastor of the First Presbyterian Church, Avoca, Iowa.

PRESENTATION OF VISITORS

Senator Flatt asked and received unanimous consent to present to the Senate Torben K. Svendsen from Espe, Denmark, an exchange student attending Winterset High School who was present in the Senate chamber. Senator Flatt also presented Kirk Graves of the Winterset High School who is Torben's American brother.

Senator Burrows asked and received unanimous consent to present to the Senate Helena Sanchey, an exchange student from Colombia, South America, attending the Belle Plaine High School, who was present in the Senate chamber accompanied by her classmate, Cynthia Dreibelbis.

Senator Nolan asked and received unanimous consent to present to the Senate thirty-five students from the Coralville High School who were present in the balcony accompanied by their instructors, Mary Allaire and Wayne Peters.

CALL OF THE SENATE

The Chair announced that the Call of the Senate was still in effect and directed the Secretary to call the roll.

Roll call revealed all members present.

The Senate resumed consideration of Senate File 1, a bill for an act to provide for representation in the Senate and House of Representatives in the Sixty-first General Assembly and thereafter, and the following amendment filed by Senator Fulton to the Mincks, et al., amendment found on pages 42-45, inclusive, of the Senate Journal:

Amend the amendment as follows:

1. By amending section four (4) by adding thereto the following sentence: "If the secretary of state determines that a legislative district is no longer entitled to elect an additional senator, no election shall be held at the succeeding primary and general elections for the office of the senator, or one (1) of the senators, whose term expires preceding the convening of the next regular session of the general assembly."

2. By striking all of section five (5) and inserting in lieu thereof the following:

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"Sec. 5. Senators from the legislative districts numbered 2, 3, 4, 5, 11, 12, 13, 15, 16, 20, 21, 24, 28, 29, 33, 36, 38, 39, 40, 41, 42, 46, 47, 48, 49, and 50 shall be elected in the 1964 general election and every four (4) years thereafter." Senators from the legislative districts numbered 19, 26, and 43 shall be elected in the 1964 general election for two (2) year terms and every four (4) years thereafter. Senators elected in 1962 and residing in legislative districts numbered 1, 6, 7, 8, 9, 10, 14, 17, 18, 22, 23, 25, 27, 30, 31, 32, 34, 35, 37, 44, and 45, shall represent the legislative districts in which they reside until successors are elected and qualified.

In districts electing more than one (1) senator, such senators shall be elected in alternating years so the terms of all senators within the districts do not expire the same year. For the 1964 general elections, one-half of the senators shall be elected for four (4) year terms and one-half of the senators for two (2) year terms. Thereafter, the terms of all senators in such districts shall be for four (4) years. In districts electing more than one (1) senator where the number being elected is uneven, the majority of such senators shall be elected for four (4) year terms. The provisions of this paragraph shall not affect the term of office of those senators elected in 1962 but the term of such senators shall be taken into consideration in determining the length of terms of senators in districts electing more than one senator.

3. By striking all of section six (6) and inserting in lieu thereof the following:

"Sec. 6. Within ten (10) days after the effective date of this Act, the secretary of state shall certify the number of senators and representatives each legislative district shall elect in the 1964 general election. In the event of any vacancy occurring in any senatorial district after the effective date of this Act it shall be filled by the electors of the district as it existed at the time the vacancy occurred. The term of office of senators elected from districts electing more than one senator shall be determined by the secretary of state to comply with the provisions of this Act."

On motion of Senator Fulton, the amendment to the amendment was adopted.

Senator Frommelt offered the following amendment to the amendment filed by Senators Frommelt, Mincks, O'Malley and Fulton:

Amend the amendment as follows:

1. Section 2, line 2, by striking "sixty (60)" and inserting in lieu thereof the following: "fifty-eight (58)".

2. Further amend section 2, line 5, by striking "sixty (60)" and inserting in lieu thereof the following: "fifty-eight (58)".

3. Section 3, line 2, by striking "one hundred twenty (120)" and inserting in lieu thereof the following: "one hundred sixteen (116)".

2. Further amend section 3, line 6, by striking "one hundred twenty (120)" and inserting in lieu thereof the following: "one hundred sixteen (116)".

Senator Frommelt moved the adoption of the amendment to the amendment, which motion was lost.

Senator Mincks moved the adoption of the amendment as amended and requested a roll call.

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On the question "Shall the amendment as amended be adopted?" the vote was:

Ayes, 10:

Brown	Frommelt	Hill	O'Malley
Coleman	Fulton	Mincks	Walker
Dodds	Hansen		

Nays, 40:

Benda	Elthon	Long	Shoeman
Beneke	Elvers	Lucken	Stephens
Buck	Fisher	Main	Turner
Burrows	Flatt	Nolan	Vance
Campbell	Getting	Phelps	Van Eaton
Cowden	Griffin	Rigler	Vincent
Curran	Grimstead	Schroeder	Walter
Doran	Kyhl	Scott	Wearin
Dykhouse	Lisle	Shaff	Wiley
Elijah	Lodwick	Shivvers	Wilson

Absent or not voting, none.

The amendment as amended was lost.

Senator Nolan offered the following amendment:

Amend Senate File 1 by striking all after the enacting clause and substitute the following in lieu thereof:

Section 1. The state shall be divided into fifty-three (53) legislative districts along county lines as they existed on January 1, 1964, as follows:

1. Lee and Van Buren counties shall constitute the first district.
2. Appanoose and Davis counties shall constitute the second district.
3. Wayne and Lucas counties shall constitute the third district.
4. Ringgold and Decatur counties shall constitute the fourth district.
5. Taylor and Adams counties shall constitute the fifth district.
6. Fremont and Page counties shall constitute the sixth district.
7. Mills and Montgomery counties shall constitute the seventh district.
8. Union and Clarke counties shall constitute the eighth district.
9. Monroe and Wapello counties shall constitute the ninth district.
10. Jefferson and Henry counties shall constitute the tenth district.
11. Louisa and Des Moines counties shall constitute the eleventh district.
12. Keokuk and Washington counties shall constitute the twelfth district.
13. Marion and Mahaska counties shall constitute the thirteenth district.
14. Warren and Jasper counties shall constitute the fourteenth district.
15. Madison and Dallas counties shall constitute the fifteenth district.
16. Cass and Adair counties shall constitute the sixteenth district.
17. Pottawattamie county shall constitute the seventeenth district.
18. Harrison and Monona counties shall constitute the eighteenth district.
19. Shelby and Crawford counties shall constitute the nineteenth district.
20. Audubon and Guthrie counties shall constitute the twentieth district.
21. Polk County shall constitute the twenty-first district.
22. Poweshiek and Tama counties shall constitute the twenty-second district.
23. Iowa and Johnson counties shall constitute the twenty-third district.
24. Cedar and Muscatine counties shall constitute the twenty-fourth district.

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25. Scott county shall constitute the twenty-fifth district.
26. Clinton and Jackson counties shall constitute the twenty-sixth district.
27. Jones and Delaware counties shall constitute the twenty-seventh district.
28. Linn county shall constitute the twenty-eighth district.
29. Benton and Buchanan counties shall constitute the twenty-ninth district.
30. Marshall and Grundy counties shall constitute the thirtieth district.
31. Story and Hardin counties shall constitute the thirty-first district.
32. Greene and Boone counties shall constitute the thirty-second district.
33. Carroll and Calhoun counties shall constitute the thirty-third district.
35. Ida and Sac counties shall constitute the thirty-fifth district.
36. Webster and Humboldt counties shall constitute the thirty-sixth district.
37. Hamilton and Wright counties shall constitute the thirty-seventh district.
38. Black Hawk county shall constitute the thirty-eighth district.
39. Dubuque county shall constitute the thirty-ninth district.
40. Clayton and Allamakee counties shall constitute the fortieth district.
41. Bremer and Fayette counties shall constitute the forty-first district.
42. Franklin and Butler counties shall constitute the forty-first district.
43. Buena Vista and Pocahontas counties shall constitute the forty-third district.
44. Plymouth and Cherokee counties shall constitute the forty-fourth district.
45. Sioux and Lyon counties shall constitute the forty-fifth district.
46. O'Brien and Osceola counties shall constitute the forty-sixth district.
47. Clay and Palo Alto counties shall constitute the forty-seventh district.
48. Kossuth and Winnebago counties shall constitute the forty-eighth district.
49. Hancock and Cerro Gordo counties shall constitute the forty-ninth district.
50. Floyd and Chickasaw counties shall constitute the fiftieth district.
51. Howard and Winneshiek counties shall constitute the fifty-first district.
52. Worth and Mitchell counties shall constitute the fifty-second district.
53. Dickinson and Emmet counties shall constitute the fifty-third district.

Sec. 2. Each legislative district shall elect one Senator. (a) The electors of legislative districts numbered: 2, 3, 4, 5, 7, 8, 14, 15, 17, 19, 20, 23, 24, 27, 28, 30, 31, 32, 34, 35, 36, 40, 41, 42, 44, 45, 46, 47, 48, 49, 51, and 53 shall elect Senators in the 1964 General Election and every four (4) years thereafter.

(b) Senators elected in 1962, and residing in legislative districts numbered: 1, 6, 9, 10, 11, 12, 13, 16, 18, 21, 22, 25, 26, 29, 33, 37, 38, 39, 43, 50, and 52 shall represent the respective districts in which they reside until successors are elected and qualified.

Sec. 3. The electors of each legislative district shall at the General Election in 1964 and every two (2) years thereafter elect one (1) representative, except:

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(a) The following legislative districts consisting of two (2) counties shall have representatives as follows:

First District—Lee county, one (1) Van Buren county, one (1);

Ninth District—Monroe county, one (1), Wapello county, one (1);

Eleventh District—Des Moines county, one (1), Louisa county, one (1);

Thirteenth District—Mahaska county, one (1), Marion county, one (1);

Fourteenth District—Warren county, one (1), Jasper county, one (1);

Twenty-second District—Poweshiek county, one (1), Tama county, one (1);

Twenty-third District—Iowa county, one (1), Johnson county, two (2);

Twenty-fourth District—Cedar county, one (1), Muscatine county, one (1);

Twenty-sixth District—Clinton county, two (2), Jackson county, one (1);

Twenty-seventh District—Jones county, one (1), Delaware county one (1);

Twenty-ninth District—Benton county, one (1), Buchanan county, one (1);

Thirtieth District—Marshall county, one (1), Grundy county, one (1);

Thirty-first District—Story county, two (2), Hardin county, one (1);

Thirty-second District—Boone county, one (1), Greene county, one (1);

Thirty-third District—Carroll county, one (1), Calhoun county, one (1);

Thirty-sixth District—Webster county, one (1), Humboldt county, one (1);

Thirty-seventh District—Hamilton county, one (1), Wright county, one (1);

Fortieth District—Clayton county, one (1), Allamakee county, one (1);

Forty-first District—Fayette county, one (1), Winneshiek county, one (1);

Forty-fourth District—Cherokee county, one (1), Plymouth county, one (1);

Forty-fifth District—Sioux county, one (1), Lyon county, one (1);

Forty-eight District—Kossuth county, one (1), Winnebago county, one (1);

Forty-ninth District—Hancock county, one (1), Cerro Gordo county, two (2).

(b) The following legislative districts consisting of one county shall have representatives as follows:

Seventeenth District—Pottawattamie county, three (3);

Twenty-first District—Polk county, eleven (11);

Twenty-fifth District—Scott county, five (5);

Twenty-eighth District—Linn county, five (5);

Thirty-fourth District—Woodbury county, four (4);

Thirty-eighth District—Black Hawk county, five (5);

Thirty-ninth District—Dubuque county, three (3).

Sec. 4. This Act being deemed of immediate importance shall take effect and be in full force from and after its passage and publication as provided by law.

Senator Nolan offered the following amendment to the amendment and moved its adoption:

1. Strike the word "Winneshiek" in line 163 and substitute the word "Bremer".

2. Strike the word and figure "five (5)" in line 177 and substitute the word and figure "six (6)".

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The amendment to the amendment was adopted.

Senator Wiley asked and received unanimous consent to withdraw the amendment to the amendment filed by Senator Nolan, filed by him on March 2 and found on page 46 of the Senate Journal.

Senator Wiley offered the following amendment to the amendment and moved its adoption:

Amend section 2 of the Nolan amendment to Senate File 1 as follows:

1. Insert following line 120: "(c) In the year 1964, an additional senator shall be elected in legislative districts numbered 25 (Scott), 28 (Linn) and 34 (Woodbury) for a period of two (2) years, and thereafter such additional senators for a period of four (4) years, and the electors in legislative districts numbered 38 (Black Hawk) in the year 1964 shall elect an additional senator for a period of four (4) years; and the electors in legislative district numbered 21 (Polk) shall in the year 1964 elect two (2) additional senators for a period of two (2) years, and thereafter two (2) additional senators for a period of four (4) years each."

STATEMENT BY THE CHAIR

Defeat or adoption of the Wiley amendment will not affect further consideration of the same paragraph if the main subject to which it is applied is different . . . this means that the defeat or adoption of the Wiley amendment will not affect consideration of the Flatt amendment.

The amendment to the amendment was lost.

Action on the amendment by Senator Nolan temporarily deferred.

Senator Lisle called up the following amendment to Senate File 1:

Amend Senate File 1 by striking all of section two (2) and inserting the following:

Sec. 2. Chapter forty-two (42), Code 1962, is repealed and the following enacted in lieu thereof:

"The House of Representatives shall be composed of members elected as follows:

A ratio shall be established by dividing the population of the state by one hundred. Each county having a population of one-half such ratio, or less, shall elect a member who shall have a voting power of one-half vote. Each county having a population between one-half ratio and one ratio shall elect a member who shall have a voting power of one vote. Each county having a population equal to one ratio, or more, shall elect one member for each segment of population equal to a ratio and one additional representative for any excess of population equal to a fraction of a ratio of one-half, or more; each of whom shall have a voting power of one vote."

Senator Lisle asked and received unanimous consent to withdraw the amendment.

On motion of Senator Rigler, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Vance presiding.

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CALL OF THE SENATE

Roll call revealed all members present.

The Senate resumed consideration of Senate File 1.

Senator Nolan asked and received unanimous consent to withdraw the amendment filed by him, and all amendments filed thereto.

Senator Flatt called up the following amendment filed by Senators Flatt, et al.:

Amend Senate File 1 as follows:

1. Strike from lines thirty-nine (39), forty-five (45), seventy-three (73) and eighty-three (83) the word "two" in each instance and insert in lieu thereof the word "one".
2. Strike from line fifty-nine (59) the word "three" and insert in lieu thereof the word "one".
3. Strike all of line one hundred seventeen (117).
4. Strike all of line one hundred twenty-one (121).
5. Strike all of line one hundred twenty-five (125).
6. Add after line one hundred sixteen (116) the following: "Sixteenth (16th)".
7. Strike all of lines one hundred forty (140), one hundred forty-two (142), one hundred forty-four (144) and one hundred forty-five (145).
8. Strike from line one hundred fifty (150) the words ", except as otherwise indicated,".
9. Strike from line one hundred sixty-nine (169) the words "(two to be elected)".

Senator Flatt offered the following amendment to the amendment and moved its adoption:

Amend line 1 of the amendment, by inserting after the numeral "1" the following: ", section one (1)".

The amendment to the amendment was adopted.

Senator Walker offered the following amendment to the amendment and moved its adoption:

Amed the amendment as follows:

1. By striking in line 6 the word "one" and inserting in lieu thereof the word "two".
2. By striking in line 13 the following: ", one hundred forty-four (144)".

President Mooty took the chair at 2:20 p.m.

Roll call was requested.

On the question "Shall the amendment to the amendment be adopted?" the vote was:

Rule 8 was invoked.

Ayes, 33:

Brown	Burrows	Cowden	Doran
Buck	Campbell	Curran	Elijah

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Elthon	Kyhl	Phelps	Vance
Elvers	Lisle	Rigler	Vincent
Fisher	Long	Scott	Walker
Flatt	Lucken	Shivvers	Walter
Getting	Main	Shoeman	Wearin
Griffin	Nolan	Stephens	Wilson
Grimstead			

Nays, 17:

Benda	Frommelt	Lodwick	Shaff
Beneke	Fulton	Mincks	Turner
Coleman	Hansen	O'Malley	Van Eaton
Dodds	Hill	Schroeder	Wiley
Dykhouse			

Absent or not voting, none.

The amendment to the amendment was adopted.

Senator Flatt moved the adoption of the amendment as amended.

Roll call was requested.

On the question "Shall the amendment as amended be adopted?" the vote was:

Ayes, 29:

Buck	Fisher	Long	Sheeman
Campbell	Flatt	Lucken	Stephens
Cowden	Getting	Main	Turner
Doran	Griffin	Nolan	Vincent
Dykhouse	Grimstead	Phelps	Walker
Elijah	Kyhl	Scott	Wearin
Elthon	Lisle	Shivvers	Wilson
Elvers			

Nays, 21:

Benda	Dodds	Lodwick	Shaff
Beneke	Frommelt	Mincks	Vance
Brown	Fulton	O'Malley	Van Eaton
Burrows	Hansen	Rigler	Walter
Coleman	Hill	Schroeder	Wiley
Curran			

Absent or not voting, none.

The amendment as amended was adopted.

Senator Flatt offered the following amendment and moved its adoption:

Amend Senate File 1, section 1, as follows:

1. Line 4 by striking the word "fifty-six" and inserting in lieu thereof the word "fifty-one".

2. By striking all of line 160.

The amendment was adopted.

Senator Rigler moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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On the question "Shall the bill pass?" the vote was:

Ayes, 34:

Benda	Elijah	Lisle	Shoeman
Beneke	Elthon	Lodwick	Stephens
Buck	Elvers	Long	Turner
Burrows	Fisher	Lucken	Vance
Campbell	Flatt	Nolan	Vincent
Cowden	Getting	Rigler	Walker
Curran	Griffin	Scott	Wearin
Doran	Grimstead	Shivvers	Wilson
Dykhouse	Kyhl		

Nays, 16:

Brown	Fulton	Mincks	Shaff
Coleman	Hansen	O'Malley	Van Eaton
Dodds	Hill	Phelps	Walter
Frommelt	Main	Schroeder	Wiley

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 Rigler asked and received unanimous consent to have 500 copies of Senate File 1 as passed by the Senate printed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 1, a bill for an act authorizing indebtedness for establishment of junior colleges.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 3, resolving that the General Assembly respectfully request the President of the United States to base agreements on a level no higher than the meat import average of the years 1958 through 1962.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 3

Whereas, the current livestock market prices are disastrously low resulting in a depression of Iowa's total economy; and

Whereas, the recent red meat import voluntary agreements with Australia, New Zealand, and Ireland do not contribute to a sound agricultural economy; and

Whereas, the President of the United States has the executive authority under the existing law to administer meat imports; now therefore,

Be It Resolved by the House of Representatives of the State of Iowa, the Senate Concurring, that the General Assembly respectfully request the President of the United States to base agreements on a level no higher than the import average of the years 1958 through 1962.

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Be It Further Resolved, that a copy of this resolution be sent to the President of the United States and to the members of Congress from Iowa.

HOUSE MESSAGES CONSIDERED

House File 1, a bill for an act to authorize school corporations to incur indebtedness and issue bonds to defray the cost of building, furnishing, reconstructing, repairing, improving or remodeling public community or junior college buildings and additions thereto, and procuring a site or sites therefor, and to repeal chapter one hundred seventy-nine (179), Acts of the Sixtieth General Assembly.

Read first and second times and referred to committee on rules.

Senator Beneke called up for consideration House Concurrent Resolution 3 and moved its adoption.

The motion prevailed and the resolution was adopted.

On motion of Senator Rigler, the Senate adjourned until 10:00 a.m., Wednesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, WEDNESDAY, MARCH 4, 1964.

The Senate met in extraordinary session, President Mooty presiding.

Prayer was offered by Reverend Harold Butts, pastor of the Methodist Church and Center Chapel Church, Indianola, Iowa.

PRESENTATION OF VISITORS

Senator Buck asked and received unanimous consent to present to the Senate eighty-six students, members of the senior class of the West Marshall Community High School, State Center, who were present in the balcony accompanied by their instructor, Helen Marie Young.

INTRODUCTION OF BILLS

Senate File 2, by committee on rules, a bill for an act relating to joint construction and financing of bridges and highways by cities and counties.

Read first and second times and placed on the calendar.

Senate File 3, by committee on rules, a bill for an act to legalize and validate the special election of North Mahaska Community School District in the counties of Mahaska and Poweshiek, State of Iowa, held on January 30, 1964, for the issuance of eight hundred sixty-one thousand dollars ($861,000.00) of school bonds.

Read first and second times and placed on the calendar.

Senate File 4, by committee on rules, a bill for an act to legalize and validate proceedings of school corporations providing for the organization, establishment and maintenance of public community or junior colleges.

Read first and second times and placed on the calendar.

Senate File 5, by committee on rules, a bill for an act to legalize and validate the proceedings enlarging the boundaries of the Community School District of Fort Dodge, in the County of Webster, State of Iowa, and declaring the enlarged boundaries of said school district to be legally established.

Read first and second times and placed on the calendar.

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Senate File 6, by committee on rules, a bill for an act to legalize certain corporations formed under chapter two (2) of Title IX, Code of 1897, or chapter three hundred ninety-four (394) of the Codes of 1924, 1927, 1931, 1935 and 1939, or chapter five hundred four (504) of the Codes of 1946, 1950, 1954, 1958 and 1962 or purporting to have been organized, reincorporated or renewed thereunder.

Read first and second times and placed on the calendar.

Senate File 7, by committee on rules, a bill for an act to legalize and validate proceedings providing for the organization, reorganization, enlargement, or change in the boundaries of school corporations.

Read first and second times and placed on the calendar.

SENATE FILE 1 MESSAGED TO HOUSE

Senator Rigler asked and received unanimous consent that Senate File 1 be immediately messaged to the House.

REPORT OF COMMITTEE

Senator Vance submitted the following report:

MR. PRESIDENT: Your committee on rules to which was referred **House File 1**, a bill for an act to authorize school corporations to incur indebtedness and issue bonds to defray the cost of building, furnishing, reconstructing, repairing, improving or remodeling public community or junior college buildings and additions thereto, and procuring a site or sites therefor, and to repeal chapter one hundred seventy-nine (179), Acts of the Sixtieth General Assembly, begs leave to report it has had the same under consideration and recommends the same **do pass.**

CLIFFORD M. VANCE, *Chairman.*

Ordered passed on file.

THIRD READING OF BILLS

On motion of Senator Shaff, House File 1, a bill for an act to authorize school corporations to incur indebtedness and issue bonds to defray the cost of building, furnishing, reconstructing, repairing, improving or remodeling public community or junior college buildings and additions thereto, and procuring a site or sites therefor, and to repeal chapter one hundred seventy-nine (179), Acts of the Sixtieth General Assembly, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Shaff moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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On the question "Shall the bill pass?" the vote was:

Ayes, 50:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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 Shaff asked and received unanimous consent that House File 1 be immediately messaged to the House.

SENATE CONCURRENT RESOLUTION 4

By Nolan and Turner

Whereas, the Iowa State Highway Commission handles road funds in excess of two hundred million dollars annually and is concerned with the construction, maintenance and administration of highways which include the super highways of the Interstate system as well as the secondary farm-to-market road system;

And Whereas, expenditures of public funds for highway purposes should be done in such a manner as to provide the highway users and the citizens of Iowa with a sound highway program, getting a dollar's worth of value for every dollar spent, whether it be on construction, maintenance or administration;

And Whereas, in recent months it has been noted that changes in highway planning and construction have been ordered on Interstate Highway 80 in which Portland Cement paving was replaced by an asphalt paving, and further that the question of conduct of some business practices by the committee members has been raised;

And Whereas, the Legislative Budget and Financial Control committee has started hearings on matters concerning the operations of the Iowa Highway Commission and business practices of the Commissioners but has not completed such hearings,

Now Therefore, Be It Resolved by the Senate with the House Concurring, that the Legislative Budget and Financial Control Committee be directed to continue forthwith in its investigation of the conduct of the management and affairs of the Iowa State Highway Commission under sections 2.43 and 2.44 of the Iowa Code and to determine whether or not legislation is needed in the field of highway management and to make such a report within thirty days after the convening of the Sixty-first General Assembly in January, 1965.

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PROOFS OF PUBLICATION

Published copy of Senate File 8 and verified proof of publication of said bill in the New Sharon Star on February 27, 1964, 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 2 and verified proof of publication of said bill in The Daily Times, Missouri Valley, Iowa, on February 27, 1964, 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 8 and verified proof of publication of said bill in the Harlan News-Advertiser on March 2, 1964, 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 the Senate.*

On motion of Senator Rigler, the Senate adjourned until 10:00 a.m., Thursday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, THURSDAY, MARCH 5, 1964.

The Senate met in extraordinary session, President Mooty presiding.

Prayer was offered by Reverend B. J. Ukena, pastor of the First Presbyterian Church, Ankeny, Iowa.

PRESENTATION OF VISITORS

Senator Benda asked and received unanimous consent to present to the Senate sixty students, members of the government class of the Iowa Valley School, Marengo, who were present in the balcony accompanied by their instructors, Steven Rye and Charles Stalker. Senator Benda also stated that our Page, Margaret Schumacher, was a member of the class.

Senator Hill asked and received unanimous consent to present to the Senate one hundred ten students, members of the government and history classes of the Lynnville-Sully Community School, who were present in the balcony accompanied by their instructors, John Vandenberg and John Smalldridge.

Senator Kyhl asked and received unanimous consent to present to the Senate forty-one students from the Reinbeck Community School who were present in the balcony accompanied by their instructors, Jerry Rosonke and Edward Jackson.

Senator Rigler asked and received unanimous consent that the Senate take up for consideration the bills on the Senate calendar.

THIRD READING OF BILLS

On motion of Senator O'Malley, Senate File 2, a bill for an act relating to joint construction and financing of bridges and highways by cities and counties, was taken up and considered.

Senator O'Malley offered the following amendment and moved its adoption:

Amend Senate File 2 by striking section 2 and inserting in lieu thereof the following:

Sec. 2. This Act, being deemed of immediate importance, shall be in full force and effect from and after publication in the Highland Park News, a newspaper published at Des Moines, Iowa, and The Gowrie News, a newspaper published at Gowrie, Iowa.

The amendment was adopted.

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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 question "Shall the bill pass?" the vote was:

Ayes, 49:

Benda	Elvers	Lodwick	Shivvers
Beneke	Fisher	Long	Shoeman
Brown	Flatt	Lucken	Stephens
Buck	Frommelt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Coleman	Griffin	O'Malley	Vincent
Cowden	Grimstead	Phelps	Walker
Curran	Hansen	Rigler	Walter
Dodds	Hill	Schroeder	Wearin
Doran	Kyhl	Scott	Wiley
Dykhouse	Lisle	Shaff	Wilson
Elthon			

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 Campbell, Senate File 3, a bill for an act to legalize and validate the special election of North Mahaska Community School District in the counties of Mahaska and Poweshiek, State of Iowa, held on January 30, 1964, for the issuance of eight hundred sixty-one thousand dollars ($861,000.00) of school bonds, was taken up and considered.

Senator Campbell moved that the bill be read a third 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:

Benda	Elvers	Lodwick	Shivvers
Beneke	Fisher	Long	Shoeman
Brown	Flatt	Lucken	Stephens
Buck	Frommelt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Coleman	Griffin	O'Malley	Vincent
Cowden	Grimstead	Phelps	Walker
Curran	Hansen	Rigler	Walter
Dodds	Hill	Schroeder	Wearin
Doran	Kyhl	Scott	Wiley
Dykhouse	Lisle	Shaff	Wilson
Elthon			

Nays, none.

Absent or not voting, 1:

Elijah

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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 Shaff, Senate File 4, a bill for an act to legalize and validate proceedings of school corporations providing for the organization, establishment and maintenance of public community or junior colleges, was taken up and considered.

Senator Shaff moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On question "Shall the bill pass?" the vote was:

Ayes, 49:

Benda	Elvers	Lodwick	Shivvers
Beneke	Fisher	Long	Shoeman
Brown	Flatt	Lucken	Stephens
Buck	Frommelt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Coleman	Griffin	O'Malley	Vincent
Cowden	Grimstead	Phelps	Walker
Curran	Hansen	Rigler	Walter
Dodds	Hill	Schroeder	Wearin
Doran	Kyhl	Scott	Wiley
Dykhouse	Lisle	Shaff	Wilson
Elthon			

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.

Senator Vance asked and received unanimous consent that action on Senate File 5 be deferred.

On motion of Senator Shaff, Senate File 6, a bill for an act to legalize certain corporations formed under chapter two (2) of Title IX, Code of 1897, or chapter three hundred ninety-four (394) of the Codes of 1924, 1927, 1931, 1935 and 1939, or chapter five hundred four (504) of the Codes of 1946, 1950, 1954, 1958 and 1962 or purporting to have been organized, reincorporated or renewed thereunder, was taken up and considered.

Senator Shaff moved that the bill be read a third 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:

Benda	Buck	Coleman	Dodds
Beneke	Burrows	Cowden	Doran
Brown	Campbell	Curran	Dykhouse

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Elthon	Hill	O'Malley	Turner
Elvers	Kyhl	Phelps	Vance
Fisher	Lisle	Rigler	Van Eaton
Flatt	Lodwick	Schroeder	Vincent
Frommelt	Long	Scott	Walker
Fulton	Lucken	Shaff	Walter
Getting	Main	Shivvers	Wearin
Griffin	Mincks	Shoeman	Wiley
Grimstead	Nolan	Stephens	Wilson
Hansen			

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 Shaff, Senate File 7, a bill for an act to legalize and validate proceedings providing for the organization, reorganization, enlargement, or change in the boundaries of school corporations, was taken up and considered.

Senator Shaff moved that the bill be read a third 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:

Benda	Elvers	Lodwick	Shivvers
Beneke	Fisher	Long	Shoeman
Brown	Flatt	Lucken	Stephens
Buck	Frommelt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Coleman	Griffin	O'Malley	Vincent
Cowden	Grimstead	Phelps	Walker
Curran	Hansen	Rigler	Walter
Dodds	Hill	Schroeder	Wearin
Doran	Kyhl	Scott	Wiley
Dykhouse	Lisle	Shaff	Wilson
Elthon			

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.

Senator Rigler asked and received unanimous consent that the foregoing bills passed by the Senate be immediately messaged to the House.

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MESSAGES FROM 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 2, a bill for an act to legalize the proceedings of the city council of the City of Missouri Valley.

Also: 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 to legalize the proceedings of the Town Council of the Town of Tabor.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 2, a bill for an act to legalize the proceedings of the city council of the city of Missouri Valley, Iowa, including all legal notices given, and in connection with the making of a contract for the construction of certain street improvements with the Cornhusker Paving Company in connection therewith, and to legalize said contract, and authorize its performance by said council, and the financing thereof.

Read first and second times and referred to committee on rules.

House File 3, a bill for an act to legalize the proceedings of the Town Council of the Town of Tabor, Iowa, including all legal notices given, in connection with the making of a contract for the construction of certain improvements to the Municipal Sewage Works and Facilities with C. M. Shafer of Winterset, Iowa, in connection therewith, and to legalize said contract, and authorize its performance by said Council, and the financing thereof.

Read first and second times and referred to committee on rules.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House File 1.

KENNETH BENDA, *Chairman Senate Committee.*
FRED E. WIER, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate House File 1.

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SENATE RESOLUTION 1
By Flatt

Whereas, it is of utmost interest to the members of the Senate as to the status of the general fund,

Whereas, the actual revenue during this biennium has differed somewhat from the anticipated revenue,

Whereas, requests are being made by departments and agencies at this early date for future expenditures from the general fund,

Now Therefore, Be It Resolved, that Marvin R. Selden, Jr., State Comptroller, be requested to appear before this Senate to review the present and projected status of the general fund and present any such other information that he deems of interest to this body.

AMENDMENT FILED

Amend Senate File 5 by striking section 2, and substituting the following:

"Sec. 2. This Act being of immediate importance shall be in full force and effect from and after its passage and publication in the Fort Dodge Messenger, a newspaper published at Fort Dodge, Iowa, and in The Gowrie News, a newspaper published at Gowrie, Iowa, without expense to the state."

JOSEPH COLEMAN.

With the understanding that the committee on reapportionment remain for further consideration of a permanent plan for reapportionment, Senator Rigler moved that the Senate adjourn until 10:00 a.m., Monday, March 9, 1964.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MONDAY, MARCH 9, 1964.

The Senate met in extraordinary session, President Mooty presiding.

Prayer was offered by Bishop L. W. Kohlman of the Reorganized Church of Jesus Christ of Latter Day Saints, Lamoni, Iowa.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has 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 joint construction and financing of bridges and highways by cities and counties.

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 to legalize and validate the proceedings of the board of directors of the Harlan Community School District, in the County of Shelby.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 2

Amend Senate File 2, section one (1), line four (4), by inserting after the word "boundary" the words "and are situated in counties having a population in excess of two hundred thousand (200,000)".

HOUSE MESSAGE CONSIDERED

House File 8, a bill for an act to legalize and validate the proceedings of the board of directors of the Harlan Community School District, in the County of Shelby, State of Iowa, authorizing and providing for the issuance of school building bonds and for the levy of taxes for the payment of said bonds and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said school district.

Read first and second times and referred to committee on rules.

HOUSE AMENDMENT CONSIDERED

Senator O'Malley called up for consideration Senate File 2, a bill for an act relating to joint construction and financing of bridges and

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highways by cities and counties, amended by the House, and moved that the Senate concur 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 third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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 FILE 5 WITHDRAWN

Senator Coleman asked and received unanimous consent that Senate File 5 be withdrawn from further consideration of the Senate.

The Chair announced that the Senate would stand at ease until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

SENATE CONCURRENT RESOLUTION 5

By Hansen, Elijah, Lucken, and Griffin

Whereas, the price of beef is of concern both nationally and locally in the United States; and

Whereas, one of the goals of lawmakers, economists, and beef producers is to locate new markets for the sale of beef; and

Whereas, the State of Wisconsin has promoted the sale of Wisconsin cheese and the State of Idaho has promoted the sale of Idaho potatoes; and

Whereas, such cuts of meat as New York cut, New York strip, and Kansas City steaks are known throughout the United States; and

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Whereas, the Iowa Beef Producers' Association originated the idea of naming a new steak to promote Iowa, its great beef industry, and the sale of beef; and

Whereas, a Des Moines restaurant operator, Lyle McNabb, originated the idea for a steak cut from the top of the sirloin; and

Whereas, the Iowa Beef Producers' Association conducted a contest in 1962 to name and promote the sale of the sirloin cut; and

Whereas, Iowa's newly designed steak was presented to the public at the annual meeting of the Iowa Beef Producers' Association on April 18, 1962; and

Whereas, Mrs. Richard Bogner, Fairfield, Iowa, was awarded the prize for naming the steak "Top-of-Iowa" and received fifty pounds of "Top-of-Iowa" steak for submitting the name; and

Whereas, Iowa has been slow in comparison to other states in promoting products for which the state is known throughout the world; now, therefore,

Be It Resolved by the Senate, the House Concurring, that the General Assembly of the State of Iowa recognize the Iowa Beef Producers' Association for its effort in promoting the "Top-of-Iowa" sirloin and that each member of the General Assembly encourage and give unlimited support to all efforts promoting the sale of the "Top-of-Iowa" sirloin so that "Top-of-Iowa" will become known throughout the world as one of the choice prime beef cuts and the State of Iowa will be known as the producer of "Top-of-Iowa."

REPORT OF THE COMMITTEE ON JOINT EMPLOYEES

Senator Scott announced the resignation of Harry Freed of Polk County, effective March 4, 1964, and the appointment of Richard Evans of Polk County, effective March 5, 1964, on the joint payroll.

REPORT OF THE 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 Sixtieth General Assembly in Extraordinary Session begs leave to report that they have had the Rules of the Senate and the House under consideration and recommend that the Joint Rules of the Senate and House of the Sixtieth General Assembly be adopted as the Joint Rules of the Senate and House of the Sixtieth General Assembly in Extraordinary Session with the following exceptions:

1. Amend Rule 1, paragraph 3, lines 3 and 4, by striking "insisted upon" and inserting in lieu thereof the word "considered".
2. By striking all of Rule 10.

CLIFFORD M. VANCE,
On the Part of the Senate.
MARVIN W. SMITH,
On the Part of the House.

On motion of Senator Turner, the Senate adjourned until 10:00 a.m., Tuesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, TUESDAY, MARCH 10, 1964.

The Senate met in extraordinary session, President Mooty presiding.

Prayer was offered by Reverend C. C. Farley, pastor of the St. Thomas Catholic Church, Emmetsburg, Iowa.

PRESENTATION OF VISITORS

Senator Vance asked and received unanimous consent to present to the Senate five students, members of the senior government class of the Fairfield High School, who were present in the Senate chamber accompanied by their instructor, Don Hofsommer. Among the group was Jaime Martinez, an exchange student from Colombia, South America.

Senator O'Malley asked and received unanimous consent to present to the Senate thirty-nine students, members of the senior class of the Alleman North Polk High School, who were present in the balcony accompanied by their social study instructor, Terry Holdridge.

Senator Cowden asked and received unanimous consent to present to the Senate eighty-seven students from the Guthrie Center Junior High School who were present in the balcony accompanied by their instructor, Larry Anderson.

Senator Cowden also asked and received unanimous consent to present to the Senate fifty-three students from the Panora-Linden Junior High School who were present in the balcony accompanied by their instructors, James Meiborg and W. K. Smith.

Senator Flatt asked and received unanimous consent to present to the Senate Marijke Schouten, Geleen, The Netherlands, an exchange student attending the Winterset Community Schools, who was present in the Senate chamber.

Senator Hansen called up the following resolution and moved its adoption:

SENATE CONCURRENT RESOLUTION 5

By Hansen, Elijah, Lucken, and Griffin

Whereas, **the price of beef is of concern both nationally and locally in the United States; and**

Whereas, **one of the goals of lawmakers, economists, and beef producers is to locate new markets for the sale of beef; and**

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Whereas, the State of Wisconsin has promoted the sale of Wisconsin cheese and the State of Idaho has promoted the sale of Idaho potatoes; and

Whereas, such cuts of meat as New York cut, New York strip, and Kansas City steaks are known throughout the United States; and

Whereas, the Iowa Beef Producers' Association originated the idea of naming a new steak to promote Iowa, its great beef industry, and the sale of beef; and

Whereas, a Des Moines restaurant operator, Lyle McNabb, originated the idea for a steak cut from the top of the sirloin; and

Whereas, the Iowa Beef Producers' Association conducted a contest in 1962 to name and promote the sale of the sirloin cut; and

Whereas, Iowa's newly designed steak was presented to the public at the annual meeting of the Iowa Beef Producers' Association on April 18, 1962; and

Whereas, Mrs. Richard Bogner, Fairfield, Iowa, was awarded the prize for naming the steak "Top-of-Iowa" and received fifty pounds of "Top-of-Iowa" steak for submitting the name; and

Whereas, Iowa has been slow in comparison to other states in promoting products for which the state is known throughout the world; now, therefore,

Be It Resolved by the Senate, the House Concurring, that the General Assembly of the State of Iowa recognize the Iowa Beef Producers' Association for its effort in promoting the "Top-of-Iowa" sirloin and that each member of the General Assembly encourage and give unlimited support to all efforts promoting the sale of the "Top-of-Iowa" sirloin so that "Top-of-Iowa" will become known throughout the world as one of the choice prime beef cuts and the State of Iowa will be known as the producer of "Top-of-Iowa."

The motion prevailed and the resolution was adopted.

Senator Nolan called up the following resolution, moved its adoption and requested a roll call:

SENATE CONCURRENT RESOLUTION 4

By Nolan and Turner

Whereas, the Iowa State Highway Commission handles road funds in excess of two hundred million dollars annually and is concerned with the construction, maintenance and administration of highways which include the super highways of the Interstate system as well as the secondary farm-to-market road system;

And Whereas, expenditures of public funds for highway purposes should be done in such a manner as to provide the highway users and the citizens of Iowa with a sound highway program, getting a dollar's worth of value for every dollar spent, whether it be on construction, maintenance or administration;

And Whereas, in recent months it has been noted that changes in highway planning and construction have been ordered on Interstate Highway 80 in which Portland Cement paving was replaced by an asphalt paving, and further that the question of conduct of some business practices by the committee members has been raised;

And Whereas, the Legislative Budget and Financial Control Committee has started hearings on matters concerning the operations of the Iowa Highway Commission and business practices of the Commissioners but has not completed such hearings,

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Now Therefore, Be It Resolved by the Senate with the House Concurring, that the Legislative Budget and Financial Control Committee be directed to continue forthwith in its investigation of the conduct of the management and affairs of the Iowa State Highway Commission under sections 2.43 and 2.44 of the Iowa Code and to determine whether or not legislation is needed in the field of highway management and to make such a report within thirty days after the convening of the Sixty-first General Assembly in January, 1965.

Senator O'Malley offered the following amendment:

Amend Senate Concurrent Resolution 4 by adding the following as the fifth whereas:

"*And Whereas,* the question of alleged conflict of interest of members of the General Assembly has been mentioned in the press, radio and other communication media and should be looked into."

Further amend said resolution as follows:

"*Be It Further Resolved,* that the Budget and Financial Control Committee investigate any and all alleged conflict of interest matters of members of the General Assembly".

Senator Grimstead moved the previous question on the resolution, which motion prevailed.

Senator Rigler raised a point of order on the amendment filed by Senator O'Malley for the reason that the amendment was not germane to the resolution.

The Chair ruled the point well taken and the amendment out of order.

On the question "Shall the resolution be adopted?" the vote was:

Ayes, 48:

Benda	Elijah	Lisle	Shaff
Beneke	Elthon	Lodwick	Shivvers
Brown	Fisher	Long	Shoeman
Buck	Flatt	Lucken	Stephens
Burrows	Frommelt	Main	Turner
Campbell	Fulton	Mincks	Vance
Coleman	Getting	Nolan	Van Eaton
Cowden	Griffin	O'Malley	Vincent
Curran	Grimstead	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Schroeder	Wearin
Dykhouse	Kyhl	Scott	Wilson

Nays, 2:

Elvers	Wiley

Absent or not voting, none.

The resolution was adopted.

Senator Vance called up the following report and moved its adoption:

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REPORT OF THE JOINT COMMITTEE ON RULES

TO THE PRESIDENT OF THE SENATE AD THE SPEAKER OF THE HOUSE:
Gentlemen:

The committee on rules of the Senate and House of the Sixtieth General Assembly in Extraordinary Session begs leave to report that they have had the Rules of the Senate and the House under consideration and recommend that the Joint Rules of the Senate and House of the Sixtieth General Assembly be adopted as the Joint Rules of the Senate and House of the Sixtieth General Assembly in Extraordinary Session with the following exceptions:

1. Amend Rule 1, paragraph 3, lines 3 and 4, by striking "insisted upon" and inserting in lieu thereof the word "considered".
2. By striking all of Rule 10.

CLIFFORD M. VANCE,
On the Part of the Senate.
MARVIN W. SMITH,
On the Part of the House.

The motion prevailed and the report was adopted.

Senator Vance moved the adoption of the amendments and the recommendations contained therein, which motion prevailed, and the joint rules of the Sixtieth General Assembly as amended became the joint rules of the Sixtieth General Assembly in extraordinary session.

Senator Flatt called up the following resolution and moved its adoption:

SENATE RESOLUTION 1
By Flatt

Whereas, it is of utmost interest to the members of the Senate as to the status of the general fund,

Whereas, the actual revenue during this biennium has differed somewhat from the anticipated revenue,

Whereas, requests are being made by departments and agencies at this early date for future expenditures from the genral fund,

Now Therefore, Be It Resolved, that Marvin R. Selden, Jr., State Comptroller, be requested to appear before this Senate to review the present and projected status of the general fund and present any such other information that he deems of interest to this body.

The motion prevailed and the resolution was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 1, a bill for an act to provide for representation in the Senate and House of Representatives in the Sixty-first General Assembly and thereafter.

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Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 3, a bill for an act to legalize and validate the special election of the North Mahaska Community School District in the counties of Mahaska and Poweshiek.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 5, relating to the manner of taking the United States census.

Also: That the House has adopted the amendments and report of the joint committee on rules.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 1

Amend Senate File 1 by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. The General Assembly hereby determines that in order to provide fair representation for all citizens of Iowa in the interim period before a Constitutional amendment becomes effective, the apportionment of the General Assembly shall be based upon the following principles:

1. The House of Representatives shall be apportioned on a population basis.

2. The Senate shall be apportioned on a fair and reasonable basis, taking into account population, area, and the historical relationships and common or differing interests of the people of the various areas of the state. In order to give proper recognition to all of such factors, the following principles shall apply:

a. Any county having more than thirty-five thousand (35,000) population shall be a senatorial district and shall be entitled to one senator. In addition, each such county having a population of one hundred thousand (100,000) or more shall be entitled to one additional senator plus another additional senator for each additional one hundred thousand (100,000) population.

b. No county having less than thirty-five thousand (35,000) population shall be joined in a senatorial district with any county having more than thirty-five thousand (35,000) population.

c. No senatorial district shall contain more than three (3) counties.

d. The counties having less than thirty-five thousand (35,000) population shall be joined in senatorial districts of two counties or three counties. In forming such districts, counties whose people have a high degree of common interests shall be joined together when practicable.

e. To the maximum practicable extent, the boundaries of senatorial districts as provided in chapter sixty-nine (69), Acts of the Fifty-ninth (59th) General Assembly, shall be retained under this Act, in view of the recent senate redistricting enacted in 1961, the probability that a Constitutional amendment on reapportionment will be adopted in the near future, the imminence of the 1964 primary and general elections, and the desirability of permitting senators elected in 1962 to complete the four-year terms for which they were elected in order to provide a reasonable measure of continuity and experience in the senate.

The General Assembly hereby declares that the foregoing principles have been followed in this Act and that the provisions of this Act are

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necessary and reasonable in order to provide fair representation in the General Assembly for all citizens of Iowa.

Sec. 2. Section forty-one point one (41.1), Code 1962, is hereby repealed and the following enacted in lieu thereof.

The number of senators in the general assembly is hereby fixed at fifty-six and they are hereby apportioned among the several counties as follows:

1. Lee county shall constitute the first district with one senator.
2. Appanoose county, Davis county and Van Buren county shall constitute the second district with one senator.
3. Lucas county, Monroe county and Wayne county shall constitute the third district with one senator.
4. Decatur county, Ringgold county and Union county shall constitute the fourth district with one senator.
5. Adams county, Montgomery county and Taylor county shall constitute the fifth district with one senator.
6. Fremont county, Mills county and Page county shall constitute the sixth district with one senator.
7. Des Moines county shall constitute the seventh district with one senator.
8. Henry county and Jefferson county shall constitute the eighth district with one senator.
9. Wapello county shall constitute the ninth district with one senator.
10. Louisa county and Washington county shall constitute the tenth district with one senator.
11. Keokuk county and Mahaska county shall constitute the eleventh district with one senator.
12. Marion county and Warren county shall constitute the twelfth district with one senator.
13. Adair county, Clarke county and Madison county shall constitute the thirteenth district with one senator.
14. Audubon county, Cass county and Shelby county shall constitute the fourteenth district with one senator.
15. Pottawattamie county shall constitute the fifteenth district with one senator.
16. Cedar county and Muscatine county shall constitute the sixteenth district with one senator.
17. Scott county shall constitute the seventeenth district with two senators.
18. Clinton county shall constitute the eighteenth district with one senator.
19. Jackson county and Jones county shall constitute the nineteenth district with one senator.
20. Linn county shall constitute the twentieth district with two senators.
21. Johnson county shall constitute the twenty-first district with one senator.
22. Benton county and Tama county shall constitute the twenty-second district with one senator.
23. Iowa county and Poweshiek county shall constitute the twenty-third district with one senator.
24. Marshall county shall constitute the twenty-fourth district with one senator.
25. Jasper county shall constitute the twenty-fifth district with one senator.

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26. Story county shall constitute the twenty-sixth district with one senator.

27. Polk county shall constitute the twenty-seventh district with three senators.

28. Boone county and Greene county shall constitute the twenty-eighth district with one senator.

29. Dallas county and Guthrie county shall constitute the twenty-ninth district with one senator.

30. Carroll county, Crawford county and Sac county shall constitute the thirtieth district with one senator.

31. Harrison county and Monona county shall constitute the thirty-first district with one senator.

32. Dubuque county shall constitute the thirty-second district with one senator.

33. Buchanan county and Delaware county shall constitute the thirty-third district with one senator.

34. Black Hawk county shall constitute the thirty-fourth district with two senators.

35. Hamilton county and Hardin county shall constitute the thirty-fifth district with one senator.

36. Webster county shall constitute the thirty-sixth district with one senator.

37. Buena Vista county, Calhoun county and Pocahontas county shall constitute the thirty-seventh district with one senator.

38. Cherokee county, Ida county and Plymouth county shall constitute the thirty-eighth district with one senator.

39. Woodbury county shall constitute the thirty-ninth district with two senators.

40. Allamakee county and Clayton county shall constitute the fortieth district with one senator.

41. Fayette county and Winneshiek county shall constitute the forty-first district with one senator.

42. Bremer county, Butler county and Grundy county shall constitute the forty-second district with one senator.

43. Franklin county, Humboldt county and Wright county shall constitute the forty-third district with one senator.

44. Chickasaw county and Floyd county shall constitute the forty-fourth district with one senator.

45. Howard county, Mitchell county and Worth county shall constitute the forty-fifth district with one senator.

46. Cerro Gordo county shall constitute the forty-sixth district with one senator.

47. Hancock county, Kossuth county and Winnebago county shall constitute the forty-seventh district with one senator.

48. Clay county, Emmet county and Palo Alto county shall constitute the forty-eighth district with one senator.

49. Dickinson county, O'Brien county and Osceola county shall constitute the forty-ninth district with one senator.

50. Lyon county and Sioux county shall constitute the fiftieth district with one senator.

This Act shall be effective as to the nomination and election of one senator from each of the following districts in the year 1964 and thereafter for four-year terms each:

Second (2d)

Third (3d)

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Fourth (4th)
Fifth (5th)
Eleventh (11th)
Twelfth (12th)
Thirteenth (13th)
Fifteenth (15th)
Seventeenth (17th)
Twentieth (20th)
Twenty-first (21st)
Twenty-fourth (24th)
Twenty-seventh (27th)
Twenty-eighth (28th)
Twenty-ninth (29th)
Thirty-third (33d)
Thirty-fourth (34th)
Thirty-sixth (36th)
Thirty-eighth (38th)
Thirty-ninth (39th)
Fortieth (40th)
Forty-first (41st)
Forty-second (42d)
Forty-sixth (46th)
Forty-seventh (47th)
Forty-eighth (48th)
Forty-ninth (49th)
Fiftieth (50th)

This Act shall be effective as to the nomination and election of one senator from each of the following districts in the year 1964 for two-year terms each:

Sixteenth (16th)
Nineteenth (19th)
Twentieth (20th)
Twenty-sixth (26th)
Twenty-seventh (27th)
Thirty-ninth (39th)
Forty-third (43d)

The terms of senators elected in 1962 for terms of four years, or elected subsequently to fill a vacancy in any such term, shall continue until December 31, 1966. In the year 1966 and thereafter one senator, except as otherwise indicated, shall be nominated and elected from each of the following districts for four-year terms each:

First (1st)
Sixth (6th)
Seventh (7th)
Eighth (8th)
Ninth (9th)
Tenth (10th)
Fourteenth (14th)
Sixteenth (16th)
Seventeenth (17th)
Eighteenth (18th)
Nineteenth (19th)
Twentieth (20th)
Twenty-second (22d)
Twenty-third (23d)
Twenty-fifth (25th)

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Twenty-sixth (26th)
Twenty-seventh (27th) (two to be elected)
Thirtieth (30th)
Thirty-first (31st)
Thirty-second (32d
Thirty-fourth (34th)
Thirty-fifth (35th)
Thirty-seventh (37th)
Thirty-ninth (39th)
Forty-third (43d)
Forty-fourth (44th)
Forty-fifth (45th)

Sec. 3. Chapter forty-two (42), Code 1962, is hereby repealed and the following enacted in lieu thereof:

The House of Representatives shall be apportioned on a population basis as follows and representatives shall be elected in 1964 and each two years thereafter:

The counties of Osceola and Dickinson shall comprise one district and elect one representative.

The counties of Winnebago and Worth shall comprise one district and elect one representative.

The counties of Mitchell and Howard shall comprise one district and elect one representative.

The counties of Pocahontas and Humboldt shall comprise one district and elect one representative.

The counties of Cherokee and Ida shall comprise one district and elect one representative.

The counties of Audubon and Guthrie shall comprise one district and elect one representative.

The counties of Adair and Madison shall comprise one district and elect one representative.

The counties of Union and Clarke shall comprise one district and elect one representative.

Th counties of Mills and Fremont shall comprise one district and elect one representative.

The counties of Montgomery and Adams shall comprise one district and elect one representative.

The counties of Taylor and Ringgold shall comprise one district and elect one representative.

The counties of Decatur and Wayne shall comprise one district and elect one representative.

The counties of Lucas and Monroe shall comprise one district and elect one representative.

The counties of Davis and Van Buren shall comprise one district and elect one representative.

The counties of Muscatine and Louisa shall comprise one district and elect two representatives.

The counties of Cerro Gordo, Webster, Story, Marshall, Johnson, Clinton, Wapello, Des Moines, and Lee shall comprise one district each and each shall elect two representatives.

The counties of Dubuque and Pottawattamie shall comprise one district each and each shall elect four representatives.

The counties of Woodbury and Scott shall comprise one district each and each shall elect five representatives.

The counties of Black Hawk and Linn shall comprise one district each and each shall elect six representatives.

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The county of Polk shall comprise one district and shall elect thirteen representatives.

All other counties shall comprise one district each and each shall elect one representative.

Sec. 4. This Act, being deemed of immediate importance, shall be in full force and effect from and after its passage and publication in the Ames Daily Tribune, a newspaper published at Ames, Iowa, and in the Oelwein Daily Register, a newspaper published at Oelwein, Iowa.

HOUSE CONCURRENT RESOLUTION 5

By Sokol and Millen

Whereas, apportionment of the Iowa Legislature and seats in Congress are based on the United States Census, and allocations of federal aid are based on population formulae, it is imperative that people be counted in their voting residences, and

Whereas, it appears that the present statutory rules for taking the United States Census are very broad and administrative rules decree that servicemen overseas are not included in the count at all; and servicemen in the United States are counted where they are stationed and college students are counted where they attend college and not in the county or precinct of their voting residence, and

Whereas, it appears that these persons should be counted at their place of voting residence in order to fairly apportion legislatures and members of Congress, and to insure fairness in allocation of federal funds, now therefore,

Be It Resolved by the House, the Senate Concurring, that we request the Congress of the United States to give serious consideration to enactment of a statute to insure that persons are counted at their voting residence in the forthcoming United States Census.

Be It Further Resolved, that the Chief Clerk of the House of Representatives be instructed to forward a copy of this resolution to the Iowa members of the Senate and the House of Representatives of the United States and to the Secretary of Commerce of the United States.

Senator Dykhouse asked and received unanimous consent to take up for consideration House Concurrent Resolution 5 and moved its adoption.

Division was called for.

The resolution was adopted.

PROOF OF PUBLICATION

Published copy of Senate File 9 and verified proof of publication of said bill in the Ottumwa Courier on February 29, 1964, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

CARROLL A. LANE, *Secretary of Senate.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

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MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate File 2.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 2.

BILL SENT TO THE GOVERNOR

Senator Benda, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 10th day of March, 1964, sent to the Governor for his approval: Senate File 2.

KENNETH BENDA, *Chairman.*

Passed on file.

REPORTS OF COMMITTEE

Senator Vance submitted the following report:

MR. PRESIDENT: Your committee on rules to which was referred **House File 2**, a bill for an act to legalize the proceedings of the city council of the city of Missouri Valley, Iowa, including all legal notices given, and in connection with the making of a contract for the construction of certain street improvements with the Cornhusker Paving Company in connection therewith, and to legalize said contract, and authorize its performance by said council, and the financing thereof, begs leave to report it has had the same under consideration and recommends the same **do pass.**

CLIFFORD M. VANCE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on rules to which was referred **House File 3**, a bill for an act to legalize the proceedings of the Town Council of the Town of Tabor, Iowa, including all legal notices given, in connection with the making of a contract for the construction of certain improvements to the Municipal Sewage Works and Facilities with C. M. Shafer of Winterset, Iowa, in connection therewith, and to legalize said contract, and authorize its performance by said council, and the financing thereof, begs leave to report it has had the same under consideration and recommends the same **do pass.**

CLIFFORD M. VANCE, *Chairman.*

Ordered passed on file.

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AMENDMENTS FILED

Amend the House amendment to Senate File 1 by striking all of section three (3) and inserting in lieu thereof the following:

"Sec. 3. Chapter forty-two (42), Code 1962, is hereby repealed and the following enacted in lieu thereof:

"The House of Representatives shall be composed as follows and elect representatives in 1964 and each two years thereafter:

"The counties of Lyon and Osceola shall comprise one district and elect one representative.

"The county of Sioux shall comprise one district and elect one representative.

"The county of Plymouth shall comprise one district and elect one representative.

"The county of Woodbury shall comprise one district and elect four representatives.

"The counties of Harrison and Monona shall comprise one district and elect one representative.

"The county of Pottawattamie shall comprise one district and elect three representatives.

"The counties of Mills and Fremont shall comprise one district and elect one representative.

"The county of O'Brien shall comprise one district and elect one representative.

"The counties of Cherokee and Ida shall comprise one district and elect one representative.

"The counties of Sac and Crawford shall comprise one district and elect one representative.

"The counties of Shelby and Cass shall comprise one district and elect one representative.

"The counties of Montgomery and Adams shall comprise one district and elect one representative.

"The county of Page shall comprise one district and elect one representative.

"The counties of Dickinson and Clay shall comprise one district and elect one representative.

"The county of Buena Vista shall comprise one district and elect one representative.

"The county of Carroll shall comprise one district and elect one representative.

"The counties of Audubon and Guthrie shall comprise one district and elect one representative.

"The counties of Palo Alto and Emmet shall comprise one district and elect one representative.

"The counties of Pocahontas and Humboldt shall comprise one district and elect one representative.

"The counties of Greene and Calhoun shall comprise one district and elect one representative.

"The counties of Adair and Madison shall comprise one district and elect one representative.

"The counties of Union and Clarke shall comprise one district and elect one representative.

"The counties of Taylor, Ringgold and Decatur shall comprise one district and elect one representative.

"The county of Kossuth shall comprise one district and elect one representative.

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"The county of Webster shall comprise one district and elect two representatives.

"The county of Boone shall comprise one district and elect one representative.

"The county of Dallas shall comprise one district and elect one representative.

"The counties of Winnebago and Hancock shall comprise one district and elect one representative.

"The county of Wright shall comprise one district and elect one representative.

"The county of Hamilton shall comprise one district and elect one representative.

"The county of Story shall comprise one district and elect two representatives.

"The county of Polk shall comprise one district and elect eleven representatives.

"The county of Warren shall comprise one district and elect one representative.

"The counties of Worth and Mitchell shall comprise one district and elect one representative.

"The county of Cerro Gordo shall comprise one district and elect two representatives.

"The county of Franklin shall comprise one district and elect one representative.

"The county of Hardin shall comprise one district and elect one representative.

"The county of Marshall shall comprise one district and elect two representatives.

"The county of Jasper shall comprise one district and elect two representatives.

"The county of Marion shall comprise one district and elect one representative.

"The counties of Lucas, Wayne and Monroe shall comprise one district and elect one representative.

"The county of Floyd shall comprise one district and elect one representative.

"The counties of Butler and Grundy shall comprise one district and elect one representative.

"The counties of Howard and Chickasaw shall comprise one district and elect one representative.

"The county of Bremer shall comprise one district and elect one representative.

"The county of Black Hawk shall comprise one district and elect five representatives.

"The county of Tama shall comprise one district and elect one representative.

"The county of Poweshiek shall comprise one district and elect one representative.

"The county of Mahaska shall comprise one district and elect one representative.

"The county of Wapello shall comprise one district and elect two representatives.

"The county of Appanoose shall comprise one district and elect one representative.

"The county of Winneshiek shall comprise one district and elect one representative.

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"The county of Fayette shall comprise one district and elect one representative.

"The county of Buchanan shall comprise one district and elect one representative.

"The county of Benton shall comprise one district and elect one representative.

"The county of Iowa shall comprise one district and elect one representative.

"The counties of Keokuk and Jefferson shall comprise one district and elect one representative.

"The counties of Davis and Van Buren shall comprise one district and elect one representative.

"The county of Allamakee shall comprise one district and elect one representative.

"The county of Clayton shall comprise one district and elect one representative.

"The county of Delaware shall comprise one district and elect one representative.

"The county of Linn shall comprise one district and elect five representatives.

"The county of Johnson shall comprise one district and elect two representatives.

"The county of Washington shall comprise one district and elect one representative.

"The counties of Henry and Louisa shall comprise one district and elect one representative.

"The county of Jones shall comprise one district and elect one representative.

"The county of Cedar shall comprise one district and elect one representative.

"The county of Muscatine shall comprise one district and elect one representative.

"The county of Des Moines shall comprise one district and elect two representatives.

"The county of Lee shall comprise one district and elect two representatives.

"The county of Dubuque shall comprise one district and elect three representatives.

"The county of Jackson shall comprise one district and elect one representative.

"The county of Clinton shall comprise one district and elect two representatives.

"The county of Scott shall comprise one district and elect five representatives."

IRVING D. LONG.
JOE E. WILSON.
JOHN A. WALKER.

Amend the House amendment to Senate File 1 as follows:

1. Amend section 1 by striking all of lines 16, 17 and 18 and inserting in lieu thereof the following: "of two hundred thousand (200,000) or more shall be entitled to one additional senator.".

2. Amend section 2, line 4, by striking the word "fifty-six" and inserting

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in lieu thereof the word "fifty-one".

3. Further amend section 2, by striking the words "two senators" where it appears in lines 39, 45, 73 and 83 and inserting in lieu thereof the words "one senator".

4. Further amend section 2, line 59, by striking the word "three" and inserting in lieu thereof the word "two".

5. Further amend section 2 by striking all of lines 117, 125, 142, 144, 145, 163 and 175.

6. Further amend section 2, line 168, by striking the following: "(two to be elected)".

JOSEPH B. FLATT.
JOHN L. CAMPBELL.
RICHARD C. TURNER.
JOHN A. WALKER.
HARRY L. COWDEN.
D. C. NOLAN.
LEO ELTHON.
JACOB GRIMSTEAD.

On motion of Senator Rigler, the Senate adjourned until 9:00 a.m., Wednesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, WEDNESDAY, MARCH 11, 1964.

The Senate met in extraordinary session, President Mooty presiding.

Prayer was offered by Reverend Arthur B. Campney, pastor of the Calvary Methodist Church, Arnolds Park and Fostoria, Iowa.

PRESENTATION OF VISITORS

Senator Fulton asked and received unanimous consent to present to the Senate fifty-five students, members of the senior class of the LaPorte City High School, who were present in the balcony accompanied by their instructors, Del White and A. F. Sutton.

Senator O'Malley asked and received unanimous consent to present to the Senate twenty-five students, members of the junior and senior classes of Roosevelt, Dowling, Lincoln, Urbandale and North High Schools, exchange students in Des Moines under the "Youth For Understanding" program, who were present in the balcony accompanied by Mrs. Blythe Conn and Mrs. George Allen.

Senator Shivvers asked and received unanimous consent to present to the Senate forty-four students, members of the senior class of the Pleasantville Community School, who were present in the balcony accompanied by their government instructor, Harold Isley.

Senator Kyhl asked and received unanimous consent to present to the Senate twenty-one students, members of the basketball squad from the Parkersburg High School, who were present in the balcony accompanied by Mrs. Coburn. Senator Kyhl also presented three students from the Wellsburg Community School who were present in the Senate chamber.

Senator Phelps asked and received unanimous consent to present to the Senate twenty students, members of the basketball squad from the Harmony-Farmington High School, who were present in the balcony.

Senator Campbell asked and received unanimous consent to present to the Senate forty-five students, members of the senior class of the North Mahaska Community School, who were present in the balcony accompanied by their government instructor, Mrs. Omer Seitsinger, and Keith Miller, Mayor of New Sharon.

Senator Campbell also presented to the Senate thirty-eight stu-

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dents, members of the eighth grade class of the Lacey Junior High School, North Mahaska Community School, who were present in the balcony accompanied by their instructor, James House.

Senator Hansen asked and received unanimous consent to present to the Senate forty students, members of the government class of the Manilla Community School, who were present in the balcony accompanied by their instructor, Donald Severson, and their superintendent, C. E. Thomas.

Senator Elijah rose on a point of personal privilege and presented to the Senate the Honorable Wilbur C. Molison of Poweshiek County, a former member of the Senate, and the Honorable A. D. Donohue of Cedar County, a former member of the House of Representatives, who were present in the Senate chamber.

INTRODUCTION OF BILLS

Senate File 8, by committee on rules, a bill for an act relating to the leasing of property by the armory board.

Read first and second times and placed on the calendar.

Senate File 9, by committee on rules, a bill for an act to legalize the proceedings of the city council of the city of Ottumwa, Iowa, including all legal notices given, in connection with the authorization for the issuance of additional Flood Protection Bonds of said city, the proceeds of which will be used to defray the remaining cost of constructing certain flood protection works in said city.

Read first and second times and placed on the calendar.

Senate File 10, by committee on rules, a bill for an act to authorize cities and towns to purchase and acquire sewage works and facilities, including an interest in the works and facilities owned by another city or town which are to be jointly used by the respective municipalities, and to issue bonds therefor.

Read first and second times and placed on the calendar.

CONSIDERATION OF BILL

The Chair announced that the Senate would take up for consideration Senate File 1, a bill for an act to provide for representation in the Senate and House of Representatives in the Sixty-first General Assembly and thereafter, amended by the House; also, that the following Call of the Senate filed March 2, 1964, was still in effect and directed the Secretary to call the roll.

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CALL OF THE SENATE

MR. PRESIDENT: Pursuant to Rule 5 of the Rules of the Senate of the Sixtieth General Assembly of Iowa in Extraordinary Session, we, the undersigned, do hereby request a Call of the Senate on Senate File 1, and all motions and amendments thereto.

ROBERT R. RIGLER.
DAVID O. SHAFF.
CLIFFORD M. VANCE.
EDWARD A. WEARIN.
LEROY GETTING.
RICHARD L. STEPHENS.
JOSEPH B. FLATT.
LEO ELTHON.
R. O. BURROWS.
HARRY L. COWDEN.
VERNON H. KYHL.
SEELEY G. LODWICK.
JOE N. WILSON.

Roll call revealed all members present.

Senator Rigler addressed the Senate briefly on the House amendment to Senate File 1.

Senators Long, Wilson and Walker offered the following amendment to the House amendment and asked and received unanimous consent to withdraw the amendment filed by them on March 10, 1964, and found on pages 88-90, inclusive, of the Senate Journal:

Amend the House amendment to Senate File 1 by striking all of section three (3) and inserting in lieu thereof the following:

"Sec. 3. Chapter forty-two (42), Code 1962, is hereby repealed and the following enacted in lieu thereof:

"The House of Representatives shall be composed as follows and elect representatives in 1964 and each two years thereafter:

The counties of Lyon and Osceola shall comprise one district and elect one representative.

"The county of Sioux shall comprise one district and elect one representative.

"The county of Plymouth shall comprise one district and elect one representative.

"The county of Woodbury shall comprise one district and elect four representatives.

"The counties of Harrison and Monona shall comprise one district and elect one representative.

"The county of Pottawattamie shall comprise one district and elect three representatives.

"The counties of Mills and Fremont shall comprise one district and elect one representative.

"The county of O'Brien shall comprise one district and elect one representative.

"The counties of Cherokee and Ida shall comprise one district and elect one representative.

"The counties of Sac and Crawford shall comprise one district and elect one representative.

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"The counties of Shelby and Cass shall comprise one district and elect one representative.

"The counties of Montgomery and Adams shall comprise one district and elect one representative.

"The county of Page shall comprise one district and elect one representative.

"The counties of Dickinson and Clay shall comprise one district and elect one representative.

"The county of Buena Vista shall comprise one district and elect one representative.

"The county of Carroll shall comprise one district and elect one representative.

"The counties of Audubon and Guthrie shall comprise one district and elect one representative.

"The counties of Palo Alto and Emmet shall comprise one district and elect one representative.

"The counties of Pocahontas and Humboldt shall comprise one district and elect one representative.

"The counties of Greene and Calhoun shall comprise one district and elect one representative.

"The counties of Adair and Madison shall comprise one district and elect one representative.

"The counties of Union and Clarke shall comprise one district and elect one representative.

"The counties of Taylor, Ringgold and Decatur shall comprise one district and elect one representative.

"The county of Kossuth shall comprise one district and elect one representative.

"The county of Webster shall comprise one district and elect two representatives.

"The county of Boone shall comprise one district and elect one representative.

"The county of Dallas shall comprise one district and elect one representative.

"The counties of Winnebago and Hancock shall comprise one district and elect one representative.

"The county of Wright shall comprise one district and elect one representative.

"The county of Hamilton shall comprise one district and elect one representative.

"The county of Story shall comprise one district and elect two representatives.

"The county of Polk shall comprise one district and elect eleven representatives.

"The county of Warren shall comprise one district and elect one representative.

"The counties of Worth and Mitchell shall comprise one district and elect one representative.

"The county of Cerro Gordo shall comprise one district and elect two representatives.

"The county of Franklin shall comprise one district and elect one representative.

"The county of Hardin shall comprise one district and elect one representative.

"The county of Marshall shall comprise one district and elect two representatives.

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"The county of Jasper shall comprise one district and elect two representatives.

"The county of Marion shall comprise one district and elect one representative.

"The counties of Lucas, Wayne and Monroe shall comprise one district and elect one representative.

"The county of Floyd shall comprise one district and elect one representative.

"The counties of Butler and Grundy shall comprise one district and elect one representative.

"The counties of Howard and Chickasaw shall comprise one district and elect one representative.

"The county of Bremer shall comprise one district and elect one representative.

"The county of Black Hawk shall comprise one district and elect five representatives.

"The county of Tama shall comprise one district and elect one representative.

"The county of Poweshiek shall comprise one district and elect one representative.

"The county of Mahaska shall comprise one district and elect one representative.

"The county of Wapello shall comprise one district and elect two representatives.

"The county of Appanoose shall comprise one district and elect one representative.

"The county of Winneshiek shall comprise one district and elect one representative.

"The county of Fayette shall comprise one district and elect one representative.

"The county of Buchanan shall comprise one district and elect one representative.

"The county of Benton shall comprise one district and elect one representative.

"The county of Iowa shall comprise one district and elect one representative.

"The counties of Keokuk and Jefferson shall comprise one district and elect one representative.

"The counties of Davis and Van Buren shall comprise one district and elect one representative.

"The county of Allamakee shall comprise one district and elect one representative.

"The county of Clayton shall comprise one district and elect one representative.

"The county of Delaware shall comprise one district and elect one representative.

"The county of Linn shall comprise one district and elect six representatives.

"The county of Johnson shall comprise one district and elect two representatives.

"The county of Washington shall comprise one district and elect one representative.

"The counties of Henry and Louisa shall comprise one district and elect one representative.

"The county of Jones shall comprise one district and elect one representative.

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"The county of Cedar shall comprise one district and elect one representative.

"The county of Muscatine shall comprise one district and elect one representative.

"The county of Des Moines shall comprise one district and elect two representatives.

"The county of Lee shall comprise one district and elect two representatives.

"The county of Dubuque shall comprise one district and elect three representatives.

"The county of Jackson shall comprise one district and elect one representative.

"The county of Clinton shall comprise one district and elect two representatives.

"The county of Scott shall comprise one district and elect five representatives."

Senator Long moved the adoption of the amendment.

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 18:

Cowden	Fisher	Long	Scott
Dykhouse	Flatt	Lucken	Stephens
Elijah	Getting	Nolan	Walker
Elthon	Griffin	Phelps	Wilson
Elvers	Grimstead		

Nays, 32:

Benda	Dodds	Lodwick	Shoeman
Beneke	Doran	Main	Turner
Brown	Frommelt	Mincks	Vance
Buck	Fulton	O'Malley	Van Eaton
Burrows	Hansen	Rigler	Vincent
Campbell	Hill	Schroeder	Walter
Coleman	Kyhl	Shaff	Wearin
Curran	Lisle	Shivvers	Wiley

Absent or not voting, none.

The amendment was lost.

Senator Flatt offered the following amendment filed by Senator Flatt, et al.:

Amend the House amendment to Senate File 1 as follows:

1. Amend section 1 by striking all of lines 16, 17 and 18 and inserting in lieu thereof the following: "of two hundred thousand (200,000) or more shall be entitled to one additional senator.".

2. Amend section 2, line 4, by striking the word "fifty-six" and inserting in lieu thereof the word "fifty-one".

3. Further amend section 2, by striking the words "two senators" where it appears in lines 39, 45, 73 and 83 and inserting in lieu thereof the words "one senator".

4. Further amend section 2, line 59, by striking the word "three" and inserting in lieu thereof the word "two".

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5. Further amend section 2 by striking all of lines 117, 125, 142, 144, 145, 163 and 175.

6. Further amend section 2, line 168, by striking the following "(two to be elected)".

On motion of Senator Rigler, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

Roll call revealed all members present and the Senate resumed consideration of Senate File 1 and the amendment filed thereto by Senator Flatt, et al.

Senator Rigler approved the request of Senator Frommelt for a brief caucus, and the Senate stood at ease until the fall of the gavel.

The Senate reconvened, President Mooty presiding.

Senator Flatt moved the adoption of the amendment.

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Rule 8 was invoked.

Ayes, 30:

Buck	Fisher	Lucken	Stephens
Campbell	Flatt	Main	Turner
Cowden	Getting	Nolan	Vincent
Doran	Griffin	Phelps	Walker
Dykhouse	Grimstead	Scott	Walter
Elijah	Kyhl	Shivvers	Wearin
Elthon	Lisle	Shoeman	Wilson
Elvers	Long		

Nays, 20:

Benda	Curran	Hill	Schroeder
Beneke	Dodds	Lodwick	Shaff
Brown	Frommelt	Mincks	Vance
Burrows	Fulton	O'Malley	Van Eaton
Coleman	Hansen	Rigler	Wiley

Absent or not voting, none.

The amendment was adopted.

Senator Nolan offered the following amendment:

Amend the House amendment to Senate File 1 by striking lines 9 to 13, inclusive, and insert in lieu thereof the following:

"2. The Senate shall be apportioned on a fair and rational basis, taking into account the density or sparsity of population in the various established senatorial districts, the similarity or lack of similarity of the commercial, industrial, professional, agricultural and cultural interests of the residents within each of such districts and the relationship of interests of the residents of the various districts to the interests of the people of the

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state, and further giving effect to such important considerations as geography, compactness and contiguity of territory, observance of natural boundaries, conformity to historical divisions such as county lines and prior representation districts and a proper diffusion of political initiative as between the state's thinly populated counties and those having a concentration of population. The intent of this senatorial apportionment being to have within each senatorial district people of various and diverse commercial, industrial, professional, agricultural and cultural interests and to effectuate such intent and purpose the following basis of apportionment shall apply:"

Senator Nolan asked and received unmanimous consent to withdraw the amendment.

On motion of Senator Rigler, the Senate concurred in the House amendment as amended.

Senator Rigler moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 31:

Beneke	Elvers	Long	Stephens
Buck	Fisher	Lucken	Turner
Campbell	Flatt	Nolan	Vance
Cowden	Getting	Phelps	Vincent
Doran	Griffin	Rigler	Walker
Dykhouse	Grimstead	Scott	Walter
Elijah	Kyhl	Shivvers	Wearin
Elthon	Lisle	Shoeman	

Nays, 19:

Benda	Dodds	Lodwick	Shaff
Brown	Frommelt	Main	Van Eaton
Burrows	Fulton	Mincks	Wiley
Coleman	Hansen	O'Malley	Wilson
Curran	Hill	Schroeder	

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.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 4, a bill for an act relating to the display of signs and the labeling of imported meats when sold or offered for sale, and providing for penalty for violation of the provisions.

WILLIAM R. KENDRICK, *Chief Clerk.*

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HOUSE MESSAGE CONSIDERED

House File 4, a bill for an act relating to the display of signs and the labeling of imported meats when sold or offered for sale, and providing for penalty for violation of the provisions hereof.

Read first and second times, and referred to committee on rules.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate File 3.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 3.

BILL SENT TO THE GOVERNOR

Senator Benda, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 11th day of March, 1964, sent to the Governor for his approval: Senate File 3.

KENNETH BENDA, *Chairman.*

Passed on file.

On motion of Senator Rigler, the Senate adjourned until 10:30 a.m., Thursday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, THURSDAY, MARCH 12, 1964.

The Senate met in extraordinary session, President Mooty presiding.

Prayer was offered by Reverend Aldreth V. Weigle, pastor of the Centenary Methodist Church, Morning Sun, Iowa.

PRESENTATION OF VISITORS

Senator Walter asked and received unanimous consent to present to the Senate thirty-five students from the Lenox Community School who were present in the balcony accompanied by their principal, Gale E. Eshelman.

Senator Wilson asked and received unanimous consent to present to the Senate twenty-nine students, members of the social science class of the Centerville High School, who were present in the balcony accompanied by their instructor, David E. Brees.

INTRODUCTION OF BILL

Senate File 11, by committee on appropriations, a bill for an act to appropriate from the general fund of the State of Iowa to the state board of control the sum of one hundred ninety-seven thousand eight hundred (197,800) dollars to participate in construction of sewer facilities for the Iowa State Penitentiary, Fort Madison, Iowa, and for the Men's Reformatory at Anamosa, Iowa.

Read first and second times and placed on the calendar.

THIRD READING OF BILLS

On motion of Senator Griffin, House File 2, a bill for an act to legalize the proceedings of the city council of the city of Missouri Valley, Iowa, including all legal notices given, and in connection with the making of a contract for the construction of certain street improvements with the Cornhusker Paving Company in connection therewith, and to legalize said contract, and authorize its performance by said council, and the financing thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Griffin moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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On the question "Shall the bill pass?" the vote was:

Ayes, 50:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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 Lisle, House File 3, a bill for an act to legalize the proceedings of the Town Council of the Town of Tabor, Iowa, including all legal notices given, in connection with the making of a contract for the construction of certain improvements to the Municipal Sewage Works and Facilities with C. M. Shafer of Winterset, Iowa, in connection therewith, and to legalize said contract, and authorize its performance by said Council, and the financing thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Lisle moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

Nays, none.

Absent or not voting, none.

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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 Walker asked and received unanimous consent to take up for consideration Senate File 8, a bill for an act relating to the leasing of property by the armory board.

Senator Doran offered the following amendment and moved its adoption:

Amend Senate File 8, section 1, by striking all of subsection 4 and inserting in lieu thereof the following:

"4. This Act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in The Winterset Madisonian, a newspaper published in Winterset, Iowa, and in The Boone News-Republican, a newspaper published in Boone, Iowa."

The amendment was adopted.

Senator Doran moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 50:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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 Doran asked and received unanimous consent that Senate File 8 be immediately messaged to the House, which request was complied with.

Senator Mincks asked and received unanimous consent to take up for consideration Senate File 9, a bill for an act to legalize the proceedings of the city council of the city of Ottumwa, Iowa, including all legal notices given, in connection with the authorization for the issuance of additional Flood Protection Bonds of said city, the proceeds of which will be used to defray the remaining cost of constructing certain flood protection works in said city.

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Senator Mincks moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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 Mincks asked and received unanimous consent that Senate File 9 be immediately messaged to the House, which request was complied with.

Senator Wiley asked and received unanimous consent to take up for consideration Senate File 10, a bill for an act to authorize cities and towns to purchase and acquire sewage works and facilities, including an interest in the works and facilities owned by another city or town which are to be jointly used by the respective municipalities, and to issue bonds therefor.

Senator Wiley offered the following amendment and moved its adoption:

Amend Senate File 10 by striking section 6 and substituting the following: "Sec. 6. This Act, being deemed of immediate importance, shall be in full force and effect from and after its passage and publication in The Marion Sentinel, a newspaper published at Marion, Iowa, and in the Cedar Rapids Gazette, a newspaper published at Cedar Rapids, Iowa."

The amendment was adopted.

Senator Wiley moved that the bill be read a third 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:

Benda	Brown	Burrows	Coleman
Beneke	Buck	Campbell	Cowden

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Curran	Getting	Mincks	Stephens
Dodds	Griffin	Nolan	Turner
Doran	Grimstead	O'Malley	Vance
Dykhouse	Hansen	Phelps	Van Eaton
Elijah	Hill	Rigler	Vincent
Elthon	Kyhl	Schroeder	Walker
Elvers	Lisle	Scott	Walter
Fisher	Lodwick	Shaff	Wearin
Flatt	Long	Shivvers	Wiley
Frommelt	Lucken	Shoeman	Wilson
Fulton	Main		

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 Wiley asked and received unanimous consent that Senate File 10 be immediately messaged to the House, which request was complied with.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File 7, a bill for an act to legalize and validate proceedings providing for the organization, reorganization, enlargement, or change in the boundaries of school corporations.

WILLIAM R. KENDRICK, *Chief Clerk.*

On motion of Senator Rigler, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty 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 refuses to concur in Senate amendment to House amendment to Senate File 1, a bill for an act to provide for representation in the Senate and House of Representatives in the Sixty-first General Assembly and thereafter.

WILLIAM R. KENDRICK, *Chief Clerk.*

CALL OF THE SENATE

The Chair announced that the Call of the Senate on Senate File 1, filed March 2, 1964, and found on page 41 of the Senate Journal, was still in effect and directed the Secretary to call the roll.

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Roll call revealed all members present.

HOUSE MESSAGE CONSIDERED

Senator Rigler called up for consideration Senate File 1, a bill for an act to provide for representation in the Senate and House of Representatives in the Sixty-first General Assembly and thereafter, amended by the House, and further amended by the Senate, and moved that the Senate insist in its amendment to the House amendment, and requested that a conference committee be appointed.

The motion prevailed.

CONFERENCE COMMITTEE APPOINTED ON SENATE FILE 1

President Mooty announced the appointment of Senators Rigler, Frommelt, Flatt and Elthon, on the part of the Senate, on the conference committee on Senate File 1.

PROOF OF PUBLICATION

Published copy of House File 13 and verified proof of publication of said bill in The Glenwood Opinion-Tribune on March 5, 1964, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

CARROLL A. LANE, *Secretary of Senate.*

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 11, 1964, the Governor had approved the following bills:

Senate File 2, relating to joint construction and financing of bridges and highways by cities and counties.

Senate File 3, relating to special election of the North Mahaska Community School District in the counties of Mahaska and Poweshiek, State of Iowa.

On motion of Senator Rigler, the Senate adjourned until 10:00 a.m., Friday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FRIDAY, MARCH 13, 1964.

The Senate met in extraordinary session, President Mooty presiding.

Prayer was offered by Rabbi Edward Zerin of the Temple B'Nai Jeshurum, Des Moines, Iowa.

PRESENTATION OF VISITORS

Senator Elijah asked and received unanimous consent to present to the Senate fifteen students, members of the girls' basketball squad of the Oxford Junction High School, who were present in the balcony accompanied by their coach, Burnell Ebert.

Senator Cowden asked and received unanimous consent to present to the Senate fourteen students, members of the girls' basketball squad of the Guthrie Center High School, who were present in the Senate chamber accompanied by their coach, Duane N. Stewart.

INTRODUCTION OF BILL

Senate File 12, by committee on rules, a bill for an act to legalize and validate the proceedings of the Marshall county board of supervisors, Marshall County, Iowa, establishing Marshall County Sanitary District No. 1, Marshall County, Iowa.

Read first and second times and placed on the calendar.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills reports that it has examined and finds correctly enrolled: Senate File 7 and House Files 2 and 3.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 7 and House Files 2 and 3.

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BILL SENT TO THE GOVERNOR

Senator Benda, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 13th day of March, 1964, sent to the Governor for his approval: Senate File 7.

KENNETH BENDA, *Chairman.*

Passed on file.

The Chair announced that the Senate would stand at ease until the fall of the gavel.

The Senate reconvened, President Mooty presiding.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: The conferees on the part of the House for the consideration of Senate File 1 are as follows: Mowry, Hagie, Van Nostrand and Worthington.

WILLIAM R. KENDRICK, *Chief Clerk.*

On motion of Senator Dykhouse, the Senate adjourned until 10:00 a.m., Monday, March 16, 1964.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MONDAY, MARCH 16, 1964.

The Senate met in extraordinary session, President Mooty presiding.

Prayer was offered by Reverend Wilbur Wilcox, pastor of the Collegiate Methodist Church, Ames, Iowa.

SENATE FILE 12 REREFERRED

The Chair announced that Senate File 12 was rereferred to the committee on rules.

THIRD READING OF BILLS

On motion of Senator Shoeman, Senate File 11, a bill for an act to appropriate from the general fund of the State of Iowa to the state board of control the sum of one hundred ninety-seven thousand eight hundred (197,800) dollars to participate in construction of sewer facilities for the Iowa State Penitentiary, Fort Madison, Iowa, and for the Men's Reformatory at Anamosa, Iowa, was taken up and considered.

Senator Shoeman moved that the bill be read a third 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:

Benda	Elijah	Lodwick	Shivvers
Beneke	Elthon	Long	Shoeman
Brown	Elvers	Lucken	Stephens
Buck	Fisher	Main	Turner
Burrows	Flatt	Mincks	Vance
Campbell	Frommelt	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson

Nays, none.

Absent or not voting, 2:

Fulton	Lisle

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Shoeman asked and received unanimous consent that

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Senate File 11 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 passed the following bill in which the concurrence of the House was asked:

Senate File 4, a bill for an act to legalize and validate proceedings of school corporations providing for the organization, establishment and maintenance of public community or junior colleges.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 6, a bill for an act to legalize certain corporations formed under chapter two (2) of Title IX, Code 1897, or chapter three hundred ninety-four (394) of the Codes of 1924, 1927, 1931, 1935 and 1939, or chapter five hundred four (504) of the Codes of 1946, 1950, 1954, 1958 and 1962, or purporting to have been organized, reincorporated or renewed thereunder.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 5, promoting "Top-of-Iowa" sirloin.

WILLIAM R. KENDRICK, *Chief Clerk.*

The Chair announced that the Senate would stand at ease until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 16, 1964, the Governor had approved the following bill:

Senate File 7, relating to school corporations.

AMENDMENT FILED

Amend House File 8 by striking section 2 and substituting the following in lieu thereof:

"Sec. 2. This Act shall be in full force and effect on and after June 1, 1964, upon its publication as provided by law in the Harlan News-Advertiser, a newspaper published at Harlan, Iowa, and in the Journal-Herald, a newspaper published at Avoca, Iowa, without expense to the state."

D. C. NOLAN.

On motion of Senator Rigler, the Senate adjourned until 10:00 a.m., Tuesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, TUESDAY, MARCH 17, 1964.

The Senate met in extraordinary session, President Mooty presiding.

Prayer was offered by the Reverend Robert J. Welch, Professor, School of Religion, State University of Iowa, Iowa City, Iowa.

Senator Nolan asked and received unanimous consent that the following prayer by the Reverend Robert J. Welch be printed in the Senate Journal:

To the King of Ages, eternal and invisible, be honor and glory forever and ever.

Almighty God, in whose hands are the destinies of all men, we ask Thee to enlighten and strengthen these lawmakers in whose hands, under Thee and because of Thee, are also the destinies of men. May they enjoy Thy guidance and blessing and share and imitate Thy concern for men.

Give them wisdom to see themselves as the servants of all and not the slaves of the few. Help them to resolve in peace and justice their differing and at times seemingly unreconcilable paths to the good society which they and those whom they represent so ardently desire for all the citizens of this State.

Thou who of old cried out through the mouths of Thy prophets to call Thy Chosen People back to the dignity and high responsibility of their calling, now move our chosen ones in this assembly to a new respect for the high dignity and awful responsibility which is the great burden of those in public life.

Make them understand that law, which they are commissioned to make, is paradoxically for the sake of liberty; not so much to bind men as to set them free by putting order into their liberty, and insuring for them that which is already their right.

Today we celebrate the feast-day of a man whom Thou has made a saint, the holy man St. Patrick. Those who came after Patrick in the land he loved uttered their conviction that this man had loved Ireland and had sought its true good and the manner of their utterance was the delightful tradition of his driving the snakes from the land.

In some future day, grant, O Lord, that in ways of telling that are less colorful and spectacular than the ways of the Irish, men may say of this Assembly that by the justice of their decisions these legislators, like St. Patrick of old, drove snakes of ancient vintage from the land of Iowa.

These favors and all others that will make Thy gracious will the law of this land, we ask of Thee, O Lord, who are the Alpha and the Omega, the first and the last, the beginning and the end of all things. Amen.

PRESENTATION OF VISITORS

Senator Campbell asked and received unanimous consent to present to the Senate thirty-three students, members of the eighth grade class of the North Mahaska School District, Barnes City, who were present in the balcony accompanied by their instructor, Helen De Hoedt.

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INTRODUCTION OF BILL

Senate File 13, by committee on rules, a bill for an act relating to the cost of printing the official election ballot.

Read first and second times and placed on the calendar.

The Chair announced that the Senate would stand at ease until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

REPORT OF CONFERENCE COMMITTEE ON SENATE FILE 1

TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE:

We, the undersigned members of the conference committee appointed to consider the differences between the Senate and the House on Senate File 1, a bill for an act to provide for representation in the Senate and House of Representatives in the Sixty-first General Assembly and thereafter, beg leave to report and make the following recommendations:

1. That the Senate recede from its amendment to the House amendment.

2. That the House amendment be amended as follows:

a. Amend section 2, line 4, by striking the word "fifty-six" and inserting in lieu thereof the word "fifty-nine".

b. Further amend section 2, by striking all of subsection 30 and inserting in lieu thereof the following: "30. Carroll county and Crawford county shall constitute the thirtieth district with one senator."

c. Further amend section 2, by striking all of subsection 37 and inserting in lieu thereof the following: "37. Buena Vista county and Pocahontas county shall constitute the thirty-seventh district with one senator."

d. Further amend section 2, by striking all of subsection 38 and inserting in lieu thereof the following: "38. Cherokee county and Plymouth county shall constitute the thirty-eighth district with one senator."

e. Further amend section 2, by striking all of subsection 43 and inserting in lieu thereof the following: "43. Franklin county and Wright county shall constitute the forty-third district with one senator."

f. Further amend section 2, by striking all of subsection 47 and inserting in lieu thereof the following: "47. Hancock county and Winnebago county shall constitute the forty-seventh district with one senator."

g. Further amend section 2, by striking all of subsection 48 and inserting in lieu thereof the following: "48. Emmet county and Palo Alto county shall constitute the forty-eighth district with one senator."

h. Further amend section 2, by striking all of subsection 49 and inserting in lieu thereof the following: "49. O'Brien county and Osceola county shall constitute the forty-ninth district with one senator."

i. Further amend section 2 by adding after subsection 50 the following new subsections:

"51. Dickinson county and Clay county shall constitute the fifty-first district with one senator.

"52. Ida county, Sac county and Calhoun county shall constitute the fifty-second district with one senator.

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m. By striking all of section 3 and inserting in lieu thereof the following:

"Sec. 3. Chapter forty-two (42), Code 1962, is hereby repealed and the following enacted in lieu thereof:

The House of Representatives shall be apportioned on a population basis as follows and representatives shall be elected in 1964 and each two years thereafter:

The counties of Lyon and Osceola shall comprise one district and elect one representative.

The counties of Dickinson and Clay shall comprise one district and elect one representative.

The counties of Emmet and Palo Alto shall comprise one district and elect one representative.

The counties of Winnebago and Worth shall comprise one district and elect one representative.

The counties of Mitchell and Howard shall comprise one district and elect one representative.

The counties of Pocahontas and Humboldt shall comprise one district and elect one representative.

The counties of Ida and Sac shall comprise one district and elect one representative.

The counties of Audubon and Guthrie shall comprise one district and elect one representative.

The counties of Adair and Madison shall comprise one district and elect one representative.

The counties of Mills and Fremont shall comprise one district and elect one representative.

The counties of Montgomery and Adams shall comprise one district and elect one representative.

The counties of Taylor and Ringgold shall comprise one district and elect one representative.

The counties of Union and Clarke shall comprise one district and elect one representative.

The counties of Decatur and Wayne shall comprise one district and elect one representative.

The counties of Lucas and Monroe shall comprise one district and elect one representative.

The counties of Appanoose and Davis shall comprise one district and elect one representative.

The counties of Jefferson and Van Buren shall comprise one district and elect one representative.

The counties of Louisa and Muscatine shall comprise one district and elect two representatives.

The counties of Cerro Gordo, Webster, Story, Jasper, Johnson, Clinton, Wapello, Marshall, Des Moines and Lee shall comprise one district each and each shall elect two representatives.

The county of Dubuque shall comprise one district and shall elect three representatives.

The county of Pottawattamie shall comprise one district and shall elect four representatives.

The counties of Scott, Woodbury and Black Hawk shall comprise one district each and each shall elect five representatives.

The county of Linn shall comprise one district and shall elect six representatives.

The county of Polk shall comprise one district and elect eleven representatives.

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All other counties shall comprise one district each and each shall elect one representative.

ROBERT R. RIGLER.	JOHN L. MOWRY.
ANDREW G. FROMMELT.	RAYMOND W. HAGIE.
JOSEPH B. FLATT.	MAURICE VAN NOSTRAND.
LEO ELTHON.	LORNE R. WORTHINGTON.
On the Part of the Senate.	*On the Part of the House.*

Senator Rigler moved the adoption of the conference committee report, which motion prevailed, and the report was adopted.

Senator Rigler moved the adoption of the recommendations and the amendments contained therein and requested a roll call.

On the question "Shall the recommendations and amendments contained therein be adopted?" the vote was:

Ayes, 28:

Benda	Dodds	Hansen	Rigler
Beneke	Elthon	Hill	Schroeder
Brown	Elvers	Kyhl	Shaff
Burrows	Flatt	Lisle	Vance
Campbell	Frommelt	Lodwick	Van Eaton
Coleman	Fulton	Mincks	Walker
Curran	Grimstead	O'Malley	Wiley

Nays, 21:

Buck	Getting	Phelps	Turner
Cowden	Griffin	Scott	Vincent
Doran	Lucken	Shivvers	Walter
Dykhouse	Main	Shoeman	Wearin
Elijah	Nolan	Stephens	Wilson
Fisher			

Absent or not voting, 1:

Long

The motion prevailed and the recommendations and amendments contained therein were adopted.

Senator Rigler moved that the bill be read a third 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:

Benda	Dodds	Hansen	Rigler
Beneke	Elthon	Hill	Schroeder
Brown	Elvers	Kyhl	Shaff
Burrows	Flatt	Lisle	Vance
Campbell	Frommelt	Lodwick	Van Eaton
Coleman	Fulton	Mincks	Walker
Curran	Grimstead	O'Malley	Wiley

Nays, 21:

Buck	Getting	Phelps	Turner
Cowden	Griffin	Scott	Vincent
Doran	Lucken	Shivvers	Walter
Dykhouse	Main	Shoeman	Wearin
Elijah	Nolan	Stephens	Wilson
Fisher			

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Absent or not voting, 1:

Long

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Rigler moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

Roll call was requested.

On the question "Shall the vote by which the bill passed the Senate be reconsidered and the motion to reconsider be laid on the table?" the vote was:

Ayes, 26:

Benda	Dodds	Hill	Rigler
Beneke	Elthon	Kyhl	Schroeder
Brown	Elvers	Lisle	Shaff
Burrows	Frommelt	Lodwick	Vance
Campbell	Fulton	Mincks	Van Eaton
Coleman	Grimstead	O'Malley	Wiley
Curran	Hansen		

Nays, 23:

Buck	Flatt	Phelps	Vincent
Cowden	Getting	Scott	Walker
Doran	Griffin	Shivvers	Walter
Dykhouse	Lucken	Shoeman	Wearin
Elijah	Main	Stephens	Wilson
Fisher	Nolan	Turner	

Absent or not voting, 1:

Long

The 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 relating to the leasing of property by the armory board.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 9, a bill for an act to legalize the proceedings of the city council of the city of Ottumwa.

Also: That the House has concurred in Senate amendments to and passed House File 8, a bill for an act to legalize and validate the proceedings of the board of directors of the Harlan Community School District, in the County of Shelby.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

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House File 11, a bill for an act to legalize and validate renewal articles of incorporation or articles of reincorporation and certificates of renewal of certain 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 13, a bill for an act to legalize and validate the proceedings for the organization and establishment of the boundaries of the Glenwood Community School District.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 15, a bill for an act to legalize and validate the proceedings for the organization, establishment, boundaries, tax levies, and election and tenure of office of the Board of Trustees of the Urbandale Sewer District in the Township of Webster, County of Polk, State of Iowa.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 16, a bill for an act relating to disposition of useless documents by the state curator.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File 11, a bill for an act to legalize and validate renewal articles of incorporation or articles of reincorporation and certificates of renewal of certain corporations not for pecuniary profit.

Read first and second times and referred to committee on rules.

House File 13, a bill for an act to legalize and validate the proceedings for the organization and establishment of the boundaries of the Glenwood Community School District, in the counties of Mills and Pottawattamie, State of Iowa, and declaring the boundaries of said school district to be legally established.

Read first and second times and referred to committee on rules.

House File 15, a bill for an act to legalize and validate the proceedings for the organization, estabishment, boundaries, tax levies, and election and tenure of office of the Board of Trustees of the Urbandale Sanitary Sewer District in the Township of Webster, County of Polk, State of Iowa, and declaring said District a duly and legally organized corporate body as provided by law and further declaring all Trustees duly and legally elected and holding office as provided by law.

Read first and second times and referred to committee on rules.

House File 16, a bill for an act to amend section three hundred three point ten (303.10), Code 1962, relating to disposition of useless documents by the state curator.

Read first and second times and referred to committee on rules.

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PROOFS OF PUBLICATION

Published copy of Senate File 12 and verified proof of publication of said bill in the Marshalltown Times-Republican on March 16, 1964, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

Also, published copy of House File 15 and verified proof of publication of said bill in the Des Moines Register on March 12, 1964, 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 the Senate.

AMENDMENT FILED

Amend House File 4 by striking from
line 8 everything after the word "unless" and by
striking all of lines 9 and 10.

MARTIN WILEY.

On motion of Senator Rigler, the Senate adjourned until 10:00 a.m., Thursday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, THURSDAY, MARCH 19, 1964.

The Senate met in extraordinary session, President pro tempore Vance presiding.

Prayer was offered by Reverend Robert Jones, pastor of the Henderson-Elliott Christian Church, Elliott, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Long for the day on account of illness on request of Senator Rigler.

PRESENTATION OF VISITORS

Senator Benda asked and received unanimous consent to present to the Senate thirteen students, members of the senior class of the Amana High School, who were present in the balcony accompanied by their instructor, Mr. Morgan, and their superintendent, Charles L. Selzer.

Senator Lucken asked and received unanimous consent to present to the Senate Hu-Shou Hsu of Taipei, Taiwan, Republic of China, a United Nations Fellow visiting the United States under the sponsorship of the United States Department of State.

Senator O'Malley asked and received unanimous consent to present to the Senate seven exchange students from Argentina, Sweden, Australia, Brazil, Costa Rica and Japan, attending various Des Moines high schools who were present in the Senate chamber.

THIRD READING OF BILLS

On motion of Senator Benda, House File 4, a bill for an act relating to the display of signs and the labeling of imported meats when sold or offered for sale, and providing for penalty for violation of the provisions hereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wiley asked and received unanimous consent to withdraw the amendment filed by him and found on page 125 of the Senate Journal.

Senator Wiley offered the following amendment and moved its adoption:

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Amend House File 4, section 1, by striking the following in lines 5, 6 and 7: "there shall be displayed in the place of business of such person, firm or corporation a conspicuous sign indicating that such meats or meat products are imported and unless".

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 16:

Brown	Dodds	Lisle	Turner
Buck	Fulton	Mincks	Van Eaton
Burrows	Griffin	Nolan	Wearin
Cowden	Hill	O'Malley	Wiley

Nays, 28:

Benda	Elthon	Lodwick	Shoeman
Beneke	Elvers	Lucken	Stephens
Campbell	Fisher	Main	Vance
Coleman	Flatt	Phelps	Vincent
Curran	Getting	Rigler	Walker
Doran	Grimstead	Scott	Walter
Dykhouse	Kyhl	Shivvers	Wilson

Absent or not voting, 4:

Hansen	Long	Schroeder	Shaff

Voting present, 2:

Elijah	Frommelt

The amendment was lost.

Senator Beneke moved that the bill be read a third 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:

Benda	Dykhouse	Kyhl	Stephens
Beneke	Elijah	Lisle	Turner
Brown	Elthon	Lodwick	Vance
Buck	Elvers	Lucken	Van Eaton
Burrows	Fisher	Main	Vincent
Campbell	Flatt	Nolan	Walker
Coleman	Frommelt	Phelps	Walter
Cowden	Getting	Rigler	Wearin
Curran	Griffin	Scott	Wiley
Dodds	Grimstead	Shivvers	Wilson
Doran	Hansen	Shoeman	

Nays, 3:

Fulton	Hill	Mincks

Absent or not voting, 4:

Long	O'Malley	Schroeder	Shaff

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Dykhouse called up the following resolution:

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SENATE CONCURRENT RESOLUTION 6

By Dykhouse, Lucken, Stephens, Griffin, Cowden, Fisher, Walker, Wilson, Phelps, Elijah, Getting, Buck, Vincent, Walter, Elvers and Scott

Whereas, interpretation and construction of Davis v. Synhorst, the federal court decision on reapportionment of the General Assembly is the subject of dispute and disagreement among the members of the House and Senate;

And Whereas, certain electors who are members of the General Assembly have attempted to intervene in the federal court case on the theory that their interests have not been adequately represented by existing parties and that they will be bound by the judgment

And Whereas, the electors of Iowa and the members of the General Assembly will also be bound by this judgment,

And Whereas, said petition of intervention raises the issues and questions with reference to interpretation and construction of said decree,

And Whereas, it is increasingly apparent that these issues should be resolved,

Now Therefore, Be It Resolved by the Senate with the House Concurring, that the Attorney General be directed to support said petition of intervention to the end that the issues raised therein may be speedily resolved and decided. These issues are as follows:

1. If one house is apportioned on a population basis, may a rational basis for departure from population in the other house, depending upon the house and the facts, include considerations which would allow an area factor as the sole or substantial basis of its apportionment? Or does rational basis as used in the court's guidelines involve only considerations of degree of variation from population and require a substantial population factor?

2. If the House of Representatives is apportioned on a population basis, can a rational basis for departure from population in the Senate include considerations, justifying apportionment thereof solely upon area, or on area with a population factor higher than in a solely area based Senate, and still not be invidiously discriminatory?

3. If the House of Representatives is apportioned on a population basis, will an apportionment of the Senate on the basis it is presently constituted, or as it is presently constituted with the addition of one or more Senators to its more populous counties, violate the equal protection clause?

4. Is Article II, Section 37, Constitution of Iowa, prospectively null and void along with the 12th and 16th Amendments to the Iowa Constitution on the ground that it causes invidious discrimination in allowing electors of counties having more than one representative to vote for twice or more the number of representatives as the electors of counties or representative districts having only one representative?

President Mooty took the chair at 12:05 p.m.

EXPLANATION OF VOTE

I voted for the Conference Committee Report and the amendments contained therein to Senate File 1, not so much because it was a good reapportionment plan, as I feel that it does leave much to be desired as far as fair representation is concerned, but because I felt that it was considerably better than the present apportionment of the Iowa General Assembly.

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I also feel that it was a step forward in attaining fair representation for all the people of Iowa, regardless of where they live.

I realize eighty years of inactivity by previous General Assemblies cannot be overcome in one or two sessions of the General Assembly.

I further feel that with the enactment of Senate File 1, as amended by the Conference Committee, it will in the end result in fair representation in future General Assemblies for the citizens of Iowa.

JAKE B. MINCKS.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 18, 1964, the Governor had approved the following bills:

Senate File 4, relating to junior colleges.

Senate File 6, relating to legalizing past organization of private colleges under Iowa corporation laws.

On motion of Senator Rigler, the Senate adjourned until 10:00 a.m., Friday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FRIDAY, MARCH 20, 1964.

The Senate met in extraordinary session, President Mooty presiding.

Prayer was offered by Reverend Howard G. Eicher, pastor of the First Baptist Church, Boone, Iowa.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Doran, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 1, 8, and 9; also, House File 8.

A. V. DORAN,
Ranking Member Senate Committee.
FRED E. WIER,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate Files 1, 8, and 9; also, House File 8.

BILLS SENT TO THE GOVERNOR

Senator Doran, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 20th day of March, 1964, sent to the Governor for his approval: Senate Files 1, 8 and 9.

A. V. DORAN, *Ranking Member.*

Passed on file.

On motion of Senator Rigler, the Senate resolved itself into executive session.

EXECUTIVE SESSION

The Senate arose from executive session and resumed regular session.

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SENATE CONCURRENT RESOLUTION 7
By Wearin

Whereas, the Iowa Capitol is one of the most significant landmarks of the State of Iowa and is of tremendous pride and held in high esteem not only by state officials but by all residents of the State; and

Whereas, it is generally recognized that the Iowa Capitol is a majestic, dignified, and handsome building standing in a period of history in which such buildings are no longer erected; and

Whereas, the Iowa Capitol is admired and respected for its architectural structure and design by the multitude of tourists who view and tour the Capitol each year; and

Whereas, thousands of school children throughout the State visit the Iowa Capitol annually to obtain a better understanding of the history and government of the State; and

Whereas, it is the duty of the State of Iowa to maintain the Iowa Capitol in its present state not only from a utilitarian point of view but also to maintain the historical, cultural, and aesthetic image; and

Whereas, present State officials are making every attempt possible to preserve the decor and dignity of the Iowa Capitol by reconditioning the exterior and redecorating the interior of the Capitol building and by making long-range plans for future development of the Capitol grounds, now therefore,

Be It Resolved by the Senate, the House Concurring, that the Executive Council of the State of Iowa in cooperation with the Capitol Planning Commission give immediate consideration to the urgent problem of the location of the statehouse cafeteria on the ground floor of the Iowa Capitol building, which due to the noise and disturbance created through the operation of the cafeteria detracts from the dignity of the building, and that the Executive Council make every effort possible to provide appropriate space for relocation of the cafeteria.

On motion of Senator Rigler, the Senate adjourned until 11:00 a.m., Monday, March 23, 1964.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MONDAY, MARCH 23, 1964.

The Senate met in extraordinary session, President Mooty presiding.

Prayer was offered by Reverend William Beattie, pastor of the First Presbyterian Church, Shenandoah, Iowa.

STATEMENT

Senator Vance rose on a point of personal privilege and called to the attention of the members of the Senate a communication under date of March 21, 1964, from James J. Cobb, Executive Secretary of the Asphalt Paving Association of Iowa, to all of the members of the Senate.

Senator Nolan asked and received unanimous consent that the Senate be resolved into a committee of the whole Tuesday morning, March 24, 1964, at 10:00 a.m., and that James F. Cobb, Executive Secretary of the Asphalt Paving Association of Iowa, with offices at 541 Thirty-first Street, Des Moines, Iowa, telephone 244-3127, be requested by the Secretary of the Senate and the Sergeant-at-Arms to appear before the committee of the whole and be interrogated under oath as to the substance or lack of substance of the statements made in his letter of March 21, 1964, regarding the existence of so-called private interests which he may, or may not have in the matters referred to in said letter.

INTRODUCTION OF BILL

Senate File 14, by committee on rules, a bill for an act relating to the nomination and election of public officers.

Read first and second times and placed on the calendar.

PRESENTATION OF VISITORS

Senator Shivvers rose on a point of personal privilege and asked and received unanimous consent to present her distinguished guests who were present in the Senate chamber.

President Mooty invited Senator Shivvers to the rostrum.

Senator Shivvers presented Beverly DeCook, "Queen of Pella

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Tulip Time" for 1964, who extended to all a cordial invitation to attend the annual Tulip Festival to be held on May 7, 8 and 9.

Miss DeCook also presented the members of her Court, Barbara Duven, Pamela Klein, Pamela Wilson and Twyla Van Steenis. President Mooty was presented with the traditional "Dutch Letter" and the Queen and the members of her Court distributed to all the famous Pella cookies.

MESSAGES FROM 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 to authorize cities and towns to purchase and acquire sewage works and facilities, including an interest in the works and facilities owned by another city or town which are to be jointly used by the respective municipalities, and to issue bonds therefor.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 11, a bill for an act to appropriate from the general fund to the state board of control to participate in construction of sewer facilities for the Iowa state penitentiary, Fort Madison, Iowa, and for the men's reformatory at Anamosa, Iowa.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 9, respectfully requesting the return of House File 8 from the Governor.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 10, a bill for an act to establish a commission as the state agency to administer a plan for higher education facilities and to qualify for federal funds available to the State of Iowa.

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 to appropriate funds from the general fund to the conservation commission for purchase of additional forest lands from the federal government.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION 9
By Mowry of Marshall

Whereas, an error has been discovered in House File 8, a bill for an act to legalize and validate the proceedings of the board of directors of the Harlan Community School District, in the County of Shelby, which has passed both houses of the General Assembly and has been delivered to the Governor.

Now, Therefore, Be It Resolved by the House, the Senate Concurring: That the Governor be respectfully requested to return House File 8 for correction.

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HOUSE MESSAGES CONSIDERED

Senator Shoeman asked and received unanimous consent to take up for consideration House Concurrent Resolution 9 and moved its adoption.

The motion prevailed and the resolution was adopted.

House File 10, a bill for an act to establish a commission as the state agency to administer a plan for higher education facilities and to qualify for federal funds available to the State of Iowa.

Read first and second times and referred to committee on rules.

House File 17, a bill for an act to appropriate funds from the general fund of the State of Iowa to the conservation commission for purchase of additional forest lands from the federal government.

Read first and second times and referred to committee on appropriations.

On motion of Senator Rigler, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

THIRD READING OF BILLS

Senator Vance asked and received unanimous consent to take up for consideration Senate File 14, a bill for an act relating to the nomination and election of public officers.

Senator Vance asked and received unanimous consent that the Senate resolve itself into a committee of the whole and that Wayne A. Faupel, Deputy Code Editor, be invited to appear before the committee for the purpose of interpreting the bill.

COMMITTEE OF THE WHOLE

The Senate arose from the committee of the whole and resumed regular session.

Senator Vance moved that the bill be read a third 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:

Benda	Burrows	Curran	Elijah
Beneke	Campbell	Dodds	Elthon
Brown	Coleman	Doran	Elvers
Buck	Cowden	Dykhouse	Fisher

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Flatt	Lodwick	Rigler	Vance
Frommelt	Long	Schroeder	Van Eaton
Fulton	Lucken	Scott	Vincent
Getting	Main	Shaff	Walker
Grimstead	Mincks	Shivvers	Walter
Hansen	Nolan	Shoeman	Wearin
Kyhl	O'Malley	Stephens	Wiley
Lisle	Phelps	Turner	Wilson

Nays, none.

Absent or not voting, 2:

Griffin	Hill

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Vance asked and received unanimous consent that Senate File 14 be immediately messaged to the House, which request was complied with.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 12, a bill for an act relating to school bonds and taxes.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File 12, a bill for an act relating to school bonds and taxes. Read first and second times and referred to committee on rules.

SENATE CONCURRENT RESOLUTION 8

By Rigler

Whereas, both houses of the legislature see fit to open their day's work with prayer, and it is unseemly that they should work during the time in which is commemorated the passion and death of the Lord to whom they dedicate their daily efforts;

Whereas, many members will absent themselves from the legislative halls during that time to attend services in their respective churches;

Therefore, Be It Resolved by the Senate, the House Concurring: That a special recess be held on Good Friday afternoon, March 27, 1964, during the hours of twelve to three o'clock, out of reverence to the passion and death of our Lord.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

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MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: House File 4.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 4.

On motion of Senator Rigler, the Senate adjourned until 9:45 a.m., Tuesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, TUESDAY, MARCH 24, 1964.

The Senate met in extraordinary session, President Mooty presiding.

Prayer was offered by Reverend Paul Leaming, pastor of the Lime Springs and Chester Methodist Churches, Lime Springs, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:
Senator Wilson for the day on request of Senator Walter.

INTRODUCTION OF BILL

Senate Joint Resolution 1, by committee on reapportionment, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the composition of the General Assembly, the basis of representation of the members thereof, and to amend the Constitution by repeal of section six (6), Article three (III) thereof, section thirty-four (34) of Article three (III) thereof and the 1904 and 1928 amendments thereto, sections thirty-five (35) and thirty-six (36) of Article three (III), and the 1904 amendment to each such section, and section thirty-seven (37) of Article three (III), and proposing substitutes in lieu thereof.

Read first and second times and placed on the calendar.

COMMITTEE OF THE WHOLE

The hour of 10:00 a.m., having arrived and on motion of Senator Rigler, duly adopted, the Senate resolved itself into a committee of the whole in accordance with the request of Senator Nolan for the purpose of interrogating James F. Cobb, Executive Secretary of the Asphalt Paving Association of Iowa, with President Mooty acting as chairman of the committee.

COMMITTEE OF THE WHOLE

The Senate arose from the committee of the whole and resumed regular session.

Senator Schroeder moved that the President of the Senate, attested to by the Secretary of the Senate, be ordered to serve notice in accordance with Section two point twenty-nine (2.29) of the Code, upon James F. Cobb in conformity with the unanimous request of

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the committee of the whole and their action thereon, and further that James F. Cobb be ordered to appear before this body at 10:00 a.m., on March 25, 1964.

The motion prevailed.

On motion of Senator Rigler, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

MESAGES FROM 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 the bill passed the House, and that the House has amended Senate amendment and concurred in said amendment as amended, and passed House File 8, a bill for an act to legalize and validate the proceedings of the board of directors of the Harlan Community School District in the County of Shelby.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 14, a bill for an act relating to the nomination and election of public officers.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE FILE 8

Amend the Senate amendment to House File 8 by striking all of said amendment after the numeral "2" in line one (1), and inserting in lieu thereof a period.

HOUSE AMENDMENT TO SENATE FILE 14

Amend Senate File 14 as follows:

1. By striking the word "Except" in line four (4) of section 1 and in line four (4) of section 2.

2. By inserting after the figures "1964" in line four (4) of section 1 and line four (4) of section 2 the word "only,".

HOUSE AMENDMENT CONSIDERED

Senator Shoeman called up for consideration House File 8, a bill for an act to legalize and validate the proceedings of the board of directors of the Harlan Community School District, in the County of Shelby, State of Iowa, authorizing and providing for the issuance of school building bonds and for the levy of taxes for the payment of said bonds and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said school district, amended

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by the Senate, and moved that the Senate concur in the following House amendment to the Senate amendment:

Amend the Senate amendment to House File 8 by striking all of said amendment after the numeral "2" in line one (1), and inserting in lieu thereof a period.

The motion prevailed and the Senate concurred in the House amendment to the Senate amendment.

Senator Shoeman moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 49:

Benda	Elthon	Lisle	Shaff
Beneke	Elvers	Lodwick	Shivvers
Brown	Fisher	Long	Shoeman
Buck	Flatt	Lucken	Stephens
Burrows	Frommelt	Main	Turner
Campbell	Fulton	Mincks	Vance
Coleman	Getting	Nolan	Van Eaton
Cowden	Griffin	O'Malley	Vincent
Curran	Grimstead	Phelps	Walker
Dodds	Hansen	Rigler	Walter
Doran	Hill	Schroeder	Wearin
Dykhouse	Kyhl	Scott	Wiley
Elijah			

Nays, none.

Absent or not voting, 1:

Wilson

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 Benda, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Files 10 and 11.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 and 11.

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BILLS SENT TO THE GOVERNOR

Senator Benda, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 24th day of March, 1964, sent to the Governor for his approval: Senate Files 10 and 11.

KENNETH BENDA, *Chairman.*

Passed on file.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 23, 1964, the Governor had approved the following bills:

Senate File 1, relating to representation in the Senate and House of Representatives in the Sixty-first General Assembly and thereafter.

Senate File 8, relating to the leasing of property by the Armory Board.

Senate File 9, relating to the proceedings of the City Council of the City of Ottumwa, Iowa.

REPORT OF COMMITTEE

Senator Shoeman submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 17**, a bill for an act to appropriate funds from the general fund of the State of Iowa to the conservation commission for purchase of additional forest lands from the federal government, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JOHN D. SHOEMAN, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend the House amendment to Senate File 14 by striking all of division 1 and inserting in lieu thereof the following:

"1. By striking the words 'Except as' in line 4 of section 1 and in line 4 of section 2 and inserting in lieu thereof the word 'As'."

CLIFFORD VANCE.

Amend Senate Joint Resolution 1 by striking all after the resolving clause and substituting the following in lieu thereof:

Section 1. The following amendment to the constitution of the state of Iowa is hereby proposed:

Section six (6) of article three (III), section thirty-four (34) of article three (III) as amended in 1904 and 1928, sections thirty-five (35), and thirty-six (36) of article three (III) as amended in 1904, and section thirty-seven (37) of article three (III) are hereby repealed, and section thirty-eight (38) of article three (III) designated as section thirty-nine (39) of article three (III).

"Section 34. The state shall be divided by resolution of the general assembly into legislative districts along county boundaries, the seventeen (17) counties having the greatest population to be designated as single-county legislative districts, the remain-

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der of the counties to be combined into two-county legislative districts. Counties forming such districts shall be contiguous. Counties joined only at the point of a corner shall not be regarded as contiguous.

"Legislative districts shall be numbered consecutively so that odd-numbered and even-numbered districts shall be as equal in number as possible in each districting act districting or redistricting legislative districts within the state.

"Section 35.1. Each legislative district shall be entitled to one (1) senator plus one (1) additional senator for each senatorial population unit above one (1).

"2. The senatorial population unit shall be determined by dividing the state's population as shown on the last United States decennial census by fifty (50).

"3. Each legislative district shall be entitled to one (1) representative plus one (1) additional representative for each representative population unit above one (1) or major fraction thereof.

"4. The representative population unit shall be determined by dividing the state's population as shown on the last United States decennial census by one hundred ten (110).

"Section 36. If, following a United States decennial census, the population of any legislative district is found to be less than a major fraction of the representative population unit as provided in section thirty-five (35), subsection four (4), such legislative district shall be eliminated by resolution of the general assembly at the next regular session to be held after the census year, and the counties composing such district shall be combined with contiguous two-county legislative districts to form three-county legislative districts.

"Terms of office of senators representing two-county legislative districts eliminated by the general assembly, and the terms of office of senators in the two-county districts with which they are combined, shall terminate on December 31, following the general election first held after such elimination. Senators representing the newly formed three-county districts shall be nominated and elected at the first (1st) general election following formation of the new districts.

"Section 37.1. Immediately following initial districting, or subsequent redistricting by the general assembly and following each United States decennial census using the official certified population figures for the state and counties, it shall be the duty of the secretary of state, in accordance with the foregoing provisions, to notify the county, or counties, within each legislative district as to the number of senators and representatives to which the district is entitled. This action shall be effective as to the nomination and election of senators and representatives at the next general election to be held after the effective date of the districting, or redistricting act; or after the census year as the case may be.

"The terms of all senators, no matter when elected, shall terminate on December 31, 1968. Senators, from districts entitled to only one (1) senator, elected at the first (1st) general election after districting, or redistricting, by the general assembly, or following a decennial census, shall be elected for two-year terms in odd-numbered legislative districts and four-year

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terms in even-numbered legislative districts. Senators from districts entitled to more than one (1) senator shall be elected from subdistricts within the legislative district as hereinafter provided, such subdistricts to be numbered consecutively so that odd-numbered and even-numbered districts shall be as equal in number as possible. The numbering shall be accomplished by the board of supervisors, or boards, as the case may be, following the initial districting by the general assembly, subsequent redistricting, and after each decennial census as may be required. Senators from odd-numbered subdistricts shall be elected for two-year terms, those from even-numbered subdistricts shall be elected for four-year terms. After the division of senators into classes so that half will be elected every two (2) years the terms of all senators shall be four (4) years. If a district remains undisturbed as to boundaries following redistricting or following a decennial census, its class shall remain unchanged and the incumbent senator shall be allowed to serve out the term for which he was elected.

"2. Within each legislative district entitled to more than one (1) senator, or to more than one (1) representative, it shall be the duty of the county board of supervisors, or county boards of supervisors meeting in joint convention, as the case may be, to divide the district into senatorial subdistricts and representative subdistricts.

"3. Senatorial subdistricts created by action outlined in subsection two (2) shall equal in number the number of senators to which the district is entitled. Representative subdistricts so created shall equal in number the number of representatives to which the district is entitled. No person shall be allowed to vote for more than one (1) senator or more than one (1) representative.

"4. Both senatorial and representative subdistricts, as herein provided, shall be compact and contiguous territory. Areas joined only at the point of a corner shall not be regarded as contiguous. County, township, and precinct lines will be followed insofar as possible. The permitted deviation in population between subdistricts shall be no more than five (5) percent.

"5. No person shall be elected to the office of senator or representative from a subdistrict who at the time of his election has not been in actual residence for at least sixty (60) days in the subdistrict.

"6. The state supreme court shall review the action taken by the county board of supervisors, or boards as the case may be, in dividing legislative districts into senatorial subdistricts and representative subdistricts to determine whether or not the provisions of the constitution have been complied with. If the court finds that the action taken does not comply with the constitution or that a county board of supervisors, or boards as the case may be, has failed to accomplish the required subdistricting within ninety (90) days following notification by the secretary of state as to the number of senators and representatives to which the legislative district is entitled, then the court will divide the legislative district into subdistricts as provided in the foregoing sections.

"Section 38. When a congressional district shall be composed

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of two (2) or more counties, it shall not be entirely separated by any county belonging to another district, and no county shall be divided."

Sec. 2. The foregoing proposed amendment to the constitution of the state of Iowa is hereby referred to the general assembly to be chosen at the next general election, and the secretary of state is directed to cause the same to be published as provided by law for three (3) months previous to the time of making such choice.

EUGENE M. HILL.

On motion of Senator Rigler, the Senate adjourned until 9:45 a.m., Wednesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, WEDNESDAY, MARCH 25, 1964.

The Senate met in extraordinary session, President Mooty presiding.

Prayer was offered by Reverend Maurice M. Frevert, pastor of the Methodist Church, Galva, Iowa.

Senator Frommelt raised a question as to his right to have recorded in the Senate Journal his "explanation of vote" on a question considered in the committee of the whole on March 24, 1964.

Senator Shaff suggested that the matter be referred to the committee on rules, which suggestion was accepted.

REPORT OF COMMITTEE ON RULES

MR. PRESIDENT AND MEMBERS OF THE SENATE:

The right of Senator Frommelt to explain his vote in the committee of the whole and have same placed in the Senate Journal was this morning referred to the rules committee. To facilitate the proceedings of the Senate, I have personally contacted each member of the rules committee without having a formal meeting of the committee and the members unanimously recommend that Senator Frommelt be granted permission to do so.

CLIFFORD M. VANCE,
Chairman of Rules Committee.

EXPLANATION OF VOTE

MR. PRESIDENT AND MEMBERS OF THE SENATE: In explanation of my vote cast while the Senate was in committee of the whole relative to the question of using the Senate acting as a committee of the whole to interrogate Mr. Cobb, I voted against the suggested proceedings because the action is without precedent in the Iowa Senate and constitutes the questionable legislative procedure not designed to bring about the end results of clearing up the questions raised by a letter addressed to the members of this Senate relative to the conduct of a member of this Senate.

It is my feeling that a small select committee with strict rules established to provide fairness to the proceedings would be far more desirable.

A dangerous precedent is being established in the Iowa Senate to which I do not subscribe.

ANDREW FROMMELT.

PRESENTATION OF VISITORS

Senator Brown asked and received unanimous consent to present to the Senate twenty students, members of the senior government class of the Cylinder High School, who were present in the balcony accompanied by their instructor, Jay Johnson.

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Senator Cowden asked and received unanimous consent to present to the Senate thirty-nine students, members of the senior class of the Woodward Community School, who were present in the balcony accompanied by their instructor, Garry Newell.

Senator Cowden asked and received unanimous consent to present to the Senate twenty-six students from the Yale-Jamaica-Bagley Community School were present in the balcony accompanied by their instructors, Gordon Jenson and Winifred Shirley.

Senator Coleman asked and received unanimous consent to present to the Senate twenty-nine students, members of the eighth grade class of the St. Paul's Lutheran School of Fort Dodge, who were present in the balcony accompanied by their instructor, E. O. Hillman, and their principal, Wayne Albers.

INTRODUCTION OF BILL

Senate File 15, by committee on rules, a bill for an act to allow school districts merged under chapter two hundred seventy-four point thirty-seven (274.37), Code 1962, to contract for the joint construction of buildings prior to the effective date of the merger.

Read first and second times and placed on the calendar.

HOUSE AMENDMENT CONSIDERED

Senator Vance called up for consideration Senate File 14, a bill for an act relating to the nomination and election of public officers, amended by the House.

Senator Vance asked and received unanimous consent to withdraw the amendment filed by him on March 24 and found on page 140 of the Senate Journal.

On motion of Senator Vance, the Senate concurred in the following House amendment:

Amend Senate File 14 as follows:

1. By striking the word "Except" in line four (4) of section 1 and in line four (4) of section 2.

2. By inserting after the figures "1964" in line four (4) of section 1 and line four (4) of section 2 the word "only,".

Senator Vance moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

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Ayes, 50:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Van Eaton
Campbell	Fulton	O'Malley	Vincent
Coleman	Getting	Phelps	Walker
Cowden	Griffin	Nolan	Walter
Curran	Grimstead	Rigler	Wearin
Dodds	Hansen	Schroeder	Vance
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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.

COMMITTEE OF THE WHOLE

Senator Rigler asked and received unanimous consent that the Senate resolve itself into a committee of the whole in accordance with the motion by Senator Schroeder duly adopted on March 24 and found on pages 137-138 of the Senate Journal, and that President Mooty act as chairman of the committee.

COMMITTEE OF THE WHOLE

The Senate arose from the committee of the whole and resumed regular session.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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 14 and House File 8, reenrolled as corrected.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 14 and House File 8, reenrolled as corrected.

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EXPLANATION OF VOTE

MR. PRESIDENT AND MEMBERS OF THE SENATE: In a meeting of the committee of the whole, I was recorded as voting "Aye" on a resolution calling for the appearance of Mr. Cobb before the Senate. My vote was only an expression of faith in the integrity, motives and honesty of the Senator from Johnson. However, I do not believe this is a proper legislative action, and that such action results in deprivation of a constitutional right of a citizen to object and circulate petitions. Such action, in my opinion, can do nothing but lower the dignity of this august body, of which I am proud to be a member. This investigation could have better served the people of Iowa if it had been conducted by a duly designated committee.

JACK SCHROEDER.

REPORTS OF COMMITTEE

Senator Vance submitted the following report:

MR. PRESIDENT: Your committee on rules to which was referred **Senate File 12**, a bill for an act to legalize and validate the proceedings of the Marshall County board of supervisors, Marshall County, Iowa, establishing Marshall County Sanitary District Number 1, Marshall County, Iowa, begs leave to report it has had the same under consideration and recommends the same **be amended as follows; and when so amended the bill do pass:**

Amend Senate File 12, line 3 of the first "Whereas" by inserting following the word "held" the words "September 30, 1963".

CLIFFORD M. VANCE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on rules to which was referred **House File 13**, a bill for an act to legalize and validate the proceedings for the organization and establishment of the boundaries of the Glenwood Community School District, in the counties of Mills and Pottawattamie, State of Iowa, and declaring the boundaries of said school district to be legally established, begs leave to report it has had the same under consideration and recommends the same **do pass.**

CLIFFORD M. VANCE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on rules to which was referred **House File 15**, a bill for an act to legalize and validate the proceedings for the organization, establishment, boundaries, tax levies, and election and tenure of office of the Board of Trustees of the Urbandale Sanitary Sewer District in the Township of Webster, County of Polk, State of Iowa, and declaring said district a duly and legally organized corporate body as provided by law and further declaring all trustees duly and legally elected and holding office as provided by law, begs leave to report it has had the same under consideration and recommends the same **do pass.**

CLIFFORD M. VANCE, *Chairman.*

Ordered passed on file.

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Also:

MR. PRESIDENT: Your committee on rules to which was referred **House File 16**, a bill for an act to amend section three hundred three point ten (303.10), Code 1962, relating to disposition of useless documents by the state curator, begs leave to report it has had the same under consideration and recommends the same **do pass.**

CLIFFORD M. VANCE, *Chairman.*

Ordered passed on file.

BILL SENT TO THE GOVERNOR

Senator Benda, 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, 1964, sent to the Governor for his approval: Senate File 14.

KENNETH BENDA, *Chairman.*

Passed on file.

AMENDMENT FILED

Amend Senate Joint Resolution 1 as follows:

1. By striking from lines thirty-five (35), thirty-six (36), and thirty-seven (37) the following sentence:

"Senators elected from a senatorial district electing less than three (3) senators shall be elected from the district at large."

2. By striking from lines thirty-seven (37) and thirty-eight (38) the words "three (3) or more senators" and inserting in lieu thereof the words "more than one (1) senator".

3. By striking lines forty-seven (47) through fifty-six (56) and inserting in lieu thereof the following:

"The redistricting authority when establishing senatorial districts and subdistricts shall classify the districts and subdistricts by lot so that as nearly as possible one-half of the senators shall be elected every two (2) years. In classifying districts and sub-".

4. By striking all of lines seventy-three (73) through seventy-eight (78) and inserting in lieu thereof the words "of his term."

JOHN L. CAMPBELL.

On motion of Senator Rigler, the Senate adjourned until 9:00 a.m., Thursday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, THURSDAY, MARCH 26, 1964.

The Senate met in extraordinary session, President Mooty presiding.

Prayer was offered by Reverend Duane Churchman, pastor of the St. Luke's Methodist Church, Newton, Iowa.

PRESENTATION OF VISITORS

Senator Cowden asked and received unanimous consent to present to the Senate Dallas Bowman of Adel, National Contour Plowing Champion, and Ernest Thomas of Waukee, Iowa's Outstanding Young Farmer of 1963, who were present in the Senate chamber.

THIRD READING OF BILLS

On motion of Senator Shoeman, House File 17, a bill for an act to appropriate funds from the general fund of the State of Iowa to the conservation commission for purchase of additional forest lands from the federal government, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Lodwick moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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.

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On motion of Senator Buck, Senate File 12, a bill for an act to legalize and validate the proceedings of the Marshall County board of supervisors, Marshall County, Iowa, establishing Marshall County Sanitary District No. 1, Marshall County, 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 12, line 3 of the first "Whereas" by inserting following the word "held" the words "September 30, 1963".

The amendment was adopted.

Senator Buck moved that the bill be read a third 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:

Benda	Elthon	Lonwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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 Buck asked and received unanimous consent that Senate File 12 be immediately messaged to the House, which request was complied with.

Senator Rigler asked and received unanimous consent to take up the following bill:

On motion of Senator Fulton, Senate File 15, a bill for an act to allow school districts merged under chapter two hundred seventy-four point thirty-seven (274.37), Code 1962, to contract for the joint construction of buildings prior to the effective date of the merger, was taken up and considered.

Senator Fulton moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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On the question "Shall the bill pass?" the vote was:

Ayes, 50:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Frommelt	Main	Turner
Burrows	Flatt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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 Fulton asked and received unanimous consent that Senate File 15 be immediately messaged to the House, which request was complied with.

Senator Fulton asked and received unanimous consent to take up the following bill:

On motion of Senator Fulton, House File 13, a bill for an act to legalize and validate the proceedings for the organization and establishment of the boundaries of the Glenwood Community School District, in the counties of Mills and Pottawattamie, State of Iowa, and declaring the boundaries of said school district be legally established, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Lisle moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On question "Shall the bill pass?" the vote was:

Ayes, 50:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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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 Rigler asked and received unanimous consent to take up the following bill:

On motion of Senator O'Malley, House File 15, a bill for an act to legalize and validate the proceedings for the organization, establishment, boundaries, tax levies, and election and tenure of office of the Board of Trustees of the Urbandale Sanitary Sewer District in the Township of Webster, County of Polk, State of Iowa, and declaring said District a duly and legally organized corporate body as provided by law and further declaring all Trustees duly and legally elected and holding office as provided by law, 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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 Rigler asked and received unanimous consent to take up the following bill:

On motion of Senator Vance, House File 16, a bill for an act to amend section three hundred three point ten (303.10), Code 1962, relating to disposition of useless documents by the state curator, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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Senator Vance moved that the bill be read a third 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:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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 Wearin called up the following resolution and moved its adoption:

SENATE CONCURRENT RESOLUTION 7
By Wearin

Whereas, the Iowa Capitol is one of the most significant landmarks of the State of Iowa and is of tremendous pride and held in high esteem not only by state officials but by all residents of the State; and

Whereas, it is generally recognized that the Iowa Capitol is a majestic, dignified, and handsome building standing in a period of history in which such buildings are no longer erected; and

Whereas, the Iowa Capitol is admired and respected for its architectural structure and design by the multitude of tourists who view and tour the Capitol each year; and

Whereas, thousands of school children throughout the State visit the Iowa Capitol annually to obtain a better understanding of the history and government of the State; and

Whereas, it is the duty of the State of Iowa to maintain the Iowa Capitol in its present state not only from a utilitarian point of view but also to maintain the historical, cultural, and aesthetic image; and

Whereas, present State officials are making every attempt possible to preserve the decor and dignity of the Iowa Capitol by reconditioning the exterior and redecorating the interior of the Capitol building and by making long-range plans for future development of the Capitol grounds, now therefore,

Be It Resolved by the Senate, the House Concurring, that the Executive Council of the State of Iowa in cooperation with the Capitol Planning Commission give immediate consideration to the urgent problem of the location of the statehouse cafeteria on the ground floor of the Iowa Capitol

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building, which due to the noise and disturbance created through the operation of the cafeteria detracts from the dignity of the building, and that the Executive Council make every effort possible to provide appropriate space for relocation of the cafeteria.

The motion prevailed and the resolution was adopted.

Senator Wearin asked and received unanimous consent that Senate Concurrent Resolution 7 be immediately messaged to the House, which request was complied with.

Senator Rigler called up the following resolution and moved its adoption:

SENATE CONCURRENT RESOLUTION 8
By Rigler

Whereas, both houses of the legislature see fit to open their day's work with prayer, and it is unseemly that they should work during the time in which is commemorated the passion and death of the Lord to whom they dedicate their daily efforts.

Whereas, many members will absent themselves from the legislative halls during that time to attend services in their respective churches;

Therefore, Be It Resolved by the Senate, the House Concurring: That a special recess be held on Good Friday afternoon, March 27, 1964, during the hours of twelve to three o'clock, out of reverence to the passion and death of our Lord.

The motion prevailed and the resolution was adopted.

Senator Rigler asked and received unanimous consent that Senate Concurrent Resolution 8 be immediately messaged to the House, which request was complied with.

On motion of Senator Rigler, the Senate stood at ease until the fall of the gavel.

The Senate reconvened, President Mooty presiding.

Senator Rigler called up the following resolution:

SENATE RESOLUTION 2
By Rigler

Whereas, a letter under date of March 21, 1964, has been circulated and directed to the membership of both houses of the Iowa General Assembly indicating exception to the position of Senator D. C. Nolan with reference to an inquiry which has been ordered by the Senate as to the change of plans of the Iowa Highway Commission in connection with the surfacing of a portion of Interstate Highway No. 80, and

Whereas, the contents of the letter as circulated impugned the motives and integrity of Senator Nolan, and

Whereas, a Committee of the Whole of the Iowa Senate has been convened for the purpose of making inquiry as to the charges contained in said letter, and

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Whereas, pursuant to said inquiry witnesses have been interrogated before the Committee, and

Whereas, it is the finding of the Senate that the testimony offered in no way substantiates charges contained in the letter dated March 21, 1964, directed to the members of the General Assembly and signed by Mr. James F. Cobb on behalf of the Asphalt Paving Association of Iowa, and

Whereas, in fact the inquiry establishes that Senator Nolan has at all times conducted himself in a completely proper manner with the evidence submitted showing that he has acted in good faith and with reasonable cause and that his reputation as a person of the highest integrity is in no way changed, and

Whereas, it is the finding of the Senate that the proposed changes by the Iowa Highway Commission which are under investigation are located in Johnson and Iowa Counties which counties are now or have heretofore constituted Senator Nolan's legislative district,

Now Therefore Be It Resolved by the Senate, that the charges contained in said letter dated March 21, 1964, are shown by the testimony offered to be without foundation in each and every respect as they pertain to the character, integrity and motives of Senator D. C. Nolan.

Senator Rigler asked unanimous consent to take up for consideration Senate Resolution 2.

Objection was raised by Senator Frommelt.

Senator Rigler moved that the Senate take up for consideration Senate Resolution 2 and moved its adoption.

The Chair announced that the Senate would stand at ease for ten minutes.

The Senate reconvened, President Mooty presiding.

Senator Doran, a friend of long standing who ably represented Senator Nolan in all action during the sessions of the Senate in the "Committee of the Whole," addressed the Senate and endorsed the adoption of the resolution.

Senator Frommelt moved as a substitute motion that the legal counsel for James F. Cobb, Sherwin Markham, be given equal time to address the Senate.

Senator Rigler renewed his motion for the adoption of Senate Resolution 2.

Senator Frommelt again moved as a substitute motion that Mr. Markman or a designated representative be given an opportunity to address the Senate.

Senator Nolan asked unanimous consent that Mr. Markman be granted the privilege of addressing the Senate briefly.

For the reason that non-Senate members are not permitted to ad-

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dress the Senate in regular session, the Chair ruled all substitute motions out of order.

Senator Rigler moved that the Senate resolve itself into a committee of the whole, which motion prevailed.

COMMITTEE OF THE WHOLE

The Senate arose from the committee of the whole and resumed regular session.

Senator Rigler renewed his motion for the adoption of Senate Resolution 2, which motion prevailed.

Roll call was requested.

Senator O'Malley, a long time friend of Senator Nolan, asked and received unanimous consent to be excused from voting on the resolution.

On the question "Shall the resolution be adopted?" the vote was:

Ayes, 37:

Benda	Fisher	Long	Stephens
Beneke	Flatt	Lucken	Turner
Buck	Getting	Phelps	Vance
Burrows	Griffin	Rigler	Van Eaton
Campbell	Grimstead	Schroeder	Vincent
Cowden	Hill	Scott	Walker
Curran	Kyhl	Shaff	Wearin
Dykhouse	Lisle	Shivvers	Wiley
Elijah	Lodwick	Shoeman	Wilson
Elthon			

Nays, 3:

Brown	Fulton	Mincks

Excused from voting, 1:

O'Malley

Voting present, 9:

Coleman	Elvers	Hansen	Nolan
Dodds	Frommelt	Main	Walter
Doran			

The resolution was adopted.

On motion of Senator Rigler, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

THIRD READING OF BILLS

On motion of Senator Rigler, Senate Joint Resolution 1, a joint resolution proposing an amendment to the Constitution of the State

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of Iowa relating to the composition of the General Assembly, the basis of representation of the members thereof, and to amend the Constitution by repeal of section six (6), Article three (III) thereof, section thirty-four (34) of Article three (III) thereof and the 1904 and 1928 amendments thereto, sections thirty-five (35) and thirty-six (36) of Article three (III), and the 1904 amendment to each such section, and section thirty-seven (37) of Articles three (III), and proposing substitutes in lieu thereof, was taken up and considered.

Senator Shaff outlined the contents of the resolution.

Senator Hill called up the amendment to Senate Joint Resolution 1 filed by him on March 24, 1964, and found on pages 140-143, inclusive, of the Senate Journal.

Senator Hill moved the adoption of the amendment and requested a roll call.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 13:

Brown	Elvers	Hill	O'Malley
Coleman	Frommelt	Main	Walter
Cowden	Griffin	Mincks	Wearin
Dodds			

Nays, 36:

Benda	Fisher	Long	Stephens
Beneke	Flatt	Nolan	Turner
Buck	Fulton	Phelps	Vance
Burrows	Getting	Rigler	Van Eaton
Campbell	Grimstead	Schroeder	Vincent
Curran	Hansen	Scott	Walker
Dykhouse	Kyhl	Shaff	Wiley
Doran	Lisle	Shivvers	Wilson
Elijah	Lodwick	Shoeman	
Elthon			

Absent or not voting, none.

Voting present, 1:

Lucken

The amendment was lost.

Senator Campbell asked and received unanimous consent to withdraw the amendment to Senate Joint Resolution 1 filed by him on March 25 and found on page 148 of the Senate Journal.

Senator Fulton offered the following amendment filed by Senators Fulton, O'Malley and Mincks:

Amend Senate Joint Resolution 1 as follows:

1. Amend section 1, line 12, by striking "two (2)", and inserting in lieu thereof the following: "one and one-half (1½)".

2. Further amend section 1 by striking lines 28 through 33 and inserting in lieu thereof the following: "districts having a population of from

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four and one-half (4½) to seven and one-half (7½) percent of the population of the State as determined by the most recent United States decennial census shall elect one (1) additional senator; from seven and one-half (7½) to ten (10) percent of the population of the State, two (2) additional senators, and one (1) additional senator for each three (3) percent of the population of the State".

3. Further amend section 1 by striking all of lines 35 through 39 and by striking the word "authority" in line 40, and inserting in lieu thereof the following:

"Senators elected from senatorial districts electing three (3) or less senators shall be elected from a district at large. In any senatorial district electing more than three (3) senators the entire district shall elect two (2) senators and the remaining senators shall be elected from senatorial subdistricts".

Senator Fulton moved the adoption of the amendment.

The amendment was lost.

Senator Nolan offered the following amendment:

Amend Senate Joint Resolution 1 by striking all of section 36 after the word "redistricted" in line 108 and inserting in lieu thereof the following: "as provided by the General Assembly which Act shall not be subject to veto by the Governor."

Senator Nolan asked unanimous consent that action on the amendment be deferred.

Objection was raised.

Senator Nolan moved that action on the amendment be deferred, which motion prevailed.

SENATE CONCURRENT RESOLUTION 9
By Turner

Whereas, the Liquor Control Act of the State of Iowa creates a monopoly in the Iowa Liquor Control Commission and requires that all packaged alcoholic liquor be sold and distributed through state liquor stores, and

Whereas, the statute delegates to the Commission the authority to establish the prices at which package liquor shall be sold throughout the state, and

Whereas, the Commission has established prices which provide mark-ups ranging from 48 percent to 73 percent over the delivered cost of each of the various brands, classes and varieties of alcoholic liquor sold through the stores without discount for quantity purchases, and

Whereas, the established prices for quantity sales are not competitive with those of any neighboring state and are causing illegal import of liquor from other states.

Now Therefore, Be It Resolved by the Senate, the House Concurring, that we recommend the Iowa Liquor Control Commission give full and careful consideration to the granting of discounts in their prices on the quantity sales of package liquor, up to 10 percent effective immediately, in order to discourage illegal import and bootlegging from other states. Toward this end, the Commission is authorized to conduct public hearings and such other investigation as may be necessary to determine the amount of said

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discounts and they should, in any event, report their findings to the General Assembly at its next regular session.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 18, a bill for an act relating to establishment of "Iowa Mental Retardation Facilities and Community Mental Health Centers Construction Act", and making an appropriation therefor.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File 18, a bill for an act relating to the establishment of the "Iowa Mental Retardation Facilities and Community Mental Health Centers Construction Act", and making an appropriation therefor.

Read first and second times and referred to committee on appropriations.

EXPLANATION OF VOTE

The undersigned enter the following in explanation of their vote on Senate Resolution 2. We originally opposed the using of the Committee of the Whole as a means of investigating the most unfortunate letter authored by the Asphalt Paving Association of Iowa that impugned the motives and integrity of Senator Nolan. When the Senate held the investigation acting as a Committee of the Whole, we firmly believed that the investigation was not limited to the sole question with which we believed the Senate was concerned, that is the unfounded charges against Senator Nolan, but was allowed to bring in the entire controversy that is to be investigated by the Interim Committee. We also believe that the resolution contained language which drew conclusions regarding the matter to be investigated by the Interim Committee. To this we object. We, therefore, state that we would and do support the following resolution:

Now Therefore Be It Resolved by the Senate, that the charges contained in said letter dated March 21, 1964, are shown by the testimony offered to be without foundation in each and every respect as they pertain to the character, integrity and motives of Senator D. C. Nolan.

We further state that the hearing held March 25 does indicate the need for the Interim Committee forthwith to begin the investigation previously requested by the Senate in order to finally determine whether the best interests of the citizens of Iowa are being served by the management of Iowa's highway problems.

JOHN J. BROWN.
JAKE B. MINCKS.
ROBERT D. FULTON.

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BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 25, 1964, the Governor had approved the following bills:

Senate File 10, authorizing cities and towns to purchase and acquire sewage works and facilities, etc.

Senate File 11, relating to an appropriation from the general fund of the State of Iowa to the State Board of Control to participate in construction of sewer facilities for the Iowa State Penitentiary, Fort Madison, Iowa and the Men's Reformatory at Anamosa, Iowa.

Senate File 14, relating to the nomination and election of public officers.

AMENDMENTS FILED

Amend Senate Joint Resolution 1 as follows:

1. Strike from line one hundred four (104) of section one (1) the words and figures "In 1967" and insert in lieu thereof the following "In 1971".

2. Strike from line one hundred nine (109) of section one (1) the words and figures "By January one (1) in 1967" and insert in lieu thereof the following: "By January 1, 1971".

3. Add at the end of section one (1) the following:

"Upon the adoption of this amendment and until such time as the Senate is redistricted the senate districts and the number of senators elected from each district shall be as follows:

1. Lyon and Sioux counties shall comprise one district and elect one senator.

2. O'Brien, Osceola and Dickinson counties shall comprise one district and elect one senator.

3. Clay, Palo Alto and Emmet counties shall comprise one district and elect one senator.

4. Kossuth and Hancock counties shall comprise one district and elect one senator.

5. Winnebago, Worth and Mitchell counties shall comprise one district and elect one senator.

6. Floyd, Chickasaw and Howard counties shall comprise one district and elect one senator.

7. Fayette and Winneshiek counties shall comprise one district and elect one senator.

8. Allamakee and Clayton counties shall comprise one district and elect one senator.

9. Plymouth and Cherokee counties shall comprise one district and elect one senator.

10. Ida, Sac and Buena Vista counties shall comprise one district and elect one senator.

11. Calhoun, Pocahontas and Greene counties shall comprise one district and elect one senator.

12. Humboldt and Webster counties shall comprise one district and elect one senator.

13. Wright, Hamilton and Hardin counties shall comprise one district and elect one senator.

14. Cerro Gordo and Franklin counties shall comprise one district and elect one senator.

15. Butler and Bremer counties shall comprise one district and elect one senator.

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16. Black Hawk county shall comprise one district and elect one senator.

17. Buchanan and Delaware counties shall comprise one district and elect one senator.

18. Dubuque county shall comprise one district and elect one senator.

19. Woodbury county shall comprise one district and elect one senator.

20. Monona and Harrison counties shall comprise one district and elect one senator.

21. Crawford and Carroll counties shall comprise one district and elect one senator.

22. Boone and Story counties shall comprise one district and elect one senator.

23. Grundy and Marshall counties shall comprise one district and elect one senator.

24. Tama and Benton counties shall comprise one district and elect one senator.

25. Linn county shall comprise one district and elect one senator.

26. Jones and Jackson counties shall comprise one district and elect one senator.

27. Shelby and Cass counties shall comprise one district and elect one senator.

28. Audubon, Guthrie and Dallas counties shall comprise one district and elect one senator.

29. Polk county shall comprise one district and elect two senators.

30. Jasper and Poweshiek counties shall comprise one district and elect one senator.

31. Iowa and Johnson counties shall comprise one district and elect one senator.

32. Cedar and Clinton counties shall comprise one district and elect one senator.

33. Scott county shall comprise one district and elect one senator.

34 Pottawattamie county shall comprise one district and elect one senator.

35. Adair, Madison and Clarke counties shall comprise one district and elect one senator.

36. Warren and Marion counties shall comprise one district and elect one senator.

37. Mahaska and Keokuk counties shall comprise one district and elect one senator.

38. Washington and Henry counties shall comprise one district and elect one senator.

39. Muscatine and Louisa counties shall comprise one district and elect one senator.

40. Mills, Fremont and Montgomery counties shall comprise one district and elect one senator.

41. Adams, Page and Taylor counties shall comprise one district and elect one senator.

42. Union, Ringgold and Decatur counties shall comprise one district and elect one senator.

43. Lucas, Monroe and Wayne counties shall comprise one district and elect one senator.

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44. Wapello and Jefferson counties shall comprise one district and elect one senator.

45. Des Moines and Lee counties shall comprise one district and elect one senator.

46. Appanoose, Davis and Van Buren counties shall comprise one district and elect one senator."

JOHN A. WALKER.

Amend Senate Joint Resolution 1 by adding in line one hundred twenty-six (126) of section one (1) after the word "may" the words "by joint resolution" and by striking from said line the word "enact" and inserting in lieu thereof the word "'provide".

Further amend said Senate Joint Resolution 1 by striking from lines one hundred thirty-two (132) and one hundred thirty-three (133) the word "enactment" and inserting in lieu thereof the word "joint resolution".

JOHN A. WALKER.

Amend Senate Joint Resolution 1 as follows:

1. By inserting after the word "territory" in line sixty-two the words "having an incumbent senator residing therein".

2. By striking from lines sixty-eight (68), sixty-nine (69) and seventy (70) the words "when the term of office of an incumbent senator shall not be permitted to be completed due to the redistricting of the senatorial district or subdistrict of the incumbent." and inserting in lieu thereof the following "for shortening the term of office of an incumbent senator when the territory in which he resides is attached to a district or subdistrict also having an incumbent senator residing therein."

DONALD G. BENEKE.

Amend Senate Joint Resolution 1 as follows:

By striking all of section 36 following the word "redistricted" in line 108, and inserting in lieu thereof the following:

"by the General Assembly which act shall not be subject to veto by the Governor. In the event the General Assembly does not determine the number of senators which shall be elected from each senatorial district and does not redistrict the senatorial and representative districts and the senatorial subdistricts by July 1 in 1967 and in each year immediately following the taking of the United States decennial census, a redistricting commission composed of the Governor, Lieutenant Governor, Attorney General, Secretary of State, Auditor of State, Treasurer of State, and Secretary of Agriculture shall convene within thirty (30) days and shall make such determination and complete such redistricting. The commission shall file a report of its action with the Secretary of State no later than December 1 following the date of its convening."

A. V. DORAN.

Amend House File 10 as follows:

1. Amend section 1, line 23, by striking the period (.) and inserting the following: ", one representing public community junior colleges and public

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technical institutes not under the Board of Regents.".
2. Further amend section 1, line 28, by striking "three (3)" and inserting in lieu thereof the following: "two (2)".

A. V. DORAN.

On motion of Senator Rigler, the Senate adjourned until 10:00 a.m., Monday, March 30, 1964.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MONDAY, MARCH 30, 1964.

The Senate met in extraordinary session, President Mooty presiding.

Prayer was offered by Reverend Robert D. Butler, pastor of the Methodist Church, Laurens, Iowa.

PRESENTATION OF VISITORS

Senator Vance rose on a point of personal privilege and presented to the Senate the Honorable Carl T. Anderson, a former member of the Senate from Washington County who was present in the Senate chamber.

Senator Beneke asked and received unanimous consent to present to the Senate forty students from the Laurens Junior High School who were present in the Senate chamber.

Senator Wiley asked and received unanimous consent to present to the Senate sixty-eight students from the St. Ludmilas, Trinity Lutheran, Lincoln and Amana Lakeside Schools who were present in the balcony.

Senator Doran asked and received unanimous consent to present to the Senate fourteen students from the Ogden High School who were present in the balcony.

INTRODUCTION OF BILL

Senate File 16, by committee on reapportionment, a bill for an act relating to the election of members of the General Assembly from districts entitled to more than one member in the Senate or House of Representatives.

Read first and second times and placed on the calendar.

UNFINISHED BUSINESS

The Senate resumed consideration of Senate Joint Resolution 1, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the composition of the General Assembly, the basis of representation of the members thereof, and to amend the Constitution by repeal of section six (6), Article three (III) thereof, section thirty-four (34) of Article three (III) thereof and the 1904 and 1928 amendments thereto, sections thirty-five (35) and thirty-six (36) of Article three (III), and the 1904 amendment to each such

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section, and section thirty-seven (37) of Article three (III), and proposing substitutes in lieu thereof.

Senator Nolan asked and received unanimous consent to withdraw the amendment filed by him on March 26 and found on page 158 of the Senate Journal, action on which was temporarily deferred.

Senator Walker called up the amendment filed by him on March 26 and found on pages 160-162, inclusive, of the Senate Journal.

Senator Walker moved the adoption of the amendment.

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 14:

Cowden	Main	Shivvers	Vance
Dykhouse	Nolan	Shoeman	Vincent
Elvers	Phelps	Stephens	Walker
Getting	Scott		

Nays, 33:

Benda	Doran	Kyhl	Schroeder
Beneke	Elthon	Lisle	Shaff
Brown	Fisher	Lodwick	Turner
Buck	Flatt	Long	Van Eaton
Burrows	Frommelt	Lucken	Walter
Campbell	Fulton	Mincks	Wearin
Coleman	Hansen	O'Malley	Wiley
Curran	Hill	Rigler	Wilson
Dodds			

Absent or not voting, 3:

Elijah	Griffin	Grimstead

The amendment was lost.

Senator Beneke called up the amendment filed by him on March 26 and found on page 162 of the Senate Journal.

Senator Beneke asked and received unanimous consent that action on the amendment be temporarily deferred.

Senator Doran called up the amendment filed by him on March 26 and found on page 162 of the Senate Journal.

Senator Doran asked and received unanimous consent that action on the amendment be temporarily deferred.

Senator Turner offered the following amendment:

Amend Senate Joint Resolution 1 by striking all following the word "redistricted" in line 108 up to and including line 157 and inserting in lieu thereof the following:

"by the General Assembly which act shall not be subject to veto by the Governor. Until redistricting is accomplished, no bill shall be in order in

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either House except upon the express recommendation of the Governor and with the consent of two-thirds of the members of each House."

Senator Turner asked and received unanimous consent that action on the amendment be temporarily deferred.

On motion of Senator Rigler, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Vance presiding.

The Senate resumed consideration of the amendment filed by Senator Turner.

Senator Turner offered the following amendment to the amendment:

Amend the amendment as follows:

1. By striking all after the word "following" in line 3 and substituting in lieu thereof the following:

"by the General Assembly. The Supreme Court shall review the action forthwith to determine whether the redistricting substantially complies with the Constitution and shall file its decision with the Secretary of State within one week after the act is passed. If the act is determined to be unconstitutional, the process shall be repeated until a constitutional redistricting is effected. Until such redistricting is accomplished, no bill shall be enacted in either House except by a vote of two-thirds of the members of each House."

Senator Turner moved the adoption of the amendment to the amendment, which motion was lost.

Senator Turner moved the adoption of the amendment, which motion was lost.

President Mooty took the chair at 2:30 p.m.

Senator Long offered the following amendment filed by Senators Long, Dykhouse and Schroeder:

Amend Senate Joint Resolution 1 as follows:

1. Strike from section 1 all of lines 109 to 129, inclusive, and insert in lieu thereof the words "The General Assembly".

2. Strike from line 134 of section 1 the words "the commission and".

Further amend said line by striking the word "fail" and insert in lieu thereof the word "fails".

3. Strike from line 141 of section 1 the words "the commission or".

4. Strike from line 68 of section 1 the words "statement, law, or court order" and insert in lieu thereof the words "law or court order".

Senator Long moved the adoption of the amendment.

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

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Ayes, 41:

Benda	Fulton	Main	Stephens
Buck	Getting	Mincks	Turner
Campbell	Griffin	Nolan	Vance
Cowden	Grimstead	Phelps	Van Eaton
Dodds	Hansen	Rigler	Vincent
Dykhouse	Hill	Schroeder	Walter
Elthon	Kyhl	Scott	Walker
Elvers	Lodwick	Shaff	Wearin
Fisher	Long	Shivvers	Wiley
Flatt	Lucken	Shoeman	Wilson
Frommelt			

Nays, 7:

Beneke	Burrows	Doran	O'Malley
Brown	Curran	Lisle	

Absent or not voting, 2:

Coleman	Elijah

The amendment was adopted.

Senator Doran asked and received unanimous consent to withdraw the amendment previously offered by him.

Senator Rigler offered the following amendment and moved its adoption:

Amend Senate Joint Resolution 1, section 1, by striking from line 157 the words "statement, law or court order" and inserting in lieu thereof the words "law or court order".

The amendment was adopted.

Senator Beneke asked and received unanimous consent to withdraw the amendment previously offered by him.

Senator Beneke offered the following amendment:

Amend Senate Joint Resolution 1 by inserting in line 59 after the period the following sentence:

"No incumbent senator shall be permitted to complete the term for which he was elected if any new territory is added by the redistricting authority to the district or subdistrict from which the senator was elected."

Senator Beneke moved the adoption of the amendment.

Division was called for.

The amendment was adopted.

Senator Walker called up the following amendment filed by him:

Amend Senate Joint Resolution 1 by adding in line one hundred twenty-six (126) of section one (1) after the word "may" the words "by joint resolution" and by striking from said line the word "enact" and inserting in lieu thereof the word "provide".

Further amend said Senate Joint Resolution 1 by striking from lines one hundred thirty-two (132) and one hundred thirty-three (133) the word "enactment" and inserting in lieu thereof the word "joint resolution".

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Senator Walker asked and received unanimous consent to withdraw the amendment.

The Chair announced that the Senate would stand at ease until the fall of the gavel.

The Senate reconvened, President Mooty presiding.

Senator Lodwick offered the following amendment:

Amend Senate Joint Resolution 1, lines 132 and 133, by striking "legislative enactment by May fifteen (15) of such year", and inserting in lieu thereof the following: "joint resolution by May fifteen (15) of such year, which joint resolution shall not be subject to the approval of the governor".

Senator Lodwick moved the adoption of the amendment.

The amendment was adopted.

Senator Van Eaton moved the previous question on the resolution, which motion prevailed.

Senator Rigler moved that the resolution be read a third time now, which motion prevailed, and the resolution was read a third time.

Senate Joint Resolution 1, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the composition of the General Assembly, the basis of representation of the members thereof, and to amend the Constitution by repeal of section six (6), Article three (III) thereof, section thirty-four (34) of Article three (III) thereof and the 1904 and 1928 amendments thereto, sections thirty-five (35) and thirty-six (36) of Article three (III) and the 1904 amendment to each such section, and section thirty-seven (37) of Article three (III), and proposing substitutes in lieu thereof.

Be It Resolved by the General Assembly of the State of Iowa:

Section 1. The following amendment to the Constitution of the State of Iowa is hereby proposed.

"Section six (6) of Article three (III), section thirty-four (34) of Article three (III) and the 1904 and 1928 amendments thereto, sections thirty-five (35) and thirty-six (36) of Article three (III) and the 1904 amendment to each such section, and section thirty-seven (37) of Article three (III) are hereby repealed and the following adopted in lieu thereof:

"Section 6. The State shall be divided into senatorial districts, the number to be determined as hereafter provided by the redistricting authority. Each county of the State having a population of two (2) percent or more of the whole number of the population of the

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State as determined by the most recent United States decennial census shall constitute a single county senatorial district. The remaining counties shall be divided into two-county and three-county senatorial districts by the redistricting authority so that as nearly as possible the number of two-county districts shall comprise two-thirds of the remaining districts and the number of three-county districts shall comprise one-third of the remaining districts. Counties joined into two-county and three-county districts shall be compact and contiguous and no county shall be divided in forming such districts. Counties joined only at the point of a corner shall not be considered contiguous. Two-county and three-county districts shall be as equal in population as practicable.

"Section 34. Each senatorial district established by the redistricting authority shall elect one (1) senator. Senatorial districts having a population of from six (6) to ten (10) percent of the population of the State as determined by the most recent United States decennial census shall elect one (1) additional senator; from ten (10) to fourteen (14) percent of the population of the State, two (2) additional senators, and one (1) additional senator for each four (4) percent of the population of the State thereafter.

"Senators elected from a senatorial district electing less than three (3) senators shall be elected from the district at large. Senators elected from a senatorial district electing three (3) or more senators shall be elected from single member subdistricts within the district established by the redistricting authority. Each senatorial subdistrict within a district shall have a population equal to that of every other senatorial subdistrict within the district with a deviation of no more than ten (10) percent permitted. Boundaries of subdistricts shall conform to voting district boundaries and shall consist of compact and contiguous territory. Areas joined only at the point of a corner shall not be considered contiguous.

"The redistricting authority when establishing senatorial districts shall determine the number of senators each senatorial district shall elect and shall classify the districts by lot so that as nearly as possible one-half of the senators shall be elected every two (2) years. The redistricting authority shall include in the classification senatorial subdistricts established within districts and shall further classify senatorial seats within districts electing two (2) senators so that as nearly as possible one-half of the senators within each district shall be elected every two (2) years. In classifying districts and subdistricts after each redistricting, the redistricting authority shall take into consideration the classification in effect prior to the redistricting. No incumbent senator shall be permitted to complete

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the term for which he was elected if any new territory is added by the redistricting authority to the district or subdistrict from which the senator was elected. An incumbent senator residing in an unchanged district or subdistrict or in a district or subdistrict of reduced size shall be permitted to complete the term for which he was elected if no new territory was added to the district or subdistrict by the redistricting authority. The classification of such districts or subdistricts shall not be changed from the class to which the district or subdistrict was assigned prior to the redistricting.

The redistricting authority shall provide in its redistricting law or court order when the term of office of an incumbent senator shall not be permitted to be completed due to the redistricting of the senatorial district or subdistrict of the incumbent. Any senator who is not permitted to serve his complete term shall not be compensated for the incompleted part of his term. In districts electing two (2) senators, no election shall be held at the succeeding primary and general elections for the office of the senator whose term expires preceding the convening of the next regular session of the General Assembly if the redistricting authority determines the district is no longer entitled to elect an additional senator.

"Section 35. The House of Representatives shall consist of one hundred (100) members elected from single member representative districts established by the redistricting authority. Representative districts shall be established as follows:

"1. The redistricting authority shall determine a population unit which shall be equal to the quotient resulting from dividing the whole number of the State as shown by the most recent United States decennial census by one hundred (100).

"2. Each representative district shall have a population equal to that of every other representative district with a deviation of no more than ten (10) percent from the population unit permitted.

"3. Each representative district shall consist of compact and contiguous territory. Areas joined only at the point of a corner shall not be considered contiguous.

"4. So far as practicable, a county shall not be divided unless it is entitled to elect more than one (1) representative. Where it is necessary to cross county lines in forming representative districts, the boundaries of such districts shall conform to township or voting district boundaries.

"The redistricting authority may realign voting district boundaries where the population of an area is so distributed that it is impossible for the redistricting authority to form a representative district or

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a senatorial subdistrict as provided in this section and in section thirty-four (34) of this Article.

"Section 36. In 1967 and in each year immediately following the taking of the United States decennial census, the number of senators to be elected from each senatorial district shall be determined and the senatorial and representative districts and the senatorial subdistricts shall be redistricted.

"The General Assembly shall determine the number of senators to be elected from each senatorial district and redistrict the senatorial and representative districts and senatorial subdistricts by joint resolution by May fifteen (15) of such year, which joint resolution shall not be subject to the approval of the governor.

"If the General Assembly fails to comply with the provisions of this section within the time allotted, the Supreme Court shall perform these functions by October one (1) of such year. The action of the Court shall be entered and certified to the Secretary of State by court order and shall be final.

"Before June fifteen (15) of such year, any ten (10) members of the General Assembly may petition the Supreme Court to determine whether the action of the General Assembly substantially complies with the provisions of the Constitution. If the action substantially complies, the Court shall so notify the Secretary of State and the decision shall be final. If the Court determines that the action does not substantially comply, the Court shall determine the number of senators which shall be elected from each senatorial district and redistrict the senatorial and representative districts and the senatorial subdistricts. The Court shall proceed in its action as provided in the preceding paragraph of this section.

"The provisions designating the number of senators which shall be elected from each senatorial district and the redistricting of senatorial and representative districts and senatorial subdistricts shall take effect beginning for the nomination and election of members of the General Assembly for the next regular session of the General Assembly following the adoption of the redistricting law or court order.

"Section 37. When a congressional district shall be composed of two (2) or more counties, it shall not be entirely separated by any county belonging to another district, and no county shall be divided in forming a congressional district."

Sec. 2. The foregoing proposed amendment to the Constitution of the State of Iowa is hereby referred to the General Assembly to be

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chosen at the next general election for members of the General Assembly and the Secretary of State is directed to cause the same to be published as provided by law for three (3) months previous to the time of making such choice.

On the question "Shall the resolution be adopted?" the vote was:

Yeas, 43:

Benda	Elthon	Long	Stephens
Beneke	Elvers	Lucken	Turner
Brown	Fisher	Main	Vance
Buck	Flatt	Nolan	Van Eaton
Burrows	Getting	Phelps	Vincent
Campbell	Griffin	Rigler	Walker
Cowden	Grimstead	Schroeder	Walter
Curran	Hansen	Scott	Wearin
Doran	Kyhl	Shaff	Wiley
Dykhouse	Lisle	Shivvers	Wilson
Elijah	Lodwick	Shoeman	

Nays, 7:

Coleman	Frommelt	Hill	O'Malley
Dodds	Fulton	Mincks	

Absent or not voting, none.

The resolution having received a constitutional majority was declared to have been adopted by the Senate and the title was agreed to.

Senator Rigler asked and received unanimous consent that Senate Joint Resolution 1 be immediately messaged to the House, which request was complied with.

EXPLANATION

A proposed plan for an amendment which I considered offering was declared to be out of order for the reason that it was similar to an amendment previously offered and defeated. This proposal provided that two three-county districts would be replaced by three two-county districts as follows: Lucas and Wayne, Wapello and Monroe, Appanoose and Davis, and Jefferson and Van Buren. This would create one additional senatorial district in the First Congressional District and would create a 48 member instead of a 47 member Senate.

DEWEY PHELPS.

EXPLANATION

I feel that this session of the legislature is not living up to its obligations when it does not tell the people how they are going to be paired in the permanent reapportionment plan. Nevertheless I voted for Senate Joint Resolution 1 because I thought we had to pass a permanent resolution this session in order not to break faith with the people.

JOHN A. WALKER.

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ADDITIONAL COPIES

Senator Rigler asked and received unanimous consent to have 1,000 copies of Senate Joint Resolution 1 as passed by the Senate printed.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File 14, a bill for an act providing for lease-purchase option contracts for school buildings.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File 14, a bill for an act providing for lease-purchase option contracts for school buildings.

Read first and second times and referred to committee on rules.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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 13, 15, 16 and 17.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 13, 15, 16 and 17.

On motion of Senator Rigler, the Senate adjourned until 10:00 a.m., Tuesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, TUESDAY, MARCH 31, 1964.

The Senate met in extraordinary session, President Mooty presiding.

Prayer was offered by Reverend Alvin E. Goldhorn, pastor of the Memorial Presbyterian Church, Cherokee, Iowa.

PRESENTATION OF VISITORS

Senator Campbell rose on a point of personal privilege and presented to the Senate Mrs. Connie Pierson of Oskaloosa, International Flying Farmer Queen, who was present in the Senate chamber.

Senator Beneke asked and received unanimous consent to present to the Senate five students from the St. John's Lutheran School of Alta who were present in the Senate chamber accompanied by their instructor, Jeffrey Crane.

INTRODUCTION OF BILL

Senate File 17, by committee on rules, a bill for an act relating to the nomination and election of public officers.

Read first and second times and placed on the calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 7, relating to relocation of the statehouse cafeteria.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 12, a bill for an act to legalize and validate the proceedings of the Marshall County board of supervisors.

Also: That the House has passed the following joint resolution in which the concurrence of the Senate is asked:

House Joint Resolution 6, proposing an amendment to the Constitution of the State of Iowa relating to the formation of Congressional districts and repealing the provisions relating to state Senatorial and Representative districts.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 19, a bill for an act relating to the election of members of the

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General Assembly from districts entitled to more than one member in the Senate or House of Representatives.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House Joint Resolution 6, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the formation of Congressional districts and repealing the provisions relating to state Senatorial and Representative districts.

Read first and second times and referred to committee on reapportionment.

House File 19, a bill for an act relating to the election of members of the General Assembly from districts entitled to more than one member in the Senate or House of Representatives.

Read first and second times and passed on file.

The Chair announced that the Senate would stand at ease until the fall of the gavel.

The Senate reconvened, President Mooty presiding.

On motion of Senator Rigler, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

THIRD READING OF BILLS

Senator Rigler asked and received unanimous consent to take up for consideration Senate File 16, a bill for an act relating to the election of members of the General Assembly from districts entitled to more than one member in the Senate or House of Representatives.

Senator Rigler asked and received unanimous consent that House File 19, a bill for an act relating to the election of members of the General Assembly from districts entitled to more than one member in the Senate or House of Representatives, be substituted for Senate File 16.

Senator Elthon offered the following amendment:

Amend House File 19 by striking section 1 and inserting in lieu thereof the following:

"Section 1. In any legislative district in the House of Representatives where two or more candidates are to be elected from said district and in any legislative district in the Senate where three or more candidates are to be elected from said district, they shall be elected from divisions established within the district. Said divisions shall be established by the general assembly after each federal decennial census at the first session at which

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official census returns are available and shall follow township and precinct lines in such manner that each such division shall be as compact and as nearly equal in population as may be possible. A variation of no more than ten percent shall be permitted."

Senator Elthon moved the adoption of the amendment.

The amendment was adopted.

Senator Elthon offered the following amendment:

Amend House File 19, section 3, by striking lines 5 through 10 and inserting in lieu thereof the following:

"After the establishment of divisions of a senate district for the election in 1966, the division of residence of the incumbent or incumbents whose term is about to expire shall be considered to be the division or divisions of the district electing a senator for the succeeding four-year term. The remaining incumbent having been elected at large in 1964 shall continue to represent the other division regardless of his residence within the district, for the remainder of his term."

Senator Elthon moved the adoption of the amendment.

The amendment was adopted.

Senator Rigler moved that the bill be read a third 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:

Benda	Elijah	Long	Shoeman
Beneke	Elthon	Lucken	Stephens
Buck	Fisher	Nolan	Turner
Burrows	Flatt	Phelps	Vance
Campbell	Griffin	Rigler	Vincent
Cowden	Grimstead	Scott	Walker
Curran	Kyhl	Shaff	Wearin
Doran	Lisle	Shivvers	Wilson
Dykhouse	Lodwick		

Nays, 14:

Brown	Fulton	Mincks	Van Eaton
Coleman	Hansen	O'Malley	Walter
Dodds	Hill	Schroeder	Wiley
Frommelt	Main		

Absent or not voting, 2:

Elvers	Getting

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Rigler asked and received unanimous consent that House File 19 be immediately messaged to the House, which request was complied with.

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SENATE FILE 16 WITHDRAWN

Senator Rigler asked and received unanimous consent that Senate File 16 be withdrawn from further consideration of the Senate.

Senator Turner called up the following resolution:

SENATE CONCURRENT RESOLUTION 9
By Turner

Whereas, the Liquor Control Act of the State of Iowa creates a monopoly in the Iowa Liquor Control Commission and requires that all packaged alcoholic liquor be sold and distributed through state liquor stores, and

Whereas, the statute delegates to the Commission the authority to establish the prices at which package liquor shall be sold throughout the state, and

Whereas, the Commission has established prices which provide mark-ups ranging from 48 percent to 73 percent over the delivered cost of each of the various brands, classes and varieties of alcoholic liquor sold through the stores without discount for quantity purchases, and

Whereas, the established prices for quantity sales are not competitive with those of any neighboring state and are causing illegal import of liquor from other states.

Now Therefore, Be It Resolved by the Senate, the House Concurring, that we recommend the Iowa Liquor Control Commission give full and careful consideration to the granting of discounts in their prices on the quantity sales of package liquor, up to 10 percent effective immediately, in order to discourage illegal import and bootlegging from other states. Toward this end, the Commission is authorized to conduct public hearings and such other investigation as may be necessary to determine the amount of said discounts and they should, in any event, report their findings to the General Assembly at its next regular session.

Senator Nolan offered the following amendment:

Amend Senate Concurrent Resolution 9 as follows:

1. By inserting after the word "liquor" in paragraph 5, line 4, the words "to liquor control licensees".
2. By striking the last sentence of the resolution.

Senator Nolan moved the adoption of the amendment.

The amendment was adopted.

Senator Main moved that the resolution be referred to the committee on rules.

Roll call was requested.

On the question "Shall Senate Concurrent Resolution 9 be referred to the committee on rules?" the vote was:

Ayes, 12:

Elijah	Hill	Phelps	Vincent
Elthon	Main	Shivvers	Walker
Fulton	O'Malley	Stephens	Wilson

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Nays, 27:

Benda	Elvers	Lodwick	Shoeman
Beneke	Flatt	Lucken	Turner
Brown	Frommelt	Mincks	Vance
Buck	Griffin	Nolan	Van Eaton
Campbell	Hansen	Rigler	Wearin
Dodds	Kyhl	Schroeder	Wiley
Doran	Lisle	Scott	

Absent or not voting, 11:

Burrows	Curran	Getting	Shaff
Coleman	Dykhouse	Grimstead	Walter
Cowden	Fisher	Long	

The motion was lost.

Senator Turner moved the adoption of the resolution and requested a roll call.

On the question "Shall Senate Concurrent Resolution 9 be adopted?" the vote was:

Ayes, 30:

Benda	Elvers	Lucken	Shoeman
Beneke	Fisher	Mincks	Turner
Brown	Frommelt	Nolan	Vance
Buck	Griffin	Rigler	Van Eaton
Burrows	Hansen	Schroeder	Walter
Coleman	Kyhl	Scott	Wearin
Dodds	Lisle	Shaff	Wiley
Doran	Long		

Nays, 15:

Campbell	Fulton	Main	Vincent
Cowden	Grimstead	Phelps	Walker
Elijah	Hill	Shivvers	Wilson
Elthon	Lodwick	Stephens	

Absent or not voting, 3:

Curran	Dykhouse	Getting

Voting present, 2:

Flatt	O'Malley

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

Senator Turner asked and received unanimous consent that Senate Concurrent Resolution 9 be immediately messaged to the House, which request was complied with.

The Chair announced that the Senate would stand at ease until the fall of the gavel.

The Senate reconvened, President pro tempore Vance presiding.

Senator Rigler called to the attention of the Senate Senate Reso-

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lution 1, filed by Senator Flatt on March 5 and found on page 73 of the Senate Journal.

Senator Rigler moved that the Senate resolve itself into a committee of the whole and that Marvin R. Selden, Jr., State Comptroller, be invited to review the present and projected status of the general fund, which motion prevailed.

COMMITTEE OF THE WHOLE

The Senate arose from the committee of the whole and resumed regular session.

SENATE CONCURRENT RESOLUTION 10

By Appropriations Committee

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 1962:

Des Moines Rubber Stamp Co., stamp and badges (Senate)	$ 56.50
Ditto, Inc., paper and supplies (Senate)	24.42
Executive Council, supplies and postage (Senate)	951.19
Iowa State Industries, chairs (Senate)	518.42
Carroll A. Lane, postage, telephone, speaker repair	64.49
Office Machine Supply Co., Inc., ribbons, clean and repair typewriters (Senate)	158.50
Petersen Court Reporters	712.00
Pitney-Bowes, Inc., scale repair (Senate)	8.50
Radio Trade Supply Co., speaker repair (Senate)	19.88
Storey Kenworthy Co., desk and stamp machine (Senate)	563.83
Des Moines Rubber Stamp Co., stamp and badges (House)	90.60
Hatfield Duplicating Co., paper and supplies (House)	145.10
IBM Corp., maintenance agreement on equipment (House)	22.37
Wm. R. Kendrick, parts for voting machine (House)	2.00
Executive Council, supplies and postage (House)	1,144.79
Office Machine Supply Co., Inc., ribbons, clean and repair typewriters (House)	79.08
Storey Kenworthy Co., chair and books (House)	233.80
Strauss Lock Co., locks (House)	16.93
	$4,812.40

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.

Be It Further Resolved: That the officers or employees of the Sixtieth General Assembly in Extraordinary Session who shall be engaged for work in connection with the closing of the Sixtieth General Assembly in Extraordinary Session shall be compensated for such services at the same rate as was fixed for the regular session of the Sixtieth General Assembly.

EXPLANATION OF VOTE

Senate Concurrent Resolution 9 directs the Iowa Liquor Control Commission to give full and careful consideration to granting discounts on

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quantity liquor sales. If such action should be taken by the Commission most likely there would be a sizable loss in revenue to the general fund. Because of the lack of complete information in this area, my vote was cast as "present".

JOSEPH B. FLATT.

REPORTS OF COMMITTEE

Senator Vance submitted the following report:

MR. PRESIDENT: Your committee on rules to which was referred **House File 10**, a bill for an act to establish a commission as the state agency to administer a plan for higher education facilities and to qualify for federal funds available to the State of Iowa, begs leave to report it has had the same under consideration and recommends the same **do pass**.

CLIFFORD M. VANCE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on rules to which was referred **House File 11**, a bill for an act to legalize and validate renewal articles of incorporation or articles of reincorporation and certificates of renewal of certain corporations not for pecuniary profit, begs leave to report it has had the same under consideration and recommends the same **do pass**.

CLIFFORD M. VANCE, *Chairman*.

Ordered passed on file.

AMENDMENT FILED

Amend House File 12, line 23, by inserting a period after the word "mills" and striking the remainder of the section.

DAVID O. SHAFF.

On motion of Senator Rigler, the Senate adjourned until 9:30 a.m., Wednesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, WEDNESDAY, APRIL 1, 1964.

The Senate met in extraordinary session, President Mooty presiding.

Prayer was offered by Doctor Robert W. Rae, pastor of the Highland Park United Presbyterian Church, Des Moines, Iowa.

PRESENTATION OF VISITORS

President Mooty announced the arrival of Lord Balerno, an active member of the British House of Lords, in the Senate chamber.

Lord Balerno was escorted to the rostrum by his host, Herb Plambeck, Farm Director, WHO-TV, and Senator Getting.

President Mooty presented to the Senate Lord Balerno of Edinburgh, Scotland, an active member of the British House of Lords, an outstanding Scottish farmer, a leader in the Conservative party in Scotland, who served as a brigadier and was decorated in World War II European theatre, an active church man who takes a keen interest in the Boys' Brigade, a British youth movement.

Lord Balerno is in the United States for the purpose of attending the Golden Anniversary reunion of Alpha Gamma Rho, a nationwide agricultural fraternity of which he is a member.

Lord Balerno addressed the Senate and expressed his sincere appreciation for the honor extended to him. Mr. Plambeck also thanked the Senate.

ANNOUNCEMENT

Senator Curran rose on a point of personal privilege and presented to the Senate the "Commodores," A. L. Henningsen, Ed Lamson, Margaret Lamson, W. L. Morisky, Robert Denny, Ervin Redder, Don O'Neil, officers and directors of the Clear Lake Chamber of Commerce who were present in the Senate chamber.

Mr. Lamson, Secretary, appeared on the rostrum and extended to the members of the Senate an invitation to attend the Twenty-sixth Annual "Governor's Day" to be held on July 31, August 1 and 2, 1964, at Clear Lake, Iowa.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

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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, regarding investigation of management of 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 13, a bill for an act relating to the cost of printing the official election ballot.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 15, a bill for an act to allow school districts merged under chapter two hundred seventy-four point thirty-seven (274.37), Code 1962, to contract for the joint construction of buildings prior to the effective date of the merger.

Also: That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 8, commemorating the Congressmen from Iowa that voted to defeat House Resolution 8986.

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 to require a statement of the taxpayer's resident school district on his state income tax return.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 13

Amend Senate File 13 as follows:

1. By adding a new section following section 3 as follows:

Sec. 4. Section fifty-three point forty-six (53.46), subsection two (2), Code 1962, is hereby amended by striking all of said subsection after the comma in line twenty-three (23), commencing with the word "shall", and inserting in lieu thereof the following: "as amended by section two (2) of this Act shall apply to the cost of printing any such specially printed ballots by the several counties".

2. Further amend Senate File 13 by renumbering the remaining section.

HOUSE AMENDMENT TO SENATE FILE 15

Amend Senate File 15 as follows:

1. By striking from the title all after the word "school" in the first line thereof and inserting in lieu thereof the following: "districts, the boundaries of which have been changed under section two hundred seventy-four point thirty-seven (274.37), Code 1962, to contract for the joint construction of buildings prior to the effective date of the change."

2. Amend the enacting clause by striking all after the word "Assembly" and inserting in lieu thereof the following: "of the State of Iowa:".

3. By striking all of section 1 and inserting in lieu thereof the following:

Section 1. Section two hundred seventy-four point thirty-seven (274.37), Code 1962, is hereby amended by adding thereto the following:

"The boards in the respective districts, the boundaries of which have been changed under this section, complete in all respects, except for the passage of time prior to the effective date of the change and when all

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right of appeal of the change has expired, may enter into joint contracts for the construction of buildings for the benefit of the corporations whose boundaries have been changed, using federal funds accumulated under section two hundred seventy-eight point one (278.1), subsection seven (7), of the Code. The district in which the building is to be located may use any funds authorized in accordance with chapter seventy-five (75) of the Code. Nothing in this section shall be construed to permit the changed districts to expend any funds jointly which they are not entitled to expend acting individually."

HOUSE CONCURRENT RESOLUTION 8

Whereas, the Honorable H. R. Gross, Congressman from the Third Congressional District of Iowa, has consistently opposed wasteful and extravagant spending by the Federal Government; and

Whereas, the Honorable H. R. Gross, vigorously protested United States Senators and Congressmen voting themselves a ten thousand dollar ($10,000.00) increase in salaries, together with other high office holders of the Federal Government; and

Whereas, the Honorable H. R. Gross forced a roll call on House Resolution 8986, which provided for said increase which resulted in a defeat of the resolution; and

Whereas, Congressmen Fred Schwengel, James Bromwell, John Kyl, Charles Hoeven, and Ben Jensen, of Iowa, joined the Honorable H. R. Gross, in the defeat of House Resolution 8986; and

Whereas, we are not opposed to just and reasonable increases in salaries of government employees, we nevertheless are in full sympathy and accord with the Honorable H. R. Gross in his stand against Congress voting these extravagant increases for its members and other high government officials; now therefore,

Be It Resolved by the House of Representatives, the Senate Concurring, that the General Assembly of the State of Iowa commemorate the Honorable H. R. Gross, Fred Schwengel, James Bromwell, John Kyl, Charles Hoeven and Ben Jensen for the astute action taken by them in defeating House Resolution 8986.

Be It Further Resolved, that a copy of this resolution be sent to the Honorable H. R. Gross and the honorable Congressmen from Iowa hereinabove named.

HOUSE MESSAGE CONSIDERED

House File 9, a bill for an act to require a statement of the taxpayer's residence school district on his state income tax return.

Read first and second times and referred to committee on rules.

REPORTS OF COMMITTEES

Senator Rigler submitted the following report:

MR. PRESIDENT: Your committee on reapportionment to which was referred **House Joint Resolution 6**, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the formation of Congressional districts and repealing the provisions relating to state

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Senatorial and Representative districts, begs leave to report it has had the same under consideration and recommends the same **do pass.**

ROBERT RIGLER, *Chairman.*

Ordered passed on file.

Senator Shoeman submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred **House File 18**, a bill for an act relating to the establishment of the "Iowa Mental Retardation Facilities and Community Mental Health Centers Construction Act", and making an appropriation therefor, begs leave to report it has had the same under consideration and recommends the same **do pass.**

JOHN D. SHOEMAN, *Chairman.*

Ordered passed on file.

The Chair announced that the Senate would stand at ease until the fall of the gavel.

The Senate reconvened, President Mooty presiding.

On motion of Senator Rigler, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

THIRD READING OF BILLS

Senator Rigler asked and received unanimous consent that the Senate take up for consideration the following bill:

On motion of Senator Wearin, House File 10, a bill for an act to establish a commission as the state agency to administer a plan for higher education facilities and to qualify for federal funds available to the State of Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Doran asked and received unanimous consent to withdraw the amendment filed by him on March 26 and found on pages 162-163 of the Senate Journal.

Senator Wearin moved that the bill be read a third 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:

Benda	Cowden	Fisher	Kyhl
Beneke	Curran	Flatt	Lisle
Brown	Dodds	Frommelt	Lodwick
Buck	Doran	Fulton	Long
Burrows	Dykhouse	Getting	Main
Campbell	Elthon	Grimstead	Mincks
Coleman	Elvers	Hill	Nolan

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O'Malley	Shaff	Vance	Walter
Phelps	Shivvers	Van Eaton	Wearin
Rigler	Stephens	Vincent	Wiley
Schroeder	Turner	Walker	Wilson
Scott			

Nays, 1:

Shoeman

Absent or not voting, 4:

Elijah	Griffin	Hansen	Lucken

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENTS CONSIDERED

Senator Burrows called up for consideration Senate File 13, a bill for an act relating to the cost of printing the official election ballot, amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File 13 as follows:

1. By adding a new section following section 3 as follows:

Sec. 4. Section fifty-three point forty-six (53.46), subsection two (2), Code 1962, is hereby amended by striking all of said subsection after the comma in line twenty-three (23), commencing with the word "shall", and inserting in lieu thereof the following: "as amended by section two (2) of this Act shall apply to the cost of printing any such specially printed ballots by the several counties".

2. Further amend Senate File 13 by renumbering the remaining section.

The Senate concurred in the House amendments.

Senator Burrows moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 45:

Benda	Elthon	Lodwick	Shoeman
Beneke	Elvers	Long	Stephens
Brown	Fisher	Main	Turner
Buck	Flatt	Mincks	Vance
Burrows	Frommelt	Nolan	Van Eaton
Campbell	Fulton	O'Malley	Vincent
Coleman	Getting	Phelps	Walker
Cowden	Grimstead	Rigler	Walter
Curran	Hill	Schroeder	Wearin
Dodds	Kyhl	Scott	Wiley
Doran	Lisle	Shivvers	Wilson
Dykhouse			

Nays, none.

Absent or not voting, 5:

Elijah	Hansen	Lucken	Shaff
Griffin			

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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 Shoeman called up the following resolution and moved its adoption:

SENATE CONCURRENT RESOLUTION 10
By Appropriations Committee

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 1962:

Des Moines Rubber Stamp Co., stamp and badges (Senate)	$ 56.50
Ditto, Inc., paper and supplies (Senate)	24.42
Executive Council, supplies and postage (Senate)	951.19
Iowa State Industries, chairs (Senate)	518.42
Carroll A. Lane, postage, telephone, speaker repair	64.49
Office Machine Supply Co., Inc., ribbons, clean and repair typewriters (Senate)	158.50
Petersen Court Reporters	712.00
Pitney-Bowes, Inc., scale repair (Senate)	8.50
Radio Trade Supply Co., speaker repair (Senate)	19.88
Storey Kenworthy Co., desk and stamp machine (Senate)	563.83
Des Moines Rubber Stamp Co., stamp and badges (House)	90.60
Hatfield Duplicating Co., paper and supplies (House)	145.10
IBM Corp., maintenance agreement on equipment (House)	22.37
Wm. R. Kendrick, parts for voting machine (House)	2.00
Executive Council, supplies and postage (House)	1,144.79
Office Machine Supply Co., inc., ribbons, clean and repair typewriters (House)	79.08
Storey Kenworthy Co., chair and books (House)	233.80
Strauss Lock Co., locks (House)	16.93
	$4,812.40

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.

Be It Further Resolved: That the officers or employees of the Sixtieth General Assembly in Extraordinary Session who shall be engaged for work in connection with the closing of the Sixtieth General Assembly in Extraordinary Session shall be compensated for such services at the same rate as was fixed for the regular session of the Sixtieth General Assembly.

On the question "Shall Senate Concurrent Resolution 10 be adopted?" the vote was:

Ayes, 45:

Benda	Curran	Frommelt	Long
Beneke	Dodds	Fulton	Main
Brown	Doran	Getting	Mincks
Buck	Dykhouse	Grimstead	Nolan
Burrows	Elthon	Hill	O'Malley
Campbell	Elvers	Kyhl	Phelps
Coleman	Fisher	Lisle	Rigler
Cowden	Flatt	Lodwick	Schroeder

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Scott	Stephens	Van Eaton	Wearin
Shaff	Turner	Vincent	Wiley
Shivvers	Vance	Walter	Wilson
Shoeman			

Nays, none.

Absent or not voting, 5:

Elijah	Hansen	Lucken	Walker
Griffin			

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

Senator Rigler asked and received unanimous consent to take up the following bills:

On motion of Senator Beneke, House File 11, a bill for an act to legalize and validate renewal articles of incorporation or articles of reincorporation and certificates of renewal of certain corporations not for pecuniary profit, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Beneke moved that the bill be read a third 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:

Benda	Elthon	Long	Shoeman
Beneke	Elvers	Main	Stephens
Brown	Fisher	Mincks	Turner
Buck	Flatt	Nolan	Vance
Burrows	Frommelt	O'Malley	Van Eaton
Campbell	Fulton	Phelps	Vincent
Coleman	Getting	Rigler	Walker
Cowden	Grimstead	Schroeder	Walter
Curran	Hill	Scott	Wearin
Dodds	Kyhl	Shaff	Wiley
Doran	Lisle	Shivvers	Wilson
Dykhouse	Lodwick		

Nays, none.

Absent or not voting, 4:

Elijah	Griffin	Hansen	Lucken

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Vance, Senate File 17, a bill for an act relating to the nomination and election of public officers, was taken up.

Senator Vance moved that the Senate resolve itself into a committee of the whole and that Wayne A. Faupel, Deputy Code Editor, be invited to explain the bill, which motion prevailed.

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COMMITTEE OF THE WHOLE

The Senate arose from the committee of the whole and resumed regular session.

Senator Vance moved that the bill be read a third 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:

Benda	Elthon	Long	Shoeman
Beneke	Elvers	Main	Stephens
Brown	Fisher	Mincks	Turner
Buck	Flatt	Nolan	Vance
Burrows	Frommelt	O'Malley	Van Eaton
Campbell	Fulton	Phelps	Vincent
Coleman	Getting	Rigler	Walker
Cowden	Grimstead	Schroeder	Walter
Curran	Hill	Scott	Wearin
Dodds	Kyhl	Shaff	Wiley
Doran	Lisle	Shivvers	Wilson
Dykhouse	Lodwick		

Nays, none.

Absent or not voting, 4:

Elijah	Griffin	Hansen	Lucken

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

President pro tempore Vance took the chair at 2:15 p.m.

On motion of Senator Rigler, House Joint Resolution 6, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the formation of Congressional districts and repealing the provisions relating to state Senatorial and Representative districts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Rigler moved that the resolution be read a third time now, which motion prevailed, and the resolution was read a third time.

Be It Resolved by the General Assembly of the State of Iowa:

Section 1. The following amendment to the Constitution of the State of Iowa is hereby proposed:

"Section thirty-seven (37) of Article Three (III) of the Constitution of the State of Iowa is hereby repealed and the following is adopted in lieu thereof:

'Sec. 37. When a congressional district is composed of two or more counties it shall not be entirely separated by a county belong-

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ing to another district and no county shall be divided in forming a congressional district.' "

Sec. 2. The foregoing proposed amendment is hereby referred to the General Assembly to be chosen at the next general election for members of the General Assembly, and shall be published as provided by law for three (3) consecutive months previous to the date of said general election.

On the question "Shall House Joint Resolution 6 be adopted?" the vote was:

Ayes, 45:

Benda	Fisher	Long	Shoeman
Beneke	Flatt	Lucken	Stephens
Buck	Frommelt	Main	Turner
Burrows	Fulton	Mincks	Vance
Campbell	Getting	Nolan	Van Eaton
Cowden	Griffin	Phelps	Vincent
Curran	Grimstead	Rigler	Walker
Doran	Hansen	Schroeder	Walter
Dykhouse	Kyhl	Scott	Wearin
Elijah	Lisle	Shaff	Wiley
Elthon	Lodwick	Shivvers	Wilson
Elvers			

Nays, 4:

Coleman	Dodds	Hill	O'Malley

Absent or not voting, none.

Voting present, 1:
Brown

The resolution having received a constitutional majority was declared to have been adopted by the Senate and the title was agreed to.

HOUSE AMENDMENTS CONSIDERED

Senator Fulton called up for consideration Senate File 15, a bill for an act to allow school districts merged under chapter two hundred seventy-four point thirty-seven (274.37), Code 1962, to contract for the joint construction of buildings prior to the effective date of the merger, amended by the House as follows:

Amend Senate File 15 as follows:

1. By striking from the title all after the word "school" in the first line thereof and inserting in lieu thereof the following: "districts, the boundaries of which have been changed under section two hundred seventy-four point thirty-seven (274.37), Code 1962, to contract for the joint construction of buildings prior to the effective date of the change."

2. Amend the enacting clause by striking all after the word "Assembly" and inserting in lieu thereof the following: "of the State of Iowa:".

3. By striking all of section 1 and inserting in lieu thereof the following:

Section 1. Section two hundred seventy-four point thirty-seven (274.37), Code 1962, is hereby amended by adding thereto the following:

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"The boards in the respective districts, the boundaries of which have been changed under this section, complete in all respects, except for the passage of time prior to the effective date of the change and when all right of appeal of the change has expired, may enter into joint contracts for the construction of buildings for the benefit of the corporations whose boundaries have been changed, using federal funds accumulated under section two hundred seventy-eight point one (278.1), subsection seven (7), of the Code. The district in which the building is to be located may use any funds authorized in accordance with chapter seventy-five (75) of the Code. Nothing in this section shall be construed to permit the changed districts to expend any funds jointly which they are not entitled to expend acting individually."

Senator Fulton offered the following amendment to the House amendment and moved its adoption:

Amend the House amendment to Senate File 15, division 3, line 12, by striking the word "federal".

The amendment to the amendment was adopted.

On motion of Senator Fulton, the Senate concurred in the House amendment as amended.

Senator Fulton moved that the bill as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 50:

Benda	Elthon	Lodwick	Shivvers
Beneke	Elvers	Long	Shoeman
Brown	Fisher	Lucken	Stephens
Buck	Flatt	Main	Turner
Burrows	Frommelt	Mincks	Vance
Campbell	Fulton	Nolan	Van Eaton
Coleman	Getting	O'Malley	Vincent
Cowden	Griffin	Phelps	Walker
Curran	Grimstead	Rigler	Walter
Dodds	Hansen	Schroeder	Wearin
Doran	Hill	Scott	Wiley
Dykhouse	Kyhl	Shaff	Wilson
Elijah	Lisle		

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 Fulton asked and received unanimous consent that Senate File 15 be immediately messaged to the House, which request was complied with.

On motion of Senator Shoeman, House File 18, a bill for an act relating to the establishment of the "Iowa Mental Retardation Fa-

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cilities and Community Mental Health Centers Construction Act", and making an appropriation therefor, 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, Getting and Wilson:

Amend House File 18 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. The state department of public health is hereby authorized and empowered to act as the agency of the state to carry out the provisions of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 enacted by the United States Congress and known as Public Law 88-164, including the acceptance and distribution of all funds available thereunder to the State of Iowa and to co-operate with all federal, state and local agencies, both governmental and private, to carry out the intent and purpose of the provisions of the aforesaid Public Law 88-164.

Sec. 2. The commissioner of public health of the state is hereby directed to prepare and present to the Sixty-first General Assembly such recommendations for legislation that he finds necessary to carry out the provisions of the aforesaid Public Law 88-164 as it applies to the State of Iowa.

Sec. 3. There is hereby appropriated from the general fund of the state the sum of twenty-five thousand dollars ($25,000.00) to be used for the administration of this Act or so much thereof as may be necessary.

Sec. 4. This Act, being deemed of immediate importance, shall be in full force and effect from and after its passage and publication in The Sioux Center News, a newspaper published at Sioux Center, Iowa, and in the Record-Herald & Indianola Tribune, a newspaper published at Indianola, Iowa.

Senator Rigler asked and received unanimous consent that action on the amendment be temporarily deferred.

Senator Nolan asked and received unanimous consent to take up the following resolution:

HOUSE CONCURRENT RESOLUTION 8

Whereas, the Honorable H. R. Gross, Congressman from the Third Congressional District of Iowa, has consistently opposed wasteful and extravagant spending by the Federal Government; and

Whereas, the Honorable H. R. Gross, vigorously protested United States Senators and Congressmen voting themselves a ten thousand dollar ($10,000.00) increase in salaries, together with other high office holders of the Federal Government; and

Whereas, the Honorable H. R. Gross forced a roll call on bill H. R. 8986, which provided for said increase which resulted in a defeat of the bill; and

Whereas, Congressmen Fred Schwengel, James Bromwell, John Kyl, Charles Hoeven, and Ben Jensen, of Iowa, joined the Honorable H. R. Gross, in the defeat of the bill H. R. 8986; and

Whereas, we are not opposed to just and reasonable increases in salaries of government employees, we nevertheless are in full sympathy and accord

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with the Honorable H. R. Gross in his stand against Congress voting these extravagant increases for its members and other high government officials, now therefore,

Be It Resolved by the House of Representatives, the Senate Concurring, that the General Assembly of the State of Iowa commemorate the Honorable H. R. Gross, Fred Schwengel, James Bromwell, John Kyl, Charles Hoeven and Ben Jensen for the astute action taken by them in defeating bill H. R. 8986.

Be It Further Resolved, that a copy of this resolution be sent to the Honorable H. R. Gross and the honorable congressmen from Iowa hereinabove named.

President Mooty took the chair at 2:45 p.m.

Senator Nolan offered the following amendment and moved its adoption:

Amend House Concurrent Resolution 8 as follows:

1. Insert before the last paragraph thereof the following:

"*Be It Further Resolved,* that we express our sincere approval of the courageous and consistent efforts of Senator Harry F. Byrd of Virginia in his valiant attempt to preserve the fiscal integrity of our nation."

The amendment was adopted.

Senator Frommelt offered the following amendment:

Amend House Concurrent Resolution 8 by inserting after the fifth Whereas the following:

Whereas, H. R. Gross and all other Republican Congressmen from Iowa voted against the Feed Grain Program which over a period of three years pumped three hundred and eighty million dollars into the Iowa farm economy at a time when the farm economy needed strengthening; and

Whereas, H. R. Gross opposed the recently House passed Civil Rights Bill; and

Whereas, H. R. Gross opposed the rivers and harbors bill including Red Rock and Saylorville dams so vitally needed for flood control in the State of Iowa; and

Whereas, H. R. Gross's remarks in effect opposed expenditures for the Eternal Flame on the grave of the late President John F. Kennedy; and

Whereas, H. R. Gross opposed the Kennedy likeness on the half-dollar; and

Whereas, H. R. Gross has consistently opposed increasing the secret service for the protection of the President and the Vice President regardless of the party that is in the White House; now therefore,

Senator Long raised a point of order on the amendment for the reason that it was not germane to the resolution.

The Chair ruled the point well taken and the amendment out of order.

Senator Nolan moved the adoption of the resolution.

Roll call was requested.

On the question "Shall the resolution be adopted?" the vote was:

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Ayes, 26:

Benda	Fisher	Nolan	Turner
Beneke	Griffin	Phelps	Vance
Burrows	Grimstead	Rigler	Vincent
Campbell	Kyhl	Scott	Walker
Doran	Lodwick	Shoeman	Wearin
Dykhouse	Long	Stephens	Wiley
Elthon	Lucken		

Nays, 15:

Brown	Frommelt	Hill	Shaff
Coleman	Fulton	Main	Walter
Cowden	Getting	Mincks	Wilson
Dodds	Hansen	O'Malley	

Absent or not voting, 6:

Buck	Flatt	Schroeder	Van Eaton
Elijah	Lisle		

Voting present, 3:

Curran	Elvers	Shivvers

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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 12.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 12.

BILL SENT TO THE GOVERNOR

Senator Benda, 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, 1964, sent to the Governor for his approval: Senate File 12.

KENNETH BENDA, *Chairman.*

Passed on file.

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SENATE CONCURRENT RESOLUTION 11
By Rigler

Be It Resolved by the Senate, the House Concurring: That the Sixtieth General Assembly in Extraordinary Session adjourn sine die at twelve o'clock noon, Friday, April 3, 1964.

SENATE CONCURRENT RESOLUTION 12
By Scott and Long

Whereas, it is in the interest of the State of Iowa that its interstate highway system be surfaced with the finest road-building material available, and

Whereas, Portland cement is the finest and most economical material with which to pave and maintain our interstate system, and

Whereas, asphalt paving has proved to be an unsatisfactory, uneconomical and inferior material in view of Iowa's climate and soil conditions,

Now Therefore Be It Resolved by the Senate, the House Concurring, that until such time as asphalt paving is established by conclusive evidence to be equal in quality and economics to Portland cement, no more asphalt shall be used in paving the interstate highways of Iowa, except insofar as the same may be used for construction of shoulders thereon.

AMENDMENT FILED

Amend the title to House File 18 by striking all after the words "An Act" and inserting in lieu thereof the following:

relating to the Mental Retardation Facilities and Community Mental Health Centers Construction Act, and making an appropriation therefor.

J. T. DYKHOUSE.
LEROY GETTING.
JOE N. WILSON.

On motion of Senator Rigler, the Senate adjourned until 9:30 a.m., Thursday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, THURSDAY, APRIL 2, 1964.

The Senate met in extraordinary session, President Mooty presiding.

Prayer was offered by Reverend John O. Wollin, pastor of the Presbyterian Church, New London, Iowa.

INTRODUCTION OF JOINT RESOLUTION

Senate Joint Resolution 2, by committee on appropriations, a joint resolution making appropriations for payment of miscellaneous expenses to be incurred in remodeling the chamber of the House of Representatives and refurnishing the chambers of the Senate and the House of Representatives.

Read first and second times and placed on the calendar.

On motion of Senator Rigler, the Senate resolved itself into executive session.

EXECUTIVE SESSION

The Senate, in executive session, confirmed the following appointments:

George L. Paul of Brooklyn, Poweshiek County, Iowa, as a member of the Board of Parole for the unexpired term ending June 30, 1967.

Reverend Russell L. Wilson of Waterloo, Black Hawk County, Iowa, as a member of the Board of Control of State Institutions for the unexpired term ending June 30, 1969.

The Senate arose from executive session and resumed regular session.

Senator Shaff asked and received unanimous consent that the Senate stand at ease until the fall of the gavel.

The Senate reconvened, President Mooty 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 joint resolution in which the concurrence of the House was asked:

Senate Joint Resolution 1, proposing an amendment to the Constitution of the State of Iowa relating to the composition of the General Assembly, the basis of representation of the members thereof, and to amend the Constitution.

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Also: That the House has amended and adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 10, authorizing payment of legislative expenses.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE JOINT RESOLUTION 1

Amend Senate Joint Resolution 1 as follows:

1. By striking all of Section 35, lines eighty-two (82) through one hundred six (106), inclusive, and inserting in lieu thereof the following:

"Section 35. The House of Representatives shall consist of not more than one hundred fifteen (115) members elected from representative districts established by the redistricting authority. The redistricting authority shall determine the number of representatives which shall be elected to the House of Representatives and the number of representatives which shall be elected from each representative district.

"In apportioning the number of representatives which shall be elected from each representative district, the redistricting authority shall determine a population unit which shall be equal to the quotient resulting from dividing the whole number of the population of the State as determined by the most recent United States decennial census by the number equal to the number of representatives which shall be elected to the House of Representatives. The total number of representatives shall be apportioned among the representative districts so that as nearly as practicable one (1) representative shall be allotted to each district for each population unit of the district's population. The redistricting authority shall provide that the least possible majority of the members of the House of Representatives shall be elected from the most populous counties of the State which constitute fifty (50) percent of the population of the State as determined by the most recent United States decennial census.

"Representatives elected from a representative district electing less than three (3) representatives shall be elected from the district at large. In any representative district electing three (3) representatives, one (1) representative shall be elected from the district at large and two (2) representatives shall be elected from single member representative subdistricts established by the redistricting authority. In any representative district electing four (4) or more representatives, two (2) of the representatives shall be elected from the district at large and the remaining representatives shall be elected from single member representative subdistricts established by the redistricting authority.

"Representatives of districts or subdistricts at the time of their election shall have had an actual residence of sixty (60) days in the district or subdistrict from which elected and shall be elected by the voters residing in the respective district or subdistrict from which elected. A representative shall cease to represent a district or subdistrict upon a change of residence to a district or subdistrict other than the district or subdistrict from which elected.

"Representative districts and subdistricts shall be of contiguous and compact territory. Areas joined only at the point of a corner shall not be considered contiguous in establishing representative districts and subdistricts unless a joining at a corner will likely further an historical or common interest or is in furtherance of the general scheme of apportionment. Where it is necessary to establish representative subdistricts, the boundaries of such subdistricts shall conform to voting district boundaries.

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"Upon the adoption of this Article and until such time as the House of Representatives is redistricted following the taking of the 1970 United States decennial census, the representative districts and the number of representatives elected from each district shall be as follows:

The counties of Lyon and Osceola shall comprise one (1) district and shall elect one (1) representative.

The counties of Dickinson and Clay shall comprise one (1) district and shall elect one (1) representative.

The counties of Emmet and Palo Alto shall comprise one (1) district and shall elect one (1) representative.

The counties of Winnebago and Hancock shall comprise one (1) district and shall elect one (1) representative.

The counties of Worth and Mitchell shall comprise one (1) district and shall elect one (1) representative.

The counties of Howard and Chickasaw shall comprise one (1) district and shall elect one (1) representative.

The counties of Butler and Grundy shall comprise one (1) district and shall elect one (1) representative.

The counties of Pocahontas and Humboldt shall comprise one (1) district and shall elect one (1) representative.

The counties of Sac and Ida shall comprise one (1) district and shall elect one (1) representative.

The counties of Monona and Harrison shall comprise one (1) district and shall elect one (1) representative.

The counties of Shelby and Audubon shall comprise one (1) district and shall elect one (1) representative.

The counties of Guthrie and Greene shall comprise one (1) district and shall elect one (1) representative.

The counties of Iowa and Keokuk shall comprise one (1) district and shall elect one (1) representative.

The counties of Adair and Madison shall comprise one (1) district and shall elect one (1) representative.

The counties of Louisa and Henry shall comprise one (1) district and shall elect one (1) representative.

The counties of Jefferson and Van Buren shall comprise one (1) district and shall elect one (1) representative.

The counties of Appanoose and Davis shall comprise one (1) district and shall elect one (1) representative.

The counties of Lucas and Monroe shall comprise one (1) district and and shall elect one (1) representative.

The counties of Decatur and Wayne shall comprise one (1) district and shall elect one (1) representative.

The counties of Union and Clarke shall comprise one (1) district and shall elect one (1) representative.

The counties of Taylor and Ringgold shall comprise one (1) district and shall elect one (1) representative.

The counties of Montgomery and Adams shall comprise one (1) district and shall elect one (1) representative.

The counties of Mills and Fremont shall comprise one (1) district and shall elect one (1) representative.

The counties of Clinton, Johnson, Wapello, Webster, Cerro Gordo, Des Moines, Lee, Story, Marshall, and Jasper shall comprise one (1) district each and each shall elect two (2) representatives.

The counties of Pottawattamie and Dubuque shall comprise one (1) district each and each shall elect three (3) representatives.

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The counties of Black Hawk, Scott, and Woodbury shall comprise one (1) district each and each shall elect four (4) representatives.

The county of Linn shall comprise one (1) district and shall elect five (5) representatives.

The county of Polk shall comprise one (1) district and shall elect ten (10) representatives.

All other counties shall comprise one (1) district each and each shall elect one (1) representative."

2. By striking from Section 36 lines one hundred seven (107) through one hundred seventeen (117), inclusive, and inserting in lieu thereof the following:

"Section 36. The General Assembly convening in 1967 shall by joint resolution which shall not be subject to the approval of the Governor determine the number of senators to be elected from each senatorial district, redistrict the senatorial districts as provided in section six (6) and section thirty-four (34) of this Article, and establish senatorial subdistricts as provided in section thirty-four (34) of this Article. If the General Assembly fails to determine the number of senators and to redistrict senatorial districts and establish senatorial subdistricts by May 15 following the date of convening, the Supreme Court shall perform these functions as provided in paragraph three (3) of this section. The provisions of the redistricting resolution or court order shall take effect for the nomination and election of senators who will serve in the regular session of the General Assembly which will convene in 1969.

"By May 15 in each year immediately following the taking of the United States decennial census, the General Assembly shall by joint resolution determine the number of representatives which shall be elected to the House of Representatives and shall provide for the redistricting of senatorial and representative districts, the number of senators and representatives which shall be elected from each respective senatorial and representative district, and the establishment of senatorial and representative subdistricts. The joint resolution adopted by the General Assembly shall not be subject to the approval of the Governor."

3. By striking from Section 36 lines one hundred thirty (130) through one hundred thirty-two (132), inclusive, and inserting in lieu thereof the following:

"the Court shall determine the number of representatives which shall be elected to the House of Representatives and shall provide for the redistricting of senatorial and representative districts, the number of senators and representatives which shall be elected from each respective senatorial and representative district, and the establishment of senatorial and representative subdistricts."

4. By striking from Section 36 lines one hundred thirty-five (135) through one hundred forty-one (141), inclusive, and inserting in lieu thereof the following:

"The provisions of the joint resolution or court order adopted as provided in this section following the taking of the United States decennial census shall take effect beginning for the nomination and election of members of the General Assembly for the next regular session of the General Assembly following the adoption of the resolution or order."

5. By striking all of Section 37, lines one hundred forty-two (142) through one hundred forty-five (145), inclusive, and inserting in lieu thereof the following:

"Section 37. When a congressional, senatorial, or representative district shall be composed of two (2) or more counties, it shall not be entirely

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separated by any county belonging to another district, and no county shall be divided except in the establishment of senatorial or representative subdistricts."

HOUSE AMENDMENT TO SENATE CONCURRENT RESOLUTION 10

Amend Senate Concurrent Resolution 10 as follows:

1. By inserting after line twenty-four (24) the following item:

"Lillian Leffert, 185 sets annotation stickers .....$296.00"

2. By striking the total figures of "4,812.40" and inserting in lieu thereof the figures "5,108.40".

On motion of Senator Rigler, the Senate recessed until 1:15 p.m.

AFTERNOON SESSION

The Senate reconvened, President pro tempore Vance presiding.

HOUSE AMENDMENT CONSIDERED

Senator Shoeman called up for consideration Senate Concurrent Resolution 10, relating to legislative expense, amended by the House, and moved that the Senate concur in the House amendment.

On motion of Senator Shoeman, the amendment was adopted.

On motion of Senator Shoeman, the Senate concurred in the House amendment.

Senator Shoeman moved that the resolution as amended by the House and concurred in by the Senate be read a third time now, which motion prevailed, and the resolution was read a third time.

On the question "Shall the resolution be adopted?" the vote was:

Ayes, 46:

Benda	Elijah	Lisle	Shivvers
Beneke	Elthon	Lodwick	Shoeman
Brown	Elvers	Long	Stephens
Buck	Fisher	Main	Turner
Burrows	Flatt	Mincks	Vance
Campbell	Frommelt	Nolan	Van Eaton
Coleman	Fulton	O'Malley	Vincent
Cowden	Getting	Phelps	Walker
Curran	Griffin	Rigler	Walter
Dodds	Hansen	Scott	Wearin
Doran	Hill	Shaff	Wilson
Dykhouse	Kyhl		

Nays, none.

Absent or not voting, 4:

Grimstead	Lucken	Schroeder	Wiley

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

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THIRD READING OF BILLS

On motion of Senator Shoeman, Senate Joint Resolution 2, a joint resolution making appropriations for payment of miscellaneous expenses to be incurred in remodeling the chamber of the House of Representatives and refurnishing the chambers of the Senate and the House of Representatives, was taken up and considered.

President Mooty took the chair at 2:00 p.m.

Senator Shoeman moved that the resolution be read a third time now, which motion prevailed, and the resolution was read a third time.

On the question "Shall the resolution be adopted?" the vote was:

Ayes, 43:

Benda	Elijah	Kyhl	Shoeman
Beneke	Elthon	Lisle	Stephens
Brown	Elvers	Lodwick	Turner
Buck	Fisher	Long	Vance
Burrows	Flatt	Mincks	Van Eaton
Campbell	Frommelt	Nolan	Vincent
Coleman	Fulton	O'Malley	Walker
Cowden	Getting	Rigler	Walter
Curran	Griffin	Scott	Wearin
Dodds	Hansen	Shaff	Wilson
Dykhouse	Hill	Shivvers	

Nays, 1:

Phelps

Absent or not voting, 6:

Doran	Lucken	Schroeder	Wiley
Grimstead	Main		

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

On motion of Senator Rigler, the Senate recessed until the fall of the gavel.

The Senate reconvened, President Mooty presiding.

HOUSE AMENDMENT CONSIDERED

Senator Rigler called up for consideration Senate Joint Resolution 1, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the composition of the General Assembly, the basis of representation of the members thereof, and to amend the Constitution by repeal of section six (6), Article three (III) thereof, section thirty-four (34) of Article three (III) thereof and the 1904 and 1928 amendments thereto, sections thirty-five (35) and thirty-six (36) of Article three (III), and the 1904 amendment to each such

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section, and section thirty-seven (37) of Article three (III), and proposing substitutes in lieu thereof, amended by the House.

Senator Rigler offered the following amendment to the House amendment:

Amend the House amendment to Senate Joint Resolution 1 as follows:

1. By striking from division one (1) all of lines four (4) through fifty-four (54), inclusive, and inserting in lieu thereof the following:

"Section 35. The House of Representatives shall consist of one hundred (100) members elected from single member representative districts established by the redistricting authority. Representative districts shall be established as follows:

"1. The redistricting authority shall determine a population unit which shall be equal to the quotient resulting from dividing the whole number of the State as shown by the most recent United States decennial census by one hundred (100).

"2. Each representative district shall have a population equal to that of every other representative district with a deviation of no more than ten (10) percent from the population unit permitted.

"3. Each representative district shall consist of compact and contiguous territory. Areas joined only at the point of a corner shall not be considered contiguous.

"4. So far as practicable, a county shall not be divided unless it is entitled to elect more than one (1) representative. Where it is necessary to cross county lines in forming representative districts, the boundaries of such districts shall conform to township or voting district boundaries.

"The redistricting authority may realign voting district boundaries where the population of an area is so distributed that it is impossible for the redistricting authority to form a representative district or a senatorial subdistrict as provided in this section and in section thirty-four (34) of this Article.

"The membership and districting of the House of Representatives as heretofore provided shall take effect for the nomination and election of representatives who will serve in the regular session of the General Assembly which will convene in 1978."

2. By striking from division two (2) all of lines four (4) through twenty-eight (28), inclusive, and inserting in lieu thereof the following:

"Section 36. In 1967, except as otherwise provided in Section thirty-five (35) of this Article, and in each year immediately following the taking of the United States decennial census, the General Assembly shall determine the number of senators to be elected from each senatorial district and shall redistrict the senatorial and representative districts and senatorial subdistricts. The General Assembly shall by May 15 in each year required take such action by joint resolution which shall not be subject to the approval of the Governor."

3. By striking from division three (3) all of lines four (4) through nine (9), inclusive, and inserting in lieu thereof the following:

"the Court shall determine the number of senators which shall be elected from each senatorial district and redistrict the senatorial and representative districts and the senatorial subdistricts."

4. By striking from division four (4) all of lines four (4) through nine (9), inclusive, and inserting in lieu thereof the following:

"The provisions designating the number of senators which shall be elected from each senatorial district and the redistricting of senatorial and repre-

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sentative districts and senatorial subdistricts shall take effect beginning for the nomination and election of members of the General Assembly for the next regular session of the General Assembly following the adoption of the redistricting resolution or court order."

5. By striking from division five (5) all of lines four (4) through eight (8), inclusive, and inserting in lieu thereof the following:

"Section 37. When a congressional district shall be composed of two (2) or more counties, it shall not be entirely separated by any county belonging to another district, and no county shall be divided in forming a congressional district."

The Chair announced that the Senate would stand at ease until the fall of the gavel.

The Senate reconvened, President Mooty presiding.

Senator Fulton offered the following amendment as a substitute amendment for the amendment filed by Senator Rigler:

Amend the House amendment to Senate Joint Resolution 1 as follows:

1. By striking all of division one (1).

2. By striking all of division two (2) thereof and inserting in lieu thereof the following:

"Section 36. The General Assembly convening in 1967 shall determine the number of senators to be elected from each senatorial district, redistrict the senatorial districts as provided in section six (6) and section thirty-four (34) of this Article, and establish senatorial subdistricts as provided in section thirty-four (34) of this Article. If the General Assembly fails to determine the number of senators and to redistrict senatorial districts and establish senatorial subdistricts by May 15 following the date of convening, the Supreme Court shall perform these functions as provided in paragraph three (3) of this section. The provisions of the redistricting enactment or court order shall take effect for the nomination and election of senators who will serve in the regular session of the General Assembly which will convene in 1969.

"By May 15 in each year immediately following the taking of the United States decennial census, the General Assembly shall determine the number of representatives which shall be elected to the House of Representatives and shall provide for the redistricting of senatorial and representative districts, the number of senators and representatives which shall be elected from each respective senatorial and representative district, and the establishment of senatorial and representative subdistricts."

3. Amend division four (4) by striking in line four (4) the words "joint resolution" and inserting in lieu thereof "legislative enactment".

4. Further amend division four (4) by striking in line nine (9) the word "resolution" and inserting in lieu thereof "legislative enactment".

Senator Fulton moved the adoption of the amendment and requested a roll call.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 12:

Brown	Elvers	Hansen	Mincks
Coleman	Frommelt	Hill	O'Malley
Dodds	Fulton	Main	Walter

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Nays, 35:

Benda	Elthon	Nolan	Turner
Beneke	Fisher	Phelps	Vance
Buck	Getting	Rigler	Van Eaton
Burrows	Griffin	Schroeder	Vincent
Campbell	Kyhl	Scott	Walker
Cowden	Lisle	Shaff	Wearin
Curran	Lodwick	Shivvers	Wiley
Doran	Long	Shoeman	Wilson
Dykhouse	Lucken	Stephens	

Absent or not voting, 2:

Flatt	Grimstead

Voting present, 1:

Elijah

The amendment was lost.

Senator Rigler moved the adoption of his amendment to the House amendment.

Roll call was requested.

On the question "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 33:

Benda	Dykhouse	Kyhl	Scott
Beneke	Elijah	Lisle	Shaff
Brown	Elthon	Lodwick	Shivvers
Buck	Fisher	Long	Turner
Burrows	Flatt	Nolan	Van Eaton
Campbell	Getting	Phelps	Vincent
Cowden	Griffin	Rigler	Wearin
Curran	Grimstead	Schroeder	Wilson
Doran			

Nays, 16:

Coleman	Fulton	Main	Stephens
Dodds	Hansen	Mincks	Walker
Elvers	Hill	O'Malley	Walter
Frommelt	Lucken	Shoeman	Wiley

Absent or not voting, none.

Voting present, 1:

Vance

The amendment to the amendment was adopted.

On motion of Senator Rigler, the Senate concurred in the House amendment as amended.

Senator Rigler moved that the resolution as amended by the House and further amended by the Senate and concurred in by the Senate be read a third time now, which motion prevailed, and the resolution was read a third time.

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Senate Joint Resolution 1, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the composition of the General Assembly, the basis of representation of the members thereof, and to amend the Constitution by repeal of section six (6), Article three (III) thereof, section thirty-four (34) of Article three (III) thereof and the 1904 and 1928 amendments thereto, sections thirty-five (35) and thirty-six (36) of Article three (III), and the 1904 amendment to each such section, and section thirty-seven (37) of Article three (III), and proposing substitutes in lieu thereof.

Be It Resolved by the General Assembly of the State of Iowa:

Section 1. The following amendment to the Constitution of the State of Iowa is hereby proposed.

"Section six (6) of Article three (III), section thirty-four (34) of Article three (III) and the 1904 and 1928 amendments thereto, sections thirty-five (35) and thirty-six (36) of Article three (III) and the 1904 amendment to each such section, and section thirty-seven (37) of article three (III) are hereby repealed and the following adopted in lieu thereof:

"Section 6. The State shall be divided into senatorial districts, the number to be determined as hereafter provided by the redistricting authority. Each county of the State having a population of two (2) percent or more of the whole number of the population of the State as determined by the most recent United States decennial census shall constitute a single county senatorial district. The remaining counties shall be divided into two-county and three-county senatorial districts by the redistricting authority so that as nearly as possible the number of two-county districts shall comprise two-thirds of the remaining districts and the number of three-county districts shall comprise one-third of the remaining districts. Counties joined into two-county and three-county districts shall be compact and contiguous and no county shall be divided in forming such districts. Counties joined only at the point of a corner shall not be considered contiguous. Two-county and three-county districts shall be as equal in population as practicable.

"Section 34. Each senatorial district established by the redistricting authority shall elect one (1) senator. Senatorial districts having a population of from six (6) to ten (10) percent of the population of the State as determined by the most recent United States decennial census shall elect one (1) additional senator; from ten (10) to fourteen (14) percent of the population of the State, two (2) additional

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senators, and one (1) additional senator for each four (4) percent of the population of the State thereafter.

"Senators elected from a senatorial district electing less than three (3) senators shall be elected from the district at large. Senators elected from a senatorial district electing three (3) or more senators shall be elected from single member subdistricts within the district established by the redistricting authority. Each senatorial subdistrict within a district shall have a population equal to that of every other senatorial subdistrict within the district with a deviation of no more than ten (10) percent permitted. Boundaries of subdistricts shall conform to voting district boundaries and shall consist of compact and contiguous territory. Areas joined only at the point of a corner shall not be considered contiguous.

"The redistricting authority when establishing senatorial districts shall determine the number of senators each senatorial district shall elect and shall classify the districts by lot so that as nearly as possible one-half of the senators shall be elected every two (2) years. The redistricting authority shall include in the classfication senatorial subdistricts established within districts and shall further classify senatorial seats within districts electing two (2) senators so that as nearly as possible one-half of the senators within each district shall be elected every two (2) years. In classifying districts and subdistricts after each redistricting, the redistricting authority shall take into consideration the classification in effect prior to the redistricting. No incumbent senator shall be permitted to complete the term for which he was elected if any new territory is added by the redistricting authority to the district or subdistrict from which the senator was elected. An incumbent senator residing in an unchanged district or subdistrict or in a district or subdistrict of reduced size shall be permitted to complete the term for which he was elected if no new territory was added to the district or subdistrict by the redistricting authority. The classification of such districts or subdistricts shall not be changed from the class to which the district or subdistrict was assigned prior to the redistricting.

"The redistricting authority shall provide in its redistricting law or court order when the term of office of an incumbent senator shall not be permitted to be completed due to the redistricting of the senatorial district or subdistrict of the incumbent. Any senator who is not permitted to serve his complete term shall not be compensated for the incompleted part of his term. In districts electing two (2) senators, no election shall be held at the succeeding primary and general elections for the office of the senator whose term expires preceding the convening of the next regular session of the General

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Assembly if the redistricting authority determines the district is no longer entitled to elect an additional senator.

"Section 35. The House of Representatives shall consist of one hundred (100) members elected from single member representative districts established by the redistricting authority. Representative districts shall be established as follows:

"1. The redistricting authority shall determine a population unit which shall be equal to the quotient resulting from dividing the whole number of the state as shown by the most recent United States decennial census by one hundred (100).

"2. Each representative district shall have a population equal to that of every other representative district with a deviation of no more than ten (10) percent from the popuation unit permitted.

"3. Each representative district shall consist of compact and contiguous territory. Areas joined only at the point of a corner shall not be considered contiguous.

"4. So far as practicable, a county shall not be divided unless it is entitled to elect more than one (1) representative. Where it is necessary to cross county lines in forming representative districts, the boundaries of such districts shall conform to township or voting district boundaries.

"The redistricting authority may realign voting district boundaries where the population of an area is so distributed that it is impossible for the redistricting authority to form a representative district or a senatorial subdistrict as provided in this section and in section thirty-four (34) of this Article.

"The membership and districting of the House of Representatives as heretofore provided shall take effect for the nomination and election of representatives who will serve in the regular session of the General Assembly which will convene in 1973.

"Upon the adoption of this Article and until such time as the House of Representatives is redistricted following the taking of the 1970 United States decennial census, the representative districts and the number of representatives elected from each district shall be as follows:

The counties of Lyon and Osceola shall comprise one (1) district and shall elect one (1) representative.

The counties of Dickinson and Clay shall comprise one (1) district and shall elect one (1) representative.

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The counties of Emmet and Palo Alto shall comprise one (1) district and shall elect one (1) representative.

The counties of Winnebago and Hancock shall comprise one (1) district and shall elect one (1) representative.

The counties of Worth and Mitchell shall comprise one (1) district and shall elect one (1) representative.

The counties of Howard and Chickasaw shall comprise one (1) district and shall elect one (1) representative.

The counties of Butler and Grundy shall comprise one (1) district and shall elect one (1) representative.

The counties of Pocahontas and Humboldt shall comprise one (1) district and shall elect one (1) representative.

The counties of Sac and Ida shall comprise one (1) district and shall elect one (1) representative.

The counties of Monona and Harrison shall comprise one (1) district and shall elect one (1) representative.

The counties of Shelby and Audubon shall comprise one (1) district and shall elect one (1) representative.

The counties of Guthrie and Greene shall comprise one (1) district and shall elect one (1) representative.

The counties of Iowa and Keokuk shall comprise one (1) district and shall elect one (1) representative.

The counties of Adair and Madison shall comprise one (1) district and shall elect one (1) representative.

The counties of Louisa and Henry shall comprise one (1) district and shall elect one (1) representative.

The counties of Jefferson and Van Buren shall comprise one (1) district and shall elect one (1) representative.

The counties of Appanoose and Davis shall comprise one (1) district and shall elect one (1) representative.

The counties of Lucas and Monroe shall comprise one (1) district and shall elect one (1) representative.

The counties of Decatur and Wayne shall comprise one (1) district and shall elect one (1) representative.

The counties of Union and Clarke shall comprise one (1) district and shall elect one (1) representative.

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The counties of Taylor and Ringgold shall comprise one (1) district and shall elect one (1) representative.

The counties of Montgomery and Adams shall comprise one (1) district and shall elect one (1) representative.

The counties of Mills and Fremont shall comprise one (1) district and shall elect one (1) representative.

The counties of Clinton, Johnson, Wapello, Webster, Cerro Gordo, Des Moines, Lee, Story, Marshall, and Jasper shall comprise one (1) district each and each shall elect two (2) representatives.

The counties of Pottawattamie and Dubuque shall comprise one (1) district each and each shall elect three (3) representatives.

The counties of Black Hawk, Scott, and Woodbury shall comprise one (1) district each and each shall elect four (4) representatives.

The county of Linn shall comprise one (1) district and shall elect five (5) representatives.

The county of Polk shall comprise one (1) district and shall elect ten (10) representatives.

All other counties shall comprise one (1) district each and each shall elect one (1) representative."

"Section 36. In 1967, except as otherwise provided in section thirty-five (35) of this Article, and in each year immediately following the taking of the United States decennial census, the General Assembly shall determine the number of senators to be elected from each senatorial district and shall redistrict the senatorial and representative districts and senatorial subdistricts. The General Assembly shall by May 15 in each year required take such action by joint resolution which shall not be subject to the approval of the governor.

"If the General Assembly fails to comply with the provisions of this section within the time allotted, the Supreme Court shall perform these functions by October one (1) of such year. The action of the Court shall be entered and certified to the Secretary of State by court order and shall be final.

"Before June fifteen (15) of such year, any ten (10) members of the General Assembly may petition the Supreme Court to determine whether the action of the General Assembly substantially complies with the provisions of the Constitution. If the action substantially complies, the Court shall so notify the Secretary of State and the decision shall be final. If the Court determines that the action does not substantially comply, the Court shall determine the number of

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senators which shall be elected from each senatorial district and redistrict the senatorial and representative districts and the senatorial subdistricts. The Court shall proceed in its action as provided in the preceding paragraph of this section.

"The provisions designating the number of senators which shall be elected from each senatorial district and the redistricting of senatorial and representative districts and senatorial subdistricts shall take effect beginning for the nomination and election of members of the General Assembly for the next regular session of the General Assembly following the adoption of the redistricting resolution or court order.

"Section 37. When a congressional district shall be composed of two (2) or more counties, it shall not be entirely separated by any county belonging to another district, and no county shall be divided in forming a congressional district."

Sec. 2. The foregoing proposed amendment to the Constitution of the State of Iowa is hereby referred to the General Assembly to be chosen at the next general election for members of the General Assembly and the Secretary of State is directed to cause the same to be published as provided by law for three (3) months previous to the time of making such choice.

On the question "Shall the resolution be adopted?" the vote was:

Yeas, 36:

Benda	Dykhouse	Kyhl	Shaff
Beneke	Elijah	Lisle	Shivvers
Brown	Elthon	Lodwick	Shoeman
Buck	Elvers	Lucken	Turner
Burrows	Fisher	Nolan	Vance
Campbell	Flatt	Phelps	Van Eaton
Cowden	Getting	Rigler	Vincent
Curran	Griffin	Schroeder	Wearin
Doran	Grimstead	Scott	Wilson

Nays, 14:

Coleman	Hansen	Mincks	Walker
Dodds	Hill	O'Malley	Walter
Frommelt	Long	Stephens	Wiley
Fulton	Main		

Absent or not voting, none.

The resolution having received a constitutional majority was declared to have been adopted by the Senate and the title was agreed to.

Senator Rigler asked and received unanimous consent that Senate Joint Resolution 1 be immediately messaged to the House, which request was complied with.

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MESSAGES FROM 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 amendment to House amendment and passed Senate File 15, a bill for an act to allow school districts, the boundaries of which have been changed under section two hundred seventy-four point thirty-seven (274.37), Code 1962, to contract for the joint construction of buildings prior to the effective date of the change.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 20, a bill for an act to provide for approval and accrediting of all public schools and public junior colleges; to authorize their participation in state distributive funds; and to qualify students and graduates.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File 20, a bill for an act to provide for the approval and accrediting of all public schools and public junior colleges; to authorize their participation in state distributive funds; and to qualify students and graduates.

Read first and second times and passed on file.

Senator Rigler asked unanimous consent that the Senate take up for consideration House File 20.

Objection was raised.

Objection was withdrawn.

On motion of Senator Wearin, House File 20, a bill for an act to provide for the approval and accrediting of all public schools and public junior colleges; to authorize their participation in state distributive funds; and to qualify students and graduates, was taken up and considered.

Senator Shoeman offered the following amendment and moved its adoption:

Amend House File 20 by striking all of section 4.

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 19:

Beneke	Getting	Lucken	Stephens
Burrows	Griffin	Nolan	Vincent
Doran	Grimstead	Phelps	Walker
Dykhouse	Kyhl	Scott	Walter
Elthon	Long	Shoeman	

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Nays, 30:

Benda	Elijah	Lisle	Shaff
Brown	Elvers	Lodwick	Shivvers
Buck	Fisher	Main	Vance
Campbell	Flatt	Mincks	Van Eaton
Coleman	Frommelt	O'Malley	Wearin
Cowden	Fulton	Rigler	Wiley
Curran	Hansen	Schroeder	Wilson
Dodds	Hill		

Absent or not voting, none.

Voting present, 1:

Turner

The amendment was lost.

Senator Wearin moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shaff
Beneke	Elvers	Lodwick	Shivvers
Brown	Fisher	Long	Shoeman
Buck	Flatt	Lucken	Stephens
Burrows	Frommelt	Main	Vance
Campbell	Fulton	Mincks	Van Eaton
Coleman	Getting	Nolan	Vincent
Cowden	Griffin	O'Malley	Walker
Curran	Grimstead	Phelps	Walter
Dodds	Hansen	Rigler	Wearin
Doran	Hill	Schroeder	Wiley
Dykhouse	Kyhl	Scott	Wilson
Elijah			

Nays, none.

Absent or not voting, none.

Voting present, 1:

Turner

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 18, a bill for an act relating to the establishment of the "Iowa Mental Retardation Facilities and Community Mental Health Centers Construction Act", and making an appropriation therefor, was taken up for further consideration.

Senator Dykhouse asked and received unanimous consent to withdraw the amendment filed by Senators Dykhouse, Getting and Wilson,

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considered, and action deferred on same on page 191 of the Senate Journal.

Senator Dykhouse offered the following amendment filed by Senators Dykhouse, Getting and Wilson:

Amend House File 18 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. The state department of public health is hereby authorized and empowered to act as the sole agency of the state to establish and administer a state-wide plan for the construction, equipment, maintenance or operation of any facilities for the provision of care, treatment, diagnosis, rehabilitation, training or related services, which plan is now, or may hereafter be required as a condition to the eligibility for benefits under the provisions of Public Law 88-164 or any amendments thereto. The state department of public health is also authorized to receive, administer and expend any funds that may be available under Public Law 88-164 or any amendments thereto, or from any other source, public or private, for such purposes.

Section 2. The state department of health is authorized and empowered to comply with or do any and all other acts or things necessary or required to be done as a condition to receiving Federal aid or grants with respect to the establishment, construction, maintenance, equipment or operation for all the people of this state of adequate facilities and services as specified in Section 1, including the authority:

(a) to designate or establish a state advisory council or councils which shall include representatives of non-government organizations or groups and of state agencies concerned with the planning, construction, operation, or utilization of such facilities, including representatives of the consumers of such facilities and selected from among persons familiar with the need for such services throughout the state, to consult with the state department of health in carrying out the purposes of this act;

(b) to provide for an inventory of existing facilities or a particular category or categories thereof, and to survey the need for additional facilities;

(c) to develop and administer a construction program or programs which, in conjunction with existing facilities will afford adequate facilities to serve the people of this state.

(d) to provide methods of administration on a merit basis, and to require reports, make investigations and prescribe regulations;

(e) to provide for priority of projects or facilities;

(f) to provide to applicants an opportunity for a hearing before the state department of health;

(g) to prescribe and require compliance with such standards of maintenance and operation applicable to such facilities as are reasonably related to health, welfare, and safety.

(h) to review from time to time, but not less often than annually, its State plan and submit to the Secretary of Health, Education, and Welfare any modifications which said state department of health considers necessary.

Section 3. The commissioner of public health of the state is hereby directed to prepare and present to the Sixty-first General Assembly such recommendations for additional legislation that he finds necessary to carry out the provisions of the aforesaid Public Law 88-164 or any amendments thereto, as such Public Law or amendments apply to the State of Iowa.

Section 4. There is hereby appropriated from the general fund of the

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state the sum of twenty-five thousand dollars ($25,000.00) to be used for the administrtion of this Act or so much thereof as may be necessary.

Section 5. This Act, being deemed of immediate importance, shall be in full force and effect from and after its passage and publication in The Sioux Center News, a newspaper published at Sioux Center, Iowa, and in The Record-Herald & Indianola Tribune, a newspaper published at Indianola, Iowa.

Senator Dykhouse moved the adoption of the amendment.

Roll call was requested.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 34:

Benda	Elvers	Lodwick	Shoeman
Buck	Fisher	Long	Stephens
Campbell	Flatt	Nolan	Vance
Cowden	Fulton	Phelps	Vincent
Curran	Getting	Rigler	Walker
Doran	Griffin	Schroeder	Wearin
Dykhouse	Grimstead	Shaff	Wiley
Elijah	Kyhl	Shivvers	Wilson
Elthon	Lisle		

Nays, 16:

Beneke	Dodds	Lucken	Scott
Brown	Frommelt	Main	Turner
Burrows	Hansen	Mincks	Van Eaton
Coleman	Hill	O'Malley	Walter

Absent or not voting, none.

The amendment was adopted.

Senator Dykhouse offered the following amendment and moved its adoption:

Amend the title to House File 18 by striking all after the words "An Act" and inserting in lieu thereof the following:

relating to the Mental Retardation Facilities and Community Mental Health Centers Construction Act, and making an appropriation therefor.

The amendment adopted.

Senator Dykhouse moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 44:

Benda	Doran	Fulton	Lodwick
Brown	Dykhouse	Getting	Long
Buck	Elijah	Griffin	Lucken
Campbell	Elthon	Grimstead	Main
Coleman	Elvers	Hansen	Mincks
Cowden	Fisher	Hill	Nolan
Curran	Flatt	Kyhl	O'Malley
Dodds	Frommelt	Lisle	Phelps

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Rigler	Shaff	Van Eaton	Walter
Schroeder	Shivvers	Vincent	Wearin
Scott	Stephens	Walker	Wiley

Nays, 6:

Beneke	Shoeman	Vance	
Burrows	Turner		Wilson

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 Dykhouse asked and received unanimous consent that House File 18 be immediately messaged to the House, which request was complied with.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House refuses to concur in Senate amendment to House amendment to Senate Joint Resolution 1, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the composition of the General Assembly, the basis of representation of the members thereof, and to amend the Constitution.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

Senator Rigler called up for consideration Senate Joint Resolution 1, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the composition of the General Assembly, the basis of representation of the members thereof, and to amend the Constitution by repeal of section six (6), Article three (III) thereof, section thirty-four (34) of Article three (III) thereof and the 1904 and 1928 amendments thereto, sections thirty-five (35) and thirty-six (36) of Article three (III), and the 1904 amendment to each such section, and section thirty-seven (37) of Article three (III), and proposing substitutes in lieu thereof, amended by the House and further amended by the Senate, and moved that the Senate recede from its amendment to the House amendment.

Roll call was requested.

On the question "Shall the Senate recede from its amendment to the House amendment?" the vote was:

Ayes, 24:

Beneke	Elvers	Griffin	Lisle
Doran	Fisher	Grimstead	Lucken
Dykhouse	Flatt	Hill	Nolan
Elthon	Getting	Kyhl	Rigler

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Shivvers	Stephens	Vance	Walker
Shoeman	Turner	Vincent	Walter

Nays, 26:

Benda	Curran	Long	Scott
Brown	Dodds	Main	Shaff
Buck	Elijah	Mincks	Van Eaton
Burrows	Frommelt	O'Malley	Wearin
Campbell	Fulton	Phelps	Wiley
Coleman	Hansen	Schroeder	Wilson
Cowden	Lodwick		

Absent or not voting, none.

The Senate refused to recede from its amendment to the House amendment.

MESSAGES FROM 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 2, a joint resolution making appropriations for payment of miscellaneous expenses to be incurred in remodeling the chamber of the House of Representatives and refurnishing the chambers of the Senate and the House of Representatives.

Also: That the House has passed the following bill in which the concurrence of the House was asked:

Senate File 17, a bill for an act relating to the nomination and election of public officers.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File 21, a bill for an act relating to benefited fire districts.

Also: That the House has concurred in Senate amendments to and passed House File 18, a bill for an act relating to the Mental Retardation Facilities and Community Mental Health Centers Construction Act, and making an appropriation therefor.

WILLIAM R. KENDRICK, *Chief Clerk*.

HOUSE MESSAGE CONSIDERED

House File 21, a bill for an act relating to benefited fire districts.

Read first and second times and passed on file.

The Chair announced that the Senate would stand at ease until the fall of the gavel.

The Senate reconvened, President Mooty presiding.

Senator Wiley asked unanimous consent to take up for consideration House File 21.

Objection was raised.

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CONFERENCE COMMITTEE APPOINTED ON SENATE JOINT RESOLUTION 1

President Mooty announced the appointment of Senators Vance, Schroeder, Walker, and O'Malley, on the part of the Senate, on the conference committee on Senate Joint Resolution 1.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the Speaker has appointed as members of the conference committee on the part of the House on Senate Joint Resolution 1, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the composition of the General Assembly, the basis of representation of the members thereof and to amend the Constitution, Representatives Eveland, Millen, Smith of O'Brien and Stanley.

WILLIAM R. KENDRICK, *Chief Clerk.*

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House Concurrent Resolution 8 was adopted.

KENNETH BENDA.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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 13, House Files 10 and 11, and House Joint Resolution 6.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 13, House Files 10 and 11, and House Joint Resolution 6.

BILL SENT TO THE GOVERNOR

Senator Benda, 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, 1964, sent to the Governor for his approval: Senate File 18.

KENNETH BENDA, *Chairman.*

Passed on file.

On motion of Senator Rigler, the Senate adjourned until 9:00 a.m. Friday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FRIDAY, APRIL 3, 1964.

The Senate met in extraordinary session, President Mooty presiding.

Prayer was offered by retired Methodist minister, Fred A. Smith, Des Moines, Iowa.

MOTION TO RECONSIDER

I move to reconsider the vote by which the Senate failed to recede from its amendment of April 2, 1964, to the House amendment to Senate Joint Resolution 1.

DEWEY PHELPS.

RESIGNATION OF EMPLOYEE

Senator Scott announced the resignation of Michael Monahan of Polk County as a janitor on the joint payroll, effective April 2, 1964.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on April 2, 1964, the Governor had approved the following bill:

Senate File 12, relating to the Marshall County Board of Supervisors, Marshall County, Iowa, establishing Marshall County Sanitary District No. 1.

On motion of Senator Rigler, the Senate adjourned until 10:00 a.m., Monday, April 6, 1964.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MONDAY, APRIL 6, 1964.

The Senate met in extraordinary session, President Mooty presiding.

TRIBUTE TO GENERAL DOUGLAS MacARTHUR

Senator Vera Shivvers read the following prayer attributed to General Douglas MacArthur as a tribute to the late hero of three wars:

"Build me a son, O Lord, who will be strong enough to know when he is weak, and brave enough to face himself when he is afraid; one who will be proud and unbending in honest defeat, and humble and gentle in victory.

"Build me a son whose wishes will not take the place of deeds; a son who will know thee—and that to know himself is the foundation stone of knowledge.

"Lead him, I pray, not in the path of ease and comfort, but under the stress and spur of difficulties and challenge. Here let him learn to stand up in the storm; here let him learn compassion for those who fail.

"Build me a son whose heart will be clear, whose goal will be high, a son who will master himself before he seeks to master other men, who will reach into the future, yet never forget the past.

"And after all these things are his, add, I pray, enough of a sense of humor, so that he may always be serious, yet never take himself too seriously. Give him humility, so that he may always remember the simplicity of true greatness, the open mind of true wisdom, and the meekness of true strength.

"Then I, his father, will dare to whisper, 'I have not lived in vain.'"

Senator Rigler asked and received unanimous consent that the foregoing tribute be printed in the Senate Journal:

THIRD READING OF BILLS

Senator Wiley asked and received unanimous consent to bring up for consideration House File 21, a bill for an act relating to benefited fire districts.

Senator Wiley moved that the bill be read a third 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:

Benda	Curran	Fisher	Hansen
Beneke	Dodds	Flatt	Hill
Brown	Doran	Frommelt	Kyhl
Burrows	Dykhouse	Fulton	Lisle
Campbell	Elijah	Getting	Lodwick
Coleman	Elthon	Griffin	Long
Cowden	Elvers	Grimstead	Lucken

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Main	Schroeder	Stephens	Walker
Mincks	Scott	Turner	Walter
Nolan	Shaff	Vance	Wearin
O'Malley	Shivvers	Van Eaton	Wiley
Phelps	Shoeman	Vincent	Wilson
Rigler			

Nays, none:

Absent or not voting, 1:
Buck

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:

House File 22, a bill for an act relating to the rendering of assistance to escaping prisoners.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File 22, a bill for an act relating to the rendering of assistance to escaping prisoners.

Read first and second times and passed on file.

On motion of Senator Rigler, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened, President Mooty 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 resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 12, expressing sympathy and sorrow at the passing of General Douglas MacArthur.

Also: That the House has rejected the conference committee report on Senate Joint Resolution 1, a joint resolution relating to reapportionment. The Speaker has appointed the following members, on the part of the House, to a second conference committee: Knowles of Scott, Kreager of Jasper, Nelson of Winnebago and Nielsen of Emmet.

WILLIAM R. KENDRICK, *Chief Clerk.*

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HOUSE CONCURRENT RESOLUTION 12
By Lange and Vermeer

Whereas, the members of the General Assembly have learned with deep sorrow of the passing of General of the Army Douglas MacArthur, one of the most beloved American patriots and soldiers of all time; and

Whereas, General MacArthur distinguished himself as commander of the famed Rainbow Division in France in World War I; and

Whereas, General MacArthur was called upon by President Hoover to become Chief of Staff of the United States in 1930; and

Whereas, at one of the darkest hours in our nation's history, General MacArthur led the heroic defense of the Philippine Islands, which inspired Americans and freedom-loving men and women everywhere, and for which he was decorated with the Congressional Medal of Honor; and

Whereas, in 1942, General MacArthur became Supreme Commander of all fighting forces of the United States and its Allies in the Southwest Pacific, in which position he was instrumental in leading those forces to final victory; and

Whereas, in the years following his leadership of the victorious allied forces in World War II, General MacArthur so capably served as Supreme Allied Occupational Commander in Japan that he won the respect and admiration of the Japanese people, symbolized by the presentation to him by the Emperor of Japan of the highest decoration which could be bestowed upon a foreign statesman who was not a head of state; and

Whereas, in the Korean conflict General MacArthur once again won the gratitude of his countrymen and the free world as Commander in Chief of United Nations military forces; now therefore,

Be It Resolved by the House of Representatives, the Senate Concurring, that an expression of the deep sorrow of the members of the General Assembly and of the people of the State of Iowa over the passing of General of the Army Douglas MacArthur be conveyed to the President of the United States and to the family of General MacArthur.

Be It Further Resolved, that a copy of this resolution be forwarded by the Chief Clerk of the House of Representatives to the President of the United States and to the family of General MacArthur.

APPOINTMENT OF SECOND CONFERENCE COMMITTEE ON SENATE JOINT RESOLUTION 1

President Mooty announced the appointment of Senators Shaff, Grimstead, Fisher and Mincks on the second conference committee, on the part of the Senate, on Senate Joint Resolution 1.

SENATE CONCURRENT RESOLUTION 13
By Turner and Griffin

Whereas, many of Iowa's highways are breaking up within a few years after construction, and

Whereas, the myriads of inspectors employed by the highway commission are not solving this problem,

Now, Therefore Be It Resolved by the Senate, the House Concurring, that any highway paving contractor be required to guarantee his construction for a period of five years after acceptance of the work by the highway commission.

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SENATE CONCURRENT RESOLUTION 14
By Beneke

Whereas, it is common knowledge that certain types of highway surfacing are more hazardous and dangerous when wet than other types; and

Whereas, automobile accident fatalities have been increasing to an alarming degree; and

Whereas, every Iowan should do everything possible to prevent as far as possible any accident which can be avoided,

Now Therefore, Be It Resolved by the Senate, the House Concurring, that every highway authority in Iowa be and it is hereby directed to post on all highways which are hazardous and dangerous when wet, at appropriate places and in appropriate size, the following sign:

"Dangerous When Wet"

REPORT OF CONFERENCE COMMITTEE ON SENATE JOINT RESOLUTION 1

TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE:

We, the undersigned members of the conference committee appointed to consider the differences between the Senate and the House on Senate Joint Resolution 1, a joint resolution providing for the composition and representation of the Iowa Senate and House of Representatives, beg leave to report and make the following recommendations:

1. That the Senate recede from its amendment to the House amendment.
2. That the House amendment be amended to read as follows:

Amend Senate Joint Resolution 1 by striking all of section one (1) after line eight (8) and inserting the following in lieu thereof:

"Section 34. The Senate shall consist of at least forty-seven (47) and not more than fifty-three (53) senators. The smallest percentage of the state population represented by a majority of the senators shall be at least thirty-eight (38) percent and not more than forty (40) percent of the state population. Such percentage shall be determined as follows: the senatorial districts shall be listed in the inverse order of their population; the total population of the least populous group of senatorial districts entitled to elect a majority of the senators shall be computed, beginning with the senatorial district having the least population, then adding the senatorial district having the next least population, and so on, provided, however, that if possible no one-county senatorial district shall be included in such group of senatorial districts; and said total shall be divided by the state population to determine such percentage. In event of any conflict between this paragraph and any other provision of this section, this paragraph shall prevail over such other provision, and reasonable exceptions to any or all other provisions of this section shall be made to the extent necessary to comply with this paragraph.

"Any county having at least one and three-fourths (1¾) percent of the state population shall be a one-county senatorial district. Subject to the other provisions of this section, a county having less than one and three-fourths (1¾) percent of the state population may be established as a one-county senatorial district.

"Each senatorial district shall elect one (1) senator. In addition, each senatorial district having a total population at least equal to four and three-fourths (4¾) percent of the state population shall elect a second senator plus one (1) additional senator for each additional three (3) percent of the state population.

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"Subject to the other provisions of this section, the number of persons represented by each senator shall be as nearly equal as practicable. However, in each redistricting of the Senate, the historical relationships and common or differing interests of the people of the various areas of the state shall be taken into account, and reasonable protection shall be provided for the minority of the people who live in thinly populated areas.

"As nearly as possible, one-half (½) of the senators shall be elected every two (2) years. In any senatorial district having two (2) or more senators, such senators shall be elected in alternating general elections so that the terms of such senators shall not all expire in the same year.

"Section 35. The House of Representatives shall consist of at least one hundred eight (108) and not more than one hundred fifteen (115) representatives.

"Representative districts shall be formed and representatives shall be apportioned on the basis of population. Each representative district shall elect one (1) or more representatives in accordance with its population.

"It is the intent of this section that fifty (50) percent of the state population shall be represented by fifty (50) percent of the representatives. In order to carry out this intent, the number of representatives apportioned to each of the following two (2) groups of representative districts shall be in direct proportion to the total population of each of such two (2) groups of representative districts: (a) a group consisting of the most populous counties which together have fifty (50) percent of the state population; and (b) a group consisting of all other representative districts.

"Section 36. Each congressional, senatorial, and representative district composed of two (2) or more counties shall consist of compact and contiguous territory, and no county shall be divided in forming any such district. However, representative districts shall be divided into subdistricts to the extent provided in this section.

"In any representative district entitled to three (3) representatives, the entire district shall elect one (1) representative, and the district shall be divided into two (2) representative subdistricts each of which shall elect one (1) representative.

"In any representative district entitled to four (4) or more representatives, the entire district shall elect two (2) representatives, and the remaining representatives shall be elected from representative subdistricts. The district shall be divided into a number of representative subdistricts equal to the number of representatives to which the district is entitled less two (2). Each such subdistrict shall elect one (1) representative.

"Representative subdistricts shall consist of compact and contiguous territory and shall conform to the boundaries of voting districts if possible. No representative subdistrict shall have a population more than ten (10) percent greater than the population of any other representative subdistrict in the same representative district.

"Counties and areas joined only at the point of a corner shall not be regarded as contiguous; but reasonable exceptions to this provision may be made when reasonably necessary to carry out the intent of this article.

"Unless the context clearly indicates otherwise, all references to 'population' in this article mean population as shown by the most recent United States decennial census.

"Section 37. Redistricting shall be done by the General Assembly when required by this section. Each redistricting by the General Assembly shall be done by law.

"Each redistricting shall include the determination of the number of senators and representatives, the number and boundaries of senatorial and representative districts and subdistricts, and the number of senators and

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representatives to be elected from each district, all in accordance with this article.

"Each redistricting shall also provide for the transition from the existing senatorial districts and apportionment to the new senatorial districts and apportionment; and for this purpose the first election of senators from specified districts may be delayed for two (2) years and counties may be temporarily attached to senatorial districts. Each redistricting shall provide for the election of senators for terms of two (2) years to the extent necessary in order to comply with section thirty-four (34) of this article.

"Each senator shall be allowed to serve during the entire term for which he shall have been elected, even if the district which shall have elected him is changed or eliminated by redistricting.

"The first redistricting shall be done by the General Assembly during its regular session in the year 1967.

"Thereafter, redistricting shall be done by the General Assembly during its regular session in the year 1971 and each ten (10) years thereafter. However, if the necessary information from the United States decennial census in the preceding year is not available before the adjournment of such regular session, the redistricting shall be done by the General Assembly in its next session held after such information becomes available.

"Within thirty (30) days after any redistricting by the General Assembly becomes a law, any citizen of the state may petition the state supreme court to determine whether the redistricting complies with the Constitution. If the supreme court determines that the redistricting by the General Assembly does not comply with the Constitution, the supreme court shall perform the redistricting in accordance with this Article. The determination and redistricting order of the supreme court shall be final.

"If the General Assembly fails to redistrict during the session in which it is required to redistrict, the state supreme court shall promptly perform the redistricting in accordance with this Article. The redistricting order of the supreme court shall be final.

"Redistricting shall take effect beginning with the nomination and election of senators and representatives for the next regular session of the General Assembly which begins after the redistricting becomes a law or after the redistricting order of the supreme court is entered."

CLIFFORD M. VANCE, *Chairman.* DAVID STANLEY.
JACK SCHROEDER. FLOYD H. MILLEN.

GEORGE E. O'MALLEY. RAYMOND EVELAND.
On the Part of the Senate. *On the Part of the House.*

RESIGNATION OF EMPLOYEE

Senator Doran and Senator Fisher announced the resignation of their Committee Clerk, Dorla Johnson, effective April 6, 1964.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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-

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ports that it has examined and finds correctly enrolled: Senate Files 15, 17, and Senate Joint Resolution 2; also, House Files 18 and 20.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate Files 15, 17, and Senate Joint Resolution 2; also, House Files 18 and 20.

BILLS SENT TO THE GOVERNOR

Senator Benda from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 6th day of April, 1964, sent to the Governor for his approval: Senate Files 15, 17 and Senate Joint Resolution 2.

KENNETH BENDA, *Chairman.*

Passed on file.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on April 3, 1964, the Governor had approved the following bill:

Senate File 13, relating to the cost of printing the official election ballot.

On motion of Senator Rigler, the Senate adjourned until 10:00 a.m., Tuesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, TUESDAY, APRIL 7, 1964.

The Senate met in extraordinary session, President Mooty presiding.

Appearing on the rostrum with the women members of the House of Representatives, Senator Vera Shivvers read the following prayer of the National Order of Women Legislators (adopted in 1956):

All Gracious Father, we humbly ask for strength to serve, wisdom to guide and courage to act. Help us to have good judgment and an understanding heart. Grant that we may truly be Thy Representatives through our service to our fellowmen. All this we ask in Thy Holy Name. Amen.

Senator Rigler asked and received unanimous consent that the foregoing prayer be printed in the Senate Journal.

Senator Rigler called up the following resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION 12
By Lange and Vermeer

Whereas, the members of the General Assembly have learned with deep sorrow of the passing of General of the Army Douglas MacArthur, one of the most beloved American patriots and soldiers of all time; and

Whereas, General MacArthur distinguished himself as commander of the famed Rainbow Division in France in World War I; and

Whereas, General MacArthur was called upon by President Hoover to become Chief of Staff of the United States in 1930; and

Whereas, at one of the darkest hours in our nation's history, General MacArthur led the heroic defense of the Philippine Islands, which inspired Americans and freedom-loving men and women everywhere, and for which he was decorated with the Congressional Medal of Honor; and

Whereas, in 1942, General MacArthur became Supreme Commander of all fighting forces of the United States and its Allies in the Southwest Pacific, in which position he was instrumental in leading those forces to final victory; and

Whereas, in the years following his leadership of the victorious allied forces in World War II, General MacArthur so capably served as Supreme Allied Occupational Commander in Japan that he won the respect and admiration of the Japanese people, symbolized by the presentation to him by the Emperor of Japan of the highest decoration which could be bestowed upon a foreign statesman who was not a head of state; and

Whereas, in the Korean conflict General MacArthur once again won the gratitude of his countrymen and the free world as Commander in Chief of United Nations military forces; now therefore,

Be It Resolved by the House of Representatives, the Senate Concurring, that an expression of the deep sorrow of the members of the General Assembly and of the people of the State of Iowa over the passing of General

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of the Army Douglas MacArthur be conveyed to the President of the United States and to the family of General MacArthur.

Be It Further Resolved, that a copy of this resolution be forwarded by the Chief Clerk of the House of Representatives to the President of the United States and to the family of General MacArthur.

The motion prevailed and the resolution was unanimously adopted.

On motion of Senator Rigler, the Senate stood at ease until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

Senator Shaff called up the following report and moved its adoption:

REPORT OF SECOND CONFERENCE COMMITTEE ON SENATE JOINT RESOLUTION 1

TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE:

We, the undersigned members of the conference committee appointed to consider the differences between the Senate and the House on Senate Joint Resolution 1, a joint resolution proposing an amendment to the constitution of the State of Iowa relating to the composition of the General Assembly, beg leave to report that your conference committee is unable to agree and therefore requests the appointment of a third conference committee.

DAVID O. SHAFF.	PAUL W. KNOWLES.
JACOB GRIMSTEAD.	MAX W. KREAGER.
J. LOUIS FISHER.	HENRY C. NELSON.
JAKE B. MICKS.	NIELS J. NIELSEN.
On the Part of the Senate.	*On the Part of the House.*

The motion prevailed and the report was adopted.

APPOINTMENT OF THIRD CONFERENCE COMMITTEE ON SENATE JOINT RESOLUTION 1

President Mooty announced the appointment of Senators Nolan, Van Eaton, Doran and Brown on the third conference committee, on the part of the Senate, on Senate Joint Resolution 1.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the Speaker has appointed the following members, on the part of the House, to a third conference committee: Palas, Camp, Vetter and Scherle, for the consideration of Senate Joint Resolution 1, a joint resolution relating to reapportionment of the General Assembly.

WILLIAM R. KENDRICK, *Chief Clerk.*

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SENATE CONCURRENT RESOLUTION 15
By Rigler

Be It Resolved by the Senate, the House Concurring: That the Sixtieth General Assembly in Extraordinary Session adjourn sine die at four o'clock p.m., Tuesday, April 7, 1964.

SENATE CONCURRENT RESOLUTION 16
By Flatt

Whereas, accusations have been made that certain road materials are more durable than others, and

Whereas, it is the intent of the General Assembly not to insist on utilizing the product of one industry over another in a road building program unless it is conclusively shown that there is a marked difference in costs and durability, and

Whereas, that decisions regarding the use of materials should be made on the basis of engineering studies, therefore,

Be It Resolved by the Senate, the House Concurring: That the Iowa Highway Commission, prior to establishing specifications for highway paving and awarding contracts, be directed to make detailed and objective studies concerning durability and costs of all types of surfacing materials.

RESIGNATION OF EMPLOYEE

Senator Buck and Senator Elijah announced the resignation of their Committee Clerk, Wilma Carter, effective April 7, 1964.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, 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 21.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
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 21.

On motion of Senator Rigler, the Senate adjourned until 9:00 a.m., Wednesday.

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JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, WEDNESDAY, APRIL 8, 1964.

The Senate met in extraordinary session, President Mooty presiding.

Prayer was offered by Doctor John D. Clinton, retired Methodist minister, now serving as Chaplain of the Des Moines Fire Department, Des Moines, Iowa.

On motion of Senator Rigler, the Senate stood at ease until the fall of the gavel.

AFTERNOON SESSION

The Senate reconvened, President Mooty presiding.

On motion of Senator Rigler, the Senate stood at east until the fall of the gavel.

EVENING SESSION

The Senate reconvened, President Mooty 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 conference committee report on, and adopted the amendments contained therein, and passed Senate Joint Resolution 1, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the composition of the General Assembly, the basis of representation of the members thereof, and to amend the Constitution.

Also: That the House has passed the following joint resolution in which the concurrence of the Senate is asked:

House Joint Resolution 10, a joint resolution relating to the creation of a special committee to formulate school-approval standards and methods of financing public education and to make an appropriation for such committee.

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 to authorize county public hospitals to provide ambulance service.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House Joint Resolution 10, a joint resolution relating to the creation of a special committee to formulate school-approval standards

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and methods of financing public education and to make an appropriation for such committee.

Read first and second times and passed on file.

House File 23, a bill for an act to authorize county public hospitals to provide ambulance service.

Read first and second times and passed on file.

THIRD READING OF BILLS

Senator Rigler asked and received unaminous consent that the rules be suspended and that the Senate take up the following bill:

On motion of Senator Campbell, House File 23, a bill for an act to authorize county public hospitals to provide ambulance service, was taken up and considered.

Senator Campbell moved that the bill be read a third 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:

Benda	Elthon	Lisle	Shaff
Brown	Elvers	Lodwick	Shivvers
Buck	Fisher	Long	Shoeman
Burrows	Flatt	Lucken	Stephens
Campbell	Frommelt	Main	Turner
Coleman	Fulton	Mincks	Vance
Cowden	Getting	Nolan	Van Eaton
Curran	Griffin	O'Malley	Vincent
Dodds	Grimstead	Phelps	Walker
Doran	Hansen	Rigler	Walter
Dykhouse	Hill	Schroeder	Wearin
Elijah	Kyhl	Scott	Wilson

Nays, 1:

Beneke

Absent or not voting, 1:

Wiley

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Rigler called up the following report:

REPORT OF THE THIRD CONFERENCE COMMITTEE ON SENATE JOINT RESOLUTION 1

TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE:

We, the undersigned members of the conference committee appointed to consider the differences between the Senate and the House on Senate Joint Resolution 1, a joint resolution providing for the composition and repre-

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sentation of the Iowa Senate and House of Representatives, beg leave to report and make the following recommendations:

1. That the Senate recede from its amendment to the House amendment.

2. That the House amendment be amended to read as follows:

Amend Senate Joint Resolution 1 by striking all of section one (1) after line eight (8) and inserting the following in lieu thereof:

"Section 34. The Senate shall consist of fifty senators so classified that approximately one-half will be elected each two years. The several most populous counties containing in the aggregate fifty percent of the population of the state shall be entitled to eighteen senators. Said eighteen senators shall be allocated to the most populous counties in proportion to their population, but each of said counties shall be entitled to at least one senator. The remaining thirty-two senators shall be apportioned by the redistricting authority among the remaining counties but no district shall be composed of more than three counties and each such district shall be entitled to one senator and such districts shall be so arranged so that a majority of the members of the Senate shall be elected by no less than thirty-six percent of the population.

"Section 35. The House of Representatives shall consist of one hundred fourteen representatives. The several most populous counties containing in the aggregate fifty percent of the population of the state shall be represented by fifty percent of the members of the House apportioned among said counties according to the respective populations thereof. The other fifty percent of the members of the House shall be apportioned among the remaining counties in proportion to the population of said counties.

"Section 36. Each congressional, senatorial or representational district composed of more than one county shall consist of compact and contiguous territory and no county shall be divided in forming any such district, except counties shall be divided in the establishment of representative district where there is a variation of thirty percent or more from the base figure obtained by dividing the total population of the state by the whole number of representatives to be elected to the House. The General Assembly shall provide by law for subdistricting in counties entitled to more than two senators or representatives. Subdistricts shall consist of compact and contiguous territory and shall conform to the boundaries of voting districts. No subdistrict shall have a population more than ten percent greater than the population of any other subdistrict in the same district.

"Section 37. Each redistricting by the General Assembly shall be done by law.

"Each redistricting shall include the determination of the number and boundaries of senatorial and representative districts and subdistricts, and the number of senators and representatives to be elected from each district or subdistrict, all in accordance with this Article.

"Each redistricting shall also provide for the transition from the existing senatorial districts and apportionment to the new senatorial districts and apportionment; and for this purpose the first election of senators from specified districts may be delayed for two years and counties may be temporarily attached to senatorial districts. Each redistricting shall provide for the election of senators for terms of two years to the extent necessary in order to comply with section thirty-four of this Article.

"Each senator shall be allowed to serve during the entire term for which he shall have been elected, even if the district which shall have elected him is changed or eliminated by redistricting.

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"Redistricting shall be done by the General Assembly during its regular session in the year 1973 and each ten years thereafter.

"If the General Assembly fails to redistrict during the session in which it is required to redistrict, the state Supreme Court shall promptly perform the redistricting in accordance with this Article. The redistricting order of the Supreme Court shall be final.

"Before June fifteen of such year, any ten members of the General Assembly may petition the Supreme Court to determine whether the action of the General Assembly substantially complies with the provisions of the Constitution. If the action substantially complies, the court shall so notify the Secretary of State and the decision shall be final. If the court determines that the action does not substantially comply, the court shall provide for the redistricting of senatorial and representative districts, the number of senators and representatives which shall be elected from each respective senatorial and representative district, and the establishment of senatorial and representative subdistricts. The court shall proceed in its action as provided in the preceding paragraph of this section.

"Redistricting shall take effect beginning with the nomination and election of senators and representatives for the next regular session of the General Assembly which begins after the redistricting becomes a law or after the redistricting order of the Supreme Court is entered."

D. C. NOLAN.	JOHN CAMP.
CHARLES S. VAN EATON.	HARLEY J. PALAS.
A. V. DORAN.	WILLIAM J. SCHERLE.
JOHN J. BROWN.	KEITH L. VETTER.
On the Part of the Senate.	*On the Part of the House.*

Senator Nolan moved the adoption of the conference committee report and the recommendations contained therein.

Roll call was requested.

On the question "Shall the report of the committee and the amendments contained therein be adopted?" the vote was:

Yeas, 36:

Benda	Elijah	Lisle	Stephens
Beneke	Elthon	Long	Turner
Brown	Elvers	Lucken	Vance
Buck	Fisher	Main	Van Eaton
Burrows	Flatt	Nolan	Vincent
Campbell	Getting	Phelps	Walker
Cowden	Griffin	Scott	Walter
Doran	Grimstead	Shivvers	Wearin
Dykhouse	Kyhl	Shoeman	Wilson

Nays, 14:

Coleman	Fulton	Mincks	Schroeder
Curran	Hansen	O'Malley	Shaff
Dodds	Hill	Rigler	Wiley
Frommelt	Lodwick		

Absent or not voting, none.

The motion prevailed and the report and the recommendations contained therein were adopted.

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Senator Nolan moved that the resolution be read a third time now, which motion prevailed, and the resolution was read a third time.

Senate Joint Resolution 1, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the composition of the General Assembly, the basis of representation of the members thereof, and to amend the Constitution by repeal of section six (6), Article three (III) thereof, section thirty-four (34) of Article three (III) thereof and the 1904 and 1928 amendments thereto, sections thirty-five (35) and thirty-six (36) of Article three (III), and the 1904 amendment to each such section, and section thirty-seven (37) of Article three (III), and proposing substitutes in lieu thereof.

Be It Resolved by the General Assembly of the State of Iowa:

Section 1. The following amendment to the Constitution of the State of Iowa is hereby proposed.

"Section six (6) of Article three (III), section thirty-four (34) of Article three (III) and the 1904 and 1928 amendments thereto, sections thirty-five (35) and thirty-six (36) of Article three (III) and the 1904 amendment to each such section, and section thirty-seven (37) of Article three (III) are hereby repealed and the following adopted in lieu thereof:

"Section 34. The Senate shall consist of fifty senators so classified that approximately one-half will be elected each two years. The several most populous counties containing in the aggregate fifty percent of the population of the state shall be entitled to eighteen senators. Said eighteen senators shall be allocated to the most populous counties in proportion to their population, but each of said counties shall be entitled to at least one senator. The remaining thirty-two senators shall be apportioned by the redistricting authority among the remaining counties but no district shall be composed of more than three counties and each such district shall be entitled to one senator and such districts shall be so arranged so that a majority of the members of the Senate shall be elected by no less than thirty-six percent of the population.

"Section 35. The House of Representatives shall consist of one hundred fourteen representatives. The several most populous counties containing in the aggregate fifty percent of the population of the state shall be represented by fifty percent of the members of the House apportioned among said counties according to the respective populations thereof. The other fifty percent of the members of the

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House shall be apportioned among the remaining counties in proportion to the population of said counties.

"Section 36. Each congressional, senatorial or representational district composed of more than one county shall consist of compact and contiguous territory and no county shall be divided in forming any such district, except counties shall be divided in the establishment of representative districts where there is a variation of thirty percent or more from the base figure obtained by dividing the total population of the state by the whole number of representatives to be elected to the House. The General Assembly shall provide by law for subdistricting in counties entitled to more than two senators or representatives. Subdistricts shall consist of compact and contiguous territory and shall conform to the boundaries of voting districts. No subdistrict shall have a population more than ten percent greater than the population of any other subdistrict in the same district.

"Section 37. Each redistricting by the General Assembly shall be done by law.

"Each redistricting shall include the determination of the number and boundaries of senatorial and representative districts and subdistricts, and the number of senators and representatives to be elected from each district or subdistrict, all in accordance with this Article.

"Each redistricting shall also provide for the transition from the existing senatorial districts and apportionment to the new senatorial districts and apportionment; and for this purpose the first election of senators from specified districts may be delayed for two years and counties may be temporarily attached to senatorial districts. Each redistricting shall provide for the election of senators for terms of two years to the extent necessary in order to comply with section thirty-four of this Article.

"Each senator shall be allowed to serve during the entire term for which he shall have been elected, even if the district which shall have elected him is changed or eliminated by redistricting.

"Redistricting shall be done by the General Assembly during its regular session in the year 1973 and each ten years thereafter.

"If the General Assembly fails to redistrict during the session in which it is required to redistrict, the state Supreme Court shall promptly perform the redistricting in accordance with this Article. The redistricting order of the Supreme Court shall be final.

"Before June fifteen of such year, any ten members of the General Assembly may petition the Supreme Court to determine whether the

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action of the General Assembly substantially complies with the provisions of the Constitution. If the action substantially complies, the court shall so notify the Secretary of State and the decision shall be final. If the court determines that the action does not substantially comply, the court shall provide for the redistricting of senatorial and representative districts, the number of senators and representatives which shall be elected from each respective senatorial and representative district, and the establishment of senatorial and representative subdistricts. The court shall proceed in its action as provided in the preceding paragraph of this section.

"Redistricting shall take effect beginning with the nomination and election of senators and representatives for the next regular session of the General Assembly which begins after the redistricting becomes a law or after the redistricting order of the Supreme Court is entered."

Sec. 2. The foregoing proposed amendment to the Constitution of the State of Iowa is hereby referred to the General Assembly to be chosen at the next general election for members of the General Assembly and the Secretary of State is directed to cause the same to be published as provided by law for three (3) months previous to the time of making such choice.

On the question "Shall the resolution be adopted?" the vote was:

Yeas, 36:

Benda	Elijah	Lisle	Stephens
Beneke	Elthon	Long	Turner
Brown	Elvers	Lucken	Vance
Buck	Fisher	Main	Van Eaton
Burrows	Flatt	Nolan	Vincent
Campbell	Getting	Phelps	Walker
Cowden	Griffin	Scott	Walter
Doran	Grimstead	Shivvers	Wearin
Dykhouse	Kyhl	Shoeman	Wilson

Nays, 14:

Coleman	Fulton	Mincks	Schroeder
Curran	Hansen	O'Malley	Shaff
Dodds	Hill	Rigler	Wiley
Frommelt	Lodwick		

Absent or not voting, none.

The resolution having received a constitutional majority was declared to have been adopted by 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 adopted the following concurrent resolution in which the concurrence of the Senate is asked:

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House Concurrent Resolution 13, relating to adjourning of the Sixtieth General Assembly in Extraordinary Session sine die.

WILLIAM R. KENDRICK, *Chief Clerk.*

Senator Rigler called up the following resolution and moved its adoption:

HOUSE CONCURRENT RESOLUTION 13

Be It Resolved by the House, the Senate Concurring: That the Sixtieth General Assembly in Extraordinary Session adjourn sine die at eleven o'clock p.m., Wednesday, April 8, 1964.

The motion prevailed and the resolution was adopted.

SENATE CONCURRENT RESOLUTION 17

By Walker, Getting and Benda

Whereas, an economic recession is occurring in rural Iowa due to the loss of $25.00 to $80.00 per head on the price of cattle which cattle feeders are receiving for finished livestock on the market; and

Whereas, the reduced price which cattle feeders are receiving for cattle is not reflected in the price of meat which the housewife is required to pay, the discrepancy becoming of increased bewilderment to the consumer; and

Whereas, a considerable amount of beef is imported into the United States which is affecting the price cattle feeders are receiving for cattle on the market; and

Whereas, it is reported that New Zealand has a 100 percent import duty and Australia a 41 percent import duty on beef while these two countries account for 75 percent of all beef imported into the United States; and

Whereas, the importing of beef is of added concern to the consumer as to the kind of inspection imported fresh and canned beef is receiving, and who is responsible for same leaves doubt in the consumers' minds if perhaps they are exposing their families to health hazards when purchasing meat that could possibly contain imported beef.

Whereas, many individuals in the loaning business are becoming concerned with the effect the present market price of beef is having on the economy of Iowa and fear that the economic situation will spread to cities and cause a nationwide recession; now therefore,

Be It Resolved by the Senate, the House Concurring, that the General Assembly recommend to the Honorable Harold E. Hughes, Governor of Iowa, that he consider appointing a committee of twelve to fifteen members or of such number which the Governor considers appropriate which will include housewives, consumers, cattle feeders, meat processors, and representatives of chain stores, chambers of commerce, farm and labor organizations, and other groups who have an interest in the problems cited. The purpose of the committee will be to study the cattle feeders' plight, reasons why the low prices received for cattle by the beef producer are not reflected in prices to the consumer, and the effect the import of beef has on the health and economic situation of the nation and to make suggestions on how these problems can be solved. It is further suggested that the Governor call upon all banks and lending institutions who loan money to beef producers and feeders to contribute funds for the purpose of deferring any expenses which may be incurred by committee members in carrying out the intent of the study.

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COMMITTEE APPOINTMENTS

President Mooty announced the appointment of the following committees:

HIGHER EDUCATION FACILITIES COMMISSION

Vern Lisle, Clarinda.....2-year-term

SPECIAL COMMITTEE IN ACCORDANCE WITH SENATE JOINT RESOLUTION 2
(Remodeling Legislative Halls)

R. O. Burrows, Belle Plaine
Vernon Kyhl, Parkersburg
John A. Walker, Williams
Franklin S. Main, Lamoni

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 7, 1964, the Governor had approved the following bills:

Senate Joint Resolution 2, making an appropriation for payment of miscellaneous expenses to be incurred in remodeling the chamber of the House of Representatives and refurnishing the chambers of the House of Representatives and the Senate.

Senate File 15, relating to joint construction of buildings in school districts.

Senate File 17, relating to the nomination and election of public officers.

On motion of Senator Rigler, the Senate recessed until the fall of the gavel.

The Senate reconvened, President Mooty presiding.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Benda, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled: Senate Joint Resolution 1 and House File 23.

KENNETH BENDA,
Chairman Senate Committee.
FRED E. WIER,
Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate: Senate Joint Resolution 1 and House File 23.

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RESOLUTION SENT TO THE SECRETARY OF STATE

Senator Benda, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports that it has, on this 8th day of April, 1964, sent to the Secretary of State: Senate Joint Resolution 1.

KENNETH BENDA, *Chairman.*

Passed on file.

COMMITTEE TO NOTIFY THE GOVERNOR

Senator Fisher moved that a committee of five 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 appointed as such committee Senators Fisher, Burrows, Phelps, Dodds and O'Malley.

COMMITTEE TO NOTIFY THE HOUSE

Senator Wearin moved that a committee of five 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 Wearin, Rigler, Vance, Campbell and Hansen.

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 Wearin reported that the committee appointed to notify the House that the Senate was ready to adjourn sine die had performed its duty.

The report was received and the committee discharged.

REPORT OF COMMITTEE TO NOTIFY THE GOVERNOR

Senator Fisher reported that the committee appointed to notify the Governor that the Senate was ready to adjourn sine die had performed its duty, and that the Governor had sent the following message:

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STATE OF IOWA
Office of the Governor
Des Moines

HAROLD E. HUGHES
Governor

The Honorable W. L. Mooty,
Lieutenant Governor,
President of the Senate,
State Capitol,
Des Moines, Iowa.

HONORABLE MEMBERS OF THE GENERAL ASSEMBLY:

I hereby acknowledge receipt of your official notification that the Sixtieth General Assembly in Extraordinary Session stands ready to adjourn.

In my opinion, this session was distinguished above all for its enactment of a temporary reapportionment plan which will at least partially correct inequities in the distribution of seats in the Iowa Legislature until a satisfactory permanent plan can be worked out.

The interim plan, as I see it, is the most far-reaching enactment by the Iowa Legislature in this century. While it may not be an ideal plan, it is a reasonable compromise and represents a clear step in the direction of fairness and equality for the people of Iowa. In the long run, I believe it will be seen that passage of the interim plan was the high point of the session.

You also are to be commended for your action in passing other valuable legislation—particularly legislation requested in my message at the beginning of this session to enable Iowa to participate in new federal-aid programs for higher education and to combat mental retardation.

I am keenly disappointed, however, in the permanent reapportionment plan that was passed at the last minute by the Assembly. Nevertheless, I feel that all of you—whatever your individual positions may have been on the crucial apportionment issue—deserve a great deal of credit for your extended efforts in search of a solution to this difficult problem.

Although I may differ with a majority of your membership on the apportionment issue, this is no cause for alarm. It is, rather, the sign of a healthy democratic system.

In closing, I would like to express my appreciation to you for the courtesies you have shown me during this session. Let me assure you again, as you leave for your homes, that my office is open to you whenever you may wish to discuss our mutual goal—the betterment of the State of Iowa.

Very truly yours,
HAROLD E. HUGHES,
Governor.

HEH:dep

FINAL ADJOURNMENT

In accordance with House Concurrent Resolution 13, duly adpoted, the hour of eleven o'clock p.m. having arrived, President Mooty declared the Senate of the Sixtieth General Assembly in Extraordinary Session adjourned sine die.

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SENATE-HOUSE COMPANION BILLS

S.F.	H.F.
2	6
16	19

RECORD OF SENATE BILLS IN THE SENATE

SENATE JOINT RESOLUTIONS AND SENATE FILES PASSED AND APPROVED — 16

S. J. R. 2.
S. F. 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17.

SENT TO SECRETARY OF STATE—S. J. R. 1

S. J. R. Page

1 By Reapportionment. Relating to the composition of the General Assembly, the basis of representation of the members thereof, and to amend the Constitution by repeal of section 6, Article 3 thereof, section 34 of Article 3 thereof and the 1904 and 1928 amendments thereto, sections 35 and 36 of Article 3, and the 1904 amendment to each such section, and section 37 of Article 3, and proposing substitutes in lieu thereof.

Introduced, placed on calendar .. 137
Amendment filed 140, 148, 160, 162
Amendments withdrawn..157, 165, 168
Amendments adopted 167, 168, 203
Passed; ayes 43, nays 7...172, 209, 234
Explanations 172
Senate concurred 203
Senate refused to recede 215
Conference committee appointed.. 216
Motion filed to reconsider vote... 217
Second conference committee appointed 220
Conference committee report 221
Conference committee report adopted 226
Third conference committee appointed 226
Conference committee report and amendments contained, adopted 231
Reported enrolled 236
Signed by President 236
Sent to Secretary of State 237

2 By Appropriations. Relating to appropriations for payment of miscellaneous expenses to be incurred in remodeling the chamber of the House of Representatives and refurnishing the chambers of the Senate and the House of Representatives.

Introduced, placed on calendar . 195
Passed; ayes 43, nays 1..... 200
Reported enrolled 224
Signed by President 224
Sent to Governor 224
Signed by Governor 236

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1 By Reapportionment. Relating to providing for representation in the Senate and House of Representatives in the Sixty-first General Assembly and thereafter.

Introduction, placed on calendar . 25
Amendments filed 25, 29, 34, 39, 40, 46, 50, 52, 88, 90
Call of the Senate 41, 54, 60, 94, 105, 119
Amendments withdrawn 42, 45, 59, 60, 94
Amendments adopted 55, 59, 60, 61, 98
Passed; ayes 34, nays 16..62, 99, 122
Senate concurred 99
Conference committee appointed.. 106
Conference committee report ... 112
Conference committee report and amendments contained, adopted 122
Motion to reconsider vote laid on the table 123
Explanation of vote 128
Reported enrolled 130
Signed by President 130
Sent to Governor 130
Signed by Governor 140

2 By Rules. Relating to joint construction and financing of bridges and highways by cities and counties.

Introduced, placed on calendar... 64
Amendment adopted 68
Passed; ayes 48, nays none....69, 75
Senate concurred 75
Reported enrolled 87
Signed by President 87
Sent to Governor 87
Signed by Governor 106

3 By Rules. Relating to legalizing and validating the special election of North Mahaska Community School District in the counties of Mahaska and Poweshiek, State of Iowa, held on January 30, 1964, for the issuance of $816,000.00 of school bonds.

Introduced, placed on calendar... 64
Proof of publication certified 67
Passed; ayes 48, nays none..... 69
Reported enrolled 100
Signed by President 100
Sent to Governor 100
Signed by Governor 106

4 By Rules. Relating to legalizing and validating proceedings of school corporations providing for the organization, establishment and maintenance

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of public community or junior colleges.
Introduced, placed on calendar .. 64
Passed; ayes 48, nays none..... 70
Reported enrolled 115
Signed by President 115
Sent to Governor 115
Signed by Governor 129

5 By Rules. Relating to legalizing and validating the proceedings enlarging the boundaries of the community school district of Fort Dodge, in the county of Webster, and declaring the enlarged boundaries of said school district to be legally established.
Introduced, placed on calendar... 64
Amendment filed 73
Withdrawn 75

6 By Rules. Relating to legalizing past organization of private colleges under Iowa corporation laws.
Introduced, placed on calendar... 65
Passed; ayes 48, nays none..... 70
Reported enrolled 115
Signed by President 115
Sent to Governor 115
Signed by Governor 129

7 By Rules. Relating to legalizing and validating proceedings providing for the organization, reorganization, enlargement, or change in the boundaries of school corporations.
Introduced, placed on calendar... 65
Passed; ayes 48, nays none..... 71
Reported enrolled 107
Signed by President 107
Sent to Governor 108
Signed by Governor 110

8 By Rules. Relating to the leasing of property by the armory board.
Introduced, placed on calendar... 93
Amendment adopted 103
Passed; ayes 50, nays none..... 103
Reported enrolled 130
Signed by President 130
Sent to Governor 130
Signed by Governor 140

9 By Rules. Relating to legalizing the proceedings of the city council of the city of Ottumwa, Iowa, including all legal notices given, in connection with the authorization for the issuance of additional flood protection bonds of said city, the proceeds of which will be used to defray the remaining cost of constructing certain flood protection works.
Proof of publication certified.... 86
Introduced, placed on calendar... 93
Passed; ayes 50, nays none..... 104
Reported enrolled 130
Signed by President 130
Sent to Governor 130
Signed by Governor 140

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10 By Rules. Relating to authorizing cities and towns to purchase and acquire sewage works and facilities owned by another city or town which are to be jointly used by the respective municipalities, and to issue bonds therefor.
Introduced, placed on calendar... 93
Amendment adopted 104
Passed; ayes 50, nays none..... 104
Reported enrolled 139
Signed by President 139
Sent to Governor 140
Signed by Governor 160

11 By Appropriations. Relating to appropriating from the general fund of the State of Iowa to the state board of control the sum of $197,800 to participate in construction of sewer facilities for the Iowa state penitentiary, Fort Madison, and for the men's reformatory at Anamosa.
Introduced, placed on calendar... 101
Passed; ayes 48, nays none..... 109
Reported enrolled 139
Signed by President 139
Sent to Governor 140
Signed by Governor 160

12 By Rules. Relating to legalizing and validating the proceedings of the Marshall County board of supervisors, Marshall County, establishing Marshall County Sanitary District No. 1, Marshall County, Iowa.
Introduced, placed on calendar... 107
Proof of publication certified..... 125
Recommended amendment, passage 147
Committee report adopted 150
Amendment adopted 150
Passed; ayes 50, nays none..... 150
Reported enrolled 193
Signed by President 193
Sent to Governor 193
Signed by Governor 217

13 By Rules. Relating to the cost of printing the official election ballot.
Introduced, placed on calendar .. 112
Passed; ayes 44, nays none....118, 185
Senate concurred 185
Reported enrolled 216
Signed by President 216
Sent to Governor 216
Signed by Governor 224

14 By Rules. Relating to nomination and election of public officers.
Introduced, placed on calendar... 132
Committee of the whole 134
Passed; ayes 48, nays none...134, 146
Amendment filed 140
Amendment withdrawn 145
Senate concurred 145
Reported enrolled 146
Signed by President 146
Sent to Governor 146
Signed by Governor 160

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15 By Rules. Relating to allowing school district merged under Chapter 274.37, Code 1962, to contract for the joint construction of buildings prior to the effective date of the merger.
Introduced, placed on calendar .. 145
Passed; ayes 50, nays none ..151, 190
Amendment adopted 190
Senate concurred 190
Reported enrolled 224
Signed by President 224
Sent to Governor 224
Signed by Governor 236

16 By Reapportionment. Relating to the election of members of the General Assembly from districts entitled to more than one member in the Senate or House of Representatives.
Introduced, placed an calendar .. 164
H. F. 19 substituted 175
Withdrawn 177

17 By Rules. Relating to the nomination and election of public officers.
Introduced, placed on calendar .. 174
Committee of the whole 187
Passed; ayes 46, nays none 188
Reported enrolled 224
Signed by President 224
Sent to Governor 224
Signed by Governor 236

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RECORD OF HOUSE BILLS IN SENATE

HOUSE JOINT RESOLUTIONS AND HOUSE FILES PASSED AND APPROVED—16

H. J. R. 6
H. F. 1, 2, 3, 4, 8, 10, 11, 13, 15, 16, 17, 18, 20, 21, 23.

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6 By Knowles, Baringer, Nelson, Dietz and Knock. Relating to an amendment to the constitution of the State of Iowa, relating to the formation of congressional districts and and repealing the provisions relating to state Senatorial and Representative districts.
Received, referred to rules 175
Recommended passage 183
Committee report adopted 188
Passed; ayes 45, nays 4 189
Reported enrolled 216
Signed by President 216
Sent to Secretary of State.

10 By Petersen of Dallas, Kreager, Hougen, Baringer, Cunningham, Den Herder and Nelson. Relating to the creation of a special committee to formulate school approval standards and methods of financing public education and to make an appropriation for such committee.
Received, passed on file 228

H. F. — Page

1 By Introduction of Bills. Relating to authorizing school corporations to incur indebtedness and issue bonds to defray the cost of building, furnishing, reconstructing, repairing, improving or remodeling public community or junior college buildings and additions thereto, and procuring a site or sites therefor, and to repeal chapter 179, Acts of the Sixtieth General Assembly.
Received, referred to rules 63
Recommended passage 65
Passed; ayes 50, nays none 66
Reported enrolled 72
Signed by President 72
Signed by Governor.

2 By Introduction of Bills. Relating to legalizing the proceedings of the city council of the city of Missouri Valley, Iowa, including all legal notices given, and in connection with the making of a contract for the construction of certain street improvements with the Cornhusker Paving Company in connection therewith, and to legalize said contract, and authorize its performance by said council, and the financing thereof.
Proof of publication certified .. 67
Received, referred to rules 72
Recommended passage 87
Committee report adopted 101
Passed; ayes 50, nays none 102
Reported enrolled 107
Signed by President 107
Signed by Governor.

3 By Introduction of Bills. Relating to legalizing the proceedings of the town council of the town of Tabor, Iowa, including all legal notices given, in connection with the making of a contract for the construction of certain improvements to the municipal sewage works and facilities with C. M. Shafer of Winterset, Iowa, in connection therewith, and to legalize said contract, and authorize its performance by said council, and the financing thereof.
Proof of publication certified ... 39
Received, referred to rules 72
Recommended passage 87
Committee report adopted 102
Passed; ayes 50, nays none 102
Reported enrolled 107
Signed by President 107
Signed by Governor.

4 By Introduction of Bills. Relating to the display of signs and the labeling of imported meats when sold or offered for sale, and providing for penalty for violation of the provisions hereof.
Received, referred to rules 100
Recommended passage 115
Amendment filed 125
Committee report adopted 126
Amendment withdrawn 126
Passed; ayes 43, nays 3 127
Reported enrolled 136
Signed by President 136
Signed by Governor.

8 By Introduction of Bills. Relating to legalizing and validating the proceedings of the board of directors of the Harlan community school district, in the county of Shelby, authorizing and providing for the issuance of school building bonds and for the levy of taxes for the payment of said bonds and declaring the bonds issued pursuant to said proceedings to be enforceable obligations of said school district.
Proof of publication certified ... 67
Received, referred to rules 74
Amendment filed 110

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Recommended amendment, passage 116
Amendment adopted 118
Passed; ayes 46, nays none 139
Reported enrolled 130, 146
Signed by President 130, 146
Senate concurred in House amendment as amended 139
Signed by Governor.

9 By Introduction of Bills. Relating to requiring a statement of the taxpayer's resident school district on his state income tax return.
Received, referred to rules 183

10 By Introduction of Bills. Relating to establishing a commission as the state agency to administer a plan for higher education facilities and to qualify for federal funds available to the State of Iowa.
Received, referred to rules 134
Amendment filed 162
Recommended passage 180
Committee report adopted 184
Amendment withdrawn 184
Passed; ayes 45, nays 1 184
Reported enrolled 216
Signed by President 216
Signed by Governor.

11 By Introduction of Bills. Relating to legalizing and validating renewal articles of incorporation of certain colleges.
Received, referred to rules 124
Recommended passage 180
Committee report adopted 187
Passed; ayes 46, nays none 187
Reported enrolled 216
Signed by President 305
Signed by Governor.

12 By Introduction of Bills. Relating to school bonds and taxes, increasing to 10 mills in larger districts.
Received, referred to rules 135
Amendment filed 180

13 By Introduction of Bills. Relating to legalizing and validating the proceeding for the organization and establishment of the boundaries of the Glenwood community school district, in the counties of Mills and Pottawattamie, and declaring the boundaries of said school district to be legally established.
Proof of publication certified 106
Received, referred to rules 124
Recommended passage 147
Committee report adopted 151
Passed; ayes 50, nays none 151
Reported enrolled 173
Signed by President 173
Signed by Governor.

14 By Introduction of Bills. Relating to providing for lease-purchase option contracts for school buildings.
Received, referred to rules 173

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15 By Introduction of Bills. Relating to legalizing and validating the proceedings for the organization, establishment, boundaries, tax levies, and election and tenure of office of the board of trustees of the Urbandale sanitary sewer district in the township of Webster, county of Polk, and declaring said district a duly and legally organized corporate body as provided by law and further declaring all trustees duly and legally elected and holding office as provided by law.
Received, referred to rules 124
Proof of publication certified ... 125
Recommended passage 147
Committee report adopted 152
Passed; ayes 50, nays none 152
Reported enrolled 173
Signed by President 173
Signed by Governor.

16 By Introduction of Bills. Relating to disposition of useless documents by the state curator.
Received, referred to rules 124
Recommended passage 148
Committee report adopted 152
Passed; ayes 50, nays none 153
Reported enrolled 173
Signed by President 173
Signed by Governor.

17 By Introduction of Bills. Relating to appropriating funds from the general fund to the conservation commission for purchase of additional forest lands from the federal government.
Received, referred to appropriations 134
Recommended passage 140
Committee report adopted 149
Passed; ayes 50, nays none 149
Reported enrolled 173
Signed by President 173
Signed by Governor.

18 By Introduction of Bills. Relating to the establishment of the Iowa mental retardation facilities and community mental health centers construction act, and making an appropriation therefor.
Received, referred to appropriations 159
Recommended passage 184
Committee report adopted 190
Amendment filed 194
Amendment withdrawn 211
Amendments adopted 213
Passed; ayes 44, nays 6 213
Reported enrolled 224
Signed by President 224
Signed by Governor.

19 By Mowry and Vermeer. Relating to the election of members of the General Assembly from districts entitled to more than one member in the Senate or House of Representatives.

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Received, passed on file 175
Substituted for S. F. 16 175
Amendments adopted 176
Passed; ayes 34, nays 14 176

20 By Introduction of Bills. Relating to the approval and accrediting of all public schools and public junior colleges, to authorize their participation in state distributive funds, and to qualify their students and graduates.
Received, passed on file 210
Passed; ayes 49, nays none 211
Reported enrolled 224
Signed by President 224
Signed by Governor.

21 By Introduction of Bills. Relating to benefited fire districts.
Received, passed on file 215
Passed; ayes 49, nays none 218
Reported enrolled 227
Signed by President 227
Signed by Governor.

22 By Introduction of Bills. Relating to the rendering of assistance to escaping prisoners.
Received, passed on file 219

23 By Prine, Edgington and Eveland. Relating to authorizing county public hospitals to provide ambulance service.
Received, passed on file 229
Rule suspended 229
Passed; ayes 48, nays 1 229
Reported enrolled 236
Signed by President 236
Signed by Governor.

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2—Journals, bills of Extraordinary Session, binders to be furnished free County Auditors 9
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4—Legislative Budget and Financial Control committee investigate State Highway Commission 66, 78
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6—Attorney General support petition of intervention that issues on reportionment speedily resolved 114, 128
7—Executive Council, Capitol Planning Commission consider relocation of statehouse cafeteria 131, 154
8—Good Friday recess 135, 154
9—Iowa Liquor Control Commission grant discounts on quantity sales 158, 177, 178, 179
10—Legislative expenditures, closing of Sixtieth General Assembly Extraordinary Session 179, 186
11—Sixtieth General Assembly in Extraordinary Session to adjourn sine die, April 3, 1964 194
12—Asphalt paving on Interstate highways of Iowa 194
13—Highway paving guarantee 220
14—Highway authority post signs "Dangerous when wet" 221
15—Sixtieth General Assembly in Extraordinary Session adjourn sine die, April 7, 1964 227
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17—General Assembly recommend Governor appoint committee to study cattle feeders plight 235

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3—General Assembly request President of the United States base agreements of meat imports on certain level 62, 63
4—Not messaged to Senate
5—Congress of the United States count persons at their voting residences 86
6—Not messaged to Senate
7—Not messaged to Senate
8—Commemorating the United States Representatives from Iowa ..191, 216
9—House File 8 recalled from Governor 133
10—Not messaged to Senate
11—Not messaged to Senate
12—Expression of sympathy on death of General MacArthur 220, 225
13—Sixtieth General Assembly in Extraordinary Session adjourn sine die, 6 o'clock p.m., April 8, 1964 235

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Creating special committee, formulate school approval standards. H. J. R. 10, Petersen of Dallas, et al.

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Junior, public community, legalizing proceedings. S. F. 4, rules.
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Appropriation to purchase additional forest lands. H. F. 17, introduction of bills.

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Reapportionment, Senate consist of 59 members, House 100 members. H. J. R. 1, Andersen of Woodbury and Knowles.
Annual sessions of General Assembly, representation based on consolidation of counties, House 100 members, Senate 49 members. H. J. R. 2, Riley, et al.
Reapportionment of Senators and Representatives in General Assembly, total membership of 168. H. J. R. 3, Vermeer, et al.
Reapportionment, Senate of 56 elected from 50 districts, House 110 members. H. J. R. 4, Reppert.
Reapportionment, Senate 52 members, House at least 100 members, not more than 25 districts. H. J. R. 5, Hougen.
Legislative districts formation. H. J. R. 6, Knowles, et al.
Reapportionment, Senate 40 to 60 members, House 80 to 120 members, automatic every 10 years. H. J. R. 7, Ely.
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Glenwood community school district, legalizing organization and boundaries. H. F. 13, introduction of bills.

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Higher education facilities commission created. Qualify for federal funds. H. F. 10, introduction of bills.

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Ballots, printing costs. S. F. 13, rules.
Legislature candidates, date for filing nomination papers April 14. S. F. 14, rules.
Legislative members elected from districts within districts. H. F. 19, Mowry and Vermeer; S. F. 16, reapportionment.
Public officers, arrangement on ballots. S. F. 17, rules.

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