

State of Iowa
1964

**JOURNAL
OF THE SENATE
of the
SIXTIETH
GENERAL ASSEMBLY
in
Extraordinary Session**

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**Convened February 24, 1964
Adjourned April 8, 1964**

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**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

SIXTIETH GENERAL ASSEMBLY

in

Extraordinary Session

OFFICERS OF THE SENATE

LIEUTENANT GOVERNOR WILLIAM 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
RUTH E. FISHER, Secretary's Secretary.....	Des Moines
HELEN WAGNER, Assistant Journal Clerk.....	Des Moines
PHYLLIS HALL, Secretary's Clerk.....	Des Moines
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JOHN NELSON, Assistant Sergeant-at-Arms.....	Jewell
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EATON R. JOHNSON, Assistant Doorkeeper.....	Des Moines
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J. WILLARD STRANAHAN, Assistant Doorkeeper.....	Des Moines
DORA DYKHOUSE, Postmistress.....	Rock Rapids

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

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.

HAROLD E. HUGHES, *Governor*.

(Seal)

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

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
FourthHoward Vincent	Ninth.....Jake B. Mincks
Fifth.....Franklin S. Main	Tenth.....Richard L. Stephens
SixthVern Lisle	Fourteenth.....John D. Shoeman
Seventh.....Robert R. Dodds	Fourteenth.....John L. Campbell

Districts
 Seventeenth Jack Schroeder
 Eighteenth..... David O. Shaff
 Twenty-second... R. O. Burrows, Sr.
 Twenty-third..... Kenneth Benda
 Twenty-fifth..... Eugene M. Hill
 Twenty-seventh.. George E. O'Malley
 Thirtieth..... Peter F. Hansen
 Thirty-first..... Charles F. Griffin
 Thirty-first..... A. V. Doran

Districts
 Thirty-second.. Andrew G. Frommelt
 Thirty-fourth..... Robert D. Fulton
 Thirty-fifth..... John A. Walker
 Thirty-seventh..... Donald G. Beneke
 Thirty-ninth..... Vernon H. Kyhl
 Forty-fourth..... Robert R. Rigler
 Forty-fifth Leo Elthon
 Fifteenth L. C. Shivers
 (Deceased)

I FURTHER CERTIFY, that Vera H. Shivers 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.*
 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.

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

Elijah, Earl	150	21.00
Elthon, Leo	135	18.90
Elders, 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.

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

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

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:

**COMMITTEES OF THE SIXTIETH GENERAL
ASSEMBLY IN EXTRAORDINARY SESSION**

APPROPRIATIONS

Shoeman—	Curran	Hansen	Turner
Chairman	Dodds	Hill	Vincent
Dykhouse*	Elijah	Lodwick	Walker
Beneke	Fulton	Mincks	Wearin
Buck	Getting	Phelps	Wilson
Campbell	Griffin	Shivvers	

REAPPORTIONMENT

Rigler—	Elthon	Lucken	Shoeman
Chairman	Elvers	O'Malley	Stephens
Van Eaton*	Flatt	Schroeder	Vance
Brown	Frommelt	Shaff	Wiley
Cowden	Lisle		

RULES

Vance—	Burrows	Grimstead	Main
Chairman	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

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 reasonable 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.

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

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

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,

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,

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.*

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

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	Elders	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.

On the question "Shall action on the adoption of the report be deferred?" the vote was:

Ayes, 14:

Brown	Eivers	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	Eivers	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.

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.

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
Hau, Elsie	Senator Van Eaton—Senator Stephens
Heins, Audrey	Senator Kyhl—Senator Lodwick

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, <i>Chairman.</i>
	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.

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 Swygart, 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

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.

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

- 1 Amend Senate File 1 as follows:
- 2 1. By striking everything after the enacting clause and in-
- 3 serting in lieu thereof the following:
- 4 "Section 1. Amend chapter forty-one (41), Code 1962, by
- 5 striking all of section forty-one point one (41.1) and inserting in
- 6 lieu thereof the following:

- 7 "The state is hereby divided into fifty (50) senatorial districts,
8 each district to have one (1) senator, plus one additional senator for
9 each senatorial population unit above one (1), said senators to be
10 elected at large from their respective districts. The senatorial
11 population unit shall be determined by dividing the state's popu-
12 lation as shown by the last United States decennial census by
13 fifty (50). The districts shall be as follows:
- 14 1. Lee county shall constitute the first (1st) district.
 - 15 2. Appanoose county, Davis county and Van Buren county shall
16 constitute the second (2nd) district.
 - 17 3. Lucas county, Monroe county and Wayne county shall consti-
18 tute the third (3rd) district.
 - 19 4. Decatur county, Ringgold county and Union county shall
20 constitute the fourth (4th) district.
 - 21 5. Adams county, Montgomery county and Taylor county shall
22 constitute the fifth (5th) district.
 - 23 6. Fremont county, Mills county and Page county shall consti-
24 tute the sixth (6th) district.
 - 25 7. Des Moines county shall constitute the seventh (7th) district.
 - 26 8. Henry county and Jefferson county shall constitute the eighth
27 (8th) district.
 - 28 9. Wapello county shall constitute the ninth (9th) district.
 - 29 10. Louisa county and Washington county shall constitute the
30 tenth (10th) district.
 - 31 11. Keokuk county and Mahaska county shall constitute the
32 eleventh (11th) district.
 - 33 12. Marion county and Warren county shall constitute the
34 twelfth (12th) district.
 - 35 13. Adair county, Clarke county and Madison county shall
36 constitute the thirteenth (13th) district.
 - 37 14. Audubon county, Cass county and Shelby county shall
38 constitute the fourteenth (14th) district.
 - 39 15. Pottawattamie county shall constitute the fifteenth (15th)
40 district.
 - 41 16. Cedar county and Muscatine county shall constitute the
42 sixteenth (16th) district.
 - 43 17. Scott county shall constitute the seventeenth (17th)
44 district.
 - 45 18. Clinton county shall constitute the eighteenth (18th)
46 district.
 - 47 19. Jackson county and Jones county shall constitute the
48 nineteenth (19th) district.
 - 49 20. Linn county shall constitute the twentieth (20th)
50 district.
 - 51 21. Johnson county shall constitute the twenty-first (21st)
52 district.
 - 53 22. Benton county and Tama county shall constitute the
54 twenty-second (22nd) district.
 - 55 23. Iowa county and Poweshiek county shall constitute the
56 twenty-third (23rd) district.
 - 57 24. Marshall county shall constitute the twenty-fourth (24th)
58 district.
 - 59 25. Jasper county shall constitute the twenty-fifth (25th)
60 district.
 - 61 26. Story county shall constitute the twenty-sixth (26th)

- 62 district.
63 27. Polk county shall constitute the twenty-seventh (27th)
64 district.
65 28. Boone county and Greene county shall constitute the
66 twenty-eighth (28th) district.
67 29. Dallas county and Guthrie county shall constitute the
68 twenty-ninth (29th) district.
69 30. Carroll county, Crawford county and Sac county shall
70 constitute the thirtieth (30th) district.
71 31. Harrison county and Monona county shall constitute the
72 thirty-first (31st) district.
73 32. Dubuque county shall constitute the thirty-second (32nd)
74 district.
75 33. Buchanan county and Delaware county shall constitute the
76 thirty-third (33rd) district.
77 34. Black Hawk county shall constitute the thirty-fourth
78 (34th) district.
79 35. Hamilton county and Hardin county shall constitute the
80 thirty-fifth (35th) district.
81 36. Webster county shall constitute the thirty-sixth (36th)
82 district.
83 37. Buena Vista county, Calhoun county and Pocahontas county
84 shall constitute the thirty-seventh (37th) district.
85 38. Cherokee county, Ida county and Plymouth county shall
86 constitute the thirty-eighth (38th) district.
87 39. Woodbury county shall constitute the thirty-ninth (39th)
88 district.
89 40. Allamakee county and Clayton county shall constitute the
90 fortieth (40th) district.
91 41. Fayette county and Winneshiek county shall constitute the
92 forty-first (41st) district.
93 42. Bremer county, Butler county and Grundy county shall
94 constitute the forty-second (42nd) district.
95 43. Franklin county, Humboldt county and Wright county shall
96 constitute the forty-third (43rd) district.
97 44. Chickasaw county and Floyd county shall constitute the
98 forty-fourth (44th) district.
99 45. Howard county, Mitchell county and Worth county shall
100 constitute the forty-fifth (45th) district.
101 46. Cerro Gordo county shall constitute the forty-sixth (46th)
102 district.
103 47. Hancock county, Kossuth county and Winnebago county shall
104 constitute the forty-seventh (47th) district.
105 48. Clay county, Emmet county and Palo Alto county shall
106 constitute the forty-eighth (48th) district.
107 49. Dickinson county, O'Brien county and Osceola county shall
108 constitute the forty-ninth (49th) district.
109 50. Lyon county and Sioux county shall constitute the fiftieth
110 (50th) district.
111 Sec. 2. Further amend chapter forty-one (41), Code 1962, by
112 adding the following section:
113 Following each United States decennial census, upon receipt by
114 the secretary of state of the official population figures for the
115 state and counties, it shall be the duty of the secretary of state,
116 in accordance with the foregoing provisions, to notify the county,

117 or counties, within each senatorial district as to the number of
 118 senators to which the district is entitled. This action shall be
 119 effective as to the nomination and election of senators at the next
 120 general election to be held after the census year. If a change in
 121 population reduces the number of senators to which a district is
 122 entitled and the terms of the senators do not expire before the next
 123 regular session of the general assembly, such reduction shall be
 124 accomplished by the withdrawal of the junior senator. Where two or
 125 more senators have the same seniority then the withdrawal shall be
 126 by lot.

127 Sec. 3. Amend chapter forty-two (42), Code 1962, by striking
 128 all of sections forty-two point one (42.1), forty-two point two (42.2)
 129 and forty-two point three (42.3) and inserting in lieu thereof the
 130 following:

131 The state shall be divided into fifty-three (53) representa-
 132 tive districts along county boundaries as follows:

133	1st District.....	Van Buren and Lee counties
134	2nd District.....	Appanoose and Davis counties
135	3rd District.....	Lucas and Wayne counties
136	4th District.....	Ringgold and Decatur counties
137	5th District.....	Union and Clark counties
138	6th District.....	Adams and Taylor counties
139	7th District.....	Fremont and Page counties
140	8th District.....	Mills and Montgomery counties
141	9th District.....	Monroe and Wapello counties
142	10th District.....	Washington and Jefferson counties
143	11th District.....	Henry and Des Moines counties
144	12th District.....	Muscatine and Louisa counties
145	13th District.....	Mahaska and Keokuk counties
146	14th District.....	Warren and Marion counties
147	15th District.....	Adair and Madison counties
148	16th District.....	Shelby and Cass counties
149	17th District.....	Pottawattamie county
150	18th District.....	Monona and Harrison counties
151	19th District.....	Audubon and Guthrie counties
152	20th District.....	Greene and Dallas counties
153	21st District.....	Polk county
154	22nd District.....	Jasper and Poweshiek counties
155	23rd District.....	Iowa and Johnson counties
156	24th District.....	Jones and Cedar counties
157	25th District.....	Scott county
158	26th District.....	Jackson and Clinton counties
159	27th District.....	Linn county
160	28th District.....	Tama and Benton counties
161	29th District.....	Grundy and Marshall counties
162	30th District.....	Boone and Story counties
163	31st District.....	Sac and Carroll counties
164	32nd District.....	Ida and Crawford counties
165	33rd District.....	Woodbury county
166	34th District.....	Calhoun and Webster counties
167	35th District.....	Hamilton and Hardin counties
168	36th District.....	Black Hawk county
169	37th District.....	Buchanan and Delaware counties
170	38th District.....	Dubuque county
171	39th District.....	Allamakee and Clayton counties

172	40th District.....	Chickasaw and Fayette counties
173	41st District.....	Butler and Bremer counties
174	42nd District.....	Wright and Franklin counties
175	43rd District.....	Kossuth and Humboldt counties
176	44th District.....	Buena Vista and Pochahontas counties
177	45th District.....	Plymouth and Cherokee counties
178	46th District.....	Sioux and O'Brien counties
179	47th District.....	Dickinson and Clay counties
180	48th District.....	Emmet and Palo Alto counties
181	49th District.....	Hancock and Cerro Gordo counties
182	50th District.....	Mitchell and Floyd counties
183	51st District.....	Howard and Winneshiek counties
184	52nd District.....	Winnebago and Worth counties
185	53rd District.....	Lyon and Osceola counties

186 Sec. 4. Each representative district shall be entitled to
 187 one (1) representative plus one additional representative for each
 188 representative population unit above one (1) or major fraction
 189 thereof, to be elected at large within each district.

190 The representative population unit shall be determined by divid-
 191 ing the state's population as shown on the last United States
 192 decennial census by one hundred ten (110).

193 If following a United States decennial census, the population
 194 of a legislative district is found to be less than a major fraction
 195 of the representative population unit, such representative district
 196 shall be eliminated by action of the general assembly at the next
 197 regular session to be held after the census year, and the counties
 198 composing such district shall be combined with contiguous two-county
 199 districts to form three-county districts. Counties joined only at
 200 the point of a corner shall not be deemed to be contiguous.

201 Sec. 5. Following each United States decennial census, upon
 202 receipt by the secretary of state of the official population figures
 203 for the state and counties, it shall be the duty of the secretary of
 204 state to notify the county, or counties, within each representative
 205 district as to the number of representatives to which the district
 206 is entitled. This action shall be effective as to the nomination
 207 and election of representatives at the next general election to be
 208 held after the census year."

EUGENE M. HILL.

1 Amend Senate File 1, by striking all after the enacting
 2 clause and inserting in lieu thereof the following:

3 "Section 1. Chapter forty-one (41), Code 1962, is hereby
 4 repealed and the following enacted in lieu thereof:

5 The number of senators in the general assembly is hereby
 6 fixed at sixty (60) and they are hereby apportioned among
 7 the several counties and under said apportionment the state
 8 is hereby divided into fifty (50) senatorial districts, each
 9 district to have a number of senators as hereafter provided,
 10 as follows:

11 1. Lee county shall constitute the first (1st) district and
 12 elect one (1) senator.

13 2. Appanoose county, Davis county and Van Buren county shall
 14 constitute the second (2nd) district and elect one (1) senator.

15 3. Lucas county, Monroe county and Wayne county shall
 16 constitute the third (3rd) district and elect one (1) senator.

17 4. Decatur county, Ringgold county and Union county shall

- 18 constitute the fourth (4th) district and elect one (1) senator.
19 5. Adams county, Montgomery county and Taylor county shall
20 constitute the fifth (5th) district and elect one (1) senator.
21 6. Fremont county, Mills county and Page county shall
22 constitute the sixth (6th) district and elect one (1) senator.
23 7. Des Moines county shall constitute the seventh (7th) district
24 and elect one (1) senator.
25 8. Henry county and Jefferson county shall constitute the eighth
26 (8th) district and elect one (1) senator.
27 9. Wapello county shall constitute the ninth (9th) district and
28 elect one (1) senator.
29 10. Louisa county and Washington county shall constitute the
30 tenth (10th) district and elect one (1) senator.
31 11. Keokuk county and Mahaska county shall constitute the eleventh
32 (11th) district and elect one (1) senator.
33 12. Marion county and Warren county shall constitute the twelfth
34 (12th) district and elect one (1) senator.
35 13. Adair county, Clarke county and Madison county shall consti-
36 tute the thirteenth (13th) district and elect one (1) senator.
37 14. Audubon county, Cass county and Shelby county shall consti-
38 tute the fourteenth (14th) district and elect one (1) senator.
39 15. Pottawattamie county shall constitute the fifteenth (15th)
40 district and elect two (2) senators.
41 16. Cedar county and Muscatine county shall constitute the
42 sixteenth (16th) district and elect one (1) senator.
43 17. Scott county shall constitute the seventeenth (17th) district
44 and elect two (2) senators.
45 18. Clinton county shall constitute the eighteenth (18th) district
46 and elect one (1) senator.
47 19. Jackson county and Jones county shall constitute the nine-
48 teenth (19th) district and elect one (1) senator.
49 20. Linn county shall constitute the twentieth (20th) district
50 and elect three (3) senators.
51 21. Johnson county shall constitute the twenty-first (21st)
52 district and elect one (1) senator.
53 22. Benton county and Tama county shall constitute the twenty-
54 second (22nd) district and elect one (1) senator.
55 23. Iowa county and Poweshiek county shall constitute the
56 twenty-third (23rd) district and elect one (1) senator.
57 24. Marshall county shall constitute the twenty-fourth (24th)
58 district and elect one (1) senator.
59 25. Jasper county shall constitute the twenty-fifth (25th) dis-
60 trict and elect one (1) senator.
61 26. Story county shall constitute the twenty-sixth (26th) dis-
62 trict and elect one (1) senator.
63 27. Polk county shall constitute the twenty-seventh (27th)
64 district and elect five (5) senators.
65 28. Boone county and Greene county shall constitute the twenty-
66 eighth (28th) district and elect one (1) senator.
67 29. Dallas county and Guthrie county shall constitute the twenty-
68 ninth (29th) district and elect one (1) senator.
69 30. Carroll county, Crawford county and Sac county shall con-
70 stitute the thirtieth (30th) district and elect one (1) senator.
71 31. Harrison county and Monona county shall constitute the
72 thirty-first (31st) district and elect one (1) senator.

73 32. Dubuque county shall constitute the thirty-second (32nd)
74 district and elect one (1) senator.

75 33. Buchanan county and Delaware county shall constitute the
76 thirty-third (33rd) district and elect one (1) senator.

77 34. Black Hawk county shall constitute the thirty-fourth (34th)
78 district and elect two (2) senators.

79 35. Hamilton county and Hardin county shall constitute the
80 thirty-fifth (35th) district and elect one (1) senator.

81 36. Webster county shall constitute the thirty-sixth (36th)
82 district and elect one (1) senator.

83 37. Buena Vista county, Calhoun county and Pocahontas county shall
84 constitute the thirty-seventh (37th) district and elect one (1) senator.

85 38. Cherokee county, Ida county and Plymouth county shall consti-
86 tute the thirty-eighth (38th) district and elect one (1) senator.

87 39. Woodbury county shall constitute the thirty-ninth (39th)
88 district and elect two (2) senators.

89 40. Allamakee county and Clayton county shall constitute the
90 fortieth (40th) district and elect one (1) senator.

91 41. Fayette county and Winneshiek county shall constitute the
92 forty-first (41st) district and elect one (1) senator.

93 42. Bremer county, Butler county and Grundy county shall consti-
94 tute the forty-second (42nd) district and elect one (1) senator.

95 43. Franklin county, Humboldt county and Wright county shall
96 constitute the forty-third (43rd) district and elect one (1) senator.

97 44. Chickasaw county and Floyd county shall constitute the forty-
98 fourth (44th) district and elect one (1) senator.

99 45. Howard county, Mitchell county and Worth county shall consti-
100 tute the forty-fifth (45th) district and elect one (1) senator.

101 46. Cerro Gordo county shall constitute the forty-sixth (46th)
102 district and elect one (1) senator.

103 47. Hancock county, Kossuth county and Winnebago county shall
104 constitute the forty-seventh (47th) district and elect one (1) senator.

105 48. Clay county, Emmet county and Palo Alto county shall consti-
106 tute the forty-eighth (48th) district and elect one (1) senator.

107 49. Dickinson county, O'Brien county and Osceola county shall
108 constitute the forty-ninth (49th) district and elect one (1) senator.

109 50. Lyon county and Sioux county shall constitute the fiftieth
110 (50th) district and elect one (1) senator.

111 Sec. 2. This Act shall not affect the term of office of senators
112 now holding certificates of election from the present senatorial
113 districts. In the event of any vacancy occurring in any senatorial
114 district after the effective date of this Act it shall be filled
115 by the electors of the district as it existed at the time the vacancy
116 occurred. All senatorial districts whose senator's term expires at
117 the end of the year 1964 shall elect one (1) senator for a full four
118 (4) year term, in addition the following districts shall elect addi-
119 tional senators for a two (2) year term as outlined below.

120 District fifteen (15) shall elect one (1) senator for a two (2)
121 year term.

122 District seventeen (17) shall elect one (1) senator for a two
123 (2) year term.

124 District twenty (20) shall elect two (2) senators for a two (2)
125 year term.

126 District twenty-seven (27) shall elect four (4) senators for a
127 two (2) year term.

128 District thirty-four (34) shall elect one (1) senator for a two
129 (2) year term.

130 District thirty-nine (39) shall elect one (1) senator for a two
131 (2) year term.

132 Sec. 3. Chapter forty-two (42), Code 1962, is hereby repealed
133 and the following enacted in lieu thereof:

134 The number of representatives in the general assembly is hereby
135 fixed at one hundred twenty (120), and they are hereby apportioned
136 among the several legislative districts as set out in section one (1)
137 of this Act according to the number of inhabitants in each, and under
138 said apportionment each district is to have the number of representa-
tives

139 as hereafter provided as follows:

140 1. Lee county shall constitute the first (1st) district and elect
141 two (2) representatives.

142 2. Appanoose county, Davis county and Van Buren county shall
143 constitute the second (2nd) district and elect two (2) representatives.

144 3. Lucas county, Monroe county and Wayne county shall consti-
145 tute the third (3rd) district and elect one (1) representative.

146 4. Decatur county, Ringgold county and Union county shall
147 constitute the fourth (4th) district and elect one (1) representative.

148 5. Adams county, Montgomery county and Taylor county shall
149 constitute the fifth (5th) district and elect one (1) representative.

150 6. Fremont county, Mills county and Page county shall consti-
151 tute the sixth (6th) district and elect two (2) representatives.

152 7. Des Moines county shall constitute the seventh (7th) district
153 and elect two (2) representatives.

154 8. Henry county and Jefferson county shall constitute the eighth
155 (8th) district and elect one (1) representative.

156 9. Wapello county shall constitute the ninth (9th) district and
157 elect two (2) representatives.

158 10. Louisa county and Washington county shall constitute the
159 tenth (10th) district and elect one (1) representative.

160 11. Keokuk county and Mahaska county shall constitute the
161 eleventh (11th) district and elect two (2) representatives.

162 12. Marion county and Warren county shall constitute the twelfth
163 (12th) district and elect two (2) representatives.

164 13. Adair county, Clarke county and Madison county shall consti-
165 tute the thirteenth (13th) district and elect one (1) representative.

166 14. Audubon county, Cass county and Shelby county shall consti-
167 tute the fourteenth (14th) district and elect two (2) representatives.

168 15. Pottawattamie county shall constitute the fifteenth (15th)
169 district and elect four (4) representatives.

170 16. Cedar county and Muscatine county shall constitute the six-
171 teenth (16th) district and elect two (2) representatives.

172 17. Scott county shall constitute the seventeenth (17th) district
173 and elect five (5) representatives.

174 18. Clinton county shall constitute the eighteenth (18th) district
175 and elect two (2) representatives.

176 19. Jackson county and Jones county shall constitute the nine-
177 teenth (19th) district and elect two (2) representatives.

178 20. Linn county shall constitute the twentieth (20th) district
179 and elect six (6) representatives.

180 21. Johnson county shall constitute the twenty-first (21st)
181 district and elect two (2) representatives.

- 182 22. Benton county and Tama county shall constitute the twenty-
183 second (22nd) district and elect two (2) representatives.
- 184 23. Iowa county and Poweshiek county shall constitute the twenty-
185 third (23rd) district and elect two (2) representatives.
- 186 24. Marshall county shall constitute the twenty-fourth (24th)
187 district and elect two (2) representatives.
- 188 25. Jasper county shall constitute the twenty-fifth (25th) dis-
189 trict and elect two (2) representatives.
- 190 26. Story county shall constitute the twenty-sixth (26th) district
191 and elect two (2) representatives.
- 192 27. Polk county shall constitute the twenty-seventh (27) district
193 and elect twelve (12) representatives.
- 194 28. Boone county and Greene county shall constitute the twenty-
195 eighth (28th) district and elect two (2) representatives.
- 196 29. Dallas county and Guthrie county shall constitute the twenty-
197 ninth (29th) district and elect two (2) representatives.
- 198 30. Carroll county, Crawford county and Sac county shall consti-
199 tute the thirtieth (30th) district and elect three (3) representatives.
- 200 31. Harrison county and Monona county shall constitute the thirty-
201 first (31st) district and elect one (1) representative.
- 202 32. Dubuque county shall constitute the thirty-second (32nd)
203 district and elect three (3) representatives.
- 204 33. Buchanan county and Delaware county shall constitute the
205 thirty-third (33rd) district and elect two (2) representatives.
- 206 34. Black Hawk county shall constitute the thirty-fourth (34th)
207 district and elect five (5) representatives.
- 208 35. Hamilton county and Hardin county shall constitute the thirty-
209 fifth (35th) district and elect two (2) representatives.
- 210 36. Webster county shall constitute the thirty-sixth (36th)
211 district and elect two (2) representatives.
- 212 37. Buena Vista county, Calhoun county and Pocahontas county
shall
213 constitute the thirty-seventh (37th) district and elect two (2)
214 representatives.
- 215 38. Cherokee county, Ida county and Plymouth county shall consti-
216 tute the thirty-eighth (38th) district and elect two (2) representatives.
- 217 39. Woodbury county shall constitute the thirty-ninth (39th)
218 district and elect five (5) representatives.
- 219 40. Allamakee county and Clayton county shall constitute the
220 fortieth (40th) district and elect two (2) representatives.
- 221 41. Fayette county and Winneshiek county shall constitute the
222 forty-first (41st) district and elect two (2) representatives.
- 223 42. Bremer county, Butler county and Grundy county shall consti-
224 tute the forty-second (42nd) district and elect two (2) representatives.
- 225 43. Franklin county, Humboldt county and Wright county shall
226 constitute the forty-third (43rd) district and elect two (2) repre-
227 sentatives.
- 228 44. Chickasaw county and Floyd county shall constitute the
229 forty-fourth (44th) district and elect two (2) representatives.
- 230 45. Howard county, Mitchell county and Worth county shall consti-
231 tute the forty-fifth (45th) district and elect two (2) representatives.
- 232 46. Cerro Gordo county shall constitute the forty-sixth (46th)
233 district and elect two (2) representatives.
- 234 47. Hancock county, Kossuth county and Winnebago county shall
235 constitute the forty-seventh (47th) district and elect two (2)

236 representatives.

237 48. Clay county, Emmet county and Palo Alto county shall consti-
238 tute the forty-eighth (48th) district and elect two (2) representatives.

239 49. Dickinson county, O'Brien county and Osceola county shall
240 constitute the forty-ninth (49th) district and elect two (2)
241 representatives.

242 50. Lyon county and Sioux county shall constitute the fiftieth
243 (50th) district and elect two (2) representatives.

244 Sec. 4. Nothing in this Act shall affect the present terms of
245 the senators or representatives from any of the districts.

246 Sec. 5. This Act being deemed of immediate importance shall
247 take effect and be in force from and after its passage and publication
248 in _____, a newspaper in _____,
249 Iowa, and in _____, a newspaper published
250 in _____, Iowa.

JAKE B. MINCKS.
ANDREW G. FROMMELT.
GEORGE E. O'MALLEY.
ROBERT D. FULTON.

1 Amend Senate File 1 as follows:

- 2 1. Strike from lines thirty-nine (39), forty-five (45),
3 seventy-three (73) and eighty-three (83) the word "two" in each
4 instance and insert in lieu thereof the word "one".
5 2. Strike from line fifty-nine (59) the word "three" and
6 insert in lieu thereof the word "one".
7 3. Strike all of line one hundred seventeen (117).
8 4. Strike all of line one hundred twenty-one (121).
9 5. Strike all of line one hundred twenty-five (125).
10 6. Add after line one hundred sixteen (116) the following:
11 "Sixteenth (16th)".
12 7. Strike all of lines one hundred forty (140), one hundred
13 forty-two (142), one hundred forty-four (144) and one hundred
14 forty-five (145).
15 8. Strike from line one hundred fifty (150) the words ", ex-
16 cept as otherwise indicated,".
17 9. Strike from line one hundred sixty-nine (169) the words
18 "(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.

1 Amend Senate File 1 by striking all after the enacting clause
2 and substitute the following in lieu thereof:

3 Section 1. The state shall be divided into fifty-three
4 (53) legislative districts along county lines as they existed

- 5 on January 1, 1964, as follows:
- 6 1. Lee and Van Buren counties shall constitute the first
 - 7 district.
 - 8 2. Appanoose and Davis counties shall constitute the
 - 9 second district.
 - 10 3. Wayne and Lucas counties shall constitute the third
 - 11 district.
 - 12 4. Ringgold and Decatur counties shall constitute the
 - 13 fourth district.
 - 14 5. Taylor and Adams counties shall constitute the fifth
 - 15 district.
 - 16 6. Fremont and Page counties shall constitute the sixth
 - 17 district.
 - 18 7. Mills and Montgomery counties shall constitute the
 - 19 seventh district.
 - 20 8. Union and Clarke counties shall constitute the eighth
 - 21 district.
 - 22 9. Monroe and Wapello counties shall constitute the
 - 23 ninth district.
 - 24 10. Jefferson and Henry counties shall constitute the
 - 25 tenth district.
 - 26 11. Louisa and Des Moines counties shall constitute the
 - 27 eleventh district.
 - 28 12. Keokuk and Washington counties shall constitute the
 - 29 twelfth district.
 - 30 13. Marion and Mahaska counties shall constitute the
 - 31 thirteenth district.
 - 32 14. Warren and Jasper counties shall constitute the
 - 33 fourteenth district.
 - 34 15. Madison and Dallas counties shall constitute the
 - 35 fifteenth district.
 - 36 16. Cass and Adair counties shall constitute the
 - 37 sixteenth district.
 - 38 17. Pottawattamie county shall constitute the seventeenth
 - 39 district.
 - 40 18. Harrison and Monona counties shall constitute the
 - 41 eighteenth district.
 - 42 19. Shelby and Crawford counties shall constitute the
 - 43 nineteenth district.
 - 44 20. Audubon and Guthrie counties shall constitute the
 - 45 twentieth district.
 - 46 21. Polk County shall constitute the twenty-first district.
 - 47 22. Poweshiek and Tama counties shall constitute the
 - 48 twenty-second district.
 - 49 23. Iowa and Johnson counties shall constitute the
 - 50 twenty-third district.
 - 51 24. Cedar and Muscatine counties shall constitute the
 - 52 twenty-fourth district.
 - 53 25. Scott county shall constitute the twenty-fifth district.
 - 54 26. Clinton and Jackson counties shall constitute the
 - 55 twenty-sixth district.
 - 56 27. Jones and Delaware counties shall constitute the
 - 57 twenty-seventh district.
 - 58 28. Linn county shall constitute the twenty-eighth district.
 - 59 29. Benton and Buchanan counties shall constitute the

- 60 twenty-ninth district.
61 30. Marshall and Grundy counties shall constitute the
62 thirtieth district.
63 31. Story and Hardin counties shall constitute the
64 thirty-first district.
65 32. Greene and Boone counties shall constitute the
66 thirty-second district.
67 33. Carroll and Calhoun counties shall constitute the
68 thirty-third district.
69 34. Woodbury county shall constitute the thirty-fourth
70 district.
71 35. Ida and Sac counties shall constitute the thirty-fifth
72 district.
73 36. Webster and Humboldt counties shall constitute the
74 thirty-sixth district.
75 37. Hamilton and Wright counties shall constitute the
76 thirty-seventh district.
77 38. Black Hawk county shall constitute the thirty-eighth
78 district.
79 39. Dubuque county shall constitute the thirty-ninth
80 district.
81 40. Clayton and Allamakee counties shall constitute the
82 fortieth district.
83 41. Bremer and Fayette counties shall constitute the
84 forty-first district.
85 42. Franklin and Butler counties shall constitute the
86 forty-second district.
87 43. Buena Vista and Pocahontas counties shall constitute
88 the forty-third district.
89 44. Plymouth and Cherokee counties shall constitute the
90 forty-fourth district.
91 45. Sioux and Lyon counties shall constitute the forty-
92 fifth district.
93 46. O'Brien and Osceola counties shall constitute the
94 forty-sixth district.
95 47. Clay and Palo Alto counties shall constitute the
96 forty-seventh district.
97 48. Kossuth and Winnebago counties shall constitute the
98 forty-eighth district.
99 49. Hancock and Cerro Gordo counties shall constitute the
100 forty-ninth district.
101 50. Floyd and Chickasaw counties shall constitute the
102 fiftieth district.
103 51. Howard and Winneshiek counties shall constitute the
104 fifty-first district.
105 52. Worth and Mitchell counties shall constitute the
106 fifty-second district.
107 53. Dickinson and Emmet counties shall constitute the
108 fifty-third district.
109 Sec. 2. Each legislative district shall elect one
110 Senator. (a) The electors of legislative districts numbered:
111 2, 3, 4, 5, 7, 8, 14, 15, 17, 19, 20, 23, 24, 27, 28, 30, 31, 32, 34,
112 35, 36, 40, 41, 42, 44, 45, 46, 47, 48, 49, 51, and 53 shall
113 elect Senators in the 1964 General Election and every four (4)
114 years thereafter;

- 115 (b) Senators elected in 1962 and residing in
116 legislative districts numbered: 1, 6, 9, 10, 11, 12, 13, 16, 18,
117 21, 22, 25, 26, 29, 33, 37, 38, 39, 43, 50, and 52
118 shall represent the
119 respective districts in which they reside until successors are
120 elected and qualified.
- 121 Sec. 3. The electors of each legislative district
122 shall at the General Election in 1964 and every two (2) years
123 thereafter elect one (1) representative, except:
- 124 (a) The following legislative districts consisting of
125 two (2) counties shall have representatives as follows:
- 126 First District—Lee county, one (1) Van Buren county,
127 one (1);
128 Ninth District—Monroe county, one (1), Wapello county,
129 one (1);
130 Eleventh District—Des Moines county, one (1), Louisa
131 county, one (1);
132 Thirteenth District—Mahaska county, one (1), Marion
133 county, one (1);
134 Fourteenth District—Warren county, one (1), Jasper
135 county, one (1);
136 Twenty-second District—Poweshiek county, one (1),
137 Tama county, one (1);
138 Twenty-third District—Iowa county, one (1), Johnson
139 county, two (2);
140 Twenty-fourth District—Cedar county, one (1),
141 Muscatine county, one (1);
142 Twenty-sixth District—Clinton county, two (2),
143 Jackson county, one (1);
144 Twenty-seventh District—Jones county, one (1),
145 Delaware county, one (1);
146 Twenty-ninth District—Benton county, one (1),
147 Buchanan county, one (1);
148 Thirtieth District—Marshall county, one (1), Grundy
149 county, one (1);
150 Thirty-first District—Story county, two (2), Hardin
151 county, one (1);
152 Thirty-second District—Boone county, one (1),
153 Greene county, one (1);
154 Thirty-third District—Carroll county, one (1),
155 Calhoun county, one (1);
156 Thirty-sixth District—Webster county, one (1),
157 Humboldt county, one (1);
158 Thirty-seventh District—Hamilton county, one (1),
159 Wright county, one (1);
160 Fortieth District—Clayton county, one (1), Allamakee
161 county, one (1);
162 Forty-first District—Fayette county, one (1),
163 Winneshiek county, one (1);
164 Forty-fourth District—Cherokee county, one (1),
165 Plymouth county, one (1);
166 Forty-fifth District—Sioux county, one (1), Lyon
167 county, one (1);
168 Forty-eighth District—Kossuth county, one (1),
169 Winnebago county, one (1);

170 Forty-ninth District—Hancock county, one (1), Cerro
171 Gordo county, two (2);
172 (b) The following legislative districts consisting of
173 one county shall have representatives as follows:
174 Seventeenth District—Pottawattamie county, three (3);
175 Twenty-first District—Polk county, eleven (11);
176 Twenty-fifth District—Scott county, five (5);
177 Twenty-eighth District—Linn county, five (5);
178 Thirty-fourth District—Woodbury county, four (4);
179 Thirty-eighth District—Black Hawk county, five (5);
180 Thirty-ninth District—Dubuque county, three (3).
181 Sec. 4. This Act being deemed of immediate importance
182 shall take effect and be in full force from and after its
183 passage and publication as provided by law.

D. C. NOLAN.

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

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

- 1 Amend the Hill amendment to Senate File 1, filed February
- 2 27, 1964, as follows:
- 3 1. By adding the following new sections:
- 4 "Sec. 6. This Act shall be effective as to the nomination
- 5 and election of senators in the year 1964 and thereafter. The
- 6 term of office shall be four (4) years, except as herein provided
- 7 to equalize the different classes. The terms of senators elected
- 8 in 1960 for terms of four (4) years, or elected to fill a vacancy
- 9 in any such terms, shall continue until December 31, 1964. The
- 10 terms of senators elected in 1962 for terms of four (4) years,
- 11 or elected to fill a vacancy in any such term, shall continue
- 12 until December 31, 1966. The terms of senators elected in 1964
- 13 from the nineteenth (19th), twenty-sixth (26th) and forty-third
- 14 (43rd) senatorial districts shall be for two (2) years. There-
- 15 after they shall be elected for terms of four (4) years. The
- 16 initial terms of those senators who represent an increase over
- 17 entitlement under previous apportionment shall be divided by the
Secretary of State equally
- 18 by lot between two (2) and four (4) years, except that where
- 19 possible the terms of senators within a senatorial district shall
- 20 be made to fall in different classes.
- 21 Sec. 7. This Act shall be effective as to the nomination and
- 22 election of representatives in the year 1964 and thereafter. The
- 23 term of office shall be two (2) years. The terms of representatives
- 24 elected in 1962 for terms of two (2) years, or subsequently elected

25 to fill a vacancy in any such term, shall continue until December
26 31, 1964."

EUGENE M. HILL.

1 Amend Senate File 1 by striking all of section two (2) and
2 inserting the following:

3 Sec. 2. Chapter forty-two (42), Code 1962, is repealed and
4 the following enacted in lieu thereof:

5 "The House of Representatives shall be composed of members
6 elected as follows:

7 A ratio shall be established by dividing the population of
8 the state by one hundred. Each county having a population of
9 one-half such ratio, or less, shall elect a member who shall
10 have a voting power of one-half vote. Each county having a
11 population between one-half ratio and one ratio shall elect a
12 member who shall have a voting power of one vote. Each county
13 having a population equal to one ratio, or more, shall elect one
14 member for each segment of population equal to a ratio and one
15 additional representative for any excess of population equal
16 to a fraction of a ratio of one-half, or more; each of whom
17 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.

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.

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.

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.

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 electing more than one (1) senator shall elect such

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

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 Shivers 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 Shivers 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

- 1 Amend the Flatt, et al., amendment to Senate File 1, filed
- 2 February 27, 1964, line 1, by inserting after the numeral "1"
- 3 the following: ", section one (1)".

JOE FLATT.

- 1 Amend the Flatt, et al., amendment to Senate File 1 as follows:
- 2 1. By striking in line 6 the word "one" and inserting in lieu thereof
- 3 the word "two".
- 4 2. By striking in line 13 the following: ", one hundred forty-four
- (144)".

JOHN A. WALKER.

- 1 Amend section 2 of the Nolan amendment to Senate File 1 as
- 2 follows:
- 3 1. Insert following line 120: "(c) In the year 1966 and
- 4 every four (4) years thereafter, the electors in
- 5 legislative districts numbered 25 (Scott), 28 (Linn),
- 6 34 (Woodbury), and 38 (Black Hawk) shall elect (1)
- 7 additional senator, and the electors in legislative
- 8 district numbered 21 (Polk) shall elect two (2)
- 9 additional senators."

MARTIN WILEY.

1 Amend the Nolan amendment filed February 27 to Senate File 1
2 as follows:

3 1. By striking the word "legislative" in line 4 and
4 inserting in lieu thereof the word "senatorial".

5 2. By striking section 3 and inserting in lieu thereof
6 the following:

7 "Sec. 3. Chapter forty-two (42), Code 1962, is hereby repealed
8 and the following enacted in lieu thereof:

9 The House of Representatives shall be composed as follows
10 and elect representatives in 1964 and each two years thereafter:

11 The counties of Lyon and Osceola shall comprise one district
12 and elect one representative.

13 The county of Sioux shall comprise one district and elect one
14 representative.

15 The county of Plymouth shall comprise one district and elect
16 one representative.

17 The county of Woodbury shall comprise one district and elect
18 five representatives.

19 The county of Harrison shall comprise one district and elect
20 one representative.

21 The county of Pottawattamie shall comprise one district and
22 elect four representatives.

23 The counties of Mills and Fremont shall comprise one district
24 and elect one representative.

25 The county of O'Brien shall comprise one district and elect
26 one representative.

27 The county of Cherokee shall comprise one district and elect
28 one representative.

29 The counties of Ida and Monona shall comprise one district and
30 elect one representative.

31 The county of Crawford shall comprise one district and elect
32 one representative.

33 The counties of Shelby and Audubon shall comprise one district
34 and elect one representative.

35 The county of Cass shall comprise one district and elect
36 one representative.

37 The counties of Montgomery and Adams shall comprise one district
38 and elect one representative.

39 The county of Page shall comprise one district and elect one
40 representative.

41 The counties of Dickinson and Emmet shall comprise one district
42 and elect one representative.

43 The county of Clay shall comprise one district and elect one
44 representative.

45 The county of Buena Vista shall comprise one district and
46 elect one representative.

47 The county of Sac shall comprise one district and elect one
48 representative.

49 The county of Carroll shall comprise one district and elect
50 one representative.

51 The counties of Palo Alto and Humboldt shall comprise one dis-
52 trict and elect one representative.

53 The counties of Pocahontas and Calhoun shall comprise one dis-
54 trict and elect one representative.

- 55 The counties of Greene and Guthrie shall comprise one district and elect one representative.
- 57 The counties of Adair and Madison shall comprise one district and elect one representative.
- 59 The counties of Union and Clarke shall comprise one district and elect one representative.
- 61 The counties of Taylor and Ringgold shall comprise one district and elect one representative.
- 63 The county of Kossuth shall comprise one district and elect one representative.
- 65 The county of Webster shall comprise one district and elect two representatives.
- 67 The county of Boone shall comprise one district and elect one representative.
- 69 The county of Dallas shall comprise one district and elect one representative.
- 71 The counties of Decatur and Wayne shall comprise one district and elect one representative.
- 73 The counties of Winnebago and Hancock shall comprise one district and elect one representative.
- 75 The county of Wright shall comprise one district and elect one representative.
- 77 The county of Hamilton shall comprise one district and elect one representative.
- 79 The county of Story shall comprise one district and elect two representatives.
- 81 The county of Polk shall comprise one district and elect twelve representatives.
- 83 The county of Warren shall comprise one district and elect one representative.
- 85 The counties of Worth and Mitchell shall comprise one district and elect one representative.
- 87 The county of Cerro Gordo shall comprise one district and elect two representatives.
- 89 The counties of Franklin and Grundy shall comprise one district and elect one representative.
- 91 The county of Hardin shall comprise one district and elect one representative.
- 93 The county of Marshall shall comprise one district and elect two representatives.
- 95 The county of Jasper shall comprise one district and elect two representatives.
- 97 The county of Marion shall comprise one district and elect one representative.
- 99 The counties of Lucas and Monroe shall comprise one district and elect one representative.
- 101 The county of Floyd shall comprise one district and elect one representative.
- 103 The county of Butler shall comprise one district and elect one representative.
- 105 The counties of Howard and Chickasaw shall comprise one district and elect one representative.
- 107 The county of Bremer shall comprise one district and elect one representative.
- 109 The county of Black Hawk shall comprise one district and elect

110 five representatives.

111 The county of Tama shall comprise one district and elect
112 one representative.

113 The county of Poweshiek shall comprise one district and elect
114 one representative.

115 The county of Mahaska shall comprise one district and elect
116 one representative.

117 The county of Wapello shall comprise one district and elect
118 two representatives.

119 The counties of Appanoose and Davis shall comprise one dis-
120 trict and elect one representative.

121 The county of Winneshiek shall comprise one district and elect
122 one representative.

123 The county of Fayette shall comprise one district and elect
124 one representative.

125 The county of Buchanan shall comprise one district and elect
126 one representative.

127 The county of Benton shall comprise one district and elect
128 one representative.

129 The counties of Iowa and Keokuk shall comprise one district
130 and elect one representative.

131 The counties of Jefferson and Van Buren shall comprise one
132 district and elect one representative.

133 The county of Allamakee shall comprise one district and elect
134 one representative.

135 The county of Clayton shall comprise one district and elect
136 one representative.

137 The county of Delaware shall comprise one district and elect
138 one representative.

139 The county of Linn shall comprise one district and elect
140 six representatives.

141 The county of Johnson shall comprise one district and elect
142 two representatives.

143 The county of Washington shall comprise one district and elect
144 one representative.

145 The counties of Henry and Louisa shall comprise one district
146 and elect one representative.

147 The county of Jones shall comprise one district and elect one
148 representative.

149 The county of Cedar shall comprise one district and elect
150 one representative.

151 The county of Muscatine shall comprise one district and elect
152 one representative.

153 The county of Des Moines shall comprise one district and
154 elect two representatives.

155 The county of Lee shall comprise one district and elect two
156 representatives.

157 The county of Dubuque shall comprise one district and elect
158 three representatives.

159 The county of Jackson shall comprise one district and elect
160 one representative.

161 The county of Clinton shall comprise one district and elect
162 two representatives.

163 The county of Scott shall comprise one district and elect
164 five representatives.”.

DAVID O. SHAFF.
JACK SCHROEDER.

- 1 Amend the Nolan amendment to Senate File 1 as follows:
2 1. Strike the word “Winneshiek” in line 163 and substitute
3 the word “Bremer”.
4 2. Strike the word and figure “five (5)” in line 177 and
5 substitute the word and figure “six (6)”.

D. C. NOLAN.

- 1 Amend the Mincks, et al., amendment to Senate File 1
2 filed March 2, 1964 as follows:
3 1. Section 2, line 2, by striking “sixty (60)” and inserting in lieu
4 thereof the following: “fifty-eight (58)”.
5 2. Further amend section 2, line 5, by striking “sixty (60)” and in-
6 inserting
6 in lieu thereof the following: “fifty-eight (58)”.
7 3. Section 3, line 2, by striking “one hundred twenty (120)” and
8 inserting in lieu thereof the following: “one hundred sixteen (116)”.
9 2. Further amend section 3, line 6, by striking “one hundred twenty
10 and inserting in lieu thereof the following: “one hundred sixteen
(120)”
(116)”.

ANDREW FROMMELT.
JAKE MINCKS.
GEORGE O'MALLEY.
ROBERT FULTON.

- 1 Amend the Nolan amendment to Senate File 1, filed February 27,
2 1964, as follows:
3 1. By striking from lines three (3) and four (4) the word
4 “fifty-three (53)” and inserting in lieu thereof the word “fifty-
5 four (54)”.
6 2. By striking from line forty-seven (47) the word “Tama” and
7 inserting in lieu thereof the word “Iowa”.
8 3. By striking from line forty-nine (49) the words “Iowa and
9 Johnson counties” and inserting in lieu thereof the words “Johnson
10 county”.
11 4. By striking from line fifty-four (54) the words “and Jackson
12 counties” and inserting in lieu thereof the word “county”.
13 5. By striking from line fifty-six (56) the word “Delaware”
14 and inserting in lieu thereof the word “Jackson”.
15 6. By striking from line fifty-nine (59) the word “Buchanan”
16 and inserting in lieu thereof the word “Tama”.
17 7. By inserting after line seventy-eight (78) the following:
18 “39. Delaware and Buchanan counties shall constitute the
19 thirty-ninth district.”
20 8. By striking from line seventy-nine (79) the number “39”
21 and the word “thirty-ninth” and inserting in lieu thereof the
22 number “40” and the word “fortieth”.
23 9. By striking from line eighty-one (81) the number “40” and
24 inserting in lieu thereof the number “41”.
25 10. By striking from line eighty-two (82) the word “fortieth”
26 and inserting in lieu thereof the word “forty-first”.

- 27 11. By striking from line eighty-three (83) the number "41"
28 and inserting in lieu thereof the number "42".
- 29 12. By striking from line eighty-four (84) the word "forty-first"
30 and inserting in lieu thereof the word "forty-second".
- 31 13. By striking from line eighty-five (85) the number "42" and
32 inserting in lieu thereof the number "43".
- 33 14. By striking from line eighty-six (86) the word "forty-second"
34 and inserting in lieu thereof the word "forty-third".
- 35 15. By striking from line eighty-seven (87) the number "43" and
36 inserting in lieu thereof the number "44".
- 37 16. By striking from line eighty-eight (88) the word "forty-
38 third" and inserting in lieu thereof the word "forty-fourth".
- 39 17. By striking from line eighty-nine (89) the number "44" and
40 inserting in lieu thereof the number "45".
- 41 18. By striking from line ninety (90) the word "forty-fourth"
42 and inserting in lieu thereof the word "forty-fifth".
- 43 19. By striking from line ninety-one (91) the number "45" and
44 inserting in lieu thereof the number "46".
- 45 20. By striking from lines ninety-one (91) and ninety-two (92)
46 the word "forty-fifth" and inserting in lieu thereof the word
47 "forty-sixth".
- 48 21. By striking from line ninety-three (93) the number "46"
49 and inserting in lieu thereof the number "47".
- 50 22. By striking from line ninety-four (94) the word "forty-
51 sixth" and inserting in lieu thereof the word "forty-seventh".
- 52 23. By striking from line ninety-five (95) the number "47" and
53 inserting in lieu thereof the number "48".
- 54 24. By striking from line ninety-six (96) the word "forty-
55 seventh" and inserting in lieu thereof the word "forty-eighth".
- 56 25. By striking from line ninety-seven (97) the number "48"
57 and inserting in lieu thereof the number "49".
- 58 26. By striking from line ninety-eight (98) the word "forty-
59 eighth" and inserting in lieu thereof the word "forty-ninth".
- 60 27. By striking from line ninety-nine (99) the number "49" and
61 inserting in lieu thereof the number "50".
- 62 28. By striking from line one hundred (100) the word "forty-
63 ninth" and inserting in lieu thereof the word "fiftieth".
- 64 29. By striking from line one hundred one (101) the number
65 "50" and inserting in lieu thereof the number "51".
- 66 30. By striking from line one hundred two (102) the word
67 "fiftieth" and inserting in lieu thereof the word "fifty-first".
- 68 31. By striking from line one hundred three (103) the number
69 "51" and inserting in lieu thereof the number "52".
- 70 32. By striking from line one hundred four (104) the word
71 "fifty-first" and inserting in lieu thereof the word "fifty-second".
- 72 33. By striking from line one hundred five (105) the number
73 "52" and inserting in lieu thereof the number "53".
- 74 34. By striking from line one hundred six (106) the word
75 "fifty-second" and inserting in lieu thereof the word "fifty-third".
- 76 35. By striking from line one hundred seven (107) the number
77 "53" and inserting in lieu thereof the number "54".
- 78 36. By striking from line one hundred eight (108) the word
79 "fifty-third" and inserting in lieu thereof the word "fifty-fourth".
- 80 37. By striking all of line one hundred twelve (112) and in-
81 serting in lieu thereof the following:

- 82 "35, 36, 39, 41, 42, 43, 45, 46, 47, 48, 49, 50, 52, and 54
83 shall".
- 84 38. By striking from line one hundred seventeen (117) all
85 after the number "38," and inserting in lieu thereof the following:
86 "40, 44, 51, and 53".
- 87 39. By striking from line one hundred thirty-seven (137) the
88 word "Tama" and inserting in lieu thereof the word "Iowa".
- 89 40. By striking all of lines one hundred thirty-eight (138)
90 and one hundred thirty-nine (139).
- 91 41. By striking all of lines one hundred forty-two (142) and
92 one hundred forty-three (143).
- 93 42. By striking from line one hundred forty-five (145) the
94 word "Delaware" and inserting in lieu thereof the word "Jackson".
- 95 43. By striking from line one hundred forty-seven (147) the
96 word "Buchanan" and inserting in lieu thereof the word "Tama".
- 97 44. By inserting after line one hundred fifty-nine (159) the
98 following:
99 "Thirty-ninth District—Delaware county, one (1), Buchanan
100 county one (1);"
- 101 45. By striking from line one hundred sixty (160) the word
102 "Fortieth" and inserting in lieu thereof the word "Forty-first".
- 103 46. By striking from line one hundred sixty-two (162) the
104 word "Forty-first" and inserting in lieu thereof the word "Forty-
105 second".
- 106 47. By striking from line one hundred sixty-four (164) the word
107 "Forty-fourth" and inserting in lieu thereof the word "Forty-fifth".
- 108 48. By striking from line one hundred sixty-six (166) the word
109 "Forty-fifth" and inserting in lieu thereof the word "Forty-sixth".
- 110 49. By striking from line one hundred sixty-eight (168) the
111 word "Forty-eighth" and inserting in lieu thereof the word "Forty-
112 ninth".
- 113 50. By striking from line one hundred seventy (170) the word
114 "Forty-ninth" and inserting in lieu thereof the word "Fiftieth".
- 115 51. By inserting after line one hundred seventy-five (175)
116 the following:
117 "Twenty-third District—Johnson county, two (2);"
- 118 52. By inserting after line one hundred seventy-six (176) the
119 following:
120 "Twenty-fifth District—Clinton county, two (2);"
- 121 53. By striking from line one hundred eighty (180) the word
122 "Thirty-ninth" and inserting in lieu thereof the word "Fortieth".
- KENNETH BENDA.

- 1 Amend the Mincks, et al., amendment to Senate File 1,
2 filed March 2, 1964, as follows:
3 1. By amending section four (4) by adding thereto
4 the following sentence:
5 "If the secretary of state determines that a legislative
6 district is no longer entitled to elect an additional sena-
7 tor, no election shall be held at the succeeding primary
8 and general elections for the office of the senator, or
9 one (1) of the senators, whose term expires preceding the
10 convening of the next regular session of the general assembly."
11 2. By striking all of section five (5) and inserting in
12 lieu thereof the following:

13 "Sec. 5. Senators from the legislative districts numbered
14 2, 3, 4, 5, 11, 12, 13, 15, 16, 20, 21, 24, 28, 29, 33, 36,
15 38, 39, 40, 41, 42, 46, 47, 48, 49, and 50 shall be elected
16 in the 1964 general election and every four (4) years there-
17 after." Senators from the legislative districts numbered 19,
18 26, and 43 shall be elected in the 1964 general election for
19 two (2) year terms and every four (4) years thereafter.
20 Senators elected in 1962 and residing in legislative districts
21 numbered 1, 6, 7, 8, 9, 10, 14, 17, 18, 22, 23, 25, 27, 30,
22 31, 32, 34, 35, 37, 44, and 45, shall represent the legislative
23 districts in which they reside until successors are elected
24 and qualified.

25 In districts electing more than one (1) senator, such
26 senators shall be elected in alternating years so the terms
27 of all senators within the districts do not expire the same
28 year. For the 1964 general elections, one-half of the sena-
29 tors shall be elected for four (4) year terms and one-half
30 of the senators for two (2) year terms. Thereafter,
31 the terms of all senators in such districts shall be for
32 four (4) years. In districts electing more than one (1)
33 senator where the number being elected is uneven, the majority
34 of such senators shall be elected for four (4) year terms.
35 The provisions of this paragraph shall not affect the
36 term of office of those senators elected in 1962 but the
37 term of such senators shall be taken into consideration in
38 determining the length of terms of senators in districts
39 electing more than one senator.

40 3. By striking all of section six (6) and inserting in
41 lieu thereof the following:

42 "Sec. 6. Within ten (10) days after the effective date
43 of this Act, the secretary of state shall certify the number
44 of senators and representatives each legislative district
45 shall elect in the 1964 general election. In the event of
46 any vacancy occurring in any senatorial district after the
47 effective date of this Act it shall be filled by the
48 electors of the district as it existed at the time the
49 vacancy occurred. The term of office of senators elected
50 from districts electing more than one senator shall be
51 determined by the secretary of state to comply with the
52 provisions of this Act."

ROBERT D. FULTON.

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

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 Sanchez, 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:

"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.

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.

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:

(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);
 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)".

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.

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
Buck

Burrows
Campbell

Cowden
Curran

Doran
Elijah

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.

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.

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.

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.

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 *de 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.

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

Ayes, 50:

Benda	Elthon	Lodwick	Shivvers
Beneke	Eivers	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.

PROOFS OF PUBLICATION

Published copy of Senate File 3 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.

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.

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	Elders	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	Elders	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 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

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, re-organization, 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.

MESSAGES FROM 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.

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

- 1 Amend Senate File 5 by striking section 2, and substituting
- 2 the following:
- 3 "Sec. 2. This Act being of immediate importance
- 4 shall be in full force and effect from and after its passage and
- 5 publication in the Fort Dodge Messenger, a newspaper published at
- 6 Fort Dodge, Iowa, and in The Gowrie News, a newspaper published at
- 7 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.

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

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

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.

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

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,

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:

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.

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 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.

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.

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

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.

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)

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)

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.

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 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.

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:

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.

AMENDMENTS FILED

1 Amend the House amendment to Senate File 1 by striking all of
2 section three (3) and inserting in lieu thereof the following:

3 "Sec. 3. Chapter forty-two (42), Code 1962, is hereby repealed
4 and the following enacted in lieu thereof:

5 "The House of Representatives shall be composed as follows and
6 elect representatives in 1964 and each two years thereafter:

7 "The counties of Lyon and Osceola shall comprise one district
8 and elect one representative.

9 "The county of Sioux shall comprise one district and elect one
10 representative.

11 "The county of Plymouth shall comprise one district and elect
12 one representative.

13 "The county of Woodbury shall comprise one district and elect
14 four representatives.

15 "The counties of Harrison and Monona shall comprise one district
16 and elect one representative.

17 "The county of Pottawattamie shall comprise one district and
18 elect three representatives.

19 "The counties of Mills and Fremont shall comprise one district
20 and elect one representative.

21 "The county of O'Brien shall comprise one district and elect
22 one representative.

23 "The counties of Cherokee and Ida shall comprise one district
24 and elect one representative.

25 "The counties of Sac and Crawford shall comprise one district
26 and elect one representative.

27 "The counties of Shelby and Cass shall comprise one district
28 and elect one representative.

29 "The counties of Montgomery and Adams shall comprise one dis-
30 trict and elect one representative.

31 "The county of Page shall comprise one district and elect one
32 representative.

33 "The counties of Dickinson and Clay shall comprise one district
34 and elect one representative.

35 "The county of Buena Vista shall comprise one district and
36 elect one representative.

37 "The county of Carroll shall comprise one district and elect
38 one representative.

39 "The counties of Audubon and Guthrie shall comprise one dis-
40 trict and elect one representative.

41 "The counties of Palo Alto and Emmet shall comprise one dis-
42 trict and elect one representative.

43 "The counties of Pocahontas and Humboldt shall comprise one
44 district and elect one representative.

45 "The counties of Greene and Calhoun shall comprise one dis-
46 trict and elect one representative.

47 "The counties of Adair and Madison shall comprise one district
48 and elect one representative.

49 "The counties of Union and Clarke shall comprise one district
50 and elect one representative.

51 "The counties of Taylor, Ringgold and Decatur shall comprise
52 one district and elect one representative.

53 "The county of Kossuth shall comprise one district and elect
54 one representative.

- 55 "The county of Webster shall comprise one district and elect
56 two representatives.
- 57 "The county of Boone shall comprise one district and elect one
58 representative.
- 59 "The county of Dallas shall comprise one district and elect
60 one representative.
- 61 "The counties of Winnebago and Hancock shall comprise one
62 district and elect one representative.
- 63 "The county of Wright shall comprise one district and elect
64 one representative.
- 65 "The county of Hamilton shall comprise one district and elect
66 one representative.
- 67 "The county of Story shall comprise one district and elect two
68 representatives.
- 69 "The county of Polk shall comprise one district and elect eleven
70 representatives.
- 71 "The county of Warren shall comprise one district and elect one
72 representative.
- 73 "The counties of Worth and Mitchell shall comprise one district
74 and elect one representative.
- 75 "The county of Cerro Gordo shall comprise one district and
76 elect two representatives.
- 77 "The county of Franklin shall comprise one district and elect
78 one representative.
- 79 "The county of Hardin shall comprise one district and elect
80 one representative.
- 81 "The county of Marshall shall comprise one district and elect
82 two representatives.
- 83 "The county of Jasper shall comprise one district and elect
84 two representatives.
- 85 "The county of Marion shall comprise one district and elect
86 one representative.
- 87 "The counties of Lucas, Wayne and Monroe shall comprise one
88 district and elect one representative.
- 89 "The county of Floyd shall comprise one district and elect one
90 representative.
- 91 "The counties of Butler and Grundy shall comprise one district
92 and elect one representative.
- 93 "The counties of Howard and Chickasaw shall comprise one
94 district and elect one representative.
- 95 "The county of Bremer shall comprise one district and elect one
96 representative.
- 97 "The county of Black Hawk shall comprise one district and elect
98 five representatives.
- 99 "The county of Tama shall comprise one district and elect one
100 representative.
- 101 "The county of Poweshiek shall comprise one district and elect
102 one representative.
- 103 "The county of Mahaska shall comprise one district and elect
104 one representative.
- 105 "The county of Wapello shall comprise one district and elect
106 two representatives.
- 107 "The county of Appanoose shall comprise one district and elect
108 one representative.
- 109 "The county of Winneshiek shall comprise one district and
110 elect one representative.

- 111 "The county of Fayette shall comprise one district and elect
 112 one representative.
 113 "The county of Buchanan shall comprise one district and elect
 114 one representative.
 115 "The county of Benton shall comprise one district and elect
 116 one representative.
 117 "The county of Iowa shall comprise one district and elect one
 118 representative.
 119 "The counties of Keokuk and Jefferson shall comprise one dis-
 120 trict and elect one representative.
 121 "The counties of Davis and Van Buren shall comprise one dis-
 122 trict and elect one representative.
 123 "The county of Allamakee shall comprise one district and elect
 124 one representative.
 125 "The county of Clayton shall comprise one district and elect
 126 one representative.
 127 "The county of Delaware shall comprise one district and elect
 128 one representative.
 129 "The county of Linn shall comprise one district and elect five
 130 representatives.
 131 "The county of Johnson shall comprise one district and elect
 132 two representatives.
 133 "The county of Washington shall comprise one district and elect
 134 one representative.
 135 "The counties of Henry and Louisa shall comprise one district
 136 and elect one representative.
 137 "The county of Jones shall comprise one district and elect one
 138 representative.
 139 "The county of Cedar shall comprise one district and elect one
 140 representative.
 141 "The county of Muscatine shall comprise one district and elect
 142 one representative.
 143 "The county of Des Moines shall comprise one district and elect
 144 two representatives.
 145 "The county of Lee shall comprise one district and elect two
 146 representatives.
 147 "The county of Dubuque shall comprise one district and elect
 148 three representatives.
 149 "The county of Jackson shall comprise one district and elect
 150 one representative.
 151 "The county of Clinton shall comprise one district and elect
 152 two representatives.
 153 "The county of Scott shall comprise one district and elect
 154 five representatives."

IRVING D. LONG.
 JOE E. WILSON.
 JOHN A. WALKER.

- 1 Amend the House amendment to Senate File 1 as follows:
 2 1. Amend section 1 by striking all of lines 16, 17 and 18 and inserting
 3 in lieu thereof the following: "of two hundred thousand (200,000) or
 4 shall be entitled to one additional senator."
 5 2. Amend section 2, line 4, by striking the word "fifty-six" and
 inserting

- 6 in lieu thereof the word "fifty-one".
7 3. Further amend section 2, by striking the words "two senators"
8 appears in lines 39, 45, 73 and 83 and inserting in lieu thereof the words where it
9 "one senator".
10 4. Further amend section 2, line 59, by striking the word "three" and
11 inserting in lieu thereof the word "two".
12 5. Further amend section 2 by striking all of lines 117, 125, 142,
13 163 and 175. 144, 145,
14 6. Further amend section 2, line 168, by striking the following:
15 be elected)". "(two to

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.

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 Shivers 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-

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.

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.

"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 Pochontas 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.

"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.

"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
Dykhous	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".

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
Dykhous	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

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 unanimous 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.*

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.

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.

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.

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 Winter-set 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.

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

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.

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.

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 Zerín 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.

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.

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

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

1 Amend House File 8 by striking section 2 and substituting
2 the following in lieu thereof:

3 "Sec. 2. This Act shall be in full force and effect
4 on and after June 1, 1964, upon its publication as provided
5 by law in the Harlan News-Advertiser, a newspaper published
6 at Harlan, Iowa, and in the Journal-Herald, a newspaper
7 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.

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.

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.

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.

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			

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:

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, 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.

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.

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

- 1 Amend House File 4 by striking from
- 2 line 8 everything after the word "unless" and by
- 3 striking all of lines 9 and 10.

MARTIN WILEY.

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

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:

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
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Voting present, 2:

Elijah	Frommelt
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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
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Absent or not voting, 4:

Long	O'Malley	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 Dykhouse called up the following resolution:

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.

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.

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.

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.

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

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.

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

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:

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.

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

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

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.

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

1 Amend the House amendment to Senate File 14 by striking all of
2 division 1 and inserting in lieu thereof the following:

3 "1. By striking the words 'Except as' in line 4 of section 1 and
4 in line 4 of section 2 and inserting in lieu thereof the word 'As'."

CLIFFORD VANCE.

1 Amend Senate Joint Resolution 1 by striking all after the
2 resolving clause and substituting the following in lieu thereof:

3 Section 1. The following amendment to the constitution of
4 the state of Iowa is hereby proposed:

5 Section six (6) of article three (III), section thirty-four
6 (34) of article three (III) as amended in 1904 and 1928, sections
7 thirty-five (35), and thirty-six (36) of article three (III) as
8 amended in 1904, and section thirty-seven (37) of article three
9 (III) are hereby repealed, and section thirty-eight (38) of article
10 three (III) designated as section thirty-nine (39) of article
11 three (III).

12 "Section 34. The state shall be divided by resolution of the
13 general assembly into legislative districts along county boundaries,
14 the seventeen (17) counties having the greatest population to
15 be designated as single-county legislative districts, the remain-

16 der of the counties to be combined into two-county legislative
17 districts. Counties forming such districts shall be contiguous.
18 Counties joined only at the point of a corner shall not be re-
19 garded as contiguous.

20 "Legislative districts shall be numbered consecutively so that
21 odd-numbered and even-numbered districts shall be as equal in
22 number as possible in each districting act districting or re-
23 districting legislative districts within the state.

24 "Section 35.1. Each legislative district shall be entitled
25 to one (1) senator plus one (1) additional senator for each
26 senatorial population unit above one (1).

27 "2. The senatorial population unit shall be determined by
28 dividing the state's population as shown on the last United States
29 decennial census by fifty (50).

30 "3. Each legislative district shall be entitled to one (1)
31 representative plus one (1) additional representative for each
32 representative population unit above one (1) or major fraction
33 thereof.

34 "4. The representative population unit shall be determined
35 by dividing the state's population as shown on the last United
36 States decennial census by one hundred ten (110).

37 "Section 36. If, following a United States decennial census,
38 the population of any legislative district is found to be less than
39 a major fraction of the representative population unit as provided
40 in section thirty-five (35), subsection four (4), such legislative
41 district shall be eliminated by resolution of the general assembly
42 at the next regular session to be held after the census year, and
43 the counties composing such district shall be combined with con-
44 tiguous two-county legislative districts to form three-county
45 legislative districts.

46 "Terms of office of senators representing two-county legis-
47 lative districts eliminated by the general assembly, and the
48 terms of office of senators in the two-county districts with
49 which they are combined, shall terminate on December 31, follow-
50 ing the general election first held after such elimination. Sen-
51 ators representing the newly formed three-county districts shall
52 be nominated and elected at the first (1st) general election
53 following formation of the new districts.

54 "Section 37.1. Immediately following initial districting, or
55 subsequent redistricting by the general assembly and following
56 each United States decennial census using the official certified popu-
57 lation figures for the state and counties, it shall be the duty of
58 the secretary of state, in accordance with the foregoing provisions,
59 to notify the county, or counties, within each legislative district
60 as to the number of senators and representatives to which the
61 district is entitled. This action shall be effective as to the
62 nomination and election of senators and representatives at the next
63 general election to be held after the effective date of the dis-
64 tricting, or redistricting act; or after the census year as the
65 case may be.

66 "The terms of all senators, no matter when elected, shall
67 terminate on December 31, 1968. Senators, from districts en-
68 titled to only one (1) senator, elected at the first (1st) general
69 election after districting, or redistricting, by the general
70 assembly, or following a decennial census, shall be elected for
71 two-year terms in odd-numbered legislative districts and four-year

72 terms in even-numbered legislative districts. Senators from dis-
73 tricts entitled to more than one (1) senator shall be elected from
74 subdistricts within the legislative district as hereinafter pro-
75 vided, such subdistricts to be numbered consecutively so that
76 odd-numbered and even-numbered districts shall be as equal in
77 number as possible. The numbering shall be accomplished by the
78 board of supervisors, or boards, as the case may be, following
79 the initial districting by the general assembly, subsequent re-
80 districting, and after each decennial census as may be required.
81 Senators from odd-numbered subdistricts shall be elected for two-
82 year terms, those from even-numbered subdistricts shall be elected
83 for four-year terms. After the division of senators into classes
84 so that half will be elected every two (2) years the terms of all
85 senators shall be four (4) years. If a district remains un-
86 disturbed as to boundaries following redistricting or following
87 a decennial census, its class shall remain unchanged and the
88 incumbent senator shall be allowed to serve out the term for which
89 he was elected.

90 "2. Within each legislative district entitled to more than
91 one (1) senator, or to more than one (1) representative, it
92 shall be the duty of the county board of supervisors, or county
93 boards of supervisors meeting in joint convention, as the case
94 may be, to divide the district into senatorial subdistricts and
95 representative subdistricts.

96 "3. Senatorial subdistricts created by action outlined in
97 subsection two (2) shall equal in number the number of senators
98 to which the district is entitled. Representative subdistricts
99 so created shall equal in number the number of representatives
100 to which the district is entitled. No person shall be allowed
101 to vote for more than one (1) senator or more than one (1)
102 representative.

103 "4. Both senatorial and representative subdistricts, as herein
104 provided, shall be compact and contiguous territory. Areas joined
105 only at the point of a corner shall not be regarded as contiguous.
106 County, township, and precinct lines will be followed insofar
107 as possible. The permitted deviation in population between sub-
108 districts shall be no more than five (5) percent.

109 "5. No person shall be elected to the office of senator
110 or representative from a subdistrict who at the time of his
111 election has not been in actual residence for at least sixty
112 (60) days in the subdistrict.

113 "6. The state supreme court shall review the action taken
114 by the county board of supervisors, or boards as the case may
115 be, in dividing legislative districts into senatorial sub-
116 districts and representative subdistricts to determine whether
117 or not the provisions of the constitution have been complied
118 with. If the court finds that the action taken does not
119 comply with the constitution or that a county board of super-
120 visors, or boards as the case may be, has failed to accomplish
121 the required subdistricting within ninety (90) days following
122 notification by the secretary of state as to the number of
123 senators and representatives to which the legislative district
124 is entitled, then the court will divide the legislative district
125 into subdistricts as provided in the foregoing sections.

126 "Section 38. When a congressional district shall be composed

127 of two (2) or more counties, it shall not be entirely separated
128 by any county belonging to another district, and no county shall
129 be divided."

130 Sec. 2. The foregoing proposed amendment to the constitution
131 of the state of Iowa is hereby referred to the general assembly
132 to be chosen at the next general election, and the secretary of
133 state is directed to cause the same to be published as provided
134 by law for three (3) months previous to the time of making such
135 choice.

EUGENE M. HILL.

On motion of Senator Rigler, the Senate adjourned until 9:45 a.m.,
Wednesday.

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.

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:

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.

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.

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 *de 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

- 1 Amend Senate Joint Resolution 1 as follows:
- 2 1. By striking from lines thirty-five (35), thirty-six
- 3 (36), and thirty-seven (37) the following sentence:
- 4 "Senators elected from a senatorial district electing
- 5 less than three (3) senators shall be elected from the district
- 6 at large."
- 7 2. By striking from lines thirty-seven (37) and thirty-
- 8 eight (38) the words "three (3) or more senators" and inserting
- 9 in lieu thereof the words "more than one (1) senator".
- 10 3. By striking lines forty-seven (47) through fifty-six
- 11 (56) and inserting in lieu thereof the following:
- 12 "The redistricting authority when establishing senatorial
- 13 districts and subdistricts shall classify the districts and
- 14 subdistricts by lot so that as nearly as possible one-half
- 15 of the senators shall be elected every two (2) years. In
- 16 classifying districts and sub-".
- 17 4. By striking all of lines seventy-three (73) through
- 18 seventy-eight (78) and inserting in lieu thereof the words
- 19 "of his term."

JOHN L. CAMPBELL

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

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 Wauke, 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.

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.

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		

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.

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

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

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-

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
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Excused from voting, 1:

O'Malley

Voting present, 9:

Coleman	Elders	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

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

four and one-half ($4\frac{1}{2}$) to seven and one-half ($7\frac{1}{2}$) 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 ($7\frac{1}{2}$) 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

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.

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

- 1 Amend Senate Joint Resolution 1 as follows:
- 2 1. Strike from line one hundred four (104) of section one
- 3 (1) the words and figures "In 1967" and insert in lieu thereof
- 4 the following "In 1971".
- 5 2. Strike from line one hundred nine (109) of section one
- 6 (1) the words and figures "By January one (1) in 1967" and
- 7 insert in lieu thereof the following: "By January 1, 1971".
- 8 3. Add at the end of section one (1) the following:
- 9 "Upon the adoption of this amendment and until such time
- 10 as the Senate is redistricted the senate districts and the num-
- 11 ber of senators elected from each district shall be as follows:
- 12 1. Lyon and Sioux counties shall comprise one district and
- 13 elect one senator.
- 14 2. O'Brien, Osceola and Dickinson counties shall comprise
- 15 one district and elect one senator.
- 16 3. Clay, Palo Alto and Emmet counties shall comprise one
- 17 district and elect one senator.
- 18 4. Kossuth and Hancock counties shall comprise one district
- 19 and elect one senator.
- 20 5. Winnebago, Worth and Mitchell counties shall comprise
- 21 one district and elect one senator.
- 22 6. Floyd, Chickasaw and Howard counties shall comprise one
- 23 district and elect one senator.
- 24 7. Fayette and Winneshiek counties shall comprise one
- 25 district and elect one senator.
- 26 8. Allamakee and Clayton counties shall comprise one district
- 27 and elect one senator.
- 28 9. Plymouth and Cherokee counties shall comprise one district
- 29 and elect one senator.
- 30 10. Ida, Sac and Buena Vista counties shall comprise one
- 31 district and elect one senator.
- 32 11. Calhoun, Pocahontas and Greene counties shall comprise
- 33 one district and elect one senator.
- 34 12. Humboldt and Webster counties shall comprise one
- 35 district and elect one senator.
- 36 13. Wright, Hamilton and Hardin counties shall comprise one
- 37 district and elect one senator.
- 38 14. Cerro Gordo and Franklin counties shall comprise one
- 39 district and elect one senator.
- 40 15. Butler and Bremer counties shall comprise one district
- 41 and elect one senator.

- 12 16. Black Hawk county shall comprise one district and elect
13 one senator.
- 14 17. Buchanan and Delaware counties shall comprise one district
15 and elect one senator.
- 16 18. Dubuque county shall comprise one district and elect one
17 senator.
- 18 19. Woodbury county shall comprise one district and elect
19 one senator.
- 20 20. Monona and Harrison counties shall comprise one district
21 and elect one senator.
- 22 21. Crawford and Carroll counties shall comprise one district
23 and elect one senator.
- 24 22. Boone and Story counties shall comprise one district
25 and elect one senator.
- 26 23. Grundy and Marshall counties shall comprise one district
27 and elect one senator.
- 28 24. Tama and Benton counties shall comprise one district
29 and elect one senator.
- 30 25. Linn county shall comprise one district and elect one
31 senator.
- 32 26. Jones and Jackson counties shall comprise one district
33 and elect one senator.
- 34 27. Shelby and Cass counties shall comprise one district
35 and elect one senator.
- 36 28. Audubon, Guthrie and Dallas counties shall comprise one
37 district and elect one senator.
- 38 29. Polk county shall comprise one district and elect two
39 senators.
- 40 30. Jasper and Poweshiek counties shall comprise one
41 district and elect one senator.
- 42 31. Iowa and Johnson counties shall comprise one district
43 and elect one senator.
- 44 32. Cedar and Clinton counties shall comprise one district
45 and elect one senator.
- 46 33. Scott county shall comprise one district and elect one
47 senator.
- 48 34. Pottawattamie county shall comprise one district and
49 elect one senator.
- 50 35. Adair, Madison and Clarke counties shall comprise one
51 district and elect one senator.
- 52 36. Warren and Marion counties shall comprise one district
53 and elect one senator.
- 54 37. Mahaska and Keokuk counties shall comprise one dis-
55 trict and elect one senator.
- 56 38. Washington and Henry counties shall comprise one dis-
57 trict and elect one senator.
- 58 39. Muscatine and Louisa counties shall comprise one dis-
59 trict and elect one senator.
- 60 40. Mills, Fremont and Montgomery counties shall comprise
61 one district and elect one senator.
- 62 41. Adams, Page and Taylor counties shall comprise one
63 district and elect one senator.
- 64 42. Union, Ringgold and Decatur counties shall comprise one
65 district and elect one senator.
- 66 43. Lucas, Monroe and Wayne counties shall comprise one
67 district and elect one senator.
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- 98 44. Wapello and Jefferson counties shall comprise one dis-
 99 trict and elect one senator.
 100 45. Des Moines and Lee counties shall comprise one district
 101 and elect one senator.
 102 46. Appanoose, Davis and Van Buren counties shall comprise
 103 one district and elect one senator."

JOHN A. WALKER.

- 1 Amend Senate Joint Resolution 1 by adding in line one hundred
 2 twenty-six (126) of section one (1) after the word "may" the
 3 words "by joint insertion" and by striking from said line the
 4 word "enact" and inserting in lieu thereof the word "provide".
 5 Further amend said Senate Joint Resolution 1 by striking from
 6 lines one hundred thirty-two (132) and one hundred thirty-three
 7 (133) the word "enactment" and inserting in lieu thereof the
 8 word "joint resolution".

JOHN A. WALKER.

- 1 Amend Senate Joint Resolution 1 as follows:
 2 1. By inserting after the word "territory" in line sixty-two
 3 the words "having an incumbent senator residing therein".
 4 2. By striking from lines sixty-eight (68), sixty-nine (69)
 5 and seventy (70) the words "when the term of office of an
 6 incumbent senator shall not be permitted to be completed due
 7 to the redistricting of the senatorial district or subdistrict
 8 of the incumbent." and inserting in lieu thereof the follow-
 9 ing "for shortening the term of office of an incumbent sena-
 10 ator when the territory in which he resides is attached to
 11 a district or subdistrict also having an incumbent senator
 12 residing therein."

DONALD G. BENEKE.

- 1 Amend Senate Joint Resolution 1 as follows:
 2 By striking all of section 36 following the word
 3 "redistricted" in line 108, and inserting in lieu thereof
 4 the following:
 5 "by the General Assembly which
 6 act shall not be subject to veto by the Governor. In
 7 the event the General Assembly does not determine the
 8 number of senators which shall be elected from each
 9 senatorial district and does not redistrict the senatorial
 10 and representative districts and the senatorial sub-
 11 districts by July 1 in 1967 and in each year immediately
 12 following the taking of the United States decennial census,
 13 a redistricting commission composed of the Governor, Lieutenant
 14 Governor, Attorney General, Secretary of State, Auditor of
 15 State, Treasurer of State, and Secretary of Agriculture shall
 16 convene within thirty (30) days and shall make such determina-
 17 tion and complete such redistricting. The commission shall
 18 file a report of its action with the Secretary of State no
 19 later than December 1 following the date of its convening."

A. V. DORAN.

- 1 Amend House File 10 as follows:
 2 1. Amend section 1, line 23, by striking the
 3 period (.) and inserting the following: ", one
 4 representing public community junior colleges and public

- 5 technical institutes not under the Board of Regents.”
6 2. Further amend section 1, line 28, by striking
7 “three (3)” and inserting in lieu thereof the following:
8 “two (2)”.

A. V. DORAN.

On motion of Senator Rigler, the Senate adjourned until 10:00
a.m., Monday, March 30, 1964.

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

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
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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

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:

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
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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".

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

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

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 incompleated 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

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

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
Dykhous	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.

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.

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

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

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
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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 House File 19 be immediately messaged to the House, which request was complied with.

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

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	Dykhousé	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	Dykhousé	Getting
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Voting present, 2:

Flatt	O'Malley
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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-

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

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

- 1 Amend House File 12, line 23, by inserting a period
- 2 after the word "mills" and striking the remainder of
- 3 the section.

DAVID O. SHAFF.

On motion of Senator Rigler, the Senate adjourned until 9:30 a.m., Wednesday.

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:

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

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

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	Elders	Hill	Nolan

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
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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 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			

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
	<hr/>
	\$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

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
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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 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.

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
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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 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-

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
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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:

"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-

ILITIES 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

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:

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	
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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.

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

- 1 Amend the title to House File 18 by striking all
- 2 after the words "An Act" and inserting in lieu thereof
- 3 the following:
- 4 relating to the Mental Retardation Facilities and
- 5 Community Mental Health Centers Construction Act, and
- 6 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.

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.

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.

"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 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.

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

separated by any county belonging to another district, and no county shall be divided except in the establishment of senatorial or representative sub-districts."

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
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The resolution having received a constitutional majority was declared to have been adopted by the Senate.

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

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 sub-district 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 sub-districts. 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-

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

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.

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

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 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 incompleting 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 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.

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.

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

senators which shall be elected from each senatorial district and re-district 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.

MESSAGES FROM 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	

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,

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

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.

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

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

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.

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 13.

KENNETH BENDA, *Chairman.*

Passed on file.

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

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.

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	Dykhousé	Fulton	Lisle
Campbell	Elijah	Getting	Lodwick
Coleman	Elthon	Griffin	Long
Cowden	Elvers	Grimstead	Lucken

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.*

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.

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 (1 $\frac{3}{4}$) 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 (1 $\frac{3}{4}$) 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 (4 $\frac{3}{4}$) 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.

"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 ($\frac{1}{2}$) 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

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.*

JACK SCHROEDER.

DAVID STANLEY.

FLOYD H. MILLEN.

GEORGE E. O'MALLEY.

On the Part of the Senate.

RAYMOND EVELAND.

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-

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.

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

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.

JACOB GRIMSTEAD.

J. LOUIS FISHER.

JAKE B. MICKS.

On the Part of the Senate.

PAUL W. KNOWLES.

MAX W. KREAGER.

HENRY C. NELSON.

NIELS J. NIELSEN.

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 reconsideration of Senate Joint Resolution 1, a joint resolution relating to reapportionment of the General Assembly.

WILLIAM R. KENDRICK, *Chief Clerk.*

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.

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

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 unanimous 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-

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.

"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.

CHARLES S. VAN EATON.

A. V. DORAN.

JOHN J. BROWN.

On the Part of the Senate.

JOHN CAMP.

HARLEY J. PALAS.

WILLIAM J. SCHERLE.

KEITH L. VETTER.

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.

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

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

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:

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.

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 refurbishing 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.

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:

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 adopted, 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.

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	S. F.	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.		the Sixty-first General Assembly and thereafter.	
Introduced, placed on calendar . . .	137	Introduced, placed on calendar . . .	25
Amendment filed . . . 140, 148, 160, 162		Amendments filed	90
Amendments withdrawn . . . 157, 165, 168		25, 29, 34, 39, 40, 46, 50, 52, 88,	
Amendments adopted . . . 167, 168, 203		Call of the Senate	119
Passed; ayes 43, nays 7 . . . 172, 209,	234	41, 54, 60, 94, 105,	
Explanations	172	Amendments withdrawn	94
Senate concurred	203	42, 45, 59, 60,	
Senate refused to recede	215	Amendments adopted	98
Conference committee appointed . . .	216	55, 59, 60, 61,	
Motion filed to reconsider vote . . .	217	Passed; ayes 34, nays 16 . . . 62, 99,	122
Second conference committee appointed	220	Senate concurred	99
Conference committee report	221	Conference committee appointed . . .	106
Conference committee report adopted	226	Conference committee report	112
Third conference committee appointed	226	Conference committee report and amendments contained, adopted . . .	122
Conference committee report and amendments contained, adopted . . .	231	Motion to reconsider vote laid on the table	123
Reported enrolled	236	Explanation of vote	128
Signed by President	236	Reported enrolled	130
Sent to Secretary of State	237	Signed by President	130
		Sent to Governor	130
		Signed by Governor	140
2 By Appropriations. Relating to appropriations for payment of miscellaneous expenses to be incurred in remodeling the chamber of the House of Representatives and refurbishing the chambers of the Senate and the House of Representatives.		2 By Rules. Relating to joint construction and financing of bridges and highways by cities and counties.	
Introduced, placed on calendar . . .	195	Introduced, placed on calendar . . .	64
Passed; ayes 43, nays 1	200	Amendment adopted	68
Reported enrolled	224	Passed; ayes 48, nays none . . . 69,	75
Signed by President	224	Senate concurred	75
Sent to Governor	224	Reported enrolled	87
Signed by Governor	236	Signed by President	87
		Sent to Governor	87
		Signed by Governor	106
S. F.	Page	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.	
1 By Reapportionment. Relating to providing for representation in the Senate and House of Representatives in		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	

S. F.	Page	S. F.	Page
of public community or junior colleges.		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 ..	64	Introduced, placed on calendar...	93
Passed; ayes 48, nays none.....	70	Amendment adopted	104
Reported enrolled	115	Passed; ayes 50, nays none.....	104
Signed by President	115	Reported enrolled	139
Sent to Governor	115	Signed by President	139
Signed by Governor	129	Sent to Governor	140
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.		Signed by Governor	160
Introduced, placed on calendar...	64	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.	
Amendment filed	73	Introduced, placed on calendar...	101
Withdrawn	75	Passed; ayes 48, nays none.....	109
6 By Rules. Relating to legalizing past organization of private colleges under Iowa corporation laws.		Reported enrolled	139
Introduced, placed on calendar...	65	Signed by President	139
Passed; ayes 48, nays none.....	70	Sent to Governor	140
Reported enrolled	115	Signed by Governor	160
Signed by President	115	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.	
Sent to Governor	115	Introduced, placed on calendar...	107
Signed by Governor	129	Proof of publication certified.....	125
7 By Rules. Relating to legalizing and validating proceedings providing for the organization, reorganization, enlargement, or change in the boundaries of school corporations.		Recommended amendment, passage	147
Introduced, placed on calendar...	65	Committee report adopted	150
Passed; ayes 48, nays none.....	71	Amendment adopted	150
Reported enrolled	107	Passed; ayes 50, nays none.....	150
Signed by President	107	Reported enrolled	193
Sent to Governor	108	Signed by President	193
Signed by Governor	110	Sent to Governor	193
8 By Rules. Relating to the leasing of property by the armory board.		Signed by Governor	217
Introduced, placed on calendar...	93	13 By Rules. Relating to the cost of printing the official election ballot.	
Amendment adopted	103	Introduced, placed on calendar ..	112
Passed; ayes 50, nays none.....	103	Passed; ayes 44, nays none....	118, 185
Reported enrolled	130	Senate concurred	185
Signed by President	130	Reported enrolled	216
Sent to Governor	130	Signed by President	216
Signed by Governor	140	Sent to Governor	216
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.		Signed by Governor	224
Proof of publication certified....	86	14 By Rules. Relating to nomination and election of public officers.	
Introduced, placed on calendar...	93	Introduced, placed on calendar... 132	
Passed; ayes 50, nays none.....	104	Committee of the whole	134
Reported enrolled	130	Passed; ayes 48, nays none... 134, 146	
Signed by President	130	Amendment filed	140
Sent to Governor	130	Amendment withdrawn	145
Signed by Governor	140	Senate concurred	145
		Reported enrolled	146
		Signed by President	146
		Sent to Governor	146
		Signed by Governor	160

S. F.	Page	S. F.	Page
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.		of the General Assembly from districts entitled to more than one member in the Senate or House of Representatives.	
Introduced, placed on calendar ..	145	Introduced, placed on calendar ..	164
Passed; ayes 50, nays none ..	151, 190	H. F. 19 substituted ..	175
Amendment adopted ..	190	Withdrawn ..	177
Senate concurred ..	190	17 By Rules. Relating to the nomination and election of public officers.	
Reported enrolled ..	224	Introduced, placed on calendar ..	174
Signed by President ..	224	Committee of the whole ..	187
Sent to Governor ..	224	Passed; ayes 46, nays none ..	188
Signed by Governor ..	236	Reported enrolled ..	224
16 By Reapportionment. Relating to the election of members		Signed by President ..	224
		Sent to Governor ..	224
		Signed by Governor ..	236

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.

SENT TO SECRETARY OF STATE—H. J. R. 6

H. J. R.	Page	H. F.	Page
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 repealing the provisions relating to state Senatorial and Representative districts.		Proof of publication certified ..	67
Received, referred to rules	175	Received, referred to rules	72
Recommended passage	183	Recommended passage	87
Committee report adopted	188	Committee report adopted	101
Passed; ayes 45, nays 4	189	Passed; ayes 50, nays none	102
Reported enrolled	216	Reported enrolled	107
Signed by President	216	Signed by President	107
Sent to Secretary of State.		Signed by Governor.	
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.		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 Winter-set, Iowa, in connection therewith, and to legalize said contract, and authorize its performance by said council, and the financing thereof.	
Received, passed on file	228	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.	
H. F.	Page	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.	
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	100
Received, referred to rules	63	Recommended passage	115
Recommended passage	65	Amendment filed	125
Passed; ayes 50, nays none	66	Committee report adopted	126
Reported enrolled	72	Amendment withdrawn	126
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