

Standard Form For Members of the Legislature

Name of Representative Spear, Clay Ralph Senator _____
Represented Des Moines and Lee Counties, Iowa

1. Birthday and place 23 June 1916 Davenport, Iowa

2. Marriage (s) date place
Dorothy Fern Trout 1940

3. Significant events for example:

- A. Business Member of National Association for the Advancement of Colored People;
member of Association for Retarded Citizens, Kiwanis Club member; member of
American Association of Retired Persons
- B. Civic responsibilities _____

C. Profession Postal service worker for 36 years

4. Church membership Presbyterian

5. Sessions served 66th, 67th, 68th, 69th, 70th, 71st, 72nd, 73rd, 74th, 75th General Assembly

6. Public Offices 1975-1976, 1977-1978, 1979-1980, 1981-1982, 1983-1984, 1985-1986,
1987-1988, 1989-1990, 1991-1992, 1993-1994

A. Local Postal clerk at Davenport 1935-1942

B. State Postal service officer in Des Moines 1966-1971

C. National Postal inspector 1942-1966 at Union, South Dakota; Hannibal, Missouri;
Burlington, Iowa

7. Death 27 Jan 1993 Des Moines, Iowa; buried Aspen Grove Cemetery, Burlington, Iowa

8. Children Liantha (Mrs. Ellingsworth); Ann (Mrs. Stutler);
Jonathan

9. Names of parents Ralph and Bertha Spear

10. Education Graduate of Davenport High School,
Davenport, Iowa 1934

11. Degrees BA from St. Ambrose College, Davenport, Iowa in 1941
Iowa University, Des Moines, Iowa - MA in 1973

12. Other applicable information Democrat

- He began working in a Davenport, Iowa post office in 1935
as a substitute clerk

- He later served as a postal inspector in Harlow, South Dakota,
Hannibal, Missouri and Burlington, Iowa.

- He was a Postal Service worker in Des Moines 1966 until
retirement in 1971.

- He lived in Burlington, Iowa for 45 years.

- He was just starting his 10th term in the legislature at his death.

Clay Spear, 76, dies

Legislators pay tribute to the institution's oldest member after his death Wednesday.

By JONATHAN ROOS
REGISTER STAFF WRITER

"Gentlepersons of the House . . ."

State Rep. Clay Spear always addressed fellow House members that way, but no one better fit that title than he did.

Rising from a desk that now is cloaked by a black cloth, Spear would speak quietly into the microphone, often to seek approval for one of the many amendments that the Burlington Democrat offered over 18-plus years in the House to fix incorrectly written bills.

On Thursday, his microphone fell silent while others spoke in tribute to Spear, who died Wednesday night of a heart attack suffered at the Des Moines apartment that he shared with his wife, Dorothy. At 76, he was the Legislature's oldest member.

"We miss you, Clay," said Rep. Horace Daggett, his words running together like the tears on his face. "Clay was a friend to all of us. He was a real gentleman."

Grammarian

Spear, a retired postal worker who occasionally donned the baseball cap of his favorite team, the St. Louis Cardinals, will be remembered by many as the grammarian who made sure that the Legislature dotted its "i's" and crossed its "t's."

He crusaded to remove what he described as "clutter" from the Iowa Constitution, including an archaic

provision dealing with queuing that voters repealed last November. He caught mistakes, both large and small, in proposed laws that other lawmakers missed because he faithfully read every bill that crossed his desk.

The first Spear amendment that House Majority Leader Brent Siegrist saw as a freshman lawmaker simply added a comma "that Clay felt needed to be put in," recalled Siegrist, a Council Bluffs Republican.

Spear's legislative secretary, Dolores Matson, said a reservoir of inner strength lay behind his quiet manner. "He was quiet but he was strong. Just because he didn't get up and rant and rave and shout and scream doesn't mean he wasn't a forceful man," she said.

Integrity

House Speaker Harold Van Maanen, R-Oskaloosa, called him a statesman, and Gov. Terry Branstad said he had a reputation for integrity and fairness.

There also was a bit of Iowa stubbornness in Spear, who held fast to his views and didn't always toe the party line.

The last vote he cast, early Wednesday evening, was an example of that. He was the only Democrat who voted for a Republican-backed pay resolution.

House Minority Leader Bob Arnould, a Davenport Democrat, took it in stride, but a couple of newer House Democrats asked Arnould, "Aren't you going to do something about Clay?" Arnould replied, "Well, that's Clay. Clay does what Clay thinks is best no matter what anyone else thinks."



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Historic Society of Iowa

Des Moines, Iowa

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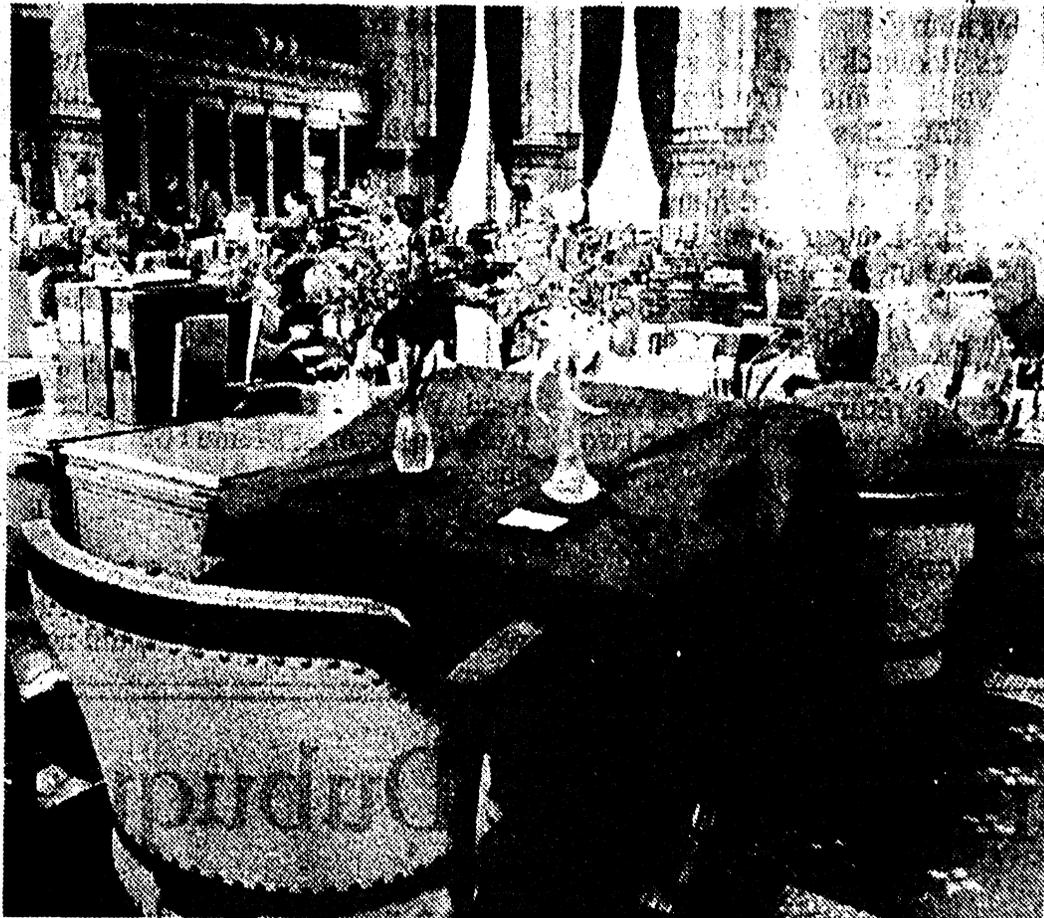
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BILL NEIBERGALL/THE REGISTER

An empty chair, a desk draped in black, and vases with roses mark the death of Rep. Clay Spear, Burlington Democrat.

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Spear's political career followed

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Spear's political career followed nearly 36 years of service as a Postal Service worker.

Born on June 23, 1916, in Davenport to Ralph and Bertha Spear, he began working in a Davenport post office in 1935 as a substitute clerk. He later served as a postal inspector in Huron, S.D., Hannibal, Mo., and Burlington. He was a Postal Service officer in Des Moines from 1966 until his retirement in 1971.

The next year, at 55, Spear decided to run for the Legislature from a southeast Iowa district but was defeated in the Democratic primary. In 1974, he won election to the House.

Master's Degree

Meanwhile, Spear, who earned a bachelor's degree from St. Ambrose College in Davenport in 1941, resumed his education. He received a master's degree from Drake University in Des Moines in 1973.

Re-elected to a 10th term in last November's election, Spear was one of the longest-serving members of the Legislature. Because of political redistricting, Spear established a second residence in rural Des Moines County, near Wever.

Spear belonged to many groups, including the National Association for the Advancement of Colored People, Common Cause, Sierra Club, Association for Retarded Citizens, Iowa Natural Heritage Foundation and the American Association of Retired Persons.

After paying tribute to Spear, the House canceled its work schedule Thursday. It will resume work at 10 a.m. Monday.

A memorial service for Spear will be at 3 p.m. Sunday at First Presbyterian Church in Burlington. The body will be cremated.

Spear is survived by his wife; two daughters, Diantha Ellingsworth of Tuscon, Ariz., and Ann Stutler of Milan, Mo.; a son, Jonathan, of Kansas City, Kan.; two sisters, Celeste Cooper of Monrovia, Calif., and Bertha Miller of Davenport; a brother, Cyrus, of Davenport; and six grandchildren.

Memorial contributions may be made to Beautiful Burlington Association or the park and recreation department in Fort Madison.

Hamilton's Funeral Home of Des Moines is in charge of arrangements.

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ALIVE (G)
Eve 7:20, 9:45 Sat & Sun Mat 1:20, 3:45
A FEW GOOD MEN Tom Cruise (R)
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ASPEN EXTREME (PG-13)
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"Alive" (R): Fleur, Merle Hay Mall Cinema — 7, 9:30.
Westwood — 1:45, 4:15, 7, 9:30.
"Aspen Extreme" (PG-13): Forum, Valley — 7, 9:30.
"The Bodyguard" (R): Forum — 7, 9:30. Sierra — 7:15, 9:45.
"Body of Evidence" (R): Fleur — 9:45. Westwood — 4:30, 9:45. Century — 4:15, 9:45.
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"Damage" — 9:45.
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"Hoffa" (R):
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Vacant House seat is crucial to both parties

By **DAVID YEPESEN**

REGISTER STAFF WRITER

The death of state Rep. Clay Spear, D-Wever, touches off a high-stakes political fight to succeed him in his heavily Democratic district.

Republicans control the 100-member Iowa House by only 51-49, which means an open seat is critical to both parties. Democrats want to hold onto it to stay competitive with the GOP. Republicans would like to pick it up to give themselves a little breathing room on close votes. They have no room to spare in mustering the 51 votes needed to pass a bill.

According to pre-election registration figures for the 99th District, Democrats number 6,800; Republicans, 3,600; and independents, 5,100.

In the 1990 race for state auditor, considered a good benchmark to measure party preference, the Democrats carried 58 percent of the vote.

The district includes most of western Des Moines County, northern Lee County and Fort Madison.

"It's a tough district for a Republican, no question about it," said former state Sen. Mark Hagerla, a West Burlington Republican who has been mentioned as a likely candidate.

He said Thursday he did not want to speculate on being a candidate until after Spear's funeral Sunday, but "I'll have something to say about it after the first of the week."

Secretary of State Elaine Baxter, a Burlington Democrat, said: "It's a Democratic district. . . . The numbers look good, but Hagerla is well-known in the district."

Gov. Terry Branstad has until Monday to set the date for a special election. The first date he could set it

Statehouse NOTES

Grant to provide aid for troubled families

ASSOCIATED PRESS

State officials have announced they will receive a \$100,000 grant to help in their effort to aid troubled children within their family setting.

The grants from the Annie E. Casey Foundation will help officials seek federal money for programs for troubled families and youngsters.

Human Services Director Charles Palmer said the state in the past has emphasized taking children from troubled families and putting them in group care. The state plans to spend an additional \$3.1 million to help shorten the time youngsters spend in group care.

LEGISLATIVE BILLS

INTRODUCED IN THE HOUSE

H.C.R. 4 — Pays tribute to the late prison official Paul Grossheim. By Vande Hoef and others.

H.F. 73 — Requires parents who are getting a divorce to participate in a seminar on the effects of divorce on children. By Rod Halvorson.

H.F. 74 — Bans the use of lawn chemicals by local governments. By Fallon.

H.F. 75 — Broadens a law on winter electric and gas assistance to include aid with heating bills. By Rod Halvorson.

H.F. 76 — Allows a child younger than 5 on Sept. 15 to begin kindergarten in some cases. By Rod Halvorson.

H.F. 77 — Expands the lists from which jury pools are selected. By Rod Halvorson.

H.F. 78 — Bans the sale of leaded gasoline. By Fallon.

H.F. 79 — Allows youngster to testify via closed-circuit television. By Judiciary Committee.

H.F. 80 — Expands the list of children requiring special education. By Daggett.

H.F. 81 — Extends budget guarantees for school districts. By Daggett.

INTRODUCED IN THE SENATE

S.R.2 — Honors former Sen. John Soorholtz. By Agriculture Committee.

S.C.R. 4 — Pays tribute to Thurgood Marshall. By Buhr and others.

S.F. 42 — Requires reporting of academic deficiencies of students entering community colleges and state universities. By Taylor and Dielman.

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Gov. Terry Branstad has until Monday to set the date for a special election. The first date he could set it for is Feb. 9, according to state election officials. They said a more likely date would be Feb. 16.

After he calls the election, state party chairmen will call special conventions of the precinct committee members from each precinct and township in the district, and they will nominate candidates for the special election.

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- S.F. 42** — Requires reporting of academic deficiencies of students entering community colleges and state universities. By Taylor and Dieleman.
- S.F. 43** — Establishes a statewide enhanced 911 telephone service. By Jensen and Fraise.
- S.F. 44** — Establishes an integrated case-management program in the Department of Elder Affairs. By Boswell.

SCHEDULE

■ **No meeting.** Neither house of the Iowa Legislature meets today. Work will resume Monday.

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Monie Hayes

ENTRifugal FORCE, the Central Lee High School Show Choir, will take its act to the High School Music Association Show Choir and Jazz Contest Saturday at Columbus Community High School.

There, entrants from Division (Central Lee's class, based on school size) and IVA high schools will be rated by IHSMA judges. The coveted I rating denotes a superior performance. The Burlington Community High School Jazz Band will also perform at Saturday's contest.)

ENTRifugal FORCE, a 48-member, 12-instrumentalist ensemble under the direction of music activities director Craig Wilkins, will then travel Feb. 6 for an invitational contest in Fort Madison (the Columbus contest is open) and one March 13 at Cedar Rapids Jefferson High School.

~~This is the granddaddy of~~ "v choir contests," Wilkins said, adding that students from a Missouri, Illinois and Wisconsin consin will compete there. Central Lee will voluntarily be upgraded to a IIIA designation that its young performers can test their mettle against the v choirs fielded by schools roughly twice the size of their own, said Wilkins.

Wilkins is proud to share that roughly 40 percent of the ninth-through 12th-graders at Central Lee "are in our music force."

It includes CENTRifugal FORCE as well as the larger, selective concert choir and 125-member Central Lee School Band, which will perform April 29 through May 3 at the Smoky Mountain Music Festival.

Clay Spear

Clay Spear, 76, of 1914 River St., died of a heart attack Wednesday night at Iowa Methodist Hospital in Des Moines.

Born in Davenport, he had lived in Burlington the past 45 years.

Spear was a legislator, representing the 99th District. He was just starting his 10th term. He was a retired post office employee.

He was a member of the First Presbyterian Church, Burlington, Common Cause, the Association for Retarded Citizens, the National Association for the Advancement of Colored People, Birthright, the American Association for Retired Personnel, the National Association for Retired Federal Employees, the National Wildlife Federation, the Iowa Heritage Foundation, the Sierra Club, the North Lee County Historical Society, the Des Moines County Historical Society and the Iowa Historical Society.

Survivors include his wife, Dorothy, two daughters, Diantha Ellingworth of Tuscon, Ariz., and Ann Stutler of Milan, Mo.; a son, Jonathan Spear of Kansas City, Kan.; two sisters, Celeste Cooper of Monrovia, Calif., and Bertha Miller of Davenport; a brother, Cyrus Spear of Davenport; and six grandchildren.

There will be no visitation.

A memorial service for Mr. Spear will be at 3 p.m. Sunday at First Presbyterian Church in Burlington. The body will be cremated.

Memorials for Beautiful Burlington Association or the Park and Recreation Department in Fort Madison have been established.

Hamilton's Funeral Home, Des Moines, is in charge of arrangements.

Raymond Piles

Raymond C. Piles, 79, of Niota, Ill., died at 2 p.m. Wednesday, Jan. 27, 1993, at his home.

Born Nov. 15, 1913, at Gorin, Mo., he was the son of George and Matilda Piles. He married Harriet "Jane" Lefler Dec. 21, 1946, in Fort Madison.

He was a carpenter and contractor most of his life, retiring from the Iowa Army Ammunition Plant in 1978 with 12 years of service.

He was of the Christian faith, and was a past master and member of the Claypoole Lodge No. 13, A.F. & A.M. of Fort Madison, and a member of the Fort Madison Senior Citizens.

Survivors include his wife; one son, Dennis Piles of Niota; two grandsons, and two cousins.

He was preceded in death by his parents and a sister.

Friends may call after noon Friday, with the family receiving friends from 7 to 8 p.m. and a Masonic memorial service at 7:30 p.m. at Barr Memorial Chapel in Fort Madison.

The funeral for Mr. Piles will be at 10 a.m. Saturday at Barr Memorial Chapel with the Rev. Larry Van Gundy officiating. Burial will be in the LaHarpe Cemetery, LaHarpe, Ill.

A memorial has been established. Contributions may be left at the funeral home.

Mary Manley

Mary W. Manley, 86, of Plymouth, Ill., died at 9:30 a.m. Wednesday, Jan. 27, 1993, at her home.

Born Dec. 22, 1906, in St. Clair County, Mo., she was the daughter of Louis and Ivy Holcomb Roeder. She married Orval R. "Bub" Manley on Sept. 7, 1925, in Osceola, Mo. He died Jan. 10, 1988.

She attended Missouri schools and First Baptist Church in Plymouth, Ill. She was a

Rep. Spear dies at 77

By Gene George

The Hawk Eye

Rep. Clay Spear, a veteran Burlington Democrat who served in the Iowa House for 18 years, died late Wednesday of an apparent heart attack in Des Moines. He was 76.

Less than a month ago, Spear started his 10th term in the House as representative of the new 99th District, which includes parts of Des Moines and Lee counties.

The House convened briefly this morning for its daily prayer, then adjourned for the day after lawmakers offered a tribute to Spear. The Senate observed a moment of silence for Spear as its session opened.

"I rise on behalf of all of us to express the sadness that we feel," said Rep. Horace Daggett, R-Creston, who broke into tears as he offered a tribute. "He was a real gentleman."

"We'll all remember him as a very independent member of this body," said House Democratic Leader Bob Arnould, D-Davenport.

Rep. Greg Spenner, R-Mount Pleasant, said this morning that when Spear died, he lost a friend and mentor.

"When I came in four years ago, he took me under his wing," Spenner said. "He was willing to show me the ropes even though I was of the opposite party."

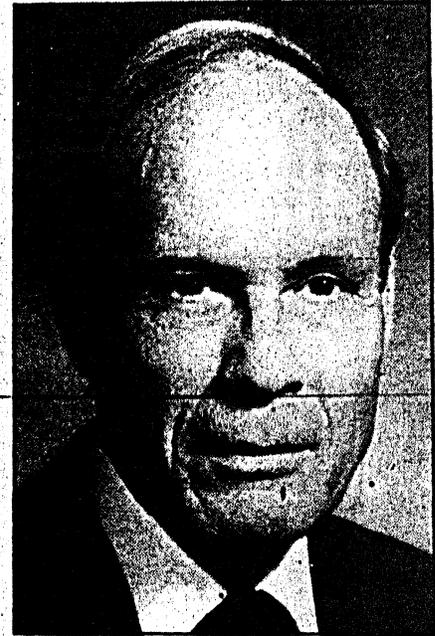
But partisan politics didn't interest Spear as much as did representing the best interests of his constituents, Spenner said.

That made him a successful lawmaker and politician — a man who easily won re-election.

"He simply had to put his name on the ballot," Spenner said. "People knew him."

Spear himself acknowledged his reputation and broad base of support when he won election to his ninth term in 1990: "I've been in there for quite a while," he said in an interview. "A lot of people expect me to be in every two years."

Spenner said he and Spear "developed a good, strong friendship over the last four years. We enjoyed each other's



Rep. Clay Spear

company a lot.

"Frankly, southeast Iowa has lost a great legislator."

Rep. Dennis Cohoon, who rep-

See Spear page 8A▶

F.M. warden pushes for death penalty

By Tom Seery

The Associated Press

DES MOINES — The death penalty would help keep Iowa's prisons safe, two top corrections officials have told legislators.

"It gives a little more security

budget.

Nix retires next week as warden of the Iowa State Penitentiary in Fort Madison. He is credited with bringing a new standard of control to the prison, which houses the state's most dangerous inmates.

Birds of a feat



at 76 in Des Moines



Special election to fill seat

By Gene George

The Hawk Eye

A special election must be called soon to replace Iowa Rep. Clay Spear, a state official said this morning.

Spear, who represented the 99th House District, died Wednesday in Des Moines, less than a month after starting his 10th term as a southeast Iowa legislator.

Spear's replacement will fill almost the entire two-year term and be eligible for reelection in 1994.

When the Legislature is not in session, Iowa law requires a 40-day notice before a special election can be conducted, said Tim Waddell, deputy secretary of state for elections. But because the General Assembly is in session, the code waives that long waiting period and requires the governor to call the election at the earliest time practical.

There was no word from Gov. Terry Branstad's staff today about when the election will be called.

The 99th District, which was created last year after reapportionment, covers Washington

and Green Bay townships in Lee County, the city of Fort Madison, and all of Des Moines County except the city of Burlington and Concordia Township.

Though it is a solidly Democratic district, Republicans are likely to make a major effort to pad their advantage in the House.

Rep. Greg Spenner, R-Mount Pleasant, said he hadn't yet considered who might replace Spear. But Kaytee Davis, Des Moines County GOP chairwoman, said former state Sen. Mark Hagerla is a leading candidate for her party's nomination.

"I visited with him briefly early this morning," Davis said today. Hagerla is interested in running.

However, he declined to talk about the special election today.

"I think the first of next week after the funeral would be more appropriate," Hagerla told The Hawk Eye. "Right now our thoughts ought to be with the family and on the good work Clay has done."

See Election page 8A▶

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Legislators Collec

Moines, Iowa.

Spear

Continued from Page 1A

resents the neighboring 100th District, said he was told Spear suffered a heart attack at about 11 p.m. at his Des Moines residence.

Spear, who retired from the U.S. Postal Service in 1971, was elected to the House of Representatives in 1974. He was elected to his 10th two-year term last November.

He was born in Davenport on June 23, 1916, and graduated from St. Ambrose College, receiving a graduate degree from Drake University. He is survived by his wife, Dorothy, and three children.

Representing southeast Iowa, Spear was active in prison and education issues.

"Clay felt very strongly about education," Spenner said. One of Spear's last votes was cast against the House GOP version of the public school funding bill, which cut more than \$11 million out of Gov. Terry Branstad's requested \$60 million increase.

The vote was strictly along partisan lines — the minority Democrats all opposing the

plan.

But House Speaker Harold Van Maanen, R-Oskaloosa, pointed out this morning that Spear's last vote was with the Republicans.

Spear sided with the GOP in opposing a resolution to end compensation for the pastors who deliver the House daily prayer. Different pastors deliver the prayer each day and are paid \$10 plus 21 cents a mile in expenses.

Spear was the only Democrat to vote with the Republicans.

He was perhaps best known for his reputation as a legislative grammarian who closely scrutinized each bill brought before the House. As issues big and small came before the House, Spear could be counted on to offer amendments correcting grammar and punctuation.

Because of that, Spear's name was on more amendments filed in the chamber than any other representative.

"I think he held the record for introducing the most amendments," Cohoon, a Burlington Democrat, said.

His interest in language also led Spear to head an effort to amend the state Constitu-

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Election

Continued from Page 1A

Hagerla, a rural West Burlington Republican, served one term in the Iowa Senate, and lost re-election to Sen. Gene Fraise, D-rural Fort Madison, in November. The two were thrown together by redistricting.

Spear, who formerly represented the 61st District that included Burlington, had to move his legal residence to Augusta to run in the new 99th District. Hagerla already lives in the district.

Davis said she hadn't talked to Larry Taeger, a newcomer who lost to Spear in November's election. Taeger was not available for comment this morning. Nor were local Democratic officials.

Under the law, Branstad must give the Lee and Des Moines county auditors, who will conduct the election, and local party leaders a 10-day notice before the election, Secretary of State Elaine Baxter said.

"In real terms, it will be more than 10 days," Baxter said this morning. "There must be a convention so that both parties can name their nominees."

Only the precinct committee members who live in the 99th District will vote at the conventions, she said. Separate conventions for both parties will be conducted in both counties.

"It's not unusual to have more than one person want to be the party's nominee," she said. "But instead of a primary, the candidates will campaign just to the precinct committee people."

Nor will there be much of a general campaign, she said.

"Because the Legislature's in session, the election campaign will be brief," she said. "It's important to fill the vacancy as soon as possible."

All that's needed is enough time to call the conventions and print the ballots, she said.

Baxter won election to the Legislature in 1982 through a special election. The incum-

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tion to delete a ban on dueling.

The Constitution had included an arcane provision that prohibited those who took part in a duel from serving in elected office. Considering it useless, Spear led an effort in two consecutive general assemblies to adopt resolutions calling on voters to repeal the provision.

The issue went before voters last November and was approved. It got little attention, however, with most focus being on a proposed Equal Rights Amendment that was rejected by voters.

This session, however, Spear introduced another version of the ERA that would change the Constitution to say "All men and women are, by nature, free and equal ...," eliminating controversial wording that referred to gender equality.

Spear's death also will have partisan implications for the House, which is controlled on a razor-thin 51-49 edge by the Republicans.

Branstad will call a special election to find Spear's replacement.

Associated Press reports were included in this story.

bent she replaced resigned just after the first of January and then-Gov. Robert Ray called an election for the end of the month.

"It was a very, very quick campaign," she recalled.

She took her seat in the House immediately after the special election vote was canvassed.

Waddell said the boards of supervisors in both counties will canvass the votes for precincts in their counties. The state Executive Council — made up of Branstad, Baxter, State Auditor Richard Johnson, Treasurer Michael Fitzgerald and Agriculture Secretary Dale Cochran — will conduct the final canvass.

Des Moines and Lee counties will have to bear the cost of the special election, as they would any other election, Waddell said. He estimated the voting could cost each county between \$3,000 and \$4,000.

"The cost varies with the type of voting machine," he said. "The counties have to open up every polling place and hire the polling officials, and that's what really costs."

Schmidts

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Historical Society of Iowa, Library, Des Moines, Iowa

SPORTS

Indian

By Craig Sesker

The Hawk Eye

OTTUMWA — Southeastern Community College basketball players were greeted by a massive banner as they entered the Hellyer Student Life Center early Wednesday evening.

It read: "Beware Burlington. This is our house and we play by our rules!"

Indian Hills was not kidding.

The Warriors shifted into high gear late in the first half and kept picking up speed in the second half as they routed 13th-ranked Southeastern, 96-68, in Iowa regional play.

It marked the sixth straight time Indian Hills had defeated the Blackhawks at home. Indian Hills improved to 18-2 overall.

ISU so by Drake

AMES (AP) — Iowa State's 1 over Drake was a fact finder's Consider:

■ It was the widest margin in the 152-game series, topping 92-61 romp in Des Moines last

■ It was the most points scored by a team in the series, the previous high being 100-77 in 1989 when Iowa State won in overtime.

■ Iowa State hadn't scored 100 points in a game since beating Kansas City 121-82 on Dec. 5, 1979.

■ And Drake has given up only once, losing to Wichita State Feb. 15, 1979.

"We didn't expect to win by like that," said Iowa State coach Orr, whose team improved to

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Localities: Burl, Des Moines, Iowa
Burlington, Des Moines, Iowa
Fairway Center, Des Moines, Iowa
Latty, Des Moines, Iowa
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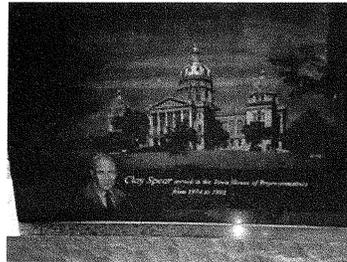
Clay Spear served in the Iowa House of Representatives from 1974 to 1993.

Burial:
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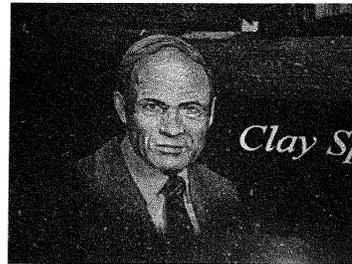
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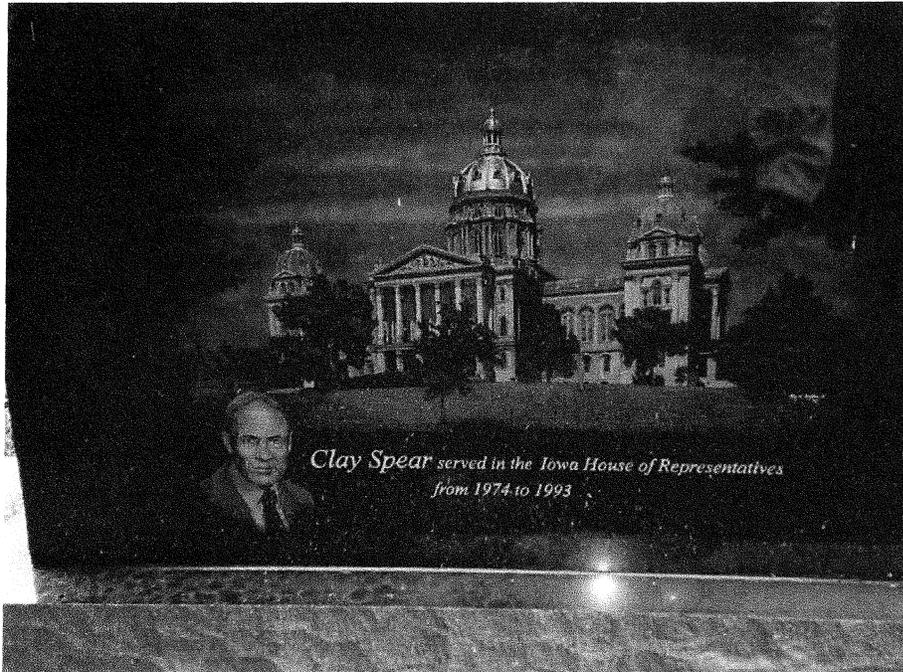


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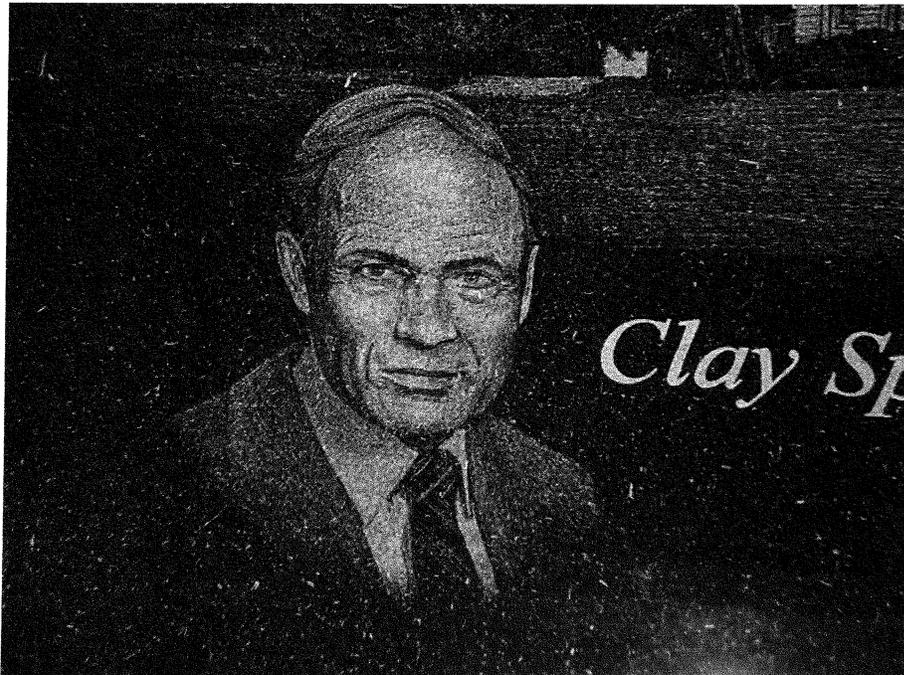


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