

February 16, 1965.

Industrial and Human Relations.

*Pass as amended 3/10
Special order of business for 3/23*

House File 263

By GILLETTE of Story, MAULE, DUNTON, RASMUSSEN, GAUDINEER, HAUSHEER, WILSON, COHEN, CARNAHAN, MAHAN, BRINCK, BREMMER, MELROSE, REICHARDT, MAYBERRY, COCHRAN, RESNICK, JACKSON of Clinton, GLEASON, CAFFREY, DISTELHORST, MALEY, GANNON, CLAPSADDLE, FULLMER, KORN, GILLETTE of Clay-Dickinson, KENNEDY, OEHLSEN, BUSING, MILLER of Buena Vista, KEMPTER, VARNEY, RADL, GREGERSON, NAGLE, WENGERT, JACKSON of Black Hawk, MILLER of Des Moines, DENATO, DODERER, RIDER, GLANTON, PALMER, SHANNAHAN, RICKERT, BAKER, O'MALLEY, HAGEMAN, SHIRLEY of Dallas, DETJE, GLENN, CRAIG and RENDA.

Passed House, Date 3/24 Passed Senate, Date 4/14
Vote: Ayes 119 Nays 0 Vote: Ayes 51 Nays 0
Approved April 29, 1965

A BILL FOR

*passed on file 3/25
judiciary 3/29
industrial + human relations 3/31
"de pass" 3/31*

An Act relating to prohibiting unfair and discriminatory practices in public accommodations, employment, apprenticeship programs, on-the-job training programs, vocational schools, and housing.

Be It Enacted by the General Assembly of the State of Iowa:

*passed House as amended 4/21 (108-0)
motion to reconsider lost 4/21*

1 Section 1. This Act may be known and may be cited as the "Iowa
2 Civil Rights Act of 1965".

1 Sec. 2. When used in this Act, unless the context otherwise
2 requires:

3 1. "Court" means the district court in and for the judicial
4 district of the state of Iowa in which the alleged unfair or dis-
5 criminatory practice occurred or any judge of said court if the
6 court is not in session at that time.

7 2. "Person" means one (1) or more individuals, partnerships,
8 associations, corporations, legal representatives, trustees,
9 receivers, and the state of Iowa and all political subdivisions
10 and agencies thereof.

11 3. "Employment agency" means any person undertaking to procure
12 employees or opportunities to work for any other person or any
13 person holding himself or itself to be equipped to do so.

14 4. "Labor organization" means any organization which exists
15 for the purpose in whole or in part of collective bargaining, of
16 dealing with employers concerning grievances, terms, or conditions
17 of employment, or of other mutual aid or protection in connection
18 with employment.

19 5. "Employer" means the state of Iowa or any political sub-
20 division, board, commission, department, institution, or school
21 district thereof, and every other person employing employees with-
22 in the state.

23 6. "Employee" means any person employed by an employer.

24 7. "Unfair practice" or "discriminatory practice" means those
25 practices specified as unfair or discriminatory in sections six
26 (6), seven (7), and eight (8) of this Act.

27 8. "Commission" means the Iowa state civil rights commission
28 created by this Act.

29 9. "Commissioner" means a member of the commission.

30 10. "Public accommodation" means each and every place, estab-
31 lishment, or facility of whatever kind, nature, or class that
32 caters or offers services, facilities, or goods to the general
33 public for a fee or charge, provided that any place, establishment,
34 or facility that caters or offers services, facilities, or goods
35 to the general public gratuitously shall be deemed a public accom-
36 modation if the accommodation receives any substantial governmental
37 support or subsidy. Public accommodation shall not mean any
38 bona fide private club or other place, establishment, or facility

39 which is by its nature distinctly private, except that where public
40 use of such is a distinctly private place, establishment, or facility
41 is permitted, such use shall deem the accommodation a public
42 accommodation. Public accommodation shall not include housing
43 accommodations other than housing accommodations available pri-
44 for transients. marily

1 Sec. 3. The Iowa state civil rights commission shall consist of
2 seven (7) members appointed by the governor with the advice and
3 consent of the senate. Appointments shall be made to provide
4 geographical area representation insofar as may be practicable.
5 No more than four (4) members of the commission shall belong to
6 the same political party. Members appointed to the commission shall
7 serve for a term of four (4) years except the initial appointees
8 shall be appointed by the governor to serve as follows:

9 1. Three (3) members shall serve from the date of appointment
10 until June 30, 1967.

11 2. Four (4) members shall serve from the date of appointment
12 until June 30, 1969.

13 Vacancies on the commission shall be filled by the governor by
14 appointment for the unexpired part of the term of the vacancy with
15 the advice and consent of the senate if the general assembly shall
16 be in session. Any appointment filling a vacancy occurring while
17 the general assembly is not in session shall be transmitted to the
18 senate for confirmation within thirty (30) days following the con-
19 vening of the next session of the general assembly or the appoint-
20 ment shall expire. Any commissioner may be removed from office by
21 the governor for cause.

1 Sec. 4. Commissioners shall serve without compensation but
2 shall be reimbursed for necessary travel and other expenses in-
3 curred while on official commission business. The commission shall
4 adopt, amend, or rescind such rules as shall be necessary for the
5 conduct of its meetings. A quorum shall consist of four (4) com-
6 missioners.

1 Sec. 5. The commission shall have the following powers and
2 duties:

3 1. To appoint and prescribe the duties of a director and such
4 investigators and other employees and agents as the commission
5 shall deem necessary for the enforcement of this Act.

6 2. To receive, investigate, and pass upon complaints alleging
7 unfair or discriminatory practices.

8 3. To investigate and study the existence, character, causes,
9 and extent of discrimination in public accommodations, employment,
10 apprenticeship programs, on-the-job training programs, vocational
11 schools, and housing in this state and to attempt the elimination
12 of such discrimination by education and conciliation.

13 4. To hold hearings upon any complaint made against a person,
14 an employer, an employment agency, or a labor organization, or the
15 employees or members thereof, to subpoena witnesses and compel
16 their attendance at such hearings, to administer oaths and take
17 the testimony of any person under oath, and to compel such person,
18 employer, employment agency, or labor organization, or employees
19 or members thereof to produce for examination any books and papers
20 relating to any matter involved in such complaint. Such hearings
21 may be held by the commission, by any commissioner, or by any
22 hearing examiner appointed by the commission. If a witness either

23 fails or refuses to obey a subpoena issued by the commission, the
24 commission may petition the district court having jurisdiction for
25 issuance of a subpoena and the court shall in a proper case issue
26 the subpoena. Refusal to obey such subpoena shall be subject to
27 punishment for contempt. No person shall be excused from attending
28 and testifying or from producing records, correspondence, documents,
29 or other evidence in obedience to a subpoena in any such matter
30 on the ground that the evidence or the testimony required of him
31 may tend to incriminate him or subject him to any penalty or for-
32 feiture; but no person shall be prosecuted or subjected to any
33 penalty or forfeiture for or on account of any transaction, matter,
34 or thing concerning which he shall be compelled to testify or
35 produce evidence after having claimed his privilege against self-
36 incrimination, except that such person on testifying shall not be
37 exempted from prosecution and punishment for perjury committed in
38 so testifying.

39 5. To issue such publications and reports of investigations
40 and research as in the judgment of the commission shall tend to
41 promote good will among the various racial, religious, and ethnic
42 groups of the state and which shall tend to minimize or eliminate
43 discrimination in public accommodations, employment, apprenticeship
44 and on-the-job training programs, vocational schools, or housing
45 because of race, creed, color, national origin, religion, or
46 ancestry.

47 6. To prepare and transmit to the governor and to the general
48 assembly from time to time, but not less often than once each
49 year, reports describing its proceedings, investigations, hearings
50 conducted and the outcome thereof, decisions rendered, and the

51 other work performed by the commission.

52 7. To make recommendations to the general assembly for such
53 further legislation concerning discrimination because of race,
54 creed, color, national origin, religion, or ancestry as it may
55 deem necessary and desirable.

56 8. To cooperate, within the limits of any appropriations made
57 for its operation, with other agencies or organizations, both
58 public and private whose purposes are consistent with those of this
59 Act, and in the planning and conducting of programs designed to
60 eliminate racial, religious, cultural, and intergroup tensions.

61 9. To adopt, publish, amend, and rescind regulations consistent
62 with and necessary for the enforcement of this Act.

1 Sec. 6. 1. It shall be an unfair or discriminatory practice for
2 any owner, lessee, sublessee, proprietor, manager, or superintendent
3 of any public accommodation or any agent or employee thereof:

4 a. To refuse or deny to any person because of race, creed,
5 color, national origin, or religion the accommodations, advantages,
6 facilities, services, or privileges thereof, or otherwise to dis-
7 criminate against any person because of race, creed, color, national
8 origin, or religion in the furnishing of such accommodations, ad-
9 vantages, facilities, services, or privileges.

10 b. To directly or indirectly advertise or in any other manner
11 indicate or publicize that the patronage of persons of any par-
12 ticular race, creed, color, national origin, or religion is un-
13 welcome, objectionable, not acceptable, or not solicited.

14 2. This section shall not apply to:

15 a. Any bona fide religious institution with respect to any
16 qualifications the institution may impose based on religion when

17 such qualifications are related to a bona fide religious purpose.

18 b. The rental or leasing to transient individuals of less
19 than six (6) rooms within a single housing accommodation by the
20 occupant or owner of such housing accommodation if the occupant or
21 owner or members of his family reside therein.

1 Sec. 7. 1. It shall be an unfair or discriminatory practice
2 for any:

3 a. Person to refuse to hire, accept, register, classify, or
4 refer for employment, to discharge any employee, or to otherwise
5 discriminate in employment against any applicant for employment or
6 any employee because of the race, creed, color, national origin,
7 or religion of such applicant or employee.

8 b. Labor organization or the employee, agents, or members
9 therefor to refuse to admit to membership any applicant, to expel
10 any member, or to otherwise discriminate against any applicant for
11 membership or any member in the privileges, rights, or benefits of
12 such membership because of the race, creed, color, national origin,
13 or religion of such applicant or member.

14 c. Employer, employment agency, labor organization, or the
15 employees, agents, or members thereof to directly or indirectly
16 advertise or in any other manner indicate or publicize that indi-
17 viduals of any particular race, creed, color, national origin, or
18 religion are unwelcome, objectionable, not acceptable, or not
19 solicited for employment or membership.

20 2. This section shall not apply to:

21 a. Any employer who regularly employs less than four (4) indi-
22 viduals. For purposes of this subsection, individuals who are
23 members of the employer's family shall not be counted as employees.

24 b. The employment of individuals for work within the home of
25 the employer if the employer or members of his family reside
26 therein during such employment.

27 c. The employment of individuals to render personal service
28 to the person of the employer or members of his family.

29 d. Any bona fide religious institution with respect to any
30 qualifications for employment based on religion when such quali-
31 fications are related to a bona fide religious purpose.

1 Sec. 8. It shall be an unfair or discriminatory practice for:

2 1. Any person intentionally aid, abet, compel, or coerce
3 another person to engage in any of the practices declared unfair
4 or discriminatory by this Act.

5 2. Any person to discriminate against another person in any of
6 the rights protected against discrimination on the basis of race,
7 creed, color, national origin, or religion by this Act because
8 such person has lawfully opposed any practice forbidden under this
9 Act, obeys the provisions of this Act, or has filed a complaint,
10 testified, or assisted in any proceeding under this Act.

1 Sec. 9. 1. Any person claiming to be aggrieved by a discrimi-
2 natory or unfair practice may, by himself or his attorney, make,
3 sign, and file with the commission a verified, written complaint
4 in duplicate which shall state the name and address of the person,
5 employer, employment agency, or labor organization alleged to have
6 committed the discriminatory or unfair practice of which complained,
7 shall set forth the particulars thereof, and shall contain such
8 other information as may be required by the commission. The com-
9 mission, a commissioner, or the attorney general may in like
10 manner make, sign, and file such complaint.

11 2. Any place of public accommodation, employer, labor organi-
12 zation, or other person who has any employees or members who
13 refuse or threaten to refuse to comply with the provisions of this
14 Act may file with the commission a verified written complaint in
15 duplicate asking the commission for assistance to obtain their
16 compliance by conciliation or other remedial action.

17 3. After the filing of a complaint, a commissioner or a duly
18 authorized member of the commission's staff shall make a prompt
19 investigation thereof and if such investigating official shall
20 determine that probable cause exists for crediting the allegations
21 of the complaint, the investigating official shall immediately
22 endeavor to eliminate such discriminatory or unfair practice by
23 conference, conciliation, and persuasion.

24 4. The members of the commission and its staff shall not dis-
25 close the filing of a complaint, the information gathered during
26 the investigation, or the endeavors to eliminate such discriminatory
27 or unfair practice by conference, conciliation, and persuasion,
28 unless such disclosure is made in connection with the conduct of
29 such investigation.

30 5. In case of failure to satisfactorily settle a complaint by
31 conference, conciliation, and persuasion, or in advance thereof if
32 in the opinion of the investigating official circumstances so war-
33 rant, the official may issue and cause to be served a written
34 notice together with a copy of such complaint, as the same may have
35 been amended, requiring the person, employer, employment agency,
36 or labor organization named in such complaint, hereafter referred
37 to as respondent, to answer the charges of such complaint in writing
38 within ten (10) days after the date of such notice or within such

39 extended time as the investigating official may allow.

40 6. When the investigating official is satisfied that further
41 endeavor to settle a complaint by conference, conciliation, and
42 persuasion shall be futile, the official shall report the same to
43 the commission. If the commission determines that the circumstances
44 warrant, it shall issue and cause to be served a written notice
45 requiring the respondent to answer the charges of such complaint
46 at a hearing before the commission, a commissioner, or such other
47 person designated by the commission to conduct the hearing, here-
48 after referred to as hearing examiner, and at a time and place to
49 be specified in such notice.

50 7. The case in support of such complaint shall be presented at
51 the hearing by one (1) of the commission's attorneys or agents.
52 The investigating official shall not participate in the hearing
53 except as a witness nor shall he participate in the deliberations
54 of the commission in such case.

55 The respondent may file a written verified answer to the
56 complaint, appear at the hearing in person, or otherwise, with or
57 without counsel, and submit testimony. In the discretion of the
58 hearing examiner, a complainant may be allowed to intervene and
59 present testimony in person or by counsel.

60 9. When a respondent has failed to answer a complaint at a
61 hearing as provided by this section the commission may enter his
62 default. For good cause shown, the commission may set aside an
63 entry of default within ten (10) days after the date of such entry.
64 If the respondent is in default, the commission may proceed to hear
65 testimony adduced upon behalf of the complainant. After hearing
66 such testimony, the commission may enter such order as in its

67 opinion the evidence warrants.

68 10. The commission or the complainant shall have the power to
69 reasonably and fairly amend any complaint and the respondent shall
70 have like power to amend his answer.

71 11. The commission shall not be bound by the strict rules of
72 evidence prevailing in courts of law or equity but the right of
73 cross-examination shall be preserved. The testimony taken at a
74 hearing shall be under oath and shall be transcribed.

75 12. If, upon taking into consideration all the evidence at a
76 hearing, the commission shall find that a respondent has engaged in
77 or is engaging in, any discriminatory or unfair practice as defined
78 in this Act, the commission shall state its findings of fact and
79 shall issue and cause to be served upon such respondent an order
80 requiring such respondent to cease and desist from such discrimi-
81 natory or unfair practice and to take such affirmative action, in-
82 cluding, but not limited to, hiring, reinstatement, or upgrading
83 of employees, with or without back pay, the referring of applicants
84 for employment by any respondent employment agency, the admit-
85 or restoration to membership by any respondent labor organization,
86 the admission to or continuation in enrollment in an apprenticeship
87 program, on-the-job training program, the posting of notices, and
88 the making of reports as to the manner of compliance, as in the
89 judgment of the commission shall effectuate the purposes of this
90 Act.

91 13. If, upon taking into consideration all of the evidence at a
92 hearing, the commission shall find that a respondent has not engaged
93 in any such discriminatory or unfair practice, the commission shall
94 state its findings of fact and shall issue and cause to be served

95 an order on the complainant dismissing the complaint.

96 14. The commission shall establish rules to govern, expedite,
97 and effectuate the procedures established by this Act and its own
98 actions thereunder.

99 15. Any complaint filed under this Act shall be so filed within
100 ninety (90) days after the alleged discriminatory or unfair practice
101 occurred.

1 1. Any complainant or respondent claiming to be
2 aggrieved by a final order of the commission, including a refusal
3 to issue an order, may obtain judicial review thereof, and the com-
4 mission may obtain an order of court for the enforcement of com-
5 mission orders in a proceeding as provided in this section.

6 2. Such proceeding shall be brought in the district court of
7 the district in the county in which the alleged discriminatory or
8 unfair practice which is the subject of the commission's order was
9 committed, or in which any respondent required in the order to
10 cease or desist from a discriminatory or unfair practice or to take
11 other affirmative action, resides, or transacts business.

12 3. Such proceeding shall be initiated by the filing of a peti-
13 tion in such court and the service of a copy thereof upon the
14 commission and upon all parties who appeared before the commission.
15 Thereupon the commission shall file with the court a transcript of
16 the record of the hearing before it. The court shall have juris-
17 diction of the proceeding and the questions determined therein,
18 and shall have power to grant such temporary or restraining
19 order as it deems just and proper, and to make and enter upon the
20 pleadings, testimony, and proceedings set forth in such transcript
21 an order enforcing, modifying, and enforcing as so modified, or

22 setting aside the order of the commission, in whole or in part.

23 4. An objection that has not been urged before the commission
24 shall not be considered by the court, unless the failure or neg-
25 lect to urge such objection shall be excused because of extra-
26 ordinary circumstances.

27 5. Any party may move the court to remit the case to the com-
28 mission in the interests of justice for the purpose of adducing
29 additional specified and material evidence and seeking findings
30 thereof, providing such party shall show reasonable grounds for
31 the failure to adduce such evidence before the commission.

32 6. The findings of the commission as to the facts shall be
33 conclusive if supported by substantial evidence.

34 7. The jurisdiction of the court shall be exclusive and its
35 judgment and order shall be final subject to review by the supreme
36 court as provided by law.

37 8. The commission's copy of the testimony shall be available
38 to all parties for examination at all reasonable times, without
39 costs, and for the purpose of judicial review of the commission's
40 orders.

41 9. The commission may appear in court by its own attorney.

42 10. Unless otherwise directed by the commission or court, com-
43 mencement of review proceedings under this section shall operate
44 as a stay of any order.

45 11. Petitions filed under this section shall be heard expedi-
46 tiously and determined upon the transcript filed without require-
47 ment for printing. Hearings in the court under this Act shall
48 take precedence over all other matters except matters of the same
49 character.

50 12. If no proceeding to obtain judicial review is instituted
 51 by a complainant or respondent within thirty (30) days from the
 52 service of an order of the commission under section nine (9) of
 53 this Act, the commission may obtain an order of the court for the
 54 enforcement of such order upon showing that respondent is subject
 55 to the jurisdiction of the commission and resides or transacts
 56 business within the county in which the petition for enforcement
 57 is brought.

1 Sec. 11. This Act shall be construed broadly to effectuate
 2 its purpose.

1 Sec. 12. If any provision of this Act or the application there
 2 of to any person shall be invalid, such invalidity shall not affect
 3 the provisions or application of this Act which can be given effect
 4 without the invalid provisions or application and to this end the
 5 provisions of the Act are declared severable.

1 Sec. 13. Sections seven hundred thirty-five point one (735.1)
 2 and seven hundred thirty-five point two (735.2), Code 1962, as
 3 amended by chapter three hundred thirty (330), Acts of the Sixtieth
 4 General Assembly, are hereby repealed.

EXPLANATION OF HOUSE FILE 263

The purpose of this act is to provide procedures for prohibiting unfair and discriminatory practices in public accommodations, employment, apprenticeship programs, on-the-job training programs, vocational schools, and housing. A seven-member Civil Rights Commission is established to receive, investigate, process, and determine the justification of any complaints alleging unfair or discriminatory practices. Decisions of the commission can be appealed to the courts.

EXPLANATION

(Corrected Explanation to House File 263)

1 The purpose of this Act is to provide procedures for investi-
 2 gating complaints of unfair and discriminatory practices in
 3 public accommodations, employment, apprenticeship programs, on-
 4 the-job training programs and vocational schools. A seven-
 5 member Civil Rights Commission is established to receive,
 6 investigate, process, study and determine the justification of
 7 any complaints alleging unfair or discriminatory practices.
 8 Decisions of the Commission can be appealed to the courts.

Filed
 February 24, 1965.

COHEN of Black Hawk.

HOUSE FILE 263

- 1 Amend House File 263 by striking paragraph 6 of
- 2 section 10 and substituting in lieu thereof the following:
- 3 "The hearing on appeal shall be tried in equity and shall
- 4 be de novo. The court may receive additional testimony and
- 5 may affirm, modify, or reverse the order of the commission."

Filed

April 13, 1965.

*Adopted 4/14 (23-3)
House concurred 4/21*

By SCHROEDER.

HOUSE FILE 263

- 1 Amend House File 263 as follows:
- 2 1. By inserting the following new section after section
- 3 4 and renumbering the following sections:
- 4 "Sec. 5. The attorney general shall serve as executive
- 5 officer and director of the commission. He shall appoint and
- 6 prescribe the duties of such investigators and other employees
- 7 as he may deem necessary to carry out the purposes of this Act."
- 8 2. By striking from section 5 all of subsection 1 and by
- 9 renumbering the remaining subsections.

Filed

April 13, 1965.

Withdrawn 4/15

By WALKER.

HOUSE FILE 263

- 1 Amend House File 263 as follows:
- 2 1. By inserting in line 45 of section 5
- 3 after the word "religion," the word "sex,".
- 4 2. Further amend by inserting in line 54 of
- 5 subsection 7 after the word "religion," the word "sex,".
- 6 3. Amend section 6, subsection 1, paragraph a, line
- 7 7 by adding after the word "color," the word "sex,".
- 8 4. Further amend by adding in section 6, subsection 1, paragraph
- 9 b, line 12 after the word "color," the word "sex,".
- 10 5. Amend section 7, subsection 1, paragraph a, line
- 11 6 by adding after the word "color," the word "sex,".
- 12 6. Further amend section 7, subsection 1, paragraph b,
- 13 by adding after the word "color," the word "sex,".
- 14 7. Amend section 7, subsection 1, paragraph c, by adding
- 15 after the word "color," the word "sex,".
- 16 8. Amend section 8, subsection 2, by adding after the word
- 17 "color," the word "sex,".

Filed and lost (22-31)
April 14, 1965.

By HEVING.

HOUSE FILE 263

- 1 Amend House File 263 as follows:
- 2 1. Amend section 5, lines 45
- 3 and 54, by inserting after the word "religion"
- 4 the words "age, when the reasonable demands of the position
- 5 do not require an age distinction,".
- 6 2. Amend section 6, lines 5 and
- 7 8, by inserting after the word "origin", the words "age,
- 8 when the reasonable demands of the position do not require
- 9 an age distinction,".
- 10 3. Amend section 7, lines 6, 12,
- 11 and 17, by inserting after the word "origin"
- 12 the words "age, when the reasonable demands of the position
- 13 do not require an age distinction,".
- 14 4. Amend section 8, line 7, by insert-
- 15 ing after the word "origin" the words "age, when the
- 16 reasonable demands of the position do not require an age
- 17 distinction,".

Filed and withdrawn
April 14, 1965.

By RILEY and HAGEDORN.

HOUSE FILE 263

- 1 Amend House File 263 by striking from section nine (9),
- 2 line four (4), the word "duplicate" and inserting in lieu
- 3 thereof the word "triplicate".

Filed
March 22, 1965.

Adopted 3/23

GRAHAM of Ida-Sac.
SMITH of O'Brien.

HOUSE FILE 263

- 1 Amend House File 263 by striking in line seventy-four (74) of
- 2 subsection eleven (11) of section nine (9) the words "and shall
- 3 be transcribed" and by inserting in lieu thereof the words
- 4 ", reported, and, if ordered by the commission, transcribed".

Filed
March 19, 1965.

Adopted 3/23

GAUDINEER of Polk.

HOUSE FILE 263

- 1 Amend House File 263, section nine (9), by inserting after
- 2 the period in line seventy-three (73) the following sentence:
- 3 "Complainant shall bear the burden of proving the allegations
- 4 in his complaint."

Filed and adopted
March 23, 1965.

SCHERLE of Fremont-Mills.

HOUSE FILE 263

- 1 Amend House File 263 by adding thereto the following new
- 2 section:
- 3 "This Act being deemed of immediate importance shall be in
- 4 full force and effect from and after its passage and publica-
- 5 tion in the Ames Daily Tribune, a newspaper published at Ames,
- 6 Iowa, and in the Glenwood Opinion-Tribune, a newspaper published
- 7 at Glenwood, Iowa."

Filed and Adopted
March 24, 1965.

SCHERLE of Fremont-Mills.

HOUSE FILE 263

- 1 Amend House File 263, section nine (9), by inserting in
- 2 line seventeen (17) before the first word "a" the word
- 3 "verified".

Filed and Adopted
March 24, 1965.

JACKSON of Black Hawk.

HOUSE FILE 263

- 1 Amend House File 263 as follows:
- 2 Amend section three (3) by inserting immediately after the
- 3 period (.) in line three (3) the following: "Two (2) members
- 4 shall be members of a labor organization, two (2) members shall
- 5 be employers, two (2) members shall be practicing attorneys at
- 6 law and one (1) member shall be representative of the interest
- 7 of the public. The members representing labor, the employers
- 8 and the attorneys at law shall each respectively be members of
- 9 different political parties."

Filed
March 23 1965

lost 3/23

MILLER of Page.

HOUSE FILE 263

- 1 Amend House File 263 as follows:
- 2 1. Amend section six (6), line eighteen (18), by
- 3 striking the word "transient".
- 4 2. Amend section six (6), line nineteen (19), by
- 5 inserting after the word "accommodation" the words
- 6 "or the other portion of a two-family home or duplex".

Filed
March 23, 1965.

lost 3/24

WINKELMAN of Calhoun.
KLUEVER of Cass.
TIEDEN of Clayton.

HOUSE FILE 263

- 1 Amend House File 263 as follows:
- 2 Amend section five (5) by changing the comma (,) following the word "commission" to a period (.) and by
- 3 striking the remainder of the sentence in lines twenty-one
- 4 (21) and twenty-two (22).
- 5 Amend section nine (9) by striking from lines forty-six
- 6 (46), forty-seven (47) and forty-eight (48) the following:
- 7 "a commissioner, or such other person designated by
- 8 the commission to conduct the hearing, hereafter referred
- 9 to as hearing examiner."
- 10

Filed
March 23, 1965.

lost 3/23 and 3/22
mills 82

MILLER of Page.

HOUSE FILE 263

- 1 Amend House File 263 as follows:
- 2 1. By inserting in line 22, section 5, following
- 3 the period after the word "commission" the following
- 4 sentence: "A person, an employer, an employment
- 5 agency, or a labor organization against whom a
- 6 complaint is filed with the commission may demand and
- 7 be granted a private hearing by the commission."

Filed
March 17, 1965. *Last 3/23*

KLUEVER of Cass.

HOUSE FILE 263

- 1 Amend House File 263 as follows:
- 2 1. By inserting in line 11, section 5, following
- 3 the word "housing" the following: ", within the meaning
- 4 of this Act."

Filed
March 17, 1965. *Last 3/23*

MILLEN of Jefferson-Van Buren.
NELSON of Cherokee.

HOUSE FILE 263

- 1 Amend House File 263 as follows:
- 2 1. By striking in line 41, section 5, the words
- 3 "the various" and inserting in lieu thereof the word "all".

Filed
March 17, 1965. *Last 3/23*

KLUEVER of Cass.

HOUSE FILE 263

- 1 Amend House File 263 as follows:
- 2 1. By inserting in line 47, section 5, before
- 3 the word "general" the words "members of".

Filed
March 17, 1965. *Last 3/23*

KLUEVER of Cass.

HOUSE FILE 263

- 1 Amend House File 263 as follows:
- 2 1. By striking in line 42, section 10, the following
- 3 words "commission or".

Filed
March 17, 1965. *Last 3/23*

GRASSLEY of Butler.
BUSCH of Bremer.
SCHERLE of Fremont-Mills.

HOUSE FILE 263

- 1 Amend House File 263 as follows:
- 2 1. By inserting in line 33, section 10, following
- 3 the word "substantial" the following: ", prohibitive and
- 4 reliable".

Filed
March 17, 1965. *Last 3/23*

BARINGER of Fayette.

HOUSE FILE 263

- 1 Amend House File 263 as follows:
- 2 1. By striking in lines 15 and 16, section 10, the
- 3 following sentence: "Thereupon the commission shall
- 4 file with the court a transcript of the record of the
- 5 hearing before it" and inserting in lieu thereof the
- 6 following: "Within fifteen (15) days thereafter the
- 7 commission shall file with the court a complete, true,
- 8 and correct transcript of the record of the hearing
- 9 before it and mail a copy of same to the respondent
- 10 or complainant or their attorney".

Filed
March 17, 1965. *Last 3/23*

BARINGER of Fayette

HOUSE FILE 263

- 1 Amend House File 263 as follows:
- 2 1. Amend section five (5), lines forty-five (45) and fifty-
- 3 four (54), by inserting after the word "religion" the words
- 4 "age, sex,".
- 5 2. Amend section six (6), lines five (5) and eight (8),
- 6 by inserting after the word "origin" the words "age, sex,".
- 7 3. Amend section seven (7), lines six (6), twelve (12), and
- 8 seventeen (17), by inserting after the word "origin" the words
- 9 "age, sex,".
- 10 4. Amend section eight (8), line seven (7), by inserting
- 11 after the word "origin" the words "age, sex,".

Filed
March 17, 1965. *Last 3/23*

CAFFEY of Polk.

HOUSE FILE 263

- 1 Amend House File 263 as follows:
- 2 1. By inserting in line 95, section 9, following
- 3 the word "complainant" the following words "and the
- 4 respondent".

Filed
March 17, 1965.

adopted 3/23

DEN HERDER of Sioux.
MILLER of Page.

HOUSE FILE 263

- 1 Amend House File 263 as follows:
- 2 1. By inserting in line 17, section 9, following the word
- 3 "complaint," the words "a true copy thereof shall be served
- 4 by registered mail to the person against whom the complaint
- 5 is filed. Then".

Filed
March 17, 1965.

*adopted 3/23 says 58
says 54*

SCHERLE of Fremont-Mills.

HOUSE FILE 263

- 1 Amend House File 263 as follows:
- 2 1. By inserting in line 20, section 5, following the
- 3 period after the word "complaint" the following sentence:
- 4 "The commission shall issue subpoenas for witnesses in the
- 5 same manner and for the same purposes on behalf of the
- 6 respondent upon his request."

Filed
March 17, 1965.

adopted 3/23

KLUEVER of Cass.

HOUSE FILE 263

- 1 Amend House File 263 as follows:
- 2 1. By striking in section 2, lines 39, 40, 41 and
- 3 42, the following words, "except that where public use of
- 4 such is a distinctly private place, establishment, or
- 5 facility is permitted, such use shall deem the accommodation
- 6 a public accommodation" and inserting in lieu thereof the
- 7 following: "except when such distinctly private place,
- 8 establishment, or facility caters or offers services,
- 9 facilities, or goods to the general public for fee or charge
- 10 or gratuitously, it shall be deemed a public accommodation
- 11 during such period of use".

Filed
March 17, 1965.

adopted 3/23

BARINGER of Fayette.
BUSCH of Bremer.
FISHER of Greene.

HOUSE FILE 263

- 1 Amend House File 263 as follows:
- 2 1. By inserting in line 73, section 9, following
- 3 the period after the word "preserved" the following
- 4 sentence: "The burden of sustaining any complaint shall
- 5 not rest with the respondent."

Filed
March 17, 1965.

with Malan 3/23

SCHERLE of Fremont-Mills.
MILLER of Page.

HOUSE FILE 263

- 1 Amend House File 263 as follows:
- 2 1. By inserting in line 11, section 2, following
- 3 the word "person" the word "regularly".

Filed
March 17, 1965.

lost 3/23

BARINGER of Fayette.
BUSCH of Bremer.

HOUSE FILE 263

- 1 Amend House File 263 as follows:
- 2 1. By striking in line 16, section 3, the following
- 3 words "filling a vacancy occurring" and inserting in lieu
- 4 thereof the word "made".

Filed
March 17, 1965.

lost 3/23

SMITH of O'Brien.
WINKELMAN of Calhoun.

HOUSE FILE 263

- 1 Amend House File 263 as follows:
- 2 1. By inserting in line 26, section 5, following
- 3 the words "such subpoena" the words "of the court".

Filed
March 17, 1965.

lost 3/23

KLUEVER of Cass.

HOUSE FILE 263

- 1 Amend the title to House File 263 as follows:
- 2 1. By inserting after the word "and" in line three (3) the
- 3 following: "relating to a study of discriminatory practices
- 4 in".

Filed
February 24, 1965.

COHEN of Black Hawk.

HOUSE FILE 263

- 1 Amend House File 263 as follows:
- 2 1. Amend by adding a new section following Section 12,
- 3 reading as follows:
- 4 "Nothing contained in any provision of this act shall be
- 5 construed as indicating an intent on the part of the General
- 6 Assembly to occupy the field in which this act operates to the
- 7 exclusion of local laws not inconsistent with this act that
- 8 deal with the same subject matter."
- 9 2. Further amend by renumbering the remaining section.

Filed
March 8, 1965.

COHEN of Black Hawk.

HOUSE FILE 263

- 1 Amend the title to House File 263 as follows:
- 2 1. By inserting after the word "and" in line three (3) the
- 3 following: "relating to a study of discriminatory practices in".

Filed
March 10, 1965.

COMMITTEE ON INDUSTRIAL AND
HUMAN RELATIONS,
CLEVE L. CARNAHAN, *Chairman.*

HOUSE FILE 263

- 1 Amend House File 263 as follows:
- 2 1. Amend section 2, subsection 10, line 40, by striking
- 3 the word "is".
- 4 2. Amend section 5, subsection 4, by striking the remainder
- 5 of said subsection after the period in line 27.
- 6 3. Amend section 9, subsection 7, line 56, by inserting
- 7 after the word "complaint," the words "and may", and after
- 8 the word "person" strike the words "or otherwise."
- 9 4. Amend section 10, subsection 3, line 18, by inserting
- 10 after the word "temporary" the word "relief".
- 11 5. By inserting the following section after section 11 in
- 12 the bill:
- 13 "Nothing contained in any provision of this Act shall be
- 14 construed as indicating an intent on the part of the General
- 15 Assembly to occupy the field in which this Act operates to
- 16 the exclusion of local laws not inconsistent with this Act
- 17 that deal with the same subject matter."
- 18 6. By renumbering the remaining sections accordingly.
- 19 7. By striking all of the title and inserting in lieu
- 20 thereof the following:
- 21 "An Act to establish a civil rights commission to eliminate unfair
- 22 and discriminatory practices in public accommodations, employ-
- 23 ment, apprenticeship programs, on-the-job training programs,
- 24 and vocational schools and to permit the study of discrimina-
- 25 tion in housing."

Filed
March 16, 1965.

HAUSHEER of Story.

HOUSE FILE 263

- 1 Amend House File 263 as follows:
- 2 1. By striking in lines 47, 48 and 49, section 10,
- 3 the following sentence: "Hearings in the court under this
- 4 Act shall take precedence over all other matters except
- 5 matters of the same character."

Filed
March 17, 1965.

SCHERLE of Fremont-Mills.
GRASSLEY of Butler.
BUSCH of Bremer.

HOUSE FILE 263

- 1 Amend House File 263 as follows:
- 2 1. By striking in line 14, section 10, the words
- 3 "all parties who appeared before the commission" and
- 4 inserting in lieu thereof the words "respondent or
- 5 complainant".

Filed
March 17, 1965.

DEN. HERDER of Sioux.