

Smith	Tierney	Ward	Weston
Starrett	Utzig	Weichman	Wilson
Stevens	Van Zwol	Weiss	Young
Stiffler	Walker	Welch	Mr. Speaker
Strawman	Walter	Wells	

The nays were: none.

Absent or not voting, 11:

Beman	Kopriva	Lucken	Siefkas
Duffy	Lawrence	O'Malley	Washburn
Graham	Leeka	Schwengel	

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

On motion by Weichman of Benton, the House recessed until 1:45 p.m., today.

AFTERNOON SESSION

The House reconvened, Speaker Kuester in the chair.

Paul of Poweshiek moved that a committee of three be appointed to notify the Senate that the House was ready to receive it in joint convention.

Motion prevailed and the Speaker appointed as such committee Paul of Poweshiek, Fairchild of Ida and Burlingame of Clayton.

The committee appointed to notify the Senate that the House was ready to receive it in joint convention reported that it had performed its duty. Report was accepted and the committee discharged.

The sergeant-at-arms announced the arrival of the President of the Senate and the honorable body of the Senate.

The President was escorted to the Speaker's station, the Secretary to the Chief Clerk's desk, and the members of the Senate were seated on the west side of the chamber.

JOINT CONVENTION

In accordance with Senate Concurrent Resolution 12, duly adopted, the joint convention was called to order, Kenneth A. Evans, President of the Senate, presiding.

Armstrong of Black Hawk moved that a committee of six be appointed to notify the Pioneer Lawmakers that the joint convention was ready to receive them.

Motion prevailed and President Evans appointed as such committee Armstrong of Black Hawk, Clark of Appanoose, Hanna of Adams and Welch of Harrison on the part of the House and Senators Van Eaton and Hultman on the part of the Senate.

The committee previously appointed escorted the Pioneer Lawmakers to the House chamber.

Music was furnished by the music department of Drake University.

President Evans presented to the joint convention Justice H. J. Mantz, president of the Pioneer Lawmakers.

Justice Mantz introduced to the joint convention Senator Fred L. Maytag and made the following remarks:

GOVERNOR EVANS, SPEAKER KUESTER, MEMBERS OF THE JOINT ASSEMBLY, PIONEER LAWMAKERS, AND FRIENDS:

The Senate and the House have very graciously invited the Pioneer Lawmakers to be with them today as they assemble in joint session.

Responding to your very kind invitation, we are here to join you in a brief program. Some of our members who have attended past meetings have not been able to attend; some are here for the first time. In the closing weeks of your work, we appreciate the fact that you are busy; therefore, we hope that we will not trespass upon your hospitality.

Therefore on behalf of our organization, I thank you.

In acting in my present capacity I am reminded of an incident that happened at one of the sessions. One of the heavy committee assignments that I had when I was a member of the legislature was to be a member of the committee on chaplains. It was my duty to see that there was someone present at each session, as some pessimist said, to look over the legislature and then pray for the people. The other two members of the committee did not seem to be very ecclesiastically minded and they turned the whole job over to me. I met the chaplain, took him to the rostrum, introduced him to the Speaker, and he took over from there. At that particular session we had a Speaker who was a stickler for time. Ten o'clock to him meant just sixty minutes after nine. It irritated him and irked him if we were not there on time.

On this particular occasion the minister was two or three minutes late. I took him to the platform and introduced him to the Speaker, and after he had performed he came down, and I met him and registered him so that he would get his five dollar stipend—I don't know whether you pay more than that now or not. And then he said to me, "I would like to ask a question." I said, "All right." "What kind of a Speaker have you got up there? What kind of a fellow is he?" I said, "Why?" He said, "I will tell you. When I went up there this morning he gave three raps, looked at my card, announced my name, and said that I would deliver the invocation. And then he said in a monotone as he nudged me in the ribs with his elbow, 'Parson, make it snappy.'"

I will try to follow our customary procedure, and following this customary procedure an address of welcome will be delivered by each branch of the legislature. That on behalf of the Senate will be given by one of the younger members. A relative of his years ago was a member of the Senate. He is a man devoted to civic affairs, and public interests. He comes from a family whose name is a household word in America. The product which he produces, distributes and sells has been a boon to mankind in that it has changed "blue Monday" into a half holiday. It gives me pleasure to present to you Senator Fred Maytag.

Senator Maytag, on behalf of the Senate, welcomed the Pioneer Lawmakers and made the following remarks:

MR. PRESIDENT AND MEMBERS OF THE PIONEER LAWMAKERS ASSOCIATION:

It is indeed an honor, as the baby of the Senate, to have the privilege of welcoming the Iowa Pioneer Lawmakers on behalf of the Senate of the Fifty-third General Assembly. It gives me particular pleasure to do so because of the fact that my grandfather was a member of this body forty years ago, and served with some of you who are today the recipients of our affection and esteem. Our meeting thus bridges the gap of three generations of Iowa lawmakers, and in so doing carries us back, for this fleeting moment, over nearly half the life span of Iowa's statehood.

We who have put aside for an hour the many tasks of a busy session of the legislature in order that we may honor you, our elder statesmen, look forward in our daily tasks to the future of this great state. It is appropriate that on this occasion we should look back with you and examine the great heritage which you have given us.

Iowa was richly endowed by nature with fertile land and favorable climate, but it took the sturdy pioneers who came here in search of a new home to convert those natural resources to useful purpose. We are grateful to them for having first tilled our soil, built our cities and towns, and established our industries, all of which have helped to make this the prosperous state that it is.

Even more, however, we are grateful to the early pioneers for having bred and reared such men as you, who continued to build upon the foundations of our constitution the good government which we now enjoy and which it is our duty and privilege to perpetuate.

It is said that every generation inevitably believes that the younger generation is going to the "dogs". I wonder what thoughts must be going through your minds, as you, with the greater wisdom and mellowness of your elder statesmanship, sit on the sidelines and observe our efforts to carry on the functions of our government in the tradition which you have established. Do you regard us as rambunctious young upstarts? My grandfather sometimes felt that way about me. Or do you see in us the same qualities that you had when you were here? My grandfather was considered sort of rambunctious in his day, if we can believe the campaign literature put out by his political opponents.

Let us hope that as you watch us in our labors you can view our petty bickerings and our follies with a smile of amusement, our failures with tolerant understanding, and our successes with a nod of approval.

Whatever may be your attitude, we are happy to have you in our midst. Iowa is rich, indeed, to have such as you among our elder statesmen. With high regard for the service which you have rendered to the state, appreciation for the heritage you have passed on to us, and with the earnest hope that we may carry on in the fine tradition which you have established, I welcome you to this joint convention in the name of the Senate.

Justice Manz introduced to the joint convention Representative A. H. Avery and made the following remarks:

On behalf of the House, the welcome greeting will be given by one who has served in that body almost from the time the "memory of man runneth not to the contrary," as we used to say of the English Common Law. I would prefer to look upon him as an elder statesman. When he speaks the microphone is a useless contrivance. During his tenure in the House the record shows that he has consistently sponsored measures tending to promote the general welfare of the people of Iowa. It is with pleasure that I present to you the Honorable A. H. Avery.

Representative Avery, on behalf of the House, welcomed the Pioneer Lawmakers and made the following remarks:

MR. CHAIRMAN, PIONEER LAWMAKERS, MEMBERS OF THE JOINT SESSION, LADIES AND GENTLEMEN:

About half an hour ago, my clerk passed this slip of paper over to me and said "Do you know that you are to make an address of welcome this afternoon?" I said "No." She said, "There is the paper." I said, "By-gum, I am going to fulfill the duty. I am strong for Pioneers, whether they are lawmakers or otherwise."

The Pioneer Lawmakers of Iowa have set a pace that we, of the present General Assembly here, would do well to follow. I recall back in 1916 when W. L. Harding of Sioux City made a campaign for Governor on a platform of "Mud Roads and the King Drag," and he had Jim Pierce of the Iowa Homestead backing him up; and they won that election on mud roads and the King drag in 1916.

And I recall later on we had a proposition that stirred the state from one end to the other, and that was to vote bonds to the tune of one hundred million dollars to build primary roads. The Supreme Court held it unconstitutional. They did not vote them. But we went ahead on the basis of that which you had planned, but never dreamed of the fulfillment probably; we built primary roads in Iowa.

And the other day the House passed a bill appropriating fifty million dollars a year out of current revenues to build roads in Iowa. Some progress! Some progress!

I thank you Pioneers for the privilege of welcoming you on this occasion. I have always had a warm place in my heart for Pioneers and I now have an especially warm place in my heart for the Pioneer Lawmakers of Iowa. Thank you.

Justice Mantz, on behalf of the Pioneer Lawmakers, acknowledged the welcoming remarks of Senator Maytag and Representative Avery.

Justice Mantz introduced to the joint convention the Honorable Ray O. Garber, former Representative from Adair county, and made the following remarks:

Mr. Garber delivered the following address:

Historically, our organization had its beginning over sixty-three years ago. Many men who had much to do with the progress and development of the state were among the active members. Among its members were ex-Governors, former Senators and Representatives, Justices of the Supreme Court and many others.

It is the purpose of our organization to keep alive the ideals and traditions of the pioneers of Iowa, those hardy and heroic men who came into a new and untried territory there to build homes, rear families and keep alive the traditions of the past—to see to it that the things which Washington fought for, Jackson bled for and Lincoln died for would be carried on untarnished and undiminished.

Viewed in the background of the past, we realize that it takes a time of stress and struggle to impress upon a free people the value of their ideals and traditions and of the necessity of preserving them at all times and at all hazards.

The tendency, always, is to gradually drift away from the fundamentals of right living and good government and of clear thinking and to pursue a course, which if followed too far, inevitably leads to disaster. Fortunate, indeed, is the people who have such ideals and traditions and when danger approaches and such are assailed arise to defend them to their uttermost.

As a people, we stand close to the shadows of doubt and uncertainty and are confronted with perils seen and unseen. As a people it behooves us to steadfastly adhere to those priceless heritages of the past—the ideals and traditions of the pioneer. Let us not be false to the faith of our fathers—those heroic men and women who made it possible for you and me to be here today.

Some of our members served the state of Iowa many years ago, and a few are here today after being away for many years. Naturally, they look about them and note the changes made in the passing of time.

One notable change is the manner of registering the votes on the various measures. Now, instead of the time-honored yea and nay, they see the former shown by the green light—the latter by the red light. They are in a sense stop and go signs, but operating at the same time. Formerly the roll call was slow, tedious and time killing. The bill was read the third time and put on its final passage. The clerk called the roll, then there was the roll of absentees; sometimes the Sergeant-at-Arms was ordered to round up those who failed to vote. His first destination was usually the cloak room to find those who had gone there to smoke—pos-

sibly to avoid roll call. This done there was a verification of the roll call. All told it took about a quarter of an hour to get the job done.

Then it will be noticed that now each house member has a stenographer or clerk, a luxury then enjoyed only by members of the Senate. Whether the change came about through ideas of efficiency or to take up the slack in unemployment might be one of the unsolved problems associated with legislation.

Now, we note that among your members you have those of feminine persuasion. It is a good sign when there is added the feminine touch.

Another change. We note on each desk a gadget called a microphone, so arranged that the member speaking in a moderate tone had to some extent removed the handicap of debate. I recall an incident that happened I believe it was in the Thirty-eighth or Thirty-ninth House. We had a member of the House from Van Buren county who had made a campaign in opposition to the capitol extension, and over on the other side of the House we had a member from one of the northern counties who was so unfortunate as to put his money on the wrong horse for Speaker, and when he didn't get a live committee to work on or with he put in his time, as he said afterwards, just being a typical hell raiser.

One day he and Representative Rowley got into an acrimonious debate, shouting back and forth, on their feet at the same time, and the Speaker trying to gavel them down without any success. And this representative from the northern county had been at one time a sort of an exhorter, and then he became an auctioneer, and finally after much shouting, the representative from Van Buren county, who was sitting alongside of me, finally turned and sat down, and he turned and spoke to me, "You would not expect me to out-holler a damn auctioneer."

We note that you still have your representatives of what we used to call the "third house." Various organizations inspired largely by self-interest send their representatives here to try to keep some of the wayward members of the General Assembly from getting off the reservation. According to the press these roving representatives are quite numerous. My understanding is that such are required to register. It is possible that some subsequent legislature will require such to wear badges or some suitable identification mark.

But after all is said and done I think that our state can take pride in the quality, character and ability of the members of the present as well as the past legislatures. My experience with them, covering about a third of a century, is that practically without exception, they kept in mind and worked diligently for the people and the state. They kept the faith and were zealous in advancing the general welfare.

We have this afternoon for our speaker one who was a member about 30 years ago. Then he represented a county in western Iowa. About that time the greatest issue in Iowa was the establishment of our primary road system. It was an issue where the lines were drawn to such an extent that when that matter was up we were under a call of the house for close to four days. The main issue was whether we would abolish or retain the highway commission. Every member was there; every member voted, and on the final roll call the vote to abolish the

highway commission stood 54-54 and our great and magnificent system of paved highways got the green light and now as we traverse the main highways north and south and those east and west and drive to the 99 county seats in Iowa we can well say that the fight and outcome was not in vain.

I present to you the Honorable Ray Garber, who will address you on behalf of the Pioneer Lawmakers.

It has been twenty-five years since I have attempted to talk in this chamber. I perhaps am somewhat removed from the problems confronting you; so the story is applicable of the fellow who wandered into the club car on a train and said, "Is there a lawyer in the car?" No one answered, and he went out. After a while he came back in and evidently he was slightly intoxicated. He said, "Is there a doctor in the car?" No one answered, and he went out. Finally, he came back for the third time and before he could say anything a gentleman, who had been sitting in the corner of the car, stepped up and said, "I have noticed that you have been asking for a lawyer and a doctor. I am a Presbyterian minister. Could I do anything for you?" The fellow looked at him and said, "Hell, no. I am looking for a corkscrew. I don't think you could do anything."

I think that applies to Judge Mantz' asking me to come here and talk to this Assembly, and I feel the association has done you an injustice to schedule me for an address, for I feel that no group is as much entitled to have one who speaks here think carefully and prepare that which he presents to you, because, after all, it is through you that there is reflected the hopes and aims of the men and women of Iowa.

The Pioneer Lawmakers Association, however, deems it a distinct privilege to be invited to attend and take part in a joint session of the Fifty-third General Assembly. A little more than two years ago, we celebrated the one hundredth year of statehood. In December of 1846, President Polk signed the bill admitting Iowa into the Union as the twenty-ninth state. At that time less than 100,000 people lived within our borders. In 1846 Iowa was a great undeveloped state and the citizens of that day could hardly venture a guess relative to the progress that would be made during the first century of statehood. They were, however, deeply concerned as to the future and great credit is due the state officials and members of early Iowa legislatures, and judges of the supreme and district courts, for the enactment and interpretation of laws that established the course, which, through a full century of progress, has made this the greatest state in the Union.

The members of the early sessions of the General Assembly, following the admission of Iowa into the Union, were, as are the men and women of this session, of high intelligence and open minds. They were charged with framing the legislation for this great state.

The Pioneer Lawmakers Association was organized in 1886 by a group of members of early legislatures, state officials, judges and congressmen. It is met today for the thirtieth session, and each session since the founding has been an enjoyable reunion and the session this morning at the state historical building will long be remembered.

It was my great privilege to serve as a member of the General Assembly in the Thirty-ninth, Fortieth and Fortieth Extra, or code revision, sessions. It was delightful today to mingle again and visit with a number of men with whom I served in 1921, 1923 and 1924, and after the morning meeting of the association recessed, I was convinced that it was an organization of friendship and for the upbuilding of our great state with a wish and desire for peace and good-will among men. The members of the association have full understanding of the American idea and ideals. Its basic tenet is that man is made in God's image, endowed by his Creator with inalienable rights among which are the rights to life, liberty and to pursue happiness. They understand that the colonists were actuated in their coming to America by two primary ideals. One, the right in freedom of conscience to worship their Creator in accordance with the dictates of their conscience; and the other, to pursue happiness with freedom to earn their bread as they would; the right to aspire; the right without regimentation or undue regulation to be self-respecting, self-sufficient sons of God. These people faced a wilderness and land almost untouched but from their own energies applied to nature's bounties they progressed and gained security. The ruling classes of the old world still sought to levy taxes upon them without right to be heard as to their imposition. Although compromise and understanding was sought, it was in war that the declared liberties of these peoples were won.

A period intervened—ringing in the ears of the patriots were those immortal words, "Eternal vigilance is the price of liberty." Yet, defensive measures lagged. The serious minded people of that day believed that "In union there is strength." The weakness of the federation immediately became apparent, and seven years after hostilities ceased, a constitutional form of government for the several states was erected. Some of the citizens yet retained the thought of the ultimate sovereignty of the separate state, yet broader minds, realizing the universality of the concept of freedom, and realizing the force and power necessary to its preservation, sought to protect and preserve the Union of the states as the true guardian of our liberties. Through sixty years of almost unceasing debate the issue was ever present and finally that issue took the aggregated form of secession and with it came the Civil War, and at enormous cost the Union of States survived.

Up to that time a nation had existed—half slave and half free. Man in his racial pride had, in a portion of our country, denied to great numbers of our people, because of color alone, the thought of their common brotherhood—had denied to them the liberties and the freedom which were conceived to be the privileges of the white man and refused them the independent rights as said in the Declaration to come from the Creator.

Beyond the graves of Bunker Hill, Valley Forge and of Yorktown, that progress to universal freedom might be made, it became necessary that there should be thousands upon thousands of graves at Bull Run, Gettysburg and Richmond.

In a meeting such as this we must look back to that other day and time, if we are to understand the America which is ours today, for in all the pages of modern warfare there is no warfare yet described

where men of equal mentality, of equal education and of equal bravery met on a field of battle nor fought so long nor made such equal sacrifices.

War leaves its aftermath. There may be surrender but unless the spirit of reconstruction, while fair and firm, be a spirit as well of charity and one without malice, the feeling of suspicion and hate will yet survive—and so it was with America after the Civil War.

In 1917 and 1918 came the true test of our nation's greatness. The true proof that the assuaging hand of time had overcome the red-hot tempers that had survived Appomattox was that the first great American army, raised by selective service, came from the north, the south, the east and the west to protect and preserve the American ideal. Not on the shores of its own land but to protect the American ideal against the challenging forces of the old world which sought again to enslave Europe and of necessity constituted a threat of enslavement to America. The men of that Army fought a good fight and fought it to victory.

We won the war, but for those things for which Americans fought and died, we lost a peace. The dragon's teeth of another conflict were taken from the councils of Versailles to the far-flung corners of the earth and there implanted in the hearts of ambitious men and desperate people. They grew, ripening into spheres of influence, and step by step came the invasion of Manchuria, the occupation of Ethiopia; the Sudetanland and invasion of Czechoslovakia, of Poland, of Denmark, of Norway, the lowlands and France, until the first phase of the World War was dwarfed in the blood and ruthlessness and fury with which man marched against his fellowmen.

All of the world's progress in the communication of intelligence and transportation, and in the improvement of the basic gifts of nature, were turned not to the improvement of the world, nor to the improvement of the state of man, but to man's destruction and his enslavement.

The counsel of certain groups and individuals went unheeded—a counsel which sought to advise the American people that there were people on the face of the earth so desperate that they were meat upon which their false Caesars might feed; that America, if she were to preserve the peace of the world, must make the sacrifice which would make her strong enough to be determinative, should she be drawn into the conflict, or, better still, that she be strong enough to prevent the first steps toward the total involvement of the world in war. But these counsels went unheeded. There were men, who, observing the audience given to the pacifists, observing the small minority of youth taking Oxford oaths and combating the ideas of service, were concerned for the protection of America and her ideals.

Pearl Harbor was a rude awakening against the dissipation of our energies and social dreams and isolationist fancies. Notwithstanding the courage evidenced at Bataan and Corregidor there should always survive in the minds of Americans the humiliation and disgrace which are to be found in the words, "Too little and too late."

I have never believed that the American principles of the American form and system of government, the God-given principles, on which our government was erected and established to preserve, are for Americans

alone, but I do say that of all the governments of the world ours is the only national government which is devoted to the establishment and preservation of the liberties of all mankind. A government which has demonstrated itself sufficiently universal to accept and absorb peoples from all lands, a nation broad enough to house the places of worship of those of every religion. A land big enough to receive and accord its rights and privileges of citizenship to the peoples of every color. A land protecting and preserving the rights of conscience and permitting freedom of speech to its every citizen. A land where any or all may freely assemble. A land which affords to every man the economic opportunity to be free from want and which affords him a strength and unity, which renders him free from fear.

For the most part the people of Iowa have been outstanding examples of the feeling which should exist throughout America and throughout the world. They have worked in the works of peace and, while expressions of intolerance at times arise, those expressions are minority expressions and, in the end and as a result of common sacrifice, reason can and does prevail. America promises for the world the last best hope of earth.

The soldiers of the second phase of the World War, which ended in 1945, fought for the same things that the soldiers in 1917 and 1918 fought for, and those who are veterans of the war of 1917-18 are comrades with the soldiers of the second phase of the world's modern struggle. The soldiers of World War II fought on step by step, and no step without its cost, to the victory that could not be denied, and we can today well charge ourselves with the thought that we must be unceasing in our efforts to preserve the ideals for which they fought.

The Fifty-second and Fifty-third General Assemblies of Iowa have, by enactment, provided for a bonus for the Iowa men and women who served in World War II. The grateful people of Iowa, by a vote of five to one, approved the payment of the bonus to assist those men and women to rehabilitate and restore themselves to normal life. To preserve the things for which they fought, we in Iowa must uphold the representatives of this nation, who speak for us in the councils of the United Nations. Peace will not come if, while giving lip service to the American idea, we deny it in our hearts and in our conduct. Understanding will not exist abroad if it does not exist among Americans at home. We must be ready in peace to extend our hands to all people without thought of selfishness or greed or hate. We must see to it that through a concert of nations the sacrifice of the honored dead of all wars, which have established the American idea and the American ideal, shall not have been in vain. We must pledge to ourselves that the war which ended in 1945 is in truth and in fact the last world war—but, come what may, America, in the face of the ambitions of man and of people, shall never be weak again.

The Pioneer Lawmakers Association extends to all the present state officials and the members of this, the Fifty-third General Assembly, its sincere greetings. We have great confidence that your work during this session will not only bring credit to the membership, but will render great service to all the people of this great state.

The minutes of the joint convention were read and approved.

Weichman of Benton moved that the joint convention be now dissolved.

Motion prevailed.

The House reconvened, Speaker Kuester in the chair.

REPORTS OF COMMITTEES

Olson of Mitchell, from the committee on tax revision, submitted the following report:

MR. SPEAKER: Your committee on tax revision to whom was referred **House File 468**, a bill for an act to amend section four hundred twenty-three point four (423.4), Code 1946, relating to exemptions from use tax, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **be amended as follows, and when so amended the bill do pass:**

Amend House File 468 by striking lines 3, 4 and 5 and inserting the following in lieu thereof:

"7. All fire trucks and fire fighting apparatus used for public purposes, including fire trucks and fire fighting apparatus of one or more townships not operated for profit."

ALLERT G. OLSON, *Chairman.*

Also:

MR. SPEAKER: Your committee on tax revision to whom was referred **Senate File 5**, a bill for an act to amend section twenty-four point seven (24.7), Code 1946, relating to the time for filing supplemental estimates for purposes of taxation, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **do pass.**

ALLERT G. OLSON, *Chairman.*

Shepard of Lucas, from the committee on fish and game, submitted the following report:

MR. SPEAKER: Your committee on fish and game to whom was referred **House File 388**, a bill for an act to amend sections three hundred fifty point one (350.1) and three hundred fifty point five (350.5), Code 1946, relating to bounties on wild animals, begs leave to report it has had the same under consideration and has instructed me to report the same back to the House with the recommendation that the same **be indefinitely postponed.**

RAY E. SHEPARD, *Chairman.*

Lawrence of Wapello, from the committee on social security, submitted the following report:

MR. SPEAKER: Your committee on social security to whom was referred **House File 246**, a bill for an act to amend sections two hundred thirty-seven point two (237.2), two hundred thirty-seven point three (237.3) and two hundred thirty-seven point four (237.4), Code 1946, relating to the defining and licensing of "Children's Boarding Homes", begs leave to