

5       *Whereas*, although it is preferable in all cases  
6 to have the individual voluntarily receive services,  
7 at times it is necessary to involuntarily commit the  
8 person to a hospital or other facility for the protection  
9 of the individual and of others; and

10       *Whereas*, the procedures for commitment and the  
11 provisions for protecting the rights of the individual  
12 during the process of commitment are different for each  
13 type of problem and are to be found scattered throughout  
14 the Code; and

15       *Whereas*, responsibility for the cost of services  
16 to the mentally ill, the mentally retarded and substance  
17 abusers depends largely upon the county of legal settlement  
18 of the individual receiving services; and

19       *Whereas*, the provisions relating to the determination  
20 of legal settlement vary from one type of disability to  
21 another; *Now Therefore*,

22       *Be It Resolved by the House of Representatives, the*  
23 *Senate Concurring*, That the Legislative Council is  
24 requested to establish a study committee composed of  
25 members of the standing Committees on the Judiciary and  
26 Human Resources of the House and Senate for the purpose of  
27 reviewing the procedures for the commitment of the mentally  
28 ill, the mentally retarded, and substance abusers and  
29 for determining legal responsibility for the cost of  
30 services to these individuals and to make recommendations  
31 to the second regular session of the Sixty-ninth General  
32 Assembly.

Laid over under Rule 30.

On motion by Pope of Polk, the House was recessed at 11:43 a.m.,  
until 1:15 p.m.

#### AFTERNOON SESSION

The House reconvened, Speaker Stromer in the chair.

#### COMMITTEE TO NOTIFY THE SENATE

Hansen of O'Brien moved that a committee of three be  
appointed to notify the Senate that the House was ready to receive  
it in joint convention.

The motion prevailed and the Speaker appointed as such com-  
mittee Hansen of O'Brien, Trucano of Polk and Howell of Floyd.

Hansen of O'Brien, chair of the committee appointed to notify the Senate that the House was ready to receive it in joint convention, reported the committee had performed its duty. The report of the committee was accepted and the committee discharged.

The Sergeant-at-Arms announced the arrival of the President of the Senate, the Secretary of the Senate and the honorable body of the Senate.

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

**JOINT CONVENTION  
PIONEER LAWMAKERS  
(HOUSE CHAMBER — 1:30 p.m.)**

In accordance with House Concurrent Resolution 16, duly adopted, the joint convention was called to order, President Branstad presiding.

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

Senator Hultman of Montgomery moved that a committee of four be appointed to escort the Pioneer Lawmakers into the House chamber.

The motion prevailed and the President appointed as such committee Senator Holden of Scott, Senator Miller of Des Moines, Representative Smith of Scott and Representative Cochran of Webster.

The committee escorted the Pioneer Lawmakers to the well of the House chamber.

President Branstad presented Senator Richard Ramsey, President pro tempore of the Senate, who welcomed the Pioneer Lawmakers on behalf of the Senate as follows:

I am delighted to greet all of you today — and am especially happy that this program is taking place after lunch. A story is told of the first gathering of lawmakers which included people from Iowa, although it took place while Iowa was still part of the Wisconsin territory.

The group gathered in Belmont, Wisconsin — a town which was ill prepared for such a large group. Provisions for lodging were inadequate, there was no stable, and even fewer restaurants than there were beds. Of course, the legislators grumbled a lot — and one is recorded as having declared: "Empty stomachs make clear heads, but not good laws! The Lord deliver us from a set of hungry legislators!"

As I look over the group assembled here today, I am sure most of you had full stomachs when you were serving in the General Assembly.

Today is a suitable day to welcome all of you here — for it is the day we have received the long awaited reapportionment plan from the Legislative Service Bureau. Reapportionment — you all know what that is — that's the plan which fairly divides the Senate and House districts according to population in as equal a manner as possible — so that each of us here can continue to serve our constituency! However, it does appear to some of us to make us a part of this body of Pioneer Lawmakers. You don't need to ask the individual legislator as to how he fared in the plan. Just look at their face and see whether they are smiling or not.

Those of you who served here during the sixties well know the problems and the turbulence caused by the reapportionment plans presented. We hope to avoid some of those difficulties this year.

Reapportionment has been a concern of Iowans from the very beginning of our statehood. Our first constitution in 1846 called for a House with no less than 26 members nor more than 39. Section 32 provided that no county was to be divided in forming a congressional, senatorial or representative district. How some of us would like to go back to this.

As far back as 1857, the constitution capped the Senate at 50 members and the House at 100.

The state legislature continued its interest in reapportionment as long as the population of Iowa grew. By 1888, the population seemed to have stabilized, so despite the constitution, the legislature failed to have a reapportionment plan. Constitutional amendments in 1904 and 1928 dealt with reapportionment — but complete reapportionment did not occur until after the 1960 census. The General Assemblies just chose to ignore the entire problem! The Sixty-ninth General Assembly is prepared to face up to its responsibility on this issue.

Many of you are familiar with "Palimpsest", the monthly magazine of the State Historical Society, which has stated that "the history of Iowa may be likened to a palimpsest which holds the record of successive generations. To decipher these records of the past, reconstruct them, and tell the stories which they contain is the task of those who write history."

You, our predecessors in the legislature, helped to decipher the records, to build on those records while writing your own. We are grateful that you were true to the past and to Iowa's heritage. I hope that we who serve today are continuing to build and to remain true to our heritage.

We welcome you today and wish you a happy reunion with old and new friends. Thank you.

President Branstad presented Representative Lester Menke, Speaker pro tempore of the House of Representatives, who welcomed the Pioneer Lawmakers on behalf of the House as follows:

We are gathered in this chamber today to honor you, the Pioneer Lawmakers, our predecessors in the Iowa Legislature. At least, that's the official reason. I can't help wondering if maybe we don't have, as legislators sometimes do, an ulterior motive. I wonder if we don't have you here to reassure ourselves....the present legislative body. To reassure ourselves that our problems are not new and insurmountable. You, too, have coped with unemployment and unfavorable market conditions. You, too, have been faced with public pleas for tax relief coupled with demands for continued government assistance that can only be financed with tax dollars.

To reassure ourselves that our efforts are not in vain. Like you, we seem to find ourselves addressing the same problems over and over again. And, as you did before us, we come to realize that situations change and there may not be a perfect, permanent solution. Sometimes we may take ourselves and some of the things we do too seriously as was pointed out to me by a very good friend.

To reassure ourselves that we are part of a continuum. Your presence helps us keep things in perspective — no matter what we do here, we are only one part of that continuum.

And, on the other hand, to reassure ourselves of the value and importance of our role in Iowa's government. We would do well to remember Winston Churchill who said, all great things are simple and most of them can be expressed in single words; freedom, justice, honor, duty, mercy and hope.

We in the Iowa Legislature — past, present and future — are brothers and sisters in those great things — we share a duty to preserve and protect the justice and freedom in which Iowans can pursue a good life. We also share the obligation to perform that duty as I know you did with honor, in a spirit of mercy and hope.

It's a tall order, but you reassure us that it can be filled.

The things I have left unsaid through the years have gotten me into the least trouble. For that reason, may I thank you, in behalf of the House of Representatives and I am certain the entire State of Iowa thanks you for your past service. We are indeed pleased to welcome each of you today.

President Branstad presented the Honorable John L. Mowry who responded to the welcome and addressed the joint convention as follows:

On behalf of the Pioneer Lawmakers, may I, in response, express our appreciation for the welcome which you have extended to us on behalf of both the Senate and House.

The last time I was on this podium, a Representative called up a bill to tax consumer trading stamps. I didn't know whether it was a point of personal privilege or

whether he was in earnest about the bill. He insisted he was in earnest as he was sick and tired of licking stamps. Before we got through, the only thing left to do was to recess the House.

Our presence today may serve to remind you that you have been preceded by others who have some understanding of the problems that face you now annually, for us biannually, and help you realize that things are not as bad as they seem. We did reapportionment biannually, not every ten years.

You know as do we, that in the ultimate performance of your duties, partisanship must be subordinated to that quality of legislative performance which will provide sound legislation for the problems of today together with an enduring foresightedness for the years that lie ahead.

You are indeed the stewards of the State of Iowa with the responsibility for good management and an obligation to make sure that the State is left in as good a condition as it was when you assumed your obligation.

As Pioneer Legislators, we do cherish this opportunity to renew old acquaintances and briefly recall the battles won and lost, our experiences, friendships and remembrances forever enduring.

Mr. Mowry recognized the Honorable Harold Fischer and requested he escort to the well of the House for recognition Mr. Otto Weber, former Director of the Iowa Legislative Bulletin Service and political reporter for WHO Radio and WHO-TV for many years, who by a unanimous resolution duly adopted, was awarded honorary membership in the Pioneer Lawmakers Association.

President Branstad then presented the Honorable Warren J. Rees, retired Justice of the Iowa Supreme Court, who addressed the joint convention as follows:

Mr. President, Mr. Speaker, Members of the Senate and Members of the House, former legislators, distinguished guests, ladies and gentlemen:

Late last fall your President of the Pioneer Lawmakers Association, John Mowry, called me and asked me to appear and say a few words at the Annual Meeting of the Pioneer Lawmakers Association. I declined, telling him that I was about to take the first wintertime vacation I had ever enjoyed; and then he told me that the meeting would not be held until some time in April. I then told him to call me early in April, thinking, of course, that some other speaker would be secured in the interim. But, when he did call me, I was still reluctant until he told me that my speech need not be long nor good. When we reached a meeting of the minds on these two conditions, I accepted the invitation to appear today, and I can assure you now that my speech will not be good, nor will it be long.

At the outset, I want to make reference to the program, and I know that my name appears as James Warren Rees. I have always gone by the name of Warren J. Rees, although I would have to admit if pressed that when I was christened I was named James Warren Rees. This led to considerable confusion in the family circle as both my grandfathers were named James. I had two cousins named James and an uncle named James. There was some thought about asking some of the members of the family, who bore that cognomen, to change, because when someone yelled "Jim," the grandfathers, the uncles, the cousins and all answered the call. In addition to this confusion, my grandfather had a Jersey bull named Jim and a bulldog named Jim. So the bull bellowed and the dog barked at the same time.

When my maternal grandfather was approached about changing his name, he declined, as he had been blessed with the middle name Hazel. When you know that he was 6'4" and weighed 312 pounds and had been a blacksmith all his life, he rebelled, saying that the name Hazel was more fitting a character with more effeminate traits.

My paternal grandfather was a Democrat, so nobody thought to approach him. Neither of my cousins, nor my uncle, were receptive to the name change idea, and of course the change of name of the bull and bulldog was out of the question. Therefore, they started calling me by my middle name.

For a time, I used the first initial, J. Warren Rees. Then I thought that was somewhat of an affectation, so I dropped the initial back to the middle of the name, where I have carried it ever since. I don't know where John Mowrey got the information that my name was James Warren Rees, because the only place it appears that I know of is on the records of the Cradle Roll at the Methodist Church or Sunday School in Anamosa, a record made some seventy years ago. But I am sure that this research source was not explored by John.

A few evenings ago, when I began collecting my thoughts to prepare myself for a few remarks today, the thought occurred to me but for a stroke of fate I, myself, might be one of those honored as a pioneer lawmaker. In 1934, I was a candidate for election to the House of Representatives from my county. At that time, each county had a representative in the lower House of the Iowa Legislature. As Adlai Stevenson remarked after the 1952 election, "A funny thing happened to me on the way to the Statehouse. I was defeated in the election." I know of no provision for defeated candidates to qualify for membership in the Pioneer Lawmakers Association, but if I had been successful forty-six or seven years ago in securing election to the lower House of the Legislature, I would probably be in attendance here today for recognition with the other members of the Association.

I suppose my only other intimate connection with the Iowa General Assembly arises from the fact that as a member of the Iowa Supreme Court in the early 1970's I was designated to write the opinion on the Legislative Redistricting Plan growing out of the litigation instituted by Jean Lloyd-Jones, Louise Noun and others, the opinion under my name having been filed January 14, 1972, with supplemental opinions setting out the details of the plan being filed thereafter, so it might be said I stand somewhat in the relationship of "pater familias" to the legislature as now constituted, as all of the present Senators and Representatives have been elected from districts created by those opinions. I want to acknowledge that all of the members of the Court had a hand in fashioning the districts, and we had the advice, counsel and technical assistance of

Phil Burks, Serge Garrison, Mark Soldat, Don Hoskins and others, so it might be said the plan was "sired by the Legislative Service Bureau." It might also be said it was "Damned by the members of the legislature who were adversely affected by the plan."

Certainly the plan adopted in 1972 did not meet with universal acclaim. One legislator from eastern Iowa in commenting on the plan made reference to the Supreme Court as being composed of "Nine Jackasses." I hope the current efforts at redistricting can be successfully accomplished without rancor.

John Mowry suggested that I might try to interject a little humor into my remarks today. I am a little reluctant to try this too, because on a recent occasion, when I was the speaker at a convention of volunteer firefighters, I thought I would have a little sport with them. I remarked in passing that I was very grateful to the volunteer firefighters for the work they did, and I complimented the volunteer fire department in my home town on being one of the finest firefighting organizations in the state. I told the group there assembled that we had had a fire in our town a few weeks before that was in an old house that would probably have burned itself out in a couple of hours, and our department kept it going for three days. My remarks didn't generate much approval with the members of our local fire department; and for a time I was apprehensive that if my house caught fire, it might meet the same fate as did the one I told the group about that night.

As I have never had legislative experience, I think it would be presumptuous of me to stand here today and talk to you about the duties and functions of a legislative body. A good portion of my professional life has been devoted to the third branch of the government, namely the judicial branch. From that vantage point, I recognize that there has been some confusion of the functions of the legislative and judicial branches of the government, and that legislatures are being accused of engaging in judicial functions; and the courts, of course, are being constantly charged with usurping the function of the legislative bodies.

What I do want to do here today is to pay tribute to those legislators who are now serving in the House and Senate in this state, and those who have gone before who are honored today as members of the Pioneer Lawmakers Association. I realize that all of you now serving, and those who have served in the past, have come from homes, farms, shops, factories, stores, schools and offices throughout the length and breadth of this state, and have made the biennial trips and in more recent years the annual trips to Des Moines to perform the very necessary function of enacting measures for the government of the populace of this state. You people now serving, and those who have gone before, have performed selfless and dedicated service to the state of Iowa. As a citizen of Iowa, I want to congratulate each and every one of you for your dedication and selflessness in the work you have performed and are now performing.

I have, from time to time, been an observer in the halls of the Legislature and remember some of the fine people who have served here, men and women who have given of their time and talents to further the cause of good government by serving as members of these legislative bodies. The names of a few of these greats come to mind: Dewey Good, Bob Blue, Gus Keaster, Gus Alesch, George O'Malley, Elmer Johnson, Senator Ross Mowry, and many others whose voices still ring in these halls. I believe, if memory serves me, the first woman elected to serve in the Legislature was Senator Carolyn Pendray of Jackson County. While I was not intimately acquainted with Mrs. Pendray, I knew her and her husband and observed her in her work in the Legislature.

In recent years, of course, the distaff side has been better represented by such worthies as Mrs. Lipsky, Mrs. Doderer, Mrs. Lawrence of Ottumwa, Senators Gentleman and Yenger and Representatives Brandt, Carl, Carpenter, Clark, Egenes, Hoffmann, Lloyd-Jones, Lonergan, Mann, Mullins, Poffenberger, Smith, Trucano, Walter, and a young lady with whom I have had a close association for a time, Nancy Shimanek, who served as my law clerk immediately out of law school and with whom I had a very pleasant relationship. Those I have named are but a few of the fine men and women who have served in this chamber.

I suppose the honoring of the Pioneer Lawmakers here today is in keeping with the general trend of thought that all things old are entitled to a certain degree of reverence. I further suppose that my advanced age is one of the reasons John Mowry saw fit to invite me to appear here today.

Lines of a poem, the author's name having escaped me for the moment, occurred to me: "It is not growing like a tree in bulk, doth make man greater be, nor standing long an oak 300 year, to fall at last a log, dry, bald and sere. A lily of a day is fairer far in May, etc."

The poem goes on for some stanzas, but the thought expressed in the foregoing lines is one I wish to touch on for a moment.

I do not think it credible to pay tribute to the people who have served in this Legislature from many years past, only because their service was a long time ago. The honoring of these men and women today should be and is, in my judgment, on the basis of the fact that they served in a capacity of representation of their constituents in an honorable and conscientious fashion. The mere fact that they served many years ago, insofar as many of them are concerned, only entitles them to congratulations on the basis of their virility and strength, and the fact that they have managed to survive this long.

I believe I notice a marked difference as I look around the chamber here today and compare the age of the members of the House and Senate today with the average age of those who served, say, twenty-five or thirty-five or forty years ago, when I visited these halls as an observer. Truly, the emphasis is on youth, the problems which face a legislative body today can best be resolved by those with a youthful outlook and visions for the future, rather than reminiscences of the past.

A Chinese proverb, which I remember as an old copybook maxim, goes: "Your old men shall dream dreams, but your young men shall see visions." It is the fervent hope of every Iowan today that the members of the Legislature entertain visions of hope for the future of this state, and we are content to let the dreaming of dreams be left to those who qualify for membership in the Pioneer Lawmakers Association.

I approached the discharge of my office here today, that is as Speaker at this Joint Session of the Legislature honoring Pioneer Lawmakers, with some trepidation. I know that many of the members of these bodies are gifted orators. The more I pondered over what I might say to you here today, the more apprehensive I became. I was getting, as my daughter used to say when she was a small child, "nervouser and nervouser." I kept having to reassure myself that someone has to do this, and it probably is my turn. This didn't serve to reassure me too much, and I was reminded of the

story of the chap who was pushing a cart around the supermarket with his young child in it, and the kid was best described as a hellion. He was pulling the merchandise off the shelves, tugging at the coattails of all the shoppers he met in the aisles, screaming and yelling and wanting everything he saw. His father kept saying, "Now, Roger, control yourself. Roger, behave. Roger, don't lose your temper. Roger, keep your cool. Roger, don't blow your stack." A lady shopper came up to him and said, "Sir, I have been observing the way you have been handling your little boy here, and I want to compliment you. You haven't struck him, you haven't shaken him up. All you have been doing is saying to him in a calm tone of voice, 'Roger, behave yourself. Roger, control yourself. Roger, don't lose your temper.' I want to congratulate you." He said, "Look lady, I'm Roger."

One of my first associations with John Mowry was in Philadelphia in 1948. John was attending the Republican National Convention seeking to advance the aspirations of one Thomas E. Dewey. You may recall that name. He was elected President of the United States that year, and if you don't believe it, I can show you a copy of the Chicago Tribune dated early November, 1948, with a large masthead evidencing the fact that he had defeated Harry Truman for President.

I was a delegate to that convention, and John and others invited some of the Iowa group to attend a little soiree in an apartment in Philadelphia for the purpose of regaling us with the sterling qualities of Mr. Dewey. The mercury was bouncing around the hundred mark someplace; and when we got to the place where the cocktail party was being held and started up in the elevator, the power failed. We were stuck in the elevator for a considerable period of time. I lost my enthusiasm for the entire convention processes in that elevator, and I never attended a national convention since that one. I have, of course, had many pleasant associations with John in the years since, and I want to thank you, John, for the invitation to appear here today. This is a very pleasant affair, and I am pleased to be the spokesman for the people of Iowa in paying tribute to the members of the Legislature who have served this State so well in the past. Whether or not I performed this function within the reaches of your expectations, I will have to leave it up to you.

In any event, I am reminded of another tale about the chap who left the midwest and went to Manhattan to take up residence. He was working, I believe, for an advertising agency. After a few years, he became more of a New Yorker than the native New Yorkers were. He became very blase and sophisticated. A country cousin came to visit him from middle Iowa someplace, and the country cousin was all eyes and ears and was beholding the scenes and sights of Manhattan. One Sunday morning, the resident took his country cousin on a walking tour of mid-Manhattan. It happened the country cousin stammered. As they were walking along, the visitor kept saying, "B-b-boy, did you see th-th-that b-b-blond go by. Well, n-n-never mind, she's g-g-gone now." Then they went on for a little while, and he said, "B-b-boy, d-d-did you see th-th-that Cadillac go by? Well, n-n-never mind, it's g-g-gone now." Pretty soon, he said, "B-b-boy, did you see —" And the New Yorker, being pretty well fed up with what was going on, said, "Yes, I saw it." And the country cousin said, "Well, if you s-s-saw it, why in the h-h-hell did you s-step in it."

John, I don't know whether or not I have performed this function to your satisfaction, but at least I hope I haven't stepped in it.

Thank you very much.