

STATE OF IOWA
1933

Journal of the Senate

OF THE

Forty-fifth General Assembly

REGULAR SESSION
CONVENED JANUARY 9, 1933
ADJOURNED APRIL 20, 1933

CLYDE L. HERRING Governor
NELSON G. KRASCHEL, President of the Senate
GEORGE E. MILLER, Speaker of the House

Published by
THE STATE OF IOWA
Des Moines

NO. 1000
ASSEMBLY

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I & C
75th

FORTY-FIFTH GENERAL ASSEMBLY

NELSON G. KRASCHEL, President.....	Harlan
MATT D. COONEY, President Pro Tempore.....	Dubuque
BYRON G. ALLEN, Secretary.....	Pocahontas
WALTER H. BEAM, Assistant Secretary.....	Martensdale
ROBERT C. PHILLIPS, Reading Clerk.....	Des Moines
SARA J. CONLIN, Engrossing Clerk.....	Dubuque
LORETTA SULLIVAN, Enrolling Clerk.....	Ottumwa
AGNES KERLIN, Assistant Enrolling Clerk.....	Shenandoah
DOROTHY MARSHALL, General Clerk.....	Des Moines
CATHERINE HICKLIN, Journal Clerk.....	Wapello
MARGHETTA JEBSEN, Assistant Journal Clerk.....	Maquoketa
MARJORIE WILKINSON, Bill Clerk.....	Mount Ayr
HOWARD O'BRIEN, File Clerk.....	Independence
MRS. J. L. COMPARET, Postmistress.....	Des Moines
W. C. BOYLE, Sergeant-at-Arms.....	Daugherty
L. B. LARSON, Assistant Sergeant-at-Arms.....	Waukon
REDFIELD C. MILLS, Chief Doorkeeper.....	Redfield
HERTHA Z. DUNCAN, President's Clerk.....	Des Moines
MARY BALES, Secretary's Clerk.....	Stockport

PROGRAM

ELECTIVE STATE OFFICERS
Official Address, Des Moines, Iowa

NAME	Office	Address
Clyde L. Herring.....	Governor.....	Des Moines.....
Nelson G. Kraschel.....	Lieutenant Governor.....	Harlan.....
Mrs. Alex Miller.....	Secretary of State.....	Washington.....
C. W. Storms.....	Auditor of State.....	Fort Madison.....
Leo J. Wegman.....	Treasurer of State.....	Carroll.....
Ray Murray.....	Secretary of Agriculture.....	Buffalo Center.....
Edward L. O'Connor.....	Attorney General.....	Iowa City.....
Charles Webster.....	Railroad Commissioner.....	Waucoma.....
Fred P. Woodruff.....	Railroad Commissioner.....	Knoxville.....
M. P. Conway.....	Railroad Commissioner.....	Atlantic.....
Agnes Samuelson.....	Superintendent of Public Instruction.....	Shenandoah.....
William D. Evans.....	Judge of Supreme Court.....	Hampton.....
Truman S. Stevens.....	Judge of Supreme Court.....	Hamburg.....
James W. Kindig.....	Judge of Supreme Court.....	Sioux City.....
E. G. Albert.....	Judge of Supreme Court.....	Jefferson.....
Maurice F. Donegan.....	Judge of Supreme Court.....	Davenport.....
John W. Kintzinger.....	Judge of Supreme Court.....	Dubuque.....
John W. Anderson.....	Judge of Supreme Court.....	Sioux City.....
Richard F. Mitchell.....	Judge of Supreme Court.....	Fort Dodge.....
Hubert Utterback*.....	Judge of Supreme Court.....	Des Moines.....
George Claussen.....	Judge of Supreme Court.....	Clinton.....

*Contest pending.

SENATORS—FORTY-FIFTH GENERAL ASSEMBLY

NAME	Address	Age	Occupation	Politics	District	Counties Composing District	Former Legislative Experience
Anderson, Paul H.	Harcourt	41	Farmer, Feeder	Dem.	27	Webster, Calhoun	
Aschenbrenner, Carl	Pella	65	Physician, Surgeon	Dem.	15	Marion, Monroe	
Beardsley, Wm. S.	New Virginia	31	Pharmacist, Jeweler	Rep.	11	Clarke, Warren	
Beatty, Frank M.	Sigourney	49	Lawyer	Rep.	12	Poweshiek, Keokuk	42-42X-43-44
Bennett, Oliver P.	Mapleton	40	Lawyer, Farmer	Rep.	34	Crawford, Harrison, Monona	43-44
Booth, Chas. D.	Harlan	62	Business Man, Farmer	Rep.	18	Cass, Shelby	42-42X-43-44
Byers, Frank C.	Cedar Rapids	49	Lawyer	Rep.	26	Linn	43-44
Calhoun, John N.	Keosauqua	29	Lawyer, Farmer	Rep.	2	Jefferson, Van Buren	
Carden, William	Winfield	56	Insurance, Banker, Farmer	Rep.	10	Washington, Henry	29-30-31-42-43-44
Chrystal, I. G.	Coon Rapids	47	Farmer	Dem.	48	Carroll, Greene, Sac.	
Cooney, Matt. D.	Dubuque	47	Lawyer	Dem.	35	Dubuque	44
Coykendall, Frank I.	Shenandoah	54	Farmer	Dem.	7	Fremont, Page	44
Doze J. E.	Humeston	78	Automobile Dealer	Dem.	4	Lucas, Wayne	35-36
Elthon, Leo	Fertile	34	Farmer	Rep.	41	Mitchell, Winnebago Worth	
Fisch, Mike G.	Le Mars	40	Clothier, Salesman	Dem.	46	Cherokee, Ida Ply- mouth	
Frailey, Joe R.	Fort Madison	56	Lawyer	Rep.	1	Lee	36-37-38-39-42-42X-43- 44
Geske, M. X.	McGregor	61	Lawyer	Dem.	36	Clayton	
Harrington, Vincent F.	Sioux City	29	Mortgage Banker	Dem.	32	Woodbury	
Hicklin, E. R.	Wapello	37	Lawyer	Rep.	20	Louisa, Muscatine	44
Hill, Lafe	Nora Springs	66	Publisher	Rep.	44	Chickasaw, Floyd	41-42-42X-43-44
Hopkins, Geo. M.	Guthrie Center	66	Farmer	Rep.	17	Audobon, Dallas, Guthrie	42-43-44
Hush, Homer	Essex	43	Farmer	Rep.	8	Mills, Montgomery	43-44
Husted, Ora E.	Truro	56	Farmer	Rep.	16	Adair, Madison	44
Irwin, Harold L.	DeWitt	35	Lawyer	Dem.	22	Clinton	43
*Judd, John H.	Chariton	72	Farmer, Carpenter	Dem.	4	Lucas, Wayne	
Kimberly, D.W.	Davenport	54	Retired Farmer	Rep.	21	Scott	36-37-38-39-40-40X- 41-42-42X-43-44
Klemme, Wm. H.	Ridgeway	83	Lumber, Implements, Coal	Rep.	42	Howard, Winneshiek	25-26-27-42-42X-43-44
Knudson, Irving H.	Ellsworth	36	Insurance, Real Estate Auct.	Rep.	37	Hamilton, Hardin, Wright	41-42-42X-43-44
Meyer, L. H.	Readlyn	55	Farmer, Live Stock Buyer	Dem.	39	Bremer, Butler	
Miller, Henry D.	Morley	65	Farmer, Stockman	Dem.	24	Cedar, Jones	
Miller, Warren F.	Independence	66	Editor	Dem.	33	Buchanan, Delaware	
Moore, Morris	Walnut	58	Physician, Surgeon	Dem.	19	Pottawattamie	

*Deceased—succeeded by J. E. Doze.

SENATORS—FORTY-FIFTH GENERAL ASSEMBLY—Continued

NAME	Address	Age	Occupation	Politics	District	Counties Composing District	Former Legislative Experience
Mullaney, T. W.	Waukon	49	Farmer, Stockman, Auct.	Dem.	40	Allamakee, Fayette	
†Myers, O. P.	Newton	76	Lawyer	Dem.	29	Jasper	44
McArthur, Wm.	Mason City	46	Farmer	Dem.	43	Cerro Gordo, Franklin, Hancock	
Nelson, Fred W.	Nevada	46	Farmer	Rep.	31	Story, Boone	43-44
Patterson, G. W.	Burt	45	Farmer	Rep.	47	Kossuth, Emmet, Palo Alto, Dickinson, Clay	40-40X-41-42-42X-43-44
Pendray, Carolyn C.	Maquoketa	51	Homemaker	Dem.	23	Jackson	43-44
Reese, Chris.	Marshalltown	51	Newspaperman	Dem.	28	Marshall	
Ritchie, W. R.	Marathon	65	Farmer, Auctioneer	Rep.	50	Buena Vista, Pocahontas, Humboldt	44
Roelofs, Garritt E.	Sioux Center	32	Editor, Publisher	Rep.	49	Lyon, O'Brien, Osceola, Sioux	
Schmidt, Paul W.	Iowa City	46	Manufacturer, Jobber	Dem.	25	Iowa, Johnson	
Shangle, L. T.	Oskaloosa	69	Retired Lawyer, Farmer	Dem.	14	Mahaska	
Stanley, Claude	Corning	60	Lawyer	Rep.	6	Adams, Taylor	
Stevens, Frank M.	Garden Grove	60	Merchant	Dem.	5	Decatur, Ringgold, Union	
Stevens, Roy E.	Ottumwa	54	Merchant, Dairy Farming	Dem.	13	Wapello	44
Toppling, Clyde H.	Burlington	48	Real Estate	Rep.	9	Des Moines	42-42X-43-44
Valentine, John K.	Centerville	28	Lawyer	Dem.	3	Appanoose, Davis	
Wenner, Edw. J.	Waterloo	52	Lawyer	Rep.	38	Black Hawk, Grundy	44
White, Harry C.	Vinton	63	Farmer, Stockman	Dem.	45	Benton, Tama	34-35-36-37-38-39-40
Wilson Geo. A.	Des Moines	48	Lawyer	Rep.	30	Polk	40X-41-44 42-43-44

†Deceased—succeeded by D. Myron Tripp.

MEMBERS OF THE SENATE

MEMBERS OF THE HOUSE—FORTY-FIFTH GENERAL ASSEMBLY

NAME	Address	Age	Occupation	Politics	District	Counties Composing District	Former Legislative Experience
Aldrich, R. E. Lee	Belmond	63	Farmer	Dem.	75	Wright	
Alesch, Gustave	Marcus	55	Farmer	Dem.	80	Plymouth	
Augustine, F. D.	Benton	46	Farm Equipment Dealer	Dem.	7	Ringgold	44
Beath, F. H.	Corning	60	Farmer	Rep.	13	Adams	44
Beswick, C. L.	Stockport	58	Farmer	Dem.	2	Van Buren	
Bonnstetter, A. H.	West Bend	40	Farmer	Dem.	85	Kossuth	44
Bouska, Joseph D.	Protivin	47	Manager Telephone Company	Dem.	92	Howard	
Bowers, L. C.	Kent	65	Merchant	Rep.	14	Union	
Brady, John F.	Council Bluffs	30	Lawyer	Dem.	31	Pottawattamie	
Bruce, Marion	Rolfe	62	Publisher	Rep.	77	Pocahontas	
Burgess, James	Sioux City	62	Loans, Real Estate	Dem.	58	Woodbury	
Casey, Jas. G.	Osage	51	Farm Equipment	Dem.	93	Mitchell	
Craven, J. E.	Kellogg	66	Farmer	Dem.	38	Jasper	36-44
Crouch, S. B.	Jefferson	49	Farmer	Dem.	54	Greene	
Cunningham, Paul H.	Des Moines	42	Lawyer	Rep.	37	Polk	
Davis, Forest	Moulton	53	Veterinarian, Farmer	Dem.	4	Appanoose	
Dean, Earl M.	Mason City	37	Farmer	Dem.	87	Cerro Gordo	
Ditto, O. J.	Sibley	39	Abstracts, Insurance	Dem.	98	Osceola	43-44
Dole J. Wilbur	Fairfield	63	Farmer	Dem.	19	Jefferson	
Donlon, P. H.	Ruthven	71	Farmer	Dem.	84	Palo Alto	44
Doran, Ben B.	Grand Jet	48	Farmer	Rep.	53	Boone	
Dressen Wm. J.	Breda	42	Farmer	Dem.	56	Crawford	
Durant, S. B.	Forest City	60	Farmer	Rep.	86	Hancock	36-44
Elliott, E. A.	Des Moines	64	Minister	Rep.	37	Polk	41-42-43
Ellsworth, E. O.	Iowa Falls	58	Banking, Farming	Rep.	64	Hardin	43-44
Fabritz, Ernest H.	Ottumwa	37	Hardware Merchant	Dem.	18	Wapello	44
Falvey, M. C.	Albia	65	Lumberman	Dem.	17	Monroe	
Felter, Victor	Indianola	55	Farmer	Rep.	27	Warren	44
Foster, La Mar P.	West Branch	34	Farmer	Dem.	44	Cedar	
Fritzell, J. W.	Brooklyn	67	Retired Farmer	Dem.	39	Poweshiek	
Fuelling, Otto	Farmersburg	43	Lumber Business	Dem.	70	Clayton	
Fuester, C. E. R.	Ida Grove	56	Farmer, Insurance	Dem.	59	Ida	
Gallagher, J. P.	Williamsburg	71	Journalist	Dem.	40	Iowa	40-40X-44
Garner, Ada	Shell Rock	50	Farming	Dem.	73	Butler	
Gittinger, G. J.	Chariton	73	Farmer, City Assessor	Dem.	16	Lucas	
Gissel, W. H.	Independence	60	Farmer	Dem.	67	Buchanan	44
Goode, Dewey E.	Bloomfield	34	Produce, Fur Dealer	Rep.	3	Davis	
Grau, O. J.	Newell	42	Farmer	Rep.	78	Buena Vista	
Grell, Christian	Donahue	54	Farmer, Saw Milling	Dem.	43	Scott	
Hanson, Arthur C.	Inwood	41	Farmer	Rep.	99	Lyon	
Hanson H. N.	Leland	56	Farmer	Rep.	95	Winnebago	41-42-43-44

Hartman, Henry M.	Burlington	58	Boiler Inspector	Dem.	21	Des Moines	
Hook, Chas. S.	New Market	68	Farmer	Dem.	8	Taylor	44
Hough, H. B.	Oelwein	60	Stock Buyer	Dem.	71	Fayette	
Hopp, R. C.	Glenwood	62	Farmer	Dem.	11	Mills	
Hultman, O. N.	Stanton	45	Lumber Business	Rep.	12	Montgomery	
Humeston, Alva	Humeston	80	Retired Grain, Live Stock	Dem.	5	Wayne	
Jenkins, John J.	Columbus Jct.	53	Farmer	Rep.	22	Louisa	
Jensen, T. G.	Kimballton	58	Contractor	Dem.	34	Auburn	
Johnson, Elmer A.	Cedar Rapids	61	Lawyer	Rep.	48	Linn	
Koch, Wm.	Waverly	46	Real Estate, Insurance	Dem.	72	Bremer	44
Laughlin, E. P.	Imogene	51	Farmer	Dem.	10	Fremont	42-42X-44
Lichty, E. M.	Waterloo	65	Retired Farmer	Rep.	66	Black Hawk	40-40X-41-42-43-44
Lookingbill, C. E.	Nevada	56	Craftsman, Minister	Rep.	52	Story	
Malone, C. E.	Atlantic	51	Farmer	Dem.	30	Cass	44
Maniece, E. J.	Estherville	42	Farmer	Dem.	96	Emmet	
McCarthy, Frank J.	Sioux City	28	Salesman	Dem.	58	Woodbury	
McCreery, D. R.	Alburnett	51	Farmer	Rep.	48	Linn	43-44
McDermott, John	Bridgewater	74	Farmer	Dem.	29	Adair	44
McFarlane, Arch W.	Waterloo	47	Coal Dealer	Rep.	66	Black Hawk	38-38X-39-42-43-44
McKinnon, Curtis L.	New London	42	Farmer	Dem.	20	Henry	
McLean, Don V.	Marshalltown	52	Farmer	Rep.	51	Marshall	
Mercer, Leroy S.	Iowa City	43	Manufacturer	Dem.	41	Johnson	
Metcalf, B. L.	Nichols	64	Farmer, Stockman	Dem.	42	Muscatine	
Miller, George E.	Harlan	56	Farmer, Stockman	Dem.	33	Shelby	40-40X-41-42-42X-43-44
Mitchell, John H.	Fort Dodge	33	Lawyer	Dem.	62	Webster	
Millhone, Paul L.	Clarinda	39	Lawyer	Rep.	9	Page	44
Moore, Charles D.	Urbanda	53	Insurance, Farming	Dem.	49	Benton	
Moore, R. G.	Dunlap	44	Veterinarian	Dem.	32	Harrison	
Mooty, W. A.	Grundy Center	69	Farmer	Rep.	65	Grundy	37-38
Osborn, Walter	Leon	54	Farmer, Insurance	Dem.	6	Decatur	44
Ostby, Paul I. D.	Kensett	56	Farmer	Dem.	94	Worth	
Paisley, Wm.	Donnellson	66	Farmer	Dem.	1	Lee	44
Peaco, Milton	Clinton	56	Machinist	Dem.	45	Clinton	44
Peet, R. Arno	Bagley	31	Editor, Publisher	Rep.	35	Guthrie	
Porter, E. B.	Delhi	70	Farmer, Insurance	Dem.	68	Delaware	
Rawlings, Ed.	Onawa	60	Farmer	Dem.	57	Monona	43-44
Reed, I. M.	Oskaloosa	62	Auctioneer	Dem.	25	Mahaska	44
Rice, C. L.	Delta	43	Farmer	Dem.	24	Keokuk	
Roe, Ove T.	Waukon	45	Farmer	Dem.	80	Allamakee	44
Ryder, John	Dubuque	64	Real Estate	Dem.	69	Dubuque	41-42-42X-43-44
Schmitz, T. F.	Ossian	58	Newspaper Publisher	Dem.	91	Winneshiek	
Schroeder, John H.	Arcadia	67	Farmer	Dem.	55	Carroll	
Sheridan, Wm. R.	Keokuk	37	Lawyer	Dem.	1	Lee	
Smith, William H.	Quimby	66	Farmer	Dem.	79	Cherokee	
Snyder, Frank G.	Webster City	66	Auto Dealer, Farmer	Rep.	63	Hamilton	44
Sours, Roy J.	Charles City	49	Farmer, Insurance	Rep.	88	Floyd	44
Speidel, John	Washington	43	Farmer	Rep.	23	Washington	
Stansell, M. R.	Osceola	46	Lawyer	Dem.	15	Clarke	
Stanzel, George C.	Sac City	67	Farm Manager	Rep.	60	Sac	44
Stewart, Andrew	Rockwell City	60	Farmer, Livestock	Dem.	61	Calhoun	

MEMBERS OF THE HOUSE—FORTY-FIFTH GENERAL ASSEMBLY—Continued

NAME	Address	Age	Occupation	Politics	District	Counties Composing District	Former Legislative Experience
Stiger, Carl B.	Toledo	49	Lawyer	Dem.	50	Tama	44
Stimpson, Thomas	Anamosa	39	Farmer	Dem.	47	Jones	
Strachan, W. H.	Humboldt	58	Farmer	Rep.	78	Humboldt	44
Swift, F. J.	Maquoketa	49	Physician	Dem.	46	Jackson	
Swift, Sam	Dubuque	56	Barber, Barber Supplies	Dem.	09	Dubuque	
Teter, L. D.	Knoxville	63	Attorney	Rep.	26	Marion	
Thies, William	Avoca	72	Retired Farmer	Dem.	31	Pottawattamie	
Thiessen, J. H.	Camanche	62	Farmer	Dem.	45	Clinton	44
Tretmer, Wm.	Hartley	46	Insurance	Dem.	82	O'Brien	
Weed, A. R.	Winterset	55	Methodist Minister	Rep.	28	Madison	
Wenig, Frank E.	Spencer	45	Locomotive Engineer	Dem.	83	Clay	
Wiese, Louis H.	Davenport	42	Salesman	Dem.	43	Scott	
Willis, Blake	Perry	40	Lawyer	Rep.	36	Dallas	
Wolf, A. W.	Hampton	57	Farmer, Brick, Tile	Dem.	74	Franklin	
Yager, W. A.	Montgomery	44	Merchant, Insurance	Dem.	97	Dickinson	
Zipse, Lloyd W.	Lawler	42	Farmer	Dem.	89	Chickasaw	
Zylstra, Charles J.	Hawarden	41	Home Appliance Dealer	Dem.	81	Stout	

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 9, 1933.

Pursuant to law the Senate of the Forty-fifth General Assembly convened at 10:00 o'clock a. m., and was called to order by Lieutenant Governor Arch W. McFarlane, President of the Senate.

Prayer was offered by Rev. Harry Longley, St. Paul's Episcopal Church, Des Moines, Iowa.

Senator Frailey was called to the chair.

Senator White moved that Byron G. Allen of Pocahontas, Pocahontas County, be elected temporary Secretary of the Senate, which motion prevailed and Mr. Allen took the required oath of office.

Senator Stevens moved that a committee of five be appointed as a committee on credentials. The motion prevailed and the chair appointed as such committee, Senators Stevens, Wilson, Hicklin, Cooney and Booth.

REPORT OF COMMITTEE ON CREDENTIALS

Senator Stevens submitted the following report:

MR. PRESIDENT: Your committee on credentials finds the following named newly elected senators, as shown by the files, and as certified by the Secretary of State, entitled to seats in the Senate of the Forty-fifth General Assembly:

Second District, John N. Calhoun.

Third District, John K. Valentine.

Fourth District, John H. Judd.

Fifth District, Frank M. Stevens.

Sixth District, Claude Stanley.

Eighth District, Homer Hush.

Eleventh District, Wm. S. Beardsley.

Fifteenth District, Carl Aschenbrenner.

Sixteenth District, Ora E. Husted.

Seventeenth District, Geo. M. Hopkins.

Nineteenth District, Morris Moore.

Twenty-third District, Carolyn C. Pendray.

Twenty-fourth District, Henry D. Miller.

Twenty-fifth District, Paul W. Schmidt.
 Twenty-sixth District, Frank C. Byers.
 Twenty-seventh District, Paul H. Anderson.
 Twenty-eighth District, Chris Reese.
 Thirty-first District, Fred W. Nelson.
 Thirty-second District, Vincent F. Harrington.
 Thirty-third District, Warren F. Miller.
 Thirty-sixth District, M. X. Geske.
 Thirty-ninth District, L. H. Meyer.
 Fortieth District, T. W. Mullaney.
 Forty-first District, Leo Elthon.
 Forty-third District, Wm. McArthur.
 Forty-sixth District, Mike G. Fisch.
 Forty-seventh District, G. W. Patterson.
 Forty-eighth District, I. G. Chrystal.

We also find the following hold-over senators entitled to seats in this body:

First District, Joseph R. Frailey.
 Seventh District, Frank I. Coykendall.
 Ninth District, Clyde H. Topping.
 Tenth District, Wm. Carden.
 Twelfth District, Frank M. Beatty.
 Thirteenth District, Roy E. Stevens.
 Eighteenth District, Charles D. Booth.
 Twentieth District, E. R. Hicklin.
 Twenty-first District, D. W. Kimberly.
 Twenty-second District, H. L. Irwin.
 Twenty-ninth District, O. P. Myers.
 Thirtieth District, Geo. A. Wilson.
 Thirty-fourth District, O. P. Bennett.
 Thirty-fifth District, Matt. D. Cooney.
 Thirty-seventh District, Irving H. Knudson.
 Thirty-eighth District, Edw. J. Wenner.
 Forty-second District, W. H. Klemme.
 Forty-fourth District, Lafe Hill.
 Forty-fifth District, H. C. White.
 Fiftieth District, W. R. Ritchie.

We also find that the following men were candidates for the office of state senator from their respective districts; that they received the highest vote in their respective districts at the general election held November 8, 1932, according to the official canvass as recorded in the office of the Secretary of State; but that no certificates of election were issued to them because of the filing of a contest by their opponents, respectively. We recommend that they be seated in order that their constituencies shall not be deprived of representation, and that these men serve as senators in the Forty-fifth General Assembly pending decision by this body on the election contests in which their respective rights to serve as senators are involved:

Fourteenth District, L. T. Shangle.
 Forty-ninth District, Garritt E. Roelofs.

ROY E. STEVENS, *Chairman*
 GEO. A. WILSON
 E. R. HICKLIN
 MATT. D. COONEY
 CHAS. D. BOOTH

The report was adopted and the following senators appeared before the bar, and were duly sworn:

John N. Calhoun
 John K. Valentine
 John H. Judd
 Frank M. Stevens
 Claude Stanley
 Homer Hush
 Wm. S. Beardsley
 Carl Aschenbrenner
 Ora E. Husted
 Geo. M. Hopkins
 Morris Moore
 Carolyn C. Pendray
 Henry D. Miller
 Paul W. Schmidt

Frank C. Byers
 Paul H. Anderson
 Chris Reese
 Fred W. Nelson
 Vincent F. Harrington
 Warren F. Miller
 M. X. Geske
 L. H. Meyer
 T. W. Mullaney
 Leo Elthon
 Wm. McArthur
 Mike G. Fisch
 G. W. Patterson
 I. G. Chrystal

COMMITTEE TO NOTIFY THE GOVERNOR

Senator Hicklin moved that a committee of three be appointed to notify the Governor that the Senate was organized and ready for business. The motion prevailed and the chair appointed Senators Hicklin, Stevens and Klemme.

COMMITTEE TO NOTIFY THE HOUSE

Senator Wilson moved that a committee of three be appointed to notify the House that the Senate was organized and ready for business. The motion prevailed and the chair appointed Senators Wilson, Pendray and Cooney.

MESSAGE FROM THE GOVERNOR

January 9, 1933

Secretary of the Senate
 Senate Chambers
 Building
 Sir:

This is to notify you that the resignation of Honorable Arch W. McFarlane of Waterloo as Lieutenant Governor has been received and accepted by me today, effective immediately.

Very truly yours,

DWT:AB

DAN W. TURNER

REPORT OF COMMITTEE TO NOTIFY HOUSE

Senator Pendray reported that the committee assigned to notify the House that the Senate was open and ready for business had performed its duty.

The report was received and the committee discharged.

REPORT OF COMMITTEE TO NOTIFY GOVERNOR

Senator Hicklin reported that the committee assigned to notify the Governor that the Senate was open and ready for business had performed its duty and that the Governor reported that he was desirous of seeing the legislature co-operate with the other departments of the government to the end that the great economic, social and governmental problems now faced by the state and its citizens should be met in the best manner possible.

The report was received and the committee discharged.

ADOPTION OF RULES

Senator Myers moved that the rules of the Forty-third General Assembly be adopted as the rules of the Forty-fifth General Assembly until such time as the committee on rules shall report and permanent rules be adopted. The motion prevailed.

ELECTION OF PRESIDENT PRO TEMPORE

Senator Irwin placed in nomination the name of Senator Matt. D. Cooney of Dubuque County as a candidate for the office of President pro tempore of the Senate of the Forty-fifth General Assembly.

Senator Frank C. Byers placed in nomination the name of Senator Irving H. Knudson of Hamilton County as a candidate for the office of President pro tempore of the Senate of the Forty-fifth General Assembly.

Senator Knudson then took the floor and withdrew as the Republican candidate for President pro tempore. His speech to the Senate was in part, as follows:

To the Members of the Senate:

The opening of this session of the legislature has brought the first show of partisanship witnessed in legislative circles in years.

We find those under the major party labels seemingly about equally divided. However, we are, I believe, virtually united in a desire to render to the people of Iowa a service that has never been surpassed in the legislative history of this state.

That spirit of unity, I believe, may be looked upon as the guarantee that the forthcoming session will be productive of progressive legislation so much desired by our people.

I feel that it is the first duty of every senator here to submerge his partisanism and to plunge in with utmost vigor, all joining hands in a common effort to lift our great state out of the slough of distress.

In an effort to promote that unity of action and bring about a happier state for our people, insofar as that can be done by legislation, I have decided to put aside a partisan honor that has come to me. I therefore withdraw as the candidate of the Republican caucus for president pro tem of this body. I wish to add that I do so with the wish that all those pledged to support me shall now lend their support to the candidate of the Democratic caucus and that now and throughout the session they devote themselves to the beneficial legislative program we anticipate, rather than to continued partisan maneuvers.

Throughout my service in this body and the House of Representatives, I have adhered to progressive principles and I bespeak your support of this type of legislation in the present session, to the end that Democrats and Republicans alike may close the session next spring with a record which deserves the applause of all the people of Iowa, irrespective of party alliances.

IRVING H. KNUDSON.

Senator Klemme moved that the nominations cease and that Senator Cooney be unanimously elected as President pro tempore of the Senate. The motion prevailed.

The chair appointed Senators Kimberly and Knudson to escort the newly elected President pro tempore to the chair where he duly subscribed to and took the oath of office.

President pro tempore Cooney took the chair.

MESSAGE FROM THE HOUSE

A committee from the House appeared and announced that the House was organized and ready to receive any communications which the Senate desired to transmit. The report was received.

ELECTION OF PERMANENT ORGANIZATION

Senator White submitted the report of the Democratic party's patronage committee and moved that the following named persons be elected as permanent officers of the Senate to the posts set opposite their names:

Secretary—Byron G. Allen, Pocahontas County.

Assistant Secretary—Walter H. Beam, Warren County.

Reading Clerk—L. Kramer, Clayton County.

Engrossing Clerk—Sara Conlin, Dubuque County.

Enrolling Clerk—Loretta Sullivan, Wapello County.

Assistant Enrolling Clerk—Agnes Kerlin, Page County.

General Clerk—Dorothy Marshall, Polk County.
 Journal Clerk—Marjorie L. Wilkinson, Ringgold County.
 Journal Clerk—Marghetta Jebsen, Jackson County.
 Bill Clerk—Howard O'Brien, Buchanan County.
 File Clerk—Mrs. Ruth Tyler, Clinton County.
 Postmistress—Mrs. J. L. Comparet, Polk County.
 Sergeant-at-Arms—William Boyle, Cerro Gordo County.
 Assistant Sergeant-at-Arms—L. B. Larson, Allamakee County.
 Chief Doorkeeper—Redfield Mills, Dallas County.
 Assistant Doorkeeper—B. J. Beck, Cherokee County.
 Assistant Doorkeeper—John Clarkson, Monroe County.
 Janitors—E. W. Powell, Polk County; George Stewart, Polk County.
 Telephone—Mary M. Ivory, Polk County.

Senator Byers submitted the report of the Republican party's patronage committee and moved that the following named persons be elected as permanent officers of the Senate to the posts set opposite their names:

Secretary of Senate—Gay Hesse, O'Brien County.
 Assistant Secretary—T. A. Lyon, Linn County.
 Reading Clerk—Robert Phillips, Polk County.
 Engrossing Clerk—Katherine Gibbs, Polk County.
 Enrolling Clerk—Gladys Lewis, Polk County.
 Assistant Enrolling Clerk—Dorothy Ling, Montgomery County.
 Bill Clerk—A. K. Fleming, Clarke County.
 File Clerk—John Langfitt, Adair County.
 Post Mistress—Mrs. Vrooman, Polk County.
 Journal Clerk—Catherine Hicklin, Louisa County.
 Assistant Journal Clerk—Gladys Dowell, Des Moines County.
 Sergeant-at-Arms—F. A. Frudden, Floyd County.
 Assistant Sergeant-at-Arms—W. B. Wallace, Pocahontas County.
 Chief Doorkeeper—Redfield Mills, Dallas County.
 Assistant Doorkeeper—B. A. Stowe, Poweshiek County.
 Doorkeepers—John F. Baker, Jasper County; H. J. Miller, Polk County.
 Cloak Room—Henry Lewis, Dallas County.
 Janitors—Eddie Peters, Polk County; Geo. S. Logan, Polk County.
 Matron—Etta Mae Bland, Lee County.
 Telegraph Messenger—Arthur Figgins, Pocahontas County.

Senator Irwin arose to a point of order stating that the motion of the Senator from Linn was out of order because there was a motion pending.

Senator Wilson arose to a point of order stating that both the Senator from Clinton and the Senator from Linn were out of order in that the effect of their motions was to place the individual names of candidates for organization posts before the Senate.

The President pro tempore held Senator Wilson's point of order well taken.

Senator Wilson moved that the President pro tempore be authorized to appoint temporary assistants to the Secretary, pending the election of the permanent officers. The motion prevailed and the President pro tempore appointed Walter H. Beam and Robert Phillips as temporary assistants to the temporary Secretary, and they took the required oath.

Senator Frailey moved that the Senate vote by ballot for the permanent officers of the Senate, using the lists of candidates as compiled by the temporary Secretary and distributed to the desks of the members; and that the ballots be marked by the members of the Senate, signed by each individual Senator, and presented to a committee of three to be appointed by the President pro tempore to canvass the vote.

Senator White moved as a substitute for the motion offered by the Senator from Lee that the Senate proceed to ballot on the office of Secretary of the Senate, only.

Senator White demanded a roll call.

Senator Hill raised the point of order that a roll call could not be taken since a viva voce vote had been taken.

The President pro tempore held that Senator Hill's point of order was well taken.

On the vote by division the substitute motion was declared lost.

The Frailey motion prevailed.

The President pro tempore appointed Senators Byers, White and Pendray to act as tellers and count the ballots on candidates for offices in the permanent organization.

Senator Byers reported for the special committee:

MR. PRESIDENT: Your committee which was instructed to act as tellers and to count the ballots cast by the members of the Senate on the election of permanent officers begs to report that it has performed its duty and determined the results to be as follows:

Position	Democratic List	Republican List
Secretary	Byron G. Allen.....29	Gay Hesse19
Assistant Secretary	Walter H. Beam.....35	T. A. Lyon14
Reading Clerk	L. Kramer24	Robert Phillips25
Engrossing Clerk	Sara Conlin26	Katherine Gibbs23
Enrolling Clerk	Loretta Sullivan.....26	Gladys Lewis23
Asst. Enrolling Clerk..	Agnes Kerlin25	Dorothy Ling23

Position	Democratic List	Republican List
Bill Clerk	Mrs. Ruth Tyler25	A. K. Flemming23
File Clerk	Howard O'Brien25	John Langfitt25
Postmistress	Mrs. L. J. Comparet 26	Mrs. Vernon A. Vrooman23
Journal Clerk	Marjorie L. Wilkin- son25	Catherine Hicklin25
Asst. Journal Clerk ...	Marghetta Jebesen25	Gladys Dowell24
Sergeant-at-Arms	Wm. Boyle25	F. A. Druden24
Asst. Serg.-at-Arms.....	L. B. Larson25	W. B. Wallace23
Chief Doorkeeper	Redfield C. Mills.....25	Redfield C. Mills25
Doorkeepers	B. J. Beck25	B. A. Stowe23
	John Clarkson25	John F. Baker.....24
	George Hamilton25	H. J. Miller23
Cloak Room		Henry Lewis21
Janitors	E. W. Powell25	Eddie Peters21
	George Stewart26	George S. Logan.....21
Matron	Etta Mae Bland26	Etta Mae Bland21
Telephone Messenger..	Mary M. Ivory.....25	Arthur Figgins20
General Clerk	Dorothy Marshall26	

The President pro tempore declared the following persons elected by the Senate to the posts in the permanent organization set opposite their names and they presented themselves before the President pro tempore, before whom they took the required oath and assumed their offices:

Byron G. Allen, Secretary.
 Walter H. Beam, Assistant Secretary.
 Robert Phillips, Reading Clerk.
 Sara J. Conlin, Engrossing Clerk.
 Loretta Sullivan, Enrolling Clerk.
 Agnes Kerlin, Assistant Enrolling Clerk.
 Dorothy Marshall, General Clerk.
 Mrs. L. J. Comparet, Postmistress.
 Redfield C. Mills, Chief Doorkeeper.
 John Clarkson, Doorkeeper.
 Mary M. Ivory, Telephone Messenger.

Senator Valentine moved that the hold-over and re-elected senators be granted the privilege of retaining the seats occupied by them at the session of the Forty-fourth General Assembly, and the names of the newly elected senators be placed in a hat and drawn out, one at a time, by the Secretary of the Senate, and as each name is announced, each newly elected senator shall select his seat from those seats that are unoccupied; and that any hold-over or re-elected senator that does not wish to retain his seat be allowed to cast his lot with the newly elected senators; and that any senator having any defect such as bad hearing be allowed to select his seat first.

Senator Wenner moved to substitute the following motion for the motion offered by the Senator from Appanoose, as follows:

I move that the holdover and re-elected Senators be granted the privilege of retaining the seats occupied by them at the session of the Forty-fourth General Assembly or in being given first selection on any other seat not so held by a colleague; and that the names of the newly elected Senators be placed in a hat and drawn out, one at a time, by the Secretary of the Senate, and as each name is announced, each newly elected Senator shall select his seat from those seats not already selected; and that any Senator having any defect such as bad hearing be allowed to select his seat first.

The substitute motion was adopted and the motion prevailed.

SELECTION OF SEATS

Under the procedure adopted by the Senate, seats were selected and assigned as follows:

Anderson	45	Klemme	1
Aschenbrenner	3	Knudson	19
Beardsley	23	McArthur	40
Beatty	35	Meyer	29
Bennett	36	Miller of Buchanan.....	20
Booth	32	Miller of Jones.....	48
Byers	34	Moore	47
Calhoun	50	Mullaney	2
Carden	30	Myers	18
Chrystal	4	Nelson	42
Cooney	31	Patterson	21
Coykendall	11	Pendray	10
Elthon	25	Reese	44
Fisch	8	Ritchie	27
Frailey	38	Roelofs	6
Geske	49	Schmidt	24
Harrington	12	Shangle	7
Hicklin	17	Stanley	28
Hill	46	Stevens of Decatur.....	9
Hopkins	39	Stevens of Wapello.....	16
Hush	22	Topping	15
Husted	41	Valentine	14
Irwin	37	Wenner	26
Judd	5	White	43
Kimberly	33	Wilson	13

COMMITTEE ON CHAPLAINS

Senator Carden moved that a committee of one be appointed to provide chaplains to open the Senate with prayer during the session of the Forty-fifth General Assembly. The motion prevailed and the President pro tempore named Senator Carden as a committee of one to procure chaplains.

COMMITTEE ON MILEAGE

Senator Harrington moved that a committee of three be appointed to determine the amount of mileage due each member.

The motion prevailed and the President pro tempore named Senators Harrington, Fisch and Hill as members of the committee on mileage.

COMMITTEE ON COMMITTEE ROOMS

Senator Irwin moved that a committee of three be appointed to assign committee rooms to the various standing committees. The motion prevailed and the President pro tempore named Senators Irwin, Topping and Wilson as members of such committee.

AUTHORIZATION TO PURCHASE BADGES

Senator Chrystal moved that the Secretary be authorized to purchase suitable badges for such officers as may require them. The motion prevailed.

SELECTION OF TELLERS FOR OFFICIAL CANVASS

Senator Carden moved that a committee of three be appointed to act as tellers on the part of the Senate in canvassing the vote for Governor and Lieutenant Governor at the joint convention of the House and Senate to be held for that purpose. The motion prevailed and the President pro tempore named Senators Carden, Wenner and Fisch to act as tellers on behalf of the Senate in canvassing the vote on Governor and Lieutenant Governor.

COMMITTEE ON COMMITTEE CLERKS

Senator Beardsley moved that the Lieutenant Governor and the Secretary of the Senate each be authorized to appoint a clerk, and that each senator be authorized to appoint a committee clerk who shall be a competent stenographer, said selections to be made and announced from the floor of the Senate not later than the day on which the committees are announced by the Lieutenant Governor. Each clerk shall be required to pass a proficiency examination to be given by a committee of three which the President of the Senate is authorized to appoint. The motion prevailed and the President pro tempore named Senators Wenner, Fisch and Knudson to serve on such committee.

SENATE CONCURRENT RESOLUTION NO. 1

Senator Coykendall offered the following concurrent resolution and asked unanimous consent for its immediate consideration and moved its adoption :

Resolved by the Senate, the House concurring, That when adjournment is had on Thursday afternoon, January 12th, it be to reconvene on Tuesday afternoon, January 17th, at 2 p. m.

The resolution was adopted.

SENATE CONCURRENT RESOLUTION NO. 2

Senator Hicklin offered the following concurrent resolution and asked unanimous consent for its immediate consideration and moved its adoption:

Resolved by the Senate, the House concurring, That a joint committee consisting of six members of the Senate be appointed by the President pro tempore of the Senate and six members of the House be appointed by the Speaker of the House to arrange for the inauguration of the Governor and Lieutenant Governor.

The resolution was adopted.

The President pro tempore named Senators Chrystal, Wilson, Cooney, Klemme, Irwin and Wenner to serve on the inaugural committee.

Senator Knudson moved that the Lieutenant Governor-elect be accorded the privilege at this time of appointing the pages of the Senate pursuant to the provisions and rules thereof. The motion prevailed.

MESSAGE FROM THE LIEUTENANT-GOVERNOR ELECT

I hereby appoint the following persons to act as pages pursuant to the provisions of the rules of the Senate:

Robert Green, Lieutenant-Governor's page; Stuart Ross, Billy Russell, George Heggen, Charles Hippee and Clarence Hedlund.

N. G. KRASCHEL, *Lieutenant-Governor Elect.*

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following Concurrent Resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution No. 1, providing for a joint convention of the Forty-fifth General Assembly Tuesday afternoon at 2:00 o'clock.

Also: That the House has passed the following Concurrent Resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution No. 2, providing for a joint committee on extra help, and the Speaker of the House has appointed as members of such committee on the part of the House: Representatives Koch, Gallagher and Peaco.

Senators Stevens and Hicklin asked unanimous consent that the bills Nos. 1 to 72 inclusive and the Joint Resolutions Nos. 1 to 3 inclusive, being the bills and joint resolutions recommended by the interim committee on the reduction of governmental expenditures, and which bills and resolutions we now introduce, be assigned Senate Files Nos. 1 to 72 inclusive and Senate Joint Resolutions Nos. 1 to 3 inclusive, and that such bills and joint resolutions be referred to the committee on reduction of expenditures when organized.

Unanimous consent was given, and the following joint resolutions and bills were read the first and second times and passed on file.

INTRODUCTION OF BILLS

Senate Joint Resolution No. 1, by Senators Stevens and Hicklin, proposing an Amendment to article three (III) of the Constitution of the State of Iowa by striking therefrom section thirty-three (33), and by amending section thirty-four (34) relating to the taking of the census by authorization of the General Assembly and apportionment of members of the Senate.

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

That the Constitution of Iowa be amended as follows:

Section 1. Amend Article three (III), by striking therefrom section thirty-three (33), requiring the taking of the state census, and by renumbering the succeeding sections accordingly.

Sec. 2. Amend article three (III), by striking from lines two (2) and three (3) of section thirty-four (34) the following: "following each period of making such enumeration, and the next session".

Sec. 3. Be it further resolved that the foregoing proposed amendment be, and the same is hereby, referred to the General Assembly to be chosen at the next general election for members of the next General Assembly and that the Secretary of State cause the same to be published for three (3) months previous to the date of said election, as provided by law.

Senate Joint Resolution No. 2, by Senators Hicklin and Stevens, creating a special joint legislative committee to investigate, inquire into and examine the administration and conduct of the various state departments, boards, bureaus and commissions, and to make a thorough study and investigation of state, county, township, city and town governments for the reduction of the expenditures of public funds.

Senate Joint Resolution No. 3, by Senators Stevens and Hicklin, proposing an amendment to the Constitution of the State of Iowa

relating to the term of office of the Governor, Lieutenant-Governor, Secretary of State, Auditor of State, Treasurer of State, Attorney General and County Attorney.

Senate File No. 1, by Senators Hicklin and Stevens, a bill for an act to amend sections seventy-one hundred nine (7109), seventy one hundred ten (7110), seventy-one hundred seventy-one (7171), ten thousand one hundred ninety-four (10,194), ten thousand one hundred ninety-five (10,195), ten thousand one hundred ninety-six (10,196), ten thousand one hundred ninety (10,190), ten thousand one hundred ninety-one (10,191), fifty-two hundred ninety-two (5292), fifty-two hundred eighty-four (5284), twenty-six hundred eighty-six (2686), forty-six hundred eighty-two (4682), twenty-nine hundred nine (2909), twenty-nine hundred five (2905), seventy-one hundred seventy-two (7172), fifty-three hundred fifty-three (5353), twenty-two hundred ninety (2290), fifty-three hundred sixty-seven (5367), thirty-six hundred four (3604), thirty-six hundred fifty-four (3654), fifty-eight hundred sixty-two (5862), fifty-eight hundred sixty-three (5863), four hundred eighty-nine (489), four hundred ninety (490), seventy-one hundred seventy-three (7173), fifty-three hundred thirty-seven (5337), six thousand seventy-five (6075), forty-three hundred ninety-five (4395), fifty-three hundred eighty-five (5385), fifty-two hundred sixty-eight (5268), thirty-six hundred forty-one-b one (3641-b1), forty-six hundred forty-four-c six (4644-c6), forty-six hundred forty-four-c seven (4644-c7), forty-six hundred forty-four-c eleven (4644-c11), forty-six hundred forty-four-c twelve (4644-c12), forty-six hundred forty-four-c fifteen (4644-c15), sixty-two hundred seven (6207), sixty-eight hundred fifty-five (6855), fifty-eight hundred thirty-five (5835), sixty-two hundred nine (6209), fifty-eight hundred eighty-nine (5889), sixty-two hundred eleven (6211) paragraph fourteen (14), sixty-five hundred seventy-eight (6578), fifty-five hundred sixty-two (5562), sixty-two hundred eleven (6211) paragraph thirteen (13), sixty-two hundred eleven (6211) paragraph fifteen (15), sixty-two hundred eleven (6211) paragraph twenty-two (22), sixty-two hundred eleven (6211) paragraph twenty-three (23), ten thousand six hundred ninety-two (10,692), sixty-one hundred fifty-two (6152), fifty-nine hundred two (5902) paragraph ten (10), sixty-two hundred eleven (6211) paragraph eight (8), sixty-eight hundred fifty-six (6856) paragraph four (4), sixty-three hundred ten (6310), sixty-one

hundred (6100), sixty-five hundred ninety-two (6592), sixty-two hundred eleven (6211) paragraph sixteen (16), sixty-two hundred eleven (6211) paragraph one (1), sixty-eight hundred fifty-six (6856), paragraph one (1), sixty-two hundred eleven (6211) paragraph twenty-eight (28), sixty-two hundred eleven (6211) paragraph twenty-six (26), sixty-two hundred eleven (6211) paragraph three (3), sixty-eight hundred fifty-six (6856) paragraph two (2), sixty-eight hundred twenty-three (6823), sixty-two hundred eleven (6211) paragraph nineteen (19), sixty-two hundred eleven (6211) paragraph twenty (20), sixty-two hundred eleven (6211) paragraph ten (10), sixty-two hundred eleven (6211) paragraph thirty (30), sixty-eight hundred fifty-six (6856) paragraph seven (7), fifty-nine hundred forty-nine-a two (5949-a2), sixty-two hundred eleven (6211) paragraph eighteen (18), sixty-two hundred fourteen (6214), fifty-seven hundred ninety-two (5792), fifty-seven hundred ninety-three (5793), sixty-eight hundred fifty-six (6856) paragraph eleven (11), sixty-six hundred seven (6607), sixty-two hundred eleven (6211) paragraph twenty-five (25), sixty-three hundred ten (6310), fifty-eight hundred twenty-two (5822), sixty-two hundred eight (6208), sixty-two hundred ten (6210), sixty-eight hundred fifty-six (6856) paragraph five (5), sixty-five hundred ninety-nine (6599), sixty-six hundred ten (6610), sixty-two hundred eleven (6211), paragraph five (5), sixty-two hundred eleven (6211), paragraph six (6), sixty-eight hundred fifty-six (6856) paragraph three (3), sixty-two hundred thirteen (6213), sixty-two hundred eleven (6211) paragraph seven (7), fifty-nine hundred fifteen (5915), sixty-two hundred eleven (6211) paragraph two (2), sixty-two hundred eleven (6211) paragraph seventeen (17), sixty-eight hundred fifty-six (6856), paragraph eight (8), sixty-one hundred sixty-four (6164), sixty-one hundred fifty-four (6154), sixty-two hundred eleven (6211) paragraph twenty-nine (29), fifty-five hundred seventy-five (5575), fifty-five hundred eighty-one (5581), forty-four hundred thirty-five (4435), forty-four hundred three (4403), forty-two hundred seventeen (4217) paragraph seven (7), forty-two hundred nineteen (4219), forty-three hundred sixty-three (4363), forty-three hundred forty-six (4346), four thousand eighty-three (4083), fifty-seven hundred sixty-seven (5767), sixty-six hundred (6600), sixty-two hundred eleven (6211), paragraph twenty-seven (27), sixty-two hundred eleven (6211) paragraph nine (9), sixty-two hundred eleven (6211) paragraph twenty-one (21), fifty-nine hundred forty-nine-a two (5949-a2), sixty-two hundred four-

teen (6214), fifty-seven hundred ninety-two (5792), fifty-seven hundred ninety-three (5793), sixty-eight hundred fifty-six (6856), paragraph eleven (11), sixty-six hundred three (6603), sixty-six hundred seven (6607), forty-three hundred ninety-one (4391), fifty-eight hundred thirty-eight (5838), sixty-five hundred eighty-eight (6588), three hundred seventy-three (373), seventy-one hundred sixty-six (7166), six thousand forty-three (6043), seventy-seven hundred fifty (7750), fifty-five hundred seventy-e two (5570-e2), fifty-nine hundred three-e five (5903-c5), sixty-one hundred fifty-nine (6159), code 1931, to change the method of determining actual value, assessed value, and taxable value and the tax rates thereon on all real and personal property, except moneys and credits, so that the terms actual value, assessed value, and taxable value shall hereafter be synonymous and arithmetically the same; and to adjust the tax rates and levies thereon accordingly.

Senate File No. 2, by Senators Stevens and Hicklin, a bill for an act to amend section seventy-one hundred fifteen (7115), and section seventy-one hundred nineteen (7119); repeal section seventy-one hundred twenty-three (7123) and enact a substitute therefor, repeal section seventy-one hundred forty-five (7145) and enact a substitute therefor, and repeal section seventy-one hundred twenty-four (7124), code 1931, to combine the Assessment Book and Tax List in one record to be known as the Assessment and Tax Book.

Senate File No. 3, by Senators Hicklin and Stevens, a bill for an act to amend section sixty-nine hundred fifty-nine (6959), and seventy-one hundred twenty-nine (7129), code 1931, to provide for a listing and valuing of real estate every four years.

Senate File No. 4, by Senators Stevens and Hicklin, a bill for an act to amend and revise chapter twenty-four (24), code 1931, relating to the local budget law and to amend section three hundred seventy-five (375), three hundred seventy-seven-e one (377-e1) and to repeal three hundred seventy-eight (378), and enact a substitute therefor, to create a County Tax Budget Commission in counties, prescribing the rights, powers and duties of said Commission and of tax levying and certifying boards in relation thereto.

Senate File No. 5, by Senators Hicklin and Stevens, a bill for an act to amend chapter twenty-four (24), code 1931, to provide for the limitation of tax levies in any municipality.

Senate File No. 6, by Senators Stevens and Hicklin, a bill for an act to amend section three hundred eighty (380), and three hundred eighty-one (381), code 1931; and repeal section seventy-one hundred sixty-five (7165), code 1931, relating to the local budget law.

Senate File No. 7, by Senators Hicklin and Stevens, a bill for an act to amend sections forty-six hundred forty-four-c six (4644-c6), forty-six hundred forty-four-c seven (4644-c7), forty-six hundred forty-four-c eleven (4644-c11), and forty-six hundred forty-four-c fifteen (4644-c15), code 1931, relating to tax levies for secondary road purposes and to repeal sections forty-six hundred forty-four-c twelve (4644-c12), and forty-six hundred forty-four-c sixteen (4644-c16), code 1931.

Senate File No. 8, by Senators Stevens and Hicklin, a bill for an act to amend sections forty-eight hundred seventy (4870), and forty-nine hundred sixty-d nineteen (4960-d19), code 1931, to provide that the County Treasurer shall withhold registration of any motor vehicle and issuance of driver's or chauffeur's license until the applicant or any member of his or her immediate family shall have paid his or her delinquent personal taxes.

Senate File No. 9, by Senators Hicklin and Stevens, a bill for an act to amend section sixty-nine hundred forty-four (6944), code 1931, relating to the exemption of property from taxation.

Senate File No. 10, by Senators Hicklin and Stevens, a bill for an act to amend sections sixty-three hundred fourteen (6314), sixty-three hundred fifteen (6315), sixty-three hundred sixteen (6316), and sixty-three hundred twenty-one (6321), code 1931, relating to pensions for disabled and retired firemen and policemen.

Senate File No. 11, by Senators Hicklin and Stevens, a bill for an act to amend chapter two hundred forty-four (244), of the Special Acts of the Forty-fourth General Assembly to continue the provisions of this Act for two years.

Senate File No. 12, by Senators Stevens and Hicklin, a bill for an act to repeal sections four hundred eight (408), four hundred nine (409), four hundred ten (410), four hundred eleven (411), four hundred twelve (412), four hundred thirteen (413), four hundred fourteen (414), four hundred fifteen (415), four hundred sixteen (416), four hundred seventeen (417), four hundred eighteen (418),

four hundred nineteen (419), four hundred twenty (420), four hundred twenty-one (421), four hundred twenty-two (422), and four hundred twenty-three (423), code 1931, and to amend sections four hundred twenty-seven (427), and two hundred sixty-four (264), code 1931, to discontinue the taking of the state census.

Senate File No. 13, by Senators Stevens and Hicklin, a bill for an act to amend sections two hundred twenty-six (226), two hundred twenty-seven (227), two hundred thirty (230), two hundred sixty-four (264), two hundred sixty-nine (269), twenty-five hundred ninety-five (2595), forty-five hundred fifty-five (4555); two hundred forty-two (242), two hundred fifty-eight (258), forty-five hundred fifty-seven (4557), forty-five hundred fifty-eight (4558), and repeal section two hundred sixty-five-a one (265-a1), and enact a substitute therefor of the code 1931, to change provisions relative to state printing.

Senate File No. 14, by Senators Hicklin and Stevens, a bill for an act to amend sections thirty-nine hundred twenty-one (3921), and thirty-three hundred forty-two (3342); repeal sections thirty-three hundred thirty-three (3333), thirty-three hundred thirty-four (3334), thirty-three hundred forty (3340), thirty-three hundred forty-one (3341), thirty-three hundred forty-three (3343); repeal sections three hundred ninety-seven (397), and enact a substitute therefor; and repeal section thirty-nine hundred thirty-five (3935), and enact a substitute therefor, repeal section thirty-three hundred thirty-two (3332), and enact a substitute therefor, code 1931, to reorganize the auditing system of the institutions under the Board of Education and Board of Control.

Senate File No. 15, by Senators Stevens and Hicklin, a bill for an act to repeal chapter two hundred thirty-six (236), repeal section two hundred thirty-four (234), amend sections two hundred forty-seven (247), thirty-nine hundred forty-eight (3948), and three hundred two (302), code 1931, relating to the geological survey.

Senate File No. 16, by Senators Hicklin and Stevens, a bill for an act to amend sections thirty-nine hundred twenty-six (3926), thirty-nine hundred twenty-seven (3927), thirty-nine hundred twenty-eight (3928), and to repeal sections thirty-nine hundred twenty-four (3924), thirty-nine hundred twenty-five (3925), thirty-nine hundred thirty-two (3932), thirty-nine hundred thirty-three

(3933), code 1931, relating to the Finance Committee of the State Board of Education.

Senate File No. 17, by Senators Stevens and Hicklin, a bill for an act to repeal section twenty-four hundred sixty-five (2465), providing for attendance on conventions; and repeal section three hundred ninety-eight (398), and enact a substitute therefor, all of the code 1931, to provide for the authorization and payment of expenses of trips to conventions.

Senate File No. 18, by Senators Hicklin and Stevens, a bill for an act to repeal section three hundred ninety-seven-d one (397-d1), code 1931, with reference to the auditing of state institutions.

Senate File No. 19, by Senators Hicklin and Stevens, a bill for an act to amend section sixty-nine hundred forty-four (6944), paragraph eleven (11), code 1931, exempting from taxation the real estate owned by any educational institution of this state as part of its endowment fund when leased or otherwise used with a view to pecuniary profit.

Senate File No. 20, by Senators Stevens and Hicklin, a bill for an act to amend section two hundred ninety-six (296), code 1931, with reference to the powers and duties of the Executive Council.

Senate File No. 21, by Senators Stevens and Hicklin, a bill for an act to amend sections fifty-one hundred twenty-five (5125), fifty-two hundred twenty (5220), fifty-two hundred twenty-one (5221), fifty-two hundred twenty-two (5222), fifty-two hundred twenty-three (5223), fifty-two hundred twenty-four (5224), fifty-two hundred twenty-five (5225), fifty-two hundred twenty-six (5226), fifty-two hundred twenty-seven (5227), fifty-two hundred twenty-eight (5228), fifty-two hundred twenty-nine (5229), fifty-two hundred thirty (5230), fifty-two hundred thirty-one (5231), fifty-two hundred thirty-two (5232), fifty-five hundred seventy-one (5571), fifty-five hundred seventy-two (5572), fifty-five hundred seventy-three (5573) and fifty-six hundred sixty-nine (5669), code 1931, to revise statutory salary rates of county officers, their deputies and clerks.

Senate File No. 22, by Senators Hicklin and Stevens, a bill for an act to amend sections eighty-eight-c one (88-c1), one hundred thirty-c one (130-c1), one hundred fifty-three-c one (153-c1), seventeen hundred three-d twenty-two (1703-d22), twenty-six hundred

three-c one (2603-c1), twenty-eight hundred eighty-two (2882), twenty-nine hundred forty-seven (2947), twenty-nine hundred fifty-two (2952), thirty-three hundred seventy-three (3373), thirty-three hundred eighty-eight (3388), thirty-four hundred three (3403), thirty-four hundred sixty-six (3466), thirty-four hundred eighty-six (3486), thirty-six hundred twelve (3612), thirty-six hundred sixty-one-a five (3661-a5), thirty-six hundred eighty-seven (3687), thirty-seven hundred seven (3707), thirty-seven hundred twenty-four (3724), thirty-seven hundred forty-one (3741), thirty-seven hundred forty-two (3742), forty-six hundred twenty-five (4625), forty-six hundred thirty-c one (4630-c1), sixty-nine hundred forty-three-c eighteen (6943-c18), ninety-one hundred thirty-seven (9137), ten thousand eight hundred four (10,804), and twelve thousand eight hundred sixteen-a one (12,816-a1), code 1931, to reduce state statutory salaries paid by the state.

Senate File No. 23, by Senators Stevens and Hicklin, a bill for an act to amend sections twelve hundred twenty-five-d one (1225-d1), twenty-six hundred eighty-two (2682), forty-six hundred forty-four-c twenty-two (4644-c22), forty-nine hundred forty (4940), fifty-one hundred twenty-five (5125), fifty-one hundred ninety-one (5191), fifty-two hundred thirty-three (5233), fifty-two hundred thirty-seven (5237), and ten thousand six hundred thirty-seven (10,637), code 1931, relating to the mileage and expenses of public officers and employees, county engineers, boards of supervisors, sheriffs, county superintendents, coroners and constables.

Senate File No. 24, by Senators Hicklin and Stevens, a bill for an act to amend section five hundred twenty (520), five hundred twenty-three (523), five hundred twenty-four (524), and five hundred twenty-five (525), code 1931, relating to the term of office of elective officers.

Senate File No. 25, by Senators Stevens and Hicklin, a bill for an act to amend section forty-nine hundred sixty-d thirty (4960-d30), code 1931, relating to the expiration of operators license for motor vehicles.

Senate File No. 26, by Senators Stevens and Hicklin, a bill for an act to prohibit the use and operation of publicly owned motor vehicles, machinery, equipment and other property for private purposes, making such use a misdemeanor and to provide a penalty

for such violation and that all publicly owned automobiles must bear conspicuously placed labels designating its ownership.

Senate File No. 27, by Senators Hicklin and Stevens, a bill for an act to provide for uniform blank forms and record books to be used by all county officers in the State, and for the fixing of the maximum price therefor, and provide a penalty for the non-use thereof, and to amend section fifty-one hundred thirty-four (5134), code 1931.

Senate File No. 28, by Senators Stevens and Hicklin, a bill for an act to amend Chapter sixty-seven (67), code 1931, relating to mileage and travelling expense claims of peace officers.

Senate File No. 29, by Senators Hicklin and Stevens, a bill for an act to repeal section fifty-two hundred sixty-c ten (5260-c10), code 1931, and enact a substitute therefor, relating to the county budget and providing penalty for violation thereof.

Senate File No. 30, by Senators Stevens and Hicklin, a bill for an act to establish a purchasing procedure for counties.

Senate File No. 31, by Senators Hicklin and Stevens, a bill for an act to amend section fifty-three hundred twenty-two (5322), code 1931, relating to the support of the poor.

Senate File No. 32, by Senators Hicklin and Stevens, a bill for an act to amend sections seventeen hundred twenty-two (1722), seventeen hundred twenty-four (1724), seventeen hundred twenty-four-c one (1724-c1), seventeen hundred twenty-five (1725), seventeen hundred twenty-six (1726), seventeen hundred twenty-nine (1729), fifty-four hundred twenty-two (5422), fifty-four hundred twenty-four (5424), fifty-four hundred twenty-six (5426), fifty-four hundred twenty-nine (5429), fifty-four hundred thirty (5430), fifty-four hundred thirty-one (5431), fifty-four hundred thirty-three (5433), fifty-four hundred thirty-four (5434), fifty-four hundred thirty-four-b one (5434-b1), fifty-four hundred forty (5440), fifty-four hundred forty-one (5441), fifty-four hundred forty-three (5443), fifty-four hundred forty-four (5444), fifty-four hundred forty-five (5445), code of 1931, to transfer the issuing of hunting, fishing and dog licenses to the office of the County Treasurer.

Senate File No. 33, by Senators Stevens and Hicklin, a bill for an act to repeal chapter two hundred sixty (260), and amend

section fifty-two hundred thirty-seven (5237), code 1931, to abolish the office of coroner and transfer the duties thereof to the sheriff.

Senate File No. 34, by Senators Hicklin and Stevens, a bill for an act to abolish the office of county recorder and to transfer the duties of that office to the office of the Clerk of the District Court on and after January 1, 1935.

Senate File No. 35, by Senators Hicklin and Stevens, a bill for an act to amend sections fifty-one hundred six (5106), five hundred twenty-two (522), and to repeal sections fifty-one hundred seven (5107), and fifty-one hundred eight (5108), and to repeal sections fifty-one hundred nine (5109), fifty-one hundred ten (5110), and five hundred twenty-one (521), and to enact substitutes therefor, code 1931, relating to the county board of supervisors and township trustees and their term of office.

Senate File No. 36, by Senators Stevens and Hicklin, a bill for an act to amend section forty-three hundred twenty-two (4322), code 1931, relating to common school libraries.

Senate File No. 37, by Senators Hicklin and Stevens, a bill for an act to establish a uniform cost accounting and financial record system in all public schools.

Senate File No. 38, by Senators Stevens and Hicklin, a bill for an act to abolish the office of school treasurer and to impose on the county treasurer the duties heretofore performed by the school treasurers; to amend sections thirty-nine hundred four (3904), forty-one hundred six (4106), forty-one hundred forty-five (4145), forty-one hundred forty-eight (4148), forty-one hundred eighty-six (4186), forty-two hundred sixteen-c thirty-two (4216-c32), forty-two hundred twenty-two (4222), forty-two hundred thirty-two (4232), forty-two hundred thirty-nine-a three (4239-a3), forty-two hundred seventy-four (4274), forty-two hundred seventy-seven (4277), forty-two hundred seventy-eight (4278), forty-two hundred eighty-three-c twelve (4283-c12), forty-three hundred five (4305), forty-three hundred six (4306), forty-three hundred eight (4308), forty-three hundred seventeen (4317), forty-three hundred thirty-five (4335), forty-three hundred ninety-six (4396), forty-three hundred ninety-nine (4399), forty-four hundred (4400), forty-four hundred eight (4408), forty-four hundred nine (4409), seventy-four hundred twenty-d one (7420-d1),

seventy-four hundred twenty-d four (7420-d4), seventy-four hundred twenty-d six (7420-d6), seventy-four hundred twenty-a eight (7420-a8), and seventy-four hundred twenty-b one (7420-b1), code 1931; to repeal sections forty-two hundred forty (4240), forty-three hundred four (4304), forty-three hundred ten (4310), forty-three hundred fourteen (4314), forty-three hundred sixty-nine (4369), forty-three hundred ninety-eight (4398), and forty-four hundred thirty-six (4436), code 1931, and to enact substitutes therefore; and to repeal sections forty-two hundred sixteen-c twenty-six (4216-c26), forty-three hundred sixteen (4316), forty-three hundred eighteen (4318), forty-three hundred twenty (4320), and forty-three hundred twenty-one (4321), code 1931.

Senate File No. 39, by Senators Hicklin and Stevens, a bill for an act to amend section forty-one hundred twenty-two (4122), code 1931, relating to the duties of the county board of education and to provide for centralized purchasing of school supplies.

Senate File No. 40, by Senators Hicklin and Stevens, a bill for an act to amend sections forty-one hundred seventy-nine (4179) and forty-one hundred eighty-one (4181), code 1931, relating to transportation in consolidated school districts.

Senate File No. 41, by Senators Stevens and Hicklin, a bill for an act to repeal sections forty-two hundred fifty-two (4252), Forty-two hundred fifty-five (4255), Forty-two hundred fifty-six (4256), Forty-two hundred fifty-seven (4257), Forty-two hundred fifty-nine (4259), forty-two hundred sixty-one (4261), forty-two hundred sixty-two (4262), forty-two hundred sixty-three (4263), forty-two hundred sixty-four (4264), and forty-two hundred sixty-five (4265), code 1931, and enact a substitute therefor.

Senate File No. 42, by Senators Hicklin and Stevens, a bill for an act to amend section forty-two hundred sixty-six (4266), code 1931, relating to the establishment of a kindergarten.

Senate File No. 43, by Senators Stevens and Hicklin, a bill for an act to amend section forty-two hundred sixty-seven (4267), code 1931, relating to high schools.

Senate File No. 44, by Senators Hicklin and Stevens, a bill for an act to amend section forty-three hundred forty-one (4341), code 1931, relating to minimum salaries of teachers and to repeal sections forty-three hundred forty-two (4342), forty-three hundred

forty-three (4343), and forty-three hundred forty-four (4344), code 1931.

Senate File No. 45, by Senators Stevens and Hicklin, a bill for an act to amend section one hundred twenty-four (124), code 1931, relating to an examination of the financial transactions of school districts.

Senate File No. 46, by Senators Hicklin and Stevens, a bill for an act to authorize the school board in one or more districts to enter into a contract jointly or individually with the board of another district to provide for elementary and secondary school facilities including transportation under certain conditions for the children of their respective districts.

Senate File No. 47, by Senators Stevens and Hicklin, a bill for an act to repeal sections forty-two hundred thirty-two (4232), forty-two hundred thirty-three (4233), forty-three hundred seventy-five (4375), and forty-three hundred seventy-six (4376), code 1931, and to enact a substitute therefor; and to amend section forty-two hundred seventy-four (4274), code 1931, all relating to school privileges under certain conditions.

Senate File No. 48, by Senators Hicklin and Stevens, a bill for an act to amend section forty-two hundred seventy-seven (4277), code 1931, relating to high school tuition.

Senate File No. 49, by Senators Stevens and Hicklin, a bill for an act to amend sections forty-two hundred sixteen-c one (4216-c1), forty-two hundred sixteen-c twenty-four (4216-c24), forty-one hundred twenty-five (4125), forty-two hundred sixteen-c four (4216-c4), forty-two hundred sixteen-c twenty-five (4216-c25), code 1931; and to repeal section forty-two hundred sixteen-c thirty-five (4216-c35), code 1931, all relating to school elections.

Senate File No. 50, by Senators Hicklin and Stevens, a bill for an act to repeal chapters two hundred fifteen-c1 (215-c1) and two hundred fifteen-c2 (215-c2), code 1931, relating to tax-free lands and to enact a substitute therefor.

Senate File No. 51, by Senators Stevens and Hicklin, a bill for an act to repeal section forty-two hundred thirty-one (4231), code 1931, and to enact a substitute therefor.

Senate File No. 52, by Senators Stevens and Hicklin, a bill for an act to amend sections three hundred sixty-nine (369), three

hundred seventy-five (375), and forty-three hundred eighty-six (4386), code 1931, and to repeal sections forty-three hundred fifteen (4315), and forty-three hundred ninety-two (4392), code 1931, relating to the method of estimating and certifying the school budget.

Senate File No. 53, by Senators Hicklin and Stevens, a bill for an act to amend chapter sixty-seven (67), code 1931, relating to expenses incurred in connection with returning defendants from jurisdictions other than that wherein a crime is committed.

Senate File No. 54, by Senators Stevens and Hicklin, a bill for an act to amend section ten thousand eight hundred forty-four (10,844), code 1931, relating to the calling of the Jury panel.

Senate File No. 55, by Senators Hicklin and Stevens, a bill for an act to amend section eleven thousand five hundred sixty-two (11,562), code 1931, relating to bringing causes on for trial.

Senate File No. 56, by Senators Stevens and Hicklin, a bill for an act to amend section eleven thousand four hundred forty-one (11,441), of the code 1931, relating to the printing of court calendars.

Senate File No. 57, by Senators Hicklin and Stevens, a bill for an act to amend section eleven thousand four hundred ninety (11,490), code 1931, relating to the power of the court to limit counsel as to the time of their argument.

Senate File No. 58, by Senators Stevens and Hicklin, a bill for an act to amend chapter fifty-six (56), code 1931, relating to removal from office.

Senate File No. 59, by Senators Hicklin and Stevens, a bill for an act to amend sections eleven thousand fifty-five (11,055), and eleven thousand fifty-seven (11,057), code 1931, relating to commencement of ordinary actions and notice thereof; and to repeal sections eleven thousand fifty-six (11,056) and eleven thousand fifty-nine (11,059), code 1931.

Senate File No. 60, by Senators Stevens and Hicklin, a bill for an act to repeal section eleven thousand four hundred twenty-nine (11,429), code 1931, relating to the trial of cases to a jury and to enact a substitute therefor.

Senate File No. 61, by Senators Hicklin and Stevens, a bill for an act to amend sections ten thousand seven hundred eighty-four (10,784), and ten thousand seven hundred eighty-five (10,785), code 1931, granting to the Chief Justice of the Supreme Court additional authority to transfer District Court Judges.

Senate File No. 62, by Senators Stevens and Hicklin, a bill for an act to amend sections ten thousand eight hundred thirteen (10,813), ten thousand eight hundred thirty-seven (10,837), and eleven thousand six hundred twenty-nine (11,629), code 1931, relating to the fees to be taxed, charged and collected by the Clerk of the District Court.

Senate File No. 63, by Senators Hicklin and Stevens, a bill for an act to amend section eleven thousand three hundred twenty-eight (11,328), code 1931, relating to witness fees for peace officers and other public officials.

Senate File No. 64, by Senators Stevens and Hicklin, a bill for an act to repeal section seventy-three hundred forty-five (7345) Code 1931, and to enact a substitute therefor relating to relief from appraisal of estates for inheritance tax purposes.

Senate File No. 65, by Senators Hicklin and Stevens, a bill for an act to amend section ten thousand eight hundred forty (10,840), code 1931, with reference to the payment of unclaimed fees.

Senate File No. 66, by Senators Stevens and Hicklin, a bill for an act to amend sections sixty-five hundred seventeen (6517), sixty-seven hundred four (6704), sixty-seven hundred five (6705), sixty-nine hundred forty-three-c four (6943-c4), ten thousand six hundred eighty-eight (10,688), ten thousand seven hundred thirty-nine (10,739), and ten thousand seven hundred forty-eight (10,748), code 1931, to reduce statutory salaries for city officers.

Senate File No. 67, by Senators Hicklin and Stevens, a bill for an act to amend sections five hundred fifty-one (551), twenty-two hundred thirty-five (2235), four thousand eighty-six (4086), forty-three hundred fifty-six (4356), forty-four hundred fifty-one (4451), forty-four hundred seventy-three (4473), forty-six hundred eighty (4680), fifty-one hundred thirty-one (5131), fifty-three hundred ninety-eight (5398), fifty-three hundred forty (5340), fifty-three hundred ninety-nine (5399), fifty-four hundred two (5402), fifty four hundred sixty-one (5461), fifty-four hundred ten (5410), fifty-

four hundred sixty-eight (5468), fifty-five hundred thirty-three (5533), fifty-six hundred sixty-three (5663), fifty-six hundred seventy-nine (5679), six thousand seventy (6070), sixty-one hundred forty-five (6145), sixty-two hundred forty-four (6244), sixty-three hundred four (6304), sixty-four hundred ninety-nine (6499), sixty-five hundred eight (6508), sixty-five hundred eighty-four (6584), all of the code 1931, with reference to the changing and fixing the time for the publication of legal and official notices, the number of official newspapers and the designation thereof.

Senate File No. 68, by Senators Stevens and Hicklin, a bill for an act to amend sections seventy-two hundred forty-six (7246), and seventy-two hundred forty-seven (7247), code 1931, relating to notice of tax sale, service and cost thereof.

Senate File No. 69, by Senators Hicklin and Stevens, a bill for an act to amend section seventy-two hundred seventy-two (7272), code 1931, reducing the amount of penalty to be paid in redemption of property from tax sale.

Senate File No. 70, by Senators Stevens and Hicklin, a bill for an act to amend sections sixty-nine (69) and seventy (70), code 1931, relating to the publication of proposed amendments to the Constitution and of public measures.

Senate File No. 71, by Senators Hicklin and Stevens, a bill for an act to amend section fifty-four hundred eleven (5411), code 1931, relating to publishing proceedings of Boards of Supervisors; and to repeal section fifty-four hundred twelve-a one (5412-a1), code 1931, relating to the publication of the same and enacting a substitute therefor.

Senate File No. 72, by Senators Stevens and Hicklin, a bill for an act to amend sections twenty hundred twenty-three (2023), and twenty hundred twenty-three-a one (2023-a1), and to repeal section twenty hundred fifty (2050), code 1931, and to enact a substitute therefor, relating to attorneys' fees in injunction and nuisance cases.

Senator Hicklin offered a substitute for Senate File No. 1, which substitute will be printed in bill form to appear in the files next to the original bill of the same number, and will not be printed in full in the journal, all as provided by joint rule No. 12.

Senator Hicklin offered a substitute for Senate File No. 6, which substitute will be printed in bill form to appear in the files next to the original bill of the same number, and will not be printed in full in the journal, all as provided by joint rule No. 12.

AMENDMENTS FILED

Senator Hicklin filed the following amendment to Senate File No. 4:

Amend Senate File No. 4 by striking from line three (3) of the title thereof the following words and figures: "three hundred seventy-seven-e one (377-e1)".

Senator Stevens of Wapello filed the following amendment to Senate File No. 8:

Amend Senate File No. 8 by striking out the words and figures "forty-eight hundred seventy (4870)" in line one (1), section one (1), and substituting therefor the words and figures "forty-eight hundred seventy-one (4871)".

Further amend said Senate File No. 8 by striking from line one (1) of the caption the words and figures "forty-eight hundred seventy (4870)" and substituting therefor the words and figures "forty-eight hundred seventy-one (4871)".

Senator Hicklin filed the following amendment to Senate File No. 13:

Amend the title to Senate File No. 13 by inserting after the semi-colon (;) in line four (4) the words "and repeal sections".

Senator Hicklin filed the following amendment to Senate File No. 22 as follows:

Amend Senate File No. 22 by adding thereto as section thirty (30) the following:

"Sec. 30. That nothing herein contained shall be construed as changing the salaries of public officials who, under the Constitution of laws of this State, are entitled to receive their present salaries during the term for which they were elected."

Senator Stevens of Wapello filed the following amendment to Senate File No. 23:

Amend Senate File No. 23 by striking Section ten (10) and renumbering the following section.

Senator Stevens of Wapello filed the following amendment to Senate File No. 24:

Amend Senate File No. 24 by striking out the figures "1936" in line two (2) of Section five (5), and substituting therefor the figures "1935".

Senator Stevens of Wapello filed the following amendment to Senate File No. 38:

Amend Senate File No. 38 by striking from Section twenty-six (26), lines four (4) and five (5) of subsection one (1), the words "separate account of each fund with the county treasurer,".

Senator Stevens of Wapello filed the following amendment to Joint Resolution No. 2:

Amend Joint Resolution No. 2 by striking Section one (1) and substituting therefor the following:

"SECTION 1. That a joint, non-partisan, legislative committee be and is created to be known as a Committee on Reduction of Governmental Expenditures and shall be composed of three members to be appointed by the Governor."

Senator Stevens of Wapello filed the following amendment to Joint Resolution No. 3:

Amend Joint Resolution No. 3 by striking out the figures "1936" in line four (4) of section six (6), and substituting therefor the figures "1938".

HOUSE CONCURRENT RESOLUTION NO. 1

Be it Resolved by the House, the Senate concurring, That a joint convention of the two Houses of the Forty-fifth General Assembly be held on January 10, 1933, at 2:00 P. M.

Be it Further Resolved, That Governor Turner be invited to read his message at this joint meeting of the two Houses of the General Assembly, and that the President of the Senate and the Speaker of the House be designated to deliver the invitation to him.

Be it Further Resolved, That at this joint convention the vote for Governor and Lieutenant Governor be canvassed and the result announced and recorded as provided by law.

Senator Bennett asked and obtained unanimous consent to consider the Concurrent Resolution and moved its adoption. The resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 2

Be it Resolved by the House, the Senate concurring, That a joint committee of six members be appointed, three from the Senate to be ap-

pointed by the President, and three from the House to be appointed by the Speaker, to nominate such additional employes other than committee clerks, as may be necessary for the work of this session and that the committee recommend the position to be filled and the compensation of each employe so nominated.

Senator Kimberly asked and obtained unanimous consent to consider the Concurrent Resolution and moved its adoption. The resolution was adopted.

APPOINTMENT OF JOINT COMMITTEE ON EXTRA HELP

The President pro tempore appointed Senators Kimberly, Irwin and Harrington to represent the Senate on the Joint patronage committee.

On motion of Senator Wenner the Senate adjourned until 10 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER.

DES MOINES, IOWA, JANUARY 10, 1933.

The Senate met in regular session, President pro tempore Matt. D. Cooney presiding.

Prayer was offered by Rev. Philip Palmer, of Cedar Rapids, Iowa, Presbyterian Field Worker, Synod of Iowa.

PETITIONS AND MEMORIALS

The following petitions were received and filed, to be referred to the proper committees as soon as they have been appointed:

Favoring the placing of a special tax on the so-called
"chain stores" doing business in the state.

Senator White, from residents of Benton County.

Senator Reese, from residents of Marshall County.

Senator Coykendall, from residents of Fremont County.

Senator Stanley, from residents of Taylor and Adams Counties.

Senator Hush, from residents of Mills County.

Senator Elthon, from residents of Mitchell County.

Senator Booth, from residents of Cass County.

Senator Bennett, from residents of Crawford County.

Senator Wilson, from residents of Polk County.

Approving prohibition.

Senator White, from residents of Benton County.

Senator Anderson, from residents of Calhoun County.

Senator Husted, from residents of Adair County.

Senator Byers, from residents of Linn County.

COMMUNICATION FROM FORMER LIEUTENANT GOVERNOR,
THE HONORABLE ARCH W. McFARLANE

January 10, 1933

Hon. M. D. Cooney,
President Pro tempore,
The Senate.

Dear Senator: Pursuant to the usual custom, as President of the

Senate, I appointed the following members of the Senate to attend the funeral of the late Senator John Langfitt:

Hon. Chas. D. Booth
Hon. F. E. Ickis

Hon. Wesley C. Lowe

I also appointed the following members of the Senate to attend the funeral of the late George Christophel:

Hon. E. J. Wenner
Hon. Lafe Hill

Hon. C. A. Benson

I should be pleased to have this made a matter of record in the Senate Journal.

Very respectfully,

ARCH W. McFARLANE.

COMMUNICATION FROM THE SECRETARY OF STATE

January 10, 1933.

To the Honorable, The Secretary of the Senate:

I am transmitting herewith Contest papers in the following cases:

T. E. Moen, Contestant, vs. Garritt E. Roelofs, Incumbent, Forty-ninth Senatorial District.

Warren A. Caldwell, Contestant, vs. L. T. Shangle, Incumbent, Fourteenth Senatorial District.

The above papers were filed in this department in accordance with Chapter 49, Section 997, Code of Iowa, and forwarded to your Honorable Body under the provisions of Section 998, Code of Iowa.

Sincerely yours,

MRS. ALEX MILLER, *Secretary of State.*

By JAMES C. GREEN, *Deputy.*

Senator Carden submitted the following concurrent resolution, asked unanimous consent for its consideration and moved its adoption; also that a copy be sent to Mrs. Coolidge:

SENATE CONCURRENT RESOLUTION NO. 3

Resolved by the Senate, the House concurring, That the following telegram be sent, bearing the signatures of the President pro tempore of the Senate and the Speaker of the House of Representatives of the Forty-fifth General Assembly:

To Mrs. Calvin Coolidge,
Northampton, Mass.

The Senate and House of Representatives of the State of Iowa wish to express to you our deepest sympathy in the passing of your distinguished husband, and our former President of the United States, Calvin Coolidge. His quiet dignity, his careful forethought, and his superior wisdom in guiding the affairs of our nation have so exalted him in the minds of the American people that his name and his services will never be forgotten by a devoted public.

January 10, 1933.

The resolution was adopted.

Senator White moved that a committee of two be appointed by the President pro tempore to serve with the Secretary of the

Senate who will act as a third member of said committee to rent typewriters for the use of the committee clerks of the Senate and other clerical help on a basis of bids to be opened to all dealers who can furnish satisfactory machines for this session of the Senate of the Forty-fifth General Assembly. The motion prevailed.

The President pro tempore named Senators White and Knudson.

APPOINTMENT OF CONTEST COMMITTEES

Senator Geske moved that the President pro tempore appoint two committees of five each to sit as election contest committees on the contest for membership in the Senate of the Forty-fifth General Assembly: Moen vs. Roelofs in the 49th District; and Caldwell vs. Shangle in the 14th District. The motion prevailed.

The President pro tempore appointed the following Senators to serve on the contest committee, Moen vs. Roelofs, Senator Irwin, chairman, and Senators McArthur, Valentine, Beardsley and Stanley.

The President pro tempore appointed the following Senators to serve on the contest committee, Caldwell vs. Shangle, Senator Patterson, chairman, and Senators Geske, Harrington, Wenner and Bennett.

Senator Topping asked and obtained unanimous consent to have the name of John Langfitt withdrawn from the Republican patronage list.

Senator Irwin asked and obtained unanimous consent to have the name of Mrs. Ruth Tyler withdrawn and that the name of Marjorie L. Wilkinson be substituted on the Democratic patronage list.

Senator Topping moved that Marjorie L. Wilkinson be declared elected to the post of Bill Clerk. The motion prevailed.

Senator Irwin moved that Catherine Hicklin be declared elected to the post of Journal Clerk. The motion prevailed.

The President pro tempore declared the following persons elected by the Senate to posts in the permanent organization set opposite their names and they presented themselves before the

Secretary, before whom they took the required oath and assumed their offices:

W. C. Boyle, Sergeant-at-Arms.
 George W. Hamilton, Doorkeeper.
 George Stewart, Janitor.
 Catherine Hicklin, Journal Clerk.
 Marjorie L. Wilkinson, Bill Clerk.
 Marghetta Jebsen, Assistant Journal Clerk.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in the following Senate concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution No. 1 providing for recess or adjournment from January 12th to January 17th.

Also, that the House has concurred in the following Senate Concurrent Resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution No. 2, providing for Joint Committee to arrange for the inaugural of the Governor and Lieutenant Governor and the Speaker has appointed as such committee on the part of the House the following:

Hon. A. H. Bonnstetter
 Hon. E. A. Elliott
 Hon. Ed Rawlings

Hon. C. E. Malone
 Hon. Leroy S. Mercer
 Hon. Carl B. Stiger
 LLOYD ELLIS, *Chief Clerk.*

At the direction of President pro tempore, Matt. D. Cooney, the Senate recessed until 1:40 p. m.

AFTERNOON SESSION

The Senate reconvened at the fall of the gavel, President pro tempore Matt. D. Cooney presiding.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

The Senate proceeded to the House under the direction of the Sergeant-at-arms.

JOINT CONVENTION

In accordance with law and concurrent resolution duly adopted the Joint Convention was called to order, President of the Senate, presiding.

The roll was called.

Those present were, 151.

Aldrich	Frizzell	McCarthy	Ruelofs
Alesch	Fuelling	McCreery	Ryder
Anderson	Fuester	McDermott	Schmidt
Aschenbrenner	Gallagher	McFarlane	Schmitz
Augustine	Garner	McKinnon	Schroeder
Beardsley	Geske	McLean	Shangle
Beath	Gissel	Malone	Sheridan
Beatty	Gittinger	Maniece	Snyder
Bennett	Goode	Mercer	Sours
Beswick	Grau	Metcalf	Speidel
Bonnstetter	Grell	Meyer	Stanley
Booth	Hanson of	Miller of	Stansell
Bouska	Lyon	Buchanan	Stanzel
Burgess	Hanson of	Miller of Jones	Stevens of
Byers	Winnebago	Miller of Shelby	Decatur
Calhoun	Harrington	Millhone	Stevens of
Carden	Hartman	Mitchell	Wapello
Chrystal	Hicklin	Moore of Benton	Stewart
Cooney	Hill	Moore of	Stiger
Coykendall	Hook	Harrison	Stimpson
Craven	Hopkins	Moore of	Strachan
Crouch	Hopp	Pottawattamie	Swift of Dubuque
Cunningham	Hough	Mooty	Swift of Jackson
Davis	Hultman	Mullaney	Thies
Dean	Humeston	Myers	Thiessen
Ditto	Hush	Nelson	Topping
Dole	Husted	Osborn	Treimer
Donlon	Irwin	Ostby	Valentine
Doran	Jenkins	Paisley	Weed
Dreessen	Jensen	Patterson	Wiese
Durant	Johnson	Peaco	Wenig
Elliott	Judd	Peet	Wenner
Ellsworth	Kimberly	Pendray	White
Elthon	Klemme	Porter	Willis
Fabritz	Knudson	Rawlings	Wilson
Falvey	Koch	Reed	Wolf
Felter	Laughlin	Reese	Yager
Fisch	Lichty	Rice	Zipse
Foster	Lookingbill	Ritchie	Zylstra
	McArthur	Roe	Mr. Speaker

Those absent were, 6.

Bowers	Bruce	Frailey	Teter
Brady	Casey	Smith	

President Matt. D. Cooney announced a quorum present and the Joint Convention duly organized.

Senator Stanley moved that a committee of three, consisting of one member from the Senate and two members from the House, be appointed to notify the Governor that the Convention was ready to receive him. Motion prevailed and the President appointed Senator Stanley of Adams on the part of the Senate, and

Representatives Beath of Adams and Stansell of Clarke, on the part of the House.

The committee waited upon the Governor and escorted him to the Speaker's station.

President Matt. D. Cooney then presented Governor Dan Turner who delivered the following message:

GOVERNOR TURNER'S MESSAGE

To the Senate and House Members of the Forty-fifth General Assembly:

The Constitution of our State requires that the Chief Executive "shall communicate by message to the General Assembly at every regular session the condition of the State and recommend such matters as he shall deem expedient."

The reports of the various departments of State are now printed and will be placed on your desks. These reports will be of value to you in determining future policies in relation to these departments.

ECONOMY

In the fifteen years preceding 1931 the cost of government in Iowa had more than doubled. Since 1900 it had increased five-fold. With this thought in mind two years ago I set forth the necessity of drastic tax reduction.

The program of economy is now well under way. Taxes in 1932 were reduced \$10,000,000.00 as compared with 1931. In 1933, under the levies made in 1932, there will be a further reduction in the tax bill of another \$10,000,000.00 thus making a total reduction of \$20,000,000.00 during the past two years. These figures are conservative. In my opinion more than \$10,000,000.00 reduction can be made for this year by repealing immediately mandatory taxes and reducing salaries so that the benefit can be had in the tax paying year of 1933.

By following out this program of economy this record of \$20,000,000.00 reduction in taxes can be more than duplicated during the next two years.

I would recommend to your careful and thoughtful scrutiny the report of the Committee on Reduction of Governmental Expenditures. This committee, over a period of more than a year and a half, have through investigation and earnest study, rendered this valuable report which will be helpful to you in carrying out the economy program outlined above.

CONSOLIDATIONS

In my Message two years ago I called the attention of the Forty-fourth General Assembly to the necessity of consolidation of departments. Many consolidations can be effected without impairing the efficiency of government. Further reductions in the cost of State government can be obtained in thus reducing personnel.

In addition to the various consolidations that can be effected, the inspection forces can be materially reduced.

The inspectors should be located in specified territory to save mileage expense.

In working out consolidations with the view of reducing expenses, care should be taken that too much power is not reposed in the Executive Department of State. It should be our constant effort to keep the government close to the people and it would be unwise in my opinion to concentrate too much power in the hands of one man.

BUDGET REPORT

There has been placed on your desks the report of the Budget Director.

If the bill be enacted as presented by the Director it will be necessary to levy a tax of \$7,249,256.00 per annum representing a millage levy of 7.9 mills on the present taxable value of \$924,653,308.00 of all the property of the State. However, in my opinion you will discover upon consideration of this report that substantial reductions can be made in addition to those therein recommended.

MANDATORY TAX REDUCTION

A mandatory tax reduction law should be enacted, based on the principle of the Elliott-Clark bill.

TAX REVISION

In addition to tax reduction and fully as imperative is the necessity of tax revision to insure equalization of the tax burden. Even the spokesmen of big business agree now that there should be material tax reduction. If they were sincere in wanting full justice done they would join with us in the endeavor to incorporate in the laws a tax based on the principle of ability to pay. Such a tax would reach both individuals and corporations who under the present laws are escaping their share of the burden of taxes. There is no justice in our present system of taxation that forces the farmers of Iowa to pay 67 per cent of the taxes levied for state purposes, although they constitute only 39 per cent of the population of the state and have less than 25 per cent of its income. There can no longer be any excuse for the continuance of a system where more than 90 per cent of the revenue comes from visible property. The interests interposing objection to an Income Tax should no longer be allowed to dictate or influence needed legislation. It is enough to say that farms, homes and other visible property now carry 95 per cent of the tax burden while invisible property representing approximately 45 per cent of the wealth of the State pays only 5 per cent of the taxes and earning ability and income make no contribution whatever to the cost of government.

In this connection I call your attention to the condition of the State Treasury. The revenue has been greatly decreased through the inability of a large number of our citizens to pay their taxes.

It will be necessary for the General Assembly to promptly consider this matter and provide revenue from indirect sources to meet the emergency.

It was apparent two years ago and it is vital now.

Objection has been made to any method of taxation based on ability to pay on the theory that revenue coming from such sources would not be replacement taxes. There is no merit to this contention. Such taxes

can be made iron-clad replacement taxes by providing in the law that hereafter there shall be no millage levy for State purposes. All revenue to carry on the State government shall be obtained from indirect sources and when the element of justice obtains in taxation, not only will revenue be provided other than direct taxes to carry the cost of State government, but there should be in addition, money to allocate to the school districts over the State and thus lighten the school tax.

The public utilities whom you will find represented here by a group of shrewd lobbyists and the manufacturers' associations and certain individuals with large incomes will interpose objection to any legislation involving a plan that will compel them to pay their share of the cost of government. A wise and honest legislator will refuse to be influenced by these agents of special privilege. Every interest is entitled to a square deal; none are entitled to special privilege.

TAX EXEMPT SECURITIES

The list of tax exempt securities should be greatly shortened or entirely eliminated.

CHAIN STORES

Something over a year ago the Supreme Court of the United States handed down a decision making it possible for States to tax chain stores. This session of the legislature should not adjourn without providing a law taxing these large chain organizations. This law should be in the nature of a graduated tax—the separate units of the large chains paying more in proportion than the units of the small chains.

TAX SALES

The law providing for tax sales and extra penalties should be revised. It is necessary to have some plan that will require payment of taxes at stated periods, but the present rule and penalty is too severe. The law in relation to tax and scavenger sales is very rigid. It should be revised to meet the emergency situations comparable to the present one.

AUDIT OF THE STATE INSTITUTIONS

I would commend to your attention the report of the Board of Audit set up in the last legislature to investigate and audit the accounts of the institutions under the State Board of Control and the State Board of Education. You will learn that the schools under the State Board of Education expended more than \$21,800,000.00 during the biennium. This is too much. The amount of money spent is entirely out of line with present conditions. Approximately \$14,600,000.00 was contributed by the State, \$777,000.00 was contributed by the Federal Government and over \$6,400,000.00 was obtained from tuition fees, dormitory and dining services and other sources.

Under the present method this latter amount of \$6,400,000.00 was expended without legislative appropriation and without any control by the Legislature. I believe that this situation should be corrected so that all cash received by the Institutions (except Federal appropriations and restricted gifts) will be transmitted to the State Treasurer and disbursed

to the several institutions in accordance with the minimum needs of each Institution as determined and appropriated by the General Assembly.

While it is necessary that the several educational institutions have sufficient working capital on hand at all times to function properly, I believe that excessive accumulation of funds beyond an amount sufficient for that purpose is unwarranted. This is especially noteworthy of the State University which, on June 30, 1932, had expendable funds on hand in the form of cash, securities, accounts and inventories in excess of \$1,000,000.00.

The business methods of the University have been the cause of grave concern to all thoughtful citizens and new plans should be devised that will eliminate extravagance and encourage sound business administration in this great institution.

The expenditures of Institutions under the Board of Education and Board of Control should be under the direction and control of the State Board of Audit.

PUBLIC UTILITY ASSESSMENTS

The Board of Assessment and Review should be commended for making a substantial increase in the assessed valuation of public utility property this year to the amount of eleven million dollars. However when we learn that the "book values" of the assets of these companies are over three times as much as the assessed value and that these utilities have bonds outstanding totaling more than twice the assessed value, it is apparent that there should be further and definite increase in the assessed valuations placed on these properties.

It is true that many of these utility properties are more or less inflated but the bonded debt, which generally represents about half the amount fixed as "book value," should be a fair criterion to go by as to the value of these properties. Sixty per cent is generally the percentage taken in assessing property in this State. If the utilities were assessed on 60 per cent of their value the present assessment on these properties would be more than doubled and these assessed values would then be in line with the valuations placed on other properties in the State.

TELEPHONE

Two years ago in my message to the Legislature I made this statement in regard to the large telephone companies:

"There is no provision in law giving either the State or municipalities within the State authority to stand between the people and the large telephone and telegraph companies now operating within the State, in the vital question of establishing fair rates for service. Eight years ago the Governor of the State in his biennial message called attention to the monopoly enjoyed by these large telephone utilities and the necessity of protection for the people, but his sound advice went unheeded. The situation is even more acute now.

"These quasi-public, franchise privileged corporations should be subjected to regulations in law that will insure the consumers of the service furnished, fair rates based on an intelligent survey of operation costs and capital invested."

"In any instance wherein individuals or corporations hold control of public necessities it is the imperative duty of the State to establish regulation thereof. No method other than State control has been devised giving assurance of protection against exorbitant rates levied by unfettered monopoly."

HIGHWAYS

I think it is my duty to call your attention to the diminishing collections and receipts from the gasoline tax and motor vehicle license fees in the primary road funds. These receipts have already been greatly reduced and if present conditions do not improve, the outlook is for continued reduction in the revenues of this department.

It should be kept constantly in mind that there is a moral obligation to pay the bonded indebtedness from these funds so that it shall never become a tax on property and no action should be taken that would imperil the funds to the extent of throwing this burden on the farms and homes of the people.

IOWA COAL

Every effort should be used in administration and where possible through legislation to encourage the use of Iowa products by Iowa people. Consider the second industry of the State—coal. Over 8,000 Iowa citizens, the majority of them heads of families, depend on mining coal for their livelihood and we should encourage this industry and strive to bring this business back to the 1910 basis when 18,000 men were mining coal in Iowa. Tax spending bodies would render a substantial service to the State by using Iowa coal and in addition to encouraging this industry they can be assured that it means economy, for the reason that Iowa coal furnishes more heat units per dollar of cost than other coal.

"The more Iowa coal used the more men employed—these miners in turn buy Iowa farm and manufactured products. They patronize the retailers, who are the customers of the wholesalers. Thus, we see forcibly illustrated the value of patronizing our own industries. A more striking example in this respect could not be given."

PRISON LABOR

The Federal Act relating to prison labor known as the Hawes-Cooper Law, signed by the President of the United States, January 19, 1929, and which becomes effective January 19, 1934, provides in part as follows:

"All goods, wares and merchandise manufactured, produced, or mined, wholly or in part, by convicts and prisoners, * * * or in any penal or reformatory institution, * * * transported into any State, * * * and remaining therein for use, consumption, sale or storage, shall upon arrival and delivery in such State, * * * be subject to operation and effect of the laws of such State, * * * to the same extent and in the same manner as though such goods, wares, and merchandise had been manufactured, produced, or mined in such State, * * * and shall not be exempt therefrom by reason of being introduced in the original package."

Under the provisions of this law there is no probability of finding any firm willing to contract for the labor or goods produced in our Iowa

institutions. There are three contracts now in effect, one of these terminating February 1 and the other two July 1 of the present year.

Over nine hundred inmates of our institutions are now engaged upon these contracts and unless some means for their employment be found prior to the termination of these contracts, they will have to remain in idleness. This is a most serious condition and one that should be taken into consideration by the Legislature. I feel it is my duty to again call to the attention of the Legislature the possibilities arising because of this Federal statute.

We are now about to face actual results because of our past inactivity. While the idleness of a large group of prisoners is a serious condition to face, yet an equally serious one confronts our Iowa manufacturers whose wares come in competition with prison labor in that our laws as they now are written would leave our State an open field for the introduction of prison-made goods from other States inasmuch as these goods could freely come into the State and could be handled the same as though they had been produced under the terms of our Iowa statutes.

Attention to this is again called in the hope that some remedy may be found both as a means to prevent the idleness of our own inmates and also as a protection to our Iowa manufacturers engaged in the making of goods similar to that which is introduced from prisons of other states.

CHILD WELFARE

During the past two years conferences have been held for the purpose of coordinating the efforts of several character building and child welfare agencies. Stress has been placed on child welfare work. Patriotic women engaged in this splendid work are rendering constructive service to our State.

MAIN ISSUE—ECONOMIC

No step should be taken that will weaken the laws that have been set up to control the liquor traffic in this State. What we need is enforcement of the present laws—not abrogation or revision of same. It would be a grave error for our State to take a backward step in relation to the liquor evil at this time. Our country is in the midst of the most serious crisis in history. For Legislative Assemblies now to spend their time in seeking ways and means of destroying the laws controlling the liquor traffic instead of addressing themselves to the serious and vital problems of unemployment; low prices; stagnation in business and all the other issues growing out of the depression, would be to acknowledge our incompetency to meet the problems that are imminent and severe. Our every thought should be given to measures and methods that will grant to every citizen the inalienable privilege of employment; that will restore farm prices to a decent level; reduce the cost of government and in general solve the problems of depression.

To waste time and energy in this great crisis in seeking methods of expediency in relation to the liquor question is a travesty on the intelligence of the people and an acknowledgment that we are unworthy of the heritage bequeathed us by our Fathers.

LAW ENFORCEMENT

Vital to the continued existence of our government is the strict enforcement of law. Every move made should keep this fact in view and impress on our constituency the merit of law observance and stern necessity of law enforcement.

PRIMARY LAW

Periodically attempts are made to repeal the Primary Law. This, in my opinion, would be a grave mistake. It is the method that has been worked out whereby every citizen has a part in the selection of public officers. It is the best method so far devised. The caucus system gave to organized minority groups the power to make the nominations in both major parties. Under the caucus system bribery and corruption were rampant and under that system there was a constant temptation on the part of many citizens to neglect their duty, and too much power was placed in the hand of the professional politicians.

No system has even been devised that is perfect but the Primary System is undoubtedly a great improvement on the caucus and convention system. The forces that are organized to destroy it are influenced by motives of self-interest and a desire to demand special privilege for themselves.

FARM MORTGAGE FORECLOSURES

Iowa farm mortgages have been foreclosed at an alarming rate in recent months. The Court decisions granting preference in the appointment of a receiver to the mortgagee who first begins foreclosure, without regard to the priority of the lien of the mortgages on the land, have resulted in a race between mortgagees to be the first to begin foreclosure and thus benefit by the preference in the appointment of a receiver. Holders of first mortgages justify foreclosure upon the ground that it is necessary to protect and perfect their lien upon the crops by first demanding the appointment of a receiver.

Large (eastern) insurance and loan companies have overworked this excuse. This is obvious when it is found certain of these companies are regularly lenient with the farmer with a thin equity and just as regularly insistent upon foreclosure upon the slightest default against the farmer with a substantial equity, when the mortgagee can make a profit upon resale as soon as a sheriff's deed issues. The practice of the Joint Stock Land Banks in this and all other respects has been ruthless and destructive to the farm owner. The aggregate result of these practices has been to put honest, deserving farmers out of their homes with vicious deficiency judgments hanging over their heads and to glut the land market with Iowa farms at forced sales.

It is vital that this Legislature revise the mortgage foreclosure law to protect the land and home owner in the present emergency. Such revision among other things should lengthen the time required to get a sheriff's deed provided the borrower applies one-half the crop to the payment of interest and taxes. It should fix the right to rents and profits in some manner which does not encourage foreclosure by rewarding the mortgagee who first forecloses with a priority in the appointment of a receiver for the rentals of the farm.

In viewing the general situation I lay it down as a fair principle that the borrower should not have the mortgage on his home foreclosed when he is in position to pay the landlord's share of the crop to go toward the payment of interest and taxes.

UNEMPLOYMENT

The unemployment situation continues to challenge the attention of all generous minded and thoughtful people. In some of the counties of our State the situation has become serious. Nearly two years ago I organized an Employment Committee and this State Committee set up Employment Committees in all the counties of the State. In recent months we have reorganized this State Employment Committee and now have an Executive Committee called the Emergency and Relief Committee consisting of five members to function with the different counties and cities of the State.

The so-called "poor laws" of this State are antiquated and are not sufficient to meet adequately the present situation.

The last Congress of the United States, under the Emergency Act of 1932, created what is known as the Reconstruction Finance Corporation, and made provision for advancements to states and loans to counties and municipalities for relief of unemployment and the destitute as a result thereof.

The Executive Committee has worked diligently with the agents of the Reconstruction Finance Corporation, but because of our antiquated laws, has been unable to secure the aid which is necessary to alleviate conditions as they now exist. The principal legal difficulty arises in the fact that under our statutes counties can issue warrants only for the purpose of paying bills accrued, while under the Reconstruction Act of the Congress of the United States, the Reconstruction Finance Corporation can make loans only for the purposes of future relief.

It is, therefore, imperative that our statutes be amended to permit counties to make loans from the Reconstruction Finance Corporation, with proper limitations, for future emergencies. By so doing, the counties of the State may procure loans from the Reconstruction Finance Corporation at a very low rate of interest until they are able to assume the obligations due the destitute and needy to the end that suffering may be alleviated or avoided. I offer this suggestion for your early and serious consideration.

The State Committee will render any service possible to make connection between the counties that need help and the Federal Government. Certain rules must be complied with to obtain Government aid and restrictions are somewhat onerous but the State Emergency Committee has knowledge of the method that must be pursued and will cheerfully confer with any community that wishes to obtain a Government loan. In this connection it is necessary to keep in mind that these Federal funds come in the nature of loans and it is highly important in each community where unemployment obtains, for our generous citizens to make every effort to take care of the unemployed in their respective communities so that we will have the full knowledge that hungry and shelterless people are taken care of in our State during this severe

emergency period. The Chairman of the State Executive Committee is Harry T. Rollins of Des Moines and the Secretary is A. L. Urick, Commissioner of Labor.

INVESTIGATION OF THE AUDITOR'S OFFICE

You will have placed before you the report of the Commission appointed to investigate the affairs of the State Auditor's Office last February. As a result of this investigation the State Auditor, J. W. Long, was suspended from office. The responsibility is now in your hands of deciding the question of impeachment of a public officer who has violated and betrayed a public trust. No force from without can ever destroy the institutions of liberty. Foreign aggression can never be powerful enough to destroy this government. Representative government will continue to exist and spread its blessings among the people as long as the citizens take an intelligent interest in the government and demand honesty and probity on the part of public officials. But a powerful enemy threatens us, when the canker of corruption exists within the Government itself—when citizens are resigned to the idea of graft and dishonesty on the part of those who have been placed in positions of trust.

YOUR RESPONSIBILITY

Let us appraise the enemy forces threatening Democracy. Dishonesty in public office; lawlessness; confiscatory taxes; special privilege; concentration of wealth—these are the five major foes of representative government. Vanquish these opponents and the government is secure. Subdue these enemies and the problems, moral and economic, are solved.

As we view the distress in this critical period of our country's history is it too much to hope that we can have vouchsafed to our people the intelligence and moral courage needed to guarantee to frugal, industrious Americans the opportunity of employment; decent prices for their products; relief from oppressive taxes; economic independence and security under the laws? In this great undertaking, you as representatives of the people have an unparalleled opportunity and a deep responsibility. Our fathers and our forefathers in many a crisis of our country's history proved competent to meet the problems of their day and generation. Our heritage came to us unimpaired. To preserve that heritage is the need of the hour, and to prove worthy of it, we cannot fail in this test.

COMMUNICATION FROM THE GOVERNOR

The following communication was received from the Governor:

MR. PRESIDENT, MR. SPEAKER, SENATORS AND REPRESENTATIVES OF THE FORTY-FIFTH GENERAL ASSEMBLY:

I herewith transmit to you for such action as you may deem proper a certified copy of a Resolution of Congress, entitled,

“Joint resolution proposing an amendment to the Constitution of the United States fixing the commencement of the terms of President and Vice President and Members of Congress and fixing the time of the assembling of Congress.”

Said Resolution is duly authenticated by the great seal of the United States and signed by the Secretary of State, Henry L. Stimson.

The certified copy of said Resolution is herewith transmitted to the Lieutenant Governor of the State of Iowa, as President of the Senate, with the request that this communication and a certified copy of said Resolution be made a part of the proceedings of this Joint Session, the Resolution, after it has been acted upon by the Senate and House in proper and legal form, to be filed in the office of the Secretary of State of Iowa.

DAN W. TURNER, *Governor.*

January 10, 1933.

No. 1083

UNITED STATES OF AMERICA
DEPARTMENT OF STATE

To All to Whom These Presents Shall Come, Greeting:

- I certify that the copy hereto attached is a true copy of a Resolution of Congress, entitled "Joint Resolution proposing an amendment to the Constitution of the United States fixing the commencement of the terms of President and Vice President and Members of Congress and fixing the time of the assembling of Congress," the original of which is on file in this Department.

In Testimony Whereof, I, Henry L. Stimson, Secretary of State, have hereunto caused the Seal of the Department of State to be affixed and my name subscribed by the Chief Clerk of the said Department, at the City of Washington in the District of Columbia, this eighth day of March, 1932.

(Seal) HENRY L. STIMSON, *Secretary of State.*

By C. E. MAC EACHRAN, *Chief Clerk.*

S. J. Res. 14

SEVENTY-SECOND CONGRESS OF THE UNITED STATES OF
AMERICA

At the First Session, begun and held at the City of Washington on Monday, the seventh day of December, one thousand nine hundred and thirty-one.

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States fixing the commencement of the terms of President and Vice President and Members of Congress and fixing the time of the assembling of Congress.

Resolved by the Senate and House of Representatives of the United States of America in Congress Assembled (two-thirds of each House concurring therein), That the following amendment to the Constitution be, and hereby is, proposed to the Senate, to become valid as a part of said Constitution when ratified by the legislatures of the several States as provided in the Constitution:

"ARTICLE —

"SECTION 1. The terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators and Rep-

representatives at noon on the 3rd day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

"SEC. 2. The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3rd day of January, unless they shall by law appoint a different day.

"SEC. 3. If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

"SEC. 4. The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

"SEC. 5. Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

"SEC. 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission."

JNO. N. GARNER,
Speaker of the House of Representatives.

CHARLES CURTIS,
*Vice President of the United States and
President of the Senate.*

CANVASS OF VOTES

The President announced that the time has arrived for the canvass of the votes cast for the offices of Governor and Lieutenant Governor at the general election held on November 8, 1932, and announced as teller on the part of the Senate, Senator Carden of Henry, and as assistant tellers, Senators Wenner of Black Hawk, and Fisch of Plymouth.

Speaker Miller announced as teller on the part of the House, Ditto of Osceola, and as assistant tellers, Representatives Reed of Mahaska, and Goode of Davis.

The President further announced that, in accordance with

statute, Tellers Carden of Henry and Ditto of Osceola, would constitute the judges of said canvass.

Speaker Miller in the chair.

The Speaker then opened the returns in the presence of the Joint Convention, and the tellers proceeded to canvass the vote for Governor and Lieutenant Governor of the State of Iowa cast at the general election held on November 8, 1932.

Carden of Henry moved that the Joint Convention now recess until 1:45 p. m. Thursday. Motion prevailed.

The Senate returned to the Senate Chamber and resumed regular session.

On motion of Senator Klemme the Senate adjourned until 10:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 11, 1933.

The Senate met in regular session, President pro tempore Matt. D. Cooney presiding.

Prayer was offered by Rev. W. W. Bentzinger, pastor of the Methodist Episcopal Church of Winfield, Iowa.

PETITIONS AND MEMORIALS

The following petitions were received and filed, to be referred to the proper committees as soon as they have been appointed:

Favoring the placing of a special tax on the so-called
"chain stores" doing business in the state.

Senator Meyer, from residents of Bremer county.
Senator Judd, from residents of Wayne county.
Senator Hopkins, from residents of Guthrie county.
Senator Ritchie, from residents of Humboldt county.
Senator Aschenbrenner, from residents of Marion county.
Senator Anderson, from residents of Webster county.
Senator Husted, from residents of Adair county.
Senator Roy E. Stevens, from residents of Wapello county.
Senator Mullaney, from residents of Allamakee county.
Senator Klemme, from residents of Winneshiek county.
Senator Frank M. Stevens, from the residents of Decatur county.
Senator Fisch, from residents of Ida, Cherokee and Plymouth counties.

Approving prohibition.

Senator Pendray, from residents of Jackson county.
Senator Reese, from citizens of Marshalltown.
Senator McArthur, from residents of Franklin county.
Senator Hopkins, from residents of Guthrie and Dallas counties.
Senator Roelofs, from residents of O'Brien county.
Senator Aschenbrenner, from residents of Monroe county.
Senator Hush, from residents of Mills county.
Senator Roy E. Stevens, from residents of Wapello county.

Senator Coykendall, from residents of Fremont and Page counties.
Senator Ritchie, from residents of Humboldt county.
Senator Nelson, from residents of Boone county.
Senator Frank M. Stevens, from residents of Ringgold county.

Favoring abolishment of Minimum Wage Law.

Senator Mullaney, from residents of Allamakee county.

Opposing passage of Senate File No. 51.

Senator Pendray, from residents of Jackson county.

INTRODUCTION OF BILLS

Senate File No. 73, a bill for an act to establish the general fund for the State of Iowa, for the biennium beginning July 1, 1933, and ending June 30, 1935, and to appropriate therefrom for all departments and various divisions thereof, of the State of Iowa, for all purposes provided by law, for the said biennium.

Senate File No. 74, by Senator Hush, a bill for an act to amend section fifty-four hundred thirteen (5413), code 1931, relating to bounties on wild animals.

Read first and second times and passed on file.

Senate File No. 75, by Senator Calhoun, a bill for an act to legalize and validate twelve thousand five hundred dollars (\$12,500.00) drainage bonds of Fox River Drainage District No. One (1) of Van Buren county, Iowa.

Read first and second times and passed on file.

Senate Joint Resolution No. 4, by Senator Myers, a Joint Resolution and Enactment ratifying a proposed amendment to the Constitution of the United States of America, relating to the President and Vice President of the said United States, and to the Congress of said United States, and to the members of said Congress.

Read first and second times and passed on file.

Senate File No. 76, by Senator Bennett, a bill for an act to declare a reduction in general taxes levied in 1932 and payable in 1933 on real and personal property other than moneys and credits, and to direct the county treasurer as to his duties in making said deduction of record.

Read first and second times and passed on file.

Senate File No. 77, by Senator Bennett, a bill for an act mandatorially to limit the total tax levies in each taxing district of the state for the years 1933 and 1934.

Read first and second times and passed on file.

Senate File No. 78, by Senator Bennett, a bill for an act to amend sections seventy-two hundred fourteen (7214), seventy-two hundred fifteen (7215), and seventy-two hundred seventy-two (7272), and to repeal section seventy-two hundred seventy-three (7273), Code, 1931, relating to penalties on unpaid taxes.

Read first and second times and passed on file.

Senator Carden moved that the President pro tempore be authorized to appoint a committee of three to draw up a concurrent resolution thanking the ministers of Des Moines for their kindness and graciousness in offering to act gratuitously as chaplains of the 45th General Assembly. The motion prevailed.

The President pro tempore appointed as such committee Senators Carden, Myers and Ritchie.

REPORT OF THE COMMITTEE ON EXTRA HELP

Senator Kimberly submitted the following report:

To the Honorable President of the Senate, and Speaker of the House of Representatives:

Your joint committee, appointed to consider applications and to nominate the extra help of the 45th General Assembly, begs leave to submit the following report and recommendations:

That the positions following be filled by the persons whose names appear herein, beginning January 9, 1933:

Assistant Law Research, W. T. Frame.

Assistant Research—General, John Langfitt.

Stenographer and Typist for Librarian, Margaret Clark.

Page to Librarian and his office, Carl W. Aschan.

Stenographer for Economics and Sociology Division of Library, Eva Ball.

Legislative Assistant in Economics and Sociology Department, Iowa State Library, Marion Wood.

Assistant Matron, Elizabeth Dixon.

Elevator Tender, Jos. J. DeRaad.

Elevator Tender, Brice Shaffer.

Messenger to Mail Carrier, Robert Cook.

Assistant Messenger, Otto Shlother.

Porter, George Logan.

Porter, Ed Peters.

Janitor, E. Aulman.

Janitor, Alvin J. Crail.

Janitor, Victor E. Lindquist.
 Janitor, John Francis Murphy.
 Janitor, Fred T. Bahmer.
 Janitor, J. M. Danforth.
 Janitor, Otha Blue.

It is authorized that two typewriters be rented for the Librarians.

Respectfully submitted,

D. W. KIMBERLY

VINCENT F. HARRINGTON

H. L. IRWIN

On the part of the Senate.

WM. KOCH

J. P. GALLAGHER

MILTON PEACO

On the part of the House.

The report was passed on file.

The Journals of January 9th and 10th were corrected and approved.

The President pro tempore declared the following persons elected by the Senate to the posts in the permanent organization set opposite their names and they presented themselves before the Secretary, before whom they took the required oath and assumed their offices.

L. B. Larson, Assistant Sergeant-at-arms.

B. J. Beck, Doorkeeper.

Etta Mae Bland, Matron.

AMENDMENT FILED

MR. PRESIDENT:

I move to amend Senate Joint Resolution No. 1 as follows:

Amend the title by inserting after the words and figure "thirty-four (34)" in line three (3) thereof, the following:

" , as amended in 1904,".

Amend section one (1) by striking therefrom the following:

" , and by renumbering the succeeding sections accordingly".

Strike all of section two (2), and substitute in lieu thereof the following:

"Sec. 2. Amend article three (III), by striking from lines five (5) of section thirty-four (34), as amended in 1904, the following:

"state and".

LAFE HILL.

On motion of Senator Fisch the Senate adjourned until 10:30 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 12, 1933.

The Senate met in regular session, President pro tempore Matt. D. Cooney presiding.

Prayer was offered by Rev. E. G. Williams, of Des Moines, Iowa, Westminister United Presbyterian Church.

PETITIONS AND MEMORIALS

The following petitions were received and filed, to be referred to the proper committees as soon as they have been appointed:

Favoring the placing of a special tax on the so-called
"chain stores" doing business in the state.

Senator Calhoun, from the residents of Van Buren and Jefferson Counties.

Senator Henry D. Miller, from the residents of Jones and Cedar Counties.

Senator Knudson, from the residents of Hamilton, Hardin, and Wright Counties.

Approving prohibition.

Senator Coykendall, from the residents of Page County.

Senator Mullaney, from the residents of Allamakee County.

Senator Reese, from the citizens of Clemons and St. Anthony, Iowa.

Recommending tax reform.

Senator Roelofs, from the residents of Sioux County.

Recommending the reduction of governmental expense.

Senator Ritchie, from the residents of Buena Vista County.

Directing the proclamation of "General
Pulaski's Memorial Day".

Senator Frank M. Stevens, from the residents of Decatur County.

INTRODUCTION OF BILLS

Senate File No. 79, by Senator Carden, a bill for an act to amend section forty-six hundred forty-four-c seventeen (4644-c17), code 1931, relating to the levies for secondary road maintenance and construction, and to abate any and all road levies made for road purposes in 1932 to be collected in 1933, and to limit expenditures for road purposes on secondary roads.

Read first and second times and passed on file.

Senate File No. 80, by Senator Anderson, a bill for an act to amend section nineteen hundred twenty-four (1924) of the Code of 1931, to provide for the manufacture of alcohol for industrial and non-beverage purposes, by persons, firms and corporations who have qualified as provided by the laws of the United States and the State of Iowa.

Read first and second times and passed on file.

Senate File No. 81, by Senator Carden, a bill for an act to legalize the acts of the Board of Supervisors in any and all counties in the State of Iowa, in levying for 1932 a less millage tax for secondary road construction and maintenance than is provided to be levied under sections forty-six hundred forty-four-c six (4644-c6), forty-six hundred forty-four-c eleven (4644-c11), forty-six hundred forty-four-c fifteen (4644-c15), and forty-six hundred forty-four-c sixteen (4644-c16), code 1931.

Read first and second times and passed on file.

Senate File No. 82, by Senator Stanley, a bill for an act to repeal sections forty-eight hundred sixty-nine (4869) and forty-eight hundred seventy-five (4875) of the code, 1931, relating to the registration of motor vehicles.

Read first and second times and passed on file.

Senate File No. 83, by Senator Stanley, a bill for an act to repeal sections seventy-three hundred twenty-one (7321) and seventy-three hundred forty-five (7345), code of 1931, and to enact as a substitute therefor relating to appraisal for inheritance tax purposes.

Read first and second times and passed on file.

Senate File No. 84, by Senator Hopkins, a bill for an act to

amend section fifteen hundred sixty-three (1563), Code, 1931, relating to the amount of the mullet tax for the sale of cigarettes.

Read first and second times and passed on file.

Senator White submitted the following Senate Concurrent Resolution:

SENATE CONCURRENT RESOLUTION NO. 4

Resolved by the Senate, the House concurring, That a joint committee be appointed, consisting of three members of the Senate to be appointed by the President pro tempore of the Senate and four members of the House to be appointed by the Speaker of the House, to draft a letter of recommendation to be sent to President-elect Franklin D. Roosevelt recommending and urging that he name Henry A. Wallace of Iowa as the Secretary of Agriculture on his cabinet.

The committee shall be a bipartisan one and shall be vested with the authority to send their communication to President-elect Roosevelt during the organization recess, January 12th to January 17th, and shall deliver a copy of their letter to the Secretary of the Senate and to the Chief Clerk of the House for publication in the Journal of January 17th.

By unanimous consent, upon request of Senator White the resolution was taken up and considered. The resolution was adopted.

REPORT OF COMMITTEE ON RETRENCHMENT AND REFORM

Senator Stevens of Wapello submitted the following report:

Statement of Retrenchment and Reform Contingent Fund of the Forty-third General Assembly from January 22, 1931 to June 30, 1931. Balance carried forward from report made to the Forty-fourth

General Assembly\$24,518.08
Orders made by the Members of the Forty-fourth General Assembly.

Order No.	Purpose	Amount Authorized
1	Survey of Industries.....	\$ 500.00
	Members per diem and Expense.....	46.50
		546.50

Balance June 30, 1931.....\$23,971.58
Reverted to General State Revenue..... 23,971.58

Statement of Retrenchment and Reform Contingent Fund of the Forty-fourth General Assembly July 1, 1931 to December 31, 1932. Orders made by the Members of the Forty-fourth General Assembly.

Order No.	Purpose	Amount Authorized
	Appropriation	\$40,000.00
2	Expense on Long Investigation.....	\$ 1,267.88
3	Expense on Long Investigation.....	43.08
4	C. Fred Porter, Acting State Auditor.....	1,405.95
5	Unemployment Committee.....	1,500.00

6	State Fair Board.....	20,000.00
	Members per diem and Expense.....	697.31
		24,914.22

Unexpended Balance Jan. 1, 1933.....\$15,085.78

B. M. STODDARD,	GEO. E. MILLER,
ROY E. STEVENS,	HOMER HUSH,
H. C. WHITE,	JOHN RYDER,
<i>On the part of the Senate.</i>	<i>On the part of the House.</i>

The report was passed on file.

TO THE MEMBERS OF THE HOUSE AND SENATE:

There are available for your use, in the State Printing Board office, copies of the preliminary and final report of the interim committee on the Reduction of Governmental Expenditures. If these are mailed in separate envelopes, the preliminary report takes 4c and the final report takes 2c. If they are mailed in one envelope, then the postage is 8c as the package then goes parcel post.

ROY E. STEVENS,
ED R. HICKLIN,
Members of Senate Interim Committee.
C. E. MALONE,
Member of House Interim Committee.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution No. 4, relative to the appointment of a committee to communicate with President-elect Roosevelt regarding the appointment of Hon. Henry A. Wallace as Secretary of Agriculture in the new cabinet.

Also, that the House has adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution No. 3, expressing the sympathy of the General Assembly of Iowa to Mrs. Calvin Coolidge in the passing of her distinguished husband, former President Calvin Coolidge.

LLOYD ELLIS, *Chief Clerk.*

SPECIAL COMMITTEE NAMED

The President pro tempore appointed, as members of the committee to communicate with President-elect Roosevelt regarding the appointment of Hon. Henry A. Wallace as Secretary of Agriculture in the new cabinet, Senators McArthur, Patterson and Mullaney.

Senator Pendray moved that the President pro tempore appoint

a committee of five members of the Senate to present recommendations, to the Senate, as to the salaries of employees of the 45th General Assembly.

Senator Stevens of Wapello moved to amend the motion by providing that this committee confer with a committee from the House so as to make the salaries of similar employees in both houses uniform.

The amendment was adopted. The motion as amended prevailed.

The President pro tempore appointed, to act on such committee, Senators Irwin, Topping, Harrington, Schmidt and Pendray.

The Senate recessed until 1:45 p. m.

AFTERNOON SESSION

The Senate reconvened at the fall of the gavel, President pro tempore Matt. D. Cooney presiding.

Senator Harrington submitted the following report:

REPORT OF COMMITTEE ON MILEAGE

MR. PRESIDENT: Your committee on mileage begs leave to submit the following report:

	Miles	Amt.		Miles	Amt.
Lt. Gov. Kraschel.....	115	\$11.50	Klemme	197	19.70
Anderson	85	8.50	Knudson	60	6.00
Aschenbrenner	44	4.40	Meyer	150	15.00
Beardsley	42	4.20	Miller of Jones.....	175	17.50
Beatty	87	8.70	Miller of Buchanan.....	150	15.00
Bennett	154	15.40	Moore	100	10.00
Booth	115	11.50	Mullaney	265	26.50
Byers	132	13.20	Myers	33	3.30
Calhoun	125	12.50	McArthur	130	13.00
Carden	137	13.70	Nelson	36	3.60
Chrystal	80	8.00	Patterson	129	12.90
Cooney	225	22.50	Pendray	180	18.00
Coykendall	150	15.00	Reese	72	7.20
Elthon	165	16.50	Ritchie	136	13.60
Fisch	222	22.20	Roelofs	210	21.00
Frailey	217	21.70	Schmidt	125	12.50
Geske	320	32.00	Shangle	60	6.00
Harrington	200	20.00	Stanley	100	10.00
Hicklin	145	14.50	Stevens of Decatur.....	80	8.00
Hill	145	14.50	Stevens of Wapello.....	91	9.10
Hopkins	63	6.30	Topping	168	16.80
Hush	150	15.00	Valentine	90	9.00
Husted	38	3.80	Wenner	125	12.50
Irwin	225	22.50	White	125	12.50
Judd	50	5.00	Wilson	5	.50
Kimberly	175	17.50			

VINCENT F. HARRINGTON, *Chairman.*

LAFE HILL

MIKE G. FISCH

By unanimous consent and upon the request of Senator Harrington the report was taken up and considered. The report was adopted.

The President pro tempore declared Howard O'Brien elected by the Senate to the post of File Clerk and he presented himself before the Secretary, before whom he took the required oath and assumed his office.

The Journal of January 11th was corrected and approved.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

JOINT CONVENTION

JANUARY 12, 1933.

The Joint Convention reconvened, Hon. Matt. D. Cooney, President pro tempore of the Senate, presiding.

The President pro tempore declared a majority of the General Assembly present at the Joint Convention.

The tellers reported as follows:

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, JANUARY 10, 1933.

MR. PRESIDENT AND GENTLEMEN OF THE JOINT CONVENTION:

Your tellers, appointed by the President of the Senate and the Speaker of the House of Representatives to canvass the vote cast for candidates for Governor and Lieutenant-Governor at the election held November 8, 1932, beg leave to make the following report of the total vote cast for Governor:

Dan W. Turner.....	461,399
Clyde L. Herring.....	511,829
Mrs. Laetitia Conard.....	11,291
Norman Baker	7,820
John B. Hammond.....	1,415
Wm. H. Patton.....	551
J. W. Long.....	4,806

And the total vote cast for Lieutenant-Governor at the election held November 8, 1932:

C. F. Clarke.....	423,976
Nelson G. Kraschel.....	489,446
Arnold A. Sather.....	10,933
Charles A. Aldrich.....	2,813

Mary P. Denny.....	1,278
Earl L. Davis.....	738

All of which is most respectfully submitted:

WILLIAM CARDEN

O. J. DITTO

Judges:

EDW. J. WENNER

MIKE G. FISCH

I. M. REED

DEWEY E. GOODE

On motion of Senator Carden of Henry the report was adopted.

President pro tempore of the Joint Convention announced that Clyde L. Herring having received the highest number of votes cast for Governor, was duly elected to the office of Governor of the State of Iowa for the ensuing term, or until his successor is duly elected and qualified, and that Nelson G. Kraschel was duly elected to the office of Lieutenant Governor for the ensuing term or until his successor is duly elected and qualified.

The following certificates were signed in the presence of the Joint Convention.

CERTIFICATE OF ELECTION

HALL OF THE HOUSE OF REPRESENTATIVES.

DES MOINES, IOWA, JANUARY 10, 1933.

This is to certify that upon a canvass in joint convention of the two Houses of the Forty-fifth General Assembly of the State of Iowa of all votes cast at the general election held November 8, 1932, for the office of Governor of the State of Iowa, it appeared that Clyde L. Herring received the highest number of all votes cast for any candidate at said election for said office for the term of two years and until his successor is duly elected and qualified.

Signed in the presence of the joint convention this 10th day of January, A. D. 1933.

M. D. COONEY, *President of the Senate and
President of the Joint Convention.*

GEO. E. MILLER, *Speaker of the House.*

WILLIAM CARDEN, *Teller of the Senate.*

O. J. DITTO, *Teller of the House.*

LLOYD ELLIS, *Clerk of the House and
Clerk of the Joint Convention.*

CERTIFICATE OF ELECTION

HALL OF THE HOUSE OF REPRESENTATIVES,

DES MOINES, IOWA, JANUARY 10, 1933.

This is to certify that upon a canvass in joint convention of the two Houses of the Forty-fifth General Assembly of the State of Iowa of all

votes cast at the general election held November 8, 1932, for the office of Lieutenant-Governor of the State of Iowa, it appeared that Nelson G. Kraschel received the highest number of all votes cast for any candidate at said election for said office, and was thereupon declared duly elected to said office for term of two years and until his successor is duly elected and qualified.

Signed in the presence of the joint convention this 10th day of January, A. D. 1933.

M. D. COONEY, *President of the Senate and
President of the Joint Convention.*

GEO. E. MILLER, *Speaker of the House.*

WILLIAM CARDEN, *Teller of the Senate.*

O. J. DITTO, *Teller of the House.*

LLOYD ELLIS, *Clerk of the House and
Clerk of the Joint Convention.*

President pro tempore Cooney then directed the abstract of votes and certificates of election to be filed with the Secretary of State.

Senator White of Benton moved that a committee of five be appointed to notify Governor-elect Clyde L. Herring and Lieutenant Governor-elect Nelson G. Kraschel of the official result of the canvass of votes.

Motion prevailed and the President pro tempore named as such committee, Senators White of Benton and Booth of Shelby, and Representatives Cunningham of Polk, Garner of Butler and Brady of Pottawattamie.

Senator White of Benton, chairman of the joint committee appointed to notify Hon. Clyde L. Herring and Hon. Nelson G. Kraschel of their election to the offices of Governor and Lieutenant Governor, respectively, submitted the following report and moved its adoption.

MR. PRESIDENT: As a committee appointed at the joint convention to inform the Honorable Clyde L. Herring and Honorable Nelson G. Kraschel of their election to the offices of Governor and Lieutenant-Governor, respectively, we beg leave to report that we have performed the duty assigned to us and that each officer assured us that he stands ready to assume the duties of his office.

HARRY C. WHITE

ADA GARNER

CHARLES D. BOOTH

JOHN F. BRADY

PAUL H. CUNNINGHAM

Motion prevailed and the report was adopted.

The Sergeant-at-arms announced the arrival of Governor-elect

Clyde L. Herring and Lieutenant Governor-elect Nelson G. Kraschel, accompanied by the Governor's staff.

Governor-elect Herring and Lieutenant Governor-elect Kraschel were escorted to the Speaker's station.

Invocation was delivered by the Rev. Dr. Stoddard Lane of the Plymouth Congregation.

The oath of office was administered to Lieutenant Governor-elect Nelson G. Kraschel by James W. Kindig, Chief Justice of the Supreme Court of Iowa.

Lieutenant Governor Nelson G. Kraschel, President of the Joint Convention, presiding.

The oath of office was administered to Governor-elect Clyde L. Herring by the Hon. James W. Kindig, Chief Justice of the Supreme Court of Iowa.

Lieutenant Governor Kraschel then presented Governor Herring, who delivered the following message:

GOVERNOR'S INAUGURAL ADDRESS

Mr. President, Mr. Speaker, Members of the Forty-fifth General Assembly and Fellow Citizens:

In response to the mandate expressed by the people on November 8th of last year, I come before you to accept the high honor and grave responsibilities imposed by the sovereign people of this great commonwealth at that election. With deep appreciation and complete humility of spirit, I stand ready, with all the ability I possess, to carry out the wishes of this electorate as I interpret them.

At the very outset may I not say that it is a source of deep gratification to meet the pledge of unselfish loyalty to the common good expressed so universally in the opening days of this session by the members, regardless of party?

You are met as the 45th General Assembly of Iowa in one of the darkest hours of our history. This session transcends in importance those of previous years for reasons which are distressingly plain. Our principal basic industry is prostrate. With corn selling in a typical Iowa county at twelve cents a bushel, oats at eight cents a bushel, hogs at two cents and cattle at one to four cents a pound, our farmers are not realizing production costs. Bank failures, actions in foreclosure of rural and urban homes, and of stocks of merchants, constitute a large part of the business of our courts. Few of our industries are operating at a profit, and in many of them operations are stopped. Men and women eagerly seeking the opportunity to earn their living can find no work. Despair is in the heart of the debtor, and mute appeal for help, in the faces of our heavily burdened citizens.

I realize that I am departing from established custom by entirely failing to outline my position upon every possible question that may come before this General Assembly. I expect to depart from other customs. I do so now, believing that these are times for action—not words. I shall place before you at this time some definite recommendations which call for definite and immediate action, and will from time to time, as your session continues, put before you my recommendations for additional measures, which I believe will appeal to your good judgment as being wise and helpful.

Twelve years ago I first advocated a complete reorganization of state and local government in Iowa. In the campaign just ended I repeated my advocacy of this same reorganization program. The conduct of public business in Iowa is being carried on under a system devised and adapted to the horseback and stagecoach period. If the taxpayer is ever to get his dollar's worth in service from his government, this antiquated system must be completely overhauled and rebuilt. In its place must be set up a compact and efficient method for handling public affairs. Other states likewise burdened have in the past twelve years recognized the need for reduced cost of government and many of them have followed very closely the plan advocated in Iowa twelve years ago. You have learned this week something of what was done by intelligent, determined action in North Carolina. Like action has been taken in many other states.

I construe the results of this election as a demand made by the voters of Iowa that Iowa no longer delay in giving to them the relief and results which these other states are enjoying through freedom from bureaucratic wastefulness and political extravagance.

The Governor of Iowa, in the public mind, is charged with great responsibility for the conduct of the state government, yet under our present system he is given no corresponding authority with which to meet this responsibility. I seek no personal power. At best, I am but a fleeting figure in the public life of Iowa, and I would willingly pass to the hands of another, without opportunity for its exercise by me, the power solicited for the office of Governor. The taxpayer's money is being expended by numerous boards and commissions, types of supergovernment, entrenched by their long tenure of office (four and six year terms), to conduct their various government enterprises, as their judgment dictates. They resent interference from the Governor, from the Legislature, and from the taxpayers, and while many of the men and women who compose these boards and bureaus are honest, capable and patriotic officials, their personal interest in the particular activity which their board or bureau directs, prejudices them in favor of expenditures for their proposals. Since Civil War days there has been a constantly growing tendency to strip the Executive of real authority, and to distribute it in these various boards and commissions. For twelve years I have advocated that most of these political boards and commissions should be abolished—that in their place should be set up a business-like form of state government with departments of government under the elected officials handling the business of government. Let us fix the responsibility for the spending of the taxpayer's money, and results to be accom-

plished with its expenditure, upon these elected officials who may, each election day, be held directly accountable to the electorate for honest and efficient government. Let us avoid long-term appointments which deprive the Executive of actual authority over governmental activities. These boards are in truth a part of the Executive Department and the authority should be his. Let us abolish a system which permits a board or department of state government to collect millions of dollars of revenue during a single biennium, spending it as it chooses, without control by either the Executive or the Legislature, and then holding the Executive responsible for its failures. Let us deposit with the state treasurer every penny of state revenue and expend it only through appropriation by the General Assembly.

To this end there should come before this General Assembly before it adjourns, the results of a very careful survey and study of the structure of state government in Iowa. It should recommend at that time a definite reorganization program, not only of the structure of the government as to its official functions, but as to its financial setup as well.

As rapidly as possible the new interim committee which I trust will be created by this General Assembly, will compile the facts and figures justifying a complete reorganization of our county and municipal government in the state. This will cover every activity of government, including of course, health, welfare, conservation and other vital and necessary activities.

While our action cannot effect an *absolute* increase in the prices of agricultural and other commodities of our state's production, our action can effect a *relative* increase in the prices of such commodities by reducing cost of production, of which the item of taxes is a considerable factor. The popular mandate expressed in your election and mine can only be interpreted as a demand for reduction of taxes. There is no mistaking the temper of the people. Until we have reduced taxes, we will not have fulfilled our pledges. We may not be able to grant tax relief in the full measure hoped for. We can strive earnestly to attain that measure, however.

Some of us have been sent here as the representatives of one party, some of another party. I do not regard my election as a purely partisan victory. It is the united action of the people of this state, regardless of party. This is equally true as to a large part of the membership of this assembly. A like responsibility is yours. Here all of us must lose our partisan identity and in this emergency, work together for the relief of our people. The General Assembly and the local tax levying bodies are engaged shoulder to shoulder in an undertaking to adjust expenditures to available revenues.

During the last two years, under measures initiated by the preceding General Assembly and through courageous action of county boards of supervisors, city councils, school boards, and other local tax levying bodies, praiseworthy economies have been initiated.

The progress in reduction of public expenditures by the local authorities sets a notable example for the state. The time has come when the former policy of incurring expenditures on the basis of expansions we would like to make must be abandoned. In its stead must come drastic

reductions in the cost of state government which will bring it into line with the decreased income of our people. Our misfortune is that during the last twelve years of declining farm prices, bank failures, and mortgage foreclosures, the cost of our state government has mounted steadily upward. That period is ended. It has been the practice for years for our state government to devise new ways to raise new taxes to meet increased public expenditures. It is time that process was reversed. So far as possible, it is our purpose to maintain a balanced budget by reduced expenditures through new and rigid economies rather than by taking more money from the taxpayers. New state officials have dropped inspectors, examiners and others from the state payrolls in large numbers, and are placing many state owned automobiles in storage. Consolidations of boards and commissions and avoiding waste motion will eliminate others and bring further reductions.

It is my responsibility to propose, your obligation to consider and enact measures which may bring relief to our citizens. To those subjects I now address myself.

TAXATION

Our present tax burden is unbearable. The disparity between price levels on the one hand and tax and debt levels on the other demands drastic action. This assembly may not raise prices or reduce debts. It can and must reduce taxes. Actual reduction here will be reflected in every home in Iowa and will provide the means and example for continued reductions in every taxing unit. If this is not done we will have failed our people.

Drastic economy is our first step. Reduced individual incomes have compelled drastic economies in the homes and business of our citizens. Reduced State income compels like drastic economies on our part here. This plain fact cannot be ignored. Keep it before you in your consideration of every measure. Tax reduction, rigid economy and a determination to cut to the bone must be our theme.

For years intangible property has escaped its fair share of the tax burden, with resulting injustice to more visible forms of property. There must be a complete revision of the entire tax system and of the methods of assessment, levy and collection of taxes.

The 44th General Assembly created a non-partisan interim committee which has given careful and intelligent study to the matter of reduction of public expenditures. Its members gave unselfishly of their time and deserve the lasting thanks of our citizens. That and the fruits of their work will be their only compensation. On behalf of the State, I gratefully accept their report and in the people's name, I thank them. The work of the committee is ended and yours now is the responsibility of translating their work into action.

Included among their major recommendations are many of the changes which I proposed in the primary and later in the general campaign. These relate to revision of the laws relating to state and local taxation and assessment, for reorganization and simplification of state and county government and to our school laws, among other things. The reasons for these governmental changes have been apparent for years. They were

apparent when first I urged them to the people of the state in 1920. Now, the extremity of our people commands action and without delay.

These proposals for tax reduction are commended for your earnest and early consideration. As is stated in the report, the program of the Committee is not all-inclusive, nor is it intended that it shall be taken as proposing all of the means and methods for reducing taxes. Our trouble has arisen in large part from the failure properly to protect the taxpayer in the local subdivisions. Counties, townships, school districts, cities and towns have been permitted to circumvent the restrictions of the State law by yearly expenditures, bonded indebtedness and the pledge of warrants anticipating earnings and income. The many modifications of the law brought about from time to time by selfish groups and constant liberal interpretation have tended toward an exploitation of the taxpayer. The limitation of indebtedness as fixed by our constitution should be strictly observed, and to that end, I recommend the repeal of all laws that modify or impair the effectiveness of this safeguard. Let us not mortgage our children's future.

Aside from this obligation to save our people's substance, there is the practical fact that the state's revenues are endangered. Tax collections have shrunk violently; tax sales are postponed; large sums of the state's revenues are held in closed banks; payment of warrants drawn on county treasurers have been refused for lack of funds; revenues from special taxes are steadily decreasing—in plain words, we lack money. We cannot spend what we do not have.

Reorganization of State, County and other divisions of government is strictly a legislative function. I long have advocated a scientific study and survey of all branches of state and local government. I believe that by such means, an outline of reorganization can be prepared and submitted which, when adopted, will save tremendous sums to the taxpayers of Iowa, and will give to the people a more efficient government.

I quote from Section 21 of the report of the Legislative Committee:

"Another Committee should be authorized to continue the work which has been started and partially accomplished. Our Committee is unanimous in its conclusion that the work which has been done, as vast and important as it is, covers only a part of what should be done in the study of tax problems.

* * * * *

But, in order to enable another Committee to make the extensive and thorough investigation which we believe should be made, a larger appropriation is necessary for the use of such Committee."

Submitted with the report of the Committee, is Joint Resolution No. 2 (No. 21 of the recommendations by the Committee) which authorizes the new Committee. If the new Committee is immediately authorized as one of your early items of business, it should be able to submit to this present session additional proposals for tax reduction, and thus, to carry on the work of the interim Committee which has ceased to function.

To the report of the interim committee as to mandatory levies for secondary road purposes (their proposal No. 7), further recommendation request of their taxpayers, refused to make these mandatory levies. They were actuated by a laudable desire to avoid further increase of an

already too heavy burden. Because of the mandatory feature of the act, worthy and conscientious public officials are placed in the position of wilful refusal to perform the duties of their office. This stigma should be removed by proper legislative provision as and when the proposed repeal of the mandatory provisions is accomplished.

In every county in the state there has been a great deal of distress and suffering due to the sacrifices that people have been required to make in order to pay their taxes when due and to prevent sale of their homes at tax sale. In many instances the tax burden has been severely augmented by reason of the addition of penalties and the time has come when it would seem that this legislature might give serious consideration to the question whether the penalties now provided by law for failure to pay taxes when due are larger than the demands of the situation require, and to give consideration also to the question whether the time of tax sales might with safety and propriety be postponed to a later date. In this connection, it should be borne in mind that such legislation will involve the security of the revenue of the state and its political subdivisions, and proper safeguards must be provided.

AGRICULTURE

The great part of the program of restoration of agriculture must be furnished by the national government by means adopted to restore the price level or by other means and by a method which will permit a better refinancing of farm debts. Because of my approval of the principle declared in the Democratic national platform adopted at Chicago last June, I quote it to you:

"We advocate:

"For the restoration of agriculture, the nation's basic industry, better financing of farm mortgages through reorganized farm bank agencies at low rates of interest, on an amortization plan, giving preference to credits for the redemption of farms and homes sold under foreclosure; extension and development of the farm cooperative movement and effective control of crop surpluses so that our farmers may have the full benefit of the domestic market."

In the same connection, it was said that they advocated:

"Enactment of every constitutional measure that will aid the farmer to receive for basic farm commodities prices in excess of cost of production."

I ask this legislature, by appropriate resolution to support our representatives in Congress in the adoption of such a program. Within this State we should have laws encouraging the full development of farmer owned and controlled marketing agencies, giving them equal rights on all exchanges. Further to aid agriculture, we should provide for the adoption of banking laws and a credit system adapted also to the business of farming, taking into account the necessity for longer time loans to farmers and of imparting liquidity to farm mortgages.

The farmer has endured not three years of depression, but twelve. For him the depression, started in 1920, was but intensified in 1929, and the injustices increased. The present injustice strikes not only at the farmer, but at every individual and group in Iowa and the nation. Until

farm buying power is restored, the depression cannot end. We must coordinate our activities with those of the National Congress to restore agriculture so far as legislation will permit.

The loss of farms through mortgage foreclosures presents a tremendous problem. We must not confuse cause and effect. Today the farmer requires three hogs to pay back the price of a hog borrowed as recently as 1926. He cannot pay. We must do all in our power to give him a chance to hold his farm pending relief by national legislation. To frame equitable legislation conforming to the constitutional requirements, will take all the energy and legal skill that you can bring to it.

In many instances, foreclosures have been precipitated by an abuse by junior mortgagees and "lease hounds" of the rule intended to operate for the benefit of the farmer, that a pledge of income creates no lien on the income until foreclosure proceedings are commenced. Legislation to prevent this abuse would, in my opinion at least, tend to postpone many foreclosures.

We must avoid substitution of illegal and violent means. We cannot permit resort to any expedient that involves defiance of the authority of our government. Voluntary committees have been formed and are now operating in many of the counties to afford a means of bringing debtor and creditor together for the purpose of working out a harmonious adjustment that will protect the rights of both. Principally, they have been helpful in securing a delay of foreclosure in consideration of the assurance to the holder of the mortgage that the crop income will be applied to the payment of the taxes, and thereafter, so far as justice to both parties will permit, to the payment of interest. The operation of the committees should be supported and encouraged in order that we may carry through until such time as the plans to be formulated by the new Congress will have had an opportunity to operate.

The United States Congress has adopted a resolution to be submitted to the legislatures of the several states, amending the Constitution of the United States in a manner which will do away with what is popularly known as the "lame duck session" of Congress, and will permit the President to take office, and the new Congress to convene, at an earlier date. At no time has the necessity for the adoption of this amendment been more apparent. Therefore, I commend it to your consideration with a recommendation for its immediate ratification as one of the first acts of this General Assembly.

MOTOR VEHICLE FUEL TAX

Your attention is directed to the laws and conditions relating to the tax on motor vehicle fuels. Evasions of this tax have been growing and are increasingly flagrant. Refunds have been made in a manner that has resulted in the perpetration of wholesale frauds. They have multiplied in number and amount to an alarming extent. The State has lost thousands upon thousands of dollars, and this amount appears to increase as we probe farther into this shocking situation. The tax refunds have mounted from \$68,000.00 in 1925 to over \$1,700,000.00 for the year just ended. Since April, 1925, over 6½ millions of such taxes have been refunded to claimants, much under circumstances that are not creditable,

and too large an amount under circumstances that appear to involve actual dishonesty. These refunds originally were designed principally to exempt farmers, and properly so at the time, from paying the tax on gasoline used in tractors and for other agricultural purposes. In the passing years, changed conditions have resulted in general use of cheaper fuel, not taxed, for tractor operation. Since the original purpose no longer is served, there can be no justification for continuing the exemption. It is far better that the whole refund provision be repealed and the tax law accommodated thereto, than that our people should have to combat at heavy expense the gigantic frauds that are being perpetrated under the name of refunds.

You should be advised further that an attack has been made upon the constitutionality of the law providing for the motor vehicle fuel tax. Nothing should be left undone to assure the payment of the road bonds in the manner originally intended, and thus protect general property from the possibility of bearing this burden.

This assembly should consider and adopt any legislation which might appear even to be necessary completely to safeguard the provisions of this law, and to leave beyond question what may seem even an apparent defect, if any there be, in the present law relating to the tax.

BANKING

Closely related to the problems of agriculture is our present system of banking and bank credits. The general credit system of the country has not been adapted to the business of farming. The ordinary commercial loans are for too short a period for cattle feeders and other borrowers dependent on agriculture. This situation has been aggravated in recent years by the bank failures which have followed declining farm prices. However, there are many who believe that a large number of the Iowa banks have been compelled to close their doors not through losses because of Iowa loans, but because of losses in their bond portfolios. In too many instances, these bonds have been of a character not authorized by the banking laws of Iowa. Their shrunken values forbade liquidation on such terms as would provide the bank with funds to meet heavy withdrawals. There are many men who believe that had Iowa banks confined their investments largely to Iowa securities, a large percentage of our closed banks would have been open today. This provision of the law should be rigidly enforced. There is available today in Iowa, much money in hoarding and much money in the form of non-productive investments outside the state, which, if available to Iowa borrowers, definitely would ease and expand the credit situation in this state.

Means must be provided which will bring the Iowa borrower and the Iowa lender together on terms to their mutual welfare. This is not possible through existing agencies. New ones must be provided.

SELECTION OF JUDGES

Our Constitution provides that the Judges of the Supreme Court and of the courts of inferior jurisdiction shall be selected by the qualified electors of the state or districts. It is essential to the due administration of justice that our courts should be removed and kept free from partisan

politics. It is only when they are so removed that the people will have the necessary confidence so essential to an orderly government. Nothing must be permitted to disturb that confidence, nor left undone to re-establish it when disturbed. I ask you, therefore, to consider and adopt means which will minister to that end. This may be done either by the proposal of a constitutional amendment which will confer upon the chief executive of the state the right to appoint judges in the same manner as is provided in the Constitution of the United States and of some of the states of the Union; or by such an amendment of our election laws as will provide for the non-partisan nomination and election of our judges; or by such other means as in your opinion will fully accomplish this laudable purpose.

CONCLUSION

In conclusion, let us remember that modern business has an earning capacity. The state does not earn. It only spends. No more money should be taken from the people, directly or indirectly, whether through the general state levy or by the various forms of nuisance tax that have grown up, than is necessary for honest and prudent administration of the public affairs of this state. We must not forget that there is no magic formula of government. We must observe three cardinal rules: First, government must be administered solely for the interests of the people; second, it must be prudently and economically conducted; and third, it must interfere as little as possible with the daily lives of our people. Let us not, in a period of distress and emergency such as this, be swept off our feet to the extent that we will overlook these three factors. There are some matters that, because of this emergency, will require special legislation. So far as it may be necessary to effectuate that purpose we must make provision properly to feed and care for the poor and destitute. However, let us not be led to believe that legislation affords the panacea for all of our ills. Well organized and determined minorities will appear before you during this session, proposing various nostrums and schemes which they will claim will restore the public body to health. It is you who must protect the people from these nostrums.

I repeat that I have not attempted to discuss many matters that deserve attention and that from time to time, during the session and as occasion may require, I will submit to you my recommendations as to such matters.

A solemn responsibility, and a condition which demands our earnest, thoughtful and prayerful consideration confronts us. With a common recognition of that fact and with a spirit of complete cooperation on the part of the executive and legislative branches of our government and with the aid of Divine Providence, we have a right to hope that we may find a way to give a large measure of relief to our people and to look forward to the day when our people may again feel secure in their homes, and that we may regain that standard of living, and a degree of contentment that is the proper reward of an industrious, thrifty and intelligent people.

The minutes of the Joint Convention were read and on motion of Aldrich of Wright, were approved.

Pendray of Jackson moved that the Joint Convention be now dissolved. Motion prevailed.

The Senate returned to the Senate Chamber and resumed regular session, President N. G. Kraschel presiding.

On motion of Senator Cooney the Senate adjourned until 2:00 p. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 17, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. A. T. Bishop, pastor of the Methodist Episcopal church of Grand Junction, Iowa.

PETITIONS AND MEMORIALS

The following petitions were received and filed, to be referred to the proper committees as soon as they have been appointed:

Favoring the placing of a special tax on the so-called
"chain stores" doing business in the state.

Senator Patterson, from residents of Kossuth County.

Senator Nelson, from residents of Boone County.

Senator McArthur, from residents of Cerro Gordo County.

Senator Schmidt, from residents of Iowa County.

Senator Myers, from residents of Jasper County.

Senator Hicklin, from residents of Louisa County.

Approving prohibition.

Senator Wilson, from residents of Polk County.

Senator Meyer, from residents of Bremer and Butler Counties.

Senator Fisch, from residents of Ida and Cherokee Counties.

Senator Nelson, from residents of Story County.

Senator Shangle, from residents of Mahaska County.

Senator Hicklin, from residents of Muscatine and Louisa Counties.

Senator Beardsley, from residents of Warren County.

Senator Bennett, from residents of Harrison County.

Senator McArthur, from residents of Cerro Gordo and Franklin Counties.

Senator Miller, from residents of Cedar County.

Senator Patterson, from residents of Dickinson and Emmet Counties.

Senator Byers, from residents of Linn County.

Senator Topping, from residents of Des Moines County.

Senator Hopkins, from residents of Dallas and Guthrie Counties.

Senator Knudson, from residents of Hardin County.

Senator Elthon, from residents of Worth County.

Senator Ritchie, from residents of Pocahontas and Humboldt Counties.

Senator Hush, from residents of Mills and Montgomery Counties.

Senator Myers, from residents of Jasper County.

Senator Miller, from residents of Buchanan County.

Senator Anderson, from residents of Webster and Calhoun Counties.

Senator Coykendall, from citizens of Blanchard, Iowa.

Senator Stevens of Decatur, from residents of Ringgold County.

Senator Husted, from residents of Adair and Madison Counties.

Senator Schmidt, from residents of Johnson County.

Senator Mullaney, from residents of Allamakee and Fayette Counties.

Senator Harrington, from residents of Woodbury County.

Senator Aschenbrenner, from residents of Marion County.

Senator Calhoun, from residents of Jefferson County.

Favoring modification of prohibition law.

Senator Shangle, from citizens of Oskaloosa, Iowa.

Favoring modification of deficiency judgment laws.

Senator Miller of Buchanan, from Buchanan County Farm Bureau.

Favoring enactment of tax reduction legislation.

Senator Hicklin, from South Prairie Grange No. 2077, West Liberty, Iowa.

Senator Pendray, from residents of Jackson County.

Senator Aschenbrenner submitted the following resolution:

JUDD MEMORIAL RESOLUTION

Whereas, the Honorable John H. Judd, who was a member of the Senate in this the Forty-fifth General Assembly, from the Fourth District, composed of Lucas and Wayne Counties, died in Des Moines, Iowa, on the fourteenth day of January, 1933, therefore

Be it Resolved by the Senate of the Forty-fifth General Assembly, That

a committee of three be appointed to draft suitable resolutions commemorating his life, character and service to the State.

Upon the request of Senator Aschenbrenner unanimous consent was granted to suspend the rules and consider the resolution.

The resolution was unanimously adopted.

The president appointed to act on such committee, Senators Aschenbrenner, Beardsley and Valentine.

INTRODUCTION OF BILLS

Senate File No. 85, by Senator Hush, a bill for an act to amend section four thousand nine hundred and ten (4910) code of 1931 relating to motor vehicle fees.

Read first and second times and passed on file.

Senate File No. 86, by Senator Hush, a bill for an act to amend section 4644-c19 and 4644-c23 code of 1931 relating to employment of county engineers by Boards of Supervisors.

Read first and second times and passed on file.

Senate File No. 87, by Senator Hill, a bill for an act to amend the law as it appears in section ninety-four hundred twenty (9420) of the code, 1931, relating to interest on chattel loans up to three hundred (\$300.00) dollars.

Read first and second times and passed on file.

Senate File No. 88, by Senator Knudson, a bill for an act to provide for the licensing of certain mercantile establishments in this state, to fix the fee for such licenses and the distribution thereof, and to provide penalties for a failure to comply with the provisions of this act.

Read first and second times and passed on file.

Senate File No. 89, by Senator Knudson, a bill for an act to authorize the owner of a motor vehicle to store the same, and to authorize said owner subsequently to register said vehicle for a fractional part of the year, without penalty, and in accordance with the provisions of section forty-nine hundred five (4905), code, 1931; also so to amend section forty-nine hundred thirty-three (4933), Code, 1931, as to coordinate the same with the provision of this act.

Read first and second times and passed on file.

Senate File No. 90, by Senator Ritchie, a bill for an act to amend sections seventy-two hundred forty-four (7244) and sev-

enty-two hundred fourteen (7214), code 1931, relating to sales of real estate for delinquent taxes and the rate of interest on such delinquent taxes.

Read first and second times and passed on file.

Senate File No. 91, by Senator Stevens of Decatur, a bill for an act to repeal sections twenty-five hundred twenty-three-c two (2523-c2) and twenty-nine hundred twenty-three-d one (2923-d1), code, 1931, relating to appropriations of public funds, said appropriations being duplicated in the general biennial appropriation act.

Read first and second times and passed on file.

Senate File No. 92, by Senator Hopkins, a bill for an act to repeal chapter two hundred five (205), code 1931, to repeal sections forty-two hundred eighty (4280), forty-two hundred eighty-one (4281), and forty-two hundred eighty-two (4282), code 1931; and to amend section forty-two hundred seventy-five (4275), code 1931, all relating to county high schools.

Read first and second times and passed on file.

Senator Booth submitted the following resolution:

SENATE CONCURRENT RESOLUTION NO. 5

Resolved by the Senate, the House of Representatives concurring; that Whereas, the Forty-fourth General Assembly created a Committee with the sole purpose of devising a program of legislative measures to reduce public expenditures, limit and reduce taxes, eliminate waste and duplication in public offices and otherwise make possible economies in local and state government; and,

Whereas, the members of this Committee, including Hon. Roy E. Stevens of Wapello County and Hon. E. R. Hicklin of Louisa County as representatives from the Senate; Hon. Ed R. Brown of Polk County and Hon. O. J. Reimers of Lyon County as representatives from the House of Representatives and Hon. W. S. Gilman of Sioux City and Hon. C. W. Huntley of Chariton appointed by the Governor of the State of Iowa, have spent the last eighteen months diligently studying and working out a program and have incorporated it into two reports, which have been laid before this Legislature; and

Whereas, the members of this General Assembly appreciate the comprehensive program outlined by the Committee and the personal sacrifice of time and energy which have been freely given by the members of this Committee, all of which can be adequately compensated by the state in no way except by the knowledge of these men of the appreciation of their fellow citizens; therefore,

Be it Resolved by the General Assembly of the State of Iowa; that it extends a vote of thanks to the members of this Committee for its faithful services in the discharge of the duties involved in its Commission.

Upon the request of Senator Booth unanimous consent was granted to suspend the rules and consider the resolution.

The resolution was unanimously adopted.

Senator Kimberly submitted the following:

ADDITIONAL REPORT OF JOINT COMMITTEE ON EXTRA HELP

Your joint committee, appointed to consider applications and to nominate the extra help of the Forty-fifth General Assembly, begs leave to make the following changes and additions to the original report:

Withdraw the name of Elizabeth Dixon as Assistant Matron and substitute the name of Gertrude North for this position. Withdraw the name of Carl W. Aschan as Page to Librarian and substitute the name of Elizabeth Dixon for this position.

Add the names of John F. Baker and H. J. Miller as Doorkeepers for the Senate.

D. W. KIMBERLY, *Senate.*

WM. KOCH, *House of Representatives.*

Upon the request of Senator Kimberly, the rules were suspended, and the additional report was considered as a part of the original report as found on page 49 of the Senate Journal.

Senator Shangle asked for a roll call.

On the question, "Shall the report be adopted?" the vote was:

Ayes, 40.

Anderson	Geske	McArthur	Ritchie
Beardsley	Harrington	Meyer	Schmidt
Beatty	Hicklin	Miller	Stanley
Bennett	Hill	of Buchanan	Stevens
Booth	Hopkins	Miller of Jones	of Decatur
Byers	Hush	Moore	Stevens
Calhoun	Husted	Mullaney	of Wapello
Carden	Irwin	Myers	Topping
Coykendall	Kimberly	Nelson	Valentine
Elthon	Klemme	Patterson	Wilson
Fisch	Knudson	Reese	

Nays, 3.

Pendray	Shangle	White
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Absent or not voting, 6.

Aschenbrenner	Cooney	Roelofs	Wenner
Chrystal	Frailey		

The report was adopted.

**REPORT OF SELECTION OF COMMITTEES BY THE
LIEUTENANT GOVERNOR**

In view of the pressing need of debt adjustment between farm owners and mortgagees, I am naming a new committee to be known as the Committee on Emergency Legislation. A similar committee is being appointed by the Speaker of the House and arrangements have been made for their first hearing at four o'clock this afternoon in the Lieutenant Governor's committee room.

The hope of Iowa is that this legislature can bring about harmonious adjustment of our financial entanglement to the end that our State can again present a united front.

For the time being, the size of this committee will be limited to three as follows: Senator Geske, Senator Knudson and Senator Stanley. As the work progresses and their duties are enlarged, additions will be made.

N. G. KRASCHEL, *Lieutenant Governor.*

SENATE COMMITTEES

AIRCRAFT TRANSPORTATION AND RAILROADS

Coykendall— Chairman Fisch	Bennett Byers	Irwin Kimberly	Topping White
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AGRICULTURE

Ritchie— Chairman McArthur Anderson	Aschenbrenner Booth Carden Chrystal	Coykendall Elthon Klemme Meyer of Bremer	Miller of Jones Mullaney Nelson
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APPROPRIATIONS

White— Chairman Kundson Anderson Booth Chrystal Coykendall	Frailey. Harrington. Hopkins Hush Husted Miller of Buchanan	Moore Myers of Jasper McArthur Patterson Pendray Reese	Ritchie Stanley Stevens of Wapello Valentine
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BANKS AND BANKING

Irwin— Chairman Geske Aschenbrenner	Byers Carden Harrington Husted	Kimberly Miller of Jones Miller of Buchanan	Stevens of Decatur
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BOARD OF CONTROL

Kimberly— Chairman Miller of Jones	Beardsley Booth	Fisch Frailey	Hush Topping
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CITIES AND TOWNS

Wilson— Chairman Harrington	Cooney Hicklin Kimberly	Moore Stevens of Wapello	Topping Valentine Wenner
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CLAIMS

Hopkins— Chairman Beatty	Bennett Calhoun Carden	Elthon Fisch Hill	Reese Wenner
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CONSERVATION			
Carden— Chairman Klemme	Beardsley Geske Hill	Husted Miller of Buchanan	Mullaney Pendray Roelofs
COUNTY AND TOWNSHIP AFFAIRS			
Nelson— Chairman Chrystal	Beatty Coykendall Elthon	Hill Husted Klemme	Meyer of Bremer Roelofs Shangle
CONSTITUTIONAL AMENDMENTS			
Valentine— Chairman Irwin	Hicklin Hush Myers of Jasper	Stevens of Wapello	Wenner
DEPARTMENTAL AFFAIRS			
Anderson— Chairman Coykendall	Chrystal Geske Irwin	Knudson Patterson	White Wilson
DRAINAGE			
Husted— Chairman	Ritchie Carden	Chrystal Frailey	McArthur
ELECTIONS			
Wenner— Chairman Beardsley	Calhoun Hush Meyer of Bremer	Miller of Jones Pendray	Schmidt Wilson
EDUCATIONAL INSTITUTIONS			
Bennett— Chairman Byers Anderson	Coykendall Fisch Miller of Buchanan	Patterson Pendray Reese	Roelofs Stevens of Decatur
EMERGENCY LEGISLATION			
Geske— Chairman	Knudson	Stanley	
ENROLLED BILLS			
Hush— Chairman	Hill	Hicklin	Hopkins
FISH AND GAME			
Fisch— Chairman Meyer of Bremer Anderson	Booth Elthon Hicklin Hopkins	Knudson Mullaney Patterson	Reese Stevens of Wapello
HIGHWAYS			
Booth— Chairman Calhoun Coykendall	Meyer of Bremer Mullaney Nelson	Reese Ritchie Schmidt	Stanley Topping Wenner
INSURANCE			
Knudson— Chairman Bennett Beatty	Booth Carden Cooney	Hopkins Kimberly Miller of Jones	McArthur Schmidt Shangle
JUDICIARY NO. 1			
Frailey— Chairman Kimberly	Anderson Byers Geske	Harrington Irwin	Valentine Wenner

JUDICIARY NO. 2

Cooney— Chairman Shangle	Beatty Bennett Booth	Calhoun Stanley	Stevens of Decatur Wilson
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LABOR

McArthur— Chairman Reese	Aschenbrenner Bennett Byers	Carden Irwin Moore	Patterson Ritchie
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MANUFACTURING, COMMERCE AND TRADE

Topping— Chairman Wenner	Anderson Klemme Myers of Jasper	Stevens of Wapello	Stevens of Decatur Wilson
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MILITARY AFFAIRS

Stanley— Chairman Schmidt	Aschenbrenner Beatty	Beardsley Bennett	Fisch Husted
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MINES AND MINING

Stevens of Decatur— Chairman	Wilson Aschenbrenner	Hopkins Reese	Shangle Valentine
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MOTOR VEHICLES

Byers— Chairman Knudson Booth	Chrystal Hicklin Hush Meyer of Bremer	Miller of Buchanan Moore	Mullaney Nelson Schmidt
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POLITICAL AND JUDICIAL DISTRICTS

Patterson— Chairman Elthon	Calhoun Fisch Klemme	Meyer of Bremer Roelofs	Schmidt Shangle
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PUBLIC HEALTH

Moore— Chairman Aschenbrenner	Beardsley Beatty Carden	Harrington Kimberly	Nelson Pendray
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PUBLIC SCHOOLS

Pendray— Chairman Moore	Elthon Hill Hopkins	Miller of Buchanan McArthur	Nelson Roelofs Wilson
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PRINTING

Hill— Chairman Roelofs	Beatty Cooney	Miller of Buchanan Mullaney	Reese Schmidt Shangle
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PUBLIC UTILITIES

Harrington— Chairman Topping	Byers Cooney Geske	Klemme Miller of Jones Moore	Stevens of Wapello
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REDUCTION OF PUBLIC EXPENDITURES

Stevens of Wapello— Chairman Hicklin— Vice-chairman Beardsley	Calhoun Chrystal Coykendall Geske Harrington Hush	Husted Irwin Knudson Myers of Jasper Patterson Ritchie	Stanley Stevens of Decatur Valentine White
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RETRENCHMENT AND REFORM			
White— Chairman	Cooney Frailey	Myers of Jasper	Patterson
RULES			
Cooney— Chairman	Myers of Jasper Hicklin	Ritchie Shangle	Stevens of Wapello White
WAYS AND MEANS			
Myers of Jasper— Chairman Patterson Aschenbrenner	Beardsley Calhoun Elthon Frailey Hicklin	Hill Klemme Miller of Jones McArthur Nelson	Roelofs Stanley Stevens of Decatur Topping

SENATORS AND THEIR RESPECTIVE COMMITTEES

SENATOR ANDERSON		
Departmental affairs— Chairman Agriculture Appropriations	Educational institutions Fish and game	Judiciary No. 1 Manufacturing, commerce and trade
SENATOR ASCHENBRENNER		
Public health— Ranking Member Agriculture	Banks and banking Labor Military affairs	Mines and mining Ways and means
SENATOR BEARDSLEY		
Elections— Ranking Member Board of control	Conservation Military affairs Public health	Reduction of public expenditures Ways and means
SENATOR BEATTY		
Claims County and township affairs	Insurance Judiciary No. 2 Military affairs	Public health Printing
SENATOR BENNETT		
Education institu- tions—Chairman Insurance—Ranking Member	Aircraft transportation and railroads Claims	Judiciary No. 2 Labor Military affairs
SENATOR BOOTH		
Highways—Chairman Agriculture Appropriations	Board of control Fish and game Insurance	Judiciary No. 2 Motor vehicles
SENATOR BYERS		
Motor vehicles— Chairman Educational institutions —Ranking Member	Aircraft transportation and railroads Banks and banking	Judiciary No. 1 Labor Public utilities
SENATOR CALHOUN		
Claims Elections Highways	Judiciary No. 2 Political and judicial districts	Reduction of public expenditure Ways and means
SENATOR CARDEN		
Conservation— Chairman Agriculture	Banks and banking Claims Drainage	Insurance Labor Public health

	SENATOR CHRYSTAL	
County and township affairs—Ranking Member Agriculture	Appropriations Departmental affairs Drainage	Motor vehicles Reduction of public expenditures
	SENATOR COONEY	
Judiciary No. 2— Chairman Rules—Chairman	Cities and towns Insurance Printing	Public utilities Retrenchment and reform
	SENATOR COYKENDALL	
Aircraft transportation and railroads— Chairman Departmental affairs— Ranking Member	Agriculture Appropriations County and township affairs	Educational institutions Highways Reduction of public expenditures
	SENATOR ELTHON	
Political and judicial districts—Ranking Member Agriculture	Claims County and township affairs	Fish and game Public schools Ways and means
	SENATOR FISCH	
Fish and game— Chairman Aircraft transportation and railroads— Ranking Member	Board of control Claims Educational institutions	Military affairs Political and judicial districts
	SENATOR FRAILEY	
Judiciary No. 1— Chairman	Appropriations Board of control Drainage	Retrenchment and reform Ways and means
	SENATOR GESKE	
Emergency legislation —Chairman Banks and banking	Conservation Departmental affairs Judiciary No. 1	Public utilities Reduction of public expenditures
	SENATOR HARRINGTON	
Public utilities— Chairman Cities and towns— Ranking Member	Appropriations Banks and banking Judiciary No. 1	Public health Reduction of public expenditures
	SENATOR HICKLIN	
Reduction of public expenditures— Vice-chairman Cities and towns	Constitutional amendments Enrolled bills Fish and game	Motor vehicles Rules Ways and means
	SENATOR HILL	
Printing—Chairman Enrolled bills— Ranking Member	Claims County and township affairs	Conservation Public schools Ways and means
	SENATOR HOPKINS	
Claims—Chairman Appropriations Enrolled bills	Fish and game Insurance	Mines and mining Public schools

	SENATOR HUSH	
Enrolled bills— Chairman Appropriations Board of control	Constitutional amendments Elections	Motor vehicles Reduction of public expenditures
	SENATOR HUSTED	
Drainage—Chairman Appropriations Banks and banking	County and township affairs Conservation	Military affairs Reduction of public expenditures
	SENATOR IRWIN	
Banks and banking— Chairman Constitutional amend- ments—Ranking Member	Aircraft transportation and railroads Departmental affairs Judiciary No. 1	Labor Reduction of public expenditures
	SENATOR KIMBERLY	
Board of control— Chairman Judiciary No. 1— Ranking Member	Banks and banking Aircraft transportation and railroads	Cities and towns Insurance Public health
	SENATOR KLEMME	
Conservation— Ranking Member Agriculture	County and township affairs Manufacturing, com- merce and trade	Political and judicial districts Public utilities Ways and means
	SENATOR KNUDSON	
Insurance—Chairman Appropriations— Ranking Member	Departmental affairs Emergency legislation Fish and game	Motor vehicles Reduction of public expenditures
	SENATOR McARTHUR	
Labor—Chairman Agriculture— Ranking Member	Appropriations Drainage Insurance	Public schools Ways and means
	SENATOR MEYER OF BREMER	
Fish and game— Ranking Member Agriculture	County and township affairs Elections	Highways Motor vehicles Political and judicial districts
	SENATOR MILLER OF BUCHANAN	
Appropriations Banks and banking Conservation	Educational institutions Motor vehicles	Public schools Printing
	SENATOR MILLER OF JONES	
Board of control— Ranking Member Agriculture	Banks and banking Elections Insurance	Public utilities Ways and means
	SENATOR MOORE	
Public health— Chairman Public schools— Ranking Member	Appropriations Cities and towns Labor	Motor vehicles Public utilities
	SENATOR MULLANEY	
Agriculture Conservation	Fish and game Highways	Motor vehicles Printing

	SENATOR MYERS OF JASPER	
Ways and means— Chairman	Constitutional amendments	Reduction of public expenditures
Rules—Ranking Member	Manufacturing, com- merce and trade	Retrenchment and reform
Appropriations		
	SENATOR NELSON	
County and township affairs—Chairman	Highways	Public schools
Agriculture	Motor vehicles	Ways and means
	Public health	
	SENATOR PATTERSON	
Political and judicial districts—Chairman	Departmental affairs	Reduction of public expenditure
Ways and means— Ranking Member	Educational institutions	Retrenchment and reform
Appropriations	Fish and game	
	Labor	
	SENATOR PENDRAY	
Public schools— Chairman	Conservation	Elections
Appropriations	Educational institutions	Public health
	SENATOR REESE	
Labor—Ranking Member	Claims	Mines and mining
Appropriations	Educational institutions	Printing
	Highways	
	SENATOR RITCHIE	
Agriculture—Chairman	Appropriations	Reduction of public expenditures
Drainage— Ranking Member	Highways	Rules
	Labor	
	SENATOR ROELOFS	
Printing— Ranking Member	Conservation	Public schools
County and township affairs	Educational institutions	Ways and means
	Political and judicial districts	
	SENATOR SCHMIDT	
Military affairs— Ranking Member	Highways	Political and judicial districts
Elections	Insurance	Printing
	Motor vehicles	
	SENATOR SHANGLE	
Judiciary No. 2— Ranking Member	Insurance	Political and judicial districts
County and township affairs	Mines and mining	Printing
		Rules
	SENATOR STANLEY	
Military affairs— Chairman	Emergency legislation	Reduction of public expenditures
Appropriations	Highways	Ways and means
	Judiciary No. 2	
	SENATOR STEVENS OF DECATUR	
Mines and mining— Chairman	Judiciary No. 2	Reduction of public expenditures
Banks and banking	Manufacturing, com- merce and trade	Ways and means
Educational institutions		

SENATOR STEVENS OF WAPELLO

Reduction of public expenditures— Chairman	Cities and towns Constitutional amendments	Manufacturing, commerce and trade Public utilities
Appropriations	Fish and game	Rules

SENATOR TOPPING

Manufacturing, commerce and trade— Chairman	Public utilities— Ranking Member	Board of control Cities and towns Highways
	Aircraft transportation and railroads	Ways and means

SENATOR VALENTINE

Constitutional amendments—Chairman	Appropriations Judiciary No. 1	Reduction of public expenditures
Cities and towns	Mines and mining	

SENATOR WENNER

Elections—Chairman	Cities and towns	Highways
Manufacturing, commerce and trade— Ranking Member	Claims Constitutional amendments	Judiciary No. 1

SENATOR WHITE

Appropriations— Chairman	Aircraft transportation and railroads	Reduction of public expenditures
Retrenchment and reform—Chairman	Departmental affairs	Rules

SENATOR WILSON

Cities and towns— Chairman	Departmental affairs	Manufacturing, commerce and trade
Mines and mining— Ranking Member	Elections Judiciary No. 2	Public schools

The Journal of January 12th was corrected and approved.

REPORT OF COMMITTEE

Senator Valentine submitted the following report:

MR. PRESIDENT: Your committee on Constitutional Amendments to which was referred Senate Joint Resolution No. 4, a Joint Resolution and Enactment ratifying a proposed amendment to the Constitution of the United States of America, relating to the President and Vice President of the said United States, and to the Congress of said United States, and to the members of said Congress, begs leave to report it has had the same under consideration and recommends the same do pass.

JOHN K. VALENTINE, *Chairman.*

Ordered passed on file.

AMENDMENT FILED

MR. PRESIDENT: I move to amend Senate File 79 by Carden by adding after line four (4) in Sec. three (3) the following: "forty-six hundred forty-four-c eleven (4644-c11);"

HOMER HUSH.

On motion of Senator Hicklin the Senate adjourned until 10:00 a. m., Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 18, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. I. A. Fulton, pastor of First Presbyterian Church, of Des Moines, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Chrystal for the day on request of Senator Wenner; Senator Frailey for the day on request of Senator Hicklin; Senator Cooney for the day on request of Senator Kimberly.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Favoring the placing of a special tax on the so-called "chain stores" doing business in the state. Manufacturing, commerce and trade. Senator Harrington, from residents of Woodbury County. Senator Miller, from residents of Buchanan county. Senator Kimberly, from residents of Scott county.

Approving prohibition. Judiciary No. 1. Senator Roelofs, from residents of Lyon county. Senator Schmidt, from residents of Johnson county. Senator Wilson, from residents of Polk county. Senator Husted, from residents of Adair county. Senator Anderson, from residents of Calhoun county. Senator Hill, from residents of Chickasaw and Floyd counties. Senator Patterson, from residents of Kossuth and Dickinson counties. Senator Mullaney, from residents of Allamakee county. Senator Kimberly, from residents of Scott county. Senator Beardsley, from residents of Warren county. Senator Stanley, from residents of Taylor county. Senator Hopkins, from residents of Dallas county. Senator Knudson, from residents of Hamilton and Hardin counties. Senator Booth, from residents of Shelby county. Senator Klemme, from

residents of Howard county. Senator Byers, from residents of Linn county. Senator Ritchie, from residents of Buena Vista county.

Favoring modification of prohibition law. Senator Kimberly, from the Davenport Turn-Gemeinde. Judiciary No. 1.

Opposing passage of Senate File No. 51. Senator Pendray, from residents of Jackson county. Reduction of public expenditures.

Approving the marriage license law. Senator Meyer, from Bremer County Minister's Association. Judiciary No. 1.

Favoring support of Senate Files Nos. 76, 77 and 78. Senator Calhoun, from residents of Jefferson county. Reduction of public expenditures.

Favoring support of Senate File No. 80. Senator Calhoun, from residents of Jefferson county. Judiciary No. 1.

Opposing sale of property for delinquent taxes. Senator Roelofs, from the town of Sutherland, Iowa. Reduction of public expenditures.

Opposing the County Tax Budget Commission. Senator Roelofs, from the Archer School Board, Archer Consolidated School, Archer, Iowa. Reduction of public expenditures.

Opposing the reduction of school taxes. Senator Valentine, from the Board of Education, Centerville Public Schools, Centerville, Iowa. Reduction of public expenditures.

INTRODUCTION OF BILLS

Senate File No. 93, by Senator Hush, a bill for an act to amend section twelve thousand three hundred and eighty-five (12385) code of 1931 relating to release by the mortgagee after satisfaction of mortgages, and the penalty therefor.

Read first and second times and passed on file.

Senate File No. 94, by Senator Hicklin, a bill for an act to increase the amount of statutory exemptions from execution for resident farmers who are heads of families.

Read first and second times and passed on file.

Senate File No. 95, by Senator Anderson, a bill for an act to

amend section seventeen hundred sixty-seven (1767) of the Code, 1931, relating to closed seasons for game birds and animals.

Read first and second times and passed on file.

Senate File No. 96, by Senator Mullaney, a bill for an act to repeal section forty-two hundred seventy-eight (4278), Code, 1931, and to enact a substitute therefor relating to tuition of high school pupils in certain cases.

Read first and second times and passed on file.

Senate File No. 97, by Senator Kimberly, a bill for an act to repeal Section six hundred fifty-five a-four (655-a-4), Code, 1931, relating to the time of filing objections to certificate of nomination or eligibility of a candidate, and to enact a substitute therefor.

Read first and second times and passed on file.

Senator Knudson moved that an engrossed copy of Senate Concurrent Resolution No. 5, properly signed, be presented to each and every member of the interim committee. The motion prevailed.

Upon the request of Lieutenant Governor N. G. Kraschel, unanimous consent was granted him to have all bills heretofore introduced, assigned to the proper committees later in the day; such commitments to be made of record in the Journal.

Senator Hill submitted the following:

SENATE CONCURRENT RESOLUTION NO. 6

Whereas, There now exists throughout the United States, and particularly within the State of Iowa, a financial condition which has depressed the agricultural industry and which has now reached the point where many of those engaged in agriculture have and are about to lose their farms and homes due to their inability to pay taxes, interest and the principal on their obligations, and

Whereas, This condition being of paramount importance and dangerous to the present social structure of this State in that it affects all civic obligations as well as private ones, and

Whereas, Certain creditors, among whom are insurance companies, banks and other owners of mortgages have voluntarily extended time of payment, nevertheless, the accumulation of interest and the indebtedness of operation adds to the general distress and burdened condition of agriculture, therefore, immediate action is required in order to relieve the general distressed and burdened condition of the people of this State, and

Whereas, Much of this indebtedness was contracted in times when values were unreasonably inflated and when the currency of this country was more easily available to borrowers, and

Whereas, It is impossible, under the conditions now existing, for obligations to be met by debtors, it is, therefore, necessary that a reduction on obligations and interest rate be adjusted upon the financial plane which exists at this time, therefore,

Be it Resolved by the Senate, the House concurring, That it would be to the interest and benefits of the people of the State of Iowa as a whole that an adjustment of the indebtedness of the agricultural industry be made which will enable them to meet their obligations, and that an effort be made to adopt an equitable plan by a conference in which debtors and creditors may have a part. We, therefore, respectfully request the Honorable Clyde L. Herring, Governor of the State of Iowa, to call a conference of representatives from the various agricultural organizations existing in the State of Iowa, and such other representatives as he may deem essential, to meet with representatives selected from banks, insurance companies, and other financial organizations holding mortgages on farms and real estate within the State, and that said conference be held at an early date at some place deemed advisable by the Honorable Governor, at which meeting the present emergency be taken up and discussed in an effort to work out some equitable plan which will relieve the emergency now existing, taking into consideration the ability of the debtor to discharge his obligations of taxes, interest and principal, and by taking into consideration the values of the past, present and future, and that the same be worked out upon a uniform basis in order that the same may be adopted by all creditors.

Be It Further Resolved, That this resolution, duly certified, be immediately transmitted to the Governor of the State of Iowa, together with the assurance that the members of the House and Senate are wholeheartedly supporting him in his efforts to re-establish normal conditions in the agricultural industry in the State of Iowa.

LAFE HILL.

Ordered passed on file.

REPORT OF SPECIAL COMMITTEE

MR. PRESIDENT: Your committee appointed to draft a concurrent resolution thanking the ministers of Des Moines for their offer to act as chaplains, gratuitously, begs leave to submit the following:

CONCURRENT RESOLUTION NO. 7

Be It Resolved by the Senate, the House Concurring:

That the Legislature of Iowa wish to express to the Ministerial Association of Des Moines their grateful thanks for their very gracious offer to open the Session of the Forty-fifth General Assembly each morning with prayer. We want to assure them that we appreciate their keen sense of the present economic situation and their kindly interest in the welfare of the citizens of Iowa that they will thus contribute to the reduction of expenses of the General Assembly. For all which you have the profound appreciation of, not only the members of this body, but of the entire citizenship of Iowa.

WILLIAM CARDEN,
W. R. RITCHIE,
O. P. MYERS.

Upon the request of Senator Carden, unanimous consent was granted to suspend the rules and consider the resolution. The resolution was unanimously adopted. The committee was discharged.

THIRD READING OF BILLS

On motion of Senator Valentine, Senate Joint Resolution No. 4, a joint resolution proposing an amendment to the Constitution of the United States fixing the commencement of the terms of President and Vice President and Members of Congress and fixing the time of the assembling of Congress, with report of committee recommending passage, was taken up, considered. The report of the committee was adopted.

The joint resolution was read for information as follows:

SENATE JOINT RESOLUTION NO. 4

A Joint Resolution and Enactment ratifying a proposed amendment to the Constitution of the United States of America, relating to the President and Vice President of the said United States, and to the Congress of said United States, and to the members of said Congress.

Whereas the Seventy-second Congress of the United States of America, duly assembled, on or about the third day of March, 1932, by a Resolution duly concurred in by a constitutional majority of both Houses of said Congress, did submit to the Legislatures of the several States of said United States for ratification a proposal to amend the Constitution of the United States of America, and

Whereas said Resolution and proposed amendment is in words and figures as follows, to wit:

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States fixing the commencement of the terms of President and Vice President and Members of Congress and fixing the time of the assembling of Congress.

Resolved by the Senate and House of Representatives of the United States of America in Congress Assembled (two-thirds of each House concurring therein), That the following amendment to the Constitution be, and hereby is, proposed to the Senate, to become valid as a part of said Constitution when ratified by the legislatures of the several States as provided in the Constitution:

"ARTICLE —

"SECTION 1. The terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3rd day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

"SEC. 2. The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3rd day of January, unless they shall by law appoint a different day.

"SEC. 3. If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect

shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

"SEC. 4. The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

"SEC. 5. Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

"SEC. 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission.

"NOW, THEREFORE,

"Be it enacted and resolved by the General Assembly of the State of Iowa that said proposed amendment to the Constitution of the United States of America as set forth herein under sections one (1) to six (6), inclusive, of the said resolution of the said Congress, is hereby ratified and consented to by the State of Iowa and by the General Assembly thereof.

Be it further resolved and enacted that copies of this enactment and resolution, duly certified to by the Governor of the State of Iowa and attested by the Secretary of State of the State of Iowa, under the seal of the said State, be forthwith forwarded by said Governor to the Secretary of State of the United States, and to the presiding officers of each House of the Congress of the United States."

Senator Myers moved that the rules be suspended and that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the joint resolution pass?" the vote was:

Ayes, 42.

Anderson	Harrington	Miller of Jones	Shangle
Beardsley	Ricklin	Moore	Stanley
Beatty	Hill	Mullaney	Stevens of
Bennett	Hopkins	Myers	Decatur
Booth	Hush	Nelson	Stevens of
Byers	Husted	Patterson	Wapello
Calhoun	Kimberly	Pendray	Topping
Carden	Klemme	Reese	Valentine
Coykendall	Knudson	Ritchie	Wenner
Elthon	Meyer	Roelofs	Wilson
Fisch	Miller of	Schmidt	
Geske	Buchanan		

Nays, none.

Absent or not voting, 7.

Aschenbrenner	Cooney	Irwin	White
Chrystal	Frailey	McArthur	

The joint resolution having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Myers moved that the vote by which the joint resolution passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the following committee report in which the concurrence of the House was asked:

Report of Joint Committee on Extra Help appointed to consider applications and to nominate the extra help of the Forty-fifth General Assembly.

Also, That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution No. 3, requesting Budget Director to furnish comparative statement of 1933 proposed budget and expenditures as shown by the State Auditor's records for the year 1919.

Also, That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution No. 4, memorializing the President of the United States, Congress and the Federal Reserve Board asking a moratorium on farm mortgages for at least one year.

Also, That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution No. 5, requesting the State Printing Board to furnish copies of the Code to Chief Clerk of House and Secretary of Senate, committee rooms, the press galleries, etc.

Also, That the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

Concurrent Resolution No. 6, requesting the appointment of a Joint Committee to draft a resolution to the Interstate Conference of Legislators relating to tax levying bodies. LLOYD ELLIS, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION NO. 3

Resolved by the House, the Senate concurring, That the Budget Director be requested to furnish to each member of the House and Senate, a comparative statement of the 1933 proposed budget and the expenditures for each and every department of the State as shown by the State Auditor's records for the year 1919.

That such comparative statement shall be made in such a way that each item of expenditure for 1919 shall be listed opposite the same items as listed in 1933 budget.

HOUSE CONCURRENT RESOLUTION NO. 4

Memorializing the President of the United States, the Congress and the Federal Reserve Board of the United States, asking a moratorium on farm mortgages for at least one year, and to do all in their power, wherever possible, to furnish financial relief to farmers who have other than Federal loans coming due this year.

Whereas, the present unsatisfactory price of farm products is far below the cost of production, and

Whereas, the American farmer should receive at least a fair remunerative price for his labors, particularly in this time of price depression
Now, therefore,

Be it resolved by the House, the Senate concurring: That the General Assembly of Iowa respectfully requests and earnestly urges the President of the United States, the Congress and the Federal Reserve Board of the United States to exercise the authority and power granted them to obtain relief, as soon as possible, from the present distress of the American farmers.

Be it further resolved, that the Secretary of State of Iowa, be instructed to send a copy of this resolution to the President of the United States, the Secretary of Agriculture and to the chairman of the Federal Reserve Board of the United States, and to each member of Congress from the State of Iowa.

HOUSE CONCURRENT RESOLUTION NO. 5

Be it resolved by the House, the Senate concurring, that the state printing board be requested to furnish copies of the Code of 1931 as follows:

One copy for each of the various committee rooms of the House and the Senate; three copies each for the Chief Clerk of the House and the Secretary of the Senate for the use of said officers and their assistants; such number of copies for the press galleries of the House and Senate as necessary, to be determined by the Chief Clerk of the House and the Secretary of the Senate.

HOUSE CONCURRENT RESOLUTION NO. 6

Be it Resolved by the House, the Senate concurring, That a joint committee be appointed consisting of three members of the Senate to be appointed by the President of the Senate and four members of the House to be appointed by the Speaker of the House to draft a resolution to be sent to the Interstate Conference of Legislators to be held in Washington February 3, stating our recommendations in regard to specifying tax fields for the different tax levying bodies and to make recommendations to the Forty-fifth General Assembly in regard to this conference if they see fit.

COMMITTEE REFERENCES

The President of the Senate ordered Senate Bills and Senate Joint Resolutions, introduced thus far in the session, to be referred

to the following committees:

Senate Joint Resolutions, Nos. 1 to 3, inclusive, to the committee on reduction of public expenditures.

Senate Files Nos. 1 to 72, inclusive, to the committee on reduction of public expenditures.

Senate File No. 73 to the committee on appropriations.

Senate File No. 74 to the committee on fish and game.

Senate File No. 75 to the committee on judiciary No. 2.

Senate Files Nos. 76 to 79, inclusive, to the committee on reduction of public expenditures.

Senate File No. 80 to the committee on manufacturing, commerce and trade.

Senate File No. 81 to the committee on reduction of public expenditures.

Senate File No. 82 to the committee on motor vehicles.

Senate File No. 83 to the committee on judiciary No. 1.

Senate File No. 84 to the committee on ways and means.

Senate File No. 85 to the committee on motor vehicles.

Senate File No. 86 to the committee on county and township affairs.

Senate File No. 87 to the committee on banks and banking.

Senate File No. 88 to the committee on manufacturing, commerce and trade.

Senate File No. 89 to the committee on motor vehicles.

Senate File No. 90 to the committee on reduction of public expenditures.

Senate File No. 91 to the committee on judiciary No. 2.

Senate File No. 92 to the committee on educational institutions.

Senate File No. 93 to the committee on emergency legislation.

Senate File No. 94 to the committee on judiciary No. 2.

Senate File No. 95 to the committee on fish and game.

Senate File No. 96 to the committee on public schools.

Senate File No. 97 to the committee on elections.

AMENDMENT FILED

Amend House Concurrent Resolution No. 3 by changing the figures "1919" where they appear, to the figures "1920". ROY E. STEVENS.

The Journal of January 17th was corrected and approved.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 19, 1933.

The Senate met in regular session, President N. G. Kraschel, presiding.

Prayer was offered by Rev. E. E. Lookingbill, pastor of the Methodist Episcopal Church of Nevada, Iowa.

LEAVE OF ABSENCE

Senator Frailey for the day, on request of Senator Hicklin; Senator Roelofs for the day, on request of Senator Beardsley.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Favoring the placing of a special tax on the so-called "chain stores" doing business in the state. Senator Carden, from residents of Washington county. Manufacturing, commerce and trade.

Approving prohibition. Senator Miller, from residents of Jones county. Senator Bennett, from residents of Crawford and Monona counties. Senator Kimberly, from residents of Scott county. Senator Carden, from residents of Washington and Henry counties. Senator Patterson, from residents of Clay county. Senator Stevens, from residents of Union county. Senator Hicklin, from citizens of Morning Sun, Iowa. Senator Klemme, from residents of Winneshiek county. Senator Beatty, from residents of Poweshiek and Keokuk counties. Senator Miller, from residents of Delaware county. Senator Hopkins, from residents of Dallas and Guthrie counties. Senator Coykendall, from the Woman's Christian Temperance Union, Hamburg, Iowa. Senator Irwin, from residents of Clinton county. Senator Chrystal, from residents of Sac county. Senator Husted, from residents of Adair and Madison counties. Senator Valentine, from residents of Davis county.

Senator Ritchie, from residents of Pocahontas county. Senator Nelson, from residents of Story county. Senator Harrington, from residents of Woodbury county. Senator Meyer, from residents of Butler county. Senator Knudson, from residents of Hardin county. Senator Aschenbrenner, from citizens of Pella, Iowa. Senator Wilson, from residents of Polk county. Senator Stanley, from residents of Taylor county. Senator Mullaney, from residents of Allamakee county. Senator Hush, from residents of Montgomery county. Senator Fisch, from residents of Ida county. Senator McArthur, from residents of Cerro Gordo and Franklin counties. Senator Bennett, from residents of Harrison county, and the Nelson's Hollow Farmer's Club of Dunlap, Iowa. All referred to judiciary No. 1.

Favoring modification of prohibition law. Senator Kimberly, from the North West Davenport Turner Society, and the Davenport Moose Lodge No. 28. Referred to judiciary No. 1.

Opposing change of Pension Law governing firemen and policemen. Senator Schmidt from citizens of Iowa City, Iowa. Senator Anderson, from citizens of Fort Dodge, Iowa. Reduction of public expenditures.

Endorsing the Tax Bill Program of the interim committee. Senator Wenner, from residents of Eagle township, Black Hawk County. Emergency legislation.

Favoring modification of deficiency judgment laws. Senator Stanley, from the Bedford National Farm Loan Association, Bedford, Iowa. Emergency legislation.

Favoring reduction in cost of government. Senator Wenner from the Waterloo Chamber of Commerce, Waterloo, Iowa. Emergency legislation.

Favoring a 50 per cent reduction in taxes. Senator Hopkins, from residents of Bear Grove township. Reduction of public expenditures.

REPORT OF SPECIAL COMMITTEE

January 12, 1933.

Honorable Governor Franklin D. Roosevelt,
Albany,
New York.

Honorable Sir:

The members of the Iowa Legislature unanimously and without regard to party affiliations endorse Mr. H. A. Wallace of Des Moines, Iowa, for

Secretary of Agriculture and respectfully urge his appointment.

Mr. H. A. Wallace is editor of the Wallaces' Farmer, one of the leading farm publications of the nation, and is a nationally recognized authority on agricultural economics. He is one of an illustrious family. He is the son of the late H. C. Wallace, former Secretary of Agriculture, and is a grandson of Uncle Henry Wallace who for many years was an outstanding agriculture leader in the nation.

The foregoing message is sent you, President-elect Roosevelt, under the authority vested in the undersigned committee by provisions of Senate Concurrent Resolution No. 4, which was unanimously adopted by the Senate and House of Representatives of the Forty-fifth General Assembly of Iowa, and which concurrent resolution is found in the Senate and House journals dated January 12, 1933.

Very respectfully,

WM. MCARTHUR,
G. W. PATTERSON,
T. W. MULLANEY,

On the part of the Senate.

P. H. DONLON,
O. J. GRAU,
CURTIS L. MCKINNON,
BEN B. DORAN,

On the part of the House.

The committee was discharged.

INTRODUCTION OF BILLS

Senate File No. 98, by Senator Irwin, a bill for an act to amend section six hundred forty-three (643) Code, 1931, relating to the printing of names on primary ballots.

Read first and second times and referred to committee on elections.

Senate File No. 99, by Senator Shangle, a bill for an act to amend section eleven thousand seven hundred seventy-four (11,774) of the code, 1931, relating to redemption from execution sale by debtor.

Read first and second times and referred to committee on emergency legislation.

Senate File No. 100, by Senator Shangle, a bill for an act to amend section fifty-one hundred twenty-six (5126) of the code, 1931, relating to compensation of County Supervisors.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 101, by Senator Shangle, a bill for an act to amend section eleven thousand seven hundred thirty-two (11,732) of the code, 1931, relating to sale of land upon execution.

Read first and second times and referred to committee on emergency legislation.

Senate File No. 102, by Senator White, a bill for an act to amend section four thousand nine hundred twenty-oneC two (4921C2) Chapter two hundred fifty-one (251) Code of Iowa 1931, relating to the exception of trucks used in highway construction and maintenance work.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 103, by Senator McArthur, a bill for an act to amend section seventy-two hundred seventy-nine (7279), Code, 1931, pertaining to notice of expiration of right of redemption from tax sale.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 104, by Senator Coykendall, a bill for an act to repeal Sections forty-six hundred forty-four-c fifty-eight (4644-c58), to section forty-six hundred forty-four-c sixty-four (4644-c64), both inclusive, Code, 1931, relating to the levy, collection and payment of poll taxes outside of cities and towns and the liens thereof, and to enact a substitute therefor, and to permit such poll taxes to be paid in labor.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 105, by Senator White, a bill for an act to repeal section three hundred ninety-seven-d one (397-d1), Code, 1931, relating to the annual audit of the books of the state board of education and of the state board of control of state institutions.

Read first and second times and referred to committee on departmental affairs.

Senate File No. 106, by Senator Coykendall, a bill for an act to amend sections seventeen hundred sixty-six (1766) and seventeen hundred sixty-six-a one (1766-a1), relating to the open season on red foxes.

Read first and second times and referred to committee on fish and game.

Senate File No. 107, by Senator Hopkins, a bill for an act to amend section sixty-nine hundred forty-three-c fifteen (6943-c15) and section sixty-nine hundred forty-three-c sixteen (6943-c16),

code, 1931, relating to the appointment and tenure of office of members of the State Board of Assessment and Review.

Read first and second times and referred to committee on departmental affairs.

Senate File No. 108, by Senator Shangle, a bill for an act to amend sections fifty-three hundred ninety-eight (5398) and fifty-three hundred ninety-nine (5399) of the code, 1931, relating to source of selection and number of official newspapers.

Read first and second times and referred to committee on printing.

Senate File No. 109, by Senator Wenner, a bill for an act to create a Court of Claims, to prescribe its jurisdiction, and to provide a method for the selection of Judges thereof, and to prescribe the procedure in said Court.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 110, by Senator Topping, a bill for an act to amend section eleven hundred seventy-one-d four (1171-d4), Code, 1931, relating to the authorization of public bonds.

Read first and second times and referred to committee on elections.

REPORTS OF COMMITTEE

Senator Irwin submitted the following report:

MR. PRESIDENT: Your special committee on salaries of employees of the 45th General Assembly begs leave to report it has had the same under consideration and recommends that the compensation of the journal clerks of the House be Seven Dollars (\$7.00) each.

Also, that the compensation of the other employees of the 45th General Assembly be the same as was the compensation of the employees of the 44th General Assembly.

H. L. IRWIN, *Chairman.*

Ordered passed on file.

Senator Stevens of Wapello submitted the following report:

MR. PRESIDENT: Your committee on Reduction of Public Expenditures to which was referred Senate File No. 7, a bill for an act to amend sections forty-six hundred forty-four-c six (4644-c6), forty-six hundred forty-four-c seven (4644-c7), forty-six hundred forty-four-c eleven (4644-c11), and forty-six hundred forty-four-c fifteen (4644-c15), code 1931, relating to tax levies for secondary road purposes and to repeal sections forty-six hundred forty-four-c twelve (4644-c12) and forty-six

hundred forty-four-c sixteen (4644-c16), code 1931, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman.*

THIRD READING OF BILLS

On motion of Senator Stevens of Wapello Senate File No. 7, a bill for an act to amend sections forty-six hundred forty-four-c six (4644-c6), forty-six hundred forty-four-c seven (4644-c7), forty-six hundred forty-four-c eleven (4644-c11), and forty-six hundred forty-four-c fifteen (4644-c15), code 1931, relating to tax levies for secondary road purposes and to repeal sections forty-six hundred forty-four-c twelve (4644-c12), and forty-six hundred forty-four-c sixteen (4644-c16), code 1931, with report of committee recommending passage, was taken up and considered.

Upon the request of Senator Stevens of Wapello unanimous consent was granted to suspend the rules and adopt the committee report. The report was adopted.

The bill was read for information.

Senator Stevens of Wapello moved that the rules be suspended and the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 47.

Anderson	Fisch	Meyer	Schmidt
Aschenbrenner	Geske	Miller of	Shangle
Beardsley	Harrington	Buchanan	Stanley
Beatty	Hicklin	Miller of Jones	Stevens of
Bennett	Hill	Moore	Decatur
Booth	Hopkins	Mullaney	Stevens of
Byers	Hush	Myers	Wapello
Carden	Husted	Nelson	Topping
Calhoun	Irwin	Patterson	Valentine
Chrystal	Kimberly	Pendray	Wenner
Cooney	Klemme	Reese	White
Coykendall	Knudson	Ritchie	Wilson
Elthon	McArthur		

Nays, none.

Absent or not voting, 2.

Frailey Roelofs

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

Senator Stevens of Wapello moved that the vote by which the

bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

HOUSE CONCURRENT RESOLUTIONS NOS. 5, 3, 4 AND 6
CONSIDERED

On motion of Senator Wilson, House Concurrent Resolution No. 5, as printed in the Journal of January 18th was taken up and considered. The resolution was adopted.

On motion of Senator Booth, House Concurrent Resolution No. 3, as printed in the Journal of January 18th, was taken up and considered.

Senator Stevens of Wapello offered the following amendment and moved its adoption:

Amend by changing the figures "1919" where they appear to the figures "1920".

The amendment was adopted.

The resolution as amended was adopted.

On motion of Senator McArthur, House Concurrent Resolution No. 4 as printed in the Journal of January 18th, was taken up and considered. The resolution was adopted.

On motion of Senator Ritchie, House Concurrent Resolution No. 6, as printed in the Journal of January 18th, was taken up and considered. The resolution was adopted.

Upon the request of Senator Stevens of Wapello, unanimous consent was granted to return to the order of committee reports.

REPORTS OF COMMITTEE

Senator Stevens of Wapello submitted the following report:

MR. PRESIDENT: Your committee on Reduction of Public Expenditures to which was referred Senate Joint Resolution No. 1, a bill for an act to amend Article III of the Constitution of the State of Iowa relating to the State Census, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. That Senate Joint Resolution be amended by striking the words "striking therefrom" in lines one (1) and two (2) in Section 1, and substituting therefor the word "repealing".

2. Further amend by striking out all of Section 2.

3. Further amend by renumbering Sec. 3 and Sec. 2.

4. Further amend by striking out the words "for members of the next General Assembly" from lines three (3) and four (4) of the renumbered Sec. 2.

5. Further amend renumbered Sec. 2 by striking from lines five (5) and six (6) the words "for three (3) months previous to the date of said election,"

6. Amend the title by striking from line two (2) the words "striking therefrom" and substituting therefor the word "repealing"; by striking from line three (3) the words "and by amending section thirty-four (34)" and substituting therefor the words "as amended in 1904"; and by striking out all the words following the word "census" in line four (4).

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

Your committee on Reduction of Public Expenditures, to which was referred Senate File No. 9, a bill for an act to amend section sixty-nine hundred forty-four (6944), code 1931, relating to the exemption of property from taxation, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. Amend by striking out the word "repealing" in line two (2) of section 1 and substituting therefor the words "striking out".

2. Further amend by inserting the words "and subsection twenty (20) after the figure five (5) in line two (2) of section 1 thereof.

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

Your committee on Reduction of Public Expenditures, to which was referred Senate File No. 12, a bill for an act to repeal sections four hundred eight (408), four hundred nine (409), four hundred ten (410), four hundred eleven (411), four hundred twelve (412), four hundred thirteen (413), four hundred fourteen (414), four hundred fifteen (415), four hundred sixteen (416), four hundred seventeen (417), four hundred eighteen (418), four hundred nineteen (419), four hundred twenty (420), four hundred twenty-one (421), four hundred twenty-two (422), and four hundred twenty-three (423), code 1931, and to amend sections four hundred twenty-seven (427), and two hundred sixty-four (264), code 1931, to discontinue the taking of the state census, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. By inserting the word "relating" after the figure "1931" in line nine (9) of the title; and by striking out the word "discontinue" in line ten (10) of the title.

2. By striking all of Section four (4).

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

Your committee on Reduction of Public Expenditures, to which was

referred Senate File No. 15, a bill for an act to repeal chapter two hundred thirty-six (236), repeal section two hundred thirty-four (234), amend sections two hundred forty-seven (247), thirty-nine hundred forty-eight (3948), and three hundred two (302), code 1931, relating to the geological survey, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also :

Your committee on Reduction of Public Expenditures, to which was referred Senate File No. 17, a bill for an act to repeal section twenty-four hundred sixty-five (2465), providing for attendance on conventions; and repeal section three hundred ninety-eight (398), and enact a substitute therefor, all of the code 1931, to provide for the authorization and payment of expenses of trips to conventions, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also :

Your committee on Reduction of Public Expenditures, to which was referred Senate File No. 23, a bill for an act to amend sections twelve hundred twenty-five-d one (1225-d1), twenty-six hundred eighty-two (2682), forty-six hundred forty-four-c twenty-two (4644-c22), forty-nine hundred forty (4940), fifty-one hundred twenty-five (5125), fifty-one hundred ninety-one (5191), fifty-two hundred thirty-three (5233), fifty-two hundred thirty-seven (5237), and ten thousand six hundred thirty-seven (10,637), code 1931, relating to the mileage and expenses of public officers and employees, county engineers, boards of supervisors, sheriffs, county superintendents, coroners and constables, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also :

Your committee on Reduction of Public Expenditures, to which was referred Senate File No. 26, a bill for an act to prohibit the use and operation of publicly owned motor vehicles, machinery, equipment and other property for private purposes, making such use a misdemeanor and to provide a penalty for such violation and that all publicly owned automobiles must bear conspicuously placed labels designating its ownership, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also :

Your committee on Reduction of Public Expenditures, to which was referred Senate File No. 31, a bill for an act to amend section fifty-three

hundred twenty-two (5322), code 1931, relating to the support of the poor, begs leave to report it has had the same under consideration and recommends the same do pass. ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

Your committee on Reduction of Public Expenditures, to which was referred Senate File No. 41, a bill for an act to repeal sections forty-two hundred fifty-two (4252), forty-two hundred fifty-five (4255), forty-two hundred fifty-six (4256), forty-two hundred fifty-seven (4257), forty-two hundred fifty-nine (4259), forty-two hundred sixty-one (4261), forty-two hundred sixty-two (4262), forty-two hundred sixty-three (4263), forty-two hundred sixty-four (4264), and forty-two hundred sixty-five (4265), code 1931, and enact a substitute therefor, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. Title be amended as follows: By inserting after the figure "1931" in line eight (8) the words "relating to courses of study in schools and colleges".

2. By striking from line six (6) in Section one (1) the words "physical education".

3. By striking out all of Section four (4).

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

Your committee on Reduction of Public Expenditures, to which was referred Senate File No. 42, a bill for an act to amend section forty-two hundred sixty-six (4266), code 1931, relating to the establishment of a kindergarten, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

By striking out Sec. 2 thereof.

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

Your committee on Reduction of Public Expenditures, to which was referred Senate File No. 44, a bill for an act to amend section forty-three hundred forty-one (4341), code 1931, relating to minimum salaries of teachers and to repeal sections forty-three hundred forty-two (4342), forty-three hundred forty-three (4343) and forty-three hundred forty-four (4344), code 1931, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. By striking out all of the title after the words "An Act to" in line one (1) thereof and substituting therefor the words "repeal sections forty-three hundred forty-one (4341), forty-three hundred forty-two

(4342), forty-three hundred forty-three (4343) and forty-three hundred forty-four (4344), code 1931, relating to teachers' salaries."

2. By striking out Sections 1, 2, 3, 4, and 5 thereof and substituting therefor the following:

Section 1. That sections forty-three hundred forty-one (4341), forty-three hundred forty-two (4342), forty-three hundred forty-three (4343), and forty-three hundred forty-four (4344), code 1931, be and the same are hereby repealed.

3. Further amend by renumbering Sec. 6 as Sec. 2.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

Your committee on Reduction of Public Expenditures, to which was referred Senate File No. 54, a bill for an act to amend section ten thousand eight hundred forty-four (10,844), code 1931, relating to the calling of the Jury panel, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

SELECTION OF ADDITIONAL MEMBERS OF STANDING COMMITTEES

Lieutenant Governor Kraschel named the following senators as members of standing committees, in addition to the committee membership shown on pages 74, 75, 76 and 77 of the Journal:

Senators Byers and Hicklin to the committee on appropriations.

Senator Topping to the committee on fish and game.

Senator Wenner to the committee on insurance.

Senator Miller of Jones to the committee on motor vehicles.

Senators Booth, Cooney, Topping and Wenner to the committee on reduction of public expenditures.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the following joint resolution in which the concurrence of the House was asked:

Senate Joint Resolution No. 4, a joint resolution and enactment ratifying a proposed amendment to the Constitution of the United States of America, relating to the President and Vice President of the said United States, and to the Congress of said United States, and to the members of said Congress.

LLOYD ELLIS, *Chief Clerk.*

The Journal of January 18th was corrected and approved.

AMENDMENTS FILED

Amend Senate File No. 71, Sec. 2, by striking out the last three words in line 10 and all of lines 11, 12, and 13.

CHRIS REESE.

Amend Senate File No. 1 by striking therefrom Sec. 118.

CHRIS REESE.

Amend Senate File No. 41 by inserting in line six (6) after the comma "Iowa history,".

GEO. M. HOPKINS.

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

NO. 1000
1900

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 20, 1933.

The Senate met in regular session, President pro tempore Matt. D. Cooney, presiding.

Prayer was offered by Rev. Hugh Jackson, pastor of Methodist Church, Sidney, Iowa.

PETITIONS AND MEMORIALS

Approving prohibition. Senator Wilson, from members of the University Church of Christ, Des Moines, Iowa. Senator Stevens of Wapello, from residents of Wapello county. Senator Roelofs, from residents of Osceola county. Senator Mullaney, from residents of Allamakee county. Senator White, from members of the Evangelical Church, Van Horne, Iowa. Senator Hicklin, from residents of Muscatine county. Senator Aschenbrenner, from residents of Monroe county. Senator Hicklin, from residents of Louisa and Des Moines counties. Senator Carden, from citizens of Salem, Iowa. Senator Stevens of Decatur, from residents of Decatur and Ringgold counties. Senator Hopkins, from residents of Dallas county, and from members of the Church of The Brethren, Panora, Iowa. Senator Moore, from residents of Pottawattamie county. All referred to judiciary No. 1.

Favoring adoption of the Gross Income, Sales and Service Tax. Senator Aschenbrenner, from citizens of Pella, Iowa. Reduction of public expenditures.

Opposing a County Tax Budget Commission. Senator Roelofs, from the Board of Directors of the Sibley Independent School District of Sibley, Iowa. Reduction of public expenditures.

Approving the report of the interim committee. Senator Roelofs, from the Sioux County Tax Reduction Committee. Emergency legislation.

Favoring abolishment of the City Manager Plan by Popular

Election. Senator Cooney, from citizens of Dubuque, Iowa. Cities and towns.

Relating to reduced interest rates, deficiency judgments, extension of the redemption period and the inflation of currency. Senator Nelson, from members of the First Farm Loan Association of Story City, Iowa. Emergency legislation.

Opposing change of Pension Law governing firemen and policemen. Senator Moore, from citizens of Council Bluffs, Iowa. Senator Hicklin, from citizens of Muscatine, Iowa. Reduction of public expenditures.

President N. G. Kraschel took the chair at 10:30 a. m.

ASSIGNMENT OF SEATS IN PRESS GALLERY

- C. C. Clifton, Des Moines Register, No. 51.
- Cliff Millen, Des Moines Tribune, No. 52.
- Charles Warren, Associated Press, No. 53.
- W. F. Millhaem, United Press, No. 54.
- Ed Dixon, I. N. S., No. 55.
- Fred B. Wolfe, Legislative News Service, No. 56.
- L. B. Herring, Central Broadcasting, No. 57.
- H. R. Gross, Iowa Union Farmer, No. 58.
- G. L. Caswell, Iowa Press Association, No. 59.
- H. M. Whitney, General Correspondent, No. 60.
- M. C. Nowlin, General Correspondent, No. 61.
- Raymond Rabe, General Correspondent, No. 62.
- George Gallarno, Plain Talk, No. 63.
- Mid-West Clip Sheet Service, L. W. Ainsworth, No. 64.
- Wallace M. Short, The Unionist & Public Forum, Sioux City, No. 65.

INTRODUCTION OF BILLS

Senate File No. 111, by committee on banks and banking, a bill for an act amendatory to Chapter 412, Title 21 of the Code, 1931, extending the right of the superintendent of banking to take possession of banking institutions without insolvency proceedings and to protect the debtors and creditors of such institutions and to reorganize or operate the same as shall be set forth herein.

Read first and second times and placed on the calendar.

Senate File No. 112, by Senators Hush, Myers, Nelson and Paterson, a bill for an act providing for property tax relief and the elimination of the state millage levy on property by the levying, imposing, collecting and paying of taxes on income; providing for

rules and regulations for the enforcement thereof; prescribing for the enforcement thereof, and penalties for the violation thereof; amending Section 7256 of the Code; and repealing Section 7171, Subsection 1, and Sections 7182, 7183 and 7398 of the Code relating to the levying, certification and collection of a tax on property.

Read first and second times and referred to committee on ways and means.

Senate File No. 113, by Senator Wenner, a bill for an act supplemental to Chapter five hundred twenty-five (525) of the 1931 Code of Iowa, to regulate the foreclosure of mortgages and deeds of trust, and to extend the time for the appearance of the defendants in foreclosure actions.

Read first and second times and referred to committee on emergency legislation.

Senate File No. 114, by Senator Wenner, a bill for an act to amend section forty-seven hundred fifty-five-b twenty-six (4755-b26) Code, 1931, relating to primary highways within cities and towns and providing for maintainance, repair and upkeep of such primary highways.

Read first and second times and referred to committee on highways.

Senate File No. 115, by Senator Husted, a bill for an act to amend section twelve thousand seven hundred thirteen (12713) of the Code, 1931, relating to the appointment of receivers and the disbursement of moneys coming into their hands as such receivers.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 116, by Senator Myers, a bill for an act to amend section ten thousand two hundred and sixty-one (10261), of the Code, 1931, relating to landlords lien and non-waiver of exemption.

Read first and second times and referred to committee on emergency legislation.

REPORTS OF COMMITTEES

Senator Kimberly submitted the following report:

MR. PRESIDENT: Your committee on Judiciary No. 1, to which was referred Senate File No. 109, a bill for an act to create a Court of Claims,

to prescribe its jurisdiction, and to provide a method for the selection of judges thereof, and to prescribe the procedure in said court, begs leave to report it has had the same under consideration and recommends the same do pass.

D. W. KIMBERLY, *Acting Chairman.*

Ordered passed on file.

Senator Stevens of Wapello submitted the following reports:

Your committee on Reduction of Public Expenditures to which was referred Senate File No. 53, a bill for an act to amend Chapter sixty-seven (67), code 1931, relating to expenses incurred in connection with returning defendants from jurisdictions other than that wherein a crime is committed, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

Your committee on Reduction of Public Expenditures to which was referred Senate File No. 18, a bill for an act to repeal section three hundred ninety-seven-d one (397-d1), Code 1931, with reference to the auditing of state institutions, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

Your committee on Reduction of Public Expenditures to which was referred Senate File No. 25, a bill for an act to amend section forty-nine hundred sixty-d thirty (4960-d30), Code 1931, relating to the expiration of operators license for motor vehicles, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

Your committee on Reduction of Public Expenditures to which was referred Senate File No. 20, a bill for an act to amend section two hundred ninety-six (296), code 1931, with reference to the powers and duties of the Executive Council, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Senators Topping, Hicklin, Booth, Calhoun and Stevens, submitted the following:

SENATE CONCURRENT RESOLUTION NO. 8

Whereas, the agricultural section of the United States is faced by the most serious and distressing condition in its history, and no plan has

been suggested or formulated which has given the people any assurance of a solution of such despair or any hope of restoration, and

Whereas, we have an opportunity to receive the presentation of the plans of Mr. Francis J. Clair, who is now touring the agricultural section of this country on an educational program, and

Whereas, we are of the belief that no opportunity should be lost to give consideration to any feasible means that can be used to relieve the present economic situation, therefore,

Be it Resolved by the Senate, the House concurring: That the House and Senate meet in joint session at one o'clock P. M., in the House Chamber, to receive an address from the said Francis J. Clair, respecting his plan for economic recovery.

C. H. TOPPING
E. R. HICKLIN
CHAS. D. BOOTH
JOHN N. CALHOUN
ROY E. STEVENS

Upon the request of Senator Topping, unanimous consent was granted to suspend the rules and consider the resolution. The resolution was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in the Senate Amendment to House Concurrent Resolution No. 3, requesting information from the Budget Director.

Also, that the House has adopted the following Senate Concurrent Resolution, in which the concurrence of the House was asked: Senate Concurrent Resolution No. 8, requesting Joint Session of the House and the Senate.

Also, that the House has adopted the following Concurrent Resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution No. 7, requesting that the Secretary of the Board of Education furnish an itemized statement of the budget of the institutions under the management of the Board of Education.

LLOYD ELLIS, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION NO. 7

Resolved, by the House of Representatives, the Senate concurring, that W. H. Gemmill, Secretary of the Board of Education, be and he is hereby directed to furnish within ten days to the members of the Appropriations Committees of the House and Senate, a complete, detailed, itemized statement of the budget of the institutions under the management of the Board of Education.

Upon the request of Senator Stevens of Wapello, unanimous

consent was granted to defer bills on the calendar until Monday, to make way for more important legislation.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate Joint Resolution No. 4.

HOMER HUSH, *Chairman Senate Committee.*

WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Joint Resolution No. 4.

BILLS SENT TO THE GOVERNOR

Senator Hush from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully report they have on this 20th day of January, 1933, sent to the governor for his approval, Senate Joint Resolution No. 4. HOMER HUSH, *Chairman.*

Passed on file.

On motion of Senator Irwin the Senate went into executive session.

EXECUTIVE SESSION

The Senate arose from executive session and resumed regular session.

Upon the request of Senator Irwin, unanimous consent was granted to suspend Senate rule 17 and consider Senate File No. 111.

THIRD READING OF BILLS

On motion of Senator Irwin Senate File No. 111, by committee on banks and banking, a bill for an act amendatory to Chapter 412, Title 21 of the Code, 1931, extending the right of the superintendent of banking to take possession of banking institutions without insolvency proceedings and to protect the debtors and

creditors of such institutions and to reorganize or operate the same as shall be set forth herein, a committee bill, was taken up and considered.

Senator Wilson offered the following amendment and moved its adoption:

Amend the enacting clause by striking the semi-colon ";" therefrom, and substituting in lieu thereof a colon ":".

The amendment was adopted.

Senator Irwin offered the following amendment and moved its adoption:

Amend by striking lines 1 to 8 inclusive of Section 1 and inserting in lieu thereof the following:

"Section 1. The superintendent of banking shall, upon application of the officers or directors of any state bank, savings bank or trust company or private bank doing a banking business, have the power, with the consent of the executive council or of the governor or of the lieutenant governor to take over the management of any such bank and may, at his discretion, manage the".

Also, by inserting after the word "he" in line 7 of Sec. 2 the following: "with the approval of the executive council".

The amendment was adopted.

Senator Hicklin offered the following amendment and moved its adoption:

Amend Section 1 by striking the period "." from the end thereof and substituting in lieu thereof the following: ", and the statute of limitations against such claims shall be tolled during such period."

The amendment was adopted.

Senator Hicklin offered the following amendment and moved its adoption:

Amend Sec. 2 by striking the last sentence and substituting in lieu thereof the following: "If such institution is kept open for business under the management of the banking department, and new deposits are received, such deposits shall be segregated, and any new assets acquired on account of such deposits shall be segregated and held in trust especially for such new deposits."

The amendment was adopted.

Senator Cooney offered the following amendment and moved its adoption:

Amend Sec. 3 by inserting after the word "shall" in line 3 thereof the following: ", with the approval of the executive council,".

Also, by inserting after the word "he" in line 5 of said Sec. 3 the following: ", with the approval of the executive council,".

The amendment was adopted.

Senator Beatty offered the following amendment and moved its adoption:

Amend by striking all of Sec. 6 and substituting in lieu thereof the following:

"Sec. 6. Insofar as the provisions of this act may conflict with other acts or parts thereof, the provisions of this act shall control."

The amendment was adopted.

Senator Wilson offered the following amendment and moved its adoption:

Amend by inserting in line 3 of Sec. 2 thereof and following the word "power": ", with the approval of the executive council,".

Also, by amending Sec. 5 by inserting in line 2 and following the word "banking" the following: ", with the approval of the executive council,".

The amendment was adopted.

The bill was read for information.

Senator Irwin moved that the rules be suspended and the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 47.

Anderson	Geske	Miller of	Schmidt
Aschenbrenner	Harrington	Buchanan	Shangle
Beardsley	Hicklin	Miller of Jones	Stanley
Beatty	Hill	Moore	Stevens of
Bennett	Hopkins	Mullaney	Decatur
Booth	Hush	Myers	Stevens of
Calhoun	Husted	Nelson	Wapello
Carden	Irwin	Patterson	Topping
Chrystal	Kimberly	Pendray	Valentine
Cooney	Klemme	Reese	Wenner
Coykendall	Knudson	Ritchie	White
Elthon	McArthur	Roelofs	Wilson
Fisch	Meyer		

Nays, none.

Absent or not voting, 2.

Byers Frailey

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

Senator Irwin moved that the vote by which the bill passed the

Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE HOUSE

The following message was received from the House :

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed Senate File No. 111 in which the concurrence of the House was asked:

Senate File No. 111, a bill for an act amendatory to Chapter 412, Title 21 of the Code 1931, extending the right of the superintendent of banking to take possession of banking institutions without insolvency proceedings and to protect the debtors and creditors of such institutions and to reorganize or operate the same as shall be set forth herein.

LLOYD ELLIS, *Chief Clerk.*

The Senate recessed until the fall of the gavel, to go to the House in joint convention.

The Senate reconvened at the fall of the gavel.

The Journal of January 19th was corrected and approved.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption :

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate File No. 111.

HOMER HUSH, *Chairman Senate Committee.*

WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File No. 111.

BILLS SENT TO THE GOVERNOR

Senator Hush from the committee on enrolled bills submitted the following report :

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 20th day of January, 1933, sent to the governor for his approval, Senate File No. 111.

HOMER HUSH, *Chairman.*

Passed on file.

THIRD READING OF BILLS

On motion of Senator Wenner Senate File No. 109, a bill for an act to create a Court of Claims, to prescribe its jurisdiction, and to provide a method for the selection of Judges thereof, and to

prescribe the procedure in said Court, with report of committee recommending passage, was taken up, and considered.

Upon the request of Senator Kimberly unanimous consent was granted that the rules be suspended and the committee report be considered. The report was adopted.

The bill was read for information.

Senator Wenner moved that the rules be suspended and the reading just had be considered the third reading.

On objection by Senator Myers further consideration was withheld.

SELECTION OF ADDITIONAL MEMBERS OF STANDING COMMITTEES

Lieutenant Governor Kraschel named Senator Bennett as a member of the standing committees on banks and banking and reduction of public expenditures. These appointments are in addition to the committee memberships shown on pages 74, 75, 76 and 77 of the Journal.

AMENDMENT FILED

Amend Senate File No. 109 by making the following changes:

Amend Section ten (10) by inserting in line two (2) thereof following the word "legislature" the following: ", and from time to time during the session,". Further amend said section by striking from line four (4) thereof the words "during the previous biennium".

Amend Section eleven (11) by striking the period in line three (3) following the word "session" and inserting in lieu thereof a ";" and also adding the words "and from time to time during the session."

Amend by adding the following section:

"Sec. 20. This act being deemed of immediate importance shall be in full force and effect after its passage and publication in the Waterloo Daily Courier, a newspaper published at Waterloo, Iowa, and in the Register, a newspaper published at Grundy Center, Iowa."

EDW. J. WENNER.

Senator Harrington moved to adjourn until 10:00 a. m. Monday.

Senator Klemme moved to amend by making the time 10:00 a. m. Saturday. The amendment was lost.

Senator Cooney moved to amend by making the time 2:00 p. m. Monday. The amendment was lost.

The motion prevailed and the Senate adjourned until 10:00 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 23, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. William Horatio Phelps, pastor of the Central Presbyterian Church, of Des Moines, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Moore for the day, on request of Senator Kimberly; Senator Schmidt for the day, on request of Senator Wenner.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Favoring the placing of a special tax on the so-called "chain stores" doing business in the state. Senator Aschenbrenner, from citizens of Pleasantville, Iowa. Senator Miller of Buchanan, from citizens of Independence, Iowa. Senator Irwin, from residents of Clinton county. Senator Booth, from citizens of Cumberland and Atlantic, Iowa. Senator Roelofs, from residents of Sioux county. Senator Wilson, from residents of Polk county. Senator Beardslay, from citizens of Warren county. All referred to manufacturing, commerce and trade.

Approving prohibition. Senator Ritchie, from residents of Buena Vista county, and the County Ministerial Association of Buena Vista county. Senator Irwin, from residents of Clinton county. Senator Harrington, from residents of Woodbury county. Senator Mullaney, from residents of Allamakee and Fayette counties. Senator Klemme, from residents of Howard county. Senator Patterson, from residents of Palo Alto and Dickinson counties. Senator Stevens, from residents of Ringgold county. Senator Carden, from residents of Henry county. Senator Wilson, from members of the Douglas Avenue Church of Christ, Des Moines, Iowa. Senator Valentine, from residents of Appanoose county.

Senator Nelson, from residents of Story and Boone counties. All referred to judiciary No. 1.

Opposing the county tax budget commission. Senator Roelofs, from board members of the Independent School District, Rock Rapids, Iowa. Reduction of public expenditures.

Favoring modification of the road poll tax bill. Senator Frailey, from the rural assessors of Lee county. Ways and means.

Relating to the collection of motor vehicle license fees. Senator Cooney, from citizens of Dubuque, Iowa. Motor vehicles.

APPOINTMENT OF PAGES

I hereby appoint the following persons to act as pages pursuant to the provisions of the rules of the Senate:

Edward McCartan, Secretary's page; Charles Larson, Edwin Berggren and Zedford Burriss. N. G. KRASCHEL, *Lieutenant-Governor*.

INTRODUCTION OF BILLS

Senate File No. 117, by Senator Miller of Buchanan, a bill for an act to repeal section twelve thousand three hundred seventy-seven (12,377) chapter five hundred twenty-five (525) of the code, 1931, which provides for issuance of a general execution for any unpaid balance remaining after sale of real estate under special execution, and providing in lieu thereof that sale of mortgaged real estate under special execution shall constitute full payment of the debt named in the mortgage.

Read first and second times and referred to committee on emergency legislation.

Senate File No. 118, by Senator Miller of Buchanan, a bill for an act requiring the debt named in a mortgage upon real estate to be certain and specific in amount.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 119, by Senator Hush, a bill for an act to amend section six hundred sixteen (616) code of 1931 relating to time of holding county conventions.

Read first and second times and referred to committee on elections.

Senate File No. 120, by Senator Anderson, a bill for an act to

repeal the sections twenty-six hundred sixty-six (2666), twenty-six hundred sixty-nine (2669), twenty-six hundred seventy-five (2675), twenty-six hundred seventy-nine (2679), twenty-six hundred eighty-one (2681), twenty-six hundred eighty-two (2682), twenty-six hundred eighty-six (2686), twenty-six hundred eighty-nine (2689), twenty-six hundred ninety-nine (2699), twenty-seven hundred (2700), to twenty-seven hundred two (2702), inclusive, twenty-seven hundred four-b one (2704-b1), twenty-seven hundred four-b two (2704-b2), twenty-seven hundred four-b three (2704-b3), and twenty-seven hundred four-c one (2704-c1), Code, 1931, and to enact substitutes therefor relating to the eradication of bovine tuberculosis; to prohibit the sale of tubercular animals or the meat or flesh thereof for food, and to provide a penalty for the violation thereof; to define the word "examination", and the word "shall" in said statutes; to grant the owner his choice of veterinarians; to provide tax levy.

Read first and second times and referred to committee on agriculture.

SENATE FILE NO. 95 WITHDRAWN

Upon the request of Senator Anderson unanimous consent was granted to withdraw Senate File No. 95, which is a duplicate of Senate File No. 106.

Senators Harrington and Topping submitted the following:

SENATE CONCURRENT RESOLUTION NO. 9

Whereas, agriculture is and always has been and ever must continue to be, the basic fundamental wealth of any State or any Federation of States, and,

Whereas, we of the Sovereign State of Iowa, find that our people are impoverished, our commodities and our securities at the lowest ebb of our Nation's history, our homes and our farms being foreclosed, our business is being ruined and bankrupted and our civilization falling into decay, and

Whereas, it has been amply demonstrated and our national leaders agree that all of this is particularly due to the disparity long existent between the prices obtained on agricultural products as contrasted with those paid for manufactured commodities and the glaring inequalities existent between the industry of manufacture and the industry of agriculture, and,

Whereas, we, in the State of Iowa, are today compelled to sell our agricultural products at ruinously unstabilized confiscatory prices, at the same time compelled to purchase products of the great industrial east

country which are effectively protected by tariffs and in many instances, actually stabilized in the law, now then,

Be It Resolved by the Senate, the House Concurring:

That it be known by all men that we, the Legislature of this, the Sovereign State of Iowa, in session in our State Capitol at Des Moines, do here and now notify our Governor that he proceed at once to proclaim to our sister states, every where, that Iowa, speaking out in its Sovereign Rights and strictly in accordance with the Constitution of these United States of America, guaranteeing to each of our citizens and states, the right of petition for the redress of wrong, do hereby and now petition the Federal Farm Board of the United States of America to bring into action the declared policies of Congress in enacting the Agricultural Marketing Act of June 15, 1929, wherein Congress assembled, expressly declared that it was their policy in the creation of that Board, "To Place the Industry of Agriculture on a Permanent Plan with Other Industries, to Minimize Speculation and to Stabilize Prices". This, the immediate adoption of these declared policies, we urge upon our Federal Government, and upon every State Government in this Union, to be immediately accomplished by the Federal Farm Board through the design, technic and mechanics expressed in the plan of Francis J. Clair.

Be It Further Resolved, That we hereby direct our Governor to send a copy of these Resolutions and of this memorial, to the President of the United States and to both houses of the Legislature of every Sister State in this Union; to every member of both houses of Congress, as well as to the members of the Federal Farm Board, and ask, here and now, that each and all of those public servants, and that every sister State, through their legislators, join with Iowa in memorializing Congress, the President of the United States and the Federal Farm Board, to the immediate adoption of this plan for the purposes hereinbefore declared.

Now Be It Known, that our State is today in the midst of the greatest economic collapse and of the longest duration in history ever known, which condition will at once be corrected by the adoption of the principles enumerated by the Clair plan.

Particularly to our sister States, engaged in mining, milling and manufacturing of the dispensables of life, do we of Iowa, direct this petition, proclaiming to them that man cannot live by bread alone, and giving them this assurance, that they will but pay us, of the great agricultural west and south country, a decently, stabilized minimum American price, based upon our American production costs, reflecting as they do, stabilized freight rates, stabilized insurance rates, stabilized rates of interest, rates of taxation, rates of depreciation, rates of obsolescence, and through divers other devices now established at law through policies of public necessity, public conveniences and public policies, that we in Iowa will again be enabled to buy an abundance the products of their mines, their mills and their factories.

Assuring our fellow Americans every where and particularly in those the great industrial States, that the day the price of cotton is stabilized at 18 cents a pound, minimum, wheat at \$1.25 per bushel, corn at 87

cents and oats at 42 cents, and the other basic imperishable products of the farm, proportion prices subject to the Federal Market Control, throughout the Federal Farm Board, and the technic outlined in the Clair plan, that we, the great agricultural west and south country, the states of those whose forbearers have wrought fertile fields out of prairie lands and desert countries, stand ready and willing, and do pledge our efforts to furnish our American brothers with an abundant supply of reasonably priced crops, of clothing and of food, and further pledge to them the support of our trade. Assuring them that the day we are paid a decent price for the amount of the products of life necessary to sustain our Nation, we of Iowa pledge our citizens to buy their share of prosperity from the mines, the mills and the factories of the Nation.

Be It Further Resolved, that our Governor shall proclaim this memorialization through the press of the Nation, to the end that with speculation minimized, prices of agricultural products stabilized and industries of our Nation placed on a basis of economic equality, one with the other, that henceforth, we of the United States can go down a highway to permanent prosperity together.

Passed on file.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 114, a bill for an act to amend section three hundred eighty (380), Code 1931, relating to the levy of taxes and expenditures of public money by municipalities.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 12, a bill for an act relating to the taking of the state census.

Also, that the House has passed the following joint resolution in which the concurrence of the Senate is asked:

House Joint Resolution No. 1, proposing an amendment to Article 3 of the Constitution of the State of Iowa, relating to the taking of the census.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 7, a bill for an act to amend sections forty-six hundred forty-four-c six (4644-c6), forty-six hundred forty-four-c seven (4644-c7), forty-six hundred forty-four-c eleven (4644-c11), and forty-six hundred forty-four-c fifteen (4644-c15), code 1931, relating to tax levies for secondary road purposes and to repeal sections forty-six hundred forty-four-c twelve (4644-c12) and forty-six hundred forty-four-c sixteen (4644-c16), code 1931.

LLOYD ELLIS, *Chief Clerk*.

HOUSE AMENDMENT TO SENATE FILE NO. 7

Amend the title by adding thereto after the period in line seven (7) the following: "relating to mandatory levies for secondary road maintenance and construction."

HOUSE MESSAGE CONSIDERED

House File No. 114, a bill for an act to amend section three hundred eighty (380), Code 1931, relating to the levy of taxes and expenditures of public money by municipalities.

Read first and second times.

Upon the request of Senator Byers, unanimous consent was granted to suspend rule No. 17 and consider House File No. 114.

THIRD READING OF BILLS

On motion of Senator Byers House File No. 114, a bill for an act to amend section three hundred eighty (380), Code 1931, relating to the levy of taxes and expenditures of public money by municipalities, was taken up, and considered.

Senator Byers offered the following amendment and moved its adoption:

Amend by inserting after the word "and" in the fifth line of section 1 the following: "paragraph 4 of section".

The amendment was adopted.

HOUSE FILE NO. 114 MADE SPECIAL ORDER

On motion of Senator Byers, House File No. 114 was made a special order for 10:30 a. m. Tuesday.

Senator Stevens of Wapello asked unanimous consent to consider Calendar No. 4, Senate File No. 15, at this time and that Calendar Nos. 1, 2 and 3 retain their respective places on the calendar.

Senator Beatty asked unanimous consent to have Senate File No. 15, rereferred to the committee on reduction of public expenditures.

Senator Wilson moved to strike the enacting clause of Senate File No. 15.

Senator Hicklin raised the point of order that the motion of Senator Wilson was out of order as the bill was not on its passage,

but on the request of Senator Beatty on the recommittment of Senate File No. 15.

Senator Wilson withdrew his motion.

Senator Valentine objected to the rereference of Senate File No. 15 to the committee from which it came.

Senator Valentine withdrew his objection.

The question now being on the request of Senator Beatty, unanimous consent was granted to rerefer Senate File No. 15 to the committee on reduction of public expenditures.

THIRD READING OF BILLS

On motion of Senator Stevens of Wapello, Senate Joint Resolution No. 1, a joint resolution proposing an Amendment to article three (III) of the Constitution of the State of Iowa by striking therefrom section thirty-three (33), and by amending section thirty-four (34) relating to the taking of the census by authorization of the General Assembly and apportionment of members of the Senate, with report of committee recommending amendment and passage, was taken up and considered.

Upon the request of Senators Calhoun and Valentine, a substitute for Senate Joint Resolution No. 1, was filed and ordered printed in accordance with joint rule 12, and will be found in the Senate bill file.

Senator Frailey moved that Senate Joint Resolution No. 1, with all pending amendments, substitutions and amendments to substitutions, be rereferred to the committee on constitutional amendments.

The motion prevailed and Senate Joint Resolution No. 1 was rereferred to the committee on constitutional amendments.

On motion of Senator Hicklin Senate File No. 9, a bill for an act to amend section sixty-nine hundred forty-four (6944), code 1931, relating to the exemption of property from taxation, with report of committee recommending amendment and passage, was taken up and considered.

Senator Knudson moved to defer action until tomorrow morning.

Senator Knudson withdrew his motion to defer.

Senator Frailey moved that Senate File No. 9 be rereferred to the proper committee.

Senator Patterson moved as a substitute motion, that with the exception of Calendar Nos. 3 and 13, Senate Files Nos. 12 and 109, that all bills on the calendar be rereferred to the proper committees.

Senator Pendray asked to what committee the bill would be rereferred.

Senator Frailey raised the point of order that the question of Senator Pendray was out of order as the President of the Senate had the right to refer all bills to committees of his choice.

The President ruled the point of order well taken.

Senator Irwin moved the previous question. The motion prevailed.

The substitute motion offered by Senator Patterson was lost. Senator Knudson asked for a roll call on the main question.

On the question, "Shall the motion prevail?" the vote was:

Ayes, 25.

Anderson	Cooney	Klemme	Stevens of
Aschenbrenner	Fisch	McArthur	Wapello
Beatty	Frailey	Meyer	Topping
Bennett	Geske	Miller of Jones	Valentine
Booth	Hicklin	Stevens of	Wenner
Byers	Irwin	Decatur	White
Carden	Kimberly		Wilson

Nays, 20.

Beardsley	Hill	Miller of	Pendray
Calhoun	Hopkins	Buchanan	Reese
Chrystal	Hush	Mullaney	Ritchie
Coykendall	Husted	Myers	Roelofs
Elthon	Knudson	Nelson	Stanley
		Patterson	

Absent or not voting, 4.

Harrington	Moore	Schmidt	Shangle
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The motion prevailed and Senate File No. 9 was ordered rereferred to the committee on judiciary No. 1.

AMENDMENT FILED

Amend substitute for Senate Joint Resolution No. 1 as follows:

Amend the title by striking out the words "taking of the" in line three (3).

Also, amend section 1 by striking out the words "requiring the taking of" in line two (2) and inserting in lieu thereof the following: "and abolish".

VALENTINE, CALHOUN, AND KNUDSON.

On motion of Senator Stevens of Wapello the Senate recessed until 1:30 p. m. today.

AFTERNOON SESSION

The Senate reconvened at the fall of the gavel.

COMMUNICATION FROM THE GOVERNOR

Congress some months ago authorized the Reconstruction Finance Corporation to place a fund of \$300,000,000 at the disposition of the Governors of the various states for emergency relief purposes. It provided in the act that it might be obtained in several different ways. Chapter E provided that money would be sent to the Governor upon application from the county authorities, supported by bond or warrant securities which would insure repayment to the Reconstruction Finance Corporation at a definite date with three per cent interest. Iowa attempted to obtain funds for five different counties under this Chapter E, only to find that under our present statutes and debt limitations these securities did not comply with the requirements of the Reconstruction Finance Corporation.

Although the need has continued in these counties for several months money has not been provided, and cannot be under existing conditions. Last week the Emergency Relief Committee for Iowa was reorganized with Ex-mayor E. H. Mulock of Des Moines as chairman, and with offices in the Executive Chamber of the State House. From now on we will operate under Chapter C which provides that money may be obtained upon the proper showing to the Reconstruction Finance Corporation, to be met out of future Federal road aid to commence in 1935, with 20 per cent of the amount owing to be repaid each year. Under this plan we can get money under Chapter C, therefore we are proceeding under Chapter C.

Upon application of the Boards of Supervisors or City Councils to the State Emergency Relief Committee at the State House all necessary information as to method of procedure will be provided.

CLYDE HERRING, *Governor of Iowa.*

HOUSE MESSAGES CONSIDERED

House File No. 12, a bill for an act to repeal sections four hundred eight (408), four hundred nine (409), four hundred ten (410), four hundred eleven (411), four hundred twelve (412), four hundred thirteen (413), four hundred fourteen (414), four hundred fifteen (415), four hundred sixteen (416), four hundred seventeen (417), four hundred eighteen (418), four hundred nine-

teen (419), four hundred twenty (420), four hundred twenty-one (421), four hundred twenty-two (422), and four hundred twenty-three (423), code 1931, and to amend sections four hundred twenty-seven (427), and two hundred sixty-four (264), code 1931, relating to the taking of the state census.

Read first and second time and passed on file.

House Joint Resolution No. 1, a joint resolution proposing an amendment to article three (III) of the Constitution of the State of Iowa by repealing section thirty-three (33), as amended in 1904 relating to the taking of the census.

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

That the constitution of Iowa be amended as follows:

Section 1. Amend Article three (III), by repealing section thirty-three (33), requiring the taking of the state census, and by renumbering the succeeding sections accordingly.

Sec. 2. Be it further resolved that the foregoing proposed amendment be, and the same is hereby, referred to the General Assembly to be chosen at the next general election and that the secretary of the state cause the same to be published as provided by law.

Read first and second time and referred to committee on constitutional amendments.

REPORT OF COMMITTEE ON COMMITTEE ROOMS

January 23, 1933.

MR. PRESIDENT: Your committee on assignment of committee rooms begs leave to withdraw its report and substitute the following in lieu thereof:

- Aircraft Transportation and Railroads—Any time; Press Gallery.
- Agriculture—Lieutenant Governor's Room; Mon. 4 p. m., Thurs. 4 p. m.
- Appropriations—Lieutenant Governor's Room; Tues. 3 p. m.; Thurs. 2 p. m.
- Banks and Banking—Room 23; Mon. 4 p. m.; Wed. 3 p. m.
- Board of Control—Room 28; Mon. 3 p. m.
- Cities and Towns—Lieutenant Governor's Room; Mon. 2:30 p. m.; Wed. 4 p. m.
- Claims—Room 28; Wed. 4 p. m.; Fri. 1:30 p. m.
- Conservation—Room 28; Tues. 4 p. m.
- County and Township Affairs—Room 28; Mon. 1:30 p. m.
- Constitutional Amendments—Room 23; Mon. 3 p. m.
- Departmental Affairs—Room 28; Wed. 1:30 p. m.
- Drainage—Room 22; Wed. 3 p. m.
- Elections—Room 22; Mon. 1:30 p. m.
- Educational Institutions—Room 23; Tues. 4 p. m.; Fri. 4 p. m.
- Emergency Legislation—Lieutenant Governor's Room; Mon. 2 p. m.; Wed. 2 p. m.

- Enrolled Bills—Room 26.
 Fish and Game—Room 22; Mon. 2 p. m.; Wed. 2 p. m.
 Highways—Lieutenant Governor's Room; Wed. 3 p. m.; Fri. 3 p. m.
 Insurance—Room 22; Mon. 3 p. m.; Thurs. 3 p. m.
 Judiciary No. 1—Lieutenant Governor's Room; Mon. 1 p. m.; Fri.
 1 p. m.
 Judiciary No. 2—Room 23; Mon. 1 p. m.; Wed. 1 p. m.; Fri. 1 p. m.
 Labor—Room 22; Tues. 2 p. m.
 Manufacturing, Commerce and Trade—Room 23; Tues. 2 p. m.; Fri.
 2 p. m.
 Military Affairs—Room 22; Wed. 4 p. m.
 Mines and Mining—Room 22; Tues. 4 p. m.; Fri. 2 p. m.
 Motor Vehicles—Lieutenant Governor's Room; Tues. 1:30 p. m.;
 Thurs. 3 p. m.
 Political and Judicial Districts—Room 22; Tues. 3 p. m.; Fri. 3 p. m.
 Public Health—Room 22; Mon. 3:30 p. m.; Thurs. 3:30 p. m.
 Public Schools—Room 23; Mon. 1:30 p. m.; Wed. 1:30 p. m.
 Printing—Room 28; Fri. 4 p. m.
 Public Utilities—Room 23; Wed. 3:30 p. m.; Thurs. 3:30 p. m.
 Reduction of Public Expenditures—Room 28; Mon. 2:30 p. m.;
 Thurs. 4 p. m.
 Retrenchment and Reform—Room 23 (any time).
 Rules—Press Gallery (any time).
 Ways and Means—Lieutenant Governor's Room; Mon. 3 p. m.; Thurs.
 1:00 p. m.

H. L. IRWIN, *Chairman*

C. H. TOPPING

GEO. A. WILSON

Senator Wilson moved to adopt the committee report. The report was adopted.

Upon the request of Senator Stevens of Wapello, unanimous consent was granted to pass Calendar No. 3, which would retain its place on the calendar, and consider Calendar No. 5, Senate File No. 17.

THIRD READING OF BILLS

On motion of Senator Stevens of Wapello Senate File No. 17, a bill for an act to repeal section twenty-four hundred sixty-five (2465), providing for attendance on conventions; and repeal section three hundred ninety-eight (398), and enact a substitute therefor, all of the code 1931, to provide for the authorization and payment of expenses of trips to conventions, with report of committee recommending passages, was taken up, considered, and the report of the committee adopted.

Senator Hicklin offered the following amendment and moved its adoption:

Amend section 2 by striking from lines 8 and 9 after the word "Iowa" the words "for which a claim for expense could be filed against the state" and by inserting in lieu thereof the words "at public expense".

The amendment was adopted.

The bill was read for information.

Senator Stevens of Decatur moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 45.

Anderson	Fisch	McArthur	Roelofs
Aschenbrenner	Frailey	Meyer	Shangle
Beardsley	Geske	Miller of	Stanley
Bennett	Hicklin	Buchanan	Stevens of
Booth	Hill	Miller of Jones	Decatur
Byers	Hopkins	Mullaney	Stevens of
Calhoun	Hush	Myers	Wapello
Carden	Husted	Nelson	Topping
Chrystal	Irwin	Patterson	Valentine
Cooney	Kimberly	Pendray	Wenner
Coykendall	Klemme	Reese	White
Elthon	Knudson	Ritchie	Wilson

Nays, none.

Absent or not voting, 4.

Beatty	Harrington	Moore	Schmidt
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The bill having received a constitutional majority was declared to have passed the Senate.

Upon the request of Senator Hush, unanimous consent was granted to amend the title.

Senator Hush moved to amend the title by striking the present title and substituting in lieu thereof the following:

"A bill for an act to repeal sections twenty-four hundred sixty-five and three hundred ninety-eight, of the code 1931, and to enact a substitute therefor, relating to authorization and payment of expenses of public officials' trips to conventions."

The amendment to the title was adopted.

The title as amended was agreed to.

Senator Stevens of Wapello moved that the vote by which the

bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stevens of Wapello Senate File No. 23, a bill for an act to amend sections twelve hundred twenty-five-d one (1225-d1), twenty-six hundred eighty-two (2682), forty-six hundred forty-four-c twenty-two (4644-c22), forty-nine hundred forty (4940), fifty-one hundred twenty-five (5125), fifty-one hundred ninety-one (5191), fifty-two hundred thirty-three (5233), fifty-two hundred thirty-seven (5237), and ten thousand six hundred thirty-seven (10,637), code 1931, relating to the mileage and expenses of public officers and employees, county engineers, boards of supervisors, sheriffs, county superintendents, coroners and constables, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Senator Stevens of Wapello offered the following amendment and moved its adoption:

Amend by striking section 10 and renumbering section 11 as section 10.

The amendment was adopted.

The bill was read for information.

Senator Ritchie moved that the reading just had be considered the third reading.

Senator Beatty moved to defer action on the bill and rerefer it to the proper committee.

The President ruled that the motion of Senator Ritchie had preference.

Senator Ritchie's motion prevailed.

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

Ayes, 42.

Aschenbrenner	Frailey	Knudson	Ritchie
Beardsley	Geske	McArthur	Roelofs
Bennett	Harrington	Meyer	Stanley
Booth	Hicklin	Miller of Jones	Stevens of
Byers	Hill	Moore	Decatur
Calhoun	Hopkins	Mullaney	Stevens of
Carden	Hush	Myers	Wapello
Chrystal	Husted	Nelson	Topping
Cooney	Irwin	Patterson	Valentine
Coykendall	Kimberly	Pendray	Wenner
Elthon	Klemme	Reese	White

Nays, 4.

Anderson

Beatty

Fisch

Miller of
Buchanan

Absent or not voting, 3.

Schmidt

Shangle

Wilson

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

Senator Ritchie moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stevens of Wapello Senate File No. 26, a bill for an act to prohibit the use and operation of publicly owned motor vehicles, machinery, equipment and other property for private purposes, making such use a misdemeanor and to provide a penalty for such violation and that all publicly owned automobiles must bear conspicuously placed labels designating its ownership, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Senator Husted moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Upon the request of Senator Stevens of Wapello unanimous consent was granted him to make an amendment.

Senator Stevens of Wapello moved to amend section 2 by striking from line 3 the word "and" and substituting in lieu thereof the word "designating".

The amendment was adopted.

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

Ayes, 48.

Anderson
Aschenbrenner
Beardsley
Beatty
Bennett
Booth
Byers
Calhoun
Carden
Chrystal
Cooney
Coykendall
Elthon

Fisch
Frailey
Geske
Harrington
Hicklin
Hill
Hopkins
Hush
Husted
Irwin
Kimberly
Klemme
Knudson

McArthur
Meyer
Miller of
Buchanan
Miller of Jones
Moore
Mullaney
Myers
Nelson
Patterson
Pendray
Reese
Ritchie

Roelofs
Shangle
Stanley
Stevens of
Decatur
Stevens of
Wapello
Topping
Valentine
Wenner
White
Wilson

Nays, none.

Absent or not voting, 1.

Schmidt

The bill having received a constitutional majority was declared to have passed the Senate.

Upon the request of Senator Stevens of Wapello unanimous consent was granted to amend the title.

Senator Stevens of Wapello moved to amend the title by striking from line 6 the word "its" and substituting in lieu thereof the word "their".

The amendment to the title was adopted and the title as amended was agreed to.

Senator Stevens of Wapello moved that the vote by which the bill passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stevens of Wapello Senate File No. 31, a bill for an act to amend section fifty-three hundred twenty-two (5322), code 1931, relating to the support of the poor, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Senator Beardsley moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 47.

Anderson	Fisch	McArthur	Ritchie
Aschenbrenner	Frailey	Meyer	Roelofs
Beardsley	Geske	Miller of	Shangle
Beatty	Harrington	Buchanan	Stanley
Bennett	Hicklin	Miller of Jones	Stevens of
Booth	Hill	Moore	Decatur
Byers	Hopkins	Mullaney	Stevens of
Calhoun	Hush	Myers	Wapello
Carden	Husted	Nelson	Valentine
Chrystal	Irwin	Patterson	Wenner
Cooney	Kimberly	Pendray	White
Coykendall	Klemme	Reese	Wilson
Elthon	Knudson		

Nays, none.

Absent or not voting, 2.

Schmidt Topping

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

The Journal of January 20th was corrected and approved.

AMENDMENT FILED

Amend Senate File No. 9 by striking the word "effected" in line 3 of Sec. 2 of said bill, and substitute in lieu thereof the word "affected".

WM. S. BEARDSLEY.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 24, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. Edwin L. Spiller, Pastor of Simpson Methodist Episcopal Church of Des Moines, Iowa.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Favoring the placing of a special tax on the so-called "chain stores" doing business in the state. Senator Booth, from residents of Cass and Shelby counties. Senator Chrystal, from residents of Carroll and Sac counties. All referred to manufacturing, commerce and trade.

Approving prohibition. Senator Pendray, from residents of Jackson county. Senator Chrystal, from residents of Greene and Carroll counties, and citizens of Paton, Iowa. Senator Roelofs, from residents of O'Brien county. Senator Stanley, from residents of Adams county. Senator Miller of Jones, from residents of Cedar county. All referred to judiciary No. 1.

Favoring modification of prohibition law. Senator Patterson, from residents of Kossuth county. Judiciary No. 1.

Approving the tax against oleomargarine. Senator Patterson, from residents of Kossuth county. Agriculture.

Opposing the amalgamation of the Iowa State Fish and Game Commission with the Iowa State Board of Conservation. Senator Irwin, from the "More Game Club" of Sabula, Iowa. Fish and game.

Opposing the proposal of the interim committee. Senator Irwin, from residents of Clinton county. Emergency legislation.

Opposing change of Pension Law governing firemen and policemen. Senator Wilson, from residents of Polk county. Reduction of public expenditures.

Relating to the minimum wage law, salaries of public officers and the primary law. Senator Patterson, from citizens of Swea City, Iowa. Reduction of public expenditures.

Relating to the collection of motor vehicle license fees. Senator Frailey, from citizens of Fort Madison, Iowa. Motor vehicle.

Relating to the refund on gasoline used for agricultural purposes, and to tax reduction. Senator Carden, from the Board of Directors of the Farmers' Elevator Company, Mt. Union, Iowa. Reduction of public expenditures.

INTRODUCTION OF BILLS

Senate Joint Resolution No. 5, by committee on constitutional amendments, a joint resolution proposing an amendment to article three (III) of the Constitution of the State of Iowa by repealing section thirty-three (33) relating to the state census.

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

That the constitution of Iowa be amended as follows:

Section 1. Amend article three (III) by repealing section thirty-three (33) and abolish the state census.

Sec. 2. Be it further resolved that the foregoing proposed amendment be, and the same is hereby, referred to the General Assembly to be chosen at the next general election and that the secretary of state cause the same to be published as provided by law.

Read first and second times and placed on the calendar.

Senate File No. 121, by Senator Fisch, a bill for an act to amend section seventeen hundred three-d twelve (1703-d12) and to repeal sections seventeen hundred six (1706), seventeen hundred seven (1707), seventeen hundred fifteen (1715), seventeen hundred eighteen (1718), seventeen hundred eighteen-c1 (1718-c1), seventeen hundred nineteen (1719), seventeen hundred nineteen-a one (1719-a1), seventeen hundred twenty (1720) to seventeen hundred twenty-four (1724), inclusive, seventeen hundred twenty-four-c one (1724-c1), seventeen hundred twenty-five (1725) to seventeen hundred thirty-three (1733), inclusive, seventeen hundred thirty-three-c one (1733-c1), seventeen hundred thirty-four (1734) to seventeen hundred forty (1740), inclusive, seventeen hundred forty-seven (1747) to seventeen hundred sixty-one (1761), inclusive,

seventeen hundred sixty-three (1763) to seventeen hundred sixty-six (1766), inclusive, seventeen hundred sixty-six-a one (1766-a1), seventeen hundred sixty-six-a two (1766-a2), seventeen hundred sixty-six-c one (1766-c1) to seventeen hundred sixty-six-c four (1766-c4), inclusive, seventeen hundred sixty-six-d one (1766-d1), seventeen hundred sixty-seven (1767), seventeen hundred sixty-seven-c one (1767-c1), seventeen hundred sixty-seven-c two (1767-c2), seventeen hundred sixty-seven-a one (1767-a1) to seventeen hundred sixty-seven-a four (1767-a4), inclusive, seventeen hundred sixty-eight (1768), seventeen hundred sixty-eight-c one (1768-c1), seventeen hundred sixty-nine (1769) to seventeen hundred seventy-two (1772), inclusive, seventeen hundred seventy-two-c one (1772-c1), seventeen hundred seventy-two-c two (1772-c2), seventeen hundred seventy-three (1773) to seventeen hundred seventy-six (1776), inclusive, seventeen hundred seventy-nine (1779), and seventeen hundred eighty-three (1783), all of the Code, 1931, and to enact substitutes therefor, relating to the protection of fish, game, and fur-bearing animals, and to the powers of the state fish and game commission in relation thereto.

Read first and second times and referred to committee on fish and game.

Senate File No. 122, by Senator Knudson, a bill for an act to amend sections eighteen hundred fifty-four (1854), eighteen hundred fifty-five (1855), eighteen hundred sixty-four (1864), eighteen hundred sixty-nine-b one (1869-b1), and eighteen hundred seventy-five (1875), Code, 1931, and to repeal section eighteen hundred seventy-six, (1876), Code, 1931, and enacting a substitute therefor; relating to the duties of the secretary of the Board of Engineering Examiners, providing for the regulation, licensing and practice of professional engineers and land surveyors and penalty for the violation thereof.

Read first and second times and referred to committee on departmental affairs.

Senate File No. 123, by Senator Stevens of Wapello, a bill for an act to amend sections forty-eight hundred seventy-five (4875), forty-nine hundred (4900), forty-nine hundred one (4901), forty-nine hundred five (4905), forty-nine hundred twenty-four (4924), forty-nine hundred twenty-nine (4929), forty-nine hundred thirty-one (4931), forty-nine hundred thirty-three (4933), and forty-nine

hundred thirty-six (4936), Code, 1931, relating to the collection of motor vehicle license fees.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 124, by Senator Carden, a bill for an act to authorize the valuation of bonds and other securities held by insurance companies or associations authorized to transact business under the provisions of Chapters four hundred (400), four hundred four (404), or four hundred six (406) of the Code of Iowa, 1931, by the amortization method.

Read first and second times and referred to committee on insurance.

Senate File No. 125, by Senators Nelson and Geske, a bill for an act to amend the law as it appears in section 5067-d4 of the code of Iowa, 1931, relating to the maximum length of motor vehicles, trailers and semi-trailers, and combinations thereof.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 126, by Senator Stanley, a bill for an act to repeal sections one hundred thirteen (113), one hundred seventeen (117), one hundred twenty (120), and one hundred twenty-four (124), Code, 1931, and to enact substitutes therefor, relating to the examination of the financial affairs of county, city, town, school, and township offices.

Read first and second times and referred to committee on cities and towns.

Senate File No. 127, by Senators McArthur, Irwin and Elthon, a bill for an act to amend section fifty-one hundred ninety-seven-d one (5197-d1), Code, 1931, relating to the boarding, lodging, waiting on, washing for and caring for prisoners in the county jail and to otherwise broaden the application of chapter two hundred fifty-nine-D one (259-D1), Code, 1931, of which chapter section fifty-one hundred ninety-seven-d one (5197-d1) is a part.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 128, by Senator Anderson, a bill for an act to provide for liens in favor of hospitals furnishing care, treatment and maintenance for persons injured in accidents, said liens to be

against any claim, demand, verdict or order, in favor of the injured person or in case of death, his estate, heirs or legal representatives, against other persons, or corporations for damages on account of negligence causing the injuries or death, and upon the proceeds of the settlements of any such claims or demands, verdicts or orders.

Read first and second times and referred to committee on public health.

Senate File No. 129, by Senator Topping, a bill for an act to amend title X of the Code, relating to regulations and inspections, by adding thereto a chapter requiring that all prison-made goods from other states be distinctly marked as such before being exposed for sale in Iowa, and prescribing the penalty for violations.

Read first and second times and referred to committee on commerce and trade.

SENATE FILE NO. 111 ORDERED PRINTED

Upon the request of Senator Irwin, unanimous consent was granted to have 1,200 extra copies of Senate File No. 111, printed.

Senator Hill submitted the following :

SENATE CONCURRENT RESOLUTION NO. 10

Resolved by the Senate, the House concurring, that of the 2,000 copies of the committee book to be printed, 175 copies be ordered bound in red limp leather for the use of Senators, Representatives, the Secretary of the Senate, the Chief Clerk of the House and state officers. LAFE HILL.

Ordered passed on file.

THIRD READING OF BILLS

The time having arrived for consideration of House File No. 114, made special order for 10:30 a. m., on motion of Senator Byers House File No. 114, a bill for an act to amend section three hundred eighty (380), Code 1931, relating to the levy of taxes and expenditures of public money by municipalities, was taken up, and considered, the bill having passed to its third reading on January 23d.

The bill was read for information.

Senator Byers moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 45.

Anderson	Frailey	McArthur	Schmidt
Aschenbrenner	Geske	Meyer	Shangle
Beardsley	Harrington	Miller of	Stanley
Bennett	Hicklin	Buchanan	Stevens of
Booth	Hill	Miller of Jones	Decatur
Byers	Hopkins	Moore	Stevens of
Calhoun	Hush	Mullaney	Wapello
Carden	Husted	Myers	Topping
Chrystal	Irwin	Nelson	Valentine
Coykendall	Kimberly	Pendray	Wenner
Elthon	Klemme	Reese	White
Fisch	Knudson	Roelofs	Wilson

Nays, none.

Absent or not voting, 4.

Beatty	Cooney	Patterson	Ritchie
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Byers moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Upon the request of Senator Irwin, unanimous consent was granted to return to the order of introduction of bills.

INTRODUCTION OF BILLS

Senate Joint Resolution No. 6, by the special committee on salaries, a joint resolution fixing the compensation of the officers and employes of the forty-fifth general assembly.

Upon the request of Senator Irwin, unanimous consent was granted to suspend the rules and consider Senate Joint Resolution No. 6.

THIRD READING OF BILLS

On motion of Senator Irwin Senate Joint Resolution No. 6, a joint resolution fixing the compensation of the officers and employes of the forty-fifth general assembly, a special committee bill, was taken up, and considered.

The joint resolution was read for information.

Senator Knudson offered the following amendment and moved its adoption:

Amend as follows:

That with the exception of the pages, all salaries of employees of the 45th General Assembly be reduced one-half dollar, from the schedule recommended by the committee.

Senator Stevens of Wapello offered the following as a substitute for the amendment offered by Senator Knudson, and moved its adoption:

"That all salaries and wages recommended to be reduced, in this joint resolution, be reduced ten per cent, with the exception of the pages."

Senator Knudson accepted the substitute amendment.

Senator Nelson moved the previous question. The motion prevailed.

On the question, "Shall the substitute amendment be adopted?" the vote was:

Ayes, 25.

Aschenbrenner	Hopkins	Mullaney	Shangle
Beardsley	Hush	Myers	Stanley
Bennett	Husted	Patterson	Stevens of
Calhoun	Knudson	Pendray	Wapello
Coykendall	Miller of	Reese	Valentine
Elthon	Buchanan	Ritchie	White
Hill	Miller of Jones	Roelofs	

Nays, 24.

Anderson	Fisch	Kimberly	Schmidt
Beatty	Frailey	Klemme	Stevens of
Booth	Geske	McArthur	Decatur
Byers	Harrington	Meyer	Topping
Carden	Hicklin	Moore	Wenner
Chrystal	Irwin	Nelson	Wilson
Cooney			

Absent or not voting, none.

The substitution was made and the amendment as substituted was adopted.

Upon the request of Senator Irwin, unanimous consent was granted to suspend the rules and consider the reading just had as the first and second readings.

Upon the request of Senator Irwin, unanimous consent was granted to suspend Rule 17.

Senator Irwin moved that the joint resolution be read a third time now, which motion prevailed, and the joint resolution was read a third time.

On the question "Shall the joint resolution pass?" the vote was:

Ayes, 30.

Aschenbrenner	Hopkins	Mullaney	Stanley
Beardsley	Hush	Myers	Stevens of
Bennett	Husted	Patterson	Decatur
Calhoun	Irwin	Pendray	Stevens of
Coykendall	Knudson	Reese	Wapello
Elthon	Miller of	Ritchie	Valentine
Fisch	Buchanan	Roelofs	Wenner
Hicklin	Miller of Jones	Shangle	White
Hill			

Nays, 16.

Anderson	Chrystal	Kimberly	Moore
Booth	Cooney	Klemme	Nelson
Byers	Geske	McArthur	Schmidt
Carden	Harrington	Meyer	Topping

Absent or not voting, 3.

Beatty	Frailey	Wilson
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The joint resolution having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Stevens of Wapello moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

HOUSE AMENDMENTS CONSIDERED

Senator Hicklin called up for consideration Senate File No. 7, amended by the House, and moved that the Senate concur in the following amendment:

Amend the title by adding thereto after the period in line seven (7) the following: "relating to mandatory levies for secondary road maintenance and construction."

On the question "Shall the Senate concur?" the vote was:

Ayes, 43.

Anderson	Geske	Meyer	Roelofs
Beatty	Harrington	Miller of	Schmidt
Booth	Hicklin	Buchanan	Stanley
Byers	Hill	Miller of Jones	Stevens of
Calhoun	Hopkins	Moore	Decatur
Carden	Hush	Mullaney	Stevens of
Chrystal	Husted	Myers	Wapello
Cooney	Irwin	Patterson	Topping
Coykendall	Kimberly	Pendray	Wenner
Elthon	Klemme	Reese	White
Fisch	Knudson	Ritchie	Wilson
Frailey	McArthur		

Nays, none.

Absent or not voting, 6.

Aschenbrenner	Bennett	Shangle	Valentine
Beardsley	Nelson		

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Upon the request of Senator Stevens of Wapello, unanimous consent was granted to pass Calendar No. 2, Senate File No. 12, which would retain its place on the calendar, and consider Calendar No. 3, Senate File No. 41.

THIRD READING OF BILLS

On motion of Senator Stevens of Wapello Senate File No. 41, a bill for an act to repeal sections forty-two hundred fifty-two (4252), Forty-two hundred fifty-five (4255), Forty-two hundred fifty-six (4256), Forty-two hundred fifty-seven (4257), Forty-two hundred fifty-nine (4259), forty-two hundred sixty-one (4261), forty-two hundred sixty-two (4262), forty-two hundred sixty-three (4263), forty-two hundred sixty-four (4264), and forty-two hundred sixty-five (4265), code 1931, and enact a substitute therefor, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

1. Title be amended as follows: By inserting after the figure "1931" in line eight (8) the words "relating to courses of study in schools and colleges".
2. By striking from line six (6) in Section one (1) the words "physical education".
3. By striking out all of Section four (4).

Senator Hopkins offered the following amendment and moved its adoption:

Amend by inserting in line six (6) after the comma "Iowa history,".

The amendment was adopted.

Senator Shangle offered the following amendment and moved its adoption:

Amend by adding before the word "music" in line 7 of section 1, the word "vocal".

Upon the request of Senator Shangle, unanimous consent was granted to withdraw his amendment.

Senator Myers offered the following amendment and moved its adoption:

Amend section 1 thereof by changing the period after the word "music" in line 7 to a comma and adding the words "and morals".

The amendment was adopted.

Senator Hicklin moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Senator Bennett moved that the reading just had be considered the third reading, which motion prevailed.

Senator Wilson moved that the vote by which the bill passed to its third reading be reconsidered. The motion was lost.

Senator Frailey raised the point of order that the motion put to reconsider was lost, therefore the bill was not before the Senate for discussion.

The President held the point of order well taken.

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

Ayes, 46.

Aschenbrenner	Frailey	McArthur	Ritchie
Beardsley	Geske	Meyer	Roelofs
Beatty	Harrington	Miller of	Schmidt
Bennett	Hicklin	Buchanan	Shangle
Booth	Hill	Miller of Jones	Stanley
Byers	Hopkins	Moore	Stevens of
Calhoun	Hush	Mullaney	Decatur
Carden	Husted	Myers	Stevens of
Chrystal	Irwin	Nelson	Wapello
Cooney	Kimberly	Patterson	Topping
Coykendall	Klemme	Pendray	Valentine
Elthon	Knudson	Reese	White
Fisch			

Nays, 3.

Anderson	Wenner	Wilson
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Absent or not voting, none.

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

Senator Hicklin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 115, a bill for an act to legalize the acts of county auditors in issuing the warrants representing expenditures for the benefit of persons entitled to receive help from public funds and validating indebtedness so incurred.

LLOYD ELLIS, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File No. 115, a bill for an act to legalize the acts of County Auditors in issuing warrants representing expenditures for the benefit of any persons entitled to receive help from public funds and validating indebtedness heretofor incurred by counties for the benefit of such persons.

Read first and second times and referred to committee on judiciary No. 2.

The Journal of January 23d was corrected and approved.

EXPLANATION OF VOTE

MR. PRESIDENT: I vote No on Senate Joint Resolution No. 6, on the grounds that the way I look at it, it is not fair play, it is unjust, and against the golden rule unless there is a cut made of \$100.00 on the salary of every Senator and Representative in the 45th General Assembly.

WM. H. KLEMME.

MR. PRESIDENT: In explanation of my negative vote on the adoption today of Senate File No. 41 I would call attention to the fact that the bill repeals Section 4256 of the 1931 Code which reads as follows:

"4256. Constitution of United States and state. In all public and private schools located within the state there shall be given regular courses of instruction in the constitution of the United States and in the constitution of the state of Iowa. Such instruction shall begin not later than the opening of the eighth grade, and shall continue in the high school course to an extent to be determined by the superintendent of public instruction."

This was adopted by the 39th General Assembly, (Ch. 91) and since July 4, 1921 has been the law of the state.

While Section 2 of Senate File No. 41 provides for the teaching of the American history and government, it does not specifically provide for courses of instruction in the Constitution of the United States and the Constitution of the state of Iowa. In my opinion it is highly important that such courses of instruction be given in all the public and private schools of our state.

Throughout the nation we annually observe "Constitution Week" during which period all schools and civic organizations are urged to give

special attention to our Constitution. Lectures are given and instruction is had. It is important, therefore, that our state laws provide for the courses of instruction covered by the statute repealed by the terms of this bill.

EDW. J. WENNER.

MOTION FILED TO RECONSIDER SENATE FILE NO. 31

MR. PRESIDENT: I move to reconsider the vote by which Senate File No. 31 passed the Senate.

G. W. PATTERSON.

Senators Patterson, Knudson and Ritchie submitted the following:

SENATE RESOLUTION NO. 2

On the legislative day of January 23, 1933, the Senate considered and passed Senate File No. 31, and on the succeeding legislative day of January 24, 1933, the aforesaid bill was messaged to the House of Representatives together with several other bills which had been passed by the Senate on the legislative day of January 23, 1933 and had been hastened in their legislative procedure by the motion to reconsider the vote by which the aforesaid bills passed the Senate and the motions to reconsider had been tabled, and,

Whereas, Senate File No. 31 was the only bill which had not gone through the procedure of having the motion to reconsider laid upon the table, and,

Whereas, Senate File No. 31 should not have been messaged to the House before a second legislative day had elapsed, and

Whereas, several members of the Senate are desirous of reconsidering the vote by which Senate File No. 31 passed the Senate and a motion to reconsider has been filed with the secretary of the Senate, therefore,

Be It Resolved, by the Senate of the 45th General Assembly:

That the Senate of the 45th General Assembly requests the House of Representatives to return Senate File No. 31 to the Senate where it can be acted upon under a motion to reconsider the vote by which said bill passed the Senate, and

Be it further requested, by the Senate, that the members of the House of Representatives of the 45th General Assembly grant unanimous consent to expunge the legislative record of the House action on Senate File No. 31 from their Journal and return the bill to the Senate.

Passed on file.

AMENDMENT FILED

Amend Senate Concurrent Resolution No. 10, by striking out the last four lines and substituting in lieu thereof the following:

"the committee book to be printed be combined with the rule book and that 2,000 copies be printed, and bound in paper covers."

E. R. HICKLIN

H. C. WHITE

Senator Myers moved to recess until 1:30 p. m.

Senator Hopkins moved to amend by adjourning until 10:00 a. m. Wednesday.

Senator Myers accepted the amendment, the motion prevailed and the Senate adjourned until 10:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 25, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. C. F. Hand, Pastor of Easton Place Methodist Episcopal Church of Des Moines.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Approving prohibition. Senator Carden, from residents of Henry county. Senator Knudson, from residents of Humboldt and Wright counties. Senator Miller of Buchanan, from residents of Delaware county. Senator Miller of Jones, from residents of Jones county. Senator Ritchie, from residents of Pocahontas county. Senator Husted, from residents of Madison county. Judiciary No. 1.

Opposing abolishment of the office of county recorder. Senator Mullaney, from officials of Allamakee county. Reduction of public expenditures.

Favoring repeal of the mandatory road levy and the minimum wage law. Senator Hopkins, from the Farmers' Protective Association, Guthrie county. Highways and public schools.

INTRODUCTION OF BILLS

Senate File No. 130, by Senator Nelson, a bill for an act to amend and revise sections thirty-one hundred forty-eight (3148) and thirty-one hundred forty-nine (3149) of chapter one hundred fifty-five (155) of the Code, 1931, relating to itinerant vendors of drugs, and fixing the license fees therefor, and providing an exemption therefrom.

Read first and second times and referred to committee on public health.

Senate File No. 131, by Senators Beatty and Bennett, a bill for an act relating to taxation, and to provide a maximum rate of levy on property in any county, municipality, or other taxing district in the state, and to provide for the creation of a County Budget Commission, and to prescribe the powers and duties thereof.

Read first and second times and referred to committee on reduction of public expenditures.

Senate File No. 132, by Senator Myers, a bill for an act to provide that abstracts of title to land shall be unnecessary prior to January 1, 1900, and any contract therefor invalid.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 133, by Senator Harrington, a bill for an act to amend Chapter two hundred thirteen (213), and Chapter two hundred eighty-seven (287), Code, 1931, to require city and school officials to confine annual expenditures to collectible income.

Read first and second times and referred to committee on cities and towns.

Senate File No. 134, by Senator Moore, a bill for an act to repeal the legal bounty on pocket gophers, and to this end to amend sections fifty-four hundred thirteen (5413) and fifty-four hundred seventeen (5417), Code, 1931, relating to bounties on wild animals.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 135, by Senator Moore, a bill for an act to repeal chapter two hundred sixty-one (261), Code, 1931, and to impose upon the board of supervisors the duty annually to fix the compensation of all county officers, and of all deputies, assistants, and clerks in said offices, and of all other persons rendering services to the county whose compensation is payable wholly from county funds, not including the compensation of members of the said board.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 136, by Senator Carden, a bill for an act to amend section eight thousand five hundred eighty-three (8583)

of the Code of Iowa, 1931, relating to the dissolution of certain corporations not for pecuniary profit.

Read first and second times and referred to committee on insurance.

Senate File No. 137, by Senator Moore, a bill for an act to amend section two thousand two hundred and forty-nine (2249), Code, 1931, relating to the report of quarantinable and placard diseases.

Read first and second times and referred to committee on public health.

Senate File No. 138, by Senator Reese, a bill for an act to amend section fifty-four hundred thirteen (5413), code 1931, with reference to bounties on wild animals.

Read first and second times and referred to committee on fish and game.

Senate File No. 139, by Senator Knudson, a bill for an act to amend Section Forty-eight hundred sixty-four (4864), Code of Iowa, 1931, requiring a non-resident who is employed thirty days or more to buy a motor vehicle license.

Read first and second times and referred to committee on motor vehicles.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate File No. 7.

HOMER HUSH, Chairman Senate Committee.

WM. KOCH, Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File No. 7.

BILLS SENT TO THE GOVERNOR

Senator Hush from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 25th day of January, 1933, sent to the governor for his

approval, Senate File No. 7, relating to tax levies for secondary road purposes.

HOMER HUSH, *Chairman.*

Passed on file.

SENATE RESOLUTION NO. 2 CONSIDERED

Senator Patterson called up for consideration, Senate Resolution No. 2 as found on page 140 of Senate Journal and moved its adoption.

Senator Patterson asked for a roll call.

Senator Stevens of Wapello moved to lay Senate Resolution No. 2 on the table.

Senator Hill raised the point of order that the motion was out of order as the person speaking could not make the motion to lay on the table, and a motion to lay on table was not debatable.

Senator Patterson raised the point of order that Senator Stevens of Wapello was discussing Senate File No. 31, which was not under consideration.

President held the point of order well taken.

Senator Stevens of Wapello withdrew his motion.

Senator Hicklin moved that Senate Resolution No. 2 be laid on the table.

Senator Patterson asked for a roll call.

On the question, "Shall the motion to table prevail?" the vote was:

Ayes, 33.

Anderson	Geske	Miller of	Schmidt
Aschenbrenner	Harrington	Buchanan	Stanley
Beardsley	Hicklin	Miller of Jones	Stevens of
Booth	Hopkins	Moore	Decatur
Calhoun	Husted	Mullaney	Stevens of
Carden	Irwin	Myers	Wapello
Chrystal	Kimberly	Pendray	Topping
Cooney	Klemme	Reese	Valentine
Frailey	Meyer	Roelofs	Wenner

Nays, 15.

Bennett	Fisch	McArthur	Shangle
Byers	Hill	Nelson	White
Coykendall	Hush	Patterson	Wilson
Elthon	Knudson	Ritchie	

Absent or not voting, 1.

Beatty

The motion to table Senate Resolution No. 2 was adopted.

SENATE CONCURRENT RESOLUTION NO. 10 CONSIDERED

Senator Hill called up for consideration Senate Concurrent Resolution No. 10 as found on page 133 of the Senate Journal and moved its adoption.

Senators Hicklin and White offered the following amendment and moved its adoption:

Amend by striking out the last four lines and substituting in lieu thereof the following:

"the committee book to be printed be combined with the rule book and that 2,000 copies be printed, and bound in paper covers."

Senator Hill offered the following substitute for the pending amendment and main resolution and moved its adoption:

"Resolved by the Senate, the House concurring, that 2,000 copies of the committee books and 500 copies of the rule books be ordered printed, all to be bound in paper covers."

The substitution was made, and the substitute was adopted.

Senators Bennett, Cooney, Irwin and Hicklin submitted the following:

SENATE CONCURRENT RESOLUTION NO. 11

Resolved by the Senate, the House concurring, that Lewis Johnson, National Commander of the American Legion, who comes to Des Moines as a guest of the American Legion of this state to attend the Adjutant-Commanders' conference on February 20th be invited to address the members of the 45th General Assembly in joint convention in the House Chamber at 11:00 o'clock A. M., February 20th.

That the President of the Senate and the Speaker of the House appoint a committee of five Service Men from the House and five Service Men from the Senate to receive Lewis Johnson, National Commander of the American Legion, and to welcome him to the joint session of the General Assembly of Iowa.

That a special invitation be extended to W. Earl Hall, State Commander of the American Legion and the other state and district officers of the American Legion be invited to attend the address.

Upon the request of Senator Bennett unanimous consent was granted to suspend the rules and consider the resolution. The resolution was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 20, a bill for an act to amend section 296, Code 1931, with reference to the powers and duties of the Executive Council.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 26, a bill for an act to prohibit use and operation of publicly owned motor vehicles, etc., for private purposes.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 17, a bill for an act to repeal section 2465 and repeal section 398 providing for authorization and payment of expenses of trips to conventions.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 54, a bill for an act to amend section 10844, code 1931, relating to calling of jury panel.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 41, a bill for an act to repeal sections 4252, 4255, etc., Code 1931, and enact a substitute therefor.

LLOYD ELLIS, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE NO. 26

Amend Section one (1) line one (1) by inserting after the word "of" the words "the state or";

Line three (3) by inserting after the word "by" the words "the state or".

HOUSE MESSAGES CONSIDERED

House File No. 20, a bill for an act to amend section two hundred ninety-six (296), code 1931, with reference to the powers and duties of the Executive Council.

Read first and second times and referred to committee on reduction of public expenditures.

House File No. 41, a bill for an act to repeal sections forty-two hundred fifty-two (4252), Forty-two hundred fifty-five (4255), Forty-two hundred fifty-six (4256), Forty-two hundred fifty-seven (4257), Forty-two hundred fifty-nine (4259), forty-two hundred sixty-one (4261), forty-two hundred sixty-two (4262), forty-two hundred sixty-three (4263), forty-two hundred sixty-four (4264), and forty-two hundred sixty-five (4265), code 1931, and enact a substitute therefor, relating to courses of study in schools and colleges.

Read first and second times and passed on file.

House File No. 54, a bill for an act to amend section ten thousand eight hundred forty-four (10,844), code 1931, relating to the calling of the jury panel.

Read first and second times and passed on file.

REPORT OF COMMITTEE

Senator Topping submitted the following report:

MR. PRESIDENT: Your committee on manufacturing, commerce and trade to which was referred Senate File No. 80, a bill for an act to amend Section 1924, Code 1931, to provide for manufacture of alcohol for industrial and non-beverage purposes, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass. Strike all after enacting clause and insert in lieu thereof:

"Section 1. Section nineteen hundred twenty-four (1924) of the Code, 1931, is amended as follows:

"1. Strike therefrom the period from the end of the said section and insert in lieu thereof a semi-colon, adding thereto the following words:

"provided, however, that alcohol may be manufactured for industrial and non-beverage purposes by persons, firms, or corporations who have qualified for that purpose as provided by the laws of the United States, and the laws of the State of Iowa. Such alcohol so manufactured may be denatured, transported, used, possessed, sold and bartered, and dispensed, subject to the limitations, prohibitions and restrictions imposed by the laws of the United States and the State of Iowa."

Sec. 2. This act being deemed of immediate importance shall take effect from and after its publication, without expense to the State, in the Des Moines Register, a newspaper of general circulation published in Des Moines, Polk County, Iowa, and the Fort Dodge Messenger, a newspaper of general circulation published in Fort Dodge, Webster County, Iowa."

C. H. TOPPING, *Chairman.*

Ordered passed on file.

Upon the request of Senator Stevens of Wapello unanimous consent was granted to pass calendars Nos. 2 and 4, Senate Files Nos. 12 and 42, which would retain their places on the calendar, and consider calendar No. 5, Senate File No. 44.

THIRD READING OF BILLS

On motion of Senator Hicklin Senate File No. 44, a bill for an act to amend section forty-three hundred forty-one (4341), code 1931, relating to minimum salaries of teachers and to repeal sections forty-three hundred forty-two (4342), forty-three hundred forty-three (4343), and forty-three hundred forty-four (4344), code 1931, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

1. By striking out all of the title after the words "An Act to" in line one (1) thereof and substituting therefor the words "repeal sections

forty-three hundred forty-one (4341), forty-three hundred forty-two (4342), forty-three hundred forty-three (4343) and forty-three hundred forty-four (4344), code 1931, relating to teachers' salaries."

2. By striking out Sections 1, 2, 3, 4, and 5 thereof and substituting therefor the following:

Section 1. That sections forty-three hundred forty-one (4341), forty-three hundred forty-two (4342), forty-three hundred forty-three (4343), and forty-three hundred forty-four (4344), code 1931, be and the same are hereby repealed.

3. Further amend by renumbering Sec. 6 as Sec. 2.

The bill was read for information.

Senator Hicklin moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 46.

Anderson	Fisch	McArthur	Ritchie
Aschenbrenner	Frailey	Meyer	Schmidt
Beardsley	Geske	Miller of	Shangle
Beatty	Harrington	Buchanan	Stanley
Bennett	Hicklin	Miller of Jones	Stevens of
Booth	Hill	Moore	Decatur
Byers	Hush	Mullaney	Stevens of
Calhoun	Husted	Myers	Wapello
Carden	Irwin	Nelson	Topping
Chrystal	Kimberly	Patterson	Valentine
Cooney	Klemme	Pendray	Wenner
Coykendall	Knudson	Reese	White
Elthon			

Nays, 3.

Hopkins	Roelofs	Wilson
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Absent or not voting, none.

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

Senator Hicklin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stevens of Wapello Senate File No. 54, a bill for an act to amend section ten thousand eight hundred forty-four (10,844), code 1931, relating to the calling of the jury panel, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Upon the request of Senator Myers, House File No. 54 was substituted for Senate File No. 54.

Senator Wenner offered the following amendment and moved its adoption:

Amend by striking section 2, the publication clause.

The amendment was adopted.

The bill was read for information.

Senator Stevens of Wapello moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 41.

Anderson	Elthon	Klemme	Ritchie
Aschenbrenner	Fisch	Knudson	Roelofs
Beardsley	Frailey	McArthur	Shangle
Beatty	Geske	Miller of	Stevens of
Bennett	Harrington	Buchanan	Decatur
Booth	Hicklin	Miller of Jones	Stevens of
Byers	Hill	Mullaney	Wapello
Calhoun	Hush	Myers	Topping
Carden	Husted	Nelson	Valentine
Chrystal	Irwin	Pendray	White
Coykendall	Kimberly	Reese	Wilson

Nays, 8.

Cooney	Meyer	Patterson	Stanley
Hopkins	Moore	Schmidt	Wenner

Absent or not voting, none.

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

Senator Stevens of Wapello moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Upon the request of Senator Hicklin, unanimous consent was granted to withdraw Senate File No. 54, for which House File No. 54 was substituted.

On motion of Senator Stevens of Wapello the Senate recessed until 1:00 p. m. today.

AFTERNOON SESSION

The Senate reconvened at the fall of the gavel.

Upon the request of Senator Stevens of Wapello, unanimous consent was granted to return to the order of committee reports.

REPORT OF COMMITTEE

Senator Stevens submitted the following report:

MR. PRESIDENT: Your committee on reduction of public expenditures to which was referred Joint Resolution No. 2, creating a special joint legislative committee to investigate, inquire into and examine the administration and conduct of the various state departments, boards, bureaus and commissions, and to make a thorough study and investigation of state, county, township, city and town governments for the reduction of the expenditures of public funds, begs leave to report it has had the same under consideration and recommends that the same be placed on the calendar, and then rereferred to the committee on appropriations.

ROY E. STEVENS, *Chairman.*

The report was adopted and the bill referred to committee on appropriations.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 31, a bill for an act to amend section 5322, Code 1931, relating to the support of the poor.

Also, that the House has concurred in the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution No. 7, expressing thanks to the Ministerial Association of Des Moines for their services.

Also, that the House has amended and passed the following joint resolution, in which the concurrence of the House was asked:

Senate Joint Resolution No. 6, relating to the compensation of officers and employees of the General Assembly.

Also, that the House has concurred in the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution No. 5, extending vote of thanks to the Legislative Committee appointed by the 44th General Assembly.

Also, that the House has amended and passed the following bill in which the concurrence of the Senate is asked:

House File No. 42, a bill for an act to amend section 4266, code 1931, relating to the establishment of a kindergarten.

Also, that the House has concurred in Senate amendment to House File No. 114, relating to the levy of taxes and expenditures of public money by municipalities.

LLOYD ELLIS, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File No. 42, a bill for an act to amend section forty-two hundred sixty-six (4266), code 1931, relating to the establishment of a kindergarten.

Read first and second times and passed on file.

HOUSE AMENDMENTS TO SENATE JOINT
RESOLUTION NO. 6

Add to section one the following: That the Speaker of the House be authorized to retain the services of A. C. Gustafson as special assistant to the Chief Clerk of the House for such a period of time as he may determine, with a salary of seven dollars (\$7.00) per diem.

Amend section two, lines two and three, by striking therefrom the words: "Plain Talk", and substituting in lieu thereof the words: "Waterloo Daily Courier, a newspaper published in the city of Waterloo, Iowa"; also further amend by striking from line three the word: "newspapers" and inserting in lieu thereof the words: "a newspaper".

The Journal of January 24th was corrected and approved.

AMENDMENTS FILED

Amend Senate File No. 42 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section forty-two hundred sixty-six (4266) of the Code is hereby amended by inserting after the word "district" and before the period (.) in line eleven (11) thereof the following:

'provided facilities and funds are available therefor.'"

G. E. ROELOFS.

Amend House File No. 41 as follows:

Amend the title thereof by striking from line two (2) the words and figures: "forty-two hundred fifty-six (4256),".

Amend Section three (3) thereof by striking from lines two and three the words and figures: "forty-two hundred fifty-six (4256),".

Amend the title by striking from lines two (2) and three (3) the words and figures: "forty-two hundred fifty-seven (4257),".

Amend Section three (3) by striking from line three (3) the following words and figures: "forty-two hundred fifty-seven (4257),".

Amend the title by striking from line four (4) the following words and figures: "forty-two hundred sixty-one (4261),".

Amend Section three (3) by striking from line four (4) the words and figures: "forty-two hundred sixty-one (4261),".

Amend the title by striking from lines four (4) and five (5) the words and figures: "forty-two hundred sixty-two (4262),".

Amend Section three (3) by striking from line five (5) the words and figures: "forty-two hundred sixty-two (4262),".

Amend the title by striking from lines five (5) and six (6) the words and figures: "forty-two hundred sixty-three (4263), forty-two hundred sixty-four (4264),".

Amend Section three (3) by striking from lines five (5) and six (6) the words and figures: "forty-two hundred sixty-three (4263), forty-two hundred sixty-four (4264),".

EDW. J. WENNER.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 26, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. Ida B. Wise Smith, of the Christian Church, Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Nelson for the day, on request of Senator McArthur; Senator Frailey for the day, on request of Senator Bennett.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Favoring the placing of a special tax, on the so-called "chain stores" doing business in the state. Senator Stevens of Decatur, from residents of Decatur county. Senator Roelofs, from residents of Iowa. Manufacturing, commerce and trade.

Approving prohibition. Senator Fisch, from residents of Plymouth and Cherokee counties. Senator Beardsley, from residents of Clarke county. Senator Ritchie, from residents of Humboldt county. Senator Calhoun, from residents of Van Buren county. Senator Reese, from residents of Marshall county. Senator McArthur, from residents of Hancock and Cerro Gordo counties and the Woman's Christian Temperance Union of Mason City, Iowa. Senator Carden, from residents of Henry county. Senator Wilson, from residents of Polk county. Senator Irwin, from residents of Clinton county. Senator Hopkins, from residents of Audubon county. Senator Knudson, from residents of Wright county. Senator Miller of Jones, from residents of Jones county. Senator Roelofs, from residents of O'Brien county. Judiciary No. 1.

Opposing passage of Senate and House File No. 35. Senator

Hill, from residents of Chickasaw and Floyd counties. County and township affairs.

Opposing diversion of funds from the fish and game department, or the conservation department. Senator Fisch, from the Maquoketa Valley Chapter of the Izaak Walton League of America, Maquoketa, Iowa. Fish and game.

Approving the present band tax law. Senator McArthur, from citizens of Hampton, Iowa. Senator Shangle, from citizens of Oskaloosa, Iowa. Reduction of public expenditures.

Opposing proposal No. 51, of the interim committee. Senator Irwin, from residents of Clinton county. Public schools.

Relating to public health, education, child welfare and the five day marriage law. Senator Chrystal, from the Jefferson P. T. A., Jefferson, Iowa. Public schools and public health.

INTRODUCTION OF BILLS

Senate File No. 140, by Senator Anderson, a bill for an act to regulate the employment of teachers in the public schools, and to regulate agencies seeking employment for teachers in the public schools, and to prohibit inquiry concerning the religion or religious affiliations of persons seeking employment or official position in the public schools.

Read first and second times and referred to committee on public schools.

Senate File No. 141, by Senator Irwin, a bill for an act to amend chapter three hundred eighty-three D1 (383-D1) of the code, 1931, so as to require pipe line companies to secure a certificate of convenience and necessity for the construction of pipe lines and providing when certificate shall be issued.

Read first and second times and referred to committee on public utilities.

Senate File No. 142, by Senator White, a bill for an act to amend Chapter one hundred ninety-eight (198), Code 1931, relating to maternity and infancy hospital.

Read first and second times and referred to committee on public health.

Senate File No. 143, by Senator Hopkins, a bill for an act to

amend section forty-three hundred seventy-one (4371), code 1931, relating to the use of public school buildings for other than school purposes.

Read first and second times and referred to committee on public schools.

Senate File No. 144, by Senator Cooney, a bill for an act to amend section sixty-six hundred eighty-seven (6687) of the code, 1927, relating to special election to submit proposition to abandon organization of city or town under chapter three hundred twenty-eight (328) of the code, 1927, and become a city or town under the general law governing cities and towns, or resume special charter.

Read first and second times and referred to committee on cities and towns.

Senate File No. 145, by committee on judiciary No. 2, a bill for an act to legalize license fees levied or imposed under the provisions of Chapter Six (6) of the Acts of the Forty-first (41) General Assembly and amendments thereto, and Chapter One Hundred Three (103) of the Acts of the Forty-second (42) General Assembly and Amendments thereto, on gasoline or other motor vehicle fuel used or otherwise disposed of in the State of Iowa, for the purpose of providing funds for the improvement of public highways and to re-emburse the counties for expenditures made by them under the direction of the Highway Commission for bridges, culverts and right of way; and to legalize all license fees so levied, imposed and collected by the Treasurer of the State of Iowa, under the provisions of said statutes; and to legalize the duty imposed on all persons, firms, or corporations using or otherwise disposing of said motor vehicle fuel to pay said license fees to the Treasurer of the State of Iowa.

Read first and second times and placed on the calendar.

Senate File No. 146, by committee on judiciary No. 2, a bill for an act to repeal section forty-seven hundred fifty-five-b thirty-eight (4755-b38), Code, 1931, relating to a license fee of one cent (.01c) per gallon on all motor vehicle fuel; and to enact a substitute therefor imposing a license fee of one cent (.01c) per gallon on all motor vehicle fuel used or otherwise disposed of within the State of Iowa, which shall be in addition to the license fee imposed by Chapter two hundred fifty-A one (250-A1), Code, 1931, and

be for the purpose of providing funds to re-emburse the counties of the State for expenditures made by them under the supervision of the Highway Commission for bridges, culverts and right-of-way on primary roads and paid for by the county out of the county road fund or the county bridge fund; and for the further purpose of providing additional revenue for the primary road fund.

Read first and second times and placed on the calendar.

REPORT OF COMMITTEE

Senator Anderson submitted the following report:

MR. PRESIDENT: Your committee on departmental affairs to which was referred Senate File No. 107, a bill for an act to amend section sixty-nine hundred forty-three-c fifteen (6943-c15) and section sixty-nine hundred forty-three-c sixteen (6943-c16), Code 1931, relating to the appointment and tenure of office of members of the State Board of Assessment and Review, begs leave to report it has had the same under consideration and recommends the same do pass.

PAUL ANDERSON, *Chairman.*

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate File No. 31, and House File No. 114.

HOMER HUSH, *Chairman Senate Committee.*

WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File No. 31 and House File No. 114.

HOUSE AMENDMENTS CONSIDERED

Senator Irwin called up for consideration Senate Joint Resolution No. 6, amended by the House, and moved that the Senate concur in the following amendments:

Add to section one the following: That the Speaker of the House be authorized to retain the services of A. C. Gustafson as special assistant to the Chief Clerk of the House for such a period of time as he may determine, with a salary of seven dollars (\$7.00) per diem.

Amend section two, lines two and three, by striking therefrom the words: "Plain Talk", and substituting in lieu thereof the words: "Waterloo Daily Courier, a newspaper published in the city of Waterloo, Iowa"; also further amend by striking from line three the word: "newspapers" and inserting in lieu thereof the words: "a newspaper".

On the question "Shall the Senate concur?" the vote was:

Ayes, 46.

Anderson	Fisch	Meyer	Schmidt
Aschenbrenner	Geske	Miller of	Shangle
Beardsley	Harrington	Buchanan	Stanley
Beatty	Hicklin	Miller of Jones	Stevens of
Bennett	Hill	Moore	Decatur
Booth	Hopkins	Mullaney	Stevens of
Byers	Hush	Myers	Wapello
Calhoun	Irwin	Patterson	Topping
Carden	Kimberly	Pendray	Valentine
Chrystal	Klemme	Reese	Wenner
Cooney	Knudson	Ritchie	White
Coykendall	McArthur	Roelofs	Wilson
Elthon			

Nays, none.

Absent or not voting, 3.

Frailey	Husted	Nelson
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The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Upon the request of Senator Stevens of Wapello, unanimous consent was granted to consider Calendar No. 2, Senate File No. 12, immediately after action on Calendar No. 13, Senate Joint Resolution No. 5.

Upon the request of Senator Wenner, unanimous consent was granted to substitute House File No. 42 for Senate File No. 42, a companion bill; also to suspend the rules and act on House File No. 42 without a committee report.

THIRD READING OF BILLS

On motion of Senator Wenner House File No. 42, a bill for an act to amend section forty-two hundred sixty-six (4266), code 1931, relating to the establishment of a kindergarten, was taken up and considered.

The bill was read for information.

Senator Wenner moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 42.

Anderson	Elthon	Knudson	Reese
Aschenbrenner	Fisch	McArthur	Ritchie
Beardsley	Geske	Meyer	Roelofs
Beatty	Harrington	Miller of	Schmidt
Bennett	Hicklin	Buchanan	Shangle
Booth	Hopkins	Miller of Jones	Stanley
Byers	Hush	Moore	Stevens of
Calhoun	Husted	Mullaney	Wapello
Carden	Irwin	Myers	Valentine
Cooney	Kimberly	Patterson	Wenner
Coykendall	Klemme	Pendray	Wilson

Nays, none.

Absent or not voting, 7.

Chrystal	Hill	Stevens of	Topping
Fraily	Nelson	Decatur	White

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

Senator Wenner moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Upon the request of Senator Wenner unanimous consent was granted to withdraw Senate File No. 42.

Upon the request of Senator Wenner, unanimous consent was granted to pass Calendar No. 7, Senate File No. 109, which would retain its place on the calendar.

On motion of Senator Hicklin Senate File No. 18, a bill for an act to repeal section three hundred ninety-seven-d one (397-d1), code 1931, with reference to the auditing of state institutions, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Knudson moved to defer action on this bill, which would retain its place on the calendar.

Senator Hush moved the previous question, which motion prevailed.

Roll call was demanded.

On the question "Shall the motion prevail?" the vote was:

Ayes, 40.

Anderson	Elthon	Meyer	Roelofs
Aschenbrenner	Fisch	Miller of	Shangle
Beardsley	Harrington	Buchanan	Stevens of
Beatty	Hicklin	Miller of Jones	Decatur
Bennett	Hill	Moore	Stevens of
Booth	Hopkins	Mullaney	Wapello
Byers	Hush	Myers	Topping
Calhoun	Husted	Patterson	Valentine
Carden	Kimberly	Pendray	Wenner
Cooney	Klemme	Reese	White
Coykendall	Knudson	Ritchie	

Nays, 5.

Chrystal	McArthur	Schmidt	Stanley
Irwin			

Absent or not voting, 4.

Frailey	Geske	Nelson	Wilson
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The motion to defer action on Senate File No. 18 prevailed and the bill retained its place on the calendar.

On motion of Senator Myers Senate File No. 53, a bill for an act to amend chapter sixty-seven (67), code 1931, relating to expenses incurred in connection with returning defendants from jurisdictions other than that wherein a crime is committed, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wilson offered the following amendment and moved its adoption:

Amend by inserting in line 9 after the word "approval" the words "or disapproval".

Senator Hicklin offered the following amendments and moved their adoption:

Amend line 3 of section 1 by inserting after the word "shall" the words ", at public expense,"; also amend line 5 by inserting after the word "filed" the words "in the office of the clerk of the district court".

Senator Calhoun offered the following amendment and moved its adoption:

Amend by striking out all of Section 1 following the period in line three (3) and substituting in lieu thereof the following:

"No warrant shall be issued requiring any peace officer to go beyond the boundaries of the state at public expense except with the approval of a judge of the district court."

Senator Wilson moved that the bill with all pending amendments be rereferred to the proper committee for redrafting.

Senator Hill moved the previous question, which motion prevailed.

Senator Wilson raised the point of order that the previous question had been put and the motion for deferment was now before the Senate. The President held the point well taken.

The motion to re-refer Senate File No. 53 prevailed, and the President ordered the bill sent to the committee on judiciary No. 2.

On motion of Senator Stevens of Wapello Senate File No. 25, a bill for an act to amend section forty-nine hundred sixty-d thirty (4960-d30), code 1931, relating to the expiration of operators license for motor vehicles, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Upon the request of Senator Stevens of Wapello unanimous consent was granted to defer action, the bill to retain its place on the calendar.

On motion of Senator Booth Senate File No. 20, a bill for an act to amend section two hundred ninety-six (296), code 1931, with reference to the powers and duties of the Executive Council, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Upon the request of Senator Booth, unanimous consent was granted to substitute House File No. 20 for Senate File No. 20, a companion bill, and House File No. 20 was recalled from the committee to which it was sent.

The bill was read for information.

Senator Booth moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 44.

Anderson	Cooney	Hopkins	Meyer
Aschenbrenner	Coykendall	Hush	Miller of
Beardsley	Elthon	Husted	Buchanan
Beatty	Fisch	Irwin	Miller of Jones
Bennett	Geske	Kimberly	Moore
Booth	Harrington	Klemme	Mullaney
Byers	Hicklin	Knudson	Myers
Calhoun	Hill	McArthur	Pendray
Carden			

Reese	Shangle	Stevens of	Wenner
Ritchie	Stanley	Wapello	White
Roelofs	Stevens of	Topping	Wilson
Schmidt	Decatur		

Nays, none.

Absent or not voting, 5.

Chrystal	Nelson	Patterson	Valentine
Fralley			

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

Senator Booth moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Upon the request of Senator Booth, unanimous consent was granted to withdraw Senate File No. 20, companion bill to House File No. 20 as just passed.

SENATE FILE NO. 105 WITHDRAWN

Upon the request of Senator White, unanimous consent was granted to withdraw Senate File No. 105, as a similar bill was on file.

On motion of Senator White the Senate recessed until 2:00 p. m. today.

AFTERNOON SESSION

The Senate reconvened at the fall of the gavel.

Upon the request of Senator Hopkins, unanimous consent was granted to consider Calendar No. 12, Senate File No. 107, at this time.

THIRD READING OF BILLS

On motion of Senator Hopkins Senate File No. 107, a bill for an act to amend section sixty-nine hundred forty-three-c fifteen (6943-c15) and section sixty-nine hundred forty-three-c sixteen (6943-c16), code, 1931, relating to the appointment and tenure of office of members of the State Board of Assessment and Review, with report of committee recommending passage, was taken up and considered. Upon the request of Senator Hopkins, unanimous consent was granted to suspend the rules and consider the committee report. The report was adopted.

Senator Hopkins moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 43.

Anderson	Fisch	McArthur	Roelofs
Aschenbrenner	Geske	Meyer	Schmidt
Beardsley	Harrington	Miller of	Shangle
Beatty	Hicklin	Buchanan	Stanley
Bennett	Hill	Moore	Stevens of
Byers	Hopkins	Mullaney	Decatur
Calhoun	Hush	Myers	Stevens of
Carden	Husted	Patterson	Wapello
Chrystal	Irwin	Pendray	Topping
Cooney	Kimberly	Reese	Wenner
Coykendall	Klemme	Ritchie	Wilson
Elthon	Knudson		

Nays, none.

Absent or not voting, 6.

Booth	Miller of Jones	Valentine	White
Frailey	Nelson		

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

SENATE JOINT RESOLUTION NO. 2 MADE SPECIAL ORDER

Upon the request of Senator White, unanimous consent was granted to make Senate Joint Resolution No. 2 a special order for Friday at 10:30 a. m.

The Journal of January 25th was corrected and approved.

Upon the request of Senator White, unanimous consent was granted to return to committee reports.

REPORT OF COMMITTEE

Senator White submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred Joint Resolution No. 2, a joint resolution creating a special joint legislative committee to investigate, inquire into and examine the administration and conduct of the various state departments, boards, bureaus and commissions, and to make a thorough study and investigation of state, county, township, city and town governments for the reduction of the expenditures of public funds, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend the title to said joint resolution by striking all of said title and substitute in lieu thereof the following:

Creating a special joint legislative committee to investigate and examine the administration and conduct of the various state departments, boards, bureaus and commissions, and to make a thorough study and investigation

of State, County, township, city and town, and school governments for the purpose of recommending ways to secure reductions in the expenditures of public funds, and prescribing its powers and authority and making appropriation therefore.

Amend the preamble to said joint resolution by striking all of said preamble and substitute in lieu thereof the following:

Whereas, under the authority of the joint resolution, passed by the Forty-fourth General Assembly, the Legislative Committee on the Reduction of Governmental Expenditures has been at work during the interim between adjournment of the Forty-fourth General Assembly and the convening of the Forty-fifth General Assembly of the State of Iowa; and

Whereas, as shown by the report of such joint legislative committee, it has not been able, within the time allotted, to complete the work which is necessary to bring about such reduction in governmental expenses as should be effected; and

Whereas, the power and authority vested in such legislative committee by the resolution, authorizing it, was not broad enough to enable the committee to make surveys and investigations which should be made to accomplish the purpose for which the committee was authorized, and the appropriation for its work was insufficient to enable the committee to make a thorough survey and investigation of the several divisions of government; and

Whereas, it is apparent that the work of the legislative committee has brought about very substantial reductions in governmental expenditures, but that a more thorough and extensive survey and investigation might reveal the further reductions which could be made in governmental expenditures; and

Whereas, a very grave situation, with reference to taxes, exists, and the surest way to reduce expenditures is to stop spending except for those activities which are absolutely necessary for the welfare of the people of the state, and the various subdivisions of government.

Amend the body of said joint resolution by striking therefrom sections 1 to 9 inclusive and substitute in lieu thereof the following:

Section 1. That a joint legislative committee be and the same is hereby created, to be known as a Committee on Reduction of Governmental Expenditures, which shall be composed of five members, two of whom shall be appointed by the Speaker of the House of Representatives, two of whom shall be appointed by the President of the Senate, and one of whom shall be appointed by the Governor.

Sec. 2. The Committee shall have full power and authority to investigate, inquire into and examine the administration and conduct of the various departments, boards, bureaus, commissions, offices, institutions and agencies, of the state, and the functions, duties, financial requirements, expenditures, operations, general condition, management and future needs of each, for the purpose of determining whether or not the said departments, boards, bureaus, commissions, offices, institutions and agencies are overmanned, necessary, and are operated and conducted upon an economical basis; to inquire into, investigate and report what, if any, reduction in operating costs and savings could be made therein

by the change or repeal of existing laws or otherwise without prejudicing the essential and necessary functions of State Government, to examine the books, papers and records therein, and in general to investigate, inquire into and examine every matter and thing whatsoever effecting or in any way bearing upon or relating to the operation, conduct and activities of each such department, board, bureau, commission, office, institution and agency of the state.

Sec. 3. It shall be the duty of the Committee to make a scientific study of the county, township, city and town governments, and the work of the several school systems in the state, and to collect such information and make such recommendations as the Committee may deem pertinent relative to the organization and structure of the state government and of the several local governments including school districts, and make such other recommendations as will render the state government, the several local governments and the school systems more efficient and will enable them to operate more economically.

Sec. 4. That said Committee be and is hereby authorized and empowered to sit in the County of Polk or elsewhere within the State of Iowa, and to conduct the investigation herein contemplated during the session of the Forty-fifth General Assembly and during the recesses or after the adjournment thereof, with the same power and authority it would have were the Legislature in session; to choose a chairman from its members; to adopt rules for the conduct of its proceedings; to employ a secretary, counsel, accountants, investigators and such other assistants as it may deem necessary; to take testimony at public or private hearings, but no testimony taken at a private hearing shall form the basis of any report by said Committee to the Legislature, unless such testimony is presented as evidence at a public hearing; to subpoena witnesses and compel the production of books, documents and papers, public or private, appertaining to its investigations, but no public official or employee of state government, or county, city, town or school, who receives from such office a regular compensation, shall be entitled to witness fees, but shall be entitled to receive actual traveling and hotel expenses while attending upon the Committee, such expenses to be audited and approved by the Committee; to have access to and examination by its members, assistants and employees, of all books, papers, records and documents, and to have the assistance and cooperation of the officers and employees in, or connected with, each such department, board, bureau, commission, office, institution and agency of the city, town, county and state or school district; and otherwise to have all the powers of a joint legislative committee or of a Legislative Committee. The Committee may at any time and from time to time by resolution of a majority of its members, be subdivided into sub-committees of one or more members, any of which sub-committees may sit at the same or at different times and places in the State, and said sub-committees shall have all the powers hereby conferred upon the Committee. The Committee, or any member thereof, or any counsel of the Committee shall have the power to administer the oath to witnesses.

Sec. 5. The Committee and each sub-committee is authorized and

empowered to prosecute its inquiries to such extent as in its judgment is necessary and/or proper to enable it to obtain information in regard to and report upon the matters contemplated by this resolution.

Sec. 6. The failure, neglect or refusal of any witness to attend or be examined as a witness before the Committee or a sub-committee at a public or private hearing, or upon a reasonable notice to produce any material, books, papers or documents, when duly required to give testimony or to produce such material, books, papers or documents, shall make such witness in contempt of the Committee and such Committee, or any member thereof, shall be authorized to proceed against such witness for contempt as provided by law.

Sec. 7. The vacancies in the membership of said Committee shall be filled by appointment of the Governor and should a vacancy occur in said Committee on the part of a member appointed by the Speaker of the House of Representatives or by the President of the Senate, the same shall be filled by the Governor from the respective body of which said member of said Committee was a member. The members of the committee shall receive no compensation for their services but shall be entitled to their actual and necessary expenses and disbursements incurred by them in the discharge of their duties. The Committee shall have power to fix the compensation of its counsel, secretary and other assistants, and to engage suitable office or offices for the conduct of its investigations.

Sec. 8. The Committee shall report to the Governor, and to this Legislature if in session, or to any special or adjourned session thereof. It shall also report to the Forty-sixth General Assembly when it convenes and its existence shall terminate with the rendering of such report.

Sec. 9. There is hereby appropriated from the funds of the State Treasury, not otherwise appropriated, the sum of \$25,000 or so much thereof as may be necessary to carry out the proposals of this act, and for the necessary expenses of said Committee and its members as herein provided, to be paid out of the State Treasury on vouchers approved by the Chairman or Secretary of the Committee and audited according to law.

Sec. 10. This act being deemed of immediate importance shall be in full force and effect after its passage and publication in the....., a newspaper published at....., Iowa, and in the....., a newspaper published at....., Iowa.

H. C. WHITE, *Chairman.*

Ordered passed on file.

AMENDMENTS FILED

Amend Senate File No. 128, as follows:

Section 1. By inserting after the comma, following the word "hospitals" in line 3 of Sec. 1 thereof, the words "and every regularly licensed physician or surgeon"; by inserting after the comma, following the word "therein" in line 6 of Sec. 1, the words "or medical or surgical services or treatment from such physician or surgeon"; and by changing the period, at the end of line 12 of Sec. 1 to a comma, and by adding "or the

amount of the regular and customary charges of such physician or surgeon for such medical or surgical care or treatment”.

Sec. 2. By inserting after the word “hospital” in line 1 of Sec. 2, the words “or such physician or surgeon”.

Sec. 3. By inserting after the comma, following the word “hospital” in line 8 of Sec. 3, the words “physician or surgeon”.

Sec. 4. By inserting after the comma, following the word “hospital” in line 2 of Sec. 4, the words “or any such physicians or surgeons”; and by inserting after the comma, following the word “hospital”, in line 10 of Sec. 4, the words “physician or surgeon”.

Sec. 5. By inserting after the comma, following the word “hospital”, in line 6 of Sec. 5, the words “physician or surgeon”; by inserting after the word “hospital” in line 10 of Sec. 5, the words “physician or surgeon”.

Sec. 6. Amend the title by inserting after the word “hospitals” in line 1 thereof, the words “physicians or surgeons”. M. MOORE.

Amend Senate File No. 25 as follows:

After the word “hereunder”, in line 4 of Section 1, insert the following: “and not heretofore revoked.”. E. R. HICKLIN.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 27, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. Warren C. Taylor, pastor of the Forest Avenue Baptist Church of Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Anderson for the day, on request of Senator Kimberly.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Favoring the placing of a special tax on the so-called "chain stores" doing business in the state. Senator Meyer, from citizens of Aplington, Iowa. Manufacturing, commerce and trade.

Approving prohibition. Senator Wilson, from residents of Polk county. Senator Meyer, from residents of Butler county. Senator Calhoun, from residents of Jefferson county. Senator Carden, from residents of Henry county. Senator Stanley, from residents of Adams county. Senator Roelofs, from residents of Lyon county. Senator Knudson, from residents of Wright county. Senator Klemme, from residents of Winneshiek county. Senator Nelson, from residents of Story county. Senator Hopkins, from residents of Guthrie county. Senator Schmidt, from residents of Iowa county. Senator Chrystal, from residents of Greene county. Judiciary No. 1.

Relating to the collection of motor vehicle license fees. Senator Anderson, from citizens of Fort Dodge, Iowa. Motor vehicles.

Opposing the proposal of the interim committee. Senator Irwin, from residents of Clinton county. Emergency legislation.

Relating to deficiency judgments, manufacture and use of alco-

hol for commercial purposes, reduction of taxes and agriculture. Senator Husted, from Local Farmers Union No. 593, Adair county. Emergency legislation.

Relating to compulsory tuberculosis test. Senator Stevens of Wapello, from members of the Wapello county medical society. Agriculture.

INTRODUCTION OF BILLS

Senate File No. 147, by Senator Kimberly, a bill for an act to amend section sixty-seven hundred sixteen (6716) of the Code, 1931, relating to warrants in cities under Special Charter.

Read first and second times and referred to committee on cities and towns.

Senate File No. 148, by Senator Kimberly, a bill for an act to amend section fifty-seven hundred fifty-nine (5759) of the Code, 1931, relating to dangerous structures.

Read first and second times and referred to committee on cities and towns.

Senate File No. 149, by Senator Kimberly, by request, a bill for an act to amend section forty-nine hundred twenty-seven (4927) of the Code relating to registration fees upon motor vehicles.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 150, by Senator Kimberly, a bill for an act to amend section sixty-four hundred fifty-six (6456) of the Code, 1931, relating to municipal zoning.

Read first and second times and referred to committee on cities and towns.

Senate File No. 151, by Senator Wenner, a bill for an act making it the duty of pedestrians on primary highways to keep to the left of the paved portion of said highway and when meeting vehicles to step off said highway.

Read first and second times and referred to committee on highways.

Senate File No. 152, by Senator Wenner, a bill for an act to amend section sixty-one hundred forty-three (6143) of the Code of 1931, relating to public utilities and to the powers of cities and towns.

Read first and second times and referred to committee on public utilities.

Senate File No. 153, by Senator Wenner, a bill for an act to amend sections sixty-one hundred twenty-seven (6127), sixty-one hundred thirty-four d-six (6134-d6) sixty-one hundred thirty-five (6135), sixty-one hundred forty-two (6142) of the Code of 1931, relating to public utilities and to the power of cities and towns.

Read first and second times and referred to committee on public utilities.

Senate File No. 154, by Senator Moore, a bill for an act to repeal section five hundred twenty-two (522) and sections fifty-one hundred eleven (5111) to fifty-one hundred fourteen (5114), inclusive, Code, 1931, and to enact substitutes therefor, relating to the districting of counties for the election of members of the board of supervisors.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 155, by Senator Myers, a bill for an act rendering invalid any acceleration clause in real estate mortgages.

Read first and second times and referred to committee on emergency legislation.

Senate File No. 156, by Senator Klemme, a bill for an act to provide for the licensing of persons operating for hire portable food or feed mills, oat hullers, or grinders, and providing penalties for operating without a license.

Read first and second times and referred to committee on agriculture.

Senate File No. 157, by Senator Klemme, a bill for an act to amend sections fifty-eight hundred seventy-five (5875), and sixty-two hundred nine (6209), Code, 1931, relating to the control of the city bridge fund and the tax levy therefor in cities of the first and second class.

Read first and second times and referred to committee on cities and towns.

Senate File No. 158, by Senator Klemme, a bill for an act to vest the power in cities and towns to fix the rates to be charged by telephone companies for the use of telephone apparatus commonly known as service charges.

Read first and second times and referred to committee on public utilities.

Senate File No. 159, by Senator Elthon, a bill for an act to authorize boards and officers managing drainage improvements to apply excess assessments when paid on future maturing assessments, or to refund such excess to persons paying the same.

Read first and second times and referred to committee on drainage.

Senators Irwin and Carden submitted the following:

SENATE CONCURRENT RESOLUTION NO. 12

Be It Resolved by the Senate, the House Concurring:

Whereas, the economic affairs of our country are in an unstable and chaotic condition; and,

Whereas, prices of farm products are considerably below the cost of production, making it impossible for the home owners and citizens in the agricultural belt to derive sufficient revenue out of the operation of their farms to meet the liabilities, which were created under a higher price level; and,

Whereas, the General Assembly of the State of Iowa, is interested in hearing any constructive proposal made by any person or persons familiar with the financial structure of our country and the monetary system thereof; and,

Whereas, we have within the borders of our State, a man internationally known for his views, concerning these problems, and our monetary system;

Be It Therefore Resolved, by the Senate, the House concurring, that we issue an invitation to the Honorable Henry A. Wallace, asking him to address the Senate and House in Joint Session, upon the economic conditions as they exist at present, and that such Joint Session shall be held at 2:30 p. m., on the 31st of January A. D. 1933.

Upon the request of Senator Irwin unanimous consent was granted to consider the resolution. The resolution was adopted.

REPORT OF COMMITTEE

Senator Stevens of Wapello submitted the following report:

MR. PRESIDENT: Your committee on reduction of public expenditures to which was referred Senate File No. 30, a bill for an act to establish a purchasing procedure for counties, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on rules beg leave to report that

they have had the same under consideration and recommend the following for adoption:

That the rules of the Forty-third General Assembly be adopted with the following exceptions: Amend Rule Thirty-five (35) by striking out the words and figures: "Twenty-five (25)" in line six (6), and substituting therefor the words and figures, "Fifteen (15)".

Strike out all of Rule Forty-one (41) and rewrite as follows: "Admission to the floor of the Senate Chamber shall be granted by the door-keeper to the governor and his private secretary, members of the House of Representatives, the state officers and their deputies, judges of the several courts, ex-members of the legislature, ex-state officers, uniformed soldiers and sailors of the United States army and navy, and the regular reporters of the Senate and clerks of committees, and the members of the immediate family of the senators. And no other person shall be permitted, by members or otherwise, to come upon the floor of the Senate or into the cloak rooms during its sessions. Any person violating this rule shall be summarily dismissed by the Senate."

Strike out all of Rule Forty-nine (49) and substitute therefor, Rule Fifty (50) of the Forty-fourth General Assembly.

MATT. D. COONEY, *Chairman.*

Passed on file.

Upon the request of Senator Beatty, unanimous consent was granted to make the committee report on rules a special order for Tuesday, January 31, at 10:30 a. m.

THIRD READING OF BILLS

The time having arrived for consideration of the special order, on motion of Senator White Senate Joint Resolution No. 2, a joint resolution creating a special joint legislative committee to investigate, inquire into and examine the administration and conduct of the various state departments, boards, bureaus and commissions, and to make a thorough study and investigation of state, county, township, city and town governments for the reduction of the expenditures of public funds, with report of committee recommending amendment and passage, was taken up, considered and the report of the committee adopted.

The following committee amendments were considered:

AMENDMENT NO. 1

Amend the title to said joint resolution by striking all of said title and substituting in lieu thereof the following:

Creating a special joint legislative committee to investigate and examine the administration and conduct of the various state departments, boards, bureaus and commissions, and to make a thorough study and investigation

of State, County, township, city and town, and school governments for the purpose of recommending ways to secure reductions in the expenditures of public funds, and prescribing its powers and authority and making appropriation therefore.

The amendment was adopted.

AMENDMENT NO. 2

Amend the preamble to said joint resolution by striking all of said preamble and substituting in lieu thereof the following:

Whereas, under the authority of the joint resolution, passed by the Forty-fourth General Assembly, the Legislative Committee on the Reduction of Governmental Expenditures has been at work during the interim between adjournment of the Forty-fourth General Assembly and the convening of the Forty-fifth General Assembly of the State of Iowa; and

Whereas, as shown by the report of such joint legislative committee, it has not been able, within the time allotted, to complete the work which is necessary to bring about such reduction in governmental expenses as should be effected; and

Whereas, the power and authority vested in such legislative committee by the resolution, authorizing it, was not broad enough to enable the committee to make surveys and investigations which should be made to accomplish the purpose for which the committee was authorized, and the appropriation for its work was insufficient to enable the committee to make a thorough survey and investigation of the several divisions of government; and

Whereas, it is apparent that the work of the legislative committee has brought about very substantial reductions in governmental expenditures, but that a more thorough and extensive survey and investigation might reveal the further reductions which could be made in governmental expenditures; and

Whereas, a very grave situation, with reference to taxes, exists, and the surest way to reduce expenditures is to stop spending except for those activities which are absolutely necessary for the welfare of the people of the state, and the various subdivisions of government.

The amendment was adopted.

AMENDMENT NO. 3

Amend the body of said joint resolution by striking therefrom sections 1 to 9 inclusive and substituting in lieu thereof the following:

Section 1. That a joint legislative committee be and the same is hereby created, to be known as a Committee on Reduction of Governmental Expenditures, which shall be composed of five members, two of whom shall be appointed by the Speaker of the House of Representatives, two of whom shall be appointed by the President of the Senate, and one of whom shall be appointed by the Governor.

Sec. 2. The Committee shall have full power and authority to investigate, inquire into and examine the administration and conduct of the

various departments, boards, bureaus, commissions, offices, institutions and agencies, of the state, and the functions, duties, financial requirements, expenditures, operations, general condition, management and future needs of each, for the purpose of determining whether or not the said departments, boards, bureaus, commissions, offices, institutions and agencies are overmanned, necessary, and are operated and conducted upon an economical basis; to inquire into, investigate and report what, if any, reduction in operating costs and savings could be made therein by the change or repeal of existing laws or otherwise without prejudicing the essential and necessary functions of State Government, to examine the books, papers and records therein, and in general to investigate, inquire into and examine every matter and thing whatsoever effecting or in any way bearing upon or relating to the operation, conduct and activities of each such department, board, bureau, commission, office, institution and agency of the state.

Sec. 3. It shall be the duty of the Committee to make a scientific study of the county, township, city and town governments, and the work of the several school systems in the state, and to collect such information and make such recommendations as the Committee may deem pertinent relative to the organization and structure of the state government and of the several local governments including school districts, and make such other recommendations as will render the state government, the several local governments and the school systems more efficient and will enable them to operate more economically.

Sec. 4. That said Committee be and is hereby authorized and empowered to sit in the County of Polk or elsewhere within the State of Iowa, and to conduct the investigation herein contemplated during the session of the Forty-fifth General Assembly and during the recesses or after the adjournment thereof, with the same power and authority it would have were the Legislature in session; to choose a chairman from its members; to adopt rules for the conduct of its proceedings; to employ a secretary, counsel, accountants, investigators and such other assistants as it may deem necessary; to take testimony at public or private hearings, but no testimony taken at a private hearing shall form the basis of any report by said Committee to the Legislature, unless such testimony is presented as evidence at a public hearing; to subpoena witnesses and compel the production of books, documents and papers, public or private, appertaining to its investigations, but no public official or employee of state government, or county, city, town or school, who receives from such office a regular compensation, shall be entitled to witness fees, but shall be entitled to receive actual traveling and hotel expenses while attending upon the Committee, such expenses to be audited and approved by the Committee; to have access to and examination by its members, assistants and employees, of all books, papers, records and documents, and to have the assistance and cooperation of the officers and employees in, or connected with, each such department, board, bureau, commission, office, institution and agency of the city, town, county and state or school district; and otherwise to have all the powers of a joint legislative committee or of a Legislative Committee. The Committee may at any time

and from time to time by resolution of a majority of its members, be subdivided into sub-committees of one or more members, any of which sub-committees may sit at the same or at different times and places in the State, and said sub-committees shall have all the powers hereby conferred upon the Committee. The Committee, or any member thereof, or any counsel of the Committee shall have the power to administer the oath to witnesses.

Sec. 5. The Committee and each sub-committee is authorized and empowered to prosecute its inquiries to such extent as in its judgment is necessary and/or proper to enable it to obtain information in regard to and report upon the matters contemplated by this resolution.

Sec. 6. The failure, neglect or refusal of any witness to attend or be examined as a witness before the Committee or a sub-committee at a public or private hearing, or upon a reasonable notice to produce any material, books, papers or documents, when duly required to give testimony or to produce such material, books, papers or documents, shall make such witness in contempt of the Committee and such Committee, or any member thereof, shall be authorized to proceed against such witness for contempt as provided by law.

Sec. 7. The vacancies in the membership of said Committee shall be filled by appointment of the Governor and should a vacancy occur in said Committee on the part of a member appointed by the Speaker of the House of Representatives or by the President of the Senate, the same shall be filled by the Governor from the respective body of which said member of said Committee was a member. The members of the committee shall receive no compensation for their services but shall be entitled to their actual and necessary expenses and disbursements incurred by them in the discharge of their duties. The Committee shall have power to fix the compensation of its counsel, secretary and other assistants, and to engage suitable office or offices for the conduct of its investigations.

Sec. 8. The Committee shall report to the Governor, and to this Legislature if in session, or to any special or adjourned session thereof. It shall also report to the Forty-sixth General Assembly when it convenes and its existence shall terminate with the rendering of such report.

Sec. 9. There is hereby appropriated from the funds of the State Treasury, not otherwise appropriated, the sum of \$25,000 or so much thereof as may be necessary to carry out the proposals of this act, and for the necessary expenses of said Committee and its members as herein provided, to be paid out of the State Treasury on vouchers approved by the Chairman or Secretary of the Committee and audited according to law.

Sec. 10. This act being deemed of immediate importance shall be in full force and effect after its passage and publication in the....., a newspaper published at....., Iowa, and in the....., a newspaper published at....., Iowa.

Upon the request of Senator White, unanimous consent was granted to correct section 4, line 8 by changing the word "accountant" to the word "accountant".

Upon request of Senator Wenner, unanimous consent was granted to change the concluding word "therefore" to the word "therefor", in the amendment to the title.

Senator Knudson offered the following amendment to the amendment and moved its adoption:

Amend section 7, line 8, by inserting after the word "them" the words: "subject to the same limitations as state employees,"

The amendment was adopted.

Senator Knudson offered the following amendment to the amendment and moved its adoption:

Amend section 9, line 2, by striking the figures "\$25,000" and inserting in lieu thereof the figures "\$12,000".

Senator Klemme moved the previous question on the amendment to the amendment, which motion prevailed.

Roll call was demanded on the amendment to the amendment.

Senator Frailey invoked rule 8.

On the question, "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 10.

Beardsley	Hopkins	Miller of Jones	Patterson
Beatty	Husted	Nelson	Ritchie
Elthon	Knudson		

Nays, 38.

Aschenbrenner	Geske	Miller of	Stanley
Bennett	Harrington	Buchanan	Stevens of
Booth	Hicklin	Moore	Decatur
Byers	Hill	Mullaney	Stevens of
Calhoun	Hush	Myers	Wapello
Carden	Irwin	Pendray	Topping
Chrystal	Kimberly	Reese	Valentine
Cooney	Klemme	Roelofs	Wenner
Coykendall	McArthur	Schmidt	White
Fisch	Meyer	Shangle	Wilson
Frailey			

Absent or not voting, 1.

Anderson

The amendment to the amendment was lost.

The amendment as amended was adopted.

Senator Frailey raised the point of order that there was nothing before the Senate to discuss; that if there were an amendment filed argument would be in order.

The President held the point of order well taken.

The joint resolution was read for information.

Senator White moved that the reading just had be considered the third reading, which motion prevailed.

Senator Beatty invoked rule 8.

On the question "Shall the joint resolution pass?" the vote was:

Ayes, 41.

Aschenbrenner	Frailey	McArthur	Schmidt
Beardsley	Geske	Meyer	Shangle
Bennett	Harrington	Miller of	Stanley
Booth	Hicklin	Buchanan	Stevens of
Byers	Hopkins	Moore	Decatur
Calhoun	Hush	Mullaney	Stevens of
Carden	Husted	Myers	Wapello
Chrystal	Irwin	Nelson	Topping
Cooney	Kimberly	Pendray	Valentine
Coykendall	Klemme	Reese	Wenner
Fisch	Knudson	Roelofs	White

Nays, 7.

Beatty	Hill	Patterson	Wilson
Elthon	Miller of Jones	Ritchie	

Absent or not voting, 1.

Anderson

The joint resolution having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Valentine moved that the vote by which the joint resolution passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILE NO. 107 RECONSIDERED

Senator Hopkins moved to reconsider the vote by which Senate File No. 107 passed the Senate.

On the question, "Shall the motion to reconsider prevail?" the vote was:

Ayes, 46.

Aschenbrenner	Chrystal	Hicklin	Knudson
Beardsley	Cooney	Hill	McArthur
Beatty	Coykendall	Hopkins	Meyer
Bennett	Elthon	Hush	Miller of
Booth	Fisch	Husted	Buchanan
Byers	Frailey	Irwin	Miller of Jones
Calhoun	Geske	Kimberly	Moore
Carden	Harrington	Klemme	Mullaney

Myers	Schmidt	Stevens of	Wenner
Pendray	Shangle	Wapello	White
Reese	Stanley	Topping	Wilson
Ritchie	Stevens of	Valentine	
Roelofs	Decatur		

Nays, none.

Absent or not voting, 3.

Anderson	Nelson	Patterson
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The motion to reconsider prevailed.

Senator Hopkins moved to reconsider the vote by which Senate File No. 107 passed to its third reading. The motion prevailed.

Senator Hopkins offered the following amendments and moved their adoption:

Amend Section 1 thereof by inserting before the word "be" in the second line thereof the following: ", Code, 1931,".

Amend by striking Section 2 thereof, and substituting therefor the following: "Sec. 2. Amend Section sixty-nine hundred forty-three-c sixteen (6943-c16), Code, 1931, so that said section will read as follows: 'The Governor shall, within sixty (60) days following the organization of each regular session of the General Assembly, appoint, with the approval of two-thirds of the members of the Senate in executive session, a successor to the member of said board whose term of office will expire on the first day of July next thereafter.'"

The amendments were adopted.

Senator Hopkins moved that the reading previously had been considered the third reading, which motion prevailed.

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

Ayes, 44.

Aschenbrenner	Frailey	McArthur	Ritchie
Beatty	Geske	Meyer	Roelofs
Bennett	Harrington	Miller of	Schmidt
Booth	Hicklin	Buchanan	Shangle
Byers	Hill	Miller of Jones	Stanley
Calhoun	Hopkins	Moore	Stevens of
Carden	Hush	Mullaney	Decatur
Chrystal	Husted	Myers	Topping
Cooney	Irwin	Nelson	Wenner
Coykendall	Kimberly	Pendray	White
Elthon	Klemme	Reese	Wilson
Fisch	Knudson		

Nays, none.

Absent or not voting, 5.

Anderson	Patterson	Stevens of	Valentine
Beardsley		Wapello	

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

Senator Hopkins moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House :

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and passed the following bill:

Senate File No. 23, a bill for an act relating to the mileage and expenses of public officers and employees, county engineers, boards of supervisors, sheriffs, county superintendents, coroners and constables.

Also; that the House has passed the following bill:

House File No. 32, a bill for an act transferring the issuing of hunting, fishing, and dog licenses to the County Treasurer.

Also, that the House has passed the following bill:

House File No. 80, a bill for an act providing for the manufacture of alcohol for industrial and non-beverage purposes, by persons, firms and corporations who have qualified, etc. LLOYD ELLIS, *Chief Clerk*.

HOUSE AMENDMENT TO SENATE FILE NO. 23

Amend Senate File No. 23 by adding to section six the following:

Provided, however, that in the serving of notices in civil cases the sheriff shall be allowed mileage at the rate of five cents per mile in each action wherein such notices are served, and, he shall refuse to serve original notices and subpoenas in civil cases until the statutory fees and mileage for service have been paid. At the end of each quarter he shall make a report thereof and shall pay to the county clerk all fees so collected except mileage which shall be retained by him.

HOUSE MESSAGES CONSIDERED

House File No. 80, a bill for an act to amend section nineteen hundred twenty-four (1924) of the Code of 1931, to provide for the manufacture of alcohol for industrial and non-beverage purposes, by persons, firms and corporations who have qualified as provided by laws of the United States and the State of Iowa.

Read first and second times and passed on file.

House File No. 32, a bill for an act to amend sections seventeen hundred twenty-two (1722), seventeen hundred twenty-four (1724), seventeen hundred twenty-four-c one (1724-c1), seventeen hundred twenty-five (1725), seventeen hundred twenty-six (1726), seventeen hundred twenty-nine (1729), fifty-four hundred twenty-

two (5422), fifty-four hundred twenty-four (5424), fifty-four hundred twenty-six (5426), fifty-four hundred twenty-nine (5429), fifty-four hundred thirty (5430), fifty-four hundred thirty-one (5431), fifty-four hundred thirty-three (5433), fifty-four hundred thirty-four (5434), fifty-four hundred thirty-four-b one (5434-b1), fifty-four hundred forty (5440), fifty-four hundred forty-one (5441), fifty-four hundred forty-three (5443), fifty-four hundred forty-four (5444), fifty-four hundred forty-five (5445), code of 1931, to transfer the issuing of hunting, fishing and dog licenses to the office of the County Treasurer.

Read first and second times and referred to committee on fish and game.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate File No. 17, and Senate Joint Resolution No. 6.

HOMER HUSH, *Chairman Senate Committee.*

WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File No. 17, and Senate Joint Resolution No. 6.

BILLS SENT TO THE GOVERNOR

Senator Hush from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully report they have on this 27th day of January, 1933, sent to the governor for his approval, Senate Joint Resolution No. 6.

HOMER HUSH, *Chairman.*

Passed on file.

On motion of Senator Wilson the Senate went into executive session.

The Senate arose from executive session and resumed regular session.

MR. PRESIDENT: Your committee appointed to determine the standing and qualifications of the candidates for committee clerks begs leave to report that it has made investigations and examinations and finds the following persons competent for the positions to which they have been appointed. Assignments have been made as follows:

SENATE COMMITTEE CLERKS FORTY-FIFTH
GENERAL ASSEMBLY

Aschenbrenner, Yvonne—Senator Aschenbrenner.

Bales, Mary—Secretary of the Senate.

Bedwell, Eleanor—Senator Myers.

Bland, Loyat—Senator Hill.

Bolton, Eloise—Senator Mullaney.

Boswell, Hazel—Senator Stanley.

Burrows, Madeline—Senator Kimberly.

Campbell, Lea—Senator Hicklin.

Carden, Thelma—Senator Carden.

Cessna, Vivian—Senator Nelson.

Crawford, Frances—Senator Pendray.

Dennery, Helen—Senator Byers.

Dowell, Gladys—Senator Topping.

Duncan, Hertha—Lieutenant Governor.

Edwards, Gwen—Senator Chrystal.

French, Betty—Senator Moore.

Golwitzer, Ruth—Senator Reese.

Gross, Hazel—Senator Klemme.

Huckelberry, Elsie M.—Senator Beardsley.

Hamlin, Areda L.—Senator Calhoun.

Harper, Della—Senator Wenner.

Hughes, Farrie—Senator Judd.

Joyce, Helen—Senator Patterson.

Kenning, Mabel—Senator Ritchie.

Lang, Ione—Senator Booth.

Leonard, Maxine—Senator Hush.

Malm, Emma C.—Senator Fisch.

Mathis, N. Margaret—Senator Schmidt.

Myli, Katinka—Senator Elthon.

Maulsby, Lois—Senator Hopkins.

Meyer, Paul L.—Senator Meyer.

Neidt, Cleona—Senator Husted.

Nichols, Ruth—Senator Roy E. Stevens.

Nicholson, Martha—Senator F. M. Stevens.

O'Boyle, Adeline—Senator Harrington.

O'Connor, Katherine—Senator Anderson.

Owen, Helen—Senator White.

Pendergraft, Phyllis—Senator Irwin.

Phelps, Dorothy—Senator Beatty.

Porter, Kathleen—Senator McArthur.

Preston, Esther L.—Senator H. D. Miller.

Robertson, Maud—Senator Shangle.
 Ryan, Dorothy—Senator W. Miller.
 Sagar, Arlene—Senator Knudson.
 Seablom, Maxine—Senator Coykendall.
 Sheehan, Ray R.—Senator Cooney.
 Tincher, Jack E.—Senator Valentine.
 Ward, Mary—Senator Wilson.
 Wittenmeyer, Dorothy—Senator Bennett.
 Wickless, Jennie—Senator Frailey.

EDW. J. WENNER, *Chairman*.
 MIKE G. FISCH.
 I. H. KNUDSON.

APPOINTMENT OF MEMBERS OF SPECIAL COMMITTEE

The President named Senators Roelofs, Hill and Stevens of Decatur to act as a special committee under the provisions of House Concurrent Resolution No. 6.

The Journal of January 26th was corrected and approved.

EXPLANATION OF VOTE

My reasons for opposing Senate Joint Resolution No. 2:

In the discussion on the floor of the Senate upon this resolution, it was clearly brought out and admitted that one of the purposes of it was to employ the so-called Brookings Institution to assist in making a study of our State and Local government in view of making recommendations thereon.

It was also admitted that the Rockefeller Foundation was to supply fully half the funds to compensate this Brookings Institution.

Personally, I have no objections to the state of Iowa employing the Brookings Institution or any other group of accountants or experts to study our form of government but I question the policy of arranging for this kind of an investigation wherein those making the inquiry and recommendations will be under any financial obligation to any private interest.

I have no particular objection to outside interests financing an inquiry relating to health, etc., but in this resolution, it is clearly stated that the purpose is to order an inquiry into any division of government including the course of study in our "various school systems."

Obviously, it would be within the power and duty of this institution to recommend additions, eliminations and modifications of the courses of study in the educational system of Iowa for "economy's sake." To sanction an investigation of this kind financed in large part by the Rockefeller interests or any other private interests regardless of how altruistic they appear is in my judgment a questionable policy. It is my conviction that if we are going to employ any group of accountants or experts to guide us in any changes in our government, the people of Iowa should pay them in full.

G. W. PATTERSON.

AMENDMENT FILED

Amend Senate File No. 124 by making the following changes:

Amend the title in line four (4) by inserting after the figures "406" the following: "four hundred eight (408)".

Amend Section one (1) in line five (5) by inserting the words "or associations" after the word "corporation". Further amend said section by inserting after the figures "406" the following: "four hundred eight (408)".

WILLIAM CARDEN.

Senator Harrington moved to adjourn until 2:00 p. m. Monday.

Senator Hush moved to amend by making the time 10:00 a. m. Saturday morning.

Senator Bennett moved as a substitution to adjourn until 10:00 a. m. Monday.

The substitution was made, the motion prevailed, and the Senate adjourned until 10:00 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 30, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Mr. W. M. Parsons, of Des Moines, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Hicklin for the day on request of Senator Stevens of Wapello.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Approving prohibition. Senator Stanley, from residents of Taylor and Adams counties. Senator Carden, from residents of Henry county. Senator Hopkins, from residents of Dallas county. Senator Frailey, from residents of Lee county. Senator Shangle, from residents of Mahaska county. Senator Valentine, from the Ministerial Association of Appanoose county. Senator Stevens of Wapello, from citizens of Ottumwa, Iowa. Senator Bennett, from residents of Harrison and Crawford counties, and from the Women's Christian Temperance Union, Keota, Iowa. Judiciary No. 1.

Opposing the passage of the bill to abolish all high schools with an enrollment of thirty-five or less. Senator Valentine, from the Appanoose County Schoolmaster's Club. Public schools.

Relating to the collection of motor vehicle license fees. Senator Carden, from citizens of New London, Iowa. Motor vehicles.

Opposing repeal of the law giving a rebate on all gasoline used on the farm for tractors. Senator Fisch, from the members of Henry Township Community Club of Plymouth county. Judiciary No. 1.

Approving the manufacture of commercial alcohol from corn to be used as fuel. Senator Hopkins, from residents of Iowa. Judiciary No. 1.

Relating to the truck laws of Iowa. Senator Bennett, from railway employees. Aircraft, transportation and railroads.

Favoring the placing of a special tax on the so-called "chain stores" doing business in the state. Senator Roelofs, from citizens of Orange City, Iowa. Manufacturing, commerce and trade.

INTRODUCTION OF BILLS

Senate File No. 160, by committee on judiciary No. 1, a bill for an act to amend section ninety-two hundred ninety-two (9292) of the Code, 1931, relating to the appointment of successor, trustees or appointees.

Read first and second times and placed on the calendar.

Senate File No. 161, by Senator Pendray, a bill for an act to amend section thirty-eight hundred seventy-six (3876), code 1931, relating to teacher's certificates.

Read first and second times and referred to committee on public schools.

Senate File No. 162, by Senators Myers and Valentine, a bill for an act to obtain a written opinion of the Justices of the Supreme Court of the State of Iowa, on important Constitutional questions, by written request of the Governor of the State of Iowa, or by a Resolution of the Senate or House of Representatives of the General Assembly of the State of Iowa.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 163, by Senator Hill, a bill for an act to prohibit the direct or indirect abandonment of railway stations without an authorizing order of the board of railroad commissioners and to fix and determine the procedure before said board in said matter.

Read first and second times and referred to committee on aircraft transportation and railroads.

Senator Cooney submitted the following report:

REPORTS OF COMMITTEES

MR. PRESIDENT: Your committee on judiciary No. 2, to which was referred House File No. 115, a bill for an act to legalize the acts of county auditors in issuing the warrants representing expenditures for the benefit of persons entitled to receive help from public funds and validating indebtedness heretofore incurred by counties for the benefit of such persons,

begs leave to report it has had the same under consideration and recommends the same do pass.

M. D. COONEY, *Chairman*.

Ordered passed on file.

Senator Stevens of Wapello submitted the following report:

MR. PRESIDENT: Your committee on reduction of public expenditures, to which was referred Senate File No. 49, a bill for an act to amend sections forty-two hundred sixteen-c one (4216-c1), forty-two hundred sixteen-c twenty-four (4216-c24), forty-one hundred twenty-five (4125), forty-two hundred sixteen-c four (4216-c4), forty-two hundred sixteen-c twenty-five (4216-c25), code 1931, and to repeal section forty-two hundred sixteen-c thirty-five (4216-c35), code 1931, all relating to school elections, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Section one (1), paragraph three (3) by striking the word "annually" from line five (5) and substituting therefor the word "biennially".

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

MR. PRESIDENT: A joint meeting of the committee on rules of the Senate and the House was held a 1:30 p. m. on January 27th, 1933, at which time it was recommended that the joint rules of the Senate and House of the Forty-third General Assembly be adopted for the joint rules of the Forty-fifth General Assembly.

MATT D. COONEY,
For the Senate.

LA MAR P. FOSTER,
For the House.

Upon the request of Senator Cooney unanimous consent was granted to consider the report. The report was adopted.

STATE OF NEBRASKA

SENATE CHAMBER—FORTY-NINTH SESSION

SECRETARY OF THE SENATE,
State Capitol Building,
Des Moines, Iowa.

Lincoln, January 26, 1933.

Dear Sir:

Enclosed is a copy of a resolution introduced by the Senate of the State of Nebraska and adopted in the forty-ninth session assembled. It is the intention of this honorable Body to enter into a reciprocal agreement with neighboring states so that people living near the border will be entitled to truck their own products to markets in these adjoining states without being forced to purchase additional licenses in the neighboring states.

The Senate of Nebraska is anxious to know if the governing body of your state will enter into such a reciprocal agreement.

Yours very truly,

HOMER H. GRUENTHER,
Secretary of Senate.

HHG:RS—Enc. 1.

RESOLUTION

LICENSE FEES

Introduced by Senators Green and Sanden

Whereas, bordering states have been forcing the farmers of Nebraska to carry license plates in those states as well as Nebraska, and

Whereas, this practice has forced the farmers to pay in excess of one hundred dollars (\$100) per annum license fee, and

Whereas, such charges thus duplicated and triplicated creates a burden too heavy for our citizens to meet, and

Whereas, it should be the intention of all laws to permit the producer to haul his own products to a natural market without let, hindrance or additional license; now therefore

Be It Resolved, that we enter into a legislative agreement with and between states bordering or within trade radius of Nebraska recognizing the residence license of border states as sufficient license for the operation of such trucks across the border and from farm to natural market except in cases of purely commercial trucking, and

Be It Further Resolved, that a copy of these Resolutions be mailed to the Governor and Senate of Minnesota, Iowa, Missouri, Kansas, Wyoming and South Dakota.

Introduced January 24, 1933.

Adopted January 24, 1933.

Referred to committee on motor vehicles.

Upon the request of Senator Valentine, unanimous consent was granted to consider Calendar No. 7, Senate Joint Resolution No. 5, as it was a companion bill to Calendar No. 2, Senate File No. 12.

THIRD READING OF BILLS

On motion of Senator Valentine Senate Joint Resolution No. 5, a joint resolution proposing an amendment to article three (III) of the Constitution of the State of Iowa by repealing section thirty-three (33) relating to the state census.

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

That the constitution of Iowa be amended as follows:

Section 1. Amend article three (III) by repealing section thirty-three (33) and abolish the state census.

Sec. 2. Be it further resolved that the foregoing proposed amendment be, and the same is hereby, referred to the General Assembly to be chosen at the next general election and that the secretary of state cause the same to be published as provided by law, a committee bill, was taken up and considered.

Senator Shangle offered the following amendment and moved its adoption:

Amend section 1, line 2, by striking out the words "and abolish the state census".

Senator Beatty moved to defer action and have the joint resolution retain its place on the calendar. The motion was lost.

Senator Calhoun offered the following substitute amendment and moved its adoption:

Amend section 1, line 2, by striking the words "and abolish" and substituting in lieu thereof the words "relating to".

The substitution was made and the amendment as substituted was adopted.

A JOINT RESOLUTION

Proposing an amendment to article three (III) of the Constitution of the State of Iowa by repealing section thirty-three (33) relating to the state census.

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

That the constitution of Iowa be amended as follows:

Section 1. Amend article three (III) by repealing section thirty-three (33) relating to the state census.

Sec. 2. Be it further resolved that the foregoing proposed amendment be, and the same is hereby, referred to the General Assembly to be chosen at the next general election and that the secretary of state cause the same to be published as provided by law.

The joint resolution was read for information.

Senator Valentine moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the joint resolution pass?" the vote was:

Ayes, 46.

Anderson	Fisch	McArthur	Ritchie
Aschenbrenner	Frailey	Meyer	Roelofs
Beardsley	Geske	Miller of	Shangle
Beatty	Harrington	Buchanan	Stanley
Bennett	Hill	Miller of Jones	Stevens of
Booth	Hopkins	Moore	Decatur
Byers	Hush	Mullaney	Stevens of
Calhoun	Husted	Myers	Wapello
Carden	Irwin	Nelson	Topping
Chrystal	Kimberly	Patterson	Valentine
Cooney	Klemme	Pendray	Wenner
Coykendall	Knudson	Reese	White
Elthon			

Nays, none.

Absent or not voting, 3.

Hicklin

Schmidt

Wilson

The joint resolution having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Valentine moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 84, a bill for an act to repeal chapter 205, code 1931, to repeal sec. 4280, 4281, 4282, code 1931, and to amend sec. 4275, code 1931, all relating to County High Schools.

Also, that the House has concurred in the Senate amendments to House File No. 54, a bill for an act relating to the calling of the jury panel.

LLOYD ELLIS, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File No. 84, a bill for an act to repeal chapter two hundred five (205), code 1931; to repeal sections forty-two hundred eighty (4280), forty-two hundred eighty-one (4281), and forty-two hundred eighty-two (4282), code 1931; and to amend section forty-two hundred seventy-five (4275), code 1931, all relating to county high schools.

Read first and second time and referred to committee on educational institutions.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor stating that on January 20, 1933, he had approved Senate Joint Resolution No. 4, ratifying a proposed amendment to the Constitution, and Senate File No. 111, extending the right of superintendent of banking.

Also, that on January 25, 1933, he had approved Senate File No. 7, relating to mandatory levies for secondary road maintenance and construction.

Also, that on January 27, 1933, he had approved Senate Joint Resolution No. 6, fixing the compensation of officers and employees of the Forty-fifth General Assembly.

Senator Hill submitted the following:

SENATE CONCURRENT RESOLUTION NO. 13

Whereas, the Senate is advised of a meeting of the Pioneer Lawmakers' Association of Iowa to be held in the Historical Building, Des Moines, on February 15, 1933, and of their custom of calling formally on the General Assembly, therefore

Be It Resolved by the Senate, the House concurring, that the General Assembly meet in joint session in the House Chamber Wednesday, February 15, 1933, at 2 P. M., and that the Pioneer Lawmakers be invited to present a formal address at that time. LAFE HILL.

Passed on file.

AMENDMENTS FILED

Amend Senate File 160 by adding thereto the following:

Sec. 2. This act, being deemed of immediate importance, shall be in effect from and after its publication, without expense to the State, in the Davenport Democrat, a newspaper published at Davenport, Iowa, and the Evening Democrat, a newspaper published at Fort Madison, Iowa.

J. R. FRAILEY.

Amend Senate File 144 as follows: Amend the title in lines two and four by striking out the figures: "1927" and substituting the figures: "1931". Also by striking out the figures: "1927" in line two of Section one and substituting the figures: "1931". MATT D. COONEY.

On motion of Senator Geske the Senate went into executive session.

EXECUTIVE SESSION

The Senate confirmed the appointment of Hon. D. W. Bates, as superintendent of banking for the term of four years, beginning July 1, 1933.

The Senate arose from executive session and resumed regular session.

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

JOURNAL OF THE SENATE

SENATE CHAMBER.

DES MOINES, IOWA, JANUARY 31, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Wallace Essingham, rector of St. Luke's Episcopal Church of Des Moines.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Approving prohibition. Senator Topping, from residents of Des Moines county. Senator Chrystal, from residents of Greene county and Early, Iowa. Senator Klemme, from residents of Howard county. Senator Nelson, from residents of Story county. Senator Hush, from residents of Montgomery county. Senator Aschenbrenner, from residents of Marion county. Senator Knudson, from residents of Hamilton county. Senator Bennett, from residents of Crawford county. Senator Reese, from residents of Iowa. Senator Valentine, from residents of Appanoose county. Judiciary No. 1.

Opposing changes in the present pension law governing firemen and policemen. Senator Nelson, from citizens of Boone, Iowa. Senator Reese, from citizens of Marshalltown, Iowa. Senator Wenner, from citizens of Waterloo, Iowa. Senator Byers, from citizens of Cedar Rapids, Iowa. Reduction of public expenditures.

Relating to the collection of motor vehicle license fees. Senator Hopkins, from citizens of Perry, Iowa. Senator Carden, from citizens of Crawfordsville, Iowa. Senator Stevens of Wapello, from citizens of Eldon, Iowa. Motor vehicles.

Favoring repeal of the five day marriage law. Senator Beardsley, from members of the First Christian Church, Osceola, Iowa. Judiciary No. 1.

Opposing the passage of the bill to abolish all high schools with

an enrollment of thirty-five or less. Senator Miller of Buchanan, from residents of the Aurora Independent School District. Senator Elthon, from residents of the Otranto Consolidated School District. Public schools.

Opposing Senate File No. 140. Senator Hopkins, from residents of Guthrie county. Public schools.

Opposing bill No. 4 proposed by the interim committee. Senator Calhoun, from members of the Keosauqua Board of Education, Keosauqua, Iowa. Emergency legislation.

Opposing passage of the bills relating to rural schools. Senator Nelson, from residents of Story county. Public schools.

INTRODUCTION OF BILLS

Senate File No. 164, by Senator Coykendall, a bill for an act relating to road poll taxes, and providing that the payment thereof may be in cash or labor, and further providing for the collection and expenditure of such tax and the supervision of such labor; and to amend Sections forty-six hundred forty-four-c fifty-eight (4644-c58), forty-six hundred forty-four-c sixty (4644-c60), forty-six hundred forty-four-c sixty-one (4644-c61) and forty-six hundred forty-four-c sixty-four (4644-c64) of the Code, 1931.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 165, by Senator Reese, a bill for an act to amend Section fifty three hundred thirteen (5313) of the Code of 1931, relating to persons asking for relief.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 166, by Senator Hill, a bill for an act to clarify and harmonize the law with reference to school elections; to amend sections forty-one hundred twenty-nine (4129), forty-one hundred thirty (4130), forty-one hundred forty-one (4141), forty-one hundred forty-two (4142), forty-one hundred fifty (4150), forty-one hundred fifty-one (4151), forty-one hundred fifty-three (4153), forty-one hundred seventy-one (4171), forty-one hundred seventy-eight (4178), forty-two hundred sixteen c-one (4216-c1), forty-two hundred sixteen c-two (4216-c2), forty-two hundred sixteen c-twenty-four (4216-c24), forty-two hundred sixteen c-twenty-nine (4216-c29), forty-two hundred sixteen c-thirty (4216-c30), forty-

two hundred seventeen (4217), forty-two hundred eighteen (4218), forty-two hundred nineteen (4219), forty-two hundred twenty-three a-two (4223-a2), forty-two hundred twenty-three b-one (4223-b1), forty-two hundred twenty-eight (4228), forty-three hundred eight (4308), forty-three hundred fifteen (5315), forty-three hundred fifty-four (4354), forty-three hundred seventy-three (4373), forty-three hundred ninety (4390), forty-three hundred ninety-four (4394), forty-four hundred one (4401), forty-four hundred six (4406), forty-four hundred fifty-three (4453), forty-four hundred fifty-six (4456), forty-four hundred fifty-seven (4457), forty-four hundred sixty-four (4464), forty-four hundred sixty-five (4465), code 1931; and to repeal sections forty-two hundred sixteen c-thirty-five (4216-c35) and forty-three hundred eleven (4311), code 1931.

Read first and second times and referred to committee on elections.

Senate File No. 167, by committee on emergency legislation, a bill for an act to increase the amount of statutory exemptions from execution for resident farmers or the heads of families.

Read first and second times and placed on the calendar.

Senate File No. 168, by Senator Bennett, a bill for an act to authorize the court or any judge thereof before whom any guardianship is pending to require anyone suspected of having knowledge of or control over any property of the guardianship to appear for examination and to provide for the enforcement of orders in connection therewith.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 169, by Senator Ritchie, a bill for an act to repeal sections fifty hundred ninety-three-a eight (5093-a8) and fifty hundred ninety-three-a ten (5093-a10) and to amend section fifty hundred ninety-three-a five (5093-a5), all of the Code, 1931, relating to the refund of license fees on motor vehicle fuel destroyed, used or otherwise disposed of within the State of Iowa.

Read first and second times and referred to committee on agriculture.

SENATE CONCURRENT RESOLUTION NO. 13 CONSIDERED

Senator Hill moved to adopt the resolution as found on page 189 of the Senate Journal. The report was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution No. 10, relating to the printing of committee books.

Also, that the House has concurred in the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution No. 12, inviting the Honorable Henry A. Wallace to address a joint session of the Senate and House January 31, 1933, at 2 P. M.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 29, a bill for an act relating to the county budget and providing penalty for violation thereof.

Also, that the House has passed the following bill:

Senate File No. 107, a bill for an act relating to the appointment and tenure of office of members of the State Board of Assessment and Review.

Also, that the House has concurred in the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution No. 11 relating to a joint convention of both Houses of the Legislature to hear Mr. Lewis Johnson, national commander of the American Legion, and to appoint a committee to welcome him to the Joint Session.

Also, that the House has passed the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution No. 8 requesting a Joint Convention of both Houses of the 45th General Assembly February 13th, 2 P. M., commemorating the anniversary of the birth of Abraham Lincoln.

LLOYD ELLIS, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION NO. 8

Resolved by the House, the Senate concurring, that a joint convention of both houses of the Forty-fifth General Assembly be held in the House Chamber Monday afternoon, February 13, at 2:00 P. M., in commemoration of the anniversary of the birth of our martyred president, Abraham Lincoln.

Be It Further Resolved, that Mr. B. F. Shambaugh of the State Historical Society at Iowa City be invited to deliver the address upon this occasion and that the president of the Senate and the speaker of the House appoint a committee of four, two from each body, to arrange an appropriate program for this occasion.

HOUSE MESSAGE CONSIDERED

House File No. 29, a bill for an act to repeal section fifty-two hundred sixty-c ten (5260-c10), code 1931, and enact a substitute

therefor, and to amend section fifty-two hundred sixty-c eleven (5260-c11), code 1931, relating to the county budget and providing penalty for violation thereof.

Read first and second times and referred to committee on reduction of public expenditures.

HOUSE AMENDMENTS CONSIDERED

Senator Stevens of Wapello called up for consideration Senate File No. 26, amended by the House, and moved that the Senate concur in the following amendments:

Amend section one (1) line one (1) by inserting after the word "of" the words "the state or"; also amend line three (3) by inserting after the word "by" the words "the state or".

On the question "Shall the Senate concur?" the vote was:

Ayes, 46.

Anderson	Fisch	McArthur	Ritchie
Aschenbrenner	Frailey	Meyer	Roelofs
Beardsley	Geske	Miller of	Schmidt
Beatty	Hicklin	Buchanan	Shangle
Bennett	Hill	Miller of Jones	Stanley
Booth	Hopkins	Moore	Stevens of
Byers	Hush	Mullaney	Decatur
Calhoun	Husted	Myers	Stevens of
Carden	Irwin	Nelson	Wapello
Chrystal	Kimberly	Patterson	Valentine
Cooney	Klemme	Pendray	Wenner
Coykendall	Knudson	Reese	White
Elthon			

Nays, none.

Absent or not voting, 3.

Harrington	Topping	Wilson
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The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Stevens of Wapello called up for consideration Senate File No. 23, amended by the House, and moved that the Senate concur in the following amendments:

Amend by adding to section six the following:

Provided, however, that in the serving of notices in civil cases the sheriff shall be allowed mileage at the rate of five cents per mile in each action wherein such notices are served, and, he shall refuse to serve original notices and subpoenas in civil cases until the statutory fees and mileage for service have been paid. At the end of each quarter he shall make a report thereof and shall pay to the county clerk all fees so collected except mileage which shall be retained by him.

Upon the request of Senator Wilson unanimous consent was granted to defer action until tomorrow.

**SPECIAL ORDER OF REPORT OF RULES COMMITTEE
CONSIDERED**

That the rules of the Forty-third General Assembly be adopted with the following exceptions: "Amend Rule Thirty-five (35) by striking out the words and figures: "Twenty-five (25)" in line six (6), and substituting therefor the words and figures, "Fifteen (15)".

Strike out all of Rule Forty-one (41) and rewrite as follows: "Admission to the floor of the Senate Chamber shall be granted by the door-keeper to the governor and his private secretary, members of the House of Representatives, the state officers and their deputies, judges of the several courts, ex-members of the legislature, ex-state officers, uniformed soldiers and sailors of the United States army and navy, and the regular reporters of the Senate and clerks of committees, and the members of the immediate family of the senators. And no other person shall be permitted, by members or otherwise, to come upon the floor of the Senate or into the cloak rooms during its sessions. Any person violating this rule shall be summarily dismissed by the Senate."

Strike out all of Rule Forty-nine (49) and substitute therefor, Rule Fifty (50) of the Forty-fourth General Assembly.

Also that an additional rule be added:

Rule 50. Election contests shall be decided in executive session, and the contestants shall be excluded from said executive session. The Senate shall have the right to call the contestants, or any other person or persons before said session.

Senator Beatty offered the following amendment to the report of the rules committee and moved its adoption:

Amend by striking the second paragraph of the report.

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 33.

Anderson	Chrystal	Irwin	Nelson
Aschenbrenner	Coykendall	Kimberly	Reese
Beardsley	Elthon	Klemme	Roelofs
Beatty	Fisch	McArthur	Schmidt
Bennett	Frailey	Meyer	Topping
Booth	Geske	Miller of	Valentine
Byers	Hill	Buchanan	Wenner
Calhoun	Hopkins	Miller of Jones	Wilson
Carden	Husted		

Nays, 15.

Cooney	Moore	Pendray	Stevens of
Hicklin	Mullaney	Ritchie	Decatur
Hush	Myers	Shangle	Stevens of
Knudson	Patterson	Stanley	Wapello
			White

Absent or not voting, 1.

Harrington

The amendment was adopted.

The report of the committee on rules as amended was adopted.

Upon the request of Senator Wilson, unanimous consent was granted to consider Calendar No. 9, Senate File No. 145.

THIRD READING OF BILLS

On motion of Senator Wilson Senate File No. 145, a bill for an act to legalize license fees levied or imposed under the provisions of Chapter Six (6) of the Acts of the Forty-first (41) General Assembly and amendments thereto, and Chapter One Hundred Three (103) of the Acts of the Forty-second (42) General Assembly and Amendments thereto, on gasoline or other motor vehicle fuel used or otherwise disposed of in the State of Iowa, for the purpose of providing funds for the improvement of public highways and to re-imburse the counties for expenditures made by them under the direction of the Highway Commission for bridges, culverts and right of way; and to legalize all license fees so levied, imposed and collected by the Treasurer of the State of Iowa, under the provisions of said statutes; and to legalize the duty imposed on all persons, firms, or corporations using or otherwise disposing of said motor vehicle fuel to pay said license fees to the Treasurer of the State of Iowa, a committee bill was taken up and considered.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 48.

Anderson	Fisch	Meyer	Schmidt
Aschenbrenner	Frailey	Miller of	Shangle
Beardsley	Geske	Buchanan	Stanley
Beatty	Hicklin	Miller of Jones	Stevens of
Bennett	Hill	Moore	Decatur
Booth	Hopkins	Mullaney	Stevens of
Byers	Hush	Myers	Wapello
Calhoun	Husted	Nelson	Topping
Carden	Irwin	Patterson	Valentine
Chrystal	Kimberly	Pendray	Wenner
Cooney	Klemme	Reese	White
Coykendall	Knudson	Ritchie	Wilson
Elthon	McArthur	Roelofs	

Nays, none.

Absent or not voting, 1.

Harrington

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

Senator Wilson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILE NO. 104 WITHDRAWN

Upon the request of Senator Coykendall, unanimous consent was granted to withdraw Senate File No. 104, relating to poll tax.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled House Files Nos. 20, 42, and 54.

HOMER HUSH, *Chairman Senate Committee.*

WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 20, 42, and 54.

BILLS SENT TO THE GOVERNOR

Senator Hush from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 31st day of January, 1933, sent to the governor for his approval, Senate File No. 31.

HOMER HUSH, *Chairman.*

Passed on file.

Senator Wilson moved that the Senate resolve itself into a committee of the whole. The motion prevailed.

The Senate resumed regular session.

Upon the request of Senator Wilson, unanimous consent was granted to suspend the rules and that when the bill, by the emergency legislation committee, under consideration in the committee of a whole, is read the first and second times, it need not go to

the committee on appropriations but be placed on the calendar and be made a special order for 10:30 a. m. Wednesday.

On motion of Senator Geske the Senate recessed until the fall of the gavel.

The Senate reconvened at the fall of the gavel.

Upon the request of Senator Geske unanimous consent was granted to return to introduction of bills.

INTRODUCTION OF BILLS

Senate File No. 170, by committee on emergency legislation, a bill for an act prescribing the procedure necessary for the beginning of foreclosure of a mortgage or deed of trust on real estate.

Read first and second times and placed on the file.

Senate File No. 171, by committee on emergency legislation, a bill for an act to amend Chapter 525, Code of 1931, relating to foreclosure of real estate mortgages, by providing for the priority of liens on the rents and profits or income derived from real estate as provided in said mortgage; and defining the duty of a receiver as to leasing in such foreclosure; and defining his duty as to the application of rents and profits or income, and repealing of inconsistent Acts, and providing that it shall not affect pending litigation.

Read first and second times and placed on the calendar.

SENATE FILE NO. 170 MADE SPECIAL ORDER

On motion of Senator Geske Senate File No. 170 was made a special order for 10:30 a. m. tomorrow.

REPORT OF COMMITTEE

Senator Cooney submitted the following report:

MR. PRESIDENT: Your committee on Judiciary No. 2 to which was referred Senate File No. 94, a bill for an act to increase the amount of statutory exemptions from execution for resident farmers who are the heads of families, begs leave to report it has had the same under consideration and returns the bill without recommendation.

M. D. COONEY, *Chairman.*

Ordered passed on file.

The Journals of January 27th and 30th were corrected and approved.

On motion of Senator Nelson the Senate adjourned until 10:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 1, 1933.

The Senate met in regular session, President N. G. Kraschel, presiding.

Prayer was offered by Rev. A. R. Weed, pastor of West Star and Worthington Churches of Winterset, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Schmidt for the day on request of Senator Wenner.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Favoring the placing of a special tax on the so-called "chain stores" doing business in the state. Senator Meyer, from citizens of Parkersburg, Iowa. Manufacturing, commerce and trade.

Approving prohibition. Senator Shangle, from residents of Mahaska county. Senator Anderson, from residents of Webster county. Senator Reese, from residents of Marshall county. Senator Klemme, from residents of Howard and Mitchell counties. Senator Stevens of Decatur, from residents of Decatur county. Senator McArthur, from residents of Cerro Gordo county. Senator Moore, from residents of Pottawattamie county. Senator Aschenbrenner, from residents of Marion county. Senator Nelson, from residents of Boone county. Senator Calhoun, from residents of Van Buren county. Judiciary No. 1.

Favoring modification of the liquor laws. Senator Schmidt, from citizens of North Liberty, Iowa. Senator Kimberly, from members of the Fraternal Order of Eagles, Davenport Aerie No. 235, and from the East Davenport Turner Society. Judiciary No. 1.

Opposing the passage of Senate File No. 140. Senator Hopkins, from residents of Guthrie county. Public schools.

Relating to the proposed changes in the fish and game laws of Iowa. Senator Kimberly, from the Walcott Game Preserve, Walcott, Iowa, and the Scott County Sportsmen's Association. Fish and game.

INTRODUCTION OF BILLS

Senate File No. 172, by Senator Roelofs, a bill for an act to provide a plan for the relief of poor and unemployed people; to provide for the adoption of a plan of payment with "Stamp-Money" by counties, and to declare the duties and liabilities of counties adopting said plan and to fix the rights and liabilities under said plan.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 173, by Senator Hopkins, a bill for an act to repeal section seven hundred forty-nine (749) to and including section seven hundred sixty (760) of the Code of Iowa, 1931, relating to official ballots, and to enact and substitute therefor; and to amend section seven hundred seventy-five (775) of the Code, 1931.

Read first and second times and referred to committee on elections.

Senate File No. 174, by Senator Knudson, a bill for an act to amend section seven hundred sixty (760), to repeal section eight hundred nine (809) and to enact a substitute therefor, and to repeal sections eight hundred eleven (811) to eight hundred fifteen (815), inclusive, all of the Code, 1931, and all relating to the form of the ballot and to the marking and counting of the same, at general elections.

Read first and second times and referred to committee on elections.

Senate File No. 175, by Senator Nelson, a bill for an act to amend the law as it appears in section 5065 of the code of Iowa, 1931, relating to the maximum weight and load of motor vehicles and combinations and the maximum load of trailers.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 176, by Senator Husted, a bill for an act providing that an order suspending a public officer from the exercise of his office shall automatically suspend the payment of all official salary or compensation to said officer, and fixing the conditions under which said suspended salary or compensation shall be withheld from, or paid to, such officer.

Read first and second times and referred to committee on departmental affairs.

Senate File No. 177, by Senator Topping, a bill for an act subjecting to statutory regulation all prison made goods produced by convict labor outside the State of Iowa but afterwards brought into the State of Iowa.

Read first and second times and referred to committee on manufacturing, commerce and trade.

Senate File No. 178, by Senator Valentine, a bill for an act to amend the law as the same appears in Sections 1479, 1480 and 1481, Chapter 72 of the Code, relating to Workmen's Compensation.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 179, by Senator Valentine, a bill for an act to amend the law as the same appears in line fifteen (15), Section 1479 of the Code, relating to Workmen's Compensation.

Read first and second times and referred to committee on judiciary No. 1.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 89, a bill for an act to amend section 7279, Code, 1931, pertaining to notice of expiration of right of redemption from tax sale.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 74, a bill for an act to repeal section ten thousand four hundred twenty-nine-d one (10429-d1), code 1931, with reference to the withholding of marriage licenses.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 45, a bill for an act relating to an examination of financial transactions of school districts.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 193, a bill for an act authorizing the governor of the state of Iowa to appoint an Iowa Arbitration Board, prescribing its duties, etc., etc.

Also, that the House has adopted the report of the joint committee created by House Concurrent Resolution No. 6.

LLOYD ELLIS, *Chief Clerk.*

COMMITTEE REPORT ON HOUSE CONCURRENT
RESOLUTION NO. 6

MR. SPEAKER: The Joint Committee on House Concurrent Resolution No. 6 beg leave to submit the following report:

Due to the present economic condition and the financial condition of our state treasury we are not recommending the sending of any delegates to the American Legislators Association Conference in Washington February 3rd and 4th. We do, however, recommend sending the following resolution to that honorable body:

The American Legislators Association,
Honorable Henry W. Toll, Director,
Shoreman Hotel, Washington, D. C.

Honorable Sirs:

Whereas, we realize the increasing difficulty for our different tax levying bodies to obtain enough revenue, and

Whereas, we appreciate the tendency on the part of all tax levying bodies to utilize every possible source of revenue particularly those most easily collected thereby placing an unjust burden on certain commodities and individuals, and

Whereas, we realize the added expense of several boards collecting the same type of tax and the added labor and worry for the taxpayer in making out several reports, and

Whereas, we believe the plan of the American Legislators Association to co-ordinate taxation is a step in the right direction,

Now, therefore, be it resolved, that we recommend specifying certain tax fields for each tax levying body so far as possible and the co-ordination of boards where overlapping is necessary and we will endorse action with that end in view where the rights and needs of the several tax levying bodies have been given due consideration.

Respectfully submitted,

GARRITT E. ROELOFS
FRANK M. STEVENS
LAFE HILL

On the part of the Senate.

O. J. GRAU
OVE T. ROE
JOHN F. BRADY
A. H. BONNSTETTER

On the part of the House.

Passed on file.

HOUSE MESSAGES CONSIDERED

House File No. 89, a bill for an act to amend section seventy-two hundred seventy-nine (7279) and to repeal section seventy-two hundred eighty (7280) and to enact a substitute therefor, all of

the Code, 1931, pertaining to notice of expiration of right of redemption from tax sale and the manner of service thereof.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 74, a bill for an act to repeal section ten thousand four hundred twenty-nine-d one (10429-d1), code 1931, with reference to the withholding of marriage licenses.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 45, a bill for an act to amend section one hundred twenty-four (124), code 1931, relating to an examination of the financial transactions of school districts.

Read first and second times and referred to committee on reduction of public expenditures.

House File No. 193, a bill for an emergency act authorizing the governor of the State of Iowa to appoint an Iowa Arbitration Board; prescribing its duties; providing for a county arbitration board, and prescribing its duties and powers; all relative to the arbitration of matters arising between holders of real estate mortgages or deeds of trust and owners of such real estate, and mortgagors, and between vendor and vendee in real estate contracts; providing for restrictions on the rights of holders of real estate mortgages to commence action thereon; providing for suspension of proceedings in real estate mortgage foreclosure action; and providing for termination of said emergency.

Read first and second times and passed on file.

BILLS SENT TO THE GOVERNOR

Senator Hush from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 1st day of February, 1933, sent to the governor for his approval, Senate File No. 17. HOMER HUSH, *Chairman.*

Passed on file.

THIRD READING OF BILLS

The time having arrived for consideration of the special order, on motion of Senator Geske Senate File No. 170, a bill for an act prescribing the procedure necessary for the beginning of fore-

closure of a mortgage or deed of trust on real estate, a committee bill, was taken up and considered.

Senator Geske moved to substitute House File No. 193 for Senate File No. 170.

Senator Beardsley moved the previous question on the motion and the main bill.

Senator Geske asked unanimous consent to withdraw his motion to substitute.

Senator Beatty offered an amendment.

Senator Beardsley raised the point of order that he had moved the previous question on the main bill. The President held the point of order well taken.

Upon the request of Senator Beardsley, unanimous consent was granted to withdraw his motion for the previous question.

Senator Beatty offered the following amendment and moved its adoption:

Amend by adding after section 6 as section 7, the following and by renumbering the remaining sections accordingly:

Sec. 7. When an action is commenced in the District Court for the foreclosure of a real estate mortgage or deed of trust, the owner of the real estate affected by such mortgage or trust deed may file in said cause an application tendering the custody of said real estate to the Court and asking that the owner be permitted to remain in possession of the real estate.

If the Court finds the owner to be a suitable party to have possession and use of such property and one who will properly care for and utilize the same, the Court may, upon such application, continue the cause and may postpone the sale of the property upon execution to any day prior to March 1, 1935. The Court shall retain the custody of the property until the date of such sale for the benefit of all parties interested therein and may allow the owner to remain in possession thereof upon condition of the owner properly caring for and using such property and accounting for and paying into Court the reasonable rental value of such property, to be determined by the Court, which sums, when paid, shall be applied under direction of the Court to the payment of the court costs incurred in holding said property in custody, to the payment of taxes, cost of insurance and maintenance and upkeep of the property, and the balance shall be applied upon the interest and principal of the mortgage or liens upon said property according to their priority.

In its discretion, the Court may make change or modify its orders in relation to said property and at any time the Court deems advisable may allow said cause to proceed to trial and permit the property to be sold upon execution as now by law provided.

During the time the property is held in the custody of the Court, any parties desiring to assert rights, claims or liens against said property shall do so by petition of intervention filed in said cause.

Senator Wilson offered the following amendment to the amendment and moved its adoption:

Amend by inserting in line 12 after the word "sale" the following:

" , but if the mortgage contains a receivership clause the court may, in its discretion, retain custody of the property until redemption is made or sheriff's deed has issued,".

The amendment to the amendment was adopted.

Roll call was demanded on the Beatty amendment as amended.

On the question, "Shall the amendment as amended be adopted?" the vote was:

Ayes, 48.

Anderson	Fisch	McArthur	Roelofs
Aschenbrenner	Frailey	Meyer	Shangle
Beardsley	Geske	Miller of	Stanley
Beatty	Harrington	Buchanan	Stevens of
Bennett	Hicklin	Miller of Jones	Decatur
Booth	Hill	Moore	Stevens of
Byers	Hopkins	Mullaney	Wapello
Calhoun	Hush	Myers	Topping
Carden	Husted	Nelson	Valentine
Chrystal	Irwin	Patterson	Wenner
Cooney	Kimberly	Pendray	White
Coykendall	Klemme	Reese	Wilson
Elthon	Knudson	Ritchie	

Nays, none.

Absent or not voting, 1.

Schmidt

The amendment as amended was adopted.

Senator Beatty offered the following amendment and moved its adoption:

Amend by adding after sec. 9, the following as sec. 10, and by renumbering sec. 10 as sec. 11.

Sec. 10. If any portion of this act is held unconstitutional or invalid by the courts, such decision shall not affect the remaining portion of this act.

The amendment was adopted.

Senator Wenner offered the following amendment and moved its adoption:

Amend by striking section six (6) and substituting in lieu thereof the following:

"Sec. 6. During the period prescribed in this act, but not after the dissolution of the Iowa Arbitration Committee, the District Court of the state of Iowa shall not have jurisdiction to entertain or hear a suit in equity or law for the foreclosure of real estate mortgages or deeds of trust, or on promissory notes or bonds secured by real estate mortgages or deeds of trust, unless and until the mortgagor and the holder of such mortgage or deed of trust have submitted their contention and their controversy to the County Arbitration Committee of the proper county, or has secured the written consent of the mortgagor so to do."

Senator Husted moved the previous question, which motion prevailed.

Roll call was demanded.

Senator Irwin raised the point of order that a division only could be asked for after the question was put. The President held the point of order well taken.

The amendment was lost.

Senator Roelofs offered the following amendment and moved its adoption:

Amend section 4 by inserting after the word "trust," in line 2 the words "or contract for the sale of real estate".

Upon the request of Senator Roelofs, unanimous consent was granted to withdraw his amendment.

Senator Moore offered the following amendment and moved its adoption:

Amend section 1 by striking out all of subsection (b) after the period in line 18.

The amendment was lost.

Senator Booth moved the previous question on the main bill and all pending amendments. The motion prevailed.

Upon the request of Senator Patterson, unanimous consent was granted to make two motions to prevent a parliamentary difficulty.

Senate Patterson moved to substitute House File No. 193 for Senate File No. 170, a companion bill. The motion prevailed.

Senator Patterson moved to amend House File No. 193 by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. The Governor of the State of Iowa is hereby authorized

and directed to appoint a committee of nine members, and to fill vacancies in such committee, one of whom shall be appointed from each congressional district, a majority of whom shall be real estate owners; the committee to be known as the Iowa Arbitration Committee, hereinafter referred to as the State Committee and to have the following duties and powers:

(a) To appoint a committee to be known as the County Arbitration Committee in counties where, in the judgment of the State Committee there is need for such, the county committee to consist of five members, a majority of whom shall be resident free-holders of said county, and to fill vacancies occurring in the membership of said county committees.

(b) The State Committee shall have general supervision over all county committees; shall have authority to require such committees to perform their duties; shall prescribe rules and regulations for the guidance of the county committees and for their own procedure. On the appeal of any person interested in the action of any county committee with respect to the foreclosure of a real estate mortgage or deed of trust or on its own motion, the State Committee may alter, amend, modify or set aside the order or orders of any county committee.

Sec. 2. Members of both the State and County Committees shall serve without compensation, but there is hereby appropriated out of the funds of the State Treasury not otherwise appropriated the sum of ten thousand dollars (\$10,000), or so much thereof as may be necessary for actual and necessary expenses of the State Committee, to be paid out of the State Treasury on vouchers approved by the State Committee or the Chairman or Secretary thereof and audited according to law.

Sec. 3. The hearings before either the State or County Committees shall be informal in nature, but each of said committees shall have power to administer oaths.

Sec. 4. Any holder of a real estate mortgage or deed of trust, proposing to foreclose his mortgage or deed of trust against the owner of real estate, prior to the commencement of foreclosure proceedings or such owner against whom a foreclosure is pending or contemplated, may apply to the County Arbitration Committee to arbitrate between such owner and holder of the real estate mortgage or deed of trust for the purpose of adjusting their rights, with the view of keeping such owner in the possession of his property on such terms as will be just and equitable. A copy of the recommendations, when made, shall be filed in the office of the clerk of the district court of the county. The County Arbitration Committee shall, within ten days, unless such time shall be extended by the Iowa Arbitration Committee, complete the investigation of any controversy submitted to it, and make its recommendation therein.

Sec. 5. If the County Arbitration Committee shall find that the owner or mortgagor has failed to comply with the recommendations of the committee, the committee shall revoke its former recommendations and consent in writing to the immediate foreclosure of the mortgage or deed of trust.

Sec. 6. In all suits hereafter brought while this act is in effect, to foreclose a mortgage or deed of trust on real estate, or on a note secured by such mortgage or deed of trust, prior to the filing of such petition

the holder of the mortgage shall file in the office of the Clerk of the District Court of the county in which such real estate is located an affidavit that the matter has been first submitted to the county arbitration committee, if one there be, or has consent of the mortgagor, or any person liable thereon.

Sec. 7. When an action is commenced in the District Court for the foreclosure of a real estate mortgage or deed of trust, the owner of the real estate affected by such mortgage or trust deed may file in said cause an application tendering the custody of said real estate to the Court and asking that the owner be permitted to remain in possession of the real estate.

If the Court finds the owner to be a suitable party to have possession and use of such property and one who will properly care for and utilize the same, the Court may, upon such application, continue the cause and may postpone the sale of the property upon execution to any day prior to March 1, 1935. The Court shall retain the custody of the property until the date of such sale, but if the mortgage contains a receivership clause the court may, in its discretion, retain custody of the property until redemption is made or sheriff's deed has issued, for the benefit of all parties interested therein and may allow the owner to remain in possession thereof upon condition of the owner properly caring for and using such property and accounting for and paying into Court the reasonable rental value of such property, to be determined by the court, which sums, when paid, shall be applied under direction of the Court to the payment of the court costs incurred in holding said property in custody, to the payment of taxes, cost of insurance and maintenance and upkeep of the property, and the balance shall be applied upon the interest and principal of the mortgage or liens upon said property according to their priority. In its discretion, the Court may make change or modify its orders in relation to said property and at any time the Court deems advisable may allow said cause to proceed to trial and permit the property to be sold upon execution as now by law provided.

During the time the property is held in the custody of the Court, any parties desiring to assert rights, claims or liens against said property shall do so by petition of intervention filed in said cause.

Sec. 8. The committees herein provided for, being appointed to meet an emergency, shall continue until March 1, 1935, when they shall stand dissolved; provided that, if the Governor of the State of Iowa finds that the need of such committees no longer exists, he shall dissolve the same by proclamation.

Sec. 9. The parties to the arbitration shall have the right to enter into an agreement to be bound by the recommendations of the County Arbitration Committee, either before or after such recommendations have been made, and such agreements when made shall be binding upon the parties.

Sec. 10. If any portion of this act is held unconstitutional or invalid by the courts, such decision shall not affect the remaining portion of this act.

Sec. 11. This act being brought forth to meet an emergency and being deemed of immediate importance shall be in full force and effect after its passage and publication in the Daily Freeman Journal, a newspaper

published at Webster City, Iowa, and in the Creston Advertiser, a newspaper published at Creston, Iowa.

The amendment was adopted.

The bill was read for information.

Senator Geske moved that Rule No. 17, by which no bill may be read the second and third times the same day, be suspended and that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 48.

Anderson	Fisch	McArthur	Roelofs
Aschenbrenner	Frailey	Meyer	Shangle
Beardsley	Geske	Miller of	Stanley
Beatty	Harrington	Buchanan	Stevens of
Bennett	Hicklin	Miller of Jones	Decatur
Booth	Hill	Moore	Stevens of
Byers	Hopkins	Mullaney	Wapello
Calhoun	Hush	Myers	Topping
Carden	Husted	Nelson	Valentine
Chrystal	Irwin	Patterson	Wenner
Cooney	Kimberly	Pendray	White
Coykendall	Klemme	Reese	Wilson
Elthon	Knudson	Ritchie	

Nays, none.

Absent or not voting, 1.

Schmidt

The bill having received a constitutional majority was declared to have passed the Senate.

Upon the request of Senator Wilson, unanimous consent was granted to amend the title to read as follows:

A bill for an act authorizing the Governor of the State of Iowa to appoint an Iowa Arbitration Committee, and prescribing its duties, providing for a County Arbitration Committee and prescribing its powers and duties, relative to the arbitration of certain matters arising between holders of real estate mortgages or deeds of trust and owners of such real estate; providing for restriction on the rights of holders of real estate mortgages to commence action thereon, or notes secured thereby; providing for custody of real estate by the court during foreclosure and redemption therefrom; providing for the suspension of proceeding in real estate foreclosure actions, making an appropriation to carry out the provisions of this act; and providing for the termination of this Act.

Senator Geske moved that the vote by which the bill passed the Senate, be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILE NO. 171 MADE SPECIAL ORDER

Upon the request of Senator Stanley, unanimous consent was granted to have Senate File No. 171 made a special order for 10:30 a. m. Thursday.

EXTRA COPIES HOUSE FILE NO. 193 ORDERED PRINTED

Upon the request of Senator Byers, unanimous consent was granted to have 1200 extra copies of House File No. 193, as passed by the Senate, printed immediately.

On motion of Senator Ritchie the Senate recessed until 2:00 p. m. today.

AFTERNOON SESSION

The Senate met at the fall of the gavel.

The Journal of January 31st was corrected and approved.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 2, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. Vitus Stoll, Chancellor of Roman Catholic Diocese of Des Moines, of the Mercy Hospital.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Favoring the placing of a special tax on the so-called "chain stores" doing business in the state. Senator Reese, from residents of Marshall county. Senator Schmidt, from residents of Iowa and Johnson counties. Senator Myers, from residents of Jasper county. Senator Irwin, from citizens of Clinton, Iowa. Senator Patterson, from citizens of Peterson, Iowa. Manufacturing, commerce and trade.

Approving prohibition. Senator Wilson, from members of the First Friends Church. Senator Calhoun, from residents of Van Buren county. Senator Knudson, from residents of Wright county, and from the Bethesda Luther League of Jewell, Iowa. Senator Patterson, from residents of Kossuth county. Senator Frailey, from residents of Lee county. Senator Pendray, from residents of Jackson county. Senator Elthon, from residents of Winnebago county.

Relating to the collection of motor vehicle license fees. Senator Topping, from citizens of Burlington, Iowa. Motor vehicles.

Opposing the passage of Senate File No. 51. Senator Pendray, from residents of Jackson county. Public schools.

Opposing bill No. 4 proposed by the interim committee, and Senate File No. 82. Senator Wenner, from the Lafayette P. T. A., Waterloo, Iowa. Public schools, and emergency legislation.

Opposing repeal of the five day marriage law. Senator Wenner, from the Waterloo Woman's Club, Waterloo, Iowa. Senator Schmidt from residents of Johnson county. Judiciary No. 1.

Opposing the bill to prohibit inquiry by school officials into the religious affiliation of applicants for teaching positions. Senator Pendra, from members of the Andrew Ladies' Literary Association and W. C. T. U. Senator Stevens of Wapello, from citizens of Ottumwa, Iowa. Senator Husted, from residents of Adair county. Public schools.

Relating to railroad laws. Senator Reese, from citizens of Lamaille, Iowa. Aircraft, transportation and railroads.

Favoring a gross sales tax. Senator Myers, from citizens of Mingo, Iowa. Emergency legislation.

Protesting House Files Nos. 87 and 94. Senator Schmidt, from residents of Iowa county. Agriculture.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate Files Nos. 26 and 107.

HOMER HUSH, *Chairman Senate Committee.*

WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 26 and 107.

INTRODUCTION OF BILLS

Senate File No. 180, by Senator Harrington, a bill for an act to repeal sections two thousand twenty-three (2023), two thousand twenty-three-a1 (2023-a1) and two thousand twenty-three-a2 (2023-a2), Code of 1931, relating to the taxation of costs and attorney fees in actions and proceedings under the statutes relating to intoxicating liquors and to the commission of fines imposed and collected under such statutes.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 181, by Senator Harrington, by request, a bill for an act to amend section eleven thousand six hundred ninety-three (11693) of the code, 1931, pertaining to the appointment of receivers.

Read first and second times and referred to committee on emergency legislation.

Senate File No. 182, by Senator Harrington, by request, a bill for an act to amend sections eleven thousand seven hundred forty-three (11743), eleven thousand seven hundred forty-four (11744), eleven thousand seven hundred seventy-four (11774), eleven thousand seven hundred seventy-six (11776), eleven thousand seven hundred eighty-six (11786), and eleven thousand seven hundred eighty-seven (11787), of the code, 1931, pertaining to the period of redemption in real estate foreclosures, and the issuance of the deed therefor.

Read first and second times and referred to committee on emergency legislation.

Senate File No. 183, by Senator Harrington, by request, a bill for an act to amend section twelve thousand three hundred seventy-six (12376) of the code, 1931, pertaining to the foreclosure of mortgages.

Read first and second times and referred to committee on emergency legislation.

Senate File No. 184, by Senator Harrington, by request, a bill for an act to tax that portion of judgments issued under section twelve thousand three hundred seventy-six (12376) of the code, 1931, which is in excess of the amount for which the mortgaged property was sold.

Read first and second times and referred to committee on emergency legislation.

Senate File No. 185, by Senator Harrington, by request, a bill for an act to amend section eleven thousand seven hundred forty-four (11744) of the code, 1931, pertaining to the taxing of a sheriff's deed.

Read first and second times and referred to committee on emergency legislation.

Senate File No. 186, by Senator Harrington, by request, a bill for an act to repeal section twelve thousand three hundred seventy-seven (12377) of the code, 1931, pertaining to general execution for balance of judgment.

Read first and second times and referred to committee on emergency legislation.

Senate File No. 187, by Senator Harrington, by request, a bill for an act to amend section ten thousand two hundred sixty-one (10261) of the code, 1931, and to repeal section ten thousand two hundred sixty-five (10265) of the code, 1931, both sections pertaining to landlords' liens.

Read first and second times and referred to committee on emergency legislation.

Senate File No. 188, by Senator Harrington, by request, a bill for an act to amend section twelve thousand three hundred seventy-six (12376) of the code, 1931, pertaining to the taxing of judgments.

Read first and second times and referred to committee on emergency legislation.

Senate File No. 189, by Senator Irwin, a bill for an act to amend section seventy-four hundred twenty-d one (7420-d1), Code, 1931, relating to deposits of clerks and bailiffs of municipal courts.

Read first and second times and referred to committee on cities and towns.

Senate File No. 190, by Senator Wilson, a bill for an act to amend sections fifty-nine hundred and seventy-five (5975), fifty-nine hundred and seventy-eight (5978), six thousand and two (6002), six thousand and three (6003), six thousand and twenty-four (6024), six thousand and twenty-six (6026), and six thousand and thirty-two (6032), of the 1931 Code of Iowa, relating to the improvement of streets by oiling and graveling and the assessment of the cost thereof.

Read first and second times and referred to committee on cities and towns.

Senate File No. 191, by Senator Wilson, a bill for an act to amend sections fifty-six hundred ninety-seven (5697), fifty-six hundred ninety-eight (5698), fifty seven hundred two (5702), fifty-seven hundred four (5704), and fifty-seven hundred twelve (5712), and to repeal section fifty-seven hundred seven (5707) of the

Code and to enact a substitute therefor; all of said sections relating to civil service.

Read first and second times and referred to committee on cities and towns.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution No. 13, inviting the Pioneer Lawmakers to make formal address February 15, 1933, at 2 P. M.

Also, that the House has adopted the report of joint committee on rules, adopting the joint rules of the Senate and House of the 43rd General Assembly.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 122, a bill for an act relating to compensation of deputy county superintendent.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 2, a bill for an act combining assessment books and tax lists.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 63, a bill for an act relating to witness fees for peace officers.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 58, a bill for an act relating to removal from office.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 6, a bill for an act relating to the local budget law.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 69, a bill for an act reducing the amount of penalty to be paid in redemption of property from tax sale.

LLOYD ELLIS, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 122, a bill for an act to repeal Section Five Thousand Two Hundred and Thirty-four (5234) Code of 1931, and enact a substitute therefor relating to compensation of deputy county superintendent or clerk for county superintendent.

Read first and second times and referred to committee on county and township affairs.

House File No. 2, a bill for an act to amend section seventy-one

hundred fifteen (7115), section seventy-one hundred nineteen (7119); and section seventy-one hundred twenty-three (7123) and to repeal section seventy-one hundred twenty-four (7124), code 1931, combining the assessment book and tax list in one record.

Read first and second times and referred to committee on reduction of public expenditures.

House File No. 63, a bill for an act to amend section eleven thousand three hundred twenty-eight (11,328), code 1931, relating to witness fees for peace officers and other public officials.

Read first and second times and referred to committee on reduction of public expenditures.

House File No. 58, a bill for an act to amend chapter fifty-six (56), code 1931, relating to removal from office.

Read first and second times and referred to committee on reduction of public expenditures.

House File No. 6, a bill for an act to amend sections three hundred seventy-five (375) and three hundred eighty-one (381), code, 1931, relating to the local budget law, and to repeal section seventy-one hundred sixty-five (7165), Code, 1931.

Read first and second times and referred to committee on reduction of public expenditures.

House File No. 69, a bill for an act to amend section seventy-two hundred fourteen (7214) and section seventy-two hundred seventy-two (7272), code 1931, reducing the amount of penalty to be paid on delinquent taxes and redemption of property from tax sale.

Read first and second times and referred to committee on reduction of public expenditures.

REPORT OF COMMITTEE

Senator Anderson submitted the following report:

MR. PRESIDENT: Your committee on departmental affairs to which was referred Senate File No. 122, a bill for an act to amend sections eighteen hundred fifty-four (1854), eighteen hundred fifty-five (1855), eighteen hundred sixty-four (1864), eighteen hundred sixty-nine-b one (1869-b-1), and eighteen hundred seventy-five (1875), Code, 1931, and to repeal section eighteen hundred seventy-six (1876), Code, 1931, and enacting a substitute therefor; relating to the duties of the secretary of the Board of Engineering Examiners providing for the regulation, licensing and practice of professional engineers and land surveyors and penalty

for the violation thereof, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend section one (1), line three (3) by striking out the word and figure "five (5)" and substituting in lieu thereof the word and figure "four (4)".

PAUL H. ANDERSON, *Chairman*.

Ordered passed on file.

HOUSE CONCURRENT RESOLUTION NO. 8 CONSIDERED

Senator Schmidt called up for consideration House Concurrent Resolution No. 8 as found on page 193 of the Senate Journal, and moved its adoption. The resolution was unanimously adopted.

The President appointed as the committee from the Senate to act under the provisions of House Concurrent Resolution No. 8, Senators Schmidt and Miller of Buchanan.

COMMITTEE REPORT ON HOUSE CONCURRENT RESOLUTION NO. 6 CONSIDERED

Senator Roelofs called up for consideration the report of committee on House Concurrent Resolution No. 6, as found on page 202 of the Senate Journal, and moved its adoption. The report was adopted.

EXTRA COPIES OF SENATE FILES ORDERED PRINTED

Upon the request of Senator White, unanimous consent was granted to have 600 extra copies of Senate File No. 156 printed and 300 extra copies of Senate Files Nos. 156, 113, 121, 38, 80 and 89 printed.

Upon the request of Senator Nelson, unanimous consent was granted to have 600 extra copies of Senate File No. 125, relating to reduction of length of trucks on highways.

SENATE FILE NO. 74 WITHDRAWN

Upon the request of Senator Hush, unanimous consent was granted to withdraw Senate File No. 74, as a more adequate bill was in preparation relating to the same subject.

AMENDMENT TO SENATE FILE NO. 1 WITHDRAWN

Upon the request of Senator Reese, unanimous consent was

granted to withdraw his amendment to Senate File No. 1 as found on page 102 of the Senate Journal.

THIRD READING OF BILLS

The time having arrived for consideration of the special order, on motion of Senator Stanley, Senate File No. 171, a bill for an act to amend Chapter 525, Code of 1931, relating to foreclosure of real estate mortgages, by providing for the priority of liens on the rents and profits or income derived from real estate as provided in said mortgage; and defining the duty of a receiver as to leasing in such foreclosure; and defining his duty as to the application of rents and profits or income, and repealing of inconsistent Acts, and providing that it shall not affect pending litigation, a committee bill, was taken up and considered.

Senator Stanley offered the following amendment and moved its adoption:

Amend by striking section 1 of the bill and renumbering the following sections.

Upon the request of Senator Stanley, unanimous consent was granted to withdraw his amendment.

Upon the request of Senator Stanley unanimous consent was granted to withdraw from the committee on judiciary No. 1, Senate File No. 115 and substitute it for Senate File No. 171, on the calendar.

Senator Stanley offered the following amendment and moved its adoption:

Amend by striking section 1 and inserting in lieu thereof the following, and renumbering the remaining sections accordingly:

Section 1. In any action to foreclose a real estate mortgage where a receiver is appointed to take charge of real estate, preference, subject to the approval of the court, shall be given to the owner in actual possession, in leasing the mortgaged premises during the period of redemption, and the rents and profits or income derived from said real estate shall be applied as follows:

1. To the cost of receivership.
2. To the payment of taxes due or to become due.
3. To pay for insurance on buildings on the premises and for such other benefits to the real estate as may be ordered by the Court.
4. To real estate mortgages of record in order of their priority.

Sec. 2. All acts or parts of acts inconsistent with the foregoing provisions are hereby repealed.

Sec. 3. This act shall not affect pending litigation.

Senator Beatty offered the following amendment and moved its adoption:

Amend Section 1 by striking subsection 4 and inserting in lieu thereof the following:

"4. The balance shall be later distributed as the court may determine."

Action was deferred temporarily.

On motion of Senator Cooney the Senate recessed until 1:00 p. m. today.

AFTERNOON SESSION

The Senate reconvened at the fall of the gavel.

RESIGNATION OF COMMITTEE CLERK

TO THE SECRETARY OF THE SENATE: I hereby tender my resignation as committee clerk for Senator Roelofs, to take effect on February 1, 1933.

HENRIETTA ROELOFS.

COMMUNICATION FROM THE GOVERNOR

TO THE HONORABLE, THE MEMBERS OF THE SENATE OF THE FORTY-FIFTH GENERAL ASSEMBLY OF IOWA:

HONORABLE SIR: I return herewith, without my approval, Senate File Number Thirty-one (31), for the following reasons:

I believe it unwise in such a time of stress, to limit all Boards of Supervisors to the amount of One Dollar and Fifty Cents (\$1.50) per week per person, for fuel, housing, and clothing.

This is a maximum limitation, and in no wise compels Boards of Supervisors in all cases to expend the full amount.

I believe it a better policy to leave to the Board of Supervisors, the amount necessary in individual cases up to Two Dollars (\$2.00) per person, rather than arbitrarily to set the maximum at One Dollar and Fifty Cents (\$1.50), which in some cases may not be sufficient for the proper sustenance and care of the unfortunate.

It has been urged that this maximum of Two Dollars (\$2.00) was fixed at this amount during war times and war prices. I find, however, that this maximum limitation is fixed in the Code of 1873, Section 1361, (re-enacted in the Code of 1897, Section 2230) at Two Dollars (\$2.00), and in my judgment there is not a great difference in the cost of food-stuffs, rent, and clothing, between that time and this.

I regret that I feel it necessary to return this bill. I assure you of my earnest desire to cooperate in every move to reduce taxes, but I cannot feel that after full consideration your Honorable Body will disagree with me in believing that the utmost care must be exercised in applying economy measures to supplying necessities to the indigent.

Respectfully submitted this first day of February, 1933.

CLYDE L. HERRING, *Governor.*

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in the following joint resolution in which the concurrence of the House was asked:

Senate Joint Resolution No. 2, providing for a special joint committee to reorganize governmental commissions, departments, etc.

Also, that the House has refused to concur in Senate amendment to House File No. 193, a bill for an act authorizing Governor to appoint Iowa Boards.

LLOYD ELLIS, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator Stevens of Wapello Senate File No. 12, a bill for an act to repeal sections four hundred eight (408), four hundred nine (409), four hundred ten (410), four hundred eleven (411), four hundred twelve (412), four hundred thirteen (413), four hundred fourteen (414), four hundred fifteen (415), four hundred sixteen (416), four hundred seventeen (417), four hundred eighteen (418), four hundred nineteen (419), four hundred twenty (420), four hundred twenty-one (421), four hundred twenty-two (422), and four hundred twenty-three (423), code 1931, and to amend sections four hundred twenty-seven (427), and two hundred sixty-four (264), code 1931, to discontinue the taking of the state census, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Upon the request of Senator Stevens of Wapello, unanimous consent was granted to substitute House File No. 12 for Senate File No. 12, a companion bill.

House File No. 12, a bill for an act to repeal sections four hundred eight (408), four hundred nine (409), four hundred ten (410), four hundred eleven (411), four hundred twelve (412), four hundred thirteen (413), four hundred fourteen (414), four hundred fifteen (415), four hundred sixteen (416), four hundred seventeen (417), four hundred eighteen (418), four hundred nineteen (419), four hundred twenty (420), four hundred twenty-one (421), four hundred twenty-two (422), and four hundred twenty-three (423), code 1931, and to amend sections four hundred twenty-seven (427), and two hundred sixty-four (264), code 1931, relating to the taking of the state census.

The bill was read for information.

Senator Calhoun moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 45.

Aschenbrenner	Frailey	McArthur	Roelofs
Beardsley	Geske	Meyer	Schmidt
Beatty	Harrington	Miller of	Shangle
Bennett	Hicklin	Buchanan	Stanley
Booth	Hill	Miller of Jones	Stevens of
Calhoun	Hopkins	Moore	Decatur
Carden	Hush	Mullaney	Stevens of
Chrystal	Husted	Myers	Wapello
Cooney	Irwin	Patterson	Topping
Coykendall	Kimberly	Pendray	Valentine
Elthon	Klemme	Reese	Wenner
Fisch	Knudson	Ritchie	White

Nays, none.

Absent or not voting, 4.

Anderson	Byers	Nelson	Wilson
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Calhoun moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Upon the request of Senator Stevens of Wapello, unanimous consent was granted to withdraw Senate File No. 12.

CONSIDERATION OF SENATE FILE NO. 115 RESUMED

Senator Husted offered the following as a substitute amendment for all pending amendments and moved its adoption:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. Whenever any real estate is encumbered by two or more real estate mortgages which in addition to the lien upon the real estate grant to the mortgagee the right to subject the rents, profits, avails and/or income from said real estate to the payment of the debt secured by such mortgage, the priority of the respective mortgagees under the provisions of their mortgages affecting the rents, profits, avails and/or incomes from the said real estate shall, as between such mortgagees, be in the same order as the priority of the lien of their respective mortgages on the real estate.

Sec. 2. In any action to foreclose a real estate mortgage where a

receiver is appointed to take charge of the real estate preference shall be given to the owner in actual possession, subject to approval of the court, in leasing the mortgaged premises. The rents, profits, avails and/or income derived from said real estate shall be applied as follows:

1. to the cost of receivership.
2. to the payment of taxes due or becoming due during said receivership to the date of sale.
3. to pay the insurance on buildings on the premises and/or such other benefits to the real estate as may be ordered by the court.
4. to real estate mortgage liens of record in order of their priority as provided herein.

Sec. 3. So far as the provisions of this act may conflict with other acts or parts thereof the provisions of this act shall control.

Sec. 4. This act shall not affect pending litigation.

Sec. 5. This act being deemed of immediate importance shall be in full force and effect after its passage and publication in the Adair News, a newspaper published at Adair, Iowa, and in the Earlham Echo, a newspaper published at Earlham, Iowa.

The substitution was made.

Senator Beatty offered the following amendment to the amendment and moved its adoption:

Amend section 2 by striking sub-section 4 and inserting in lieu thereof the following:

· "4. The balance shall be paid and distributed as determined by the court."

The amendment to the amendment was adopted.

Senator Byers offered the following amendment to the amendment and moved its adoption:

Amend sec. 2 by striking from sub-section 2 the words "to the date of sale".

The amendment was adopted.

Senator Stevens of Wapello offered the following amendment to the amendment and moved its adoption:

Amend by adding after Sec. 4 the following and renumbering the remaining sections accordingly:

"Sec. 5. This act shall become null and void on and after March 1, 1935."

The amendment was lost.

The Husted substituted amendment as amended was adopted.

The bill was read for information.

Senator Stanley moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 45.

Anderson	Frailey	Meyer	Schmidt
Aschenbrenner	Geske	Miller of	Shangle
Beardsley	Harrington	Buchanan	Stanley
Bennett	Hicklin	Miller of Jones	Stevens of
Booth	Hill	Moore	Decatur
Byers	Hopkins	Mullaney	Stevens of
Calhoun	Husted	Myers	Wapello
Carden	Irwin	Patterson	Topping
Cooney	Kimberly	Pendray	Valentine
Coykendall	Klemme	Reese	Wenner
Elthon	Knudson	Ritchie	White
Fisch	McArthur	Roelofs	Wilson

Nays, 2.

Chrystal Hush

Absent or not voting, 2.

Nelson Beatty

The bill having received a constitutional majority was declared to have passed the Senate.

Upon the request of Senator Husted the title was amended by striking the title and substituting in lieu thereof the following:

A bill for an act relating to foreclosure of real estate mortgages; providing for the priority of liens on the rents, profits, avails and/or income derived from real estate as provided in said mortgage; defining the duty of a receiver as to leasing in such foreclosure; defining his duty as to the application of rents, profits, avails and/or income; repealing inconsistent Acts and providing that it shall not affect pending litigation.

Senator Husted moved that the vote by which the bill passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SENATE INSISTS ON AMENDMENTS TO HOUSE FILE NO. 193

Senator Geske moved that the Senate insist on its amendments to House File No. 193 and that the President appoint a conference committee to act on the part of the Senate.

On the question, "Shall the motion to insist prevail?" the vote was:

Ayes, 46.

Anderson	Frailey	Miller of	Schmidt
Aschenbrenner	Geske	Buchanan	Shangle
Beardsley	Harrington	Miller of Jones	Stanley
Beatty	Hicklin	Moore	Stevens of
Bennett	Hill	Mullaney	Decatur
Booth	Hopkins	Myers	Stevens of
Byers	Husted	Nelson	Wapello
Calhoun	Irwin	Patterson	Topping
Carden	Kimberly	Pendray	Valentine
Chrystal	Klemme	Reese	Wenner
Cooney	McArthur	Ritchie	White
Coykendall	Meyer	Roelofs	Wilson
Elthon			

Nays, none.

Absent or not voting, 3.

Fisch	Hush	Knudson
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The motion to insist on the Senate amendments prevailed.

CONFERENCE COMMITTEE ON HOUSE FILE NO. 193

The President appointed as conference committee on the part of the Senate, on House File No. 193, Senators Geske, Wilson, Booth and Valentine.

SENATE FILE NO. 80 MADE SPECIAL ORDER

Upon the request of Senator Anderson, unanimous consent was granted to make Senate File No. 80 special order for 10:30 a. m., Friday.

The Journal of February 1st was corrected and approved.

AMENDMENT FILED

Amend House File No. 80 by adding thereto immediately following the word "manufactured" in line three (3) of paragraph one (1) of Section one (1) the words "from Iowa products". **MIKE G. FISCH.**

Senator White moved to adjourn until 9:00 a. m. tomorrow.

Senator Topping moved to amend by making the time 10:00 a. m.

Roll call was demanded.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 30.

Anderson	Cooney	Kimberly	Stevens of
Aschenbrenner	Elthon	Klemme	Decatur
Beatty	Fisch	Meyer	Stevens of
Bennett	Frailey	Miller of Jones	Wapello
Booth	Geske	Moore	Topping
Byers	Hicklin	Ritchie	Valentine
Calhoun	Hill	Schmidt	Wenner
Carden	Irwin	Stanley	Wilson

Nays, 17.

Beardsley	Knudson	Myers	Reese
Coykendall	McArthur	Nelson	Roelofs
Hopkins	Miller of	Patterson	Shangle
Hush	Buchanan	Pendray	White
Husted	Mullaney		

Absent or not voting, 2.

Chrystal	Harrington
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The amendment was adopted, the motion prevailed and the Senate adjourned until 10:00 a. m. tomorrow.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 3, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. Lloyd Ellis, of Chariton, Iowa.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Favoring the placing of a special tax on the so-called "chain stores" doing business in the state. Senator Beardsley, from citizens of Osceola, Iowa. Senator Anderson, from citizens of Jolley, Iowa. Senator Ritchie, from citizens of Linn Grove, Iowa. Senator Roelofs, from citizens of Boyden, Iowa. Senator Fisch, from citizens of Larrabee, Iowa. Senator Stanley, from citizens of Sharpsburg, Iowa. Manufacturing, commerce and trade.

Approving prohibition. Senator McArthur, from residents of Franklin county. Senator Pendray, from residents of Jackson county. Senator Myers, from the Center Friends Community of Jasper county. Senator Chrystal, from residents of Sac and Carroll counties. Senator Meyer, from residents of Bremer and Butler counties. Senator Calhoun, from residents of Van Buren county. Senator Hopkins, from residents of Dallas county. Senator Carden, from residents of Henry county. Senator Roelofs, from residents of Lyon county. Senator Bennett, from residents of Monona county, and the Woman's Christian Temperance Union of Woodbine, Iowa. Senator Beardsley, from residents of Clarke county. Judiciary No. 1.

Favoring repeal of the deficiency judgment law. Senator Hicklin, from citizens of Letts, Iowa. Emergency legislation.

Approving the present Iowa cow testing law. Senator Fisch, from the Plymouth County Farm Bureau. Agriculture.

Favoring a gross sale tax. Senator Myers, from citizens of Mingo, Iowa. Emergency legislation.

Opposing repeal of the five day marriage law. Senator Hicklin, from the Iowa Federation of Woman's Clubs of Morning Sun, Iowa. Judiciary No. 1.

INTRODUCTION OF BILLS

Senate File No. 192, by committee on public health, a bill for an act to amend the provisions of paragraph two (2), section twenty-five hundred seventy-five (2575), of the Code 1931, relating to those persons not engaged in the practice of optometry, and providing for the revocation of license of any licensed optometrist who shall practice or advertise as practicing his profession under a false name or as the agent or employee of an unlicensed person.

Read first and second times and placed on the calendar.

Senate File No. 193, by Senator Hicklin, a bill for an act to provide for the discontinuance of the Civil Service Commission of Cities and Towns, by submission of question to the voters at a general election; to provide for the appointment of officers and employees of Cities after the Civil Service Commission has been discontinued; and to provide for the reinstatement of the Civil Service Commission in Cities by submission to a vote of the electors after the same has been abandoned, and to make said act applicable to Cities under special charter, and under the commission form of government.

Read first and second times and referred to committee on cities and towns.

Senate File No. 194, by Senator Nelson, a bill for an act to provide for the reduction of grain crop acreage and for the eradication of noxious weeds, by fixing the taxable valuation of land removed from crop production for these purposes.

Read first and second times and referred to committee on agriculture.

Senate File No. 195, by Senators Hopkins and Carden, a bill for an act to provide for the certification and training of teachers in the public schools; to repeal sections thirty-eight hundred fifty-eight (3858), thirty-eight hundred fifty-nine (3859), and thirty-eight hundred sixty (3860), code 1931, relating to the board of

educational examiners and to enact a substitute therefor; to repeal sections thirty-eight hundred sixty-one (3861) to thirty-eight hundred ninety-one (3891) inclusive, sections thirty-eight hundred ninety-six (3896), and thirty-eight hundred ninety-seven (3897), code 1931, and to enact a substitute therefor, the repeal to be effective July 1, 1935; to repeal sections thirty-eight hundred ninety-two (3892) to thirty-eight hundred ninety-five (3895) inclusive, code 1931, relating to the revocation of certificates and to enact a substitute therefor; to repeal chapter one hundred ninety-four (194), code 1931, relating to normal training courses in high school and to enact a substitute therefor, the repeal to be effective August 1, 1934; to repeal section four thousand ninety-seven (4097), code 1931, relating to the qualifications of county superintendents and to enact a substitute therefor; and to amend section forty-two hundred sixty-six (4266), code 1931, relating to kindergartens.

Read first and second times and referred to committee on public schools.

Senate File No. 196, by Senator Wenner, a bill for an act supplemental to Chapter five hundred twenty-five (525) of the 1931 Code of Iowa, to regulate the foreclosure of mortgages and deeds of trust, and to extend the time for the appearance of the defendants in foreclosure actions, and to provide for the appointment of a conservator of the real estate involved during the pendency of the foreclosure actions.

Read first and second times and referred to committee on emergency legislation.

Senate File No. 197, by Senator McArthur, a bill for an act changing the boundary lines of school districts in certain cases.

Read first and second times and referred to committee on public schools.

REPORTS OF COMMITTEES

Senator Cooney submitted the following report:

MR. PRESIDENT: Your committee on Judiciary No. 2 to which was referred Senate File No. 91, a bill for an act to repeal sections twenty-five hundred twenty-three-c two (2523-c2) and twenty-nine hundred twenty-three-d one (2923-d1), Code, 1931, relating to appropriations of public funds, said appropriations being duplicated in the general biennial appropriation act, begs leave to report it has had the same under consideration and recommends the same do pass. M. D. COONEY, *Chairman*.

Ordered passed on file.

Senator Moore submitted the following report:

MR. PRESIDENT: Your committee on public health to which was referred Senate File No. 137, a bill for an act to amend section 2249, Code, 1931, relating to the report of quarantinable and placard diseases, begs leave to report it has had the same under consideration and recommends the same do pass.

M. MOORE, *Chairman.*

Ordered passed on file.

Senator Stevens of Wapello submitted the following report:

MR. PRESIDENT: Your committee on reduction of public expenditures to which was referred Senate File No. 36, a bill for an act to amend section 4322 relating to common school libraries, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking from line four (4) the comma “,” preceding the word “unless”.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on reduction of public expenditures to which was referred Senate File No. 37, a bill for an act to establish a uniform cost accounting and financial record system in all public schools, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking from Section 1 all of lines one (1), two (2), three (3) and from line four (4) the words “of all school districts,”; also, by capitalizing the word “the” in line four (4).

Amend by striking out all of section 3. (Publication clause).

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on reduction of public expenditures to which was referred Senate File No. 38, a bill for an act to abolish the office of school treasurer and to impose on the county treasurer the duties heretofore performed by the school treasurer, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Sec. 26 by striking from lines six (6) and seven (7) the words, “separate account of each fund with the county treasurer,”.

Amend by striking out section 46. (Publication clause).

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

EXTRA COPIES SENATE FILE NO. 88 ORDERED PRINTED

Upon the request of Senator Knudson, unanimous consent was granted to have 300 extra copies of Senate File No. 88 printed.

SENATE FILE NO. 149 WITHDRAWN

Upon the request of Senator Kimberly, unanimous consent was granted to withdraw Senate File No. 149, relating to registration fees on motor vehicles.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 113, a bill for an act relative to the time of filing objections to certificate of nomination or eligibility of a candidate, and to enact a substitute therefor.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 3, a bill for an act to amend section 6959, to provide for a listing and valuing of real estate every four years.

Also, that the Speaker has appointed as conference committee on the part of the House, on House File No. 193, Representatives Mitchell, Cunningham, Rice and Stiger.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 134, a bill for an act relating to the location of depositories of public funds.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 36, a bill for an act to amend section 4322, code 1931, relating to common school libraries. *LLOYD ELLIS, Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 134, a bill for an act to amend section seventy-four hundred twenty-d4 (7420-d4), Code, 1931, relating to the location of depositories of public funds.

Read first and second times and referred to committee on departmental affairs.

House File No. 36, a bill for an act to amend section forty-three hundred twenty-two (4322), code 1931, relating to common school libraries.

Read first and second times and referred to committee on reduction of public expenditures.

House File No. 3, a bill for an act to amend section sixty-nine hundred fifty-nine (6959), and seventy-one hundred twenty-nine

(7129), code 1931, to provide for a listing and valuing of real estate every four years.

Read first and second times and referred to committee on reduction of public expenditures.

House File No. 113, a bill for an act to repeal Section six hundred fifty-five a-four (655-a4), Code, 1931, relative to the time of filing objections to certificate of nomination or eligibility of a candidate, and to enact a substitute therefor.

Read first and second times and referred to committee on elections.

THIRD READING OF BILLS

The time having arrived for consideration of the special order, on motion of Senator Anderson Senate File No. 80, a bill for an act to amend section nineteen hundred twenty-four (1924) of the Code of 1931, to provide for the manufacture of alcohol for industrial and non-beverage purposes, by persons, firms and corporations who have qualified as provided by the laws of the United States and the State of Iowa, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Upon the request of Senator Anderson unanimous consent was granted to substitute House File No. 80, a companion bill, for Senate File No. 80.

The bill was read for information.

Senator Shangle offered the following amendment and moved its adoption:

Amend section 1 by striking from line 3 the word "from" and inserting in lieu thereof the word "at".

Upon the request of Senator Shangle, unanimous consent was granted to withdraw his amendment.

Senator Fisch offered the following amendment and moved its adoption:

Amend by adding thereto immediately following the word "manufactured" in line three (3) of paragraph one (1) of Section one (1) the words "from Iowa products".

Senator Cooney moved the previous question on the amendment, which motion prevailed.

Roll call was demanded.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 13.

Carden	Hush	Meyer	Ritchie
Elthon	Irwin	Pendray	Stanley
Fisch	Knudson	Reese	Wenner
Hill			

Nays, 36.

Anderson	Coykendall	Miller of	Shangle
Aschenbrenner	Frailey	Buchanan	Stevens of
Beardsley	Geske	Miller of Jones	Decatur
Beatty	Harrington	Moore	Stevens of
Bennett	Hicklin	Mullaney	Wapello
Booth	Hopkins	Myers	Topping
Byers	Husted	Nelson	Valentine
Calhoun	Kimberly	Patterson	White
Chrystal	Klemme	Roelofs	Wilson
Cooney	McArthur	Schmidt	

Absent or not voting, none.

The amendment was lost.

Senator Knudson offered the following amendment and moved its adoption:

Amend section 1 by striking from line 10 the word "may" and inserting in lieu thereof the word "shall"; also by inserting after the word "denatured," in line 10 the words "and may be".

Senator Kimberly moved the previous question on the amendment, which motion prevailed.

Roll call was demanded.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 15.

Beardsley	Fisch	Husted	Ritchie
Calhoun	Hill	Knudson	Stanley
Carden	Hopkins	Myers	Wenner
Elthon	Hush	Pendray	

Nays, 34.

Anderson	Geske	Miller of	Schmidt
Aschenbrenner	Harrington	Buchanan	Shangle
Beatty	Hicklin	Miller of Jones	Stevens of
Bennett	Irwin	Moore	Decatur
Booth	Kimberly	Mullaney	Stevens of
Byers	Klemme	Nelson	Wapello
Chrystal	McArthur	Patterson	Topping
Cooney	Meyer	Reese	Valentine
Coykendall		Roelofs	White
Frailey			Wilson

Absent or not voting, none.

The amendment was lost.

Senator Anderson moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 43.

Anderson	Frailey	Meyer	Schmidt
Aschenbrenner	Geske	Miller of	Shangle
Beatty	Harrington	Buchanan	Stevens of
Bennett	Hicklin	Miller of Jones	Decatur
Booth	Hopkins	Moore	Stevens of
Byers	Hush	Mullaney	Wapello
Calhoun	Irwin	Nelson	Topping
Chrystal	Kimberly	Patterson	Valentine
Cooney	Klemme	Pendray	Wenner
Coykendall	Knudson	Reese	White
Elthon	McArthur	Ritchie	Wilson
Fisch		Roelofs	

Nays, 6.

Beardsley	Hill	Husted	Stanley
Carden		Myers	

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the Senate.

Upon the request of Senator Hush, the title was amended as follows:

Amend by striking all after the figures "1931," in line two (2) thereof and substituting therefor the following: "Relating to the manufacture, possession, denaturing, transportation, use and sale of alcohol by persons, firms or corporations who have qualified as provided by laws of the United States and the State of Iowa."

Senator Anderson moved that the vote by which the bill passed the Senate, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

BILLS SENT TO THE GOVERNOR

Senator Hush from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 3rd day of February, 1933, sent to the governor for his approval, Senate Files Nos. 107 and 26. HOMER HUSH, *Chairman*.

Passed on file.

On motion of Senator Fisch the Senate recessed until 2 p. m. today.

AFTERNOON SESSION

The Senate met at the fall of the gavel.

Senator Kimberly moved that when the Senate adjourns, it adjourn until 10:00 a. m. Monday.

Senator Klemme moved to amend by making the time 9:00 a. m. Saturday morning.

Senator Hicklin moved as a substitute that the Senate when it adjourns, adjourn until 9:58 a. m. Monday.

The Substitution was made, the motion as substituted prevailed and the Senate, when it adjourns, adjourns until 9:58 a. m. Monday.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Miller of Buchanan for the afternoon, on request of Senator Hush; Senator Carden for the afternoon, on request of Senator Stanley; Senators Valentine and Geske for the afternoon, on request of Senator Harrington.

Upon the request of Senator Myers, unanimous consent was granted to return to introduction of bills.

INTRODUCTION OF BILLS

Senate File No. 198, by Senator Myers, a bill for an act to amend section seventy-one hundred ninety-three-b one (7193-b1), Code, 1931, relating to the compromise of personal property taxes.

Read first and second times and referred to committee on ways and means.

Upon the request of Senator Wenner, unanimous consent was granted to defer action on Calendar No. 2, Senate File No. 109, and that it be placed at the foot of the calendar.

REPORT OF COMMITTEE ON COMMITTEE CLERKS

Senator Wenner called up for consideration the report of committee on committee clerks, as found on page 180 of the Senate Journal.

The report was adopted.

The committee on committee clerks has assigned Charles L. Beam as committee clerk for Senator Geske. EDW. J. WENNER, *Chairman.*

The report was adopted.

Senator Knudson moved to defer action on Calendar No. 3, Senate File No. 18, and allow it to retain its place on the calendar.

The motion was lost.

THIRD READING OF BILLS

On motion of Senator Hicklin Senate File No. 18, a bill for an act to repeal section three hundred ninety-seven-d one (397-d1), code 1931, with reference to the auditing of state institutions, was taken up, and considered, the report of the committee recommending passage having been adopted on page 158 of the Senate Journal.

The bill was read for information on page 158 of Senate Journal.

Senator Hicklin moved that the reading previously had be considered the third reading, which motion prevailed.

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

Ayes, 33.

Aschenbrenner	Fisch	McArthur	Stanley
Beardsley	Frailey	Meyer	Stevens of
Beatty	Hicklin	Moore	Decatur
Bennett	Hill	Nelson	Stevens of
Booth	Hopkins	Reese	Wapello
Calhoun	Husted	Ritchie	Topping
Chrystal	Irwin	Roelofs	Wenner
Coykendall	Kimberly	Schmidt	Wilson
Elthon	Klemme	Shangle	

Nays, 10.

Anderson	Hush	Mullaney	Pendray
Byers	Knudson	Myers	White
Harrington		Patterson	

Absent or not voting, 6.

Carden	Miller of	Geske	Valentine
Cooney	Buchanan	Miller of Jones	

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

Senator Hicklin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

President pro tempore Matt D. Cooney was called to the chair at 3:25 p. m.

Upon the request of Senator Irwin, unanimous consent was granted to return to reports of committees.

REPORT OF MOEN VS. ROELOFS CONTEST COMMITTEE

MR. PRESIDENT: Your committee appointed to consider and determine the contest of T. E. Moen filed against Garritt E. Roelofs, incumbent, begs

leave to report that it has had said contest under consideration and has determined upon the rights of the parties.

Your committee finds that Garritt E. Roelofs, the incumbent, received of all legal votes cast, a majority of forty-seven (47) votes over the contestant, T. E. Moen, and therefore recommends that said Garritt E. Roelofs be declared duly elected.

Your committee further recommends that the attorneys' fees, the fees of witnesses and the expense of shipping ballots to Des Moines and other expenses be allowed as per schedule hereto attached.

Your Committee finally recommends that the bills here endorsed be referred to the committee upon appropriations for consideration.

Dated February 3, 1933.

SCHEDULE OF BILLS, MOEN VS. ROELOFS

I. T. Meltzer, Attorney for Roelofs, Incumbent.....	\$ 550.00
G. C. Holliday, Attorney for Moen, Contestant.....	550.00
N. C. Rogers, County Auditor of Lyon County.....	77.62
F. W. Folkers, County Auditor of Osceola County.....	54.22
I. R. Isenberg, County Auditor of O'Brien County.....	56.60
M. J. Van Wyk, County Auditor of Sioux County.....	93.75
Harry Colburn, Referee, 8 days at \$4.00.....	32.00
Mrs. Carpenter, Clerk, 8 days at \$3.60.....	28.80
Will Wallace, Doorkeeper, 11 days at \$3.60.....	39.60
Rolland Fletcher, Doorkeeper, 11 days at \$3.60.....	39.60
Hotel Savery, Room rent, \$64.00, local calls, \$15.60, typewriter....	81.10
To Secretary of Senate for telegrams.....	2.84
To Secretary of Senate for long distance phone calls.....	7.20

\$1,613.33

H. L. IRWIN, *Chairman.*

CLAUDE STANLEY,

WM. S. BEARDSLEY,

WM. MCARTHUR,

JOHN K. VALENTINE,

Committee.

On motion of Senator Irwin the Senate went into executive session.

The Senate arose from executive session and resumed regular session.

Upon the request of Senator Irwin unanimous consent was granted to suspend the rules and consider the report.

Senator Irwin moved to adopt the committee report and that Garritt E. Roelofs be permanently seated as a member of the Senate, from the 49th district. The report was adopted.

On motion of Senator Frailey the Senate recessed until 11:00 a. m. tomorrow.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 4, 1933.

The Senate met at the fall of the gavel, President N. G. Kraschel presiding.

Upon the request of Senator Irwin unanimous consent was granted to return to introduction of bills.

INTRODUCTION OF BILLS

Senate File No. 199, by committee on judiciary No. 1, a bill for an act to repeal section nineteen hundred sixty-six (1966), Code, 1931, relating to intoxicating liquors.

Read first and second times and placed on the calendar.

Senate File No. 200, by committee on judiciary No. 1, a bill for an act to amend Section Eighty-eight hundred sixty-one (8861) of the Code of 1931 relating to consolidation, merger or reinsurance of fraternal beneficiary societies.

Read first and second times and placed on the calendar.

Senate File No. 201, by committee on judiciary No. 1, a bill for an act to legalize the consolidation and merger of The Homesteaders Life Association, a domestic fraternal beneficiary society, with the Golden West Life Insurance Association, a fraternal beneficiary society, organized under the laws of the State of California.

Read first and second times and placed on the calendar.

Senate File No. 202, by special committee, a bill for an act to make an appropriation for the expenses incurred in the general election contest of Moen vs. Roelofs.

Read first and second times and referred to committee on appropriations.

REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 193

MR. PRESIDENT AND MR. SPEAKER: Your joint committee of conference

appointed to confer in regard to House File No. 193 as amended and passed by the Senate begs leave to report that your committee has conferred and now reports that it has agreed as follows:

That House File No. 193 as amended and passed by the Senate should be amended by substituting for the Senate amendment the amendments attached to and made a part of this report and when so amended that the bill be approved.

M. X. GESKE, *Chairman*

CHAS. D. BOOTH

GEO. A. WILSON

JOHN K. VALENTINE

On the part of the Senate.

JOHN H. MITCHELL, *Chairman*

PAUL H. CUNNINGHAM

CARL B. STIGER

On the part of the House.

Substitute the following title:

An emergency act relating to the foreclosure of real estate mortgages and deeds of trust on real estate and to actions on notes secured by such mortgages or deeds of trust, providing for the continuance of such actions; providing for determination by the court of the rights of the holder of the mortgage, owner or owners of the real estate and persons liable on said mortgage, deed of trust or note or notes secured thereby to the possession of said real estate, and the rents, income and profits therefrom and in distribution thereof and the duties and obligations of said parties; providing for the termination of such continuance of the cause; and providing for the termination of this act.

Substitute the following for the Senate amendment:

Section 1. The governor of the state of Iowa having declared that an emergency now exists and the general assembly having determined that such emergency does exist, which is general throughout the state, and that the safety and future welfare of the state as a whole is endangered thereby, the general assembly acting under the power reserved by the people of Iowa, hereby enact the following:

Sec. 2. In all actions for the foreclosure of real estate mortgages or deeds of trust now pending in which decree has not been entered, and in all actions hereafter commenced for the foreclosure of real estate mortgages or deeds of trust, or on notes secured thereby, in any court of record in the state of Iowa, while this act is in effect, the court, upon the application of the owner or owners of such real estate or persons liable on said mortgages or deed of trust or notes secured thereby who are defendants in said cause and not in default for want of plea or appearance, shall, unless good cause is shown to the contrary, order such cause continued until March 1, 1935, or so long as this act is in effect, and upon such order or continuance the court shall take control of said real estate and shall make order or orders for possession of said real estate, determine fair rental terms and the application and distribution of the rents, income and profits of said real estate and make such provision for the preservation of said property as will be equitable and just during the continuance of said cause; provided, however, that the court shall, upon a substantial violation of its said order or orders, or for other good and sufficient cause, set aside said order or continuance

and the cause shall proceed to trial as by law now provided, the provisions of this act to the contrary notwithstanding.

Sec. 3. For the purpose of the administration of this act, the court may in all cases suggest and recommend conciliation.

Sec. 4. All acts and parts of acts in conflict with this act are suspended while this act is in effect.

Sec. 5. From and after the first day of March, 1935, this act shall cease to be in force.

Sec. 6. This act being brought forth to meet an emergency through the police power of the state and being deemed of immediate importance shall be in full force and effect after its passage and publication in the Fort Dodge Messenger, a newspaper published at Fort Dodge, Iowa, and the Sibley Gazette-Tribune, a newspaper published at Sibley, Iowa.

AMENDMENT FILED

Amend House File No. 63 by adding another section thereto, as follows:

Sec. 2. Amend section ten thousand six hundred seventy (10,670), code 1931, by changing the comma “,” in line ten (10) to a period “.” and striking out the remainder of said section.

Further amend by renumbering the following sections.

ROY E. STEVENS.

The Journals of February 2d and 3d were corrected and approved.

On motion of Senator Beardsley the Senate adjourned. The hour of convening having previously been set for 9:58 a. m., Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 6, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. Edwin L. Spiller, pastor of Simpson Methodist Episcopal Church of Des Moines.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Favoring the placing of a special tax on the so-called "chain stores" doing business in the state. Senator Valentine, from citizens of Moravia, Iowa, Manufacturing, commerce and trade.

Approving prohibition. Senator Moore, from residents of Pottawattamie county. Senator Beardsley, from residents of Clarke county. Senator Hush, from residents of Montgomery county. Senator Shangle, from residents of Mahaska county. Senator McArthur, from members of Cerro Gordo Rural W. C. T. U., and from residents of Cerro Gordo county. Senator Stevens of Decatur, from residents of Decatur county. Senator Patterson, from residents of Kossuth county. Senator Byers, from residents of Linn county. Judiciary No. 1.

Relating to the collection of motor vehicle license fees. Senator Moore, from citizens of Council Bluffs, Iowa. Motor vehicles.

Opposing the gas tax refund law. Senator Reese, from farmers of Marion township, Marshall county. Judiciary No. 1.

Opposing the reduction of license fees of itinerant vendors of drugs. Senator Hicklin, from druggists of Muscatine, Iowa. Public health.

Relating to the closing of railroad stations, to the trucking industry, and to pipe lines. Senator Elthon, from citizens of Rake, Iowa. Aircraft transportation and railroads.

Opposing the repeal of the five day marriage license law. Senator McArthur, from residents of Hancock county. Senator Byers, from members of the Altruria Club of Mt. Vernon, Iowa. Senator Patterson, from members of the Burt Woman's Club, Burt, Iowa. Judiciary No. 1.

Relating to school legislation. Senator Stevens of Decatur, from the Schoolmen's Club of Ringgold county. Public schools.

Opposing change of the present band tax law. Senator Hopkins, from citizens of Woodward, Iowa.

Opposing repeal of the tuberculin testing law. Senator Roelofs, from residents of O'Brien county. Senator Mullaney, from breed associations in Fayette county. Senator Wilson, from members of the Natural Milk Producers Association of Des Moines, Iowa. Senator Schmidt, from residents of Iowa and Johnson counties.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Harrington for the day on request of Senator Hicklin; Senator Ritchie for the day on request of Senator Knudson.

INTRODUCTION OF BILLS

Senate File No. 203, by committee on appropriations, a bill for an act making appropriation to defray the expense of the inaugural ceremonies.

Read first and second times and placed on the calendar.

Senate File No. 204, by Senator Knudson, a bill for an act to amend the law as it appears in section sixty-nine hundred forty-four (6944) of the code of 1931 relative to exemptions from taxation of the shares of capital stock of telegraph and telephone companies, freight line and equipment companies, transmission line companies as defined in section 7089, and express companies.

Read first and second times and referred to committee on ways and means.

Senate File No. 205, by Senator Husted, a bill for an act to require assessors to demand of parties assessed information relative to moneys and credits, to require parties assessed to furnish such information, to provide penalties for a violation of such requirements, and to provide for the assessment of moneys and credits when omitted from the assessment rolls.

Read first and second times and referred to committee on ways and means.

Senate File No. 206, by Senator Schmidt, a bill for an act to repeal sections twelve hundred one (1201), twelve hundred four (1204), twelve hundred eight (1208) to twelve hundred eleven (1211), inclusive, and twelve hundred thirteen (1213), and to amend sections eleven hundred ninety-seven (1197), twelve hundred two (1202), twelve hundred three (1203), twelve hundred twelve (1212), twelve hundred fourteen (1214), twelve hundred fifteen (1215), ten thousand eighty-five (10085), and ten thousand one hundred three (10103), all of the Code, 1931, and all relating to the appointment, powers, and duties of notaries public.

Read first and second times and referred to committee on judiciary No. 2.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor stating that he had approved the following bills:

February 2, 1933, Senate File No. 17, relating to authorization and payment of expenses of public officials' trips to conventions.

February 3, 1933, Senate File No. 107, relating to State Board of Assessment and Review, Senate File No. 26, relating to prohibition of use and operation of publicly owned motor vehicles.

RESIGNATION OF COMMITTEE CLERK

TO THE SECRETARY OF THE SENATE: I hereby tender my resignation as committee clerk, to take effect on February 6, 1933.

FARRIE W. HUGHES.

SENATE FILE NO. 80 WITHDRAWN

Upon the request of Senator Anderson, unanimous consent was granted to withdraw Senate File No. 80, a companion bill to House File No. 80, as passed by the Senate.

ADDITIONAL REPORT OF COMMITTEE ON COMMITTEE CLERKS

The committee on committee clerks has assigned Ruth Harper as committee clerk for Senator Roelofs. EDW. J. WENNER, *Chairman*.

The report was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in the following joint resolution in which the concurrence of the House was asked:

Senate Joint Resolution No. 5 relating to the state census.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 53, a bill for an act relating to expenses incurred in connection with returning defendants from jurisdictions other than that wherein a crime is committed.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 25, a bill for an act relating to expiration of operators' license for motor vehicles.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 78, a bill for an act legalizing acts of Boards of Supervisors in levying millage tax for secondary roads.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 37, a bill for an act establishing a uniform cost for record system in all public schools.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 72, a bill for an act relating to attorney fees in injunction and nuisance cases.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 129, a bill for an act relating to notices of quarantine.

LLOYD ELLIS, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 53, a bill for an act to amend Chapter sixty-seven (67), code 1931, relating to expenses incurred in connection with returning defendants from jurisdictions other than that wherein a crime is committed.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 25, a bill for an act to amend section forty-nine hundred sixty-d thirty (4960-d30), code 1931, relating to the expiration of operators license for motor vehicles.

Read first and second times and passed on file.

House File No. 37, a bill for an act to establish a uniform cost accounting and financial record system in all public schools.

Read first and second times and passed on file.

House File No. 72, a bill for an act to amend sections twenty hundred twenty-three (2023), and twenty hundred twenty-three-a one (2023-a1), and to repeal section twenty hundred fifty (2050), code 1931, and to enact a substitute therefor, relating to attorneys' fees in injunction and nuisance cases.

Read first and second times and referred to committee on reduction of public expenditures.

House File No. 78, a bill for an act to legalize the acts of the Board of Supervisors in any and all counties in the State of Iowa, in levying for 1932 a less millage tax for secondary road construction and maintenance than is provided to be levied under sections forty-six hundred forty-four-c six (4644-c6), forty-six hundred forty-four-c eleven (4644-c11), forty-six hundred forty-four-c fifteen (4644-c15), and forty-six hundred forty-four-c sixteen (4644-c16), code 1931.

Read first and second times and referred to committee on highways.

House File No. 129, a bill for an act to amend section twenty-two hundred forty-nine (2249), Code, 1931, to provide for a notice of quarantine to the post office where a quarantined family or person receives or dispatches mail.

Read first and second times and referred to committee on public health.

REPORT OF COMMITTEE ON EXTRA HELP

MR. PRESIDENT: Your joint committee, appointed to consider applications and to nominate the extra help of the 45th General Assembly, begs leave to report that they have nominated Helen Uhl as Clerk of Enrolled Bills and that her duties commence on February 3rd.

H. L. IRWIN

WM. KOCH

D. W. KIMBERLY

J. P. GALLAGHER

VINCENT HARRINGTON

MILTON PEACO

On the part of the Senate.

On the part of the House.

Upon the request of Senator Kimberly, unanimous consent was granted to suspend the rules and consider the report.

The report was adopted.

Ruth Harper, Helen Uhl, Charles L. Beam and James Hronek appeared before the secretary and were duly sworn.

REPORTS OF COMMITTEES

Senator Stevens of Wapello submitted the following report:

MR. PRESIDENT: Your committee on reduction of public expenditures to which was referred Senate File No. 35, a bill for an act to amend sections 5106, 522, and repeal sections 5107, 5108, 5109, 5110 and 521 and enact substitutes therefor, all of the code, 1931, relating to the county board of supervisors and township trustees and their term of office, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

Your committee on reduction of public expenditures to which was referred Senate File No. 28, a bill for an act to amend Chapter 67, code 1931, relating to mileage and travelling expense claims of peace officers, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking from line seven (7), Section one (1), the word "meals".

Further amend by inserting immediately after the word "expenses" in line seven (7), Section one (1), the words "excepting meals".

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

Your committee on reduction of public expenditures to which was referred Senate File No. 33, a bill for an act to repeal Chapter 260, and to amend section 5237, code 1931, to abolish the office of coroner and transfer the duties thereof to the sheriff, begs leave to report it has had the same under consideration and returns the bill without recommendation.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

THIRD READING OF BILLS

On motion of Senator Stevens of Wapello Senate File No. 25, a bill for an act to amend section forty-nine hundred sixty-d thirty (4960-d30), code 1931, relating to the expiration of operators license for motor vehicles, was taken up and considered, the report of committee having been adopted on page 160 of the Senate Journal.

Senator Calhoun offered the following amendments and moved their adoption:

Amend by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Strike all of section forty-nine hundred sixty-d thirty (4960-d30), Code, 1931, and substitute in lieu thereof, the following:

"Every operator's license shall expire on December thirty-first of each calendar year and shall be renewed upon its expiration, if not previously revoked, by surrender thereof to the sheriff of the county in which the licensee resides and payment of the license fee specified herein; provided that the department in its discretion may examine any operator previously licensed under this act before such renewal is granted."

Also amend by inserting in line two (2) of the title following the word "expiration" the words "and renewal". Also insert an apostrophe (') in front of the "s" in the word "operators" in line two (2) of the title.

Upon the request of Senator Irwin, unanimous consent was granted to defer action on this bill and that it retain its place on the calendar.

Senator Knudson moved to suspend the rules and consider House File No. 41, without reference to a committee.

Upon the request of Senator Wilson, unanimous consent was granted to defer action on Calendar No. 5 House File No. 41 and that it retain its place on the calendar.

Upon the request of Senator Wilson unanimous consent was granted to defer action on Calendar No. 6, Senate File No. 146, as a companion bill was coming from the House, and that it retain its place on the calendar.

Senator Frailey moved that Calendar No. 7, Senate File No. 30, be rereferred to the committee on reduction of public expenditures in order that a public hearing might be had on the bill tomorrow afternoon and that it retain its place on the calendar. The motion prevailed.

On motion of Senator Stevens of Wapello Senate File No. 49, a bill for an act to amend sections forty-two hundred sixteen-c one (4216-c1), forty-two hundred sixteen-c twenty-four (4216-c24), forty-one hundred twenty-five (4125), forty-two hundred sixteen-c four (4216-c4), forty-two hundred sixteen-c twenty-five (4216-c25), code 1931; and to repeal section forty-two hundred sixteen-c thirty-five (4216-c35), code 1931, all relating to school elections, with report of committee recommending amendment and passage, was taken up, considered and the report of the committee adopted.

Upon the request of Senator Stevens of Wapello, unanimous consent was granted to withdraw the committee amendment as found on page 185 of the Senate Journal.

Upon the request of Senator Beatty, unanimous consent was granted to defer action and that it retain its place on the calendar.

Upon the request of Senator Geske, unanimous consent was granted to withdraw the report of the conference committee on House File No. 193, for correction.

Upon the request of Senator Wilson, unanimous consent was granted to have the corrected report of the conference committee on House File No. 193 printed in the Senate Journal of today.

MR. PRESIDENT AND MR. SPEAKER: Your joint committee of conference appointed to confer in regard to House File No. 193 as amended and passed by the Senate begs leave to report that your committee has conferred and now reports that it has agreed as follows:

That House File No. 193 as amended and passed by the Senate should be amended by substituting for the Senate amendments the amendments attached to and made a part of this report and when so amended that the bill be approved.

M. X. GESKE, *Chairman.*

CHAS. D. BOOTH,

GEO. A. WILSON,

JOHN K. VALENTINE,

On the part of the Senate.

JOHN H. MITCHELL, *Chairman.*

PAUL H. CUNNINGHAM,

C. L. RICE,

CARL B. STIGER,

On the part of the House.

CONFERENCE COMMITTEE AMENDMENTS TO HOUSE FILE NO. 193

Substitute the following title:

An Emergency Act relating to the foreclosure of real estate mortgages and deeds of trust on real estate and to actions on notes secured by such mortgages or deeds of trust; providing for the continuance of such actions; providing for determination by the Court of the rights of the holder of such mortgage, owner or owners of the real estate and persons liable on such mortgage, deed of trust, or note secured thereby, to the possession of said real estate, and to the rents, income and profits therefrom; providing for the distribution thereof; providing for rental terms; providing for the termination of such order of continuance; and providing for termination of this act.

Substitute the following for the Senate amendments:

Section 1. The governor of the state of Iowa having declared that an emergency now exists, and the general assembly having determined that such emergency does exist, which is general throughout the state, and that the safety and future welfare of the state as a whole is endangered thereby, the general assembly acting under the power reserved by the people of Iowa, does hereby enact the following:

Sec. 2. In all actions for the foreclosure of real estate mortgages or deeds of trust now pending in which decree has not been entered, and in all actions hereafter commenced for the foreclosure of real estate mortgages or deeds of trust, or on notes secured thereby, in any court of

record in the state of Iowa, while this act is in effect, the court, upon the application of the owner or owners of such real estate or persons liable on said mortgages or deed of trust, or notes secured thereby, who are defendant in said cause and not in default for want of pleading or appearance shall, unless upon hearing on said application good cause is shown to the contrary, order such cause continued until March 1st, 1935, or so long as this act is in effect, providing however, that in all causes now pending in which default has been entered but no decree signed, said owner or owners of such real estate or persons liable on said mortgages or deeds of trust, or notes secured thereby, shall have ten days from the taking effect of this act in which to file said application for continuance, and upon such order of continuance the court shall make order or orders for possession of said real estate, giving preference to the owner or owners in possession, determine fair rental terms to be paid by the party or parties to be in possession and the application and distribution of the rents, income and profits from said real estate, and make such provision for the preservation of said property as will be just and equitable during the continuance of said cause, which order or orders shall provide that such rents, income or profits shall be paid to and distributed by the Clerk of the District Court of the county in which said suit is pending, and further provide that in such distribution taxes, insurance, cost of maintenance and upkeep of said real estate shall be paid in the priority named, and any balance distributed as the court may further direct; provided, however, that the court shall, upon a substantial violation of its said order or orders, or for other good and sufficient cause, set aside said order or continuance and the cause shall proceed to trial as by law now provided, the provisions of this act to the contrary notwithstanding.

Sec. 3. For the purpose of the administration of this act, the court may in all cases suggest and recommend conciliation.

Sec. 4. All acts and parts of acts in conflict with this act are suspended while this act is in effect.

Sec. 5. From and after the first day of March, 1935, this act shall cease to be in force.

Sec. 6. This act being brought forth to meet an emergency through the police power of the state and being deemed of immediate importance shall be in full force and effect after its passage and publication in the Fort Dodge Messenger, a newspaper published at Fort Dodge, Iowa, and the Sibley Gazette-Tribune, a newspaper published at Sibley, Iowa.

The Journal of February 4 was corrected and approved.

REPORT OF COMMITTEE ON CREDENTIALS

MR. PRESIDENT: Your committee on credentials finds that J. E. Doze of the Fourth District is entitled to a seat in the Senate of the Forty-fifth General Assembly.

ROY E. STEVENS, *Chairman.*
M. D. COONEY
E. R. HICKLIN
G. A. WILSON

AMENDMENT FILED

Amend House File No. 134 as follows:

1. Strike from line 16 of Section 1 the words "by the school treasurer and approved".
2. Strike from line 17 of Section 1 the words "or the trustees".

GEO. M. HOPKINS.

On motion of Senator Stanley the Senate adjourned until 10:00 a. m. tomorrow.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 7, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. C. E. Lookingbill of the Methodist Episcopal Church of Nevada, Iowa, who is a member of the House of Representatives.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Harrington for the day on request of Senator Hicklin.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Approving prohibition. Senator Husted, from residents of Madison county. Senator Booth, from residents of Cass county. Senator Coykendall, from residents of Page county. Judiciary No. 1.

Opposing the law relating to mileage paid to state and county officers. Senator Aschenbrenner, from citizens of Knoxville, Iowa. Reduction of public expenditures.

Approving the tuberculin testing law. Senator Fisch, from the Plymouth County Veterinary Association. Agriculture.

INTRODUCTION OF BILLS

Senate File No. 207, by committee on insurance, a bill for an act to repeal section eighty-six hundred twenty-five (8625), of the 1931 code of Iowa, and enact a substitute therefor relating to the definition of the word "company", under chapter three hundred ninety-seven (397), relating to the examination of insurance companies, to include reciprocal or inter-insurance exchanges organ-

ized or doing business in the state of Iowa under chapter four hundred eight (408), of the 1931 code of Iowa.

Read first and second times and placed on the calendar.

Senate File No. 208, by committee on insurance, a bill for an act to amend section eighty-nine hundred six (8906) of the 1931 code of Iowa, providing for the organization of mutual insurance companies in the State of Iowa requiring assets in a minimum amount before authority to do business is granted, and to provide for contributions.

Read first and second times and placed on the calendar.

Senate File No. 209, by committee on insurance, a bill for an act to repeal section eighty-six hundred fifty-four (8654) of the Code of Iowa, 1931, and to enact a substitute therefor, providing for the valuation of policies of life insurance and annuities, and prescribing the basis for ascertaining the reserve value of policies issued by and in force in life insurance companies, both domestic and foreign, which are or may hereafter be authorized to transact business in the State of Iowa, and to amend section eighty-six hundred fifty-five (8655) of the Code of Iowa, 1931, providing for a deposit with the commissioner of insurance to cover such valuation.

Read first and second times and placed on the calendar.

Senate File No. 210, by committee on insurance, a bill for an act to amend section eighty-nine hundred forty (8940), sub-section five (5), paragraph d, of the 1931 code of Iowa, relating to kinds of insurance.

Read first and second times and placed on the calendar.

Senate File No. 211, by committee on insurance, a bill for an act to repeal section eighty-seven hundred seventeen (8717) and to amend section eighty-seven hundred eighteen (8718), code, 1931, relating to assessment life insurance, and to prohibit benevolent associations engaging in the assessment life insurance business; and to amend section eighty-seven hundred eighty (8780), code, 1931, relating to fraternal orders which are exempt from the chapter on fraternal insurance; and to amend section eighty-five hundred eighty-two (8582), code, 1931, relating to corporations not for pecuniary profit; and to prohibit such corporations from engaging in the insurance benefit business.

Read first and second times and placed on the calendar.

Senate File No. 212, by Senator Nelson, a bill for an act to amend section forty-six hundred thirty-three (4633) of the code of 1931, relating to the building of bridges on the state roads within or adjacent to state land and to relieve the counties of these structures.

Read first and second times and referred to committee on highways.

Senate File No. 213, by Senator Patterson, a bill for an act to impose an excise tax upon all pipe line companies, to be based upon the gross receipts of said pipe line companies on intra-state business which shall be paid into the general fund of the state of Iowa and providing for the making of reports to the State Board of Assessment and Review, and to provide for the payment, collection, distribution of said excise tax, and to provide for penalty for violation of this act.

Read first and second times and referred to committee on public utilities.

Senate File No. 214, by Senator Myers, a bill for an act to amend section fourteen hundred fifty-four (1454), of the code, 1931, relating to the power of the District Court to render judgment in compensation cases or appeal to such Court.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 215, by Senator Myers, a bill for an act to amend section ninety-nine hundred sixteen (9916), of the code, 1931, relating to labor unions and contracts made by such unions with employers.

Read first and second times and referred to committee on labor.

REPORTS OF COMMITTEES

Senator Geske submitted the following report :

MR. PRESIDENT: Your committee on emergency legislation to which was referred Senate File No. 101, a bill for an act to amend section eleven thousand seven hundred thirty-two (11,732) of the code, 1931, relating to sale of land upon execution, begs leave to report it has had the same under consideration and recommends the same be referred to committee on judiciary No. 1.

M. X. GESKE, Chairman.

The report was adopted and the bill referred to committee on judiciary No. 1.

Also :

Your committee on emergency legislation to which was referred Senate File No. 93, a bill for an act to amend section twelve thousand three hundred and eighty-five (12,385) code of 1931 relating to release by the mortgagee after satisfaction of mortgages, and the penalty therefore, begs leave to report it has had the same under consideration and recommends the same be referred to committee on judiciary No. 2.

M. X. GESKE, *Chairman.*

The report was adopted and the bill referred to committee on judiciary No. 2.

Also :

Your committee on emergency legislation to which was referred Senate File No. 116, a bill for an act to amend section ten thousand two hundred and sixty-one (10,261), of the code, 1931, relating to landlords lien and non-waiver of exemption, begs leave to report it has had the same under consideration and recommends the same be referred to committee on judiciary No. 1.

M. X. GESKE, *Chairman.*

The report was adopted and the bill referred to committee on judiciary No. 1.

Also :

Your committee on emergency legislation to which was referred Senate File No. 117, a bill for an act to repeal section twelve thousand three hundred seventy-seven (12,377) chapter five hundred twenty-five (525) of the code, 1931, which provides for issuance of a general execution for any unpaid balance remaining after sale of real estate under special execution shall constitute full payment of the debt named in the mortgage, begs leave to report it has had the same under consideration and recommends the same be referred to committee on judiciary No. 1.

M. X. GESKE, *Chairman.*

The report was adopted and the bill referred to committee on judiciary No. 1.

Also :

Your committee on emergency legislation to which was referred Senate File No. 99, a bill for an act to amend section eleven thousand seven hundred seventy-four (11,774) of the code, 1931, relating to redemption from execution sale by debtor, begs leave to report it has had the same under consideration and recommends the same be referred to committee on judiciary No. 1.

M. X. GESKE, *Chairman.*

The report was adopted and the bill referred to committee on judiciary No. 1.

Also :

Your committee on emergency legislation to which was referred Senate File No. 113, a bill for an act supplemental to Chapter five hundred twenty-five (525) of the 1931 code of Iowa, to regulate the foreclosure of mortgages and deeds of trust, and to extend the time for the appear-

ance of the defendants in foreclosure actions, begs leave to report it has had the same under consideration and returns the bill without recommendation.

M. X. GESKE, *Chairman.*

Ordered passed on file.

Senator Nelson submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File No. 154 a bill for an act to repeal section five hundred twenty-two (522) and sections fifty-one hundred eleven (5111) to fifty-one hundred fourteen (5114), inclusive, Code, 1931, and to enact substitutes therefor, relating to the districting of counties for the election of members of the board of supervisors, begs leave to report it has had the same under consideration and recommends the same do pass.

FRED W. NELSON, *Chairman.*

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File No. 134, a bill for an act to repeal the legal bounty on pocket gophers, and to this end to amend sections fifty-four hundred thirteen (5413) and fifty-four hundred seventeen (5417), Code, 1931, relating to bounties on wild animals, begs leave to report it has had the same under consideration and recommends that the same be indefinitely postponed.

FRED W. NELSON, *Chairman.*

Ordered passed on file.

APPOINTMENT OF PAGE

Due to the inability of Edward McCarten to accept the appointment as Secretary's page, I hereby name James Hronek, Jr., to that position. The term of his services shall be recorded as beginning January 28, 1933.

N. G. KRASCHEL, *Lieutenant-Governor.*

REPORT OF COMMITTEE ON CREDENTIALS

Senator Stevens of Wapello moved to adopt the report of the committee on credentials as found on page 248 of the Senate Journal.

The report was adopted.

Senator Stevens of Wapello moved that a committee of three be appointed to escort the Hon. J. E. Doze to the desk to take the oath of office.

The motion prevailed and the President appointed Senators Stevens of Wapello, Wilson and Coykendall, who escorted the newly elected senator to the desk, where he took the required oath.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 79, a bill for an act relating to levies for secondary roads.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 179, a bill for an act relating to minimum capitalization of state and savings banks and trust companies.

Also, that the House has adopted the conference committee report on House File No. 193, relating to mortgage foreclosures, and has concurred in the amendments recommended by said conference committee.

LLOYD ELLIS, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator Calhoun Senate File No. 25, a bill for an act to amend section forty-nine hundred sixty-d thirty (4960-d30), code 1931, relating to the expiration of operators license for motor vehicles, was taken up, and considered, the report of committee having been adopted on page 160 of the Senate Journal.

Senator Calhoun offered the following amendments and moved their adoption:

Amend by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Strike all of section forty-nine hundred sixty-d thirty (4960-d30), Code 1931, and substitute in lieu thereof, the following:

"Every operator's license shall expire on December thirty-first of each calendar year and shall be renewed upon its expiration, if not previously revoked, by surrender thereof to the sheriff of the county in which the licensee resides and payment of the license fee specified herein; provided that the department in its discretion may examine any operator previously licensed under this act before such renewal is granted."

Also amend by inserting in line two (2) of the title following the word "expiration" the words "and renewal". Also insert an apostrophe (') in front of the "s" in the word "operators" in line two (2) of the title.

Upon the request of Senator Calhoun, unanimous consent was granted to suspend the rules and substitute House File No. 25 as passed by the House for Senate File No. 25, and that his amendments be applied to the House File as substituted.

Senator Calhoun moved the adoption of his amendments.

Senator Topping moved as a substitute that the Hicklin amendment as follows, apply to the bill as substituted and moved its adoption:

Amend as follows:

After the word "hereunder", in line 4 of Section 1, insert the following: "and not heretofore revoked,".

Senator Beardsley moved the previous question, which motion prevailed.

Senator Stevens of Wapello, raised the point of order that the Senate was voting on the substitute motion and was not debatable. The President held the point of order well taken.

The substitute motion was adopted.

The Hicklin amendment, as offered by Senator Topping, was adopted.

Senator Hicklin moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 47.

Anderson	Fisch	Meyer	Schmidt
Aschenbrenner	Frailey	Miller of	Shangle
Beatty	Geske	Buchanan	Stanley
Bennett	Hicklin	Miller of Jones	Stevens of
Booth	Hill	Moore	Decatur
Byers	Hopkins	Mullaney	Stevens of
Calhoun	Hush	Myers	Wapello
Carden	Husted	Nelson	Topping
Chrystal	Irwin	Patterson	Valentine
Cooney	Kimberly	Pendray	Wenner
Coykendall	Klemme	Reese	White
Doze	Knudson	Ritchie	Wilson
Elthon	McArthur		

Nays, none.

Absent or not voting, 3.

Beardsley	Harrington	Roelofs
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Knudson moved to adopt his motion as found on page 246 of the Senate Journal. The motion was adopted and House File No. 41 was considered, under a suspension of the rules, without being referred to a committee.

On motion of Senator Stevens of Wapello House File No. 41, a bill for an act to repeal sections forty-two hundred fifty-two (4252), Forty-two hundred fifty-five (4255), Forty-two hundred fifty-six (4256), Forty-two hundred fifty-seven (4257), Forty-two hundred fifty-nine (4259), forty-two hundred sixty-one (4261), forty-two hundred sixty-two (4262), forty-two hundred sixty-three (4263), forty-two hundred sixty-four (4264), and forty-two hundred sixty-five (4265), code 1931, and enact a substitute therefor, relating to

the elimination of certain mandatory subjects from school courses, was taken up and considered.

Senator Wenner called up for consideration the following amendments.

1. Amend the title thereof by striking from line two (2) the words and figures: "forty-two hundred fifty-six (4256),".
2. Amend Section three (3) thereof by striking from lines two and three the words and figures: "forty-two hundred fifty-six (4256),".
3. Amend the title by striking from lines two (2) and three (3) the words and figures: "forty-two hundred fifty-seven (4257),".
4. Amend Section three (3) by striking from line three (3) the following words and figures: "forty-two hundred fifty-seven (4257),".
5. Amend the title by striking from line four (4) the following words and figures: "forty-two hundred sixty-one (4261),".
6. Amend Section three (3) by striking from line four (4) the words and figures: "forty-two hundred sixty-one (4261),".
7. Amend the title by striking from lines four (4) and five (5) the words and figures: "forty-two hundred sixty-two (4262),".
8. Amend Section three (3) by striking from line five (5) the words and figures: "forty-two hundred sixty-two (4262),".
9. Amend the title by striking from lines five (5) and six (6) the words and figures: "forty-two hundred sixty-three (4263), forty-two hundred sixty-four (4264),".
10. Amend Section three (3) by striking from lines five (5) and six (6) the words and figures: "forty-two hundred sixty-three (4263), forty-two hundred sixty-four (4264),".

Senator Wenner asked for a division of the amendments and that the Senate consider amendments Nos. 1 and 2 together.

Senator Wenner demanded a roll call.

Upon the request of Senator Geske, unanimous consent was granted to defer action on House File No. 41 until the Senate had time to consider the report of conference committee on House File No. 193.

REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 193

Senator Geske called up for consideration the report of the conference committee as found on page 247 of the Senate Journal, and moved that the report be accepted and that the Senate concur in and adopt the amendments proposed by said committee.

On the question, "Shall the report be accepted, and the Senate concur in and adopt the amendments?" the vote was:

Ayes, 48.

Anderson	Elthon	McArthur	Schmidt
Aschenbrenner	Fisch	Meyer	Shangle
Beardsley	Frailey	Miller of	Stanley
Beatty	Geske	Buchanan	Stevens or
Bennett	Hicklin	Miller of Jones	Decatur
Booth	Hill	Moore	Stevens of
Byers	Hopkins	Mullaney	Wapello
Calhoun	Hush	Myers	Topping
Carden	Husted	Patterson	Valentine
Chrystal	Irwin	Pendray	White
Cooney	Kimberly	Reese	Wenner
Coykendall	Klemme	Ritchie	Wilson
Doze	Knudson	Roelofs	

Nays, none.**Absent or not voting, 2.**

Harrington Nelson

The report of the conference committee was accepted and the amendments concurred in and adopted by the Senate.

Senator Geske moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Shangle the Senate recessed until 1:00 p. m.

AFTERNOON SESSION

The Senate met at the fall of the gavel.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Pendray for the balance of the day on request of Senator Fisch.

Upon the request of Senator Byers, unanimous consent was granted to consider Calendar No. 9, House File No. 115.

THIRD READING OF BILLS

On motion of Senator Byers House File No. 115, a bill for an act to legalize the acts of County Auditors in issuing warrants representing expenditures for the benefit of any persons entitled to receive help from public funds and validating indebtedness heretofore incurred by counties for the benefit of such persons, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Byers moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 42.

Anderson	Frailey	Meyer	Schmidt
Aschenbrenner	Hicklin	Miller of	Shangle
Booth	Hill	Buchanan	Stanley
Byers	Hopkins	Miller of Jones	Stevens of
Calhoun	Hush	Moore	Decatur
Carden	Husted	Mullaney	Stevens of
Crystal	Irwin	Myers	Wapello
Cooney	Kimberly	Nelson	Topping
Coykendall	Klemme	Patterson	Wenner
Doze	Knudson	Reese	White
Elthon	McArthur	Roelofs	Wilson
Fisch			

Nays, none.

Absent or not voting, 8.

Beardsley	Bennett	Harrington	Ritchie
Beatty	Geske	Pendray	Valentine

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

CONSIDERATION OF HOUSE FILE NO. 41 RESUMED

Senator Wenner's amendments Nos. 1 and 2 were before the Senate.

Senator Stevens of Wapello moved the previous question, which motion prevailed.

On the question, "Shall the amendments be adopted?" the vote was:

Ayes, 29.

Anderson	Doze	Irwin	Réese
Beardsley	Elthon	Kimberly	Ritchie
Booth	Fisch	Knudson	Schmidt
Byers	Geske	Meyer	Stanley
Calhoun	Hill	Miller of Jones	Wenner
Carden	Hopkins	Myers	White
Cooney	Husted	Patterson	Wilson
Coykendall			

Nays, 15.

Aschenbrenner	McArthur	Mullaney	Stevens of
Frailey	Miller of	Nelson	Decatur
Hicklin	Buchanan	Roelofs	Stevens of
Hush	Moore	Shangle	Wapello
Klemme			Topping

Absent or not voting, 6.

Beatty	Chrystal	Pendray	Valentine
Bennett	Harrington		

Amendments Nos. 1 and 2 were adopted.

Senator Wenner moved the adoption of amendments Nos. 3 and 4.

Senator Wilson offered the following as a substitute amendment for all pending amendments and moved its adoption :

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section forty-two hundred sixty-one (4261) of the code 1931, is hereby repealed."

Senator Ritchie moved the previous question which motion prevailed. Roll call was demanded.

On the question, "Shall the substitution be made?" the vote was :

Ayes, 33.

Anderson	Elthon	Knudson	Patterson
Beardsley	Fisch	Meyer	Reese
Byers	Geske	Miller of	Ritchie
Calhoun	Hill	Buchanan	Schmidt
Carden	Hopkins	Miller of Jones	Shangle
Chrystal	Husted	Moore	Wenner
Cooney	Irwin	Mullaney	White
Coykendall	Kimberly	Myers	Wilson
Doze	Klemme		

Nays, 11.

Booth	McArthur	Stanley	Stevens of
Frailey	Nelson	Stevens of	Wapello
Hicklin	Roelofs	Decatur	Topping
Hush			

Absent or not voting, 6.

Aschenbrenner	Bennett	Pendray	Valentine
Beatty	Harrington		

The substitution was made and the amendment as substituted was adopted.

Senator Stevens of Wapello moved to adjourn until 10:00 a. m. tomorrow.

Senator Hill moved to amend by making the adjournment immediately after final consideration of the bill under consideration, and that when the Senate adjourn it reconvene at 10:00 a. m. tomorrow.

The amendment was adopted and the motion as amended prevailed.

Senator Hopkins offered the following amendment and moved its adoption.

Amend by adding thereto as Section 2 of the bill the following:

Sec. 2. Section forty-two hundred sixty-three (4263) is hereby amended by inserting after the words "physical education" in line 2 thereof, the following: "exclusive of interscholastic athletics".

The amendment was adopted.

Senator Stevens of Wapello moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 47.

Anderson	Fisch	Meyer	Schmidt
Aschenbrenner	Frailey	Miller of	Shangle
Beardsley	Geske	Buchanan	Stanley
Beatty	Hicklin	Miller of Jones	Stevens of
Bennett	Hill	Moore	Decatur
Booth	Hopkins	Mullaney	Stevens of
Byers	Hush	Myers	Wapello
Calhoun	Husted	Nelson	Topping
Carden	Irwin	Patterson	Valentine
Cooney	Kimberly	Reese	Wenner
Coykendall	Klemme	Ritchie	White
Doze	Knudson	Roelofs	Wilson
Elthon	McArthur		

Nays, none.

Absent or not voting, 3.

Chrystal	Harrington	Pendray
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The bill having received a constitutional majority was declared to have passed the Senate.

Upon the request of Senator Wilson the title was amended so as to read as follows:

A bill for an act repealing section forty-two sixty-one (4261) of the code 1931, and amending section forty-two hundred sixty-three (4263) of the Code 1931, relating to course of study in elementary and secondary schools.

The title as amended was agreed to.

Senator Wenner moved that the vote by which the bill passed the Senate be reconsidered and the motion to reconsider be laid on the table which motion prevailed.

The Journal of February 6th was corrected and approved.

SENATE FILES NOS. 25 AND 41 WITHDRAWN

Upon the request of Senator Stevens of Wapello, unanimous consent was granted to withdraw Senate File No. 25, a companion bill having been passed by the Senate yesterday; also that Senate File No. 41, which passed the Senate on January 24th, be not messaged to the House and that the bill be withdrawn from further consideration.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate Joint Resolutions Nos. 2 and 5 and House File No. 12.

HOMER HUSH, *Chairman Senate Committee.*

WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Joint Resolutions Nos. 2 and 5 and House File No. 12.

AMENDMENT FILED

Senator Stevens of Wapello offers the following amendment to the amendment on Senate File No. 28, a bill for an act to amend Chapter 67, code 1931, relating to mileage and traveling expense claims of peace officers:

Amend by striking from line one (1) of the amendment the words and figures "seven (7)" and substituting therefor the words and figures "nine (9)".

Further amend the amendment by striking from line four (4) thereof the words and figures "seven (7)" and substituting therefor the words and figures "nine (9)".

On motion of Senator Nelson the Senate adjourned, the time for reconvening previously having been set for 10:00 a. m. tomorrow.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 8, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. C. H. Miller, pastor of Seventh-Day Adventist Church of Des Moines.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Favoring the placing of a special tax on the so-called "chain stores" doing business in the state. Senator Frailey, from residents of Lee county. Manufacturing, commerce and trade.

Approving prohibition. Senator Shangle, from residents of Mahaska county. Senator Hopkins, from residents of Dallas county. Senator Stanley, from residents of Adams county. Senator Miller of Buchanan, from residents of Buchanan county, and the Independence W. C. T. U. Senator Harrington, from residents of Woodbury county. Senator Frailey, from residents of Lee county. Senator Elthon, from residents of Mitchell county. Judiciary No. 1.

Opposing the reduction of license fees of itinerant vendors of drugs. Senator Schmidt, from druggists of Iowa and Johnson counties. Public health.

Opposing the repeal of the five day marriage license law. Senator Booth, from members of the Crescent Club, Lewis, Iowa. Judiciary No. 1.

Opposing abolishment of governmental appropriations for Agricultural Extension service and Farm Bureau work. Senator Reese, from residents of Marshall county. Appropriations.

Opposing the County Tax Commission Bill. Senator Schmidt,

from members of the executive committee of the Parent Teacher's Association of Longfellow school, Iowa City, Iowa. Public schools.

Relating to agriculture. Senator Chrystal, from citizens of Coon Rapids, Iowa. Agriculture.

Relating to tax reduction and to reduction of public expenditures. Senator Knudson, from members of the Tax Payers League, Wright county. Reduction of public expenditures.

Protesting the high telephone rates in Iowa. Senator Harrington, from citizens of Sioux City, Iowa. Cities and towns.

INTRODUCTION OF BILLS

Senate File No. 216, by Senator Patterson, a bill for an act to amend sections eleven thousand seven (11007) and eleven thousand nine (11009) of the code, 1931, relating to limitations of actions.

Read first and second times and referred to committee on emergency legislation.

Senate File No. 217, by committee on board of control, a bill for an act to repeal sections thirty-three hundred ninety-nine (3399), thirty-four hundred six (3406), thirty-four hundred seventy-four (3474), forty hundred seventy-two (4072), and forty hundred seventy-three (4073), and to enact substitutes therefor; to amend sections thirty-six hundred one (3601), thirty-seven hundred three (3703), and thirty-seven hundred twenty (3720); and to repeal sections thirty-four hundred seven (3407), thirty-four hundred eight (3408), and forty hundred seventy-four (4074), all of the Code, 1931, and all relating to the liability of counties to the state for expense pertaining to the keep of pupils and inmates in various state institutions, and to establish a uniform system for the verification, certification, and collection of said expense.

Read first and second times and placed on the calendar.

Senate File No. 218, by Senator Hush, a bill for an act relating to the recovery of damages in actions for injury to persons or property, contributory negligence, comparative negligence and jury trials in such cases.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 219, by Senator Myers, a bill for an act to amend chapter five hundred twenty-five (525) of the code, 1927, by striking out section twelve thousand three hundred seventy-seven (12377), and enact a substitute therefor.

Read first and second times and referred to committee on emergency legislation.

Senate File No. 220, by Senator Myers, a bill for an act to amend the law as it appears in section sixty-nine hundred eighty-eight (6988), of the code, 1927, relating to deduction of debts in listing and assessment of money or credits, and other property.

Read first and second times and referred to committee on emergency legislation.

Senate File No. 221, by Senator Booth, a bill for an act to amend section five thousand twenty-one (5021), Code, 1931, relating to vehicles turning to the right when overtaken and to regulate the passing of vehicles upon or near the crest of grades or hills and upon curves and turns in the highway, and requiring the State Highway Commission to designate dangerous places by suitable signs or markings, and to provide penalties for violations of this act.

Read first and second times and referred to committee on motor vehicles.

ADDITIONAL REPORT OF COMMITTEE ON COMMITTEE CLERKS

The committee on committee clerks has assigned Cleo Thatcher as committee clerk for Senator Doze. EDW. J. WENNER, *Chairman*.

The report was adopted.

Cleo Thatcher appeared before the secretary and was duly sworn.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 120, a bill for an act relating to banks and trust companies, and rights of depositors.

Also, that the House has concurred in the Senate amendment to House File No. 80, a bill for an act relating to the manufacture, possession, denaturing of alcohol by persons, firms, etc., qualified by the laws of the United States and the State of Iowa. LLOYD ELLIS, *Chief Clerk*.

HOUSE MESSAGES CONSIDERED

House File No. 79, a bill for an act for the relief of taxpayers in 1933, 1934 and 1935 by amending section Four Thousand six hundred forty four-c Seventeen (4644-c17), Four Thousand six hundred forty four-c Six (4644-c6), Four Thousand six hundred forty four-c Seven (4644-c7), Four Thousand six hundred forty four-c Eleven (4644-c11), Four Thousand six hundred forty four-c Twelve (4644-c12), Four thousand six hundred forty four-c Fifteen (4644-c15), Code, 1931, relating to manditory and optional road levies, and authorizing Boards of Supervisors in said years: (1) to use motor fuel taxes for secondary road maintenance; (2) to abandon programs for secondary road construction; (3) to set aside road levies made for road purposes in 1932; (4) to abate and remit any or all road taxes levied in 1932 to be collected in 1933; and (5) to limit expenditures for road purposes on secondary roads to necessary maintenance.

Read first and second times and referred to committee on county and township affairs.

House File No. 179, a bill for an act to amend Section ninety-two hundred seventeen C-1 (9217 C-1), Code, 1931, relating to the minimum capitalization of state and savings banks and trust companies.

Read first and second times and referred to committee on banks and banking.

House File No. 120, a bill for an act to amend sections ninety-two hundred and thirty-eight (9238), ninety-two hundred and thirty-nine (9239), ninety-two hundred and forty-three (9243), and chapter 415, and to repeal sections ninety-two hundred and forty (9240), and ninety-two hundred and forty-two (9242), code, 1931, relating to banks and trust companies, and rights of depositors.

Read first and second times and referred to committee on banks and banking.

Senator Doze submitted the following and moved its adoption:

HASSELQUIST MEMORIAL RESOLUTION

Whereas, The Honorable R. A. Hasselquist, who was a member of the House of Representatives in the Twenty-eighth and Twenty-ninth General Assemblies, and also a member of the Senate of the Thirtieth and

Thirty-first General Assemblies, also postmaster at Chariton, Iowa, during the administrations of Roosevelt and Taft, died in Chariton, Iowa, during the month of February, 1932, therefore,

Be It Resolved by the Senate of the Forty-fifth General Assembly, That the President of the Senate appoint a committee of three to draft suitable resolutions commemorating the life, character, and service of this emigrant boy that became a substantial business man and lawmaker of and for the state.

The resolution was adopted and the President appointed to act on such committee Senator Doze, chairman, and Senators Klemme and Kimberly.

APPOINTMENT OF COMMITTEE

Under the provisions of Senate Joint Resolution No. 2, the President appointed Senators Kimberly and Valentine to act on the interim committee authorized therein, to study the problem of governmental reorganization.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled House Files Nos. 80 and 193.

HOMER HUSH, *Chairman Senate Committee.*
WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 80 and 193.

Upon the request of Senator Cooney, unanimous consent was granted to defer action on Calendar No. 6, Senate File No. 146, which would retain its place on the calendar.

THIRD READING OF BILLS

On motion of Senator Stevens of Wapello Senate File No. 30, a bill for an act to establish a purchasing procedure for counties, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Shangle offered the following amendment and moved its adoption :

Amend by inserting after the word "or" in line four of section 1 the following:

" , in counties of seventy-five thousand (75,000) population or more,".

Senator Stevens of Wapello offered the following amendment to the amendment and moved its adoption :

Amend by striking the words and figures "seventy-five thousand (75,000)" and inserting in lieu thereof the words and figures "forty thousand (40,000)".

Senator Ritchie moved the previous question on the amendment to the amendment, which motion prevailed.

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Hush offered the following amendment and moved its adoption :

Amend section 1 by striking from line 2 the word "as" and inserting in lieu thereof the word "a"; also by striking from line 3 the word "either" and inserting in lieu thereof the words "and may appoint as such purchasing agent,".

The amendment was adopted.

Senator Wilson offered the following amendment and moved its adoption :

Amend section 9 line 7 by inserting before the semi-colon (;) and after the word "equipment" the words " , excepting those pertaining to highway construction and maintenance".

The amendment was adopted.

Senator Miller of Buchanan offered the following amendment and moved its adoption :

Amend section 5 line 17 by striking the words and figures "twenty-five dollars (\$25)" and inserting in lieu thereof the words and figures "fifty dollars (\$50)".

The amendment was adopted.

The bill was read for information.

Senator Hicklin moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 30.

Aschenbrenner	Elthon	Klemme	Shangle
Beardsley	Fisch	Knudson	Stanley
Beatty	Geske	Miller of	Stevens of
Bennett	Harrington	Buchanan	Decatur
Booth	Hicklin	Mullaney	Stevens of
Calhoun	Hill	Myers	Wapello
Chrystal	Hush	Nelson	Valentine
Coykendall	Kimberly	Pendray	Wilson
Doze			

Nays, 17.

Anderson	Husted	Moore	Roelofs
Byers	McArthur	Patterson	Schmidt
Cooney	Meyer	Reese	Topping
Frailey	Miller of Jones	Ritchie	Wenner
Hopkins			

Absent or not voting, 3.

Carden	Irwin	White
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The bill having received a constitutional majority was declared to have passed the Senate.

Upon the request of Senator Hush, unanimous consent was granted to amend the title to read as follows:

"A bill for an act relating to the establishing of a purchasing procedure for counties; to provide a penalty for certain acts of such purchasing agents; and to repeal inconsistent acts."

The title as amended was agreed to.

Senator Hicklin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

President pro tempore Matt. D. Cooney was called to the chair at 11:42 a. m.

Upon the request of Senator Stevens of Wapello, unanimous consent was granted to defer action on Calendar No. 8, Senate Files No. 49, which should retain its place on the calendar.

Upon the request of Senator Byers, unanimous consent was granted to defer action on Calendar No. 10, Senate File No. 10, which would retain its place on the calendar.

On motion of Senator Geske Senate File No. 167, a bill for an act to increase the amount of statutory exemptions from execution for resident farmers or the heads of families, a committee bill, was taken up and considered.

Action was deferred temporarily.

On motion of Senator Shangle the Senate recessed until 1:00 p. m. today.

AFTERNOON SESSION

The Senate met at the fall of the gavel, President pro tempore Matt. D. Cooney presiding.

Upon the request of Senator Stanley, unanimous consent was granted to defer action on Senate File No. 167 until tomorrow morning.

REPORT OF COMMITTEE

Senator Ritchie submitted the following report:

MR. PRESIDENT: Your committee on agriculture to which was referred Senate File No. 156, a bill for an act to provide for the licensing of persons operating for hire portable food or feed mills, oat hullers, or grinders, and providing penalties for operating without a license, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend section 1 by striking from lines 5 and 6 the words and figures "one hundred dollars (\$100)" and inserting in lieu thereof the words and figures "seventy-five dollars (\$75)".

W. R. RITCHIE, *Chairman.*

Ordered passed on file.

The Journal of February 7th was corrected and approved.

AMENDMENT FILED

Amend Senate File No. 167 as follows:

Amend section 1 by striking from lines 5, 6 and 7 the words "for a period of two years from the taking effect of this act" and inserting in lieu thereof the words and figures "until March 1, 1935".

CLAUDE STANLEY.

On motion of Senator Stanley, the Senate adjourned until 10:00 a. m. tomorrow.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 9, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. W. A. Sunday, of Winona Lake, Indiana.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Miller of Buchanan for the day, on request of Senator Hush.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Approving prohibition. Senator Moore, from residents of Pottawattamie county. Senator Stanley, from residents of Adams county. Senator Byers, from residents of Linn county. Judiciary No. 1.

Approving the tuberculin testing law. Senator Aschenbrenner, from residents of Marion county. Agriculture.

Opposing Senate File No. 86 and House File No. 127. Senator Bennett, from members of the Board of Supervisors of Monona county. County and township affairs.

Senator Booth moved that the Honorable Duncan Marshall of Canada, present in the Senate chamber, be asked to address the Senate. The motion prevailed.

Senator Wilson moved that the remarks of Hon. Duncan Marshall be printed in the Journal. The motion prevailed.

The Hon. Duncan Marshall of Toronto, Canada, who, for twelve years was Minister of Agriculture for the Province of Alberta and for three years Commissioner of Agriculture for the Dominion of Canada, spoke in part as follows:

MR. PRESIDENT AND SENATORS: I did not come here today with the idea of addressing your House. I came to make a personal visit to my friend, your Lieutenant Governor, whom I have known a great many years. I thought when I was so near I would exchange some opinions with him and as fellow farmers I thought we might also exchange grievances.

I have considerable interest in the measures that you have passed in the last two or three days, so I came here partially to see what these measures were and learn something of their importance. It would be very difficult and useless for me to offer any advice in this great farming state. It does seem a pity that in this wonderful agricultural country the farmer is having such a difficult time. Men are realizing as they never did at any previous time in the history of our country and yours, the value and importance of agriculture and we all realize that the first revival in business that we can or will have must be a revival in agriculture. Until agriculture gets on its feet and the farmer gets a fair return for his produce, business cannot prosper.

We quite realize that farmers like other people went on a spree when times were good and that we now must get back to earth which will be a good thing. As Mr. Sunday opened this session I recalled that when I was a boy we walked three miles to church and when we got there we sang, "Work for the night is coming". Now we ride there in limousines and hire a paid quartet to sing, "Art thou weary, Art thou languid, Art thou sore distressed". That illustration will convey to you my idea of how we have drifted from the substantial agriculture of twenty-five years ago.

As I stated, I am not here to make a speech but to visit my friend Mr. Kraschel. I come across the line frequently. I have visited your great Iowa State Fair and twice addressed farmer meetings at your State College of Agriculture at Ames. Yesterday I addressed a livestock meeting in St. Paul, Minn., and it has been my privilege to speak to farmer gatherings from Portland, Oregon, to Albany and Troy in New York, and have a wide acquaintance with leaders in agriculture in your country, and I know of no man who has a keener interest in, a wider knowledge of, or a deeper sympathy with agriculture and its problems than the man you have so deservedly honored by electing him Lieutenant Governor of this great farming state.

INTRODUCTION OF BILLS

Senate Joint Resolution No. 7, by Senator Patterson, a joint resolution proposing an amendment to section thirty-four (34) of article three (3) of the constitution of the state of Iowa, relating to the apportionment of the state into senatorial districts.

Read first and second times and referred to committee on political and judicial districts.

Senate File No. 222, by Senator White, a bill for an act to amend sections fifty-four hundred thirty-five (5435) and fifty-four hundred forty (5440), Code, 1931, relating to license fees on dogs.

Read first and second times and referred to committee on agriculture.

Senate File No. 223, by Senator Byers, a bill for an act to amend Sections Ninety three hundred twenty nine (9329), ninety three hundred forty-b1 (9340-b1), and ninety three hundred forty-b2 (9340-b2), of the Code of Iowa 1931, to authorize Building and Loan or Savings and Loan Associations to become members of, purchase stock in, borrow money from a Federal Home Loan Bank, to pledge assets as security for repayment of borrowed money, and for advances from a Federal Home Loan Bank, to make deposits with such bank and to invest in bonds and obligations of a Federal Home Loan Bank.

Read first and second times and referred to committee on banks and banking.

Senate File No. 224, by Senator Reese, a bill for an act to amend Section sixty three hundred ten (6310) of the Code of 1931, relating to Disabled Firemen and Policemen.

Read first and second times and referred to committee on cities and towns.

Senate File No. 225, by Senator Husted, a bill for an act to amend the law as it appears in section one thousand seven hundred ninety-nine-b one (1799-b1) of the Code, 1931, so as to permit the Board of Conservation to fix speed limits and otherwise regulate traffic on roads and drives upon state lands and parks and to regulate parking of vehicles thereon.

Read first and second times and referred to committee on highways.

Senate File No. 226, by Senator Harrington, a bill for an act to prescribe a system for the taxation of real and personal property and the privilege of doing business within this state measured by the gross income therefrom and to tax such gross income; to define such gross income and other terms used herein; to prescribe the manner of reporting such income, and the assessing, levying, collecting and disbursing such tax; to levy and assess such tax; to reduce ad valorem taxes; and to provide penalties for the violation of this Act.

Read first and second times and referred to committee on ways and means.

Senate File No. 227, by Senators Nelson, Byers and Harrington, a bill for an act to declare when an emergency exists; to declare that the production, distribution and consumption of alcohol derived from grain produced in this state is clothed with a public interest; to provide for the use of alcohol in motor vehicle fuel and the proportion thereof; to prohibit the sale of motor vehicle fuel in this state which does not contain the required percentage of alcohol; to define fuel alcohol; to delegate to the executive council the right to regulate the production and sale of alcohol, to license those engaged in such business and require a license fee therefor; to limit the profits derived from such business and to recapture excess profits; to appropriate funds for the administration of this act; to declare an emergency; and to provide penalties for the violation hereof.

Read first and second times and referred to committee on agriculture.

Senate File No. 228, by Senator Stanley, a bill for an act relating to real estate mortgages, by providing for the priority of liens on the rents, profits and/or income derived from said real estate as provided for in said mortgages; and relating to the renting of said real estate; and the assignment or transfer of said rents; and repealing of inconsistent Acts; and providing that it shall not affect pending litigation.

Read first and second times and referred to committee on emergency legislation.

Senator Wenner submitted the following:

GROUT MEMORIAL RESOLUTION

Whereas, the Honorable Henry W. Grout, who was a member of the House of Representatives in the Thirty-fourth and Thirty-fifth General Assemblies, and a member of the Senate in the Thirty-sixth and Thirty-seventh General Assemblies, from Black Hawk County, died at Waterloo, Iowa, on Tuesday, June 28th, 1932; therefore,

Be It Resolved by the Senate of the Forty-fifth General Assembly, That a committee of three be appointed to draft suitable resolutions to be presented to the Senate in commemoration of his life and services.

Upon the request of Senator Wenner, unanimous consent was granted to consider the resolution.

The resolution was unanimously adopted and the President

appointed on such committee, Senators Wenner, White and Kimberly.

Senators Beardsley, Harrington, Roelofs, Calhoun and Valentine offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 14

Whereas, this the 45th General Assembly, has in its membership, in both the Senate and the House of Representatives, an unusually large number of newly elected and inexperienced legislators, and

Whereas, it is essential that each individual legislator post himself upon the parliamentary laws, procedure and practice in use in these legislative halls, in order that his consideration of public questions may be conducted in a dignified, careful, studious and impartial manner, and

Whereas, it would be helpful to new and inexperienced members of this and future General Assemblies to have a conveniently short and interesting historical sketch of legislative procedure and practice in Iowa, available for the membership of the 45th General Assembly and for the members of future General Assemblies, in order that they may more fully understand the historical background, and have the precedence for the parliamentary usages in common practice here, and

Whereas, the State Historical Society of Iowa, in 1916, published a volume known as "Statute Law Making in Iowa", and

Whereas, a part of that volume entitled "Legislative Procedure and Practice in Iowa" was ordered published by the 37th General Assembly, and incorporated in a booklet known as the "Iowa Manual of Legislative Procedure", and

Whereas, this booklet is now out of print and is not readily available to the members of the General Assembly, nor to those citizens of Iowa, who are interested in our legislative procedure, therefore,

Be It Resolved by the Senate, the House Concurring: That Walter H. Beam, assistant secretary of the Senate, and A. C. Gustafson, special assistant to the chief clerk of the House of Representatives of the 45th General Assembly, be instructed to cooperate with Professor Benjamin H. Shambaugh, superintendent of the State Historical Society of Iowa, and Professor O. K. Patton, lecturer on parliamentary law at the State University of Iowa, in preparing a revised edition of the work known as "Legislative Procedure and Practice in Iowa", originally prepared by Professor Patton; and that the same be published by the state superintendent of printing in paper-bound volumes to the number of 2,500; for the use of the officials and members of the 45th General Assembly, and of future General Assemblies; also

Be It Further Resolved: That copies of this booklet herein ordered to be prepared and published, be made available to the citizens of Iowa, who are interested in a study of legislative practice and procedure, at a cost price to be determined by the state superintendent of printing.

Passed on file.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 70, a bill for an act relating to publication of proposed amendments to Constitution and of public measures.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 68, a bill for an act relating to notice of tax sale, service and cost thereof.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 202, a bill for an act limiting the issuance of policies to a person, firm, or corporation, the benefits of which accrue to individuals of a group.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 131, a bill for an act relating to the notice of sale of property in the settlement of estates.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 188, a bill for an act relating to special elections to abandon organization of city or town under chapter 328, code, 1931, and become a city or town under the general law governing cities and towns, or resume special charter.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 150, a bill for an act relating to taxation and to co-ordinate said sections with the U. S. Code. *LLOYD ELLIS, Chief Clerk.*

REPORTS OF COMMITTEES

Senator Husted submitted the following report:

MR. PRESIDENT: Your committee on drainage to which was referred Senate File No. 159, a bill for an act to authorize boards and officers managing drainage improvements to apply excess assessments when paid on future maturing assessments, or to refund such excess to persons paying the same, begs leave to report it has had the same under consideration and recommends the same do pass.

ORA E. HUSTED, Chairman.

Ordered passed on file.

Senator Pendray submitted the following report:

MR. PRESIDENT: Your committee on public schools to which was referred Senate File No. 143, a bill for an act relating to the use of public school buildings for other than school purposes, begs leave to report it has had the same under consideration and recommends the same do pass.

CAROLYN C. PENDRAY, Chairman.

Ordered passed on file.

Also :

Your committee on public schools to which was referred Senate File No. 161, a bill for an act to amend section thirty-eight hundred seventy-six (3876), code 1931, relating to teacher's certificates, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

CAROLYN C. PENDRAY, *Chairman.*

Ordered passed on file.

Also :

Your committee on public schools to which was referred Senate File No. 140, a bill for an act to regulate the employment of teachers in the public schools, and to prohibit inquiry concerning the religion of persons seeking employment in public schools, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

CAROLYN C. PENDRAY, *Chairman.*

Ordered passed on file.

Senator Topping submitted the following report :

MR. PRESIDENT: Your committee on manufacturing, commerce and trade to which was referred Senate File No. 129, a bill for an act to amend Title X of the Code, relating to regulations and inspections, requiring all prison made goods from other states be distinctly marked as such before being exposed for sale in Iowa and prescribing the penalty for violations, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. Strike out the word and figure "January 1st" as it appears in the fifth line of Section One (1) thereof, and insert the word and figure in lieu thereof "January 19".

2. Amend Section One (1) of Senate File No. 129, by striking line eight (8) therefrom and substituting in lieu thereof the following:

"in the state of Iowa, and all such goods, wares and merchandise so made by convict labor in any penitentiary, prison, reformatory or any institution outside the state of Iowa in which convict labor is so employed, and which is imported, brought or".

CLYDE H. TOPPING, *Chairman.*

Ordered passed on file.

BILLS SENT TO THE GOVERNOR

Senator Hush from the committee on enrolled bills submitted the following report :

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 8th day of February, 1933, sent to the governor for his approval, Senate Joint Resolution No. 2.

HOMER HUSH, *Chairman.*

Passed on file.

SENATE FILE NO. 114 WITHDRAWN

Upon the request of Senator Wenner, unanimous consent was

granted to withdraw Senate File No. 114, relating to highways in cities and towns.

Upon the request of Senator Irwin, unanimous consent was granted to consider at this time Senate Files Nos. 200 and 201.

THIRD READING OF BILLS

On motion of Senator Irwin Senate File No. 200, a bill for an act to amend Section Eighty-eight hundred sixty-one (8861) of the Code of 1931 relating to consolidation, merger or reinsurance of fraternal beneficiary societies, a committee bill, was taken up and considered.

Senator Cooney offered the following amendment and moved its adoption:

Amend section 2 by striking from line 2 the word "should" and inserting in lieu thereof the word "shall".

The amendment was adopted.

The bill was read for information.

Senator Irwin moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 40.

Aschenbrenner	Fisch	Meyer	Stanley
Beatty	Geske	Miller of Jones	Stevens of
Bennett	Hicklin	Moore	Decatur
Booth	Hill	Mullaney	Stevens of
Byers	Hopkins	Myers	Wapello
Calhoun	Hush	Pendray	Topping
Carden	Husted	Reese	Valentine
Chrystal	Irwin	Roelofs	Wenner
Cooney	Kimberly	Schmidt	White
Coykendall	Klemme	Shangle	Wilson
Doze	Knudson		

Nays, none.

Absent or not voting, 10.

Anderson	Harrington	Miller of	Patterson
Beardsley	Frailey	Buchanan	Ritchie
Elthon	McArthur	Nelson	

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

On motion of Senator Irwin Senate File No. 201, a bill for an act to legalize the consolidation and merger of The Homesteaders Life

Association, a domestic fraternal beneficiary society, with the Golden West Life Insurance Association, a fraternal beneficiary society, organized under the laws of the State of California, a committee bill, was taken up and considered.

The bill was read for information.

Senator Irwin moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 42.

Aschenbrenner	Fisch	McArthur	Shangle
Beatty	Geske	Meyer	Stanley
Bennett	Hicklin	Miller of Jones	Stevens of
Booth	Hill	Moore	Decatur
Byers	Hopkins	Mullaney	Stevens of
Calhoun	Hush	Myers	Wapello
Carden	Husted	Nelson	Topping
Chrystal	Irwin	Pendray	Valentine
Cooney	Kimberly	Reese	Wenner
Coykendall	Klemme	Roelofs	White
Doze	Knudson	Schmidt	Wilson

Nays, none.

Absent or not voting, 8.

Anderson	Frailey	Miller of	Patterson
Beardsley	Harrington	Buchanan	Ritchie
Elthon			

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

President pro tempore Matt. D. Cooney was called to the chair at 10:40 a. m.

Senator Wenner moved to defer action on Calendar No. 2, Senate File No. 49, and that it retain its place on the calendar. The motion prevailed.

Upon the request of Senator Kimberly, unanimous consent was granted to defer action on Calendar No. 3, Senate File No. 160, and that it retain its place on the calendar.

Upon the request of Senator Wilson, unanimous consent was granted to return to introduction of bills.

INTRODUCTION OF BILLS

Senate File No. 229, by Senator Wilson, a bill for an act to provide for the registration and protection of the names, badges,

mottoes, buttons, decorations, charms, emblems, rosettes, and other insignia of associations, lodges, orders, fraternal societies, beneficial societies, or fraternal and beneficial societies or associations, historical, military, or veterans' organizations, labor union, foundation, federation, or any other society, organization, or association, degree, branch, subordinate lodge, or auxiliary thereof; to prohibit the wearing, exhibition, display, or use of the same by any person not entitled to wear, exhibit, display or use the same; and fixing a penalty for the violation of this act.

Read first and second times and referred to committee on military affairs.

Senate File No. 230, by Senator Wilson, a bill for an act to amend section eighty eight hundred eighty one (8881) Code, 1931 to provide for the ownership, operation or disposition of hospitals, asylums, sanitariums, schools or homes by Fraternal societies having transformed under the provisions of sections eighty eight hundred sixty nine (8869) to eighty eight hundred eighty four (8884) Code, 1931, inclusive.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 231, by committee on agriculture, a bill for an act to repeal section forty-seven hundred fifty-five-b thirty-eight (4755-b38), code, 1931; to repeal section five thousand ninety-three-a one (5093-a1), code, 1931, and enact a substitute therefor; to amend sections five thousand ninety-three-a five (5093-a5) and five thousand ninety-three-a nine (5093-a9), and chapter two hundred fifty-one-A one (251-A1), code, 1931, relating to license fees on motor fuel and providing penalties thereunder.

Read first and second times and placed on the calendar.

HOUSE MESSAGES CONSIDERED

House File No. 202, a bill for an act limiting the issuance of policies to a person, firm or corporation, the benefits of which accrue to individuals of a group.

Read first and second times and referred to committee on insurance.

House File No. 131, a bill for an act to amend section eleven thousand nine hundred thirty-eight (11938), Code, 1931, relating to the notice of sale of property in the settlement of estates.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 188, a bill for an act to amend section sixty-six hundred eighty-seven (6687) of code, 1931, relating to special election to submit proposition to abandon organization of city or town under chapter three hundred twenty-eight (328) of the code, 1931, and become a city or town under the general law governing cities and towns, or resume special charter.

Read first and second times and referred to committee on cities and towns.

House File No. 70, a bill for an act to amend sections sixty-nine (69) and seventy (70), code 1931, relating to the publication of proposed amendments to the Constitution and of public measures.

Read first and second times and referred to committee on reduction of public expenditures.

House File No. 150, a bill for an act to amend sections sixty-eight hundred sixty-five (6865), sixty-nine hundred ninety-two (6992), and seven thousand five (7005), Code, 1931, relating to taxation and to coordinate said sections with the United States Code.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 68, a bill for an act to amend sections seventy-two hundred forty-six (7246), and seventy-two hundred forty-seven (7247), code 1931, relating to notice of tax sale, service and cost thereof.

Read first and second times and referred to committee on reduction of public expenditures.

THIRD READING OF BILLS

On motion of Senator Geske Senate File No. 167, a bill for an act to increase the amount of statutory exemptions from execution for resident farmers or the heads of families, a committee bill, was taken up and considered.

Senator Stanley offered the following amendment and moved its adoption:

Amend section 1 by striking from lines 5, 6 and 7 the words "for a period of two years from the taking effect of this act" and inserting in lieu thereof the words and figures "until March 1, 1935".

The amendment was adopted.

Senator Irwin offered the following amendment and moved its adoption:

Amend by inserting after the word "machinery," in line 8 of section 1 the following:

"Household goods of his own selection not exceeding in value the sum of one hundred dollars (\$100) whether said exemption be waived or not by such debtor, all".

Senator Coykendall offered the following amendment to the amendment and moved its adoption:

Amend by striking the words and figures "one hundred dollars (\$100)" and inserting in lieu thereof the words and figures "three hundred dollars (\$300)".

Senator Coykendall withdrew his amendment to the amendment.

Senator Klemme moved the previous question.

Senator Valentine moved that the consideration of Senate File No. 167 be postponed indefinitely.

Senator Hill raised the point of order that the motion was out of order due to the fact that the previous question had been moved.

The President pro tempore held the point of order well taken.

Senator Calhoun moved to lay the bill on the table.

The President pro tempore ruled that the motion was out of order as the previous question had been moved, was not debatable and was pending before the Senate.

Senator Calhoun raised the point of order that under Rule 10 the ruling was out of order.

The President pro tempore held that the point of order was not well taken as the motion for the previous question was not debatable.

The motion for the previous question prevailed.

Senator Calhoun moved to lay the bill on the table.

The President pro tempore held that the motion was out of order until the previous question, being the Irwin amendment, had been put.

Roll call was demanded.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 42.

Aschenbrenner	Elthon	Knudson	Roelofs
Beardsley	Fisch	McArthur	Schmidt
Beatty	Geske	Miller of Jones	Shangle
Bennett	Hicklin	Moore	Stanley
Booth	Hill	Mullaney	Stevens of
Calhoun	Hopkins	Myers	Decatur
Carden	Hush	Nelson	Stevens of
Chrystal	Husted	Patterson	Wapello
Cooney	Irwin	Pendray	Topping
Coykendall	Kimberly	Reese	Wenner
Doze	Klemme	Ritchie	White

Nays, none.

Absent or not voting, 8.

Anderson	Harrington	Miller of .	Valentine
Byers	Meyer	Buchanan	Wilson
Frailey			

The amendment was adopted.

Senator Calhoun moved to lay the bill on the table.

Roll call was demanded.

On the question, "Shall the motion prevail?" the vote was:

Ayes, 4.

Byers	Calhoun	Topping	Valentine
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Nays, 38.

Aschenbrenner	Elthon	Klemme	Reese
Beardsley	Fisch	Knudson	Schmidt
Beatty	Geske	McArthur	Shangle
Bennett	Hicklin	Meyer	Stanley
Booth	Hill	Miller of Jones	Stevens of
Carden	Hopkins	Moore	Decatur
Chrystal	Hush	Mullaney	Stevens of
Cooney	Husted	Myers	Wapello
Coykendall	Irwin	Nelson	Wenner
Doze	Kimberly	Pendray	White

Absent or not voting, 8.

Anderson	Miller of	Patterson	Roelofs
Frailey	Buchanan	Ritchie	Wilson
Harrington			

The motion to table was lost.

Senator Hicklin offered the following amendment and moved its adoption:

Amend section 1, line 4, by striking the word "or" after the word "farmer" and substitute in lieu thereof the word "and".

Senator Hicklin withdrew his amendment.

Senator Knudson moved the previous question on all pending amendments and the main bill, which motion prevailed.

Upon the request of Senator Stanley unanimous consent was granted him to offer an amendment.

Action was deferred temporarily.

The Journal of February 8th was corrected and approved.

AMENDMENTS FILED

Amend Senate File No. 49 as follows:

Strike out all parts of the bill following the enacting clause and in lieu thereof insert the following, to wit:

Section 1. Section forty-two hundred sixteen-c one (4216-c1), Code, 1931, is hereby amended as follows:

Strike from lines seven (7), eight (8), and nine (9) the words "and which have a population of one hundred twenty-five thousand or more" and insert in lieu thereof the words:

"of the first class or a city under special charter".

Sec. 2. Section forty-two hundred sixteen-c twenty-four (4216-c24), Code, 1931, is amended by adding to said section the following, to wit:

"In independent districts where the board consists legally of three members only one member shall be elected for the full term at any election; where it consists of five members not less than one member nor more than two members shall be elected for the full term at any one election; and where it consists of seven members not less than two members nor more than three members shall be elected for the full term at any one election."

CORRELATING AMENDMENTS

Sec. 3. Section forty-one hundred twenty-five (4125), Code, 1931, is amended as follows:

Strike all of said section after the word "directors" in line three (3) and insert in lieu thereof the following, to wit:

"elected as provided by law".

Sec. 4. Section forty-two hundred sixteen-c twenty-five (4216-c25), Code, 1931, is amended by adding to the paragraph numbered "3" the following, to wit: "; except that in districts which embrace a city of one hundred twenty-five thousand (125,000) or more three shall be elected for two (2) years, two (2) for four (4) years, and two (2) for six years."

Sec. 5. Section forty-two hundred sixteen-c thirty-five (4216-c35), Code, 1931, is hereby repealed.

Sec. 6. In all independent school districts which embrace a city of the first class, or a city under special charter, except districts which embrace a city having a population of one hundred twenty-five thousand (125,000) or more, the term of a director elected by the voters prior to July 4, 1933, that would otherwise legally expire the third Monday of March, 1934, is hereby extended to the third Monday of March, 1935, and his successor

shall be elected for a full term; and the term of a director elected by the voters prior to July 4, 1933, that would otherwise legally expire the third Monday of March, 1936, is hereby extended to the third Monday of March, 1937, and his successor shall be elected for the full term. In such districts the term of the treasurer elected by the voters prior to July 4, 1933, that would otherwise legally expire the first secular day of July, 1934, is hereby extended to the first secular day of July, 1935, and his successor shall be elected the second Monday of March, 1935, for the regular term of two (2) years.

There shall also be elected at each biennial election a member or members for a term of three (3) years to succeed those whose terms will expire one (1) year after the third Monday of March first following said election. The nomination papers and the ballot shall specify the term for which each nominee is a candidate.

ROY E. STEVENS.

Amend Senate File No. 167 as follows:

Strike the period (.) at the end of Section 3, and add the following thereto: “, nor shall it affect the remedies for existing obligations as against property now in existence”.

E. R. HICKLIN.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 10, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. Henry Craven of the African Methodist Episcopal Church, Des Moines, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Roelofs temporarily on request of Senator Beardsley.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Approving prohibition. Senator Miller of Buchanan, from residents of Buchanan county. Senator Schmidt, from residents of Iowa county. Senator Kimberly, from residents of Scott county. Judiciary No. 1.

Opposing passage of Senate File No. 112. Senator Wenner, from members of the tax committee of the Cedar Falls Chamber of Commerce. Reduction of public expenditures.

Relating to school legislation and the tuberculin testing law. Senator Wenner, from the Cedar Falls City Council of Parents and Teachers Association. Public schools and agriculture.

Opposing Senate File No. 51. Senator Cooney, from residents of Dubuque county. Reduction of public expenditures.

Approving the tuberculin testing law, and opposing the passage of Senate File No. 131. Senator Schmidt, from the Executive Board of the Parent-Teacher Council of Iowa City, Iowa. Agriculture and reduction of public expenditures.

Approving the tuberculin testing law. Senator Wenner, from the Waterloo Woman's Club. Agriculture.

Relating to Senate File No. 164 and House File No. 191 which pertain to road poll taxes. Senator Stanley, from members of the Board of Supervisors of Adams county. Senator Valentine, from members of the Board of Supervisors of Appanoose county. Senator Stevens of Decatur, from members of the Board of Supervisors of Union county. Highways.

Approving House File No. 163. Senator Stanley, from the City Council of Bedford, Iowa. Cities and towns.

Opposing the passage of House File No. 79 relating to roads and highways. Senator Doze, from officers of Wayne county. Senator Stanley, from the Adams county Board of Supervisors. Senator Stevens of Decatur, from the Union county Board of Supervisors. Highways.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House File No. 115.

HOMER HUSH, *Chairman Senate Committee.*

WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House File No. 115.

INTRODUCTION OF BILLS

Senate File No. 232, by Senator Chrystal, a bill for an act to legalize the extension of the corporate limits of the town of Dedham, Carroll County, Iowa, the election of the officers of said town, the passage, approval, signing, recording and publication of its ordinances and resolutions, the levy and assessment of taxes and special assessments on persons or property within the extended limits of said town and to legalize all acts of its officers and all corporate acts of said town of Dedham, so far as the same affect persons or property within its extended limits, including the issuance of its warrants and bonds and construction of its public improvements.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 233, by Senator Irwin, a bill for an act to create a system of road, bridge and culvert work, construction and maintenance for counties and townships, to fix the rights, powers, and duties of public officers with reference to said system, to authorize the levy of taxes, both general and poll, with which to carry on said system, to repeal sections forty-six hundred forty-four-c one (4644-c1) to forty-six hundred forty-four-c sixty-four (4644-c64), inclusive, Code, 1931, and so to amend various existing sections of law as to coordinate and harmonize said sections with the systems herein created.

Read first and second times and referred to committee on highways.

Senate File No. 234, by Senator Stanley, a bill for an act to amend section fifty-six hundred seventeen (5617), Code, 1931, relating to the severance of territory from a city or town.

Read first and second times and referred to committee on cities and towns.

Senate File No. 235, by committee on ways and means, a bill for an act to amend Chapter three thirty-two (332), of the code, 1931.

Read first and second times and placed on the calendar.

Senate File No. 236, by committee on ways and means, a bill for an act to amend sections seventy-one fifteen (7115), seventy-one sixteen (7116), and seventy-one eighteen (7118), of the code, 1931.

Read first and second times and placed on the calendar.

Senate File No. 237, by committee on ways and means, a bill for an act to amend section sixty-nine eighty-two-D1 (6982-D1), and section sixty-nine eighty-two-D2 (6982-D2) of the code, 1931.

Read first and second times and placed on the calendar.

Senate File No. 238, by committee on ways and means, a bill for an act to amend section twenty-six hundred and six (2606), of the code, 1931.

Read first and second times and placed on the calendar.

Senate File No. 239, by committee on ways and means, a bill for an act to amend section sixty-nine forty-seven (6947), of the code, 1931.

Read first and second times and placed on the calendar.

Senate File No. 240, by committee on ways and means, a bill for an act to amend section sixty-nine fifty-three (6953), of the code, 1931.

Read first and second times and placed on the calendar.

Senate File No. 241, by Senator Reese, a bill for an act to amend chapter two hundred fifty-two-A one (252-A1) of the code, 1931, relating to regulation of motor vehicles.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 242, by committee on public health, a bill for an act to amend section fifty-three hundred fifty-five (5355) of the Code, 1931, relating to the appointment of trustees of county public hospitals.

Read first and second times and placed on the calendar.

Senate File No. 243, by committee on insurance, a bill for an act to amend chapter three hundred ninety-eight (398) of the Code of Iowa of 1931 by inserting therein an additional section to provide for the granting and selling of annuities by life insurance companies governed by that chapter.

Read first and second times and placed on the calendar.

Senate File No. 244, by committee on insurance, a bill for an act to amend section seven thousand twenty-five (7025) of the 1931 code of Iowa, relating to domestic insurance companies' tax on gross premiums, and providing for a definition of the words "business written within the state", as contained therein.

Read first and second times and placed on the calendar.

Senate File No. 245, by committee on insurance, a bill for an act to amend chapter four hundred four (404), code of Iowa for 1931, to provide a penalty for failure to file policies or permits, as provided in that chapter.

Read first and second times and placed on the calendar.

Senate File No. 246, by committee on insurance, a bill for an act

to repeal chapter three hundred ninety-nine (399) of the 1931 code of Iowa and enact a substitute therefor relating to group life, health and accident insurance.

Read first and second times and placed on the calendar.

Senate File No. 247, by Senator Cooney, a bill for an act to repeal section five thousand twenty-six-B one (5026-B1) of the code, 1931.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 248, by Senators Irwin, Aschenbrenner and Hush, a bill for an act to repeal the law as it appears in section twenty-five hundred forty-eight (2548), section twenty-five hundred fifty-one (2551), and section twenty-five hundred fifty-four (2554), of the code of Iowa, 1931, and to enact substitutes therefor; relating to the definition of osteopathy, osteopathy and surgery, the requirements necessary to practice osteopathy and osteopathy and surgery, and prohibiting the use of drugs and medicine by osteopaths and osteopathic surgeons.

Read first and second times and referred to committee on public health.

Senate File No. 249, by Senator Hill, a bill for an act providing that where contests of elections are filed in a general assembly the presiding officer of the house in which the contest is filed shall appoint some member thereof to represent each contestant in the capacity as legal representative before the contest committee.

Read first and second times and referred to committee on rules.

COMMITTEE APPOINTMENTS OF SENATOR DOZE

The President announced the appointment of Senator Doze to the following Senate standing committees: appropriations, banks and banking, educational institutions, elections, fish and game, printing, and ways and means.

REPORTS OF COMMITTEES

Senator Stevens of Wapello submitted the following reports:

MR. PRESIDENT: Your committee on reduction of public expenditures to which was referred Senate File No. 40, a bill for an act to amend sections 4179, 4181, code 1931, relating to transportation in consolidated districts, begs leave to report it has had the same under consideration

and recommends the same be amended as follows; and when so amended the bill do pass:

1. Amend the title by inserting after the comma (,) in line two (2) thereof the words and figures "forty-one hundred eighty-one (4181)".

2. Strike out all after the enacting clause and insert in lieu thereof the following:

"Section 1. Section forty-one hundred seventy-nine (4179), code 1931, is amended by striking out the word 'shall' in line two (2) of said section and inserting in lieu thereof the word 'may'.

"Sec. 2. Section forty-one hundred eighty (4180), code 1931, is amended by inserting immediately after the word 'board' in line one (1) the following:

' , if it furnishes transportation, '.

"Sec. 3. Section forty-one hundred eighty-one (4181), code 1931, is amended as follows:

1. Insert immediately after the word 'board' in line one (1) the following: ' , if it furnishes transportation, '.

2. Strike out the word 'shall' in line nine (9) and insert in lieu thereof the word 'may'.

"Sec. 4. Section forty-one hundred eighty-two (4182), code 1931, is amended by striking from lines one (1) and two (2) the words: 'of any school corporation maintaining a consolidated school', and inserting in lieu thereof the following: ' , if it furnishes transportation, '.

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on reduction of public expenditures to which was referred Senate File No. 22, a bill for an act to amend Sections 88-c1, 130c1, 153-c1, etc., to reduce state statutory salaries paid by the state, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. Amend Sec. 6, by changing the words "four thousand" to "three thousand".

2. Amend Sec. 7, by changing the words "twenty-five hundred and fifty" to "two thousand".

3. Amend Sec. 8, by changing the words "two thousand five hundred fifty" to "two thousand".

4. Amend Sec. 9, by changing the words "two thousand four hundred eighty" to "two thousand".

5. Amend Sec. 14, by changing the words "fourteen hundred" to "twelve hundred"; also, by changing the words "eleven hundred ten" to "one thousand".

6. Amend Sec. 15, by changing the words "twenty-five hundred fifty" to "twenty-one hundred twenty-five".

7. Amend Sec. 21, by changing the words "thirty-two hundred" to "three thousand".

8. Amend Sec. 22, by changing the words "thirty-six hundred" to "three thousand".

9. Amend Sec. 23, by changing the words "thirty-six hundred" to "three thousand".

10. Amend Sec. 24, by changing the words "thirty-one hundred" to "three thousand". Also, by changing the words "three thousand eight hundred forty" to "three thousand".

11. Amend Sec. 26, by adding the words "no change during term" after the words "four thousand" in line four (4).

12. Amend Sec. 27, by striking out all of line 1 and substituting therefor the following:

"That all state statutory salaries, not hereinbefore specifically mentioned and including the compensation of members of the General Assembly, shall be reduced as follows:"

13. Amend Sec. 28, by inserting the word "state" immediately preceding the word "salaries".

14. Further amend the bill by adding the following section:

"Sec. 30. This bill being deemed of immediate importance shall be in full force and effect from and upon the date of publication in The Oakville Sentinel, a newspaper in Oakville, Iowa, and in The Wilton Junction Advocate, a newspaper in Wilton Junction, Iowa.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on reduction of public expenditures to which was referred Senate File No. 66, a bill for an act to amend Sections 657, 6704, etc., Code 1931, to reduce statutory salaries for city officers, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. Amend Sec. 1, paragraph 1, by changing the words "one hundred forty-two dollars and fifty cents" to "one hundred".

2. Amend Sec. 1, paragraph 2, by changing the words "one hundred fourteen" to "one hundred".

3. Amend Sec. 1, paragraph 3, by changing the words "two thousand one hundred twenty-five" to "two thousand".

4. Amend Sec. 1, paragraph 4, by changing the words "eighteen hundred" to "fifteen hundred".

5. Amend Sec. 1, paragraph 5, by changing the words "two thousand one hundred twenty-five" to "two thousand".

6. Amend Sec. 1, paragraph 6, by changing the words "one thousand six hundred twenty" to "fifteen hundred".

7. Amend Sec. 1, paragraph 7, by changing the words "two thousand five hundred fifty" to "two thousand".

8. Amend Sec. 1, paragraph 8, by changing the words "two thousand one hundred twenty-five" to "two thousand".

9. Amend Sec. 1, paragraph 10, by changing the words "two thousand five hundred fifty" to "two thousand".

10. Amend Sec. 2, paragraph 1, by changing the words "five hundred seventy" to "four hundred".

11. Amend Sec. 3, paragraph 1, by changing the words "two thousand one hundred twenty-five" to "two thousand".

12. Amend Sec. 4, paragraph 1, by changing the words "five hundred seventy" to "four hundred".

13. Amend Sec. 5 by adding thereto the following paragraph: "Provided, however, that the change in salaries of the Judges herein referred to shall not become effective during the term of office of any such Judge now continuing when this act takes effect."

14. Amend Sec. 5, paragraph 4, by changing the words "one thousand six hundred twenty" to "twelve hundred".

15. Amend Sec. 5, paragraph 5, by changing the words "one thousand eight hundred seventy" to "twelve hundred".

16. Amend Sec. 5, paragraph 6, by changing the words "two thousand two hundred ten" to "two thousand".

17. Amend Sec. 5, paragraph 7, by changing the words "fourteen hundred" to "twelve hundred".

18. Amend Sec. 5, paragraph 8, by changing the words "one thousand five hundred seventy-five" to "twelve hundred".

19. Amend Sec. 5, paragraph 9, by changing the words "eighteen hundred" to "twelve hundred".

20. Amend Sec. 6, by changing the words "thirty-one hundred" to "three thousand".

21. Amend Sec. 6 by adding the following paragraph: "Provided, however, that the change in salaries of the Judges herein referred to shall not become effective during the term of office of any such Judge now continuing when this act takes effect."

22. Amend Sec. 7, paragraph 2, by changing the words "two thousand five hundred fifty" to "two thousand".

23. Amend Sec. 7 by adding the following paragraph: "Provided, however, that the change in salaries of the Judges herein referred to shall not become effective during the term of office of any such Judge now continuing when this act takes effect."

24. Amend Sec. 8 by inserting the word "municipal" immediately preceding the word "salaries" in line 1; also, by inserting the words "not herein before mentioned" immediately following the word "salaries".

25. Amend Sec. 9, line 2, by inserting the word "municipal" immediately preceding the word "salaries".

26. Amend the bill by adding the following section:

"Sec. 11. This bill being deemed of immediate importance shall be in full force and effect from and upon the publication in The Eddyville Tribune, a newspaper in Eddyville, Iowa, and in The Mason City Globe Gazette, a newspaper in Mason City, Iowa.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on reduction of public expenditures to which was referred Senate File No. 21, a bill for an act to amend Sections 5125-5220, etc., Code 1931, to revise Statutory salaries of county officers, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. Amend Sec. 2, paragraph 8, by changing the words "two thousand four hundred eighty" to "two thousand three hundred eighty".
2. Amend Sec. 2, paragraph 9, by changing the words "two thousand five hundred fifty" to "two thousand five hundred ninety-two dollars, fifty cents".
3. Amend Sec. 3, paragraph 1, by changing the words "fourteen hundred" to "twelve hundred".
4. Amend Sec. 3, paragraph 2, by changing the words "one thousand five hundred seventy-five" to "twelve hundred".
5. Amend Sec. 3, paragraph 3, by changing the words "fourteen hundred" to "twelve hundred".
6. Amend Sec. 4, paragraph 8, by changing the words "two thousand four hundred eighty" to "two thousand three hundred eighty".
7. Amend Sec. 5, paragraph 1, by changing the words "fourteen hundred" to "twelve hundred".
8. Amend Sec. 5, paragraph 2, by changing the words "one thousand five hundred seventy-five" to "twelve hundred".
9. Amend Sec. 5, paragraph 3, by changing the words "fourteen hundred" to "twelve hundred".
10. Amend Sec. 6, paragraph 10, by changing the words "two thousand four hundred eighty" to "two thousand three hundred eighty".
11. Amend Sec. 6, paragraph 11, by changing the words "two thousand six hundred thirty-five" to "two thousand five hundred ninety-two dollars, fifty cents".
12. Amend Sec. 7, paragraph 1, by changing the words "fourteen hundred" to "twelve hundred".
13. Amend Sec. 7, paragraph 2, by changing the words "one thousand five hundred seventy-five" to "twelve hundred".
14. Amend Sec. 7, paragraph 3, by changing the words "fourteen hundred" to "twelve hundred".
15. Amend Sec. 8, paragraph 9, by changing the words "two thousand four hundred eighty" to "two thousand three hundred eighty".
16. Amend Sec. 8, paragraph 10, by changing the words "two thousand nine hundred seventy-five" to "two thousand five hundred".
17. Amend Sec. 9, paragraph 1, by changing the words "fourteen hundred" to "twelve hundred".
18. Amend Sec. 9, paragraph 2, by changing the words "one thousand six hundred twenty" to "twelve hundred".
19. Amend Sec. 10, paragraph 1, by changing the words "one thousand seventeen dollars and fifty cents" to "nine hundred dollars".
20. Amend Sec. 10, paragraph 2, by changing the words "one thousand two hundred ninety-five" to "twelve hundred".
21. Amend Sec. 10, paragraph 3, by changing the words "one thousand four hundred forty" to "twelve hundred".
22. Amend Sec. 10, paragraph 4, by changing the words "one thousand five hundred thirty" to "twelve hundred".
23. Amend Sec. 10, paragraph 5, by changing the words "one thousand eight hundred seventy" to "fifteen hundred".
24. Amend Sec. 10, paragraph 6, by changing the words "one thousand eight hundred seventy" to "fifteen hundred".

25. Amend Sec. 10, paragraph 8, by changing the words "two thousand nine hundred seventy-five" to "two thousand five hundred".

26. Amend Sec. 11, paragraph 1, by changing the words "nine hundred sixty" to "nine hundred".

27. Amend Sec. 11, paragraph 2, by changing the words "one thousand four hundred" to "twelve hundred".

28. Amend Sec. 11, paragraph 3, by changing the words "one thousand eight hundred" to "fifteen hundred".

29. Amend Sec. 11, paragraph 5, by changing the words "eighteen hundred" to "fifteen hundred".

30. Amend Sec. 12, paragraph 1, by changing the words "one thousand five hundred thirty" to "twelve hundred".

31. Amend Sec. 12, paragraph 2, by changing the words "one thousand six hundred twenty" to "twelve hundred".

32. Amend Sec. 12, paragraph 3, by changing the words "one thousand seven hundred ten" to "fifteen hundred".

33. Amend Sec. 12, paragraph 8, by changing the words "two thousand four hundred eighty" to "two thousand three hundred eighty".

34. Amend Sec. 13, paragraph 1, by changing the words "fourteen hundred" to "twelve hundred".

35. Amend Sec. 13, paragraph 2, by changing the words "one thousand five hundred seventy-five" to "twelve hundred".

36. Amend Sec. 13, paragraph 3, by changing the words "fourteen hundred" to "twelve hundred".

37. Amend Sec. 14, paragraph 1, by changing the words "one thousand six hundred twenty" to "twelve hundred".

38. Amend Sec. 15, paragraph 1, by changing the words "two dollars and fifty cents" to "three dollars and fifty cents".

39. Amend Sec. 15, paragraph 2, by changing the words "two dollars and fifty cents" to "three dollars and fifty cents".

40. Amend Sec. 16, paragraph 1, by changing the words "two dollars and fifty cents" to "three dollars and fifty cents".

41. Amend Sec. 17, paragraph 1, by changing the words "three dollars" to "three dollars and fifty cents".

42. Amend Sec. 17, paragraph 2, by changing the words "three dollars" to "three dollars and fifty cents".

43. Amend Sec. 18, paragraph 1, by changing the words "one thousand six hundred twenty" to "twelve hundred".

44. Amend Sec. 18, paragraph 2, by changing the words "one thousand six hundred twenty" to "twelve hundred".

45. Amend Sec. 18, paragraph 6, by changing the words "one thousand six hundred twenty" to "twelve hundred".

46. Amend Sec. 19, paragraph 1, line 1, by inserting the word "county" immediately preceding the word "salaries"; also, by inserting the words "not herein before mentioned" immediately following the word "salaries".

47. Amend Sec. 20, line 2, by inserting the word "county" immediately preceding the word "salaries".

48. Further amend by adding thereto the following section:

"Sec. 22. This bill being deemed of immediate importance shall be in

full force and effect upon publication in The Burlington Gazette, a newspaper in Burlington, Iowa, and in The Bloomfield Democrat, a newspaper in Bloomfield, Iowa.”

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on reduction of public expenditures to which was referred Senate File No. 90, a bill for an act to amend Sections 7244 and 7214, Code 1931, relating to sales of real estate for delinquent taxes and the rate of interest on such delinquent taxes, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. Amend Section 1 by striking from line 6 the figure “3” following the word “December” and substituting therefor the figure “4”.

2. Amend Section 1 by striking from line 7 the words “sine die” and substituting therefor the words and figures “December 4, 1933”.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on tax reduction, to which was referred Senate File No. 131, a bill for an act relating to taxation, and to provide a maximum rate of levy on property in any county, municipality or other taxing district in the state, and to provide for the creation of a county budget commission, and to prescribe the powers and duties thereof, begs leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows, and when so amended that the bill do pass:

Amend Section 1 by striking from lines seven (7) and eight (8) thereof the words “for general state purposes”; also by inserting after the word “made” at the end of line eight (8) thereof the words “or certified”; also by inserting after the word “council” in line nine (9) thereof the following: “nor to any rates or levies authorized to be made by the board of supervisors for the support of the poor, as provided in section fifty-three hundred thirty-seven (5337) of the Code, 1931, nor to any rates or levies authorized under the provisions of section fifty-three hundred eighty-five (5385) of the Code, 1931, nor to any rates or levies authorized or required to be made to pay any judgment rendered by a court of competent jurisdiction against any county, municipality or taxing district.”

Amend Section 3 by striking out all of the remainder of the sentence after the comma (,) following the figures “1931” in line twelve (12) in said section and substituting in lieu thereof the following: “and shall be deemed to be candidates for county office”.

Amend by striking line seventeen (17) of Section 3 and all of the remainder of said section, and by inserting in lieu thereof as Section 4, the following:

“Sec. 4. Members of this commission shall be elected at large and not more than one shall be elected from any one township in the county, pro-

vided, however, that if any city contains one-fifth (1/5) or more of the population of a county, one of the commissioners shall be a resident of such city, if there be a candidate residing in such city; if any city contains one-third (1/3) or more of the population of a county, two of the commissioners may be residents of such city; and if any city contains a majority of the population of a county, three of the commissioners may be residents of such city. In any county not having a city containing one-fifth of the population of the county, or when there is no candidate residing in a city containing one-fifth of the population of a county, the candidates in the number to be elected, receiving the highest number of votes at the general election, shall be declared elected commissioners. In any county having one or more cities each containing one-fifth (1/5) or more of the population of the county, the candidate, if any, residing in each such city, receiving the highest number of votes of the candidates residing in said city, shall be declared elected as one of the commissioners, and candidates in a number equal to the remaining number to be elected, receiving the highest number of votes at the general election, shall be declared elected commissioners. If the foregoing method of determining the election of candidates should result in a greater number of commissioners from any township or city than such township or city is entitled to under the provisions of this act, then only such number as such township or city is entitled to shall be declared elected from such township or city, and they shall be chosen in order of the highest number of votes for the candidates from such township or city, and the election of the remaining members of the commission shall be determined as if such additional candidates residing in such city or township had not been candidates for such office, and the votes cast for such additional candidates shall not be considered. In case of death, resignation, or inability of any member of said commission to serve, the Governor shall make an appointment to fill the balance of the unexpired term of said commissioner. Members of this commission shall serve for four (4) year terms, excepting, however, that two (2) of the first five (5) commissioners elected shall serve for two (2) year terms and the other three (3) for four (4) year terms. The commissioners shall decide by lot as to which two (2) shall serve for two (2) year terms, provided that when two or more commissioners shall be residents of the same city or township, their terms shall not all expire at the same time. Thereafter at each biennial general election either two (2) or three (3) members of this commission, as the case may be, shall be elected for four (4) year terms."

Amend by renumbering Section 4 as Section 5.

Amend Section 5 by striking from Lines seven (7) and eight (8) thereof the words "or in any hearings on appeals to the State Director of the Budget." and inserting in lieu thereof the following: "except that if the board of supervisors shall be a party thereto, the commission may employ other attorneys or counsel."; and by renumbering Section 5 as Section 6.

Amend Section 6 by inserting after the word "thereof" in line two (2) of said section the following: "who shall serve for a term of one year,," and by renumbering Section 6 as Section 7.

Strike the whole of Section 7 and substitute in lieu thereof as Section 8 the following:

"Sec. 8. Said County Budget Commission shall meet each year on the first Monday after the 17th day of August at the court house in such county and shall examine and review the budgets and rates or levies made or certified by all levying or certifying boards or bodies within the county, as certified to the county auditor, and said commission shall have the power, and it shall be its duty, to revise and reduce such rates or levies and the amounts certified in such budgets so that the total levy for any one year on property within any taxing district of the county, for all purposes, shall be at the least practicable minimum, and shall be in conformity with the provisions of Section 1 of this act. The order of said commission making any revision or reduction in such rates or levies or in such budgets, shall be entered of record and filed in the office of the county auditor of said county on or before the Saturday following the last Monday in August, and unless protest is filed thereto as hereinafter provided, such order shall be final."

Amend Section 8 by striking from lines eight (8) and nine (9) of said section the words "on the second Monday following the fifteenth day of August" and inserting in lieu thereof "on the second Monday in September;". Also amend Section 8 by striking from line twenty-three (23) the words "State Director of the Budget" and inserting in lieu thereof "District Court"; and by renumbering Section 8 as Section 9.

Amend by inserting after Section 8 as Section 10, the following:

"Sec. 10. The written orders by such commission provided for in Sections 8 and 9 hereof shall fix and determine the amounts to be raised by taxation within each taxing district in the county; and the rate thereof, stated in number of mills per dollar, and any amounts, rates or levies previously or subsequently made or certified by any levying or certifying board shall be modified, if necessary, to conform therewith, and upon the filing of such final order the county auditor shall enter a record of such levies and of the rates for each taxing district upon the permanent records of his office in a book to be kept for that purpose, and such rates shall be the rates used in the computation of the taxes on all property in the county and in the preparation of the tax lists which are delivered to the county treasurer; provided, however, that such rates or levies shall be subject to modification or revision by order of the Court made upon appeal as hereinafter provided."

Amend by striking all of Sections 9, 10, 11 and 12 and inserting in lieu thereof, as Sections 11, 12, 13, 14 and 15, the following:

"Sec. 11. Within ten (10) days after the final order of the County Budget Commission is filed in the office of the County Auditor, appeals may be taken from such order or any part thereof to the District Court of such county, by the levying or certifying board of any taxing district affected thereby or by not less than ten taxpayers owning property within any taxing district affected thereby. Appeals shall be taken by a written notice to that effect to the Chairman of the County Budget Commission and served as an original notice, and when an appeal is taken by taxpayers, a copy of the notice shall be served upon the chairman, secretary or clerk of the levying or certifying board of the taxing district affected.

"Sec. 12. The Court shall hear the appeal as a special equitable proceeding upon filing of such pleadings as the Court may prescribe, and

shall review the action of the County Budget Commission relating to rates and levies and to the amounts to be raised by taxation for the purposes affected by the order or part thereof from which such appeal is taken, and the Court shall enter an order affirming, reversing or modifying the order of the County Budget Commission, which order of the Court shall be certified by the Clerk of the Court to the County Auditor, who shall correct the rates and levies of such taxing district upon the permanent records of his office, so as to conform to the order of the Court.

"Sec. 13. The said commission shall have power and authority to demand and receive from any public official within their respective counties a full and complete statement of the amount of money expended by his department for each fiscal year ending December thirty-first, or for any fiscal year ending on the last day of any month other than December, and any other information relative to the finances of said municipality. Said commission shall have power to inquire into the management, books of account and systems employed, of each municipal corporation and of each department thereof within their respective counties. Said commission shall also be authorized to make recommendations to improve the efficiency of any administrative method employed within any municipal corporation. Such recommendation or report shall be made public upon a resolution approved by a majority of the members of said commission. A report of the tax budgets approved by this commission and of other information pertaining to the administration of government in the county and to the expenditures and conservation of public funds, shall be made annually by the county auditor and filed with the Director of the Budget. A copy of said report shall be filed with the Board of Supervisors.

"Sec. 14. Nothing contained in this act shall be construed to impair or to interfere in any manner with the right of the qualified voters of any municipal corporation to vote under the constitution and laws of this state upon any question of incurring bonded indebtedness for any public purpose or levying any general or special tax, that may lawfully be submitted to the electors for their approval or rejection.

"Sec. 15. That the law as it appears in Section forty-three hundred ninety-two (4392) of the Code, 1931, is hereby amended by striking from line four (4) of said section the words 'the first Monday of September' and inserting in lieu thereof 'fifteenth day of August'."

Amend Section 13 by striking all of said section after the word "act" in line six (6), and by changing the comma (,) in said line six (6) to a period; and by renumbering said Section 13 as Section 16, and renumbering Section 14 as Section 17.

Amend the title so as to read as follows: "An Act relating to taxation, to provide a maximum rate of levy on property in any county, municipality, or other taxing district in the state, to provide for the creation of a County Budget Commission, to prescribe the powers and duties thereof, to amend section forty-three hundred ninety-two (4392) of the Code, 1931, and relating to certifications and levies for taxation.

ROY E. STEVENS, *Chairman.*

Passed on file.

Senator Myers submitted the following report:

MR. PRESIDENT: Your committee on ways and means, to which was referred Senate File No. 84, a bill for an act to amend section fifteen hundred sixty-three (1563), of the code, 1931, relating to the amount of the mulct tax for the sale of cigarettes, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

O. P. MYERS, *Chairman.*

Ordered passed on file.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in the Senate amendment to the following bill, in which the concurrence of the House was asked:

House File No. 25, a bill for an act relating to expiration of operators license for motor vehicles.

Also, that the House has concurred in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File No. 41, a bill for an act relating to courses of study in schools and colleges.

Also, that the House has concurred in the following bill in which the concurrence of the House was asked:

Senate File No. 145, a bill for an act relating to gasoline or other motor vehicle fuel used or otherwise disposed of in the State of Iowa.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 44, a bill for an act relating to teachers' salaries.

LLOYD ELLIS, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE NO. 44

Strike out all after the enacting clause and substitute in lieu thereof the following:

"Section 1. Section forty-three hundred forty-one (4341), Code, 1931, is amended as follows:

Strike out all of said section following the word 'than' in line four (4) and insert in lieu thereof the following:

"forty dollars (\$40.00) per month; provided that nothing herein shall be construed as limiting the right of a school board to make a contract for a higher wage than herein specified as a minimum."

Sec. 2. The county board of education may temporarily suspend the provisions hereof if, in its judgment, the financial conditions in any district warrant such action.

Sec. 3. Sections forty-three hundred forty-two (4342), forty-three hundred forty-three (4343), and forty-three hundred forty-four (4344), Code, 1931, are hereby repealed."

Amend the title by striking out all after the words "An Act to" and insert in lieu thereof the following:

"amend section forty-three hundred forty-one (4341), Code, 1931; and to repeal sections forty-three hundred forty-two (4342), forty-three hundred forty-three (4343), and forty-three hundred forty-four (4344), Code, 1931, relating to the minimum salary of teachers."

CONSIDERATION OF SENATE FILE NO. 167 RESUMED

Senator Stanley, under request granted on page 284 of the Senate Journal, offered his amendments as follows and moved their adoption:

Amend section 1, line 8, by inserting after the word "machinery," the words "or other property,"; also amend by striking from line 4 the words "a farmer, or" and inserting in lieu thereof the word "and"; also amend by striking the period (.) at the end of Section 3, and adding the following thereto: ", nor shall it affect the remedies for existing obligations as against property now in existence".

The amendments were adopted.

The bill was read for information.

Senator Geske moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 36.

Anderson	Fisch	Miller of	Schmidt
Aschenbrenner	Geske	Buchanan	Shangle
Beardsley	Harrington	Miller of Jones	Stanley
Beatty	Hicklin	Moore	Stevens of
Bennett	Hush	Mullaney	Decatur
Carden	Irwin	Myers	Stevens of
Chrystal	Kimberly	Nelson	Wapello
Cooney	Knudson	Pendray	Wenner
Coykendall	McArthur	Reese	White
Elthon	Meyer	Ritchie	

Nays, 8.

Booth	Calhoun	Hopkins	Klemme
Byers	Doze	Husted	Patterson

Absent or not voting, 6.

Frailey	Roelofs	Valentine	Wilson
Hill	Topping		

The bill having received a constitutional majority was declared to have passed the Senate.

Upon the request of Senator Hicklin, unanimous consent was granted to amend the title to read as follows:

"A bill for an act to increase the amount of statutory exemption from execution for residents who are the heads of families and to provide for the selection of such exempt property."

The title as amended was agreed to.

Senator Stanley moved that the vote by which the bill passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stevens of Wapello, Senate File No. 49, a bill for an act to amend sections forty-two hundred sixteen-c one (4216-c1), forty-two hundred sixteen-c twenty-four (4216-c24), forty-one hundred twenty-five (4125), forty-two hundred sixteen-c four (4216-c4), forty-two hundred sixteen-c twenty-five (4216-c25), code 1931; and to repeal section forty-two hundred sixteen-c thirty-five (4216-c35), code 1931, all relating to school elections, with report of committee recommending amendment and passage, was taken up and considered, the report of the committee having been adopted on page 246 of the Senate journal and the committee amendments withdrawn.

Senator Stevens of Wapello offered the following amendment and moved its adoption:

Amend by striking out all parts of the bill following the enacting clause and in lieu thereof inserting the following, to wit:

Section 1. Section forty-two hundred sixteen-c one (4216-c1), Code, 1931, is hereby amended as follows:

Strike from lines seven (7), eight (8), and nine (9) the words "and which have a population of one hundred twenty-five thousand or more" and insert in lieu thereof the words:

"of the first class or a city under special charter".

Sec. 2. Section forty-two hundred sixteen-c twenty-four (4216-c24), Code, 1931, is amended by adding to said section the following, to wit:

"In independent districts where the board consists legally of three members only one member shall be elected for the full term at any election; where it consists of five members not less than one member nor more than two members shall be elected for the full term at any one election; and where it consists of seven members not less than two members nor more than three members shall be elected for the full term at any one election."

CORRELATING AMENDMENTS

Sec. 3. Section forty-one hundred twenty-five (4125), Code, 1931, is amended as follows:

Strike all of said section after the word "directors" in line three (3) and insert in lieu thereof the following, to wit:

"elected as provided by law".

Sec. 4. Section forty-two hundred sixteen-c twenty-five (4216-c25), Code, 1931, is amended by adding to the paragraph numbered "3" the following, to wit: "; except that in districts which embrace a city of one

hundred twenty-five thousand (125,000) or more three shall be elected for two (2) years, two (2) for four (4) years, and two (2) for six years."

Sec. 5. Section forty-two hundred sixteen-c thirty-five (4216-c35), Code, 1931, is hereby repealed.

Sec. 6. In all independent school districts which embrace a city of the first class, or a city under special charter, except districts which embrace a city having a population of one hundred twenty-five thousand (125,000) or more, the term of a director elected by the voters prior to July 4, 1933, that would otherwise legally expire the third Monday of March, 1934, is hereby extended to the third Monday of March, 1935, and his successor shall be elected for a full term; and the term of a director elected by the voters prior to July 4, 1933, that would otherwise legally expire the third Monday of March, 1936, is hereby extended to the third Monday of March, 1937, and his successor shall be elected for the full term. In such districts the term of the treasurer elected by the voters prior to July 4, 1933, that would otherwise legally expire the first secular day of July, 1934, is hereby extended to the first secular day of July, 1935, and his successor shall be elected the second Monday of March, 1935, for the regular term of two (2) years.

There shall also be elected at each biennial election a member or members for a term of three (3) years to succeed those whose terms will expire one (1) year after the third Monday of March first following said election. The nomination papers and the ballot shall specify the term for which each nominee is a candidate.

Senator Cooney offered the following amendment to the amendment and moved its adoption :

Amend by inserting a comma after the word "class" and striking out the words "or a city" and substituting therefor the word "cities," in line six of section one, also by striking out the period after the word "charter" in line six and substituting a comma, and by adding the following: "cities under the commission form of government and cities under city manager form of government."

Also by striking out the words "or a city" in line two, section six and inserting the word "cities." And by adding after the word "charter" in line two, section six: "cities under the commission plan of government and cities under the city manager form of government,".

The amendment to the amendment was adopted.

The amendment as amended was adopted.

The bill was read for information.

Senator Stevens of Wapello moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 33.

Anderson	Doze	Kimberly	Shangle
Aschenbrenner	Fisch	Klemme	Stevens of
Bennett	Geske	Meyer	Decatur
Byers	Harrington	Miller of Jones	Stevens of
Calhoun	Hicklin	Mullaney	Wapello
Carden	Hill	Myers	Topping
Chrystal	Hopkins	Nelson	Valentine
Cooney	Hush	Pendray	White
Coykendall	Husted	Reese	

Nays, 11.

Beardsley	McArthur	Moore	Stanley
Elthon	Miller of	Patterson	Wenner
Irwin	Buchanan	Schmidt	
Knudson			

Absent or not voting, 6.

Beatty	Frailey	Roelofs	Wilson
Booth	Ritchie		

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

MOTION TO RECONSIDER FILED

I move to reconsider the vote by which Senate File No. 49 passed the Senate.

VINCENT F. HARRINGTON.

On motion of Senator Kimberly Senate File No. 160, a bill for an act to amend section ninety-two hundred ninety-two (9292) of the Code, 1931, relating to the appointment of successor, trustees or appointees, a committee bill, was taken up and considered.

Senator Frailey offered the following amendment and moved its adoption:

Amend by adding as sec. 2 the following:

Sec. 2. This act being deemed of immediate importance, shall be in effect from and after its publication, without expense to the State, in the Davenport Democrat, a newspaper published at Davenport, Iowa, and the Evening Democrat, a newspaper published at Fort Madison, Iowa.

The amendment was adopted.

President pro tempore Matt. D. Cooney was called to the chair at 11:20 a. m.

The bill was read for information.

Senator Kimberly moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 43.

Aschenbrenner	Fisch	Meyer	Shangle
Beardsley	Geske	Miller of	Stanley
Beatty	Harrington	Buchanan	Stevens of
Bennett	Hicklin	Moore	Decatur
Booth	Hill	Mullaney	Stevens of
Byers	Hopkins	Myers	Wapello
Calhoun	Hush	Nelson	Topping
Carden	Husted	Pendray	Valentine
Chrystal	Irwin	Reese	Wenner
Cooney	Kimberly	Ritchie	White
Coykendall	Knudson	Schmidt	Wilson
Doze	McArthur		

Nays, none.**Absent or not voting, 7.**

Anderson	Frailey	Miller of Jones	Roelofs
Elthon	Klemme	Patterson	

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

Senator Kimberly moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILES NOS. 170 AND 94 WITHDRAWN

Upon the request of Senator Geske, unanimous consent was granted to withdraw Senate File No. 170 which is a companion bill to House File No. 193 as signed by the Governor.

Upon the request of Senator Hicklin unanimous consent was granted to withdraw Senate File No. 94 as it is a companion bill to Senate File No. 167 as passed by the Senate.

Upon the request of Senator Knudson unanimous consent was granted to defer action on Calendar No. 7, Senate File No. 122, which shall retain its place on the calendar.

Upon the request of Senator Moore, unanimous consent was granted to defer action on Calendar Nos. 8 and 9, Senate Files Nos. 137 and 192, both of which shall retain their places on the calendar.

Upon the request of Senator Wenner, unanimous consent was granted to defer action on Calendar No. 10, Senate File No. 109. The bill was ordered placed at the foot of the calendar.

THIRD READING OF BILLS

On motion of Senator Stevens of Wapello Senate File No. 37, a bill for an act to establish a uniform cost accounting and financial

record system in all public schools, with report of committee recommending amendment and passage, was taken up, considered and the report of the committee adopted.

Upon the request of Senator Stevens of Wapello, House File No. 37, a companion bill, was substituted for Senate File No. 37.

Senator Stevens of Wapello moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 44.

Anderson	Fisch	Meyer	Roelofs
Aschenbrenner	Geske	Miller of	Shangle
Beardsley	Harrington	Buchanan	Stanley
Beatty	Hicklin	Miller of Jones	Stevens of
Bennett	Hill	Moore	Decatur
Booth	Hopkins	Mullaney	Stevens of
Calhoun	Hush	Myers	Wapello
Carden	Husted	Nelson	Valentine
Cooney	Irwin	Patterson	Wenner
Coykendall	Klemme	Pendray	White
Doze	Knudson	Reese	Wilson
Elthon	McArthur	Ritchie	

Nays, none.

Absent or not voting, 6.

Byers	Frailey	Schmidt	Topping
Chrystal	Kimberly		

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

Upon the request of Senator Stevens of Wapello Senate File No. 37 was withdrawn from further consideration.

President N. G. Kraschel returned to the chair at 11:43 a. m.

On motion of Senator Stevens of Wapello Senate File No. 36, a bill for an act to amend section forty-three hundred twenty-two (4322), code 1931, relating to common school libraries, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Upon the request of Senator Stevens of Wapello unanimous consent was granted to substitute House File No. 36 for Senate File No. 36, a companion bill.

Senator Cooney moved the previous question, which motion prevailed.

The bill was read for information.

Senator Stevens of Wapello moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 15.

Beatty	Harrington	Mullaney	Stevens of
Byers	Hicklin	Meyers	Wapello
Cooney	Meyer	Shangle	Topping
Elthon	Miller of Jones	Stanley	White

Nays, 30.

Anderson	Coykendall	Kimberly	Patterson
Aschenbrenner	Doze	Klemme	Pendray
Beardsley	Fisch	Knudson	Ritchie
Bennett	Geske	McArthur	Roelofs
Booth	Hill	Miller of	Schmidt
Calhoun	Hopkins	Buchanan	Wenner
Carden	Hush	Moore	Wilson
Chrystal	Husted	Nelson	

Absent or not voting, 5.

Frailey	Irwin	Stevens of	Valentine
Reese		Decatur	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Beardsley moved that the vote by which the bill failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Upon the request of Senator Stevens of Wapello, unanimous consent was granted to withdraw Senate File No. 36, a companion bill to the one just defeated.

The Journal of February 9th was corrected and approved.

AMENDMENT FILED

Amend House File No. 79, Section 3 by striking period at end of sentence of line 8, inserting a comma, and adding the following, "or may transfer to the poor fund of such county the whole or part of any moneys collected in 1933, from the levy required under section 4644-C15, Code of 1931".

CLYDE H. TOPPING.

Senator Klemme moved to adjourn until 10:00 a. m. Saturday.

Senator Wilson moved to amend by making the time for reconvening, 10:00 a. m., Monday. The amendment was adopted.

The motion, as amended, prevailed, and the Senate adjourned until 10:00 a. m., Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 13, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. Harry C. Shiffler, pastor of the Highland Park Presbyterian Church of Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Geske for the day, on request of Senator Cooney; Senator Harrington for the day, on request of Senator Valentine.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Approving prohibition. Senator Miller of Buchanan, from residents of Buchanan county. Senator Fisch, from residents of Cherokee county. Senator White, from residents of Tama county. Senator McArthur, from residents of Cerro Gordo county. Senator Elthon, from residents of Winnebago county. Senator Moore, from residents of Pottawattamie county. Senator Schmidt, from residents of Iowa county. Senator Chrystal, from residents of Crawford and Greene counties. Judiciary No. 1.

Opposing the placing of a special tax on the so-called "chain stores" doing business in the state. Senator Roelofs, from citizens of Sheldon, Iowa. Manufacturing, commerce and trade.

Approving the bill in regard to the payment of poll tax in labor. Senator Klemme, from members of the Board of Supervisors of Winneshick county. County and township affairs.

Relating to the proposed changes in the fish and game laws of Iowa. Senator Fisch, from the Izaak Walton League, Merrill, Iowa. Senator Miller of Buchanan, from the Delaware County Fish and Game Protective Association. Fish and game.

Favoring an optional tuberculin testing law. Senator Miller of Buchanan, from residents of Delaware county. Agriculture.

Approving the five day marriage license law. Senator Mullaney, from citizens of Oelwein, Iowa. Judiciary No. 1.

Opposing Senate File No. 156. Senator Fisch, from residents of Cherokee county. Agriculture.

Opposing the county budget commission bill proposed by the interim committee. Senator Wenner, from the Board of Education of the Independent School District of Waterloo, Iowa. Senator Reese, from residents of the Liscomb Consolidated School District, Liscomb, Iowa. Senator Kimberly, from the Linwood Parent Teachers Association, the Sheridan No. 9 Parent Teachers Association and the McCausland Parent Teachers Association, of Scott county. Public schools.

Opposing House File No. 82, providing that no public school shall maintain a high school offering more than two years above the eighth grade. Senator Reese, from residents of the Liscomb Consolidated School District, Liscomb, Iowa. Senator Kimberly, from the Linwood Parent Teachers Association, the Sheridan No. 9 Parent Teachers Association and the McCausland Parent Teachers Association of Scott county. Public schools.

Opposing abolishment of the minimum wage law. Senator Miller of Buchanan, from teachers of the Delhi Consolidated School, Delhi, Iowa. Senator Kimberly, from the Linwood Parent Teachers Association, the Sheridan No. 9 Parent Teachers Association and the McCausland Parent Teachers Association of Scott county. Public schools.

Opposing House File No. 36. Senator Miller of Buchanan, from teachers of the Delhi Consolidated School. Senator Kimberly, from the Linwood Parent Teachers Association, the Sheridan No. 9 Parent Teachers Association and the McCausland Parent Teachers Association of Scott county. Public schools.

Opposing Senate File No. 175. Senator Cooney, from the Dubuque Automobile Club, Dubuque, Iowa. Highways.

PRESENTATION OF A GAVEL TO LIEUTENANT GOVERNOR KRASCHEL

Senator McArthur, an alumnus of Iowa State College, presented

Mr. Gerald Penly of Ames and Mr. Delmar Olson of Mason City, both students at Iowa State, who in turn presented a gavel to Lieutenant Governor Kraschel which had been made from a piece of black walnut which once formed a part of the Old Capitol at Iowa City.

Mr. Penly, as spokesman for his fellow students, addressed the Lieutenant Governor as follows:

"In 1847 the corner stone of Iowa's first Capitol Building was laid, thus marking an important epoch in the history of the State of Iowa.

"That old building has served its purpose as a State House, and stands now as the administration building of the State University of Iowa, as well as a memorial to Iowa's early history. From the wood of that building we have made a gavel which we wish to present to you at this time in the hope that it will have a practical, as well as an historical value.

"In behalf of the Industrial Arts Society, a student organization of Iowa State College, I present this gavel to you."

Lieutenant Governor Kraschel graciously accepted the gavel and used it during the rest of the day's deliberations of the Senate.

STATE OF NEBRASKA
HOUSE OF REPRESENTATIVES—FORTY-NINTH SESSION

Lincoln, February 8, 1933.

Secretary of the Senate,
State Capitol Building,
Des Moines, Iowa.

DEAR SIR: I am herewith enclosing a certified copy of a resolution, relative to the enactment of a law to provide for the Construction, Purchase and Maintenance of Interstate Bridges across the Missouri River between the states of Nebraska and Iowa which has been passed by the House of Representatives of the State of Nebraska on February 7, 1933.

MA:gs

Yours truly,

Encl.

MAX ADAMS, *Chief Clerk.*

RESOLUTION

Memorializing the Legislature of the State of Iowa to Enact a Law to Provide for the Construction, Purchase and Maintenance of Interstate Bridges Across the Missouri River Between the States of Nebraska and Iowa.

PREAMBLE

Whereas, during its Forty-fourth Session the Nebraska State Legislature enacted into law as Chapter 184, Laws of Nebraska, 1927, now referred to as Sections 39-1601 to 39-1609, Compiled Statutes of Nebraska, 1929, and known as "Interstate Bridge Act;" and

Whereas, in the report of the Secretary of the Department of Public Works, favorable locations for said interstate bridges between the State of Nebraska and the State of Iowa were recommended at South Sioux City, Nebraska; Decatur, Nebraska; Blair, Nebraska; Omaha, Nebraska; Plattsmouth, Nebraska; and Nebraska City, Nebraska; and

Whereas, during the 1929 legislative session for the State of Iowa, House File No. 197 was introduced, passed the House, and failed to pass in the Senate; and

Whereas, said Iowa House File No. 197 provided for such legislation as was necessary on the part of said State of Iowa with respect to the construction, purchase and maintenance of interstate bridges across the Missouri River between the States of Nebraska and Iowa which were necessary in order to carry out said general program; and

Whereas, no further steps with respect to the construction of said interstate bridges between said states can be taken until the state of Iowa enacts into law legislation similar to said House File No. 197; and

Whereas, it is to the best interests of the citizens of both the states of Iowa and Nebraska that said program for joint construction of said bridges be carried on by the states themselves rather than as private money-making enterprises, now, therefore,

Be It Resolved by the House of Representatives of the State of Nebraska:

Section 1. That we hereby memorialize the Legislature of the State of Iowa to enact a law at the earliest possible moment similar to its House File No. 197, which was before said Iowa Legislature at its 1929 session, thus making it possible to carry on the joint general interstate bridge construction program as contemplated by Sections 39-1601 to 39-1609, Compiled Statutes of Nebraska, 1929, as aforesaid.

Sec. 2. That a copy of this joint resolution, properly authenticated, be by the Chief Clerk of the House of Representatives of the State of Nebraska after its passage, forwarded forthwith to the presiding officers of the two houses to the Iowa State Legislature for appropriate action thereon.
(Signed) VICTOR J. MCGONIGLE.

Lincoln, Nebraska, February 7, 1933.

I hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the House of Representatives of the Forty-ninth Session of the Legislature of Nebraska on February 7, 1933.
(Signed) MAX ADAMS, *Chief Clerk*.

The message was referred to the committee on highways.

INTRODUCTION OF BILLS

Senate File No. 250, by Senator Schmidt, a bill for an act to apportion the state into senatorial districts, to provide the time when state senators shall be elected, and to repeal chapter thirty-five-A two (35-A2) of the Code, 1931.

Read first and second times and referred to committee on political and judicial districts.

Senate File No. 251, by Senator Myers, a bill for an act to make descriptions of property, and the amount of debts secured thereby in chattel and real estate mortgages, definite and certain, and to render blanket or general provisions therein contrary to public policy and void.

Read first and second times and referred to committee on emergency legislation.

Senate File No. 252, by Senators Chrystal and McArthur, a bill for an act to prohibit the fraudulent advertising or selling of seed corn represented to be hybrid unless it represents the first generation of a cross between strains of different parentage and involving inbred lines of corn or their combination and prescribing a penalty therefor.

Read first and second times and referred to committee on agriculture.

Senate File No. 253, by Senator Roelofs, a bill for an act to repeal section eighteen hundred twenty-six (1826) of the Code, 1931, and to enact a substitute therefor, authorizing the Board of Conservation to fix the level of dams or spillways at the outlets of lakes and across streams, to construct same, to provide the procedure, and for assessment of damages.

Read first and second times and referred to committee on conservation.

Senate File No. 254, by committee on departmental affairs, a bill for an act to amend, revise, and codify sections two hundred seventy-eight (278) to two hundred eighty-one (281), inclusive, and two hundred eighty-three (283) to two hundred eighty-five (285), inclusive, and section sixty-nine hundred forty-three-c twenty-three (6943-c23), all of the Code, 1931, relating to the duties of the secretary of the executive council and to the duties of the members of the state board of assessment and review and of the employees of said board.

Read first and second times and placed on the calendar.

Senate File No. 255, by committee on agriculture, a bill for an act to amend sections thirty hundred seventy-one (3071) and

thirty hundred seventy-two (3072) of the code, 1931, relating to milk dealers' licenses.

Read first and second times and placed on the calendar.

Senate File No. 256, by Senators Ritchie and Patterson, a bill for an act to authorize any city of the second class to pledge, annually, certain portions of the net income of its municipally-owned electric light and power plant for the purpose of borrowing money with which to pay the cost of constructing a municipal hospital.

Read first and second times and referred to committee on cities and towns.

Senate Joint Resolution No. 8, by Senator Patterson, a joint resolution proposing an amendment to section thirty-four (34) of article three (3) of the constitution of the state of Iowa, as amended, relating to the apportionment of the state into senatorial districts.

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

Section 1. Senatorial districts. That the following amendment to section thirty-four (34) of article three (3) of the constitution of the state of Iowa, as amended, be and the same is hereby proposed:

"That the words 'established by law' appearing in said section be stricken;

"Also, that the words 'session of the general assembly' be stricken and the words 'term of the supreme court' be substituted in lieu thereof;

"Also, that the following be added to the end of said section:

"The supreme court by order shall adjust and establish the terms of the respective senators."

Sec. 2. Be it further resolved that the foregoing proposed amendment be and the same is hereby referred to the legislature to be chosen at the next general election for members of the next general assembly, and that the secretary of state cause the same to be published for three (3) months previous to the date of said election as provided by law.

Read first and second times and referred to committee on political and judicial districts.

Senate File No. 257, by Senator Hush, a bill for an act to amend section fifty-four hundred thirteen (5413), code 1931, relating to bounties on wild animals.

Read first and second times and referred to committee on fish and game.

Senate File No. 258, by Senator Irwin, a bill for an act to amend section eighty-three hundred thirty-eight-d two (8338-d2),

Code of 1931, relating to permits for the construction of pipe lines.

Read first and second times and referred to committee on public utilities.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate File No. 145, and House Files Nos. 25 and 41.

HOMER HUSH, *Chairman Senate Committee.*

WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File No. 145, and House Files Nos. 25 and 41.

Upon the request of Senator Knudson, unanimous consent was granted to defer action on Calendar No. 7, Senate File No. 122, which shall retain its place on the calendar.

SPECIAL ORDER CONTEST COMMITTEE REPORT

Upon the request of Senator Patterson, unanimous consent was granted to have the report of the election contest committee, Caldwell vs. Shangle, made a special order of business for Thursday at 10:30 a. m.; also, that the attorneys representing the contestant and incumbent be requested to present their argument before the Senate.

Upon the request of Senator Moore, unanimous consent was granted to defer action on Calendar Nos. 8 and 9, Senate Files Nos. 137 and 192, both of which shall retain their places on the calendar.

SENATE FILES NOS. 130, 175, 227 AND 226 ORDERED PRINTED

Upon the request of Senator Nelson, unanimous consent was granted to have 600 extra copies of Senate Files Nos. 130, 175 and 227, printed.

Upon the request of Senator Wenner, unanimous consent was granted to have 2400 extra copies of Senate File No. 226, printed.

MESSAGES FROM THE HOUSE

The following messages were received from the House :

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution No. 9, relating to officers' salaries in the State of Iowa.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 47, a bill for an act relating to school privileges under certain conditions.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 48, a bill for an act relating to high school tuition.

LLOYD ELLIS, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION NO. 9

Whereas, the United States and the State of Iowa are passing through a crucial period in the economic history of the state and of the nation, and

Whereas, the people of the state of Iowa because of the reduced prices of farm commodities are unable to meet their obligations and the interest and taxes on their farms and homes, and

Whereas, one of the serious phases of the present economic situation is the inability of the farmer and the home owner and citizens generally to pay the taxes levied against their property, and

Whereas, the Governor of the State of Iowa is now receiving a salary of seven thousand five hundred dollars (\$7500.00) a year and other officials of the State of Iowa serving in other departments of the state government are receiving a salary far in excess of seven thousand five hundred dollars (\$7500.00), therefore,

Be It Resolved in the House of Representatives, the Senate Concurring: That no officer or employee of the State of Iowa, or any of its boards and bureaus shall draw a salary in excess of seven thousand five hundred dollars (\$7500.00).

THIRD READING OF BILLS

On motion of Senator Stevens of Decatur, Senate File No. 91, a bill for an act to repeal sections twenty-five hundred twenty-three-c two (2523-c2) and twenty-nine hundred twenty-three-d one (2923-d1), code, 1931, relating to appropriations of public funds, said appropriations being duplicated in the general biennial appropriation act, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Calhoun moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 44.

Anderson	Elthon	Miller of	Shangle
Aschenbrenner	Fisch	Buchanan	Stanley
Beardsley	Frailey	Miller of Jones	Stevens of
Beatty	Hill	Moore	Decatur
Bennett	Hopkins	Mullaney	Stevens of
Booth	Hush	Myers	Wapello
Byers	Irwin	Nelson	Topping
Calhoun	Kimberly	Patterson	Valentine
Carden	Klemme	Pendray	Wenner
Chrystal	Knudson	Reese	White
Cooney	McArthur	Ritchie	Wilson
Doze	Meyer	Roelofs	

Nays, none.

Absent or not voting, 6.

Coykendall	Harrington	Husted	Schmidt
Geske	Hicklin		

The bill having received a constitutional majority was declared to have passed the Senate.

Upon the request of Senator Valentine, unanimous consent was granted to amend the title by striking all after the word "funds" in line 3 and by adding a period (.).

The amendment was adopted and the title as amended was agreed to.

Senator Calhoun moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stevens of Wapello, Senate File No. 38, a bill for an act to abolish the office of school treasurer and to impose on the county treasurer the duties heretofore performed by the school treasurers; to amend sections thirty-nine hundred four (3904), forty-one hundred six (4106), forty-one hundred forty-five (4145), forty-one hundred forty-eight (4148), forty-one hundred eighty-six (4186), forty-two hundred sixteen-c thirty-two (4216-c32), forty-two hundred twenty-two (4222), forty-two hundred thirty-two (4232), forty-two hundred thirty-nine-a three (4239-a3), forty-two hundred seventy-four (4274), forty-two hundred seventy-seven (4277), forty-two hundred seventy-eight

(4278), forty-two hundred eighty-three-c twelve (4283-c12), forty-three hundred five (4305), forty-three hundred six (4306), forty-three hundred eight (4308), forty-three hundred seventeen (4317), forty-three hundred thirty-five (4335), forty-three hundred ninety-six (4396), forty-three hundred ninety-nine (4399), forty-four hundred (4400), forty-four hundred eight (4408), forty-four hundred nine (4409), seventy-four hundred twenty-d one (7420-d1), seventy-four hundred twenty-d four (7420-d4), seventy-four hundred twenty-d six (7420-d6), seventy-four hundred twenty-a eight (7420-a8), and seventy-four hundred twenty-b one (7420-b1), code 1931; to repeal sections forty-two hundred forty (4240), forty-three hundred four (4304), forty-three hundred ten (4310), forty-three hundred fourteen (4314), forty-three hundred sixty-nine (4369), forty-three hundred ninety-eight (4398), and forty-four hundred thirty-six (4436), code 1931, and to enact substitutes therefore; and to repeal sections forty-two hundred sixteen-c twenty-six (4216-c26), forty-three hundred sixteen (4316), forty-three hundred eighteen (4318), forty-three hundred twenty (4320), and forty-three hundred twenty-one (4321), code 1931, with report of committee recommending amendment and passage, was taken up, considered and the report of the committee adopted.

The following committee amendments were considered:

Amend Sec. 26 by striking from lines six (6) and seven (7) the words, "separate account of each fund with the county treasurer."

Amend by striking out section 46. (Publication clause.)

The amendments were adopted.

Senator Shangle offered the following amendment and moved its adoption:

Amend line 7 of section 18 by striking the word "of" and inserting in lieu thereof the word "for".

The amendment was adopted.

The bill was read for information.

Senator Stevens of Wapello moved that the reading just had be considered the third reading, which motion prevailed.

Senator Wilson was called to the chair at 11:55 a. m.

Senator Shangle asked unanimous consent to suspend the rules and offer an amendment.

Senator Hicklin objected.

Senator Frailey raised the point of order that objection had been made to the suspension of rules and that the question was on the main bill.

The chair ruled the point of order well taken.

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

Ayes, 27.

Aschenbrenner	Coykendall	Myers	Stevens of
Beardsley	Hicklin	Nelson	Decatur
Beatty	Hopkins	Patterson	Stevens of
Booth	Hush	Pendray	Wapello
Byers	Kimberly	Roelofs	Valentine
Calhoun	Klemme	Shangle	White
Carden	Mullaney	Stanley	Wilson
Chrystal			

Nays, 20.

Anderson	Hill	Meyer	Reese
Cooney	Husted	Miller of	Ritchie
Doze	Irwin	Buchanan	Schmidt
Elthon	Knudson	Miller of Jones	Topping
Fisch	McArthur	Moore	Wenner
Frailey			

Absent or not voting, 3.

Bennett	Geske	Harrington
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hicklin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stevens of Decatur the Senate recessed until 1:30 p. m. today.

AFTERNOON SESSION

The Senate reconvened at the fall of the gavel, President N. G. Kraschel presiding.

Upon the request of Senator Mullaney, order of business was returned to introduction of bills and reports of committees.

HOUSE MESSAGES CONSIDERED

House File No. 47, a bill for an act to repeal sections forty-two hundred thirty-two (4232), forty-two hundred thirty-three (4233), forty-three hundred seventy-five (4375), and forty-three hundred seventy-six (4376), code 1931, and to enact a substitute therefor;

and to amend section forty-two hundred seventy-four (4274), code 1931, all relating to school privileges under certain conditions.

Read first and second times and referred to committee on reduction of public expenditures.

House File No. 48, a bill for an act to amend section forty-two hundred seventy-seven (4277), code 1931, relating to high school tuition.

Read first and second time and referred to committee on reduction of public expenditures.

REPORT OF COMMITTEE

Senator Wilson submitted the following report :

MR. PRESIDENT: Your committee on cities and towns to which was referred House File No. 188, a bill for an act to amend section 6687 of Code, 1931, relating to special election to submit proposition to abandon organization of city or town under chapter three hundred twenty-eight (328) of the Code, 1931, and become a city or town under the general law governing cities and towns, or resume special charter, begs leave to report it has had the same under consideration and recommends the same do pass.

GEORGE A. WILSON, *Chairman.*

Ordered passed on file.

Upon the request of Senator Knudson unanimous consent was granted to consider Senate File No. 243 on the calendar.

THIRD READING OF BILLS

On motion of Senator Knudson Senate File No. 243, a bill for an act to amend chapter three hundred ninety-eight (398) of the Code of Iowa of 1931 by inserting therein an additional section to provide for the granting and selling of annuities by life insurance companies governed by that chapter, a committee bill, was taken up and considered.

Senator Knudson offered the following amendment and moved its adoption :

Amend sec. 1 by changing the word "numered" to the word "numbered" in line 3.

The amendment was adopted.

Senator Knudson moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 43.

Anderson	Frailey	Miller of	Shangle
Aschenbrenner	Hicklin	Buchanan	Stanley
Beardsley	Hill	Miller of Jones	Stevens of
Beatty	Hopkins	Moore	Decatur
Bennett	Hush	Mullaney	Stevens of
Booth	Husted	Myers	Wapello
Byers	Irwin	Patterson	Topping
Calhoun	Kimberly	Pendray	Valentine
Carden	Klemme	Reese	Wenner
Cooney	Knudson	Ritchie	White
Coykendall	McArthur	Roelofs	Wilson
Doze	Meyer		

Nays, none.

Absent or not voting, 7.

Chrystal	Fisch	Harrington	Schmidt
Elthon	Geske	Nelson	

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

Senator Knudson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Upon the request of Senator Cooney, unanimous consent was granted to consider House File No. 188, on the calendar.

On motion of Senator Cooney House File No. 188, a bill for an act to amend section sixty-six hundred eighty-seven (6687) of code, 1931, relating to special election to submit proposition to abandon organization of city or town under chapter three hundred twenty-eight (328) of the code, 1931, and become a city or town under the general law governing cities and towns, or resume special charter, with report of committee recommending passage, was taken up and considered.

Upon the request of Senator Cooney unanimous consent was granted to suspend the rules and consider the committee report.

The report was adopted.

The bill was read for information.

Senator Cooney moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 45.

Anderson	Elthon	McArthur	Roelofs
Aschenbrenner	Fisch	Meyer	Shangle
Beardsley	Frailey	Miller of	Stanley
Beatty	Hicklin	Buchanan	Stevens of
Bennett	Hill	Miller of Jones	Decatur
Booth	Hopkins	Moore	Stevens of
Byers	Hush	Mullaney	Wapello
Calhoun	Husted	Myers	Topping
Carden	Irwin	Patterson	Valentine
Cooney	Kimberly	Pendray	Wenner
Coykendall	Klemme	Reese	White
Doze	Knudson	Ritchie	Wilson

Nays, none.

Absent or not voting, 5.

Chrystal	Harrington	Nelson	Schmidt
Geske			

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

Senator Cooney moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Upon the request of Senator Cooney unanimous consent was granted to withdraw Senate File No. 144, a companion bill to the one just passed.

Upon the request of Senator White, unanimous consent was granted to consider Calendar No. 18, Senate File No. 203.

On motion of Senator White Senate File No. 203, a bill for an act making an appropriation to defray the expense of the inaugural ceremonies, a committee bill, was taken up and considered.

The bill was read for information.

Senator White moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 47.

Anderson	Carden	Hicklin	Knudson
Aschenbrenner	Chrystal	Hill	McArthur
Beardsley	Cooney	Hopkins	Meyer
Beatty	Coykendall	Hush	Miller of
Bennett	Doze	Husted	Buchanan
Booth	Elthon	Irwin	Miller of Jones
Byers	Fisch	Kimberly	Moore
Calhoun	Frailey	Klemme	Mullaney

Myers	Ritchie	Stevens of	Topping
Nelson	Roelofs	Decatur	Valentine
Patterson	Shangle	Stevens of	Wenner
Pendray	Stanley	Wapello	White
Reese			Wilson

Nays, none.

Absent or not voting, 3.

Geske	Harrington	Schmidt
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

SPECIAL ORDERS SENATE FILES NOS. 23 AND 131

Upon the request of Senator Hicklin, unanimous consent was granted to make Senate File No. 23, for concurrence in House amendments, a special order for 10:30 a. m. Tuesday, also that Senate File No. 131 be made a special order for 10:30 a. m. Friday.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in Joint Convention.

The Senate proceeded to the House under direction of the Sergeant-at-arms.

JOINT CONVENTION

In accordance with concurrent resolution duly adopted, the joint convention was called to order, Lieutenant Governor Kraschel, President of the Senate, presiding.

Prayer was offered by the Rev. Dr. E. G. Williams, Pastor of the Westminster Presbyterian Church, Des Moines, Iowa.

Music was furnished by the orchestra from the Iowa School for the Blind, Vinton, Iowa; also by the glee club of the same school.

Lieutenant Governor Kraschel then introduced Benjamin F. Shambaugh, Professor of Political Science at State University of Iowa, and President of the Iowa State Historical Society, who addressed the Joint Convention on the life of Abraham Lincoln.

Senator Ritchie moved that the Joint Convention extend a vote of thanks to Mr. Shambaugh. Motion prevailed.

Senator Ritchie moved that the Joint Convention be now dissolved. Motion prevailed.

The Senate returned to the Senate Chamber and resumed regular session.

The Journal of February 10th was corrected and approved.

AMENDMENTS FILED

I move to substitute for the amendment to the amendment to Senate File No. 49, offered by Senator Cooney, as it appears on page 303 of the Senate Journal, the following:

Amend by inserting a comma after the word "class" in line six (6) of section one (1), and also by striking out the period after the word "charter" in line six (6) of section one (1) and substituting a comma, and by adding the following:

"or a city under the commission form of government, or a city under the city manager form of government".

Also amend by adding after the word "charter" in line two (2) of section six (6): " , or a city under the commission form of government, or a city under the city manager form of government".

M. D. COONEY.

Amend Senate File No. 33 by striking the word and figure "seven (7)" in line three (3) of Sec. 3 and substituting in lieu thereof the word and figure "six (6)".

Further amend by striking all of Sec. 4 and substituting in lieu thereof the following:

Sec. 4. The term of office of all coroners shall terminate upon the taking effect of this act.

HOMER HUSH.

Amend Senate File No. 250 as follows:

Amend Section one, line 32, by striking out the word "Polk" and inserting in lieu thereof the word "Jasper".

PAUL W. SCHMIDT.

Amend Senate File No. 51 by striking the word "ten" in line 7 of section one and inserting the word "six" in lieu thereof.

Also strike the word "ten" in line 20 of section one and inserting the word "six" in lieu thereof.

H. L. IRWIN.

Amend Senate File No. 122 as follows: Add as paragraph three (3) to section three (3) the following:

Sec. 3. "Any regular employee of any corporation not offering professional engineering services to the public, nor charged with the expenditure of public funds."

Further amend as follows: Insert after the word "superintendent" in line seventeen (17), section two (2) the following:

"or the work of an employee or subordinate, working under the direction of a registered professional engineer or land surveyor and whose work is subject to review and approval by such registered engineer".

IRVING H. KNUDSON.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 14, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. L. H. Griffith, pastor of the Ninth and Shaw Street Church of Christ of Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Harrington for the day on request of Senator Hicklin.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Approving prohibition. Senator Knudson, from members of the Trinity Lutheran Congregation of Belmond, Iowa. Senator Coykendall, from young people of Iowa. Senator White, from residents of Benton county. Senator Chrystal, from residents of Carroll county. Senator Stevens of Decatur, from residents of Decatur and Union counties. Senator Fisch, from residents of Plymouth county. Senator Beardsley, from residents of Warren county. Senator McArthur, from residents of Franklin county. Senator Knudson, from residents of Hardin, Wright, and Hamilton counties. Senator Shangle, from residents of Mahaska county. Senator Anderson, from residents of Webster county. Judiciary No. 1.

Favoring repeal of the dry laws now in force in Iowa. Senator Anderson, from residents of Webster county. Judiciary No. 1.

Opposing Senate Files Nos. 125 and 175. Senator Chrystal, from citizens of Sac City, Iowa. Motor vehicles.

Opposing the bill to close small elementary schools. Senator Miller of Jones, from residents of Jones county. Senator Cooney, from residents of Dubuque county. Senator Irwin, from residents of Clinton county. Public schools.

Favoring a change in the poll tax law. Senator Klemme, from members of the Board of Supervisors, Howard county. County and township affairs.

Opposing the passage of Senate File No. 130 regarding license fees of itinerant vendors of drugs. Senator Nelson, from merchants of Ames, Iowa. Public health.

Opposing repeal of the five day marriage license law. Senator Anderson, from members of the Lohrville Woman's Club, Lohrville, Iowa. Judiciary No. 1.

Favoring the gross income tax. Senator Reese, from residents of Marshall county. Emergency legislation.

Opposing Senate File No. 112. Senator Wenner, from members of the Cedar Falls Chamber of Commerce, Cedar Falls, Iowa. Emergency legislation.

Opposing Senate File No. 156. Senator Moore, from citizens of Oakland, Iowa. Senator Carden, from residents of Iowa. Senator Anderson, from residents of Iowa. Agriculture.

Opposing the reduction of the salaries of the District or Supreme Court Judges of the state of Iowa. Senator Doze, from members of the Lucas County Bar Association. Judiciary No. 1.

Relating to the hunting and fishing license fee. Senator Nelson, from residents of Story and Boone counties. Fish and game.

INTRODUCTION OF BILLS

Senate File No. 260, by committee on judiciary No. 1, a bill for an act to amend sections seventy-one hundred thirty-two (7132), and seventy-one hundred thirty-three (7133), Code, 1931, relating to complaints by property owners to the local board of review, and to appeals from said board to the district court.

Read first and second times and placed on the calendar.

Senate File No. 261, by Senator Topping, a bill for an act to repeal sections twenty-one hundred five (2105) to twenty-one hundred nine (2109), inclusive, and to amend section twenty-one hundred ten (2110), Code, 1931, relating to the physician's record of prescriptions for intoxicating liquors.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 262, by Senator Valentine, a bill for an act to amend Section 6239 of the Code of 1931, relating to the purchase of property by municipal corporations and to the limitation of the indebtedness thereof.

Read first and second times and referred to committee on cities and towns.

Senate File No. 263, by Senator Beardsley, a bill for an act relating to revenue and taxation; providing for public revenue and equalizing taxation; imposing a sales tax on retail merchants, a personal net income tax upon individuals, and a franchise tax upon business concerns, as defined in this Act; providing for the collection of such taxes; the distribution and use of the revenue derived therefrom; the administration of said law, fixing fines and penalties for the violation of this Act; declaring an emergency to exist, and repealing all laws in conflict with the provisions of this Act.

Read first and second times and referred to committee on ways and means.

REPORTS OF COMMITTEES

Senator Cooney submitted the following report:

MR. PRESIDENT: Your committee on rules to which was referred Senate File No. 249, a bill for an act providing that where contests of election are filed in a General Assembly the presiding officer of the house in which the contest is filed shall appoint some member thereof to represent each contestant in the capacity as legal representative before the contest committee, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

MATT. D. COONEY, *Chairman.*

Ordered passed on file.

Senator Frailey submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 83, a bill for an act to repeal sections seventy-three hundred twenty-one (7321) and seventy-three hundred forty-five (7345), code of 1931, and to enact a substitute therefor, relating to appraisal for inheritance tax purposes, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Senator Stevens of Wapello submitted the following reports:

MR. PRESIDENT: Your committee on reduction of public expenditures to which was referred Senate File No. 61, a bill for an act to amend

Sections 10784 and 10785, Code 1931, granting to the Chief Justice of the Supreme Court additional authority to transfer District Court Judges, begs leave to report it has had the same under consideration and recommends the same do pass. ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

Your committee on reduction of public expenditures to which was referred Senate File No. 50, a bill for an act to repeal chapters 215-c1 and 215-c2, code 1931, relating to tax-free lands and to enact a substitute therefor, begs leave to report it has had the same under consideration and recommends the same do pass. ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

Your committee on reduction of public expenditures to which was referred Senate File No. 52, a bill for an act to amend Sections 369, 375, 4386, Code 1931, and to repeal Sections 4315 and 4392, Code 1931, relating to the method of estimating and certifying the school budget, begs leave to report it has had the same under consideration and recommends the same do pass. ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

Your committee on reduction of public expenditures to which was referred Senate File No. 11, a bill for an act to amend Chapter 244 of the Special Acts of the Forty-fourth General Assembly relating to continuation of act for two years, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

Your committee on reduction of public expenditures to which was referred Senate File No. 46, a bill for an act to authorize the school board in one or more districts to enter into a contract jointly or individually with the board of another district to provide for elementary and secondary school facilities including transportation under certain conditions for the children of their respective districts, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. Strike the words "and secondary" from line three (3) of the title.
2. Strike out section one (1) and insert in lieu thereof the following.

Section 1. Contract for school privileges. For the purposes of furnishing elementary school facilities to the children of school age within the district, the board of one or more such districts may enter into a contract for such facilities, jointly or individually, with the board of one or more school districts where such facilities up to and including the eighth grade are approved by the superintendent of public instruction; provided that

such schools are the most conveniently located with respect to the children to be accommodated."

3. Strike out the words "for each grade from kindergarten to twelfth inclusive" from lines three (3) and four (4) of section two (2).

4. Strike out sections three (3) and Four (4) and renumber the remaining sections in numerical order.

5. Strike the words "and secondary" from line three (3) of the re-numbered section 5.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

Your committee on reduction of public expenditures to which was referred Senate File No. 39, a bill for an act to amend Section 4122, code 1931, relating to the duties of the county board of education and to provide for centralized purchasing of school supplies, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking sections 2 and 3. ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

Your committee on reduction of public expenditures to which was referred Senate File No. 48, a bill for an act to amend Section 4277, code 1931, relating to high school tuition, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Senate File No. 48 by striking out Section two (2) thereof.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

Your committee on reduction of public expenditures to which was referred Senate File No. 56, a bill for an act to amend section 11,441, of the Code, 1931, relating to the printing of court calendars, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Section 1 by inserting a comma (,) in lieu of the period (.) at the end of said Section, and adding the following: "and that the following be inserted in lieu thereof: 'The Clerk shall furnish the Court and Bar with a sufficient number of copies of the calendar at the first term of Court of each year, and shall at each succeeding term of Court during said year, furnish the Court and Bar with a sufficient number of copies of a supplement thereto, which shall include the new causes only.'"

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

Your committee on reduction of public expenditures to which was referred Senate File No. 47, a bill for an act to repeal sections 4232, 4233, 4375, 4376, Code 1931, and to enact a substitute therefor; and to

amend section 4274, Code 1931, all relating to school privileges under certain conditions, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by changing the period (.) in line eleven (11) of section one (1) to a semicolon (;) and add the following:

"provided that when the school in a subdistrict of a school township has been closed, the residents of such subdistrict may, if they prefer, send their children to the public school of their choice outside the school township provided the cost to the school township for each of such children will not exceed the pro rata cost in the entire school township during the school year immediately preceding."

Further amend by striking out all of Section 8. (Publication clause.)

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

Your committee on reduction of public expenditures to which was referred House File No. 29, a bill for an act to repeal section 5260-c10, code 1931, and enact a substitute therefor, relating to the county budget and providing penalty for violation thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 245, a bill for an act relating to the state budget.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 243, a bill for an act relating to method of increasing or reducing number of members on Boards of Supervisors.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 242, a bill for an act relating to group life, health and accident insurance.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 241, a bill for an act relating to domestic insurance companies.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 240, a bill for an act relating to the examination of insurance companies, etc., doing business in the state of Iowa under chapter four hundred eight (408), of the 1931 code of Iowa.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 155, a bill for an act relating to the computation of tax rates.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 154, a bill for an act relating to the lien of poll taxes and of taxes on personal property.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 152, a bill for an act relating to preferred claims against insolvent banks.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 50, a bill for an act relating to tax-free lands and to enact a substitute therefor.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 28, a bill for an act relating to mileage and traveling expense claims of peace officers.

Also, that the House has passed the House concurrent resolution in which the concurrence of the Senate is asked:

House concurrent resolution No. 10, relating to recess adjournment.

LLOYD ELLIS, *Chief Clerk*.

HOUSE CONCURRENT RESOLUTION NO. 10

Be It Resolved by the House, the Senate Concurring: That when adjournment is had on Friday, February 24th, it be to reconvene on Thursday afternoon, March 2nd, at 2:00 P. M.

HOUSE MESSAGES CONSIDERED

House File No. 50, a bill for an act to repeal chapters two hundred fifteen-c1 (215-c1) and two hundred fifteen-c2 (215-c2), code 1931, relating to tax-free lands and to enact a substitute therefor.

Read first and second times and referred to committee on reduction of public expenditures.

House File No. 152, a bill for an act to repeal section ninety-two hundred thirty-nine-c one (9239-c1), Code, 1931, and to enact a substitute therefor, relating to preferred claims against insolvent banks.

Read first and second times and referred to committee on banks and banking.

House File No. 154, a bill for an act to repeal section seventy-two hundred three (7203), Code, 1931, and to enact a substitute

therefor, relating to the lien of poll taxes and of taxes on personal property.

Read first and second times and referred to committee on ways and means.

House File No. 155, a bill for an act to amend section seventy-one hundred sixty-four (7164), Code, 1931, by repealing lines nine (9) to nineteen (19), inclusive, of said section, relating to the computation of tax rates.

Read first and second times and referred to committee on ways and means.

House File No. 240, a bill for an act to repeal section eighty-six hundred twenty-five (8625), of the 1931 code of Iowa, and enact a substitute therefor relating to the definition of the word "company", under chapter three hundred ninety-seven (397), relating to the examination of insurance companies, to include reciprocal or inter-insurance exchanges organized or doing business in the state of Iowa under chapter four hundred eight (408), of the 1931 code of Iowa.

Read first and second times and referred to committee on insurance.

House File No. 241, a bill for an act to amend section seven thousand twenty-five (7025) of the 1931 code of Iowa, relating to domestic insurance companies' tax on gross premiums, and providing for a definition of the words "business written within the state", as contained therein.

Read first and second times and referred to committee on insurance.

House File No. 242, a bill for an act to repeal Chapter three hundred ninety-nine (399) of the 1931 code of Iowa and enact a substitute therefor relating to group life, health and accident insurance.

Read first and second times and referred to committee on insurance.

House File No. 243, a bill for an act to amend sections fifty-one hundred seven (5107) and fifty-one hundred eight (5108), Code, 1931, relating to method of increasing or reducing number of members on Boards of Supervisors.

Read first and second times and referred to committee on county and township affairs.

House File No. 245, a bill for an act to amend Chapter twenty (20) Code 1931, by adding section three hundred thirty-eight-e1 (338-e1) relating to the state budget.

Read first and second times and referred to committee on appropriations.

House File No. 28, a bill for an act to amend Chapter sixty-seven (67), Code 1931, relating to mileage and travelling expense claims of peace officers.

Passed on file.

SENATE FILES NOS. 227 AND 231 SET FOR PUBLIC HEARING

Senator Wilson moved that Senate Files Nos. 227 and 231 be set for public hearing in the Senate chamber before the Senate as a committee of the whole, on Tuesday, February 21st at 2:00 p. m. The motion prevailed.

BILLS SENT TO THE GOVERNOR

Senator Hush from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 14th day of February, 1933, sent to the governor for his approval, Senate File No. 145. HOMER HUSH, *Chairman.*

Passed on file.

HOUSE AMENDMENT CONSIDERED

The time having arrived to consider House amendments to Senate File No. 23, made a special order, Senator Stevens of Wapello called up for consideration Senate File No. 23, amended by the House, and moved that the Senate concur in the following amendments:

Amend by adding to section six the following:

Provided, however, that in the serving of notices in civil cases the sheriff shall be allowed mileage at the rate of five cents per mile in each action wherein such notices are served, and, he shall refuse to serve original notices and subpoenas in civil cases until the statutory fees and mileage for service have been paid. At the end of each quarter he shall make a report thereof and shall pay to the county clerk all fees so collected except mileage which shall be retained by him.

Senator Wenner offered the following amendments and moved their adoption:

Amend line 2 by inserting after the word "of" the word "original"; also, amend line 4 by inserting after the word "such" the word "original"; also, amend line 4 by striking therefrom the word "shall" and inserting in lieu thereof the word "may"; also, amend line 5 by striking therefrom the words "and subpoenas"; also, amend by striking the last sentence therefrom.

President pro tempore Matt. D. Cooney was called to the chair at 10:37 a. m.

Senator Hicklin offered the following amendment to the amendments and moved its adoption:

Amend by striking the word "original" where it appears and substituting in lieu thereof the words "processes or".

The amendment to the amendments was lost.

The amendments were adopted.

On the question, "Shall the Senate concur in the House amendments as amended?" the vote was:

Ayes, 44.

Anderson	Fisch	Meyer	Schmidt
Aschenbrenner	Frailey	Miller of	Shangle
Beardsley	Geske	Buchanan	Stanley
Bennett	Hicklin	Miller of Jones	Stevens of
Booth	Hill	Moore	Decatur
Byers	Hopkins	Mullaney	Stevens of
Calhoun	Hush	Myers	Wapello
Carden	Irwin	Nelson	Topping
Cooney	Kimberly	Pendray	Valentine
Coykendall	Klemme	Reese	Wenner
Doze	Knudson	Ritchie	White
Elthon	McArthur	Roelofs	

Nays, none.

Absent or not voting, 6.

Beatty	Harrington	Patterson	Wilson
Chrystal	Husted		

The House amendment as amended having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

SENATE FILE NO. 90 MADE SPECIAL ORDER

Upon the request of Senator Ritchie, Senate File No. 90 was made special order for Wednesday, February 15th at 10:30 a. m.

Upon the request of Senator Knudson unanimous consent was granted to defer action on Senate File No. 122, Calendar No. 7, and that it retain its place on the calendar.

Upon the request of Senator Moore, unanimous consent was granted to defer action on Calendar Nos. 8 and 9, Senate Files Nos. 137 and 192, and that they retain their places on the calendar.

THIRD READING OF BILLS

On motion of Senator Stevens of Wapello Senate File No. 28, a bill for an act to amend Chapter sixty-seven (67), code 1931, relating to mileage and travelling expense claims of peace officers, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

Upon the request of Senator Topping unanimous consent was granted to substitute House File 28 for Senate File No. 28.

Senator Topping offered the following amendments and moved their adoption:

Amend section 1 by striking from line 9 the word "meals". Further amend by inserting after the word "expenses" in line 9, the words "excepting meals".

The amendments were adopted.

Senator Wilson offered the following amendment and moved its adoption:

Amend section 1 by striking from line 10 the words ", and the purposes of the trip is given".

The amendment was adopted.

Senator Wilson offered the following amendment and moved its adoption:

Amend section 1, line 7, by striking therefrom the word ", purposes".

The amendment was adopted.

Senator Topping asked and obtained unanimous consent that Rule 17 be suspended and moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 48.

Anderson	Fisch	Meyer	Schmidt
Aschenbrenner	Frailey	Miller of	Shangle
Beardsley	Geske	Buchanan	Stanley
Beatty	Hicklin	Miller of Jones	Stevens of
Bennett	Hill	Moore	Decatur
Booth	Hopkins	Mullaney	Stevens of
Byers	Hush	Myers	Wapello
Calhoun	Husted	Nelson	Topping
Carden	Irwin	Patterson	Valentine
Cooney	Kimberly	Pendray	Wenner
Coykendall	Klemme	Reese	White
Doze	Knudson	Ritchie	Wilson
Elthon	McArthur	Roelofs	

Nays, none.

Absent or not voting, 2.

Chrystal Harrington

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

Upon the request of Senator Topping, unanimous consent was granted to withdraw Senate File No. 28, a companion bill to House File No. 28 as passed.

On motion of Senator Hicklin Senate File No. 33, a bill for an act to repeal chapter two hundred sixty (260), and amend section fifty-two hundred thirty-seven (5237), Code 1931, to abolish the office of coroner and transfer the duties thereof to the sheriff, with report of committee without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Hush offered the following amendments and moved their adoption:

Amend by striking the word and figure "seven (7)" in line three (3) of Sec. 3 and substituting in lieu thereof the word and figure "six (6)".

Further amend by striking all of Sec. 4 and substituting in lieu thereof the following:

Sec. 4. The term of office of all coroners shall terminate upon the taking effect of this act.

The amendments were adopted.

Senator Hush moved to reconsider the vote by which his amendment passed the Senate. The motion prevailed.

On request of Senator Wenner, Senator Stanley was excused for the balance of the day.

Senator Schmidt offered the following amendment as a substi-

tute for the second half of the Hush amendment, and moved its adoption:

Amend by striking Section 4 and inserting in lieu thereof, the following:
 "Sec. 4. This act shall not affect the term of office of coroners now serving terms to which they have been duly elected and qualified."

Senator Schmidt moved to lay the bill on the table.

Senator Knudson raised the point of order that the motion was not debatable. The President held the point well taken.

Senator Schmidt withdrew his motion to lay the bill on the table.

Senator Schmidt moved to lay his amendment on the table.

Rule 8 was invoked.

On the question, "Shall the motion to table prevail?" the vote was:

Ayes, 15.

Aschenbrenner	Geske	Moore	Schmidt
Calhoun	Irwin	Patterson	Wenner
Carden	Kimberly	Ritchie	Wilson
Elthon	Knudson	Roelofs	

Nays, 33.

Anderson	Doze	McArthur	Reese
Beardsley	Fisch	Meyer	Shangle
Beatty	Frailey	Miller of	Stevens of
Bennett	Hicklin	Buchanan	Decatur
Booth	Hill	Miller of Jones	Stevens of
Byers	Hopkins	Mullaney	Wapello
Chrystal	Hush	Myers	Topping
Cooney	Husted	Nelson	Valentine
Coykendall	Klemme	Pendray	White

Absent or not voting, 2.

Harrington	Stanley
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The motion to table the amendment was lost.

Senator Hush accepted the Schmidt amendment, relative to section 4 of the bill, and the amendments were adopted.

Senator Aschenbrenner offered the following amendment and moved its adoption:

Amend by striking the enacting clause.

Senator Booth moved the previous question on all pending amendments and the main bill. The motion prevailed.

The amendment was lost.

The bill was read for information.

Senator Hicklin moved that the reading just had be considered the third reading, which motion prevailed.

Rule 8 was invoked.

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

Ayes, 23.

Anderson	Coykendall	Miller of	Stevens of
Beardsley	Fisch	Buchanan	Decatur
Beatty	Hicklin	Mullaney	Stevens of
Booth	Hush	Myers	Wapello
Byers	Klemme	Pendray	Valentine
Chrystal	McArthur	Roelofs	White
Cooney		Shangle	

Nays, 25.

Aschenbrenner	Geske	Knudson	Reese
Bennett	Hill	Meyer	Ritchie
Calhoun	Hopkins	Miller of Jones	Schmidt
Carden	Husted	Moore	Topping
Doze	Irwin	Nelson	Wenner
Elthon	Kimberly	Patterson	Wilson
Frailey			

Absent or not voting, 2.

Harrington Stanley

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Frailey moved that the vote by which the bill failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

President N. G. Kraschel returned to the chair at 12:02 p. m.

The Journal of February 13th was corrected and approved.

AMENDMENT FILED

Amend House Concurrent Resolution No. 10 by striking out the words and figures "Thursday afternoon, March 2nd" and inserting in lieu thereof the words and figures "Monday afternoon, March 6th."

PAUL W. SCHMIDT.

On motion of Senator Byers, the Senate adjourned until 10:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 15, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. Frederick J. Weertz, pastor of the St. John's Evangelical Lutheran Church of Des Moines.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Approving prohibition. Senator Hicklin, from residents of Muscatine county. Senator Stevens of Decatur, from residents of Ringgold county. Senator Ritchie, from young people of Iowa. Judiciary No. 1.

Opposing the bill to close small elementary schools. Senator Miller of Jones, from residents of Jones county. Public schools.

Opposing the passage of House File No. 117 and Senate File No. 120 relating to the tuberculin test. Senator Stevens of Decatur, from the various breed associations and the State Dairy Association. Senator Aschenbrenner, from the various breed associations and the State Dairy Association. Senator Mullaney, from the various breed associations and the State Dairy Association. Senator Calhoun, from the various breed associations and the State Dairy Association. Senator Stevens of Wapello, from the various breed associations and the State Dairy Association. Agriculture.

Relating to the reduction of public expenditures. Senator Pendray, from residents of Jackson county. Emergency legislation.

Opposing tax on portable feed grinders. Senator Roelofs, from the Modern 76ers, O'Brien county. Agriculture.

Approving the gross income tax plan. Senator Wenner, from

members of the La Porte City Adult Evening School, La Porte, Iowa. Ways and means.

Favoring the passage of Senate File No. 195 and House File No. 215. Senator Fisch, from members of the faculty of the LeMars public schools. Public schools.

Opposing a tax on the so-called "chain stores" doing business in the state. Senator Hicklin, from citizens of Morning Sun, Iowa. Manufacturing, commerce and trade.

Favoring reduction in the cost of operating the government. Senator Meyer, from the Bremer County Taxpayers League. Reduction of public expenditures.

INTRODUCTION OF BILLS

Senate File No. 264, by Senator Myers, a bill for an act to amend sections ninety-four hundred and four (9404) and ninety-four hundred and five (9405) of the code, 1931, relating to rate of interest.

Read first and second times and referred to committee on banks and banking.

Senate File No. 265, by Senator Harrington, a bill for an act for the levy of a tax on the gross income of persons, corporations, and others, and providing for the collection of such tax and prescribing penalties for the non-payment of such tax, and to repeal all laws, and parts of laws, in conflict herewith.

Read first and second times and referred to committee on ways and means.

Senate File No. 266, by Senator Booth, a bill for an act to amend section four thousand eight hundred sixty-nine (4869), Code of 1931, relating to the testing of the brakes, headlights and rear lights of motor vehicles before registration.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 267, by Senator Patterson, a bill for an act to amend paragraph seven (7) of section eleven thousand seven (11007) of the code, 1931 relating to limitations of actions on judgments of courts of record and to repeal section eleven thousand

nine (11009) relating to judgments and to enact a substitute therefor.

Read first and second times and referred to committee on emergency legislation.

Senate File No. 268, by Senator Patterson, a bill for an act to amend section eleven thousand six hundred two (11602) of the code, 1931 relating to the liens of judgments.

Read first and second times and referred to committee on emergency legislation.

Senate File No. 269, by Senator McArthur, a bill for an act to repeal sections twenty-seven hundred twenty (2720) to twenty-seven hundred thirty-seven (2737), inclusive, Code, 1931, and to enact substitutes therefor, relating to the right to administer hog cholera virus, and to reports by manufacturers of such virus.

Read first and second times and referred to committee on agriculture.

Senator Meyer submitted the following:

CHRISTOPHEL MEMORIAL RESOLUTION

Whereas, the Honorable George W. Christophel, who was a member of the House of Representatives in the Forty-first and Forty-second General Assemblies, and also a member of the Senate of the Forty-third and Forty-fourth General Assemblies, died at Waverly, Iowa, during the month of November, 1932; therefore,

Be It Resolved by the Senate of the Forty-fifth General Assembly, That a committee of three be appointed to draft suitable resolutions commemorating the life, character, and service of this emigrant boy that became a substantial business man and lawmaker of and for the state.

Upon the request of Senator Meyer, unanimous consent was granted to suspend the rules and consider the resolution.

The resolution was unanimously adopted and the President appointed Senators Meyer, Hill and Wenner.

SENATE CONCURRENT RESOLUTION NO. 14 CONSIDERED

Senator Valentine called up for consideration, Senate Concurrent Resolution No. 14 as found on page 275 of the Senate Journal, and moved its adoption.

Senator Valentine moved to defer action until tomorrow morning. The motion prevailed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption :

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House File No. 188.

HOMER HUSH, *Chairman Senate Committee.*
WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House File No. 188.

MESSAGES FROM THE HOUSE

The following messages were received from the House :

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 180, a bill for an act relating to the time of meetings of local boards of health.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 191, a bill for an act relating to road poll taxes.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 207, a bill for an act relating to the proceeds of the resale of lands acquired for the permanent school fund where an excess or loss occurs.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 176, a bill for an act relating to the time of meetings of local boards of township trustees.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 145, a bill for an act relating to the use of public school buildings for other than school purposes.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 170, a bill for an act relating to municipal zoning.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 194, a bill for an act relating to surplus funds in drainage districts.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 266, a bill for an act providing a lien on grain and seed threshed.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 173, a bill for an act relating to dangerous structures.
LLOYD ELLIS, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 180, a bill for an act to amend section twenty-two hundred thirty-three (2233), Code, 1931, relating to the time of meetings of local boards of health.

Read first and second times and referred to committee on public health.

House File No. 191, a bill for an act relating to road poll taxes and providing that the payment thereof may be in cash or labor, and further providing for the collection and expenditure of such tax and the supervision of such labor; and to amend sections forty-six hundred forty-four e-fifty-eight (4644-c58), forty-six hundred forty-four e-sixty (4644-c60), forty-six hundred forty-four e-sixty-one (4644-c61) and forty-six hundred forty-four e-sixty-four (4644-c64) of the Code, 1931.

Read first and second times and referred to committee on county and township affairs.

House File No. 207, a bill for an act to amend section forty-five hundred five (4505), code, 1931, relating to the proceeds of the re-sale of lands acquired for the permanent school fund where an excess or loss occurs.

Read first and second times and referred to committee on public schools.

House File No. 176, a bill for an act to amend section fifty-five hundred forty-three (5543), Code, 1931, relating to the time of meetings of local boards of township trustees.

Read first and second times and referred to committee on county and township affairs.

House File No. 145, a bill for an act to amend section forty-three hundred seventy-one (4371), code 1931, relating to the use of public school buildings for other than school purposes.

Read first and second times and referred to committee on public schools.

House File No. 170, a bill for an act to amend section sixty-four hundred fifty-six (6456), Code, 1931, relating to municipal zoning.

Read first and second times and referred to committee on cities and towns.

House File No. 194, a bill for an act to amend section 7489 and to permit a Board of Supervisors of Joint Board of Supervisors having control of a drainage district to use under certain conditions a part of the surplus on hand to apply on assessments coming due, and to provide for a corresponding refund to persons who have paid their assessments in full.

Read first and second times and referred to committee on drainage.

House File No. 266, a bill for an act to provide a lien on grain and seed threshed or corn shelled for the benefit of persons operating grain threshing or corn shelling equipment, and the method of perfecting said lien, and to provide the limitations of actions to enforce said lien and the procedure for the enforcement thereof.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 173, a bill for an act to amend Chapter Two Hundred Ninety-two (292), Code, 1931, relating to dangerous structures.

Read first and second times and referred to committee on cities and towns.

REPORTS OF COMMITTEES

Senator Stevens of Wapello submitted the following report:

MR. PRESIDENT: Your committee on reduction of public expenditures to which was referred Senate File No. 71, a bill for an act to amend section 5411, Code 1931, relating to publishing proceedings of Board of Supervisors, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. Amend Section 1 by changing the semicolon (;) to a period (.) after the word "report" in line 9 and striking out the remainder of the section.

2. Amend Sec. 2 by striking out the last three words in line 10 and all of lines 11, 12, and 13 and inserting in lieu thereof the following: "The County Auditor shall furnish a copy of such proceedings to be published, within one week following the adjournment of the Board."

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Senator Nelson submitted the following report:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File No. 172, a bill for an act to provide a plan for the relief of poor and unemployed people; to provide for the adoption of a plan of payment with "Stamp-Money" by counties, and to declare the duties and liabilities of counties adopting said plan and to fix the rights and liabilities under said plan, begs leave to report it has had the same under consideration and recommends and offers a substitute therefor which substitute will be printed in bill form to appear in the files next to the original bill of the same number, and will not be printed in full in the Journal, all as provided by joint rule No. 12.

FRED W. NELSON, *Chairman.*

Ordered passed on file.

THIRD READING OF BILLS

The time having arrived for consideration of the special order, on motion of Senator Ritchie Senate File No. 90, a bill for an act to amend sections seventy-two hundred forty-four (7244) and seventy-two hundred fourteen (7214), code, 1931, relating to sales of real estate for delinquent taxes and the rate of interest on such delinquent taxes, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

1. Amend Section 1 by striking from line 6 the figure "3" following the word "December" and substituting therefor the figure "4".
2. Amend Section 1 by striking from line 7 the words "sine die" and substituting therefor the words and figures "December 4, 1933".

Senator Stevens of Wapello offered the following amendment to the committee amendments and moved its adoption:

Amend by inserting before the word "December" in line 4, the word "until".

The amendment to the amendments was adopted.

The committee amendments as amended were adopted.

Senator Myers offered the following amendment and moved its adoption:

Amend by striking sec. 2.

The amendment was adopted.

Senator Ritchie offered the following amendment and moved its adoption:

Amend by striking Sec. 3 and substituting in lieu thereof the following:

"Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Storm Lake Pilot-Tribune, a newspaper published at Storm Lake, Iowa, and in the Rolfe Arrow, a newspaper published at Rolfe, Iowa.

The amendment was adopted.

The bill was read for information.

Senator Ritchie moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 47.

Anderson	Fisch	McArthur	Roelofs
Aschenbrenner	Frailey	Meyer	Schmidt
Beardsley	Geske	Miller of	Shangle
Beatty	Harrington	Buchanan	Stanley
Bennett	Hicklin	Miller of Jones	Stevens of
Booth	Hill	Moore	Decatur
Byers	Hopkins	Mullaney	Steven of
Calhoun	Hush	Myers	Wapello
Carden	Husted	Nelson	Valentine
Cooney	Irwin	Pendray	Wenner
Coykendall	Kimberly	Reese	White
Doze	Klemme	Ritchie	Wilson
Elthon	Knudson		

Nays, none.

Absent or not voting, 3.

Chrystal Patterson Topping

The bill having received a constitutional majority was declared to have passed the Senate.

Senator Hill asked unanimous consent to amend the title as follows:

Amend by striking from line two (2) the words and figures "and seventy-two hundred fourteen (7214)". Also to further amend said title by inserting a period "." in line three (3) of the printed bill after the word "taxes" and striking the last part of the title. Also, to further amend the title in line one (1) by striking the word "sections" and inserting in lieu thereof the word "section".

The amendment was adopted and the title as amended was agreed to.

Senator Ritchie moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Knudson Senate File No. 122, a bill for an

act to amend sections eighteen hundred fifty-four (1854), eighteen hundred fifty-five (1855), eighteen hundred sixty-four (1864), eighteen hundred sixty-nine-b one (1869-b1), and eighteen hundred seventy-five (1875), Code 1931, and to repeal section eighteen hundred seventy-six, (1876), Code, 1931, and enacting a substitute therefor; relating to the duties of the secretary of the Board of Engineering Examiners, providing for the regulation, licensing and practice of professional engineers and land surveyors and penalty for the violation thereof, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered:

Amend section one (1), line three (3) by striking out the word and figure "five (5)" and substituting in lieu thereof the word and figure "four (4)".

The amendment was adopted.

Senator Knudson offered the following amendment and moved its adoption:

Amend as follows: Insert after the word "superintendent" in line seventeen (17), section two (2) the following:

"or the work of an employee or subordinate, working under the direction of a registered professional engineer or land surveyor and whose work is subject to review and approval by such registered engineer".

Senator Knudson offered the following amendment to the amendment and moved its adoption:

Amend by adding after the word "engineer" in the last line, the following: "or the purely operative services in connection with the mechanical plants or the systems".

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Knudson offered the following amendment and moved its adoption:

Add as paragraph three (3) to section three (3) the following:

Sec. 3. "Any regular employee of any corporation not offering professional engineering services to the public, nor charged with the expenditure of public funds."

Upon the request of Senator Knudson the word "Sec." was stricken from his amendment.

The amendment was adopted.

The bill was read for information.

Senator Knudson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 42.

Anderson	Geske	Meyer	Schmidt
Aschenbrenner	Harrington	Miller of	Shangle
Bennett	Hicklin	Buchanan	Stanley
Booth	Hill	Miller of Jones	Stevens of
Byers	Hopkins	Moore	Decatur
Calhoun	Hush	Mullaney	Stevens of
Carden	Irwin	Myers	Wapello
Cooney	Kimberly	Pendray	Valentine
Coykendall	Klemme	Reese	Wenner
Doze	Knudson	Ritchie	White
Fisch	McArthur	Roelofs	Wilson
Frailey			

Nays, 2.

Beardsley Elthon

Absent or not voting, 6.

Beatty	Husted	Patterson	Topping
Chrystal	Nelson		

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

Senator Knudson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Upon the request of Senator Moore unanimous consent was granted to defer action on Calendar No. 8, Senate File No. 137, and that it retain its place on the calendar.

On motion of Senator Moore Senate File No. 192, a bill for an act to amend the provisions of paragraph two (2), section twenty-five hundred seventy-five (2575), of the Code 1931, relating to those persons not engaged in the practice of optometry, and providing for the revocation of license of any licensed optometrist who shall practice or advertise as practicing his profession under a false name or as the agent or employee of an unlicensed person, a committee bill, was taken up and considered.

Senator Wilson offered the following amendment and moved its adoption :

Amend by striking out the period (.) at the end of Section 2 thereof

and inserting a comma (,) in lieu thereof, and adding thereto the following:

“provided nothing herein contained shall prohibit a licensed optometrist from accepting employment as manager of optical stores or departments so long as the practice of his profession is not controlled by the owner or operator of such store or department.”

The amendment was lost.

The bill was read for information.

Senator Moore moved that the reading just had be considered the third reading, which motion prevailed.

On the question “Shall the bill pass?” the vote was:

Ayes, 45.

Anderson	Elthon	Knudson	Pendray
Aschenbrenner	Fisch	McArthur	Reese
Beardsley	Frailey	Meyer	Ritchie
Beatty	Geske	Miller of	Roelofs
Bennett	Hicklin	Buchanan	Schmidt
Booth	Hill	Miller of Jones	Stanley
Byers	Hopkins	Moore	Topping
Calhoun	Hush	Mullaney	Valentine
Carden	Husted	Myers	Wenner
Cooney	Irwin	Nelson	White
Coykendall	Kimberly	Patterson	Wilson
Doze	Klemme		

Nays, 3.

Harrington	Stevens of Decatur	Stevens of Wapello
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Absent or not voting, 2.

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

Senator Moore moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Upon the request of Senator Stevens of Wapello, unanimous consent was granted to withdraw Senate File No. 35, as its companion was indefinitely postponed in the House.

On motion of Senator Knudson Senate File No. 207, a bill for an act to repeal section eighty-six hundred twenty-five (8625), of

the 1931 code of Iowa, and enact a substitute therefor relating to the definition of the word "company", under chapter three hundred ninety-seven (397), relating to the examination of insurance companies, to include reciprocal or inter-insurance exchanges organized or doing business in the state of Iowa under chapter four hundred eight (408), of the 1931 code of Iowa, a committee bill, was taken up and considered.

Upon the request of Senator Knudson unanimous consent was granted to substitute House File No. 240, a companion bill.

The bill was read for information.

Senator Knudson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 46.

Aschenbrenner	Geske	Meyer	Schmidt
Beardsley	Harrington	Miller of	Shangle
Beatty	Hicklin	Buchanan	Stanley
Bennett	Hill	Miller of Jones	Stevens of
Booth	Hopkins	Moore	Decatur
Byers	Hush	Mullaney	Stevens of
Calhoun	Husted	Myers	Wapello
Carden	Irwin	Patterson	Topping
Cooney	Kimberly	Pendray	Valentine
Doze	Klemme	Reese	Wenner
Elthon	Knudson	Ritchie	White
Fisch	McArthur	Roelofs	Wilson
Frailey			

Nays, none.

Absent or not voting, 4.

Anderson	Chrystal	Coykendall	Nelson
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Upon the request of Senator Knudson, unanimous consent was granted to withdraw Senate File No. 207, a companion bill to the one just passed.

Upon the request of Senator Knudson, unanimous consent was granted to defer action on Calendar No. 20, Senate File No. 208, and that it retain its place on the calendar.

On motion of Senator Knudson, Senate File No. 209, a bill for an act to repeal section eighty-six hundred fifty-four (8654) of the Code of Iowa, 1931, and to enact a substitute therefor, providing

for the valuation of policies of life insurance and annuities, and prescribing the basis for ascertaining the reserve value of policies issued by and in force in life insurance companies, both domestic and foreign, which are or may hereafter be authorized to transact business in the State of Iowa, and to amend section eighty-six hundred fifty-five (8655) of the Code of Iowa, 1931, providing for a deposit with the commissioner of insurance to cover such valuation, a committee bill, was taken up and considered.

The bill was read for information.

Senator Knudson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 45.

Anderson	Geske	Meyer	Schmidt
Aschenbrenner	Harrington	Miller of	Shangle
Beatty	Hicklin	Buchanan	Stanley
Bennett	Hill	Miller of Jones	Stevens of
Booth	Hopkins	Moore	Decatur
Calhoun	Hush	Mullaney	Stevens of
Carden	Husted	Myers	Wapello
Cooney	Irwin	Patterson	Topping
Coykendall	Kimberly	Pendray	Valentine
Doze	Klemme	Reese	Wenner
Elthon	Knudson	Ritchie	White
Frailey	McArthur	Roelofs	Wilson

Nays, none.

Absent or not voting, 5.

Beardsley	Chrystal	Fisch	Nelson
Byers			

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

Senator Knudson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Knudson Senate File No. 210, a bill for an act to amend section eighty-nine hundred forty (8940), sub-section five (5), paragraph d, of the 1931 code of Iowa, relating to kinds of insurance, a committee bill, was taken up and considered.

The bill was read for information.

Senator Knudson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 47.

Anderson	Fisch	Knudson	Ritchie
Aschenbrenner	Frailey	McArthur	Roelofs
Beardsley	Geske	Meyer	Schmidt
Beatty	Harrington	Miller of	Shangle
Bennett	Hicklin	Buchanan	Stanley
Booth	Hill	Miller of Jones	Stevens of
Byers	Hopkins	Moore	Wapello
Calhoun	Hush	Mullaney	Topping
Carden	Husted	Myers	Valentine
Cooney	Irwin	Patterson	Wenner
Coykendall	Kimberly	Pendray	White
Doze	Klemme	Reese	Wilson
Elthon			

Nays, none.

Absent or not voting, 3.

Chrystal	Nelson	Stevens of Decatur
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Knudson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Upon the request of Senator Knudson, unanimous consent was granted to defer action on Calendar No. 23, Senate File No. 211, and that it retain its place on the calendar.

Upon the request of Senator Wenner, unanimous consent was granted to defer action on Calendar No. 24, Senate File No. 113, and that it retain its place on the calendar.

On motion of Senator Moore Senate File No. 154, a bill for an act to repeal section five hundred twenty-two (522) and sections fifty-one hundred eleven (5111) to fifty-one hundred fourteen (5114), inclusive, Code, 1931, and to enact substitutes therefor, relating to the districting of counties for the election of members of the board of supervisors, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Upon the request of Senator Moore, unanimous consent was granted to defer action temporarily.

SENATE FILE NO. 249 REREFERRED

Upon the request of Senator Hill, unanimous consent was granted to rerefer Senate File No. 249, reported out by the committee on rules for indefinite postponement, to the committee on elections.

HOUSE CONCURRENT RESOLUTION NO. 10 MADE
SPECIAL ORDER

Upon the request of Senator Wenner unanimous consent was granted to make House Concurrent Resolution No. 10 a special order following the special order for 10:30 a. m., Thursday.

Senator Cooney moved to recess until 2:00 p. m. today, and that when the Senate finally adjourns after reconvening, following the joint convention of the House and Senate, that the Senate adjourn until 10:00 a. m., Thursday. The motion prevailed.

AFTERNOON SESSION

The Senate met at the fall of the gavel, President pro tempore Matt. D. Cooney presiding.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint session.

The Senate proceeded to the House chamber under the direction of the sergeant-at-arms.

JOINT CONVENTION

In accordance with the concurrent resolution duly adopted, the joint convention was called to order, Matt. D. Cooney, President pro tempore of the Senate, presiding.

President pro tempore Cooney announced a quorum present and the joint convention duly organized. The joint convention then received the Iowa Pioneer Lawmakers' Association.

The program was then carried out as arranged by the Iowa Pioneer Lawmakers' Association, Ex-Governor B. F. Carroll, president of the association, in charge.

Addresses of welcome were delivered by Honorable Elmer A.

Johnson on the part of the House and Honorable O. P. Myers on the part of the Senate.

President Carroll then introduced Honorable A. B. Funk, a member of the Twenty-second, Twenty-third, Twenty-fourth, Twenty-fifth, Twenty-sixth and Twenty-seventh General Assemblies of Iowa, and present Industrial Commissioner, who addressed the joint convention.

On motion of Senator Carden, the joint session was dissolved.

The Senate returned to the Senate chamber and resumed regular session, President pro tempore Matt. D. Cooney presiding.

Upon the request of Stevens of Wapello, unanimous consent was granted to return to the introduction of bills.

INTRODUCTION OF BILLS

Senate File No. 270, by Senator Stevens of Wapello, a bill for an act to legalize the corporate acts and proceedings of the Highland Mutual Telephone Association of Highland Center, Iowa, and to provide for the renewal and extension of the period of corporate existence of said Highland Mutual Telephone Association.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 271, by Senator Hill, a bill for an act to amend section eighteen hundred twenty-four (1824) of the code, 1931, to permit the executive council upon recommendation of the board of conservation, to sell, trade or exchange state owned lands under the jurisdiction of said board, and providing for the use of the proceeds of such sale or transfer, and providing for the issuance of patents therefor.

Read first and second times and referred to committee on conservation.

Senate File No. 272, by Senator Klemme, a bill for an act to amend the law as it appears in section seventeen hundred ninety-nine (1799) of the code, 1931, to permit the board of conservation to maintain, improve or beautify state-owned, meandered and navigable lakes and streams.

Read first and second times and referred to committee on conservation.

Senator Valentine offered the following resolution:

SENATE RESOLUTION NO. 3

Be It Resolved by the Senate: That the Secretary of State be requested to forward to each district judge in the State of Iowa, a certified copy of House File No. 193.

Upon the request of Senator Valentine, unanimous consent was granted to suspend the rules and consider the resolution.

Senator Valentine moved that the resolution be adopted, which motion prevailed and the resolution was adopted.

EXTRA COPIES OF SENATE FILES ORDERED PRINTED

Senator Valentine moved that 2400 extra copies of House File No. 193, as enacted, be printed. The motion prevailed.

Senator Irwin moved that 1200 extra copies of Senate File No. 111, as enacted, be printed. The motion prevailed.

SENATE FILE NO. 226 WITHDRAWN

Upon the request of Senator Harrington, unanimous consent was granted to withdraw Senate File No. 226.

The Journal of February 14th was corrected and approved.

AMENDMENTS FILED

Amend House File No. 194 by adding Section two (2) as follows:

Sec. 2. This act is deemed of immediate importance and shall be in force and effect from and after its publication in The Northwood Anchor and Index, a newspaper published at Northwood, Iowa, and in the Manly Signal, a newspaper published at Manly, Iowa. LEO ELTHON.

Amend House File No. 89 as follows:

Strike out section 1 of the bill and insert in lieu thereof the following, to wit:

“Section 1. Section seventy-two hundred seventy-nine (7279), Code, 1931, is hereby repealed and the following is enacted in lieu thereof, to wit:

7279. Notice of expiration of right of redemption. After two years and nine months from the date of sale, the holder of the certificate of purchase may cause to be served:

1. Upon the person in possession of such real estate, and also
2. Upon the person in whose name the same is taxed, if such person resides in the county where the land is situated, and also
3. Upon all record holders of liens on such real estate, and also
4. Upon the mayor of a city or town, or upon the clerk thereof, when

a special assessment levied by said city or town against said real estate and duly certified to the county auditor as provided by section sixty hundred thirty-four (6034), has not been paid in full—
in the manner provided for the service of original notices, a notice signed by him, his agent, or attorney, stating the date of sale, the description of the property sold, the name of the purchaser, and that the right of redemption will expire and a deed for the land be made unless redemption is made within ninety days from the completed service thereof.”

H. L. IRWIN.

MR. PRESIDENT: I move to amend Senate File No. 49 by adding the following sections after Section Six of said bill as follows:

Sec. 7. Consolidation of elections. Regular school elections in all independent school districts which embrace a city and which have a population of seventy-five thousand (75,000) or more, shall be held biennially on the same day, during the same hours, and in the same precincts and voting places at and in which the regular biennial city election is held, and the votes cast thereat shall be received, counted and returns made, as herein provided by the judges and clerks of election who conduct said city elections.

Sec. 8. Precincts. Precincts established for the city election shall be deemed precincts for the school elections, but the board of directors of the school district shall, for school purposes, divide the territory which lies outside the city but within the school district, and attach the various parts thereof to such contiguous city precincts as will best conserve the convenience of the electors of said outside territory in voting on school matters.

Sec. 9. Registration. The registration for the regular city election shall be deemed a registration for said school election and no elector not so registered shall be permitted to vote on any school matter except electors who reside outside said city but within the school district, and who have resided in such outside territory for ten (10) days next preceding such election.

Sec. 10. Notice of election. The secretary of the school corporation shall give notice of said election as provided in Section 4216-C3, Code 1931.

Sec. 11. Nominations. Each candidate for an elective school office shall be nominated as provided in Section 4216-C4, Code 1931.

Sec. 12. Filing of petition. Petitions of nomination shall be filed with the secretary of the school board as provided in Section 4216-C4, Code 1931.

Sec. 13. Certifications. Immediately upon the close of nominations, the secretary of the school board shall prepare, certify, and file with the city clerk the form in which all nominations and all school questions will appear on the official ballot in each election precinct.

Sec. 14. Form of ballots. In preparing the form of said ballot, the secretary shall rotate the names of all school candidates in the same manner in which the names of all city candidates are rotated on the city ballots.

Sec. 15. Official ballots. The city clerk in preparing the regular city ballots for a precinct shall enter thereon the school ballot which the secretary has certified for said precinct and so do in such manner that

the city candidates and questions shall appear separate and distinct from the school candidates and questions.

Sec. 16. Publication. Where publication is required of the nomination made for city offices, such publication shall embrace one (1) sample school ballot.

Sec. 17. Absent voters' law. In the application of the absent voters' law, an application to the city clerk for an official ballot shall be deemed an application for the ballot which embraces both the city ballot and the school ballot. All applications for school ballots shall be immediately referred to the city clerk, except applications from voters who reside outside the city but within the school district.

Sec. 18. Ballots for particular voters. In such districts, the secretary of the school board shall cause to be printed a number of ballots, printed on plain, substantial paper of uniform quality, with no party designation or mark thereon, sufficient to supply all electors who reside outside said city but within said school district. Said printing shall also be in such quantity as to meet, under the absent voters' law, all applications by said particular class of voters for school ballots.

Sec. 19. Form of particular ballots. The ballots under the preceding section shall contain in alphabetical order the names of all candidates for each office, filed as provided herein, and blank line for each officer to be elected, and each proposition upon which the school electors will be called upon to vote there shall be at the left of each name and each blank line, a square. Heading the list of names of each class of officers shall be a direction as to the number of candidates for which the elector has a right to vote. Opposite to each proposition submitted to the electors shall be the words "yes" and "no", arranged vertically, and opposite each word an appropriate square.

Sec. 20. Application by particular electors. Application for ballots, under the absent voters' law, by electors who reside outside the city but within the school district, shall be made to the secretary of the school board who shall, as to such applications, perform the duties imposed by said law on the county auditor or clerk of the city or town.

Sec. 21. Voting machines. Voting machines may be used at such elections as now prescribed by section four thousand two hundred three (4203) and chapter forty-three (43) of the code.

Sec. 22. Form for returns. The secretary of the school board shall prepare, cause to be printed, and furnish to the judges and clerks of election, blank forms for the returns of said school election by said judges and clerks.

Sec. 23. Poll book entries. The clerks of election shall, along with the names of other electors voting, enter on the poll books the names and addresses of all voting electors who reside in the precinct but outside the city, and shall enter on the line of each such entry and in some convenient and uniform place, the letter "S", which letter shall be deemed to mean that the voter resides within the precinct but outside the city.

Sec. 24. Counting ballots. The judges of said combined elections shall count the ballots or canvass the vote on the voting machines, on all school matters, and make returns thereof to the school board on and in accordance with the blank forms for returns furnished by the secretary of the

school board, and deliver said returns, immediately upon making thereof, to the secretary of the school board.

Sec. 25. Canvass of returns. On the next Monday after the election, the school board shall canvass the returns made to the secretary, ascertain the result of the voting with regard to every matter voted upon, declare the same, cause a record to be made thereof, and at once issue a certificate to each person elected.

Sec. 26. Contest. School elections as herein provided may be contested as provided for the contesting of other elections.

Sec. 27. Special elections. Special elections in the district embraced in this chapter shall be held as provided in chapter two hundred eleven (211).

Sec. 28. Applicable statutes. All other statutes relating to elections shall be applicable to elections held under this chapter when such statutes are not inconsistent or contradictory with the provisions and spirit of this chapter.

Sec. 29. Section four thousand two hundred twenty (4220) of the code, 1931, is amended by adding immediately thereafter the following: "4220-E1. Exceptions. In districts in which the regular school election is combined with the general city election, the organization shall be effected on the first Monday in April following said combined election."

Sec. 30. Adjustment of terms. Upon the taking effect of this statute, the terms of office of the seven school directors shall be as follows: At the combined city and school election in 1934, three directors shall be elected for a term of six years. The terms of the two directors which would otherwise expire in March, 1935, are hereby continued until the combined city and school election of 1936. In the 1936 combined city and school election, four school directors shall be elected, two of whom shall be chosen for two year terms and two for six year terms. Thereafter, at each said combined city and school election, two or three school directors as the case may be, shall be elected for six year terms.

Sec. 31. The word "annual" shall have the same force and be construed as "biennial" in school districts embraced in this chapter, where it appears in section four thousand two hundred seventeen (4217), section four thousand two hundred eighteen (4218), section four thousand two hundred twenty-eight (4228), section four thousand three hundred fifty-four (4354), section four thousand four hundred six (4406), section four thousand four hundred sixty-four (4464).

Sec. 32. Section forty-one hundred twenty-five (4125) of the code, 1931, is amended by inserting after the words "three years" in line five (5) the words, "except that in independent school districts which embrace a city and which have a population of seventy five thousand (75,000) or more, the terms of directors shall be six years".

Sec. 33. Cost of election. The entire cost of the election as provided herein shall be paid by the city.

Also to further amend by renumbering Section 7 of the Bill to be Section 34.

VINCENT F. HARRINGTON.

On motion of Senator Booth the Senate adjourned, the time of reconvening having been set previously for 10:00 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 16, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. Joseph Hanson, pastor of Visitation Catholic Church of Des Moines.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Approving prohibition. Senator Patterson, from residents of Kossuth county. Senator Hill, from residents of Floyd county. Senator Hush, from residents of Mills county. Senator Meyer, from residents of Bremer county. Senator Hicklin, from residents of Muscatine county. Senator Harrington, from residents of Woodbury county. Senator Knudson, from residents of Wright county. Senator Miller of Jones, from residents of Cedar county. Senator Chrystal, from residents of Sac and Greene counties. Judiciary No. 1.

Opposing a tax on the so-called "chain stores" doing business in the state. Senator Roelofs, from citizens of Hawarden, Iowa. Senator Carden, from citizens of Winfield, Iowa. Manufacturing, commerce and trade.

Approving the five day marriage license law. Senator Wenner, from the Cedar Falls Woman's Club, Cedar Falls, Iowa. Judiciary No. 1.

Favoring the repeal of the five day marriage license law. Senator Harrington, from the Sioux City Ministerial Association, Sioux City, Iowa. Judiciary No. 1.

Approving the tuberculin testing law. Senator Elthon, from members of the P. T. A. of Bun Oak No. 6 of Mitchell county. Agriculture.

Relating to the closing of railway stations. Senator Chrystal, from citizens of Grand Junction, Iowa. Public utilities.

Approving Senate File No. 141. Senator Aschenbrenner, from citizens of Melcher, Iowa. Public utilities.

Opposing House File No. 117 and Senate File No. 120. Senator Husted, from the various breed associations and the State Dairy Association. Senator Wenner, from the various breed associations and the State Dairy Association. Agriculture.

Opposing a tax on portable feed grinders. Senator Roelofs, from citizens of Maurice and Orange City, Iowa. Senator Nelson, from residents of Iowa. Senator Anderson, from residents of Iowa. Agriculture.

Opposing Senate Files Nos. 125 and 175. Senator Moore, from residents of Pottawattamie county. Motor vehicles.

Favoring the passage of House File No. 163. Senator Coykendall, from the town of Sidney, Iowa. Senator Harrington, from the town of Sioux City, Iowa. Cities and towns.

Opposing Senate File No. 87. Senator Wenner, from the Waterloo Woman's Club, Waterloo, Iowa. Judiciary No. 2.

INTRODUCTION OF BILLS

Senate File No. 273, by Senator Byers, a bill for an act to repeal Sections sixty one hundred thirty four -d 1 (6134-d 1), sixty one hundred thirty four -d 2 (6134-d 2), sixty one hundred thirty four -d 3 (6134-d 3), sixty one hundred thirty four -d 4 (6134-d 4), sixty one hundred thirty four -d 5 (6134-d 5), sixty one hundred thirty four -d 6 (6134-d 6), and sixty one hundred thirty four -d 7 (6134-d 7), of Chapter 312, of the Code, 1931, relating to heating plants, water or gas works, and electric plants.

Read first and second times and referred to committee on cities and towns.

Senate File No. 274, by Senator Irwin, a bill for an act to amend section forty-four hundred fifty-six (4456) of the Code, 1927, and provide a method of abandonment of county uniformity of school textbooks.

Read first and second times and referred to committee on public schools.

Senate File No. 275, by Senator Miller of Jones, a bill for an act to amend sections forty-four hundred sixty-three (4463), and forty-four hundred fifty-six (4456), Code 1931, relating to county uniformity of textbooks.

Read first and second times and referred to committee on public schools.

Senator Carden submitted the following :

ALBERSON MEMORIAL RESOLUTION

Whereas, The Honorable A. N. Alberson, who was a member of the House of Representatives in the Twenty-seventh General Assembly, and also a member of the Senate of the Twenty-eighth General Assembly, also former mayor at Washington, Iowa, died in Moravia, California, August 17, 1931, therefore,

Be It Resolved by the Senate of the Forty-fifth General Assembly, That the President of the Senate appoint a committee of three to draft suitable resolutions commemorating the life, character, and service of this former member of this Body.

Upon the request of Senator Carden, unanimous consent was granted to consider the resolution.

The resolution was adopted and the President appointed on such committee, Senators Carden, Beatty and Hicklin.

SENATE FILE NO. 211 REREFERRED

Upon the request of Senator Knudson, unanimous consent was granted to withdraw Calendar No. 23, Senate File No. 211, from the calendar and rerefer to the committee on insurance.

REPORTS OF COMMITTEES

Senator Geske submitted the following reports :

MR. PRESIDENT: Your committee on emergency legislation to which was referred Senate File No. 228, a bill for an act relating to real estate mortgages, by providing for the priority of liens on the rents, profits and/or income derived from said real estate as provided for in said mortgages; and relating to the renting of said real estate; and the assignment or transfer of said rents; and repealing of inconsistent Acts; and providing that it shall not affect pending litigation, begs leave to report it has had the same under consideration and recommends the same do pass.

M. X. GESKE, Chairman.

Ordered passed on file.

Also :

Your committee on emergency legislation to which was referred Senate

File No. 219, a bill for an act to amend chapter five hundred twenty-five (525) of the code, 1931, by striking out section twelve thousand three hundred seventy-seven (12377), and enact a substitute therefor, begs leave to report it has had the same under consideration and returns the bill without recommendation.

M. X. GESKE, *Chairman.*

Ordered passed on file.

Also :

Your committee on emergency legislation to which was referred Senate File No. 182, a bill for an act to amend sections eleven thousand seven hundred forty-three (11743), eleven thousand seven hundred forty-four (11744), eleven thousand seven hundred seventy-four (11774), eleven thousand seven hundred seventy-six (11776), eleven thousand seven hundred eighty-six (11786), and eleven thousand seven hundred eighty-seven (11787), of the code, 1931, pertaining to the period of redemption in real estate foreclosures, and the issuance of the deed therefor, begs leave to report it has had the same under consideration, and returns the bill without recommendation.

M. X. GESKE, *Chairman.*

Ordered passed on file.

Also :

Your committee on emergency legislation to which was referred Senate File No. 183, a bill for an act to amend section twelve thousand three hundred seventy-six (12376) of the code, 1931, pertaining to the foreclosure of mortgages, begs leave to report it has had the same under consideration and returns the bill without recommendation.

M. X. GESKE, *Chairman.*

Ordered passed on file.

Also :

Your committee on emergency legislation to which was referred Senate File No. 184, a bill for an act to tax that portion of judgments issued under section twelve thousand three hundred seventy-six (12376) of the code, 1931, which is in excess of the amount for which the mortgaged property was sold, begs leave to report it has had the same under consideration and returns the bill without recommendation.

M. X. GESKE, *Chairman.*

Ordered passed on file.

Also :

Your committee on emergency legislation to which was referred Senate File No. 185, a bill for an act to amend section eleven thousand seven hundred forty-four (11744) of the code, 1931, pertaining to the taxing of a sheriff's deed, begs leave to report it has had the same under consideration and returns the bill without recommendation.

M. X. GESKE, *Chairman.*

Ordered passed on file.

Also :

Your committee on emergency legislation to which was referred Senate File No. 186, a bill for an act to repeal section twelve thousand three hundred seventy-seven (12377) of the code, 1931, pertaining to general execution for the balance of judgment, begs leave to report it has had the same under consideration and returns the bill without recommendation.

M. X. GESKE, *Chairman.*

Ordered passed on file.

Also :

Your committee on emergency legislation to which was referred Senate File No. 187, a bill for an act to amend section ten thousand two hundred sixty-one (10261) of the code, 1931, and to repeal section ten thousand two hundred sixty-five (10265) of the code, 1931, both sections pertaining to landlord's liens, begs leave to report it has had the same under consideration and returns the bill without recommendation.

M. X. GESKE, *Chairman.*

Ordered passed on file.

Also :

Your committee on emergency legislation to which was referred Senate File No. 181, a bill for an act to amend section eleven thousand six hundred ninety-three (11693) of the code, 1931, pertaining to the appointment of receivers, begs leave to report it has had the same under consideration and returns the bill without recommendation.

M. X. GESKE, *Chairman.*

Ordered passed on file.

Also :

Your committee on emergency legislation to which was referred Senate File No. 188, a bill for an act to amend section twelve thousand three hundred seventy-six (12376) of the code, 1931, pertaining to the taxing of judgments, begs leave to report it has had the same under consideration and returns the bill without recommendation.

M. X. GESKE, *Chairman.*

Ordered passed on file.

Also :

Your committee on emergency legislation to which was referred Senate File No. 155, a bill for an act rendering invalid any acceleration clause in real estate mortgages, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

M. X. GESKE, *Chairman.*

Ordered passed on file.

Senator Pendray submitted the following report :

MR. PRESIDENT: Your committee on public schools to which was referred Senate File No. 197, a bill for an act changing the boundary lines of school districts in certain cases, begs leave to report it has had the same under consideration and recommends the same do pass.

CAROLYN C. PENDRAY, *Chairman.*

Ordered passed on file.

Senator Booth submitted the following report:

MR. PRESIDENT: Your committee on highways to which was referred House File No. 78, a bill for an act to legalize the acts of the Board of Supervisors in any and all counties in the State of Iowa, in levying for 1932 a less millage tax for secondary road construction and maintenance than is provided to be levied under sections forty-six hundred forty-four-c six (4644-c6), forty-six hundred forty-four-c eleven (4644-c11), forty-six hundred forty-four-c fifteen (4644-c15), and forty-six hundred forty-four-c sixteen (4644-c16), code 1931, begs leave to report it has had the same under consideration and recommends the same do pass.

CHAS. D. BOOTH, *Chairman*.

Ordered passed on file.

EXECUTIVE SESSION

The time having arrived for the consideration of the report of the contest committee, Caldwell v. Shangle, made special order, on motion of Senator Kimberly, the Senate went into executive session.

The Senate arose from executive session and resumed regular session at 2:45 p. m.

CALDWELL-SHANGLE CONTEST DECISION

Senator Patterson moved that the Senate declare that Senator Shangle was duly elected from the Fourteenth senatorial district and that he retain his seat in the Senate. The motion prevailed.

Upon the request of Senator Wenner, unanimous consent was granted to defer action on consideration of House Concurrent Resolution No. 10, and that it be made a special order for 10:15 a. m. Friday.

RESIGNATION OF COMMITTEE CLERK

TO THE SECRETARY OF THE SENATE: I hereby tender my resignation as committee clerk, to take effect February 16, 1933.

MAXINE SEABLOM.

The resignation was accepted.

The committee on committee clerks has assigned Genevieve Walton as committee clerk for Senator Coykendall. EDW. J. WENNER, *Chairman*.

The report was adopted and Genevieve Walton appeared before the Secretary and was duly sworn.

The Journal of February 15th was corrected and approved.

AMENDMENTS FILED

Amend Senate File No. 21 as follows:

Amend by striking out sections 8 and 9, thereof, and by renumbering the succeeding sections accordingly. PAUL W. SCHMIDT.

Amend Senate File No. 131, as amended by Committee on Reduction of Public Expenditures, as follows:

Amend by striking from line 11 of section nine the words "an emergency exists" and substituting in lieu thereof "conditions exist"; and by striking from line 14 of section nine the words "emergency exists" and substituting in lieu thereof "conditions exist".

(This amendment is made to the bill, sections, lines and words thereof as they appear in the reprint of the bill, as amended by Committee on Reduction of Public Expenditures.) JOHN K. VALENTINE.

Amend Senate File No. 131, as amended by Committee on Reduction of Public Expenditures, as follows:

By striking the words "Budget Commission" wherever the same appear, and substituting in lieu thereof the words "Tax Reduction Council"; by striking the word "Commission" wherever the same appears, and substituting in lieu thereof the word "council"; by striking the word "Commissioner" wherever the same appears, and substituting in lieu thereof the words "council member"; by striking the word "commissioners" wherever the same appears and substituting in lieu thereof the words "council members".

Also by inserting in line 3 of section five after the word "day" and before the word "each" the word "for".

Also amend the title by striking the words "Budget Commission" and substituting in lieu thereof the words "Tax Reduction Council".

(This amendment is made to the bill, sections, lines and words thereof as they appear in the reprint of the bill, as amended by Committee on Reduction of Public Expenditures.) JOHN K. VALENTINE.

Amend Senate File No. 89 by striking out all of section one (1) and substituting in lieu thereof the following, to wit:

"Section 1. Storing vehicle—fractional registration. The owner of a motor vehicle who, prior to January fifteenth of any year, withdraws said vehicle from all use upon the public highways, and stores the same in the county of his residence, and surrenders all license plates for said vehicle to the county treasurer of the county in which such plates are of record, and files with said treasurer his duplicate personal affidavits showing a description of said vehicle, the license number thereof, and the fact of said storage, and particular place thereof, shall have the legal right, on the first day of April, July or October of said year, to register said vehicle for the remaining quarters or quarter of said year, without penalty, and in such case the fees shall be three-fourths ($\frac{3}{4}$) or one-half ($\frac{1}{2}$) or one-fourth ($\frac{1}{4}$) of the yearly fee, as the case may be, anything in chapter two hundred fifty-one (251), Code, 1931, to the contrary notwithstanding."

IRVING H. KNUDSON.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 17, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. Floyd Allen Bash, pastor of the Central Church of Christ of Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Carden for the day, on request of Senator Stanley.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Approving prohibition. Senator Elthon, from residents of Worth county. Senator Stevens of Wapello, from residents of Wapello county. Senator Hopkins, from residents of Guthrie county. Senator Shangle, from residents of Mahaska county. Senator Stevens of Decatur, from residents of Union county. Judiciary No. 1.

Opposing the taxing of portable feed grinders. Senator Roelofs, from citizens of Alton and Hull. Senator Hopkins, from residents of Dallas county. Senator Myers, from residents of Jasper county. Agriculture.

Favoring Farm Bureau aid. Senator McArthur, from citizens of Garner. Agriculture.

Relating to the care of indigent people in the State University Hospital. Senator Miller of Jones, from residents of Cedar county. Public health.

Favoring House File No. 273 and Senate File No. 248, and opposing House File No. 255. Senator Klemme, from residents of Winneshiek county. Public health.

Favoring the income tax bill. Senator Stevens of Wapello, from citizens of Ottumwa. Ways and means.

Opposing the passage of Senate File No. 121. Senator Aschenbrenner, from residents of Marion county. Fish and game.

Favoring the passage of Senate File No. 121. Senator Myers, from Burlington Chapter 44 of the Izaak Walton League of America. Senator Coykendall, from the Central States Field Trial Association, Des Moines. Fish and game.

Relating to agricultural conditions. Senator Harrington, from the Sioux City Live Stock Exchange, Sioux City. Agriculture.

Opposing passage of Senate File No. 193. Senator Harrington, from the Sioux City Fire and Casualty Underwriters, Sioux City. Cities and towns.

Relating to road poll taxes and the payment thereof. Senator Coykendall, from members of the Board of Supervisors, Fremont county. Elections.

Opposing the closing of small elementary schools. Senator Miller of Jones, from residents of Jones county. Senator Cooney, from residents of Dubuque county. Public schools.

Favoring the passage of a law which will relieve the school taxes in rural districts for two years. Senator Harrington, from the Lawton Consolidated school district and the Arlington Township school district, Woodbury county. Public schools.

Endorsing the Certification Bill. Senator Wenner, from the Waterloo Branch of the American Association of University Women, Waterloo. Senator Roelofs, from members of the O'Brien County Schoolmasters Club. Senator Myers, from the Parent Teachers Council of Newton. Public schools.

Favoring enactment of legislation to relieve schools which are without funds. Senator Roelofs, from members of the O'Brien County Schoolmasters Club. Public schools.

Relating to school legislation. Senator Myers, from the Parent Teachers Council of Newton. Senator Schmidt, from residents of Johnson county. Senator Harrington, from members of the Crescent Park Parent Teacher Association, Sioux City. Senator Wen-

ner, from members of the Parent Teachers Organization of East Waterloo Township, District No. 5, and from the Parent Teachers Association of the John Fiske School, Independent School District of East Waterloo. Public schools.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor stating that on February 9th, he had approved Senate Joint Resolution No. 2, relating to joint legislative committee to investigate and examine the administration and conduct of the various state and county departments of government for the purpose of recommending ways to secure reductions in expenditure of public funds and to make appropriation therefor.

Also, that on February 14th, he had approved Senate File No. 145, relating to license fees levied or imposed under provisions of chapter six of the acts of the Forty-first General Assembly.

HOUSE CONCURRENT RESOLUTION NO. 10 CONSIDERED

Senator Wenner called up for consideration the following and moved its adoption:

Be It Resolved by the House, the Senate Concurring: That when adjournment is had on Friday, February 24th, it be to reconvene on Thursday afternoon, March 2nd, at 2 P. M.

Senator Schmidt offered the following amendment and moved its adoption:

Amend by striking out the words and figures "Thursday afternoon, March 2nd" and inserting in lieu thereof the words and figures "Monday afternoon, March 6th."

The amendment was adopted.

The resolution as amended was adopted.

INTRODUCTION OF BILLS

Senate File No. 276, by committee on drainage, a bill for an act to repeal sections seventy-five hundred sixty-three (7563) to seventy-five hundred sixty-eight (7568), inclusive, Code, 1931, and to enact substitutes therefor, relating to the improvement of the common outlet of two or more drainage districts.

Read first and second times and placed on the calendar.

Senate File No. 277, by Senator Harrington, a bill for an act to amend section eleven hundred sixty-six (1166), Code 1931, relating to nepotism.

Read first and second times and referred to committee on departmental affairs.

Senate File No. 278, by committee on appropriations, a bill for an act making an appropriation for miscellaneous expenses of the general assembly.

Read first and second times and placed on the calendar.

Senate File No. 279, by committee on appropriations, a bill for an act to make an appropriation for Frank D. Paine.

Read first and second times and placed on the calendar.

Senate File No. 259, by Senator Mullaney, a bill for an act to repeal sections forty-three hundred twenty-nine (4329) to forty-three hundred thirty-five (4335), inclusive, Code, 1931, relating to state aid to certain school districts.

Read first and second times and referred to committee on public schools.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in the Senate amendment to House amendment, in which the concurrence of the House was asked:

Senate File No. 23, a bill for an act relating to the mileage and expenses of public officers and employees.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 115, a bill for an act relating to the appointment of receivers and the disbursement of moneys coming into their hands.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 65, a bill for an act with reference to the payment of unclaimed fees.

Also, that the House has passed the following substitute for House File No. 1 in which the concurrence of the Senate is asked:

Substitute for House File No. 1, a bill for an act relating to changing the method of determining actual value, assessed value, etc.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 149, a bill for an act relating to the inurement of policies of insurance to the benefit of one who has obtained a judgment against the insured.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 187, a bill for an act relating to the payment of a mulct tax for permit to sell cigarettes or cigarette papers.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 274, a bill for an act relating to collection of permit, license and inspection fees, and uses of said fees.

LLOYD ELLIS, *Chief Clerk.*

SENATOR KLEMME'S 84TH BIRTHDAY

Senator Hicklin made the following presentation speech:

MR. PRESIDENT: In perusing some of the documents of this state, I would like to call the attention of the President and members of the Senate to Page 233 of the Iowa Official Register.

I am amazed to find by this document that eighty-four years ago in the State of Indiana, there was born a little boy. That little boy has progressed on the pathway of life, and is now one of the members of this Senate.

We are all proud that on today Senator Klemme, of whom I am speaking, has reached the wonderful age of eighty-four years; and by so doing, I suppose, is dean of all the officials of Iowa.

I am sure that we are very proud to have him here with us, and it is an extreme pleasure to me in behalf of the members of the Senate, and the Lieutenant-Governor, to present him with the bouquet placed upon his desk. One of the bouquets comes from his friends in the Senate, and the other from the members of his family. We are also pleased to present him with this engraved pencil as a memento of this occasion, and all join in wishing him many more happy birthdays.

Senator Klemme responded as follows:

It isn't very often that a person can stand up on the floor of the Senate of the State of Iowa at the age of eighty-four, which I am today. I want to thank the Senator for the kind words that he just uttered. I feel grateful and thankful for these beautiful flowers that are standing here on my desk this morning. While I really don't know where they come from, I surmise where most of them came from, and I certainly feel thankful from the bottom of my heart for the flowers, because I tell you, Senators, that I would rather have these flowers when I can see them, than when they are on my grave.

Senator Klemme then presented a box of cigars to the Senate.

SENATE FILE NO. 228 MADE SPECIAL ORDER

Upon the request of Senator Stanley, unanimous consent was granted to have Senate File No. 228 made a special order for Tuesday, February 21st, at 10:30 a. m.

SENATE FILE NO. 87 ON THE CALENDAR

Senate File No. 87 was called from the committee on banks and banking under rule No. 35.

THIRD READING OF BILLS

The time having arrived for consideration of the special order, on motion of Senator Beatty, Senate File No. 131, a bill for an act relating to taxation, and to provide a maximum rate of levy on property in any county, municipality, or other taxing district in the state, and to provide for the creation of a County Budget Commission, and to prescribe the powers and duties thereof, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The committee amendments as found on page 296 of the Senate Journal were considered.

Senator Stevens of Wapello offered the following as a substitute amendment for the committee amendments and moved its adoption:

Amend by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. That the total of all tax levies on property within any county, municipality or other taxing district in the state, shall not exceed the rate of fifteen mills on each dollar of the assessed valuation of taxable property therein; provided, however, that the provisions of this section shall not be applicable to any rates or levies authorized or required to be determined or certified by the State Board of Assessment and Review, nor to any rates or levies authorized or required to be made or certified by any city or town council, nor to any rates or levies authorized to be made by the board of supervisors for the support of the poor, as provided in section fifty-three hundred thirty-seven (5337) of the Code, 1931, nor to any rates or levies authorized under the provisions of section fifty-three hundred eighty-five (5385) of the Code, 1931, nor to any rates or levies authorized or required to be made to pay any judgment rendered by a court of competent jurisdiction against any county, municipality or taxing district, nor to any rates or levies authorized or required to be made or certified for the payment of the principal, interest or sinking fund of any bonds of any county, municipality or other taxing district, authorized or outstanding at the time of the taking effect of this act, or for the payment of the principal, interest or sinking fund of any bonds issued to refund any such bonds so authorized or outstanding.

Sec. 2. There is hereby created in each county in this state a commission which shall be known as the County Budget Commission. Said Commission shall have jurisdiction over all boards, commissions or other

bodies in the county, which have power or authority under the constitution and laws of this state to certify or levy a tax upon property within the county or within any part thereof.

Sec. 3. The Commission shall consist of five members, who shall be residents, owners of real property, and taxpayers in the county for which they are chosen, and shall be qualified electors therein. Upon the taking effect of this Act, the Governor shall appoint five (5) members to this County Budget Commission in each county, who shall serve until January 1, 1935.

Their successors shall be elected at the general election of 1934 and at each regular general election thereafter. Candidates for membership on this commission shall be nominated by petition as provided under chapter thirty-seven-a two (37-a2), code 1931, and shall be deemed to be candidates for county office. Names of candidates shall appear on the ballot or voting machine strip without party designation, but shall be rotated alphabetically by precinct.

Sec. 4. Members of this commission shall be elected at large and not more than one shall be elected from any one township in the county, provided, however, that if any city contains one-fifth (1/5) or more of the population of a county, one of the commissioners shall be a resident of such city, if there be a candidate residing in such city; if any city contains one-third (1/3) or more of the population of a county, two of the commissioners may be residents of such city; and if any city contains a majority of the population of a county, three of the commissioners may be residents of such city. In any county not having a city containing one-fifth of the population of the county, or when there is no candidate residing in a city containing one-fifth of the population of a county, the candidates in the number to be elected, receiving the highest number of votes at the general election, shall be declared elected commissioners. In any county having one or more cities each containing one-fifth (1/5) or more of the population of the county, the candidate, if any, residing in each such city, receiving the highest number of votes of the candidates residing in said city, shall be declared elected as one of the commissioners, and candidates in a number equal to the remaining number to be elected, receiving the highest number of votes at the general election, shall be declared elected commissioners. If the foregoing method of determining the election of candidates should result in a greater number of commissioners from any township or city than such township or city is entitled to under the provisions of this act, then only such number as such township or city is entitled to shall be declared elected from such township or city, and they shall be chosen in order of the highest number of votes for the candidates from such township or city, and the election of the remaining members of the commission shall be determined as if such additional candidates residing in such city or township had not been candidates for such office, and the votes cast for such additional candidates shall not be considered. In case of death, resignation, or inability of any member of said commission to serve, the Governor shall make an appointment to fill the balance of the unexpired term of said commissioner. Members of this commission shall serve for four (4) year terms, excepting, however, that two (2) of the

first five (5) commissioners elected shall serve for two (2) year terms and the other three (3) for four (4) year terms. The commissioners shall decide by lot as to which two (2) shall serve for two (2) year terms, provided that when two or more commissioners shall be residents of the same city or township, their terms shall not all expire at the same time. Thereafter at each biennial general election either two (2) or three (3) members of this commission, as the case may be, shall be elected for four (4) year terms.

Sec. 5. The members of said County Budget Commission shall each be entitled to compensation at the rate of Five Dollars (\$5.00) per day each day actually spent in the performance of the duties herein imposed, and in addition thereto they shall be entitled to receive actual expenses incurred in connection therewith. Such compensation, however, shall not exceed Fifty Dollars (\$50.00) per year for each member. The compensation and expenses herein provided for shall be paid out of the general fund of the county upon warrants duly drawn by the county auditor.

Sec. 6. The County Auditor of each county shall act as the secretary of the County Budget Commission, and shall make and keep on file in his office complete records of its acts, proceedings and orders. The County Attorney shall be legal adviser and counsel of the commission, and shall represent it in all suits and actions and other legal proceedings in any court in this state, except that if the Board of Supervisors shall be a party thereto, the Commission may employ other attorneys or counsel. The County Attorney shall not receive any extra compensation for any service rendered in such capacity.

Sec. 7. The members of said commission shall select one of their own number to act as chairman thereof, who shall serve for a term of one year, and may prescribe and determine rules and regulations for the conduct of their meetings, and for the presentation of protests, as hereinafter provided for.

Sec. 8. Said County Budget Commission shall meet each year on the first Monday after the 17th day of August at the court house in such county and shall examine and review the budgets and rates or levies made or certified by all levying or certifying boards or bodies within the county, as certified to the county auditor, and said commission shall have the power, and it shall be its duty, to revise and reduce such rates or levies and the amounts certified in such budgets so that the total levy for any one year on property within any taxing district of the county, for all purposes, shall be at the least practicable minimum, and shall be in conformity with the provisions of Section 1 of this Act. The order of said commission making any revision or reduction in such rates or levies or in such budgets, shall be entered of record and filed in the office of the county auditor of said county on or before the Saturday following the last Monday in August, and unless protest is filed thereto as hereinafter provided, such order shall be final.

Sec. 9. Within three days after the entry and filing of such order by the County Budget Commission, any levying or certifying board or body may file with the County Auditor a protest in writing against any change, revision or reduction of rates made by said order, affecting property

within the jurisdiction of such protesting board or body. If any protest shall be so filed, the County Budget Commission shall again meet for the hearing thereof on the second Monday in September, at the court house in said county. Such hearing shall be open to the public. If such protesting board or body shall establish the fact that an emergency exists necessitating rates in its district in excess of those determined by said commission, the commission may by a vote of a majority of its members, entered of record, find and determine that such emergency exists, and may, by written order, fix the total levy for such taxing district at a rate in excess of that provided in Section One hereof, and may apportion the same, if necessary, among the various funds of such taxing district, or among the various taxing districts in which such property is subject to taxation. Such written order, fixing the total levy and apportioning the same, shall be entered of record and filed in the office of the County Auditor, and shall be final, unless appeal therefrom is taken to the District Court as hereinafter provided.

Sec. 10. The written orders by such commission provided for in Sections 8 and 9 hereof shall fix and determine the amounts to be raised by taxation within each taxing district in the county; and the rate thereof, stated in number of mills per dollar, and any amounts, rates or levies previously or subsequently made or certified by any levying or certifying board shall be modified, if necessary, to conform therewith, and upon the filing of such final order the county auditor shall enter a record of such levies and of the rates for each taxing district upon the permanent records of his office in a book to be kept for that purpose, and such rates shall be the rates used in the computation of the taxes on all property in the county and in the preparation of the tax lists which are delivered to the county treasurer; provided, however, that such rates or levies shall be subject to modification or revision by order of the Court made upon appeal as hereinafter provided.

Sec. 11. Within ten (10) days after the final order of the County Budget Commission is filed in the office of the County Auditor, appeals may be taken from such order or any part thereof to the District Court of such county, by the levying or certifying board of any taxing district affected thereby or by not less than ten taxpayers owning property within any taxing district affected thereby. Appeals shall be taken by a written notice to that effect to the Chairman of the County Budget Commission and served as an original notice, and when an appeal is taken by taxpayers, a copy of the notice shall be served upon the chairman, secretary or clerk of the levying or certifying board of the taxing district affected.

Sec. 12. The Court shall hear the appeal as a special equitable proceeding upon filing of such pleadings as the Court may prescribe, and shall review the action of the County Budget Commission relating to rates and levies and to the amounts to be raised by taxation for the purposes affected by the order or part thereof from which such appeal is taken, and the Court shall enter an order affirming, reversing or modifying the order of the County Budget Commission, which order of the Court shall be certified by the Clerk of the Court to the County Auditor, who shall correct the rates and levies of such taxing district upon the permanent records of his office, so as to conform to the order of the Court.

Sec. 13. The said commission shall have power and authority to demand and receive from any public official within their respective counties a full and complete statement of the amount of money expended by his department for each fiscal year ending December thirty-first, or for any fiscal year ending on the last day of any month other than December, and any other information relative to the finances of said municipality. Said commission shall have power to inquire into the management, books of account and systems employed, of each municipal corporation and of each department thereof within their respective counties. Said commission shall also be authorized to make recommendations to improve the efficiency of any administrative method employed within any municipal corporation. Such recommendation or report shall be made public upon a resolution approved by a majority of the members of said commission. A report of the tax budgets approved by this commission and of other information pertaining to the administration of government in the county and to the expenditures and conservation of public funds, shall be made annually by the county auditor and filed with the Director of the Budget. A copy of said report shall be filed with the Board of Supervisors.

Sec. 14. Nothing contained in this act shall be construed to impair or to interfere in any manner with the right of the qualified voters of any municipal corporation to vote under the constitution and laws of this state upon any question of incurring bonded indebtedness for any public purpose or levying any general or special tax, that may lawfully be submitted to the electors for their approval or rejection.

Sec. 15. That the law as it appears in section forty-three hundred ninety-two (4392) of the Code, 1931, is hereby amended by striking from line four (4) of said section the words "the first Monday of September" and inserting in lieu thereof "fifteenth day of August".

Sec. 16. In case it shall be held by the courts that this act or any part thereof is unconstitutional as applied to the rights, powers, duties or jurisdiction of the commission hereby created over any designated tax levying or certifying board, such judgment or decree of unconstitutionality shall not extend to the other portions of this act.

Sec. 17. Insofar as the provisions of this act may conflict with other laws of this state, the provisions of this act shall control.

The substitution was made and the substitute amendment was adopted.

Senator Stevens of Wapello offered the following amendment and moved its adoption :

Amend the title so as to read as follows: "An Act relating to taxation, to provide a maximum rate of levy on property in any county, municipality, or other taxing district in the state, to provide for the creation of a County Budget Commission, to prescribe the powers and duties thereof, to amend section forty-three hundred ninety-two (4392) of the Code, 1931, and relating to certifications and levies for taxation."

The amendment was adopted.

Senator Valentine offered the following amendments and moved their adoption:

Amend by striking the words "Budget Commission" wherever the same appear, and substituting in lieu thereof the words "Tax Reduction Council"; by striking the word "Commission" wherever the same appears, and substituting in lieu thereof the word "council"; by striking the word "Commissioner" wherever the same appears, and substituting in lieu thereof the words "council member"; by striking the word "commissioners" wherever the same appears and substituting in lieu thereof the words "council members".

Also by inserting in line 3 of section five after the word "day" and before the word "each" the word "for".

Also amend the title by striking the words "Budget Commission" and substituting in lieu thereof the words "Tax Reduction Council".

The amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend by striking from line 11 of section nine the words "an emergency exists" and substituting in lieu thereof "conditions exist"; and by striking from line 14 of section nine the words "emergency exists" and substituting in lieu thereof "conditions exist".

The amendments were adopted.

Senator Valentine moved to recess until 1:15 p. m. today, and that when the Senate reconvenes it proceed with consideration of Senate File No. 131. The motion prevailed.

AFTERNOON SESSION

The Senate reconvened at the fall of the gavel, President N. G. Kraschel presiding.

CONSIDERATION OF SENATE FILE NO. 131 RESUMED

Senator Geske moved that this bill be deferred and that it be made a special order of business for Monday, February 20th, at 10:30 a. m. The motion prevailed.

Former Lieutenant Governor Ernest R. Moore being present in the Senate chamber, Senator Kimberly moved that he be escorted to the chair to address the Senate.

The motion prevailed and the President appointed Senator Kimberly as a committee of one to escort the Hon. E. R. Moore to the chair, and he spoke in part as follows:

MR. PRESIDENT AND SENATORS: Let me acknowledge as best I may the courtesy you have extended to me in asking me to appear before you for a few minutes. I too well understand the workings of a legislative body, having served ten years ago, to occupy your time needlessly.

I feel like a cat in a strange garret. There are so few familiar faces—Senator White, Senator Frailey and Senator Kimberly, whom I frequently had to put in their places. I trust the present Lieutenant Governor is able to do the same thing.

I sympathize with you very greatly in the problems you are facing. It is a perilous situation but I know that all are bending their best energies to bring us out of the chaos we are in. We all need to work together to save our own souls, because our souls are in jeopardy. Those interested in public affairs agree, I am sure, with the saying of Benjamin Franklin, "We must hang together or we will hang separately". We as a people will hang separately if we do not hang together.

I can recognize in this great emergency that there will be a good deal proposed and a good deal passed of what might be called "shot-gun" legislation. This isn't a time for cowardice. This is a time when men should take the chance in the hope that what they do will be for the best and that they will give us all a chance to rebuild this wreckage that we have all brought about.

I want to thank the Lieutenant Governor for the chance to address this Senate and assure him that he has my very best wishes. It is quite evident he has the best wishes of many of the members of my old party or he wouldn't be here. Let me thank you all and wish you a very good session.

Upon the request of Senator Wilson, unanimous consent was granted to consider Calendar No. 28, Senate File No. 146.

THIRD READING OF BILLS

On motion of Senator Wilson Senate File No. 146, a bill for an act to repeal section forty-seven hundred fifty-five-b thirty-eight (4755-b38), Code, 1931, relating to a license fee of one cent (.01c) per gallon on all motor vehicle fuel; and to enact a substitute therefor imposing a license fee of one cent (.01c) per gallon on all motor vehicle fuel used or otherwise disposed of within the State of Iowa, which shall be in addition to the license fee imposed by Chapter two hundred fifty-A one (250-A1), Code, 1931, and be for the purpose of providing funds to re-emburse the counties of the State for expenditures made by them under the supervision of the Highway Commission for bridges, culverts and right-of-way on primary roads and paid for by the county out of the county road fund or the county bridge fund; and for the further purpose of providing additional revenue for the primary road fund, a committee bill, was taken up and considered.

Upon the request of Senator Wilson unanimous consent was granted to change the word "re-emburse" to the word "reimburse" in the title and in line 16 of section 1.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 49.

Anderson	Fisch	McArthur	Roelofs
Aschenbrenner	Frailey	Meyer	Schmidt
Beardsley	Geske	Miller of	Shangle
Beatty	Harrington	Buchanan	Stanley
Bennett	Hicklin	Miller of Jones	Stevens of
Booth	Hill	Moore	Decatur
Byers	Hopkins	Mullaney	Stevens of
Calhoun	Hush	Myers	Wapello
Chrystal	Husted	Nelson	Topping
Cooney	Irwin	Patterson	Valentine
Coykendall	Kimberly	Pendray	Wenner
Doze	Klemme	Reese	White
Elthon	Knudson	Ritchie	Wilson

Nays, none.

Absent or not voting, 1.

Carden

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

Senator Wilson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Upon the request of Senator Wilson unanimous consent was granted to return to introduction of bills.

INTRODUCTION OF BILLS

Senate File No. 280, by Senator Wilson, a bill for an act to amend section fifty-nine hundred three e ten (5903-c10) of the Code, 1931, relating to the power of cities and towns to lease all or any portion of real estate owned or used for airport purposes.

Read first and second times and referred to committee on cities and towns.

Senate File No. 281, by Senator McArthur, a bill for an act to

repeal section seventy-one hundred seventy-nine (7179), Code, 1931, and to enact a substitute therefor relating to the power of boards of supervisors to license or prohibit circuses, shows or other exhibitions.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 282, by Senator Stevens of Wapello, by request, a bill for an act to amend section four thousand one hundred thirty-three (4133), Code 1931, relating to attaching and detaching territory to or from adjoining school corporations.

Read first and second times and referred to committee on public schools.

Senate File No. 283, by Senator Stevens of Wapello, by request, a bill for an act to provide for detaching land not platted or divided into building lots, lying outside of cities having a population of five thousand (5000) or more from independent school corporations which include such cities and for attaching the same to adjoining, adjacent or contiguous rural school corporations.

Read first and second times and referred to committee on public schools.

Senate File No. 284, by Senator Myers, a bill for an act to amend section fifty-five hundred eighty-seven (5587) of the code, 1931, relating to township licenses of places of amusement.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 285, by Senator Frailey, a bill for an act to provide for the protection, welfare and assistance of aged persons in need and resident in the State of Iowa, providing the method therefor making an appropriation therefor and prescribing penalties for the violation of the provisions of this act.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 286, by Senators Beatty and Geske, a bill for an act relating to mortgages on real estate pledging the rents, profits or income to the payment of the mortgage debt, relating to the application for the appointment of a receiver under such mortgages, and fixing the time for the hearing of such application.

Read first and second times and referred to committee on emergency legislation.

HOUSE MESSAGES CONSIDERED

House File No. 274, a bill for an act to amend sections seventy-seven hundred seventy-five (7775), seventy-seven hundred seventy-six (7776), and seventy-seven hundred seventy-seven (7777) Code, 1931, relating to the collection of permit, license and inspection fees, for the construction, maintenance or operation of dams, and the allocation of funds derived therefrom, and the study of the proper methods of construction of such dams.

Read first and second times and referred to committee on conservation.

House File No. 187, a bill for an act to amend section fifteen hundred sixty-three (1563), Code, 1931, relating to the payment of a mulct tax for permit to sell cigarettes or cigarette papers.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 149, a bill for an act to amend section eighty-nine hundred forty (8940), Code, 1931, by striking out certain provisions relating to the inurement of policies of insurance to the benefit of one who has obtained a judgment against the insured, to repeal section nine thousand seventy-one (9071) of said code, and to enact a substitute for such stricken and repealed provisions, and to provide the time in which an action to enforce such inurement may be brought.

Read first and second time and referred to committee on insurance.

Substitute for House File No. 1, a bill for an act to amend sections three hundred seventy-three (373), four hundred eighty-nine (489), four hundred ninety (490), twenty-two hundred ninety (2290), twenty-six hundred eighty-six (2686), twenty-nine hundred five (2905), twenty-nine hundred nine (2909), thirty-six hundred four (3604), thirty-six hundred forty-one-b one (3641-b1), thirty-six hundred fifty-four (3654), four thousand eighty-three (4083), forty-two hundred seventeen (4217) paragraph seven (7), forty-two hundred nineteen (4219), forty-three hundred forty-six (4346), forty-three hundred sixty-three (4363), forty-three hun-

dred ninety-one (4391), forty-three hundred ninety-five (4395), forty-four hundred thirty-five (4435), forty-six hundred forty-four-c six (4644-c6), forty-six hundred forty-four-c seven (4644-c7), forty-six hundred forty-four-c eleven (4644-c11), forty-six hundred forty-four-c twelve (4644-c12), forty-six hundred forty-four-c fifteen (4644-c15), forty-six hundred eighty-two (4682), fifty-two hundred sixty-eight (5268), fifty-two hundred eighty-four (5284), fifty-two hundred ninety-two (5292), fifty-three hundred thirty-seven (5337), fifty-three hundred fifty-three (5353), fifty-three hundred sixty-seven (5367), fifty-three hundred eighty-five (5385), fifty-five hundred sixty-two (5562), fifty-five hundred seventy-c two (5570-c2), fifty-five hundred seventy-five (5575), fifty-five hundred eighty-one (5581), fifty-seven hundred sixty-seven (5767), fifty-seven hundred ninety-two (5792), fifty-seven hundred ninety-three (5793), fifty-eight hundred twenty-two (5822), fifty-eight hundred thirty-five (5835), fifty-eight hundred thirty-eight (5838), fifty-eight hundred sixty-two (5862), fifty-eight hundred sixty-three (5863), fifty-eight hundred eighty-nine (5889), fifty-nine hundred two (5902) paragraph ten (10), fifty-nine hundred three-c five (5903-c5), fifty-nine hundred fifteen (5915), fifty-nine hundred forty-nine-a two (5949-a2), six thousand forty-three (6043), six thousand seventy-five (6075), sixty-one hundred (6100), sixty-one hundred fifty-two (6152), sixty-one hundred fifty-four (6154), sixty-one hundred fifty-nine (6159), sixty-one hundred sixty-four (6164), sixty-two hundred seven (6207), sixty-two hundred eight (6208), sixty-two hundred nine (6209), sixty-two hundred ten (6210), sixty-two hundred eleven (6211), sixty-two hundred thirteen (6213), sixty-two hundred fourteen (6214), sixty-three hundred ten (6310), sixty-five hundred seventy-eight (6578), sixty-five hundred eighty-eight (6588), sixty-five hundred ninety-two (6592), sixty-five hundred ninety-nine (6599), sixty-six hundred (6600), sixty-six hundred three (6603), sixty-six hundred seven (6607), sixty-six hundred ten (6610), sixty-eight hundred twenty-three (6823), sixty-eight hundred fifty-five (6855), sixty-eight hundred fifty-six (6856), seventy-one hundred nine (7109), seventy-one hundred ten (7110), seventy-one hundred seventy-one (7171), seventy-one hundred seventy-two (7172), seventy-one hundred seventy-three (7173), seventy-seven hundred fifty (7750), ten thousand one hundred ninety (10,190), ten thousand one hundred ninety-one (10,191), ten thou-

sand one hundred ninety-four (10,194), ten thousand one hundred ninety-five (10,195), ten thousand one hundred ninety-six (10,196), ten thousand six hundred ninety-two (10,692), code 1931, to change the method of determining actual value, assessed value, and taxable value and the tax rates thereon on all real estate and personal property, except moneys and credits, so that the terms actual value, assessed value, and taxable value shall hereafter be synonymous and arithmetically the same; and to adjust the tax rates and levies thereon accordingly.

Read first and second times and referred to committee on reduction of public expenditures.

House File No. 65, a bill for an act to amend section ten thousand eight hundred forty (10,840), code 1931, with reference to the payment of unclaimed fees.

Read first and second times and referred to committee on reduction of public expenditures.

REPORTS OF COMMITTEES

Senator Fisch submitted the following report:

MR. PRESIDENT: Your committee on fish and game to which was referred Senate File No. 121, a bill for an act relating to the protection of fish, game and fur-bearing animals, and the powers of the state fish and game commission, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Section 1, by inserting after the word "selling" in line seven (7), the following: "or transportation".

Strike out lines fourteen (14), fifteen (15), sixteen (16), seventeen (17), and eighteen (18) of Section 1, and insert in lieu thereof, the following:

"Sec. 2. Upon the adoption of such rules and regulations as provided for in the preceding Section, they shall be published in at least two newspapers of general circulation in the territory to be affected thereby, at least two weeks prior to the time when they shall become effective, which time shall be specified in such rules and regulations; after which publication they shall be filed in the office of the Secretary of State, and shall be of the same force and effect as statutes, and may be altered, amended and revoked in the same manner as provided for their promulgation. Provided, however, that nothing contained herein shall authorize the said Fish and Game Commission to adopt any rule or regulation inconsistent with the statutes.

Sec. 3. Section one thousand seven hundred and eighty-nine (1789), Code 1931, is hereby amended, by inserting after the comma (,) after the

word "Chapter" in line nine (9) thereof, the following: "or by the rules and regulations adopted by the Fish and Game Commission." Also, by inserting after the word "Chapter" in line six (6) thereof, the following: "or of the rules and regulations adopted by the Fish and Game Commission."

Further amend Section 1 of the Bill, by designating lines nineteen (19) to forty-six (46) inclusive, as Section 4, and by putting a period (.) after the word "repealed" in line forty-six (46), and striking the remainder of said line forty-six (46), and by striking line forty-seven (47).

Amend Section 2 of the Bill by striking the same, and inserting the following in lieu thereof, renumbered as Section 5:

"Sec. 5. Whenever the Fish and Game Commission shall establish and create a game management area upon any public lands or waters, or with the consent of the owner thereof upon any private lands or waters, it shall with the consent of such owner, if any, have the right to post and prohibit, and to regulate or limit such lands or waters against trespassing, and/or against hunting, fishing, trapping, and any violation thereof shall be unlawful."

Amend Section 3 by striking it out, and inserting the following in lieu thereof:

"Sec. 6. Illegal devices—Seizures. Any device, contrivance or material used to violate any regulation adopted by the State Fish and Game Commission, or any other provision of this Chapter, is hereby declared to be a public nuisance, and it shall be the duty of the State Game Warden and his deputies, or any peace officer, to seize such devices, contrivances or materials so used, without warrant or process, and to deliver them to some Magistrate having jurisdiction."

Renumber Section 4 of the Bill as Section 7.

After Section 4, insert the following:

"Sec. 8. Trial and Appeal. Trial of said cause shall be, so far as practicable, by the same procedure as is provided in Chapter 96 of the Code 1931, so far as the same is applicable, and except as hereinafter provided."

Renumber Section 5 as Section 9, and amend the same by putting a period (.) after the word "fund" in line five (5) thereof, and strike all the rest of said Section.

Renumber Section 6 as Section 10, and amend the same by inserting after the word "sell" in line three (3) thereof, the words "or transport".

Further amend said Section by changing the figure "\$2.00" in line nine (9) to "\$1.00", and by inserting after line ten (10) the words, "fishing license for all legal residents of the State over sixteen years of age \$1.00".

Further amend said Section by striking out line sixteen (16).

Further amend said Section by adding to the words in line twenty-nine (29), the following: "used for commercial purposes".

Renumber Section 7 as Section 11.

Renumber Section 8 as Section 12.

Renumber Section 9 as Section 13.

Renumber Section 10 as Section 14, and amend the same by striking out the word "issued" in line three (3) thereof, and substituting the word

"sold" therefor, and by inserting after the word "office" in line three (3), the words ", or issued through his office and sold by others".

Further amend by striking out the word "and" after the word "office" in line three (3) of said Section, and capitalizing the letter "a" in the word "all" following said word "and".

Renumber Section 11 as Section 15.

Renumber Section 12 as Section 16.

Renumber Section 13 as Section 17.

Renumber Section 14 as Section 18.

Renumber Section 15 as Section 19.

Strike out the word "of" in line two (2) thereof, and add the following sentence at the end thereof: "Such licenses shall be upon such forms as the Commission shall adopt."

Strike out Sections 16 and 17.

Renumber Section 18 as Section 20.

Renumber Section 19 as Section 21, and amend the same by striking the period at the end thereof, inserting a comma (,) in lieu thereof, and add the following: "or suspend the same for any definite period."

Renumber Section 20 as Section 22, and add the following sentence at the end thereof: "The department may refuse the issuance of a new license to any person whose license has theretofore been revoked."

Renumber Section 21 as Section 23, and amend the same by adding after the word "hunt" in line seven (7) thereof, the words "fish or trap".

Further amend said section by striking out the word "person" in line thirteen (13), and by inserting after the word "resident" in said line thirteen (13), the following: "nor male resident", and after the word "State," insert: "under sixteen years of age".

Strike out Section 22, and enact the following in lieu thereof:

"Sec. 24. Gun defined and restrictions and use thereof. The word "gun" as used in this Chapter, shall include every kind of a gun or rifle, except a revolver or pistol, and shall include those provided with pistol mountings which are designed to shoot shot cartridges."

"No person, except as permitted by law, shall have or carry any gun in or on any vehicle on any public highway, unless such gun be taken down or contained in a case, and the barrels and magazines thereof be unloaded.

"No person shall use a swivel gun, nor any other firearm, except such as is commonly shot from the shoulder or hand, in the hunting, killing or pursuit of game, and no such gun shall be larger than No. 10 gauge.

Renumber Section 23 as Section 24.

Strike out the publication clause.

Amend the title by striking out all after the figures "1931" in line thirty (30) of said title, and by substituting the following in lieu thereof: "and to provide for additional powers for the State Fish and Game Commission; and to provide for the method of adoption of rules and regulations by the State Fish and Game Commission; to amend Section one thousand seven hundred and eighty-nine (1789) of the Code of 1931, so as to fix penalties for the violations of the rules of the State Fish and Game Commission; to give the State Fish and Game Commission

power to regulate game management areas; to provide for the seizure of illegal devices, contrivances and materials used to violate regulations and statutes; to provide a method of procedure for hearings upon such seizures, and for the confiscation and destruction of property so seized; to prohibit the fishing, trapping, hunting and other pursuits affecting wild life, except under license; to fix and determine the amounts of the various licenses to be collected; to provide for the issuance of licenses; to give the court the right to revoke or suspend licenses; to provide exceptions to license requirements; to define guns, limit their uses, and place a limit upon shipments of fish and game."

MIKE G. FISCH, *Chairman*.

Ordered passed on file.

Senator Wenner submitted the following reports:

MR. PRESIDENT: Your committee on elections to which was referred Senate File No. 110, a bill for an act to amend section 1171-d4, Code 1931, relating to the authorization of public bonds, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Strike Section two (2), the publication clause.

EDW. J. WENNER, *Chairman*.

Ordered passed on file.

Also:

Your committee on elections to which was referred Senate File No. 119, a bill for an act to amend section six hundred sixteen (616) Code 1931, relating to time of holding county conventions, begs leave to report it has had the same under consideration and recommends the same be reported out for passage.

EDW. J. WENNER, *Chairman*.

Ordered passed on file.

Also:

Your committee on elections to which was referred Senate File No. 166, a bill for an act to clarify school election laws and to provide for the uniform use of the word "election" in place of the word "meeting" when referred to regular or special school elections, begs leave to report it has had the same under consideration and recommends the same do pass.

EDW. J. WENNER, *Chairman*.

Ordered passed on file.

Also:

Your committee on elections to which was referred House File No. 113, a bill for an act to repeal Section six hundred fifty-five a-four (655-a4), Code 1931, relative to the time of filing objections to certificate of nomination or eligibility of a candidate, and to enact a substitute therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

EDW. J. WENNER, *Chairman*.

Ordered passed on file.

Also :

Your committee on elections to which was referred Senate File No. 98, a bill for an act to amend section six hundred forty-three (643) Code 1931, relating to the printing of names on primary ballots, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking the word "Auditor" from line four (4) of subsection two (2), and inserting in lieu thereof the word "Clerk".

EDW. J. WENNER, *Chairman.*

Ordered passed on file.

Senator Harrington submitted the following reports:

MR. PRESIDENT: Your committee on public utilities to which was referred Senate File No. 153, a bill for an act to amend sections sixty-one hundred twenty-seven (6127), sixty-one hundred thirty-four d-six (6134-d6), sixty-one hundred thirty-five (6135), sixty-one hundred forty-two (6142) of the Code of 1931, relating to public utilities and to the power of cities and towns, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

VINCENT F. HARRINGTON, *Chairman.*

Ordered passed on file.

Also :

Your committee on public utilities to which was referred Senate File No. 158, a bill for an act to vest the power in cities and towns to fix the rates to be charged by telephone companies for the use of telephone apparatus commonly known as service charges, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

VINCENT F. HARRINGTON, *Chairman.*

Ordered passed on file.

Also :

Your committee on public utilities to which was referred Senate File No. 152, a bill for an act to amend Section sixty-one hundred forty-three (6143) of the Code of 1931, relating to public utilities and to the powers of cities and towns, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

VINCENT F. HARRINGTON, *Chairman.*

Ordered passed on file.

Senator Geske submitted the following reports:

MR. PRESIDENT: Your committee on emergency legislation to which was referred Senate File No. 220, a bill for an act to amend the law as it appears in section sixty-nine hundred eighty-eight (6988), of the Code, 1931, relating to deduction of debts in listing and assessment of money or credits, and other property, begs leave to report it has had the same under consideration and recommends the same be referred to judiciary committee No. 2.

M. X. GESKE, *Chairman.*

The report was adopted and the bill referred to committee on judiciary No. 2.

Also:

Your committee on emergency legislation to which was referred Senate File No. 251, a bill for an act to make descriptions of property, and the amount of debts secured thereby in chattel and real estate mortgages, definite and certain, and to render blanket or general provisions therein contrary to public policy and void, begs leave to report it has had the same under consideration and recommends the same be referred to committee on judiciary No. 1.

M. X. GESKE, *Chairman*.

The report was adopted and the bill referred to committee on judiciary No. 1.

Senator White submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 202, a bill for an act to make an appropriation for the expenses incurred in the general election contest of Moen vs. Roelofs, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. Amend Section 1 by striking all after the colon (:) in line 7 and inserting in lieu thereof the following:

I. T. Metzger, Attorney fees	\$250.00
G. C. Holliday, Attorney fees	250.00
N. C. Rogers, Auditor of Lyon County, expenses.....	59.62
F. W. Folkers, Auditor of Osceola County, expenses.....	45.22
I. R. Isenberg, Auditor of O'Brien County, expenses.....	56.60
M. J. Van Wyk, Auditor of Sioux County, expenses.....	70.00
Harry Colburn, Referee	32.00
Mrs. Carpenter, Clerk	28.80
Will Wallace, Doorkeeper	39.60
Rolland Fletcher, Doorkeeper	39.60
Hotel Savery, room rent and expense	81.10
Byron G. Allen, Secretary of Senate for telegrams and long distance phone calls	10.04
Total Expense	\$962.58

H. C. WHITE, *Chairman*.

Ordered passed on file.

SENATE CONCURRENT RESOLUTION NO. 15

Be It Resolved by the Senate, the House Concurring:

Whereas, the incoming National administration and the members and members-elect of the Senate and House of Representatives of the United States are pledged by their party platform and individually to immedi-

ately enact such legislation as will bring beer back to the people and to otherwise modify the laws of the nation relative to the liquor question, and

Whereas, the state administration now in office in the State of Iowa and many of the members and members-elect of the Senate and House of Representatives of the State of Iowa are likewise pledged to such an end, and

Whereas, to meet the said legislation and in anticipation thereof it is expedient and necessary that at this time work be begun by the General Assembly of the State of Iowa to prepare a bill that will conform with the foregoing pledges, both National and State and with the will of the people of the State of Iowa as expressed at the last general election, therefore,

Be It Resolved by the Senate, the House of Representatives of Iowa Concurring, That a special committee be appointed consisting of four members of the Senate and four members of the House, the members of the Senate of said committee to be appointed by the Lieutenant Governor, and the members of the House of said committee to be appointed by the Speaker of the House, to prepare a bill to present at this session of the General Assembly for the modification, repeal or enactment of such other laws affecting the sale, manufacture, distribution and consumption of beer, or other intoxicating liquors as the said committee may deem expedient in conformity with the anticipated action of the Congress of the United States soon to take place, to present to the Forty-fifth General Assembly for consideration.

Be It Further Resolved, That the presentation of any bills by the said committee shall not be governed by any rule or rules as to the last day set for introduction of bills in the Forty-fifth General Assembly, but may be introduced after the date set as the last day for the introduction of bills.

J. R. FRAILEY.

Passed on file.

Senator Frailey asked unanimous consent that Senate Concurrent Resolution No. 15 be made a special order of business Monday after the consideration of the special order set for 10:30 a. m.

Senator Patterson objected.

Senator Frailey moved that Senate Concurrent Resolution No. 15 be made a special order of business immediately after the special order set for Monday at 10:30 a. m.

Senator Frailey asked for a roll call.

Senator Patterson moved to lay the resolution on the table.

The President held that the motion to lay on the table was out of order as the resolution was not under consideration.

Senator Patterson moved to lay the motion by Senator Frailey for a special order on the table.

Senator Wilson arose for information to ask whether or not the motion to lay on the table carried with it the resolution.

The President ruled that the resolution was not under consideration and that only the motion would be affected by the vote.

Senator Knudson raised the point of order that the motion to lay the motion on the table was not debatable.

The President ruled that the point was well taken.

Senator Patterson raised the point of order that the motion to lay the Frailey motion on the table would take with it the resolution.

The President ruled that the resolution was not under consideration and that only the motion for special order of business would be affected.

Senator Byers raised the point of order that if Senator Patterson wished his point ruled on, he would have to appeal from the ruling of the chair.

The President held the point well taken.

Senators Patterson and Frailey demanded a roll call.

Rule 8 was invoked.

On the question, "Shall the motion to lay the Frailey motion on the table prevail?" the vote was:

Ayes, 23.

Beardsley	Doze	Knudson	Ritchie
Beatty	Elthon	McArthur	Roelofs
Bennett	Hill	Myers	Shangle
Booth	Hopkins	Nelson	Stanley
Calhoun	Hush	Patterson	Wenner
Coykendall	Husted	Pendray	

Nays, 26.

Anderson	Harrington	Miller of Jones	Stevens of
Aschenbrenner	Hicklin	Moore	Wapello
Byers	Irwin	Mullaney	Topping
Chrystal	Kimberly	Reese	Valentine
Cooney	Klemme	Schmidt	White
Fisch	Meyer	Stevens of	Wilson
Frailey	Miller of	Decatur	
Geske	Buchanan		

Absent or not voting, 1.

Carden

The motion to table was lost.

Senator Frailey raised the point of order that the only motion before the Senate was the motion to make the resolution a special order, which was not debatable.

The President held that the point was not well taken and that the motion was debatable.

A vote by division was had on the motion to make Senate Joint Resolution No. 15 a special order. The motion was lost because it lacked a two-thirds majority.

The Journal of February 16th was corrected and approved.

AMENDMENTS FILED

Amend Senate File No. 131 as follows:

Amend section 4 by striking from line 10, after the word "commissioners" the word "may" and inserting in lieu thereof the word "shall".

VINCENT F. HARRINGTON.

Amend Senate File No. 131 as follows:

Amend section 8 by striking from lines 7 and 8 the words "such rates or levies and".

CLYDE H. TOPPING.

On motion of Senator Wilson the Senate adjourned until 10:00 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 20, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. Father McDermott of Atlantic, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Ritchie for the day, on request of Senator Elthon.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Opposing the placing of a tax on the so-called "chain stores" doing business in the state. Senator Harrington, from citizens of Sioux City. Manufacturing, commerce and trade.

Approving prohibition. Senator Wilson, from residents of Polk county. Senator Reese, from residents of Marshall county. Senator Fisch, from residents of Cherokee county. Senator Calhoun, from residents of Jefferson county. Senator Stevens of Decatur, from residents of Decatur and Union counties. Senator Miller of Jones, from residents of Cedar, Muscatine, Scott and Johnson counties. Senator Stevens of Wapello, from residents of Wapello county. Senator Knudson, from residents of Hardin county. Senator Hush, from residents of Mills county. Judiciary No. 1.

Opposing a tax on portable feed grinders. Senator Myers, from residents of Jasper county. Senator Pendray, from residents of Jackson county. Senator Irwin, from residents of Clinton county. Agriculture.

Relating to pipe lines. Senator Shangle, from residents of Mahaska county. Public utilities.

Relating to the election of county superintendent. Senator White, from citizens of Belle Plaine. Public schools.

Favoring the gross income tax. Senator Anderson, from citizens of Dayton. Senator Reese, from residents of Marshall county. Ways and means.

Favoring the passage of Senate File No. 121. Senator Meyer, from the Waverly Chapter No. 55 of the Izaak Walton League of America. Fish and game.

Opposing the bill to close small elementary schools. Senator Cooney, from residents of Dubuque county. Senator Miller of Jones, from residents of Jones county. Public schools.

Relating to school legislation. Senator Kimberly, from the Parent-Teachers Associations of Buchanan, Tyler, Van Buren, Madison and Washington schools of Davenport, the Long Grove and Bettendorf Parent Teachers Associations, the Council of Davenport Parent-Teachers Associations and the Scott County Council of Parent-Teachers Associations. Public schools.

Favoring immediate action on the measures prepared by the interim committee. Senator Harrington, from the Greater Sioux City Committee, and from the Sioux City Real Estate Association. Emergency legislation.

Opposing passage of Senate File No. 19. Senator Wenner, from the Official Board of the First Methodist Church of Cedar Falls. Ways and means.

Relating to tax reduction measures. Senator Wenner, from members of an organization from Davis, Des Moines, Henry, Jefferson, Keokuk, Lee, Louisa, Mahaska, Muscatine, Van Buren, Wapello and Washington counties. Reduction of public expenditures.

Opposing the passage of House Files Nos. 117 and 255, and favoring passage of Senate File No. 248 and House File No. 273. Senator Schmidt, from residents of Iowa and Johnson counties. Agriculture, public health and cities and towns.

APPOINTMENT OF COMMITTEE

Under the provisions of Senate Concurrent Resolution No. 11, the President appointed Senators Bennett, Cooney, Irwin, Hicklin

and Stanley to welcome the National Commander of the American Legion in joint session.

INTRODUCTION OF BILLS

Senate File No. 287, by Senator White, a bill for an act to repeal chapter two hundred forty-nine (249) of the Acts of the Forty-fourth General Assembly, relating to a proposed exhibit of the arts, industries, and resources of the State of Iowa at the Century of Progress Exposition at Chicago, Illinois.

Read first and second times and referred to committee on appropriations.

Senate File No. 288, by Senator Hush, a bill for an act to amend section seventy-seven hundred seventy-one (7771) of the code, 1931, relating to the granting of a permit for the construction, maintenance and operation of a dam on the non-navigable or meandered streams of the state, and to provide for the submission of cost records for promotion, construction, repairs and/or additions to projects constructed and operated under the provision of this said section and to provide for the recapture of such projects by the state and/or political subdivisions thereof.

Read first and second times and referred to committee on conservation.

Senate File No. 289, by committee on highways, a bill for an act to repeal sections five thousand sixty-eight (5068) and five thousand sixty-nine (5069), code 1931, relating to the operation of certain motor vehicles, tractors, traction engines, and other machines or equipment over improved road surfaces and to enact a substitute therefor.

Read first and second times and placed on the calendar.

Senate File No. 290, by committee on highways, a bill for an act to amend section forty-seven hundred fifty-five b-thirty-two (4755-b32) of the code 1931, to remove the present limitations on the use of primary road funds for the payment of principal and interest of primary road bonds and bonds issued to refund primary road bonds, to provide a comprehensive plan for the financing of primary road bonds and bonds issued to refund primary road bonds, and to make more certain that primary road bonds and bonds issued to refund primary road bonds and the interest on such bonds will be paid out of the primary road fund.

Read first and second times and placed on the calendar.

Senate File No. 291, by committee on highways, a bill for an act to amend section forty-seven hundred fifty-five-b twenty-seven (4755-b27), code 1931, relating to the taking of land for the rounding of primary road corners.

Read first and second times and placed on the calendar.

Senate File No. 292, by Senator Coykendall, a bill for an act to amend section forty seven hundred fifty-five b thirty-eight (4755-b38), Code of 1931, relating to motor vehicle fuel, additional tax or license fee, and to exempt such fuel used in aircraft therefrom.

Read first and second times and referred to committee on aircraft, transportation and railroads.

Senate File No. 293, by Senator Coykendall, a bill for an act to amend section five thousand ninety-three a-one (5093-a1) Code of 1931, relating to motor vehicle fuel tax or license fee, and to exempt that used in aircraft therefrom.

Read first and second times and referred to committee on aircraft, transportation and railroads.

Senate File No. 294, by Senator Coykekdall, a bill for an act to amend section twelve thousand three hundred ninety-six (12396) Code of 1931, relating to nuisances, and to provide that any object or structure hereafter erected or maintained within one thousand (1000) feet of the limits of any municipal airport, which may endanger or obstruct aerial navigation is a nuisance, by adding such provisions to said section as paragraph 9 thereof.

Read first and second times and referred to committee on aircraft, transportation and railroads.

Senate File No. 295, by Senator Wilson, a bill for an act to amend section thirty-eight hundred one (3801), Code, 1931, relating to the custody of persons paroled by the court, providing for the appointment by the court of two regular parole officers to whom persons may be paroled, in counties having a population of one hundred twenty-five thousand (125,00) or more; and providing for their compensation.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 296, by Senator Wilson, a bill for an act to amend paragraphs five (5) and six (6) of section thirteen hundred ninety-seven (1397) of the Code, 1931, relating to basis of computation of compensation.

Read first and second times and referred to committee on labor.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files Nos. 23 and 115, and House Files Nos. 37 and 240.

HOMER HUSH, *Chairman Senate Committee.*

WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 23 and 115, and House Files Nos. 37 and 240.

SENATE FILE NO. 121 MADE SPECIAL ORDER

Upon the request of Senator Fisch, unanimous consent was granted to make Senate File No. 121 a special order for Wednesday, February 22, at 10:30 a. m.

Senator Stanley moved that Senate File No. 131 be made special order for Tuesday, February 21st at 10:30 a. m.; Senate File No. 228 for Wednesday, February 22d at 10:30 a. m. and Senate File No. 121 for Thursday, February 23d at 10:30 a. m. The motion prevailed.

REPORTS OF COMMITTEES

Senator Myers submitted the following reports:

MR. PRESIDENT: Your committee on ways and means to which was referred Senate File No. 112, a bill for an act providing for property tax relief and the elimination of the state millage levy on property by the levying, imposing, collecting and paying of taxes on incomes; providing for rules and regulations for the enforcement thereof; prescribing for the enforcement thereof, and penalties for the violation thereof; amending Section (7256) of the Code, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass.

1. Amend Section three (3) sub-section three (3) by striking therefrom lines sixty-eight (68) to eighty-six (86) inclusive, and by inserting in lieu thereof the following:

"Where income is derived from the manufacture or sale of tangible personal property, the portion thereof attributable to business within the state shall be taken to be such percentage of the total of such income as the gross receipts from goods sold and delivered within the state, excluding deliveries to a carrier for transportation out of the state, bear to the total gross receipts from goods sold."

Strike the comma (,) in line one hundred twenty-five (125) following the word "associations" in lines one hundred twenty-five (125) and one hundred twenty-six (126), of section three (3) and insert the following:

"and other domestic corporations making loans of a similar character and operating under the provisions of Chapter three hundred ninety-two (392) of the code, 1931,".

2. Amend section fifteen (15) by adding at the end thereof as sub-section four (4) the following:

"In case it shall appear to the board that any arrangement exists in such a manner as to improperly reflect the business done, the segregable assets or the entire net income earned from business done in the state, the board is authorized and empowered, in such manner and under such rules and regulations as it may determine, to equitably adjust the tax."

3. Amend section sixteen (16) by striking therefrom sub-section three (3) lines twenty-two (22) to twenty-eight (28), inclusive.

4. Amend section sixteen (16) by striking therefrom sub-section four (4) and by inserting in lieu thereof the following:

"3. In any case in which a consolidated return is made the tax shall be imposed upon the consolidated net income allocated to the state of Iowa under the provisions of section three (3) of this act."

5. Amend section (40) by striking all after the word "state" in line six "6" and inserting the words "as provided by law".

O. P. MYERS, *Chairman.*

Ordered passed on file.

Also:

Your committee on ways and means to which was referred Senate File No. 204, a bill for an act to amend the law as it appears in section (6944) of the code, 1931, relative to exemptions from taxation of the shares of capital stock of telegraph and telephone companies, freight line and equipment companies, transmission line companies as defined in section (7089), and express companies, begs leave to report it has had the same under consideration and recommends the same do pass.

O. P. MYERS, *Chairman.*

Ordered passed on file.

Also:

Your committee on ways and means to which was referred Senate File No. 198, a bill for an act to amend section (7193-b1), code, 1931, relating

to the compromise of personal property taxes, begs leave to report it has had the same under consideration and recommends the same do pass.

O. P. MYERS, *Chairman*.

Ordered passed on file.

Senator Byers submitted the following report:

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File No. 125, a bill for an act to amend the law as it appears in section 5067-d4 of the code of Iowa, 1931, relating to the maximum length of motor vehicles, trailers and semi-trailers, and combinations thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *Chairman*.

Ordered passed on file.

Senator Wilson was called to the chair at 10:29 a. m.

Upon the request of Senator Moore, unanimous consent was granted to defer action on Calendar Nos. 8 and 25, Senate Files Nos. 137 and 154, and that they retain their places on the calendar.

Upon the request of Senator Knudson, unanimous consent was granted to defer action on Calendar No. 20, Senate File No. 208, and that it retain its place on the calendar.

Upon the request of Senator Wenner, unanimous consent was granted to defer action on Calendar No. 24, Senate File No. 113, and that it retain its place on the calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 243, a bill for an act relating to provision for granting and selling of annuities by life insurance companies.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 203, a bill for an act relating to defraying of expenses for inaugural ceremonies.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 280, a bill for an act relating to additional powers by Board of Conservation relating to highways.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 172, a bill for an act relating to election of Justices of Peace and Constables and their compensation.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 13, a bill for an act relating to state printing.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 275, a bill for an act relating to regulating traffic upon state lands and parks.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 102, a bill for an act relating to the collection of motor vehicle license fees.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 277, a bill for an act authorizing the Board of Conservation to designate certain persons as peace officers.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 278, a bill for an act relating to use of proceeds in sale or transfer of state-owned lands.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 276, a bill for an act to permit the Board of Conservation to maintain, improve or beautify state-owned, meandered and navigable lakes and streams.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 279, a bill for an act relating to dams or spillways at outlets of lakes and across streams, etc.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 189, a bill for an act relating to execution of policies of insurance.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 200, a bill for an act relating to consolidation, merger or reinsurance of fraternal beneficiary societies.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 201, a bill for an act to legalize the consolidation and merger of The Homesteaders Life Association, and the Golden West Life Insurance Association.

LLOYD ELLIS, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE NO. 201

Amend section two (2) by adding thereto immediately following the word Iowa in the last line, "at no expense to the State of Iowa".

HOUSE AMENDMENT TO SENATE FILE NO. 200

Amend by striking all of section one (1) and substituting in lieu thereof the following:

Section 1. Section eighty-eight hundred sixty-one (8861), code, 1931, is hereby amended by inserting before the word "fraternal" in line two (2) the word "domestic"; and further amend said section by inserting immediately following the word organization in line four (4) the words; "whether domiciled in this or any other state or territory,".

Also amend section two (2) by adding thereto immediately following the word Iowa in the last line "at no expense to the State of Iowa".

THIRD READING OF BILLS

On motion of Senator Klemme Senate File No. 156, a bill for an act to provide for the licensing of persons operating for hire portable food or feed mills, oat hullers, or grinders, and providing penalties for operating without a license, with report of committee recommending amendment and passage, was taken up, considered and the report of the committee adopted.

The following committee amendment was considered :

Amend section 1 by striking from lines 5 and 6 the words and figures "one hundred dollars (\$100)" and inserting in lieu thereof the words and figures "seventy-five dollars (\$75)".

The amendment was adopted.

The bill was read for information.

President N. G. Kraschel returned to the chair at 10:50 a. m.

Senator Hopkins moved the previous question, which motion prevailed.

Senator Klemme moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 5.

Cooney
Elthon

Hill

Klemme

Meyer

Nays, 40.

Anderson
Aschenbrenner
Beardsley
Bennett
Booth
Byers
Calhoun
Carden
Chrystal
Coykendall
Doze

Fisch
Geske
Harrington
Hicklin
Hopkins
Hush
Husted
Irwin
Kimberly
Knudson
McArthur

Miller of
Buchanan
Miller of Jones
Moore
Mullaney
Myers
Nelson
Patterson
Pendray
Reese
Roelofs

Schmidt
Shangle
Stanley
Stevens of
Decatur
Stevens of
Wapello
Valentine
Wenner
White

Absent or not voting, 5.

Beatty
Frailey

Ritchie

Topping

Wilson

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

COMMITTEE FROM THE HOUSE

A committee from the House appeared to notify the Senate that the House was ready to receive the Senate in joint convention.

The Senate proceeded to the House Chamber under direction of the sergeant-at-arms.

JOINT CONVENTION

In accordance with concurrent resolution duly adopted the joint convention was called to order, Lieutenant Governor Kraschel, President of the Senate, presiding.

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

Earl W. Hall, State Commander, introduced the National Commander of the American Legion, Louis A. Johnson of Clarksburg, West Virginia, who addressed the members of the joint convention.

ABSTRACT OF ADDRESS OF LOUIS A. JOHNSON, NATIONAL COMMANDER, THE AMERICAN LEGION

MEMBERS OF THE GENERAL ASSEMBLY OF IOWA: "The sooner the American government gets rid of the disloyal alien who is in the United States the better off this country will be," Louis A. Johnson, national commander of the American Legion, told the joint session.

The national commander also urged proper support and training for the National Guard and other civilian units of national defense.

Regarding aliens, he said in part:

"The creed of the Legion on immigration can be summarized in a few words. We believe that the diseased, the paupers and the criminals of foreign lands should not be permitted to come to American shores as candidates for our poorhouses, our hospitals and our jails. We believe if there are those who have come and who are not loyal to the Stars and Stripes, the sooner the American government sends them home the better off this country will be."

As to Russia, he said: "At the Portland convention the Legion adopted a resolution opposing the recognition of Soviet Russia until such time as the Soviet should cease to carry on propaganda in this country seeking change in government by force of arms. We also adopted a resolution

asking congress to appropriate funds and to authorize the department of justice to investigate and combat radical and anarchistic propaganda."

Asserting that rehabilitation is the first duty of the American Legion, the national commander said that a mistake by the Veterans Administration in estimating the future cost of the care of disabled veterans, and recently corrected before the Joint Congressional Committee has led critics of the Legion into a false position.

"We, of the American Legion," he said, "have been wondering what background our critics might have for the misleading and erroneous figures which, from time to time, have been given out," he explained, "and which were obviously the background of the attacks made on the veterans of all wars. A most startling set of facts has just come to light. A few days ago, in Washington, at the meeting of the Joint Congressional Committee on Veterans Legislation, a statement was made by Senator Walsh, of Massachusetts, to the effect that General Frank T. Hines, Administrator of Veterans Affairs, had told the committee in executive session (which, of course, means that the Legion was not present nor was it afforded an opportunity to be present), that in 1946, the cost of veterans' legislation would be three billions of dollars.

"As soon as this disclosure was made, the chairman and vice chairman of the American Legion National Rehabilitation Committee, and other Legionnaires studying the situation, went to the office of General Hines and asked him how such an erroneous conclusion could have been reached. It seems obvious it is figures such as these that have led our critics into the false position in which they now find themselves. General Hines did not analyze the three billion dollar statement of his, although he admitted that substantially that testimony had been given to the Joint Congressional Committee in secret session. Instead of explaining himself, he referred the official Legion representative to his assistant, Mr. Ellis. Mr. Ellis promptly admitted that the figures, three billions of dollars by 1946, could not be substantiated, and advised that they would be withdrawn, and upon further question, stated the figure of approximately \$1,446,000,000 would be substituted therefor.

"The representatives of the Legion indicated, from the study they have made, that these figures were also erroneous, and they then inquired how Mr. Ellis arrived at the proposed substitute figure of \$1,446,000,000.

"The explanation given was substantially this: Since 1919 down to 1933, the American Legion and the veteran organizations of wars other than the World war, have succeeded in having certain laws enacted, and that presuming additional legislation would be enacted between now and 1946, then the projected total of existing laws and non-existent legislation, might well be \$1,446,000,000 in 1946.

"At the next meeting of the Congressional Committee, Senator Walsh, of Massachusetts, made the statement that the Veterans Administrator was sending down some new figures. Mr. Hayes, general vice chairman of the American Legion Rehabilitation Committee, was telling the story. Then Mr. Ellis, assistant to General Hines, on behalf of the Administrator of Veterans Affairs, asked to withdraw the figures theretofore given by General Hines, saying that the Bureau was preparing some new figures.

"General Hines has written a letter to the Congressional Committee,

a copy of which we have not seen. But the information comes from most reliable sources, and has been carried by wire service, that General Hines now admits that the laws on the books at the present time of veterans of all wars, will cost \$1,081,000,000 in 1958, not 1946.

"The American Legion still does not accept this latest guess. Probably we will not be able to agree with the Administrator, but certain it is that all those now receiving Federal payments of various wars, will not be living in 1958."

Speaking of National defense, he said the United States is as weak as its army and navy. "Wealth is poverty," he asserted, "unless we have an adequate army and navy to guard it. The first element in determining wealth is its security, the power and the ability to safeguard the possession of treasure.

"With our regular army having been reduced to a point where it now is simply a skeleton from which has been sacrificed everything in excess of bare necessities for existence, the United States, in the event of a national emergency, must depend more upon the National Guard than even the National Defense Act of 1920 contemplated, although the basis and policy outlined throws the burden of future warfare upon our civilian population."

The national commander said that the Legion is supporting adequate appropriations by congress this year for the maintenance of proper drill periods for the National Guard and for the maintenance of the R. O. T. C., C. M. T. C. and Organized Reserves.

"Recommendations were made for reductions all along the civilian lines," he said. "If the appropriations are much further reduced," he continued, "there will be but one answer, a choice between the adoption of some form of conscription, or the virtual disarmament of the United States. The American Legion is unalterably opposed to either of these courses. It is neither wise nor economical to reduce our national defense to the level where it invites other nations to become aggressive."

He said that so far as economy is concerned, one need only consider that "the size of a burden is the ability to bear it."

He declared our burden of armament is insignificant compared with our ability to support it. "The cost of our national defense must be compared to our aggregate wealth of more than \$320,000,000,000, according to the Bureau of Census," he said, "and the fact that the cost of national defense is borne upon the united backs of more than 122,000,000.

"In proportion to our national income, the United States spends less on armaments than even the defeated and disarmed European countries. For each \$1,000,000,000 of our national wealth, the United States maintains less than 1,000 soldiers, while Germany maintains nearly twice as many and Russia nearly 200,000 soldiers.

"Our American people are frequently blinded by the mere size of figures used in opposition to national defense. The average American measures his income in terms of \$100. Many of them can understand \$1,000. Very few of them realize the meaning of \$1,000,000. If we can make them realize that this is a \$320,000,000,000 country, that its whole economic scale is better than anything that has preceded it in history, that from this viewpoint the defense costs appear very modest and are being kept on a

lower level than anywhere else in the world, we will have performed a very necessary service. We can bring the understanding closer to our people if we explain that while we are spending \$7 for police and \$8 for fire departments, we are spending only \$2.50 for the army. One dollar more from each person would give us a real adequate regular army. We are spending \$10 per capita per year for soda water, chewing gum and candy.

"It is well to recall that the Legion's army policy calls for a national guard of at least 210,000 men, a reserve corps of 120,000 officers and military training camps of not less than 50,000 units a year. These are not arbitrary figures adopted by the American Legion, they are recommendations formulated upon the needs of a defensive plan based on a minimum considered necessary for efficiency in time of national crisis. The American Legion favors an American fleet comparable with the provisions of the London Treaty limit, but the budget now before congress falls far short.

"The Legion bases its recommendations on first, the National Defense Act of 1920; second, the recommendations of the war and navy departments as to a minimum for effective application of the National Defense Act; and third, the appropriation of money necessary to provide this minimum. The Legion has confidence in the soundness of the National Defense Act. It has equal confidence in the war and navy departments."

Mr. Johnson reviewed briefly the Legion's program of service, in which he listed the care of dependent children as second only to rehabilitation. More than 200 activities are included in the Americanism efforts, he asserted. On the subject of unemployment relief he declared the Legion has a record of which it is proud. He said it is closely allied with another endeavor he called community welfare in which the Legion plays an important part in carrying on community chest campaigns in cooperation with other public spirited organizations and agencies.

"Any one of these Legion programs is big enough for any organization in America," he asserted. "The Legion is carrying them on, and we will carry them on successfully with the backing of such men as I see before me here. I honestly and sincerely believe that this Legion of ours is the cradle of the future of the United States. While we may make mistakes from time to time, those of us who love America are going to stand by the ship and go through the storm in order that we may serve now as in '17 and '18. To me the Legion is the greatest potential force for good in America, just as Newton D. Baker, our war time leader, declared it to be in a super-national radio broadcast recently.

"It is true that the Legion might become a menace, if each of us should get out of it just because we have personal likes or dislikes regarding some minor phase of the program, but that will not happen because the red-blooded American veterans are going to stay in. So long as they do stay in the Legion is going to be the power for good it was destined to be when it was organized with the sound of battle ringing in our ears.

"Let me tell you that the American Legion is the most independent organization in America. It is a string to no man's kite, and God permitting, with the help of men like you, it never will be. To those present who are not fortunate enough to be eligible for membership, and to those whose good will and cooperation are so vitally needed in this unselfish

work of the Legion, I say, 'Have faith!' Have faith in the men who sit around you, who represent the life of the American Legion wherever it may be found in this fair land of ours."

President Kraschel announced the joint convention dissolved.

The Senate returned to the Senate Chamber and resumed regular session.

THIRD READING OF BILLS

On motion of Senator Kimberly Senate File No. 217, a bill for an act to repeal sections thirty-three hundred ninety-nine (3399), thirty-four hundred six (3406), thirty-four hundred seventy-four (3474), forty hundred seventy-two (4072), and forty hundred seventy-three (4073), and to enact substitutes therefor; to amend sections thirty-six hundred one (3601), thirty-seven hundred three (3703), and thirty-seven hundred twenty (3720); and to repeal sections thirty-four hundred seven (3407), thirty-four hundred eight (3408), and forty hundred seventy-four (4074), all of the Code, 1931, and all relating to the liability of counties to the state for expense pertaining to the keep of pupils and inmates in various state institutions, and to establish a uniform system for the verification, certification, and collection of said expense, a committee bill, was taken up and considered.

The bill was read for information.

Senator Kimberly moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 45.

Anderson	Fisch	McArthur	Schmidt
Aschenbrenner	Frailey	Meyer	Shangle
Beardsley	Geske	Miller of	Stanley
Beatty	Harrington	Buchanan	Stevens of
Booth	Hicklin	Miller of Jones	Decatur
Byers	Hill	Mullaney	Stevens of
Calhoun	Hopkins	Myers	Wapello
Carden	Hush	Nelson	Topping
Cooney	Husted	Patterson	Valentine
Coykendall	Kimberly	Pendray	Wenner
Doze	Klemme	Reese	White
Elthon	Knudson	Roelofs	Wilson

Nays, none.

Absent or not voting, 5.

Bennett
Chrystal

Irwin

Moore

Ritchie

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

Senator Kimberly moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Upon the request of Senator Wenner, unanimous consent was granted to defer action on Calendar No. 29, Senate File No. 109, and that it retain its place on the calendar.

Upon the request of Senator Frailey unanimous consent was granted to defer action on Calendar No. 30, Senate File No. 199, and that it retain its place on the calendar.

On motion of Senator Elthon Senate File No. 159, a bill for an act to authorize boards and officers managing drainage improvements to apply excess assessments when paid on future maturing assessments, or to refund such excess to persons paying the same, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Upon the request of Senator Elthon, unanimous consent was granted to substitute House File No. 194 for Senate File No. 159, a companion bill.

On motion of Senator Elthon House File No. 194, a bill for an act to amend section 7489 and to permit a Board of Supervisors of Joint Board of Supervisors having control of a drainage district to use under certain conditions a part of the surplus on hand to apply on assessments coming due, and to provide for a corresponding refund to persons who have paid their assessments in full, was considered in lieu of Senate File No. 159.

Senator Elthon offered the following amendment and moved its adoption:

Amend by adding Section two (2) as follows:

Sec. 2. This act is deemed of immediate importance and shall be in force and effect from and after its publication in *The Northwood Anchor and Index*, a newspaper published at Northwood, Iowa, and in the *Manly Signal*, a newspaper published at Manly, Iowa.

The amendment was adopted.

Senator Elthon moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 47.

Anderson	Fisch	Meyer	Schmidt
Aschenbrenner	Frailey	Miller of	Shangle
Beardsley	Geske	Buchanan	Stanley
Beatty	Harrington	Miller of Jones	Stevens of
Bennett	Hicklin	Moore	Decatur
Booth	Hill	Mullaney	Stevens of
Byers	Hopkins	Myers	Wapello
Calhoun	Hush	Nelson	Topping
Carden	Husted	Patterson	Valentine
Cooney	Kimberly	Pendray	Wenner
Coykendall	Klemme	Reese	White
Doze	Knudson	Roelofs	Wilson
Elthon	McArthur		

Nays, none.

Absent or not voting, 3.

Chrystal Irwin Ritchie

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

Senator Elthon moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Upon the request of Senator Elthon, unanimous consent was granted to withdraw Senate File No. 159.

Upon the request of Senator Wilson, unanimous consent was granted to suspend the rules and consider the House amendments to Senate File Nos. 200 and 201.

HOUSE AMENDMENTS CONSIDERED

Senator Wilson called up for consideration Senate File No. 200, amended by the House, and moved that the Senate concur in the following amendments:

Amend by striking all of section one (1) and substituting in lieu thereof the following:

Section 1. Section eighty-eight hundred sixty-one (8861), code, 1931, is hereby amended by inserting before the word "fraternal" in line two (2) the word "domestic"; and further amend said section by inserting immedi-

ately following the word organization in line four (4) the words; "whether domiciled in this or any other state or territory,".

Also amend section two (2) by adding thereto immediately following the word Iowa in the last line "at no expense to the State of Iowa".

On the question "Shall the Senate concur? The vote was:

Ayes, 44.

Anderson	Doze	Knudson	Reese
Aschenbrenner	Elthon	McArthur	Roelofs
Beardsley	Fisch	Meyer	Shangle
Beatty	Frailey	Miller of	Stanley
Bennett	Geske	Buchanan	Stevens of
Booth	Harrington	Miller of Jones	Decatur
Byers	Hicklin	Moore	Topping
Calhoun	Hill	Mullaney	Valentine
Carden	Hopkins	Myers	Wenner
Chrystal	Husted	Patterson	White
Cooney	Kimberly	Pendray	Wilson
Coykendall	Klemme		

Nays, none.

Absent or not voting, 6.

Hush	Nelson	Schmidt	Stevens of
Irwin	Ritchie		Wapello

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Wilson called up for consideration Senate File No. 201, amended by the House, and moved that the Senate concur in the following amendments:

Amend section two (2) by adding thereto immediately following the word Iowa in the last line, "at no expense to the State of Iowa".

On the question "Shall the Senate concur?" the vote was:

Ayes, 45.

Anderson	Doze	Knudson	Schmidt
Aschenbrenner	Elthon	McArthur	Shangle
Beardsley	Fisch	Meyer	Stanley
Beatty	Frailey	Miller of	Stevens of
Bennett	Geske	Buchanan	Decatur
Booth	Harrington	Moore	Stevens of
Byers	Hicklin	Mullaney	Wapello
Calhoun	Hill	Myers	Topping
Carden	Hopkins	Nelson	Valentine
Chrystal	Husted	Patterson	Wenner
Cooney	Kimberly	Pendray	White
Coykendall	Klemme	Roelofs	Wilson

Nays, none.

Absent or not voting, 5.

Hush	Miller of Jones	Reese	Ritchie
Irwin			

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Stevens of Wapello called up for consideration Senate File No. 44, amended by the House, and moved that the Senate concur in the following amendments:

Strike out all after the enacting clause and substitute in lieu thereof the following:

"Section 1. Section forty-three hundred forty-one (4341), Code, 1931, is amended as follows:

Strike out all of said section following the word 'than' in line four (4) and insert in lieu thereof the following:

"forty dollars (\$40.00) per month; provided that nothing herein shall be construed as limiting the right of a school board to make a contract for a higher wage than herein specified as a minimum."

Sec. 2. The county board of education may temporarily suspend the provisions hereof if, in its judgment, the financial conditions in any district warrant such action.

Sec. 3. Sections forty-three hundred forty-two (4342), forty-three hundred forty-three (4343), and forty-three hundred forty-four (4344), Code, 1931, are hereby repealed."

Amend the title by striking out all after the words "An Act to" and insert in lieu thereof the following:

"amend section forty-three hundred forty-one (4341), Code, 1931; and to repeal sections forty-three hundred forty-two (4342), forty-three hundred forty-three (4343), and forty-three hundred forty-four (4344), Code, 1931, relating to the minimum salary of teachers."

Senator Calhoun offered the following amendment and moved its adoption:

Add as publication clause the following:

"Sec. 2. This act being deemed of immediate importance shall be in full force after its passage and publication in the Eldon Forum, a newspaper published at Eldon, Iowa, and in the West Liberty Index, a newspaper published at West Liberty, Iowa."

The amendment was adopted.

On the question "Shall the Senate concur?" the vote was:

Ayes, 42.

Anderson	Beatty	Byers	Cooney
Aschenbrenner	Bennett	Calhoun	Coykendall
Beardsley	Booth	Carden	Doze

Elthon	Kimberly	Myers	Stevens of
Fisch	Klemme	Nelson	Decatur
Frailey	Knudson	Patterson	Stevens of
Geske	McArthur	Pendray	Wapello
Hicklin	Meyer	Reese	Topping
Hill	Miller of Jones	Roelofs	Valentine
Hopkins	Moore	Schmidt	White
Husted	Mullaney	Shangle	Wilson

Nays, 2.

Stanley Wenner

Absent or not voting, 6.

Chrystal	Hush	Miller of	Ritchie
Harrington	Irwin	Buchanan	

The House amendments as amended having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

HOUSE MESSAGES CONSIDERED

House File No. 189, a bill for an act to amend section eighty-nine hundred forty-three (8943), Code 1931, relating to execution of policies of insurance.

Read first and second times and referred to committee on insurance.

House File No. 279, a bill for an act to repeal section eighteen hundred twenty-six (1826) Code, 1931, and to enact a substitute therefor authorizing the Board of Conservation to fix the level of dams or spillways at the outlets of lakes and across streams, to construct same, to provide the procedure, and for the assessment of damages.

Read first and second times and referred to committee on conservation.

House File No. 276, a bill for an act to amend Section seventeen hundred ninety-nine (1799) Code, 1931, to permit the Board of Conservation to maintain, improve or beautify state-owned, meandered and navigable lakes and streams.

Read first and second times and referred to committee on conservation.

House File No. 278, a bill for an act to repeal section eighteen hundred twenty-four (1824) Code, 1931, and enacting a substitute therefor, permitting the Executive Council, upon recommendation of the Board of Conservation, to sell, trade or exchange state-

owned lands under the jurisdiction of said board, and providing for the use of the proceeds of such sale or transfer and for the issuance of patents therefor.

Read first and second times and referred to committee on conservation.

House File No. 277, bill for an act authorizing the Board of Conservation to designate certain persons as peace officers.

Read first and second times and referred to committee on conservation.

House File No. 13, a bill for an act to amend sections two hundred twenty-six (226), two hundred twenty-seven (227), two hundred thirty (230), two hundred sixty-four (264), two hundred sixty-nine (269), two hundred forty-two (242), two hundred fifty-eight (258), and repeal section two hundred sixty-five-a one (265-a1), and enact a substitute therefor of the code 1931, to change provisions relative to state printing.

Read first and second times and referred to committee on reduction of public expenditures.

House File No. 172, a bill for an act to repeal sections five hundred twenty-three (523), and ten thousand six hundred thirty-nine (10,639), Code 1931, and to enact substitutes therefor, all relating to the election of Justices of the Peace and Constables, and their compensation.

Read first and second times and referred to committee on county and township affairs.

House File No. 280, a bill for an act to amend section forty-six hundred thirty-one (4631) Code, 1931, relating to the location, alteration, changing and abandonment of highways and roads so as to give the Board of Conservation additional powers relative thereto.

Read first and second times and referred to committee on conservation.

House File No. 102, a bill for an act to amend sections forty-eight hundred seventy-five (4875), forty-nine hundred (4900), forty-nine hundred one (4901), forty-nine hundred five, (4905), forty-nine hundred twenty-four (4924), forty-nine hundred twenty-nine (4929), forty-nine hundred thirty-one (4931), forty-nine

hundred thirty-three (4933), and forty-nine hundred thirty-six (4936), Code 1931, relating to the collection of motor vehicle license fees.

Read first and second times and referred to committee on motor vehicles.

House File No. 275, a bill for an act to amend Section seventeen hundred ninety-nine-b one (1799-b1) Code, 1931, so as to permit the Board of Conservation to fix speed limits and otherwise regulate traffic on roads and drives upon state lands and parks and to regulate parking of vehicles thereon.

Read first and second times and referred to committee on conservation.

RESIGNATION OF ENROLLING CLERK

MR. PRESIDENT: I hereby resign my position as enrolling clerk in the Senate of the Forty-fifth General Assembly. LORETTA SULLIVAN.

The resignation was accepted.

MR. PRESIDENT: Your Senate members of the Joint Committee on extra help beg leave to report that there has been a vacancy created in the position of Enrolling Clerk, by the resignation of Loretta Sullivan and we hereby nominate Madeleine Burrows to fill said vacancy.

H. L. IRWIN

D. W. KIMBERLY

VINCENT F. HARRINGTON

Upon the request of Senator Kimberly unanimous consent was granted to consider the report. The report was adopted.

The Journal of February 17th was corrected and approved.

AMENDMENTS FILED

MR. PRESIDENT: Amend Senate File No. 141, an act to amend chapter 383 D-1, Code of 1931 by adding the following:

Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in The Clinton Herald, a newspaper published in Clinton, Iowa, and in the Sigourney Review, a newspaper published in Sigourney, Iowa.

H. L. IRWIN.

Amend Senate File No. 87 by striking from said Bill all that appears therein following the enacting clause and substituting in lieu thereof the following:

"Section 1. That the law as it appears in Section Ninety Four Hundred Twenty (9420) of the Code, 1931, be and the same is hereby repealed and the following enacted in lieu thereof:

Section 9420 e-1. The Small Loan Rate-Making Advisory Council is hereby created. The said Advisory Council shall consist of the Superintendent of Banking of the State of Iowa and four other members to be

appointed by the Governor of Iowa, not less than two of whom shall be affiliated with organized labor. Prior to July 1, 1933, the Governor shall appoint four members of the Small Loan Rate-Making Advisory Council, one of whom shall be appointed for a term expiring on July 1, 1934, one for a term expiring July 1, 1935, one for a term expiring on July 1, 1936, and one for a term expiring on July 1, 1937. The terms of the said four members shall commence upon their appointment.

Section 9420 e-2. Prior to July first in each year commencing in 1934, the Governor shall appoint one member of said Advisory Council to succeed the member (other than the Superintendent of Banking) whose term of office expires on the said date in such year. All such appointees shall serve for a period of four years from July first of the year of appointment. Any vacancy among the members of the Advisory Council (other than the Superintendent of Banking) shall be filled by the Governor for the unexpired portion of the term in which said vacancy develops.

Section 9420 e-3. The Advisory Council shall elect its own officers and adopt its own rules of procedure not inconsistent with the provisions of this Chapter or the requirements of law. The Advisory Council, prior to the issuance of any order provided in the following section hereof, shall hold a public hearing and not less than twenty days in advance thereof shall give notice of such hearing by publishing notice thereof at least once in some daily newspaper of general circulation in the State of Iowa as the Advisory Council may designate. No member of the Advisory Council (other than the Superintendent of Banking) shall receive compensation for his services as such member, but each member shall be entitled to receive his actual traveling and other necessary expenses incurred in the performance of his duties as a member of the Advisory Council and to pay the same there is hereby appropriated out of any funds in the State Treasury not otherwise appropriated a sum sufficient to pay the actual traveling and other necessary expenses incurred by each member in the performance of his duties.

Section 9420 e-4. It shall be the duty of the Advisory Council and the Advisory Council shall have power, jurisdiction and authority to investigate the conditions and ascertain the facts with reference to the business of making loans in various amounts up to and including Three Hundred Dollars (\$300.00), hereinafter referred to as small loans, and upon the basis of such ascertained facts to determine and fix by an order in writing such maximum rates of interest or charge upon small loans as will make available adequate credit facilities to individuals pressed for lack of funds and without the security generally required by commercial banks, by inducing efficiently operated commercial capital to enter such business in sufficient amounts to provide such adequate credit facilities. The Advisory Council may from time to time upon the basis of changed facts or conditions redetermine and refix any maximum rate of interest or charge previously determined and fixed by it.

Section 9420 e-5. Any maximum rate of interest or charge so fixed by the Advisory Council shall be effective only as to loan contracts entered into by licensees under this Chapter from and after the expiration of ten (10) days following the filing of the order of the Advisory Council with

the licensing official. Within forty-eight hours thereafter the licensing official shall send to each licensee a copy of said decision by registered mail, but the failure of the licensing official to do so shall not invalidate the order of the Advisory Council.

Section 9420 e-6. Until the expiration of ten (10) days from the date the Advisory Council shall fix rates of interest or charge under authority of this Chapter different from that now provided by law, and at any other time when a different rate fixed by the Advisory Council shall not be in effect, the maximum rate of interest or charge upon all such small loans made by licensees under this Chapter shall be three and one-half per cent (3½%) per month.

Section 9420 e-7. Every licensee hereunder may lend any sum of money not exceeding Three Hundred Dollars (\$300.00) and may charge, contract for, and receive thereon a rate of charge not exceeding the maximum rate fixed by the Advisory Council under the foregoing provisions of this Chapter or by the provisions of Section Ninety Four Hundred Twenty e-six (9420 e-6).

Section 2. That the law as it appears in Section Ninety Four Hundred Twenty Two (9422) of the Code, 1931, be and the same is hereby repealed and the following enacted in lieu thereof:

Section 9422 e-1. No licensee shall, directly or indirectly, contract for or receive any amount for any purpose whatsoever, in addition to such interest and charge as the Advisory Council may from time to time fix under the provisions of this Chapter or as fixed by the provisions of Section 9420 e-6 if such section is operative.

Section 3. That the law as it appears in Section Ninety Four Hundred Ten (9410) of the Code, 1931, be and the same is hereby repealed and the following enacted in lieu thereof:

Section 9410 e-1. No person, co-partnership, or corporation shall engage in the business of making loans of money, credit, goods, or things in action in the amount or to the value of Three Hundred Dollars (\$300.00) or less, and charge, contract for, or receive a greater rate than he or it would be permitted by law to charge if not a licensee under this Chapter, except as authorized by this Chapter, and without first obtaining a license from the Superintendent of Banking hereinafter called the licensing official.

Section 4. That the law as it appears in Section Ninety Four Hundred Twelve (9412) of the Code, 1931, be and the same is hereby repealed and the following enacted in lieu thereof:

Section 9412 e-1. Every such application shall be made under oath and shall contain such additional information as the licensing official may require. Such applicant at the time of making such application shall pay to the licensing official the sum of Fifty Dollars (\$50.00) as a fee for investigating the application and the additional sum of One Hundred Dollars (\$100.00) as an annual license fee and in full payment of all expenses of examination under and administration of this Chapter, for a period terminating on the last day of the current calendar year; provided, that if the application is filed after June thirtieth in any year, such additional sum shall be only Fifty Dollars (\$50.00).

Section 9412 e-2. Every applicant shall also prove, in form satisfactory to the licensing official, that he or it has available for the operation of such business at the location specified in the application, liquid assets of at least Fifteen Thousand Dollars (\$15,000.00).

Section 5. That the law as it appears in Section Ninety Four Hundred Fifteen (9415) of the Code, 1931, be and the same is hereby repealed and the following enacted in lieu thereof:

Section 9415 e-1. Upon the filing of such application and the payment of such fees and the approval of such bond, and after the applicant has been afforded a reasonable opportunity to be heard, if the licensing official shall find that the financial responsibility, character, and general fitness of the applicant, and of the members thereof if the applicant be a co-partnership or association, and of the officers and directors thereof if the applicant be a corporation, are such as to command the confidence of the community and to warrant belief that the business will be operated honestly, fairly and efficiently within the purposes of this Chapter, and if the licensing official shall find that allowing such applicant to engage in business will promote the convenience and advantage of the community in which the business of the applicant is to be conducted, and if the licensing official shall find that the applicant has available for the operation of such business at the specified location liquid assets of at least Fifteen Thousand Dollars (\$15,000.00) he shall thereupon issue and deliver a license to the applicant to make loans in accordance with the provisions of this Chapter at the location specified in the said application, which license shall remain in full force and effect until it is surrendered, revoked, or suspended as hereinafter provided; if the licensing official shall not so find he shall not issue such license and he shall notify the applicant of the denial and return to the applicant the bond and the sum paid by the applicant as a license fee, retaining the Fifty Dollars (\$50.00) investigation fee to cover the costs of investigating the application. The licensing official shall approve or deny every application for license hereunder within sixty days from the filing thereof with the said fees and the said approved bond.

Section 9415 e-2. If the application is denied the licensing official shall within twenty days thereafter file with the Department of Banking a written decision and findings with respect thereto containing the evidence and the reasons supporting the denial, and forthwith serve upon the applicant a copy thereof, which decision and findings may be reviewed by a writ of certiorari in an action brought in the District Court of Polk County, Iowa, within thirty days after the filing of said decision and findings.

Section 9415 e-3. Every licensee shall at all times have available for each licensed place of business at least Fifteen Thousand Dollars (\$15,000.00) in assets either in liquid form or actually used in the conduct of each such place of business.

Section 9415 e-4. Every licensee shall, on or before the twentieth day of each December, pay to the licensing official the sum of One Hundred Dollars (\$100.00) as an annual license fee for the next succeeding calendar year and at the same time file a bond in the same amount and of

the same character as required by Sections Ninety Four Hundred Thirteen (9413) and Ninety Four Hundred Fourteen (9414) of this Chapter.

Section 6. That the law as it now appears in Section Ninety Four Hundred Sixteen (9416) of the Code, 1931, be and the same is hereby repealed and the following enacted in lieu thereof:

Section 9416 e-1. Not more than one place of business shall be maintained under the same license, but the licensing official may issue more than one license to the same licensee upon compliance with all the provisions of this Chapter governing an original issuance of a license, for each such new license. No license shall be transferable or assignable.

Section 9416 e-2. Whenever a licensee shall change his place of business to another location within the same municipality he shall at once give written notice thereof to the licensing official who shall attach to the license in writing his record of the change and the date thereof, which shall be authority for the operation of such business under such license at such new location. No change in the place of business of a licensee to a location outside of the original municipality shall be permitted under the same license.

Section 7. That the law as it now appears in Section Ninety Four Hundred Nineteen (9419) of the Code, 1931, be and the same is hereby repealed and the following enacted in lieu thereof:

Section 9419 e-1. The licensing official shall, upon ten days' notice to the licensee stating the contemplated action and in general the grounds therefor, and upon reasonable opportunity to be heard, revoke any license issued hereunder if he shall find that:

(a) The licensee has failed to pay the annual license fee or to maintain in effect the bond or bonds required under the provisions of this Chapter or to comply with any demand, ruling, or requirement of the licensing official lawfully made pursuant to and within the authority of this Chapter; or that

(b) The licensee has violated any provisions of this Chapter or any rule or regulation lawfully made by the licensing official under and within the authority of this Chapter; or that

(c) Any fact or condition exists which, if it had existed at the time of the original application for such license, clearly would have warranted the licensing official to refuse originally to issue such license.

Section 9419 e-2. If the licensing official shall find that probable cause for revocation of any license exists and that the enforcement of this Chapter requires immediate suspension of such license pending investigation, he may, without notice or hearing, suspend such license for a period not exceeding thirty (30) days.

Section 9419-e3. The licensing official may revoke or suspend only the particular license with respect to which grounds for revocation or suspension may occur or exist, or, if he shall find that such grounds for revocation or suspension are of general application to all offices, or to more than one office operated by such licensee, he shall revoke or suspend all of the licenses issued to said licensee or such licenses as such grounds apply to, as the case may be.

Section 9419 e-4. Any licensee may surrender any license by delivering

to the licensing official written notice that he thereby surrenders such license, but such surrender shall not affect such licensee's civil or criminal liability for acts committed prior to such surrender. No revocation or suspension or surrender of any license shall impair or affect the obligation of any preexisting lawful contract between the licensee and any borrower.

Section 9419 e-5. Whenever the licensing official shall revoke or suspend a license issued pursuant to this Chapter, he shall forthwith file with the Department of Banking a written order to that effect and findings with respect thereto containing the evidence and the reasons supporting the revocation or suspension, and forthwith serve upon the licensee a copy thereof, which order may be reviewed by writ of certiorari in an action brought in the District Court of Polk County, Iowa, within thirty (30) days after the filing of said order and findings.

Section 9419 e-6. The licensing official is hereby authorized and empowered to make such general rules and regulations and such specific rulings, demands, and findings, in execution of and supplementary to the provisions of this Chapter but not in conflict therewith, as may be necessary for the proper conduct of such business and for the enforcement of this Chapter and to protect borrowers and the public.

Section 8. That Section Ninety Four Hundred Twenty One (9421) Code of Iowa, 1931, be and the same is hereby amended by adding thereto the following:

Section 9421 e-1. The maximum interest permitted on loans made under this Chapter shall be computed on the basis of the number of days actually elapsed and for the purpose of such computation a month shall be any period of thirty (30) consecutive days. No licensee shall induce or permit any borrower or borrowers to split up or divide any loan or loans.

Section 9. That the law as it appears in Section Ninety Four Hundred Twenty Five (9425) Code of 1931, be and the same is hereby repealed and the following enacted in lieu thereof:

Section 9425 e-1. Every licensee shall:

1. Deliver to the borrower at the time any loan is made a statement (upon which there shall be printed a copy of Section Ninety Four Hundred Twenty e-one (9420 e-1) Section Ninety Four Hundred Twenty e-seven (9420 e-7) of this Chapter, both inclusive) in the English language showing in clear and distinct terms the amount and date of the loan and of its maturity, the nature of the security, if any, for the loan, the name and address of the borrower and of the licensee, and the agreed rate of charge.

2. Give to the borrower a plain and complete receipt for all payments made on account of any such loan at the time such payments are made, specifying the amount applied to interest and the amount applied to principal, and stating the unpaid principal balance, if any, of such loan.

3. Upon repayment of the loan in full, mark indelibly every obligation and security signed by the borrower with the word "Paid" or "Cancelled", and release any mortgage, restore any pledge, cancel and return any note, and cancel and return any assignment given to the licensee by the borrower.

4. Permit payment to be made in advance in any amount on any contract of loan at any time, but the licensee may apply such payment first to all interest in full at the agreed rate up to the date of such payment

Section 10. That the law as it appears in Section Ninety Four Hundred Twenty Nine (9429) Code of 1931, be and the same is hereby repealed and the following is enacted in lieu thereof:

Section 9429 e-1. No person, co-partnership or corporation, except as authorized by this Chapter shall, directly or indirectly, charge, contract for, or receive any interest or consideration greater than the lender would be permitted by law to charge if not licensed hereunder upon the loan, use, or forbearance of money, goods, or things in action, or upon the loan, use, or sale of credit, of the amount or value of Three Hundred Dollars (\$300.00) or less.

Section 11. That the law as it appears in Section Ninety Four Hundred Thirty Two (9432) of the Code, 1931, be and the same is hereby repealed and the following enacted in lieu thereof:

Section 9432 e-1. No licensee or other person, co-partnership, association, or corporation shall advertise, print, display, publish, distribute or broadcast or cause or permit to be advertised, printed, displayed, published, distributed, or broadcast, in any manner whatsoever any statement or representation with regard to the rates, terms, or conditions for the lending of money, credit, goods, or things in action in the amount or of the value of Three Hundred Dollars (\$300.00) or less, which is false, misleading, or deceptive. The licensing official may order any licensee to desist from any conduct which he shall find to be a violation of the foregoing provisions. If any licensee refers in any advertising matter to the rate of charge upon loans to be made by him, the licensing official may require such licensee to state such rate of charge fully and clearly in such manner as he may deem necessary to prevent misunderstanding thereof by prospective borrowers.

Section 9432 e-2. No licensee shall conduct the business of making loans under the provisions of this Chapter within any office, room, or place of business in which any other business is solicited or engaged in, or in association or conjunction therewith, except as may be authorized in writing by the licensing official upon his finding that the character of such other business is such that the granting of such authority would not facilitate evasions of this Chapter or of the rules and regulations lawfully made hereunder.

Section 9432 e-3. No licensee shall take a lien upon real estate as security for any loan under the provisions of this Chapter, except such lien as is created by law upon the journalizing of a judgment or the transcribing of a judgment.

Section 12. That Section Ninety Four Hundred Thirty Four (9434) of the Code, 1931, be and the same is hereby amended by adding thereto the following:

Section 9434 e-1. Every licensee shall annually on or before the fifteenth day of March file a report with the licensing official giving such relevant information as the licensing official reasonably may require concerning the business and operations during the preceding calendar year of each licensed place of business conducted by such licensee within the State. Such report shall be made under oath and shall be in the form prescribed by the licensing official who shall make and publish annually an analysis and recapitulation of such reports.

Section 13. That the law as it appears in Section Ninety Four Hundred Thirty Five (9435) Code of 1931, be and the same is hereby repealed and the following enacted in lieu thereof:

Section 9435 e-1. Any person, co-partnership, or corporation and the several members, officers, directors, agents and employees thereof who shall wilfully violate or participate in the violation of any of the provisions of Sections 9410 e-1, 9416 e-1, 9416 e-2, 9417, 9420 e-7, 9421, 9421 e-1, 9422 e-1, 9423, 9424, 9425 e-1, 9426, 9429 e-1, 9430, 9431, 9432 e-1, 9432 e-2, 9432 e-3, 9434 or 9434 e-1 of this Chapter, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment of not more than six (6) months, or by both such fine and imprisonment, in the discretion of the court.

Section 14. That the law as it appears in Section Ninety Four Hundred Thirty Six (9436) Code of 1931, be and the same is hereby repealed and the following enacted in lieu thereof:

Section 9436 e-1. Every license issued under this Chapter which is in effect at the time this amending act becomes effective shall be and remain in full force and effect up to and including December 31, 1933, if not sooner surrendered, suspended or revoked under the provisions of Section 9419 e-1 to 9419 e-6 of this Chapter, provided, however, that any such license so continued in effect shall not during the said period be revoked on the ground that such licensee has not the minimum amount of assets required by Section 9415 e-3.

Section 15. That Chapter Four Hundred Nineteen (419) Code of Iowa, 1931, be amended by adding thereto the following:

Section 9438 e-1. If any clause, sentence, section, provision or part of this Chapter and/or Act shall be adjudged to be unconstitutional or invalid for any reason, such judgment shall not impair, affect or invalidate the remainder of this Chapter and/or Act.

Section 9438 e-2. All laws, the subject matter of which is covered by this Act or by this Chapter, as amended, are hereby repealed in so far as they are inconsistent with the provisions of this Act or this Chapter as amended.

Section 16. This Act being deemed of immediate importance shall be in full force and effect after its passage and publication in the Muscatine Journal, a newspaper published at Muscatine, Iowa, and in the Daily Freeman-Journal, a newspaper published at Webster City, Iowa.

We further move that the title to said bill, Senate File No. 87, be stricken and the following substituted in lieu thereof:

"An Act to amend Chapter 419 of the Code of Iowa, 1931, by repealing Section 9420 and enacting in lieu thereof provisions creating The Small Loan Rate-Making Advisory Council and specifying the time and manner of appointment and terms of office of members thereof, and further defining the duties and powers of such Advisory Council, among which shall be the duty and power to fix from time to time such maximum rates of interest or charge which may be contracted for or received upon loans or advancements in the amount or of the value of Three Hundred Dollars or less; and further prescribing the maximum rate of interest or

charge which may be contracted for or received upon such loans between the effective date of this Act and the date said Advisory Council fixes maximum rates of interest or charge and at any other time when rates of interest or charge fixed by said Advisory Council are not in effect; by repealing Section 9422 and enacting a substitute therefor prohibiting the contracting for or receiving of rates of interest or charge greater than that authorized and prescribed therein; by repealing Section 9410 and enacting a substitute therefor requiring a licensee to make loans or advancements in the amount of or of the value of Three Hundred Dollars or less and prescribing the rate of interest which may be charged on such loans by one not licensed under Chapter 419; by repealing Section 9412 and enacting in lieu thereof provisions pertaining to applications for a license under Chapter 419; by repealing Section 9415 and enacting in lieu thereof provisions pertaining to the duties and powers of the licensing official in connection with the issuance or denial of applications for a license, the rights of one whose application is denied and certain requirements of one to whom a license is granted and the amount of the license fee; by repealing Section 9416 and enacting in lieu thereof provisions imposing limitations on licenses; by repealing Section 9419 and enacting in lieu thereof provisions pertaining to the suspension and revocation of licenses, the grounds therefor and the remedies of one whose license has been revoked or suspended, and the authority of the licensing official to make general and specific rules and regulations for the protection of borrowers and the public; by adding Section 9421 e-1 pertaining to the making of loans and the computation of interest thereon; by repealing Section 9425 and enacting in lieu thereof provisions pertaining to the duties and obligations of licensees; by repealing Section 9429 and enacting in lieu thereof a provision pertaining to the interest or consideration which may be charged by one other than a licensee; by repealing Section 9432 and enacting in lieu thereof provisions pertaining to advertising and publication of statements by licensees and prohibiting licensees from doing certain acts and things; by adding Section 9434 e-1 providing for annual reports by licensees; by repealing Section 9435 and enacting in lieu thereof a provision making certain acts a crime and imposing a penalty therefor; by repealing Section 9436 and enacting in lieu thereof a provision pertaining to the suspension or revocation of outstanding licenses; by adding Sections 9438 e-1 pertaining to the effect of invalidity of any part of this Act or Chapter 419 as amended; by adding Section 9438 e-2 repealing all laws inconsistent with this Act or Chapter 419 as amended.

E. R. HICKLIN

IRVING H. KNUDSON

VINCENT F. HARRINGTON

I. G. CRYSTAL

Amend Senate File No. 89 as follows:

1. Strike out sections one (1), two (2), and three (3) of the bill and insert in lieu thereof the following:

"Section 1. Section forty-nine hundred thirty-one (4931), Code, 1931, is hereby repealed and the following is enacted in lieu thereof, to wit:

'4931. Monthly penalty—exception. On January first of each year, a penalty of one dollar (\$1.00) shall be added to all fees not paid by that date, and one dollar (\$1.00) shall be added to such fees on the first of each

month thereafter that the same remains unpaid, until paid, provided that the owner of a motor vehicle who, on or before January first of any year, surrenders all license plates for said vehicle to the county treasurer of the county in which said plates are of record, shall have the right to register said car at any later period of said year by paying the full yearly license fee without said penalty.'

Sec. 2. Section forty-nine hundred thirty-three (4933), Code, 1931, is hereby amended by inserting immediately after the word "provided" in line eight (8) the following words, to wit:

'and except those motor vehicles the plates of which have been surrendered to said treasurer on or prior to January first of said year'."

2. Strike out the title and in lieu insert the following:

"An act to repeal section forty-nine hundred thirty-one (4931) and to enact a substitute therefor and to amend section forty-nine hundred thirty-three (4933), all of the Code, 1931, and relating to penalties on unpaid motor vehicle license fees."

L. H. MEYER.

Senator Cooney moved to adjourn until 10:00 a. m. Tuesday.

Senator Myers moved to amend by making the time 9:00 a. m. Tuesday.

The amendment was lost.

The motion prevailed and the Senate adjourned until 10:00 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 21, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Mr. Henry F. Merritt, First Reader, Second Church of Christ, Scientist of Des Moines.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Favoring the placing of a special tax on the so-called "chain stores" doing business in the state. Senator Wenner, from residents of Black Hawk and Grundy counties, and citizens of Benson, La Porte and Jesup. Manufacturing, commerce and trade.

Opposing the placing of a special tax on the so-called "chain stores" doing business in the state. Senator Valentine, from residents of Davis county. Manufacturing, commerce and trade.

Approving prohibition. Senator Wenner, from residents of Black Hawk, Grundy and Monroe counties. Senator Irwin, from residents of Clinton county. Senator Stevens of Decatur, from residents of Union county. Senator Nelson, from residents of Boone county. Senator Miller of Jones, from residents of Cedar county. Senator Hopkins, from residents of Guthrie county. Senator Ritchie, from residents of Buena Vista county. Senator Elthon, from residents of Winnebago county. Senator Mullaney, from residents of Fayette county. Senator Hicklin, from residents of Louisa county. Judiciary No. 1.

Opposing repeal of the tax refund on gasoline used for agricultural purposes. Senator Carden, from residents of Henry county. Senator Hush, from residents of Montgomery county. Agriculture.

Favoring the making of the tuberculin testing law optional. Senator Miller of Jones, from residents of Cedar county. Agriculture.

Protesting the bill proposing to close small elementary schools. Senator Cooney, from residents of Dubuque county. Public schools.

Relating to school legislation. Senator Kimberly, from the Parent-Teachers Association of the Monroe and Johnson schools of Davenport. Public schools.

Approving Senate File No. 121. Senator Mullaney, from residents of Allamakee county. Fish and game.

Endorsing the bill providing for certification of teachers. Senator Wenner, from members of the Cedar Falls Parent-Teachers Association and the American Association of University Women. Public schools.

INTRODUCTION OF BILLS

Senate File No. 297, by Senator Roclofs, a bill for an act limiting the taxation of agricultural lands within independent school districts.

Read first and second times and referred to committee on public schools.

Senate File No. 298, by committee on county and township affairs, a bill for an act to repeal section fifty-three hundred twenty-eight (5328), Code, 1931, and to enact a substitute therefor relating to application by poor persons for relief.

Read first and second times and placed on the calendar.

Senate File No. 299, by Senator Reese, a bill for an act limiting trains to a length that can be handled with safety to the traveling public and employees.

Read first and second times and referred to committee on aircraft, transportation and railroads.

Senate File No. 300, by Caldwell v. Shangle contest committee, a bill for an act to make an appropriation for the expenses incurred in the election contest of Caldwell vs. Shangle.

Read first and second times and referred to committee on appropriations.

Senate File No. 301, by Senator Anderson, a bill for an act to amend section twelve thousand eight hundred sixteen-a1 (12816-a1), Code of Iowa, 1931, relating to salaries of Supreme Court Judges, section ten thousand eight hundred four (10804), Code of Iowa, 1931, relating to salaries of District Judges, and section ten thousand seven hundred thirty-nine (10739), Code of Iowa, 1931, relating to salary of certain Judges of Superior Court.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 302, by Senator Irwin, a bill for an act to legalize warrants issued by the Board of Park Commissioners of the City of Clinton, Iowa, proceedings taken authorizing the issuance of bonds to retire said warrants, and provisions made for the levy of taxes to pay said bonds.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 303, by Senator Topping, a bill for an act to amend section sixty-nine hundred eighty-five (6985), Code, 1931, relating to the taxation of moneys and credits.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 304, by committee on public health, a bill for an act to amend section twenty-one hundred ninety-one (2191) of the Code, 1931, relating to the powers and duties of the State Department of Health, providing for the direction of method of installation and operation of public swimming pools.

Read first and second times and placed on the calendar.

Senate File No. 305, by Senator Aschenbrenner, a bill for an act to amend section forty-two hundred seventy-three (4273), code 1931, relating to high school tuition.

Read first and second times and referred to committee on public schools.

Senate File No. 306, by Senator Doze, a bill for an act to require telephone companies to furnish equal service and facilities to each other without discrimination.

Read first and second times and referred to committee on public utilities.

Senate File No. 307, by Senator Roelofs, a bill for an act to amend section seventy-nine hundred seventy-two (7972) of the code, 1931, relating to construction and equipment of cabooses.

Read first and second times and referred to committee on aircraft, transportation and railroads.

Senate File No. 308, by committee on judiciary No. 2, a bill for an act to amend section ten thousand one hundred twenty-seven (10127), Code, 1931, relating to perpetuities.

Read first and second times and placed on the calendar.

Senate File No. 309, by committee on judiciary No. 2, a bill for an act to amend section fourteen hundred nine (1409), Code 1931, and to repeal section fourteen hundred ten (1410), Code 1931, and enact a substitute therefor, relating to the appointment of trustees for incompetent persons entitled to workmen's compensation and to the compensation to be paid such trustees.

Read first and second times and placed on the calendar.

Senate File No. 310, by committee on judiciary No. 2, a bill for an act so to amend sections thirteen thousand six hundred sixty-nine (13669) and thirteen thousand six hundred seventy-one (13671), Code, 1931, as to provide for the rendition of judgments during a recess of the district court, in criminal cases prosecuted on trial information filed by the county attorney.

Read first and second times and placed on the calendar.

Senate File No. 311, by committee on reduction of public expenditures, a bill for an act to amend section seven thousand one hundred and sixty-one (7161) of the Code, 1927, relating to the appointment of the compensation of persons employed to discover property not listed or assessed for taxation.

Read first and second times and placed on the calendar.

Senate File No. 312, by committee on reduction of public expenditures, a bill for an act providing for the designation of a member of the Board of Supervisors or County Auditor, under the direction of the Board of Supervisors, to act for and on behalf of the County in the standardization and purchasing of supplies.

Read first and second times and placed on the calendar.

Senate File No. 313, by committee on reduction of public expenditures, a bill for an act to amend Chapter three hundred thirty (330) by amending section sixty-nine hundred fifty (6950) and repealing section sixty-nine hundred fifty-one (6951), all of the code 1931, relating to the remission of taxes.

Read first and second times and placed on the calendar.

Senate File No. 314, by Senator Roelofs, by request, a bill for an act to repeal section thirty-one hundred forty-nine (3149), Code, 1931, and to enact a substitute therefor, relating to itinerant vendors of drugs and providing for licensing the same.

Read first and second times and referred to committee on public health.

Senate File No. 315, by Senator Coykendall, a bill for an act to repeal chapter ninety-one-C two (91-C2), Code, 1931, relating to the licensing of real estate brokers.

Read first and second times and referred to committee on judiciary No. 2.

Senate Joint Resolution No. 9, by Senator Hopkins, a joint resolution ratifying a proposed amendment to the constitution of the United States of America, relative to the labor of persons under eighteen (18) years of age.

Read first and second times and referred to committee on constitutional amendments.

Senate File No. 316, by Senators Chrystal and Hush, a bill for an act to amend Chapter One hundred ninety-nine (199), Code of Iowa of 1931, and to provide methods for apportioning among the several counties of the state the cost of treatment of indigent persons at the hospital of the College of Medicine of the State University.

Read first and second times and referred to committee on public health.

Senate File No. 317, by Senator Topping, a bill for an act to amend Sections Six Thousand Nine Hundred and seventy-nine

(6979) and Six Thousand Nine Hundred and eighty-one (6981) of the Code of Iowa, 1931, relative to the assessment of public utility plants and the personal property thereof.

Read first and second times and referred to committee on public utilities.

Senate File No. 318, by Senator Topping, a bill for an act to repeal Section three hundred seventy-five (375) of the Code, 1931, and to enact a substitute which will provide for and regulate the matter of public hearings on estimates of annual tax levies for municipalities and for the publication of such estimates in brief and understandable language.

Read first and second times and referred to committee on cities and towns.

Senate File No. 319, by Senators Nelson and Patterson, a bill for an act defining pipe line companies, and to impose an excise tax upon all pipe line companies, to be based upon the gross receipts of said pipe line companies on intra-state business, which shall be paid into the general fund of the state of Iowa, and providing for the making of reports to the State Board of Assessment and Review, and to provide for the payment, collection and distribution of said excise tax, and to provide penalties for violation thereof.

Read first and second times and referred to committee on cities and towns.

Senate File No. 320, by Senator Wilson, a bill for an act to amend Section six thousand six hundred and ten c sixteen (6610-c16) Iowa Code of 1931, relating to Street Improvements and Sewers in cities under Commission form of Government authorizing return of checks to all bidders except the low responsible bidder.

Read first and second times and referred to committee on cities and towns.

Senate File No. 321, by Senator Wilson, a bill for an act to amend the law as it appears in section seventy-two hundred seventy-two (7272), Code, 1931, relating to tax redemption.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 322, by Senator Wilson, a bill for an act to repeal sections seventy-two hundred fifty-five (7255), seventy-two hundred fifty-five-b1 (7255-b1) and seventy-two hundred fifty-six (7256), Code, 1931, relating to the sale of real estate for less than the full amount of taxes, penalties and interest due, and to enact a substitute therefor providing that, under certain circumstances, the title to real estate, the taxes on which have not been paid, shall revert to the county, or to a city or town, in the event there are any unpaid special assessments thereon.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 323, by Senator Pendray, a bill for an act to repeal sections one hundred eleven (111), one hundred twelve (112), one hundred thirteen (113), one hundred fourteen (114), one hundred seventeen (117), one hundred twenty (120), one hundred twenty four (124), one hundred twenty six (126), and to amend thirty-eight hundred thirty two (3832), relating to the auditing and financial reports and records of counties, schools, cities, and towns.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 324, by Senator McArthur, a bill for an act to amend section five thousand ninety-three-a five (5093-a5), to repeal section five thousand ninety-three-a eight (5093-a8) and to enact a substitute therefor, and to repeal section five thousand ninety-three-a ten (5093-a10), all of the Code, 1931, and relating to the tax on motor vehicle fuel.

Read first and second times and referred to committee on motor vehicles.

PROOF OF PUBLICATION

I hereby certify that there has been filed with me, as Secretary of the Senate, a proof of publication from the Carroll Daily Herald, Carroll, Iowa, relating to Senate File No. 232, a bill for an act to legalize the extension of the corporate limits of the town of Dedham, Carroll County, Iowa, etc.

BYRON G. ALLEN, *Secretary of the Senate.*

BILLS SENT TO THE GOVERNOR

Senator Hush from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 21st day of February, 1933, sent to the governor for his approval, Senate Files Nos. 23 and 115. **HOMER HUSH, Chairman.**

Passed on file.

REPORTS OF COMMITTEES

Senator Moore submitted the following reports:

MR. PRESIDENT: Your committee on public health to which was referred Senate File No. 130, a bill for an act to amend and revise sections thirty-one hundred forty-eight (3148) and thirty-one hundred forty-nine (3149) of chapter one hundred fifty-five (155) of the Code, 1931, relating to itinerant vendors of drugs, and fixing the license fees therefor, and providing an exemption therefrom, begs leave to report it has had the same under consideration and recommends the same do pass.

M. MOORE, Chairman.

Ordered passed on file.

Also:

Your committee on public health to which was referred Senate File No. 248, a bill for an act to repeal sec. 2548, sec. 2551, and sec. 2554, Code of Iowa, 1931, and to enact substitutes therefor; relating to the definition of osteopathy, osteopathy and surgery, begs leave to report it has had the same under consideration and recommends the same do pass.

M. MOORE, Chairman.

Ordered passed on file.

Also:

Your committee on public health to which was referred Senate File No. 128, a bill for an act to provide for liens in favor of hospitals, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Section 1. By inserting after the comma, following the word "hospitals" in line 3 of Sec. 1 thereof, the words "and every regularly licensed physician or surgeon"; by inserting after the comma, following the word "therein" in line 6 of Sec. 1, the words "or medical or surgical services or treatment from such physician or surgeon"; and by changing the period, at the end of line 12 of Sec. 1 to a comma, and by adding "or the amount of the regular and customary charges of such physician or surgeon for such medical or surgical care or treatment".

Sec. 2. By inserting after the word "hospital" in line 1 of Sec. 2, the words "or such physician or surgeon".

Sec. 3. By inserting after the comma, following the word "hospital" in line 8 of Sec. 3, the words "physician or surgeon".

Sec. 4. By inserting after the comma, following the word "hospital" in line 2 of Sec. 4, the words "or any such physicians or surgeons"; and by inserting after the comma, following the word "hospital", in line 10 of Sec. 4, the words "physician or surgeon".

Sec. 5. By inserting after the comma, following the word "hospital", in line 6 of Sec. 5, the words "physician or surgeon"; by inserting after the word "hospital" in line 10 of Sec. 5, the words "physician or surgeon".

Sec. 6. Amend the title by inserting after the word "hospitals" in line 1 thereof, the words "physicians or surgeons".

M. MOORE, *Chairman.*

Ordered passed on file.

Also:

Your committee on public health to which was referred House File No. 129, a bill for an act to amend section twenty-two hundred forty-nine (2249), Code, 1931, to provide for a notice of quarantine to the post office where a quarantined family or person receives or dispatches mail, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend House File No. 129 by striking out all after the enacting clause and substituting therefor the following:

Section 1. Section twenty-two hundred forty-nine (2249), Code, 1931, is amended by inserting after the word "report." at the end of line five (5) thereof the following: "The local board or officer thus informed shall report the same immediately to the post office where the quarantined family receives or dispatches mail."

M. MOORE, *Chairman.*

Ordered passed on file.

Also:

Your committee on public health to which was referred Senate File No. 142, a bill for an act to amend Chapter 198, Code, 1931, relating to maternity and infancy hospital, begs leave to report it has had the same under consideration and recommends the same do pass.

M. MOORE, *Chairman.*

Ordered passed on file.

Senator Frailey submitted the following reports:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred House File No. 131, a bill for an act to amend section eleven thousand nine hundred thirty-eight (11938), Code, 1931, relating to the notice of sale of property in the settlement of estates, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1 to which was referred House File No. 74, a bill for an act to repeal section ten thousand four hundred twenty-nine-d one (10429-d1), code 1931, with reference to the withholding of marriage licenses, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Senator Geske submitted the following reports:

MR. PRESIDENT: Your committee on emergency legislation to which was referred Senate File No. 267, a bill for an act to amend paragraph seven (7) of section eleven thousand seven (11007) of the code, 1931, relating to limitations of actions of judgments of courts of record and to repeal section eleven thousand nine (11009) relating to judgments and to enact a substitute therefor, begs leave to report it has had the same under consideration and returns the bill without recommendation.

M. X. GESKE, Chairman.

Ordered passed on file.

Also:

Your committee on emergency legislation to which was referred Senate File No. 268, a bill for an act to amend section eleven thousand six hundred two (11602) of the code, 1931, relating to the liens of judgments, begs leave to report it has had the same under consideration and returns the bill without recommendation.

M. X. GESKE, Chairman.

Ordered passed on file.

Also:

Your committee on emergency legislation to which was referred Senate File No. 196, a bill for an act supplemental to Chapter five hundred twenty-five (525) of the 1931 Code of Iowa, to regulate the foreclosure of mortgages and deeds of trust, and to extend the time for the appearance of the defendants in foreclosure actions, and to provide for the appointment of a conservator of the real estate involved during the pendency of the foreclosure actions, begs leave to report it has had the same under consideration and returns the bill without recommendation.

M. X. GESKE, Chairman.

Ordered passed on file.

Senator Nelson submitted the following reports:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File No. 165, a bill for an act to amend Section fifty three hundred thirteen (5313) of the Code of 1931, relating to persons asking for relief, begs leave to report it has had the same under consideration and recommends the same do pass.

FRED W. NELSON, Chairman.

Ordered passed on file.

Also:

Your committee on county and township affairs to which was referred House File No. 191, a bill for an act relating to road poll taxes and providing that the payment thereof may be in cash or labor, and further providing for the collection and expenditure of such tax and the supervision of such labor; and to amend sections forty-six hundred forty-four c-fifty-eight (4644-c58), forty-six hundred forty-four c-sixty (4644-c60), forty-six hundred forty-four c-sixty-one (4644-c61) and forty-six hundred

forty-four c-sixty-four (4644-c64) of the Code, 1931, begs leave to report it has had the same under consideration and recommends the same do pass.

FRED W. NELSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on county and township affairs, to which was referred Senate File No. 164, a bill for an act relating to road poll taxes, and providing that the payment thereof may be in cash or labor, and further providing for the collection and expenditure of such tax and the supervision of such labor; and to amend Sections forty-six hundred forty-four c-fifty-eight (4644-c58), forty-six hundred forty-four c-sixty (4644-c60), forty-six hundred forty-four c-sixty-one (4644-c61) and forty-six hundred forty-four c-sixty-four (4644-c64) of the Code, 1931, begs leave to report it has had the same under consideration and recommends the same do pass.

FRED W. NELSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on county and township affairs to which was referred Senate File No. 100, a bill for an act to amend section fifty-one hundred twenty-six (5126) of the code, 1931, relating to compensation of County Supervisors, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

FRED W. NELSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on county and township affairs, to which was referred Senate File No. 86, a bill for an act to amend section 4644-c19 and 4644-c23, code of 1931, relating to employment of county engineers by Boards of Supervisors, begs leave to report it has had the same under consideration and recommends the same do pass.

FRED W. NELSON, *Chairman.*

Ordered passed on file.

Senator Pendray submitted the following report:

MR. PRESIDENT: Your committee on public schools to which was referred Senate File No. 96, a bill for an act to repeal section forty-two hundred seventy-eight (4278), Code, 1931, and to enact a substitute therefor relating to tuition of high school pupils in certain cases, begs leave to report it has had the same under consideration and returns the bill without recommendation.

CAROLYN C. PENDRAY, *Chairman.*

Ordered passed on file.

Senator Knudson submitted the following reports:

MR. PRESIDENT: Your committee on insurance to which was referred House File No. 202, a bill for an act limiting the issuance of policies to a person, firm or corporation, the benefits of which accrue to individuals

of a group, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend House File two hundred two (202) by adding at the end of Section one (1) thereof the following: "Nothing herein contained shall be construed to preclude the extending of protection offered by any contract of liability insurance to persons other than the named insured while operating a motor vehicle belonging to such named insured."

I. H. KNUDSON, *Chairman*.

Ordered passed on file.

Also:

Your committee on insurance to which was referred Senate File No. 136, a bill for an act to amend section eight thousand five hundred eighty-three (8583) of the Code of Iowa, 1931, relating to the dissolution of certain corporations not for pecuniary profit, begs leave to report it has had the same under consideration and recommends the same do pass.

I. H. KNUDSON, *Chairman*.

Ordered passed on file.

Senator Wilson submitted the following reports:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 190, a bill for an act to amend Sections fifty-nine hundred and seventy-five (5975), fifty-nine hundred and seventy-eight (5978), six thousand and two (6002), six thousand and three (6003), six thousand and twenty-four (6024), six thousand and twenty-six (6026), and six thousand and thirty-two (6032), of the 1931 Code of Iowa, relating to the improvement of streets by oiling and graveling and the assessment of the cost thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

GEORGE A. WILSON, *Chairman*.

Ordered passed on file.

Also:

Your committee on cities and towns to which was referred Senate File No. 133, a bill for an act to amend Chapter two hundred thirteen (213) and chapter two hundred eighty-seven (287), Code, 1931, to require city and school officials to confine annual expenditures to collectible income, begs leave to report it has had the same under consideration and recommends the same do pass.

GEORGE A. WILSON, *Chairman*.

Ordered passed on file.

Also:

Your committee on cities and towns to which was referred Senate File No. 189, a bill for an act to amend section 7420-d1, Code, 1931, relating to deposits of clerks and bailiffs of municipal courts, begs leave to report it has had the same under consideration and recommends the same do pass.

GEORGE A. WILSON, *Chairman*.

Ordered passed on file.

Senator Booth submitted the following report :

MR. PRESIDENT: Your committee on highways, to which was referred the resolution adopted by the House of Representatives of the General Assembly of the State of Nebraska on February 7, 1933, "memorializing the Legislature of the State of Iowa to enact a law to provide for the construction, purchase, and maintenance of interstate bridges across the Missouri River between the states of Nebraska and Iowa" desires to report that it has had the same under consideration and would recommend the adoption of the attached resolution in reply thereto.

**SENATE RESOLUTION NO. 4
BY COMMITTEE ON HIGHWAYS**

Whereas, there has been received from the Chief Clerk of the House of Representatives of the General Assembly of the State of Nebraska, copy of a resolution passed by that body on February 7, 1933 "memorializing the Legislature of the State of Iowa to enact a law to provide for the construction, purchase and maintenance of interstate bridges across the Missouri River between the states of Nebraska and Iowa"; and

Whereas, said resolution recommends that the Iowa Legislature enact into law a measure similar to House File Number 197 introduced and passed in the House of Representatives of the 43rd General Assembly of the State of Iowa in 1929, under which proposed bill a portion of the primary road fund was authorized to be set aside each year for the payment of the cost of the construction, purchase and maintenance of interstate bridges; and

Whereas, during the present economic conditions the receipts in the primary road fund from motor license fees and gasoline tax have fallen considerably below the receipts in former years; and

Whereas, there are outstanding in the State of Iowa at the present time about \$96,000,000 of county primary road bonds issued in anticipation of the primary road fund receipts from motor license fees and gasoline tax, now, therefore,

Be It Resolved by the Senate of the 45th General Assembly of the State of Iowa :

1. That under the present economic conditions and in view of the large amount of outstanding primary road bonds in anticipation of the primary road fund, it does not appear wise at this time to enact into law a provision for the setting aside of a portion of the primary road fund each year for the construction, purchase, or maintenance of interstate bridges over the Missouri River;

2. That the Secretary of the Senate be instructed to forward a copy of this resolution to the presiding officer of the House of Representatives of the General Assembly of the State of Nebraska.

CHAS. D. BOOTH, *Chairman.*

Ordered passed on file.

On request of Senator Frailey, unanimous consent was granted to defer action on Senate Concurrent Resolution No. 15, such resolution to be taken up later in the day.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption :

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate Files Nos. 200, 201, 203 and 243.

HOMER HUSH, *Chairman Senate Committee.*

WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 200, 201, 203, 243.

MESSAGES FROM THE HOUSE

The following messages were received from the House :

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked :

House File No. 238, a bill for an act relating to protection of fish and game and powers of the commission.

Also, that the House has concurred in Senate amendments to line nine (9), and refused to concur in Senate amendments to lines seven (7) and ten (10) of House File No. 28, a bill for an act relating to mileage and traveling expense claims of peace officers.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked :

House File No. 199, a bill for an act relating to Stamp-Money.

LLOYD ELLIS, *Chief Clerk.*

THIRD READING OF BILLS

The time having arrived for consideration of the special order, on motion of Senator Stevens of Wapello Senate File No. 131, a bill for an act relating to taxation, and to provide a maximum rate of levy on property in any county, municipality, or other taxing district in the state, and to provide for the creation of a County Budget Commission, and to prescribe the powers and duties thereof, was taken up and considered, the report of committee having been adopted on page 370 of the Senate Journal.

Senators Valentine, Topping, Booth, Hicklin, Bennett and Beatty offered the following as a substitute for all pending amendments and moved its adoption :

Amend by striking the first four (4) lines of section one (1), and substituting in lieu thereof the following:

"Section 1. That the total millage levy of taxes in each of the years 1933 and 1934, for or on behalf of any taxing district, shall not exceed seventy-five per cent (75%) of the total millage levy made in the year 1931 for or on behalf of said district;"

Also amend by striking from lines eight (8), and nine (9) of section one (1) the following: "nor to any rates or levies authorized or required to be made or certified by any city or town council,"

Also amend by striking sections two (2), three (3), four (4), five (5), six (6), seven (7), eight (8), nine (9), ten (10), eleven (11), twelve (12), thirteen (13), fourteen (14), fifteen (15) and sixteen (16), and by re-numbering section seventeen (17) as section two (2).

Also amend by adding as section three (3) the following:

"This act is deemed of immediate importance, and shall be in force and effect from and after its publication in the Mapleton Press, a newspaper published at Mapleton, Iowa, and in the Keokuk News, a newspaper published at Sigourney, Iowa."

Also amend the title to read as follows:

"A bill for an act mandatorily to limit and reduce the total tax levies in each taxing district of the state for the years 1933 and 1934."

Upon the request of Senator Hicklin, unanimous consent was granted to defer action; that the authors be permitted to amend their amendment as filed, which will be printed in the Journal today; that Senate File No. 131 be made special order for 9:00 a. m. tomorrow.

SENATE CONCURRENT RESOLUTION NO. 15 CONSIDERED

Senator Frailey called up for consideration Senate Concurrent Resolution No. 15.

Senator Knudson moved to lay the resolution on the table.

Senators Knudson and Frailey demanded a roll call.

On the question, "Shall the motion to table prevail?" the vote was:

Ayes, 27.

Aschenbrenner	Chrystal	Husted	Ritchie
Beardsley	Coykendall	Knudson	Roelofs
Beatty	Doze	McArthur	Shangle
Bennett	Elthon	Myers	Stanley
Booth	Hill	Nelson	Wenner
Calhoun	Hopkins	Patterson	White
Carden	Hush	Pendray	

Nays, 23.

Anderson	Harrington	Miller of	Stevens of
Byers	Hicklin	Buchanan	Decatur
Cooney	Irwin	Miller of Jones	Stevens of
Fisch	Kimberly	Moore	Wapello
Frailey	Klemme	Mullaney	Topping
Geske	Meyer	Reese	Valentine
		Schmidt	Wilson

Absent or not voting, none.

The motion prevailed and the resolution was laid on the table.

SENATE FILES NOS. 141, 76, 77, 78 AND 132 CALLED FROM COMMITTEE

Under Rule 35, Senate Files Nos. 141, 76, 77, 78 and 132 were called from their respective committees and placed on the calendar.

On motion of Senator Ritchie, the Senate recessed until 1:00 p. m. today.

AFTERNOON SESSION

The Senate met at the fall of the gavel, President N. G. Kraschel presiding.

On the request of Senator Moore, unanimous consent was granted to substitute House File No. 129 for Senate File No. 137.

THIRD READING OF BILLS

On motion of Senator Moore House File No. 129, a bill for an act to amend section twenty-two hundred forty-nine (2249), Code, 1931, to provide for a notice of quarantine to the post office where a quarantined family or person receives or dispatches mail, with report of committee recommending amendment and passage, was taken up and considered.

Upon the request of Senator Moore unanimous consent was granted to suspend the rules and consider the report. The report was adopted.

The following committee amendment was considered:

Amend by striking out all after the enacting clause and substituting therefor the following:

Section 1. Section twenty-two hundred forty-nine (2249), Code, 1931, is amended by inserting after the word "report." at the end of line five (5) thereof the following: "The local board or officer thus informed shall

report the same immediately to the post office where the quarantined family receives or dispatches mail."

The amendment was adopted.

Senator Moore moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 46.

Anderson	Fisch	Meyer	Schmidt
Aschenbrenner	Geske	Miller of	Shangle
Beardsley	Harrington	Buchanan	Stanley
Bennett	Hicklin	Miller of Jones	Stevens of
Booth	Hopkins	Moore	Decatur
Byers	Hush	Mullaney	Stevens of
Calhoun	Husted	Myers	Wapello
Carden	Irwin	Nelson	Topping
Chrystal	Kimberly	Patterson	Valentine
Cooney	Klemme	Pendray	Wenner
Coykendall	Knudson	Reese	White
Doze	McArthur	Roelofs	Wilson
Elthon			

Nays, none.

Absent or not voting, 4.

Beatty	Frailey	Hill	Ritchie
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Moore moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Moore, unanimous consent was granted to withdraw Senate File No. 137, for which the bill just passed was substituted.

On request of Senator Knudson, unanimous consent was granted to defer action on calendar No. 20, Senate File No. 208, such bill to retain its place on the calendar.

On request of Senator Wenner, unanimous consent was granted to defer action on Calendar Nos. 24 and 29, Senate Files Nos. 113 and 109, such bills to retain their places on the calendar.

On request of Senator Moore, unanimous consent was granted to defer action on Calendar No. 25, Senate File No. 154, such bill to retain its place on the calendar.

On motion of Senator Frailey Senate File No. 199, a bill for an

act to repeal section nineteen hundred sixty-six (1966), Code, 1931, relating to intoxicating liquors, a committee bill, was taken up and considered.

The bill was read for information.

Senator Frailey moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 39.

Anderson	Frailey	Miller of	Stanley
Bennett	Geske	Buchanan	Stevens of
Booth	Harrington	Miller of Jones	Decatur
Byers	Hopkins	Moore	Stevens of
Calhoun	Hush	Mullaney	Wapello
Carden	Irwin	Myers	Topping
Cooney	Kimberly	Nelson	Valentine
Coykendall	Klemme	Reese	Wenner
Doze	McArthur	Roelofs	White
Elthon	Meyer	Schmidt	Wilson
Fisch		Shangle	

Nays, none.

Absent or not voting, 11.

Aschenbrenner	Chrystal	Husted	Pendray
Beardsley	Hicklin	Knudson	Ritchie
Beatty	Hill	Patterson	

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

On request of Senator Ritchie, unanimous consent was granted to defer action on Calendar No. 32, Senate File No. 231, such bill to retain its place on the calendar.

On motion of Senator Topping Senate File No. 129, a bill for an act to amend title X of the Code, relating to regulations and inspections, by adding thereto a chapter requiring that all prison-made goods from other states be distinctly marked as such before being exposed for sale in Iowa, and prescribing the penalty for violations, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

1. Strike out the word and figure "January 1st" as it appears in the fifth line of Section One (1) thereof, and insert the word and figure in lieu thereof "January 19".

2. Amend Section One (1) of Senate File No. 129, by striking line eight (8) therefrom and substituting in lieu thereof the following:

“in the state of Iowa, and all such goods, wares and merchandise so made by convict labor in any penitentiary, prison, reformatory or any institution outside the state of Iowa in which convict labor is so employed, and which is imported, brought or”.

The amendments were adopted:

Senator Topping offered the following amendment and moved its adoption:

Amend sec. 2, by striking from line 4 the words, “except this state”.

The amendment was adopted.

The bill was read for information.

Senator Topping moved that the reading just had be considered the third reading, which motion prevailed.

On the question “Shall the bill pass?” the vote was:

Ayes, 45.

Anderson	Fisch	Knudson	Shangle
Aschenbrenner	Frailey	McArthur	Stanley
Beardsley	Geske	Meyer	Stevens of
Beatty	Harrington	Miller of Jones	Decatur
Bennett	Hicklin	Moore	Stevens of
Booth	Hill	Mullaney	Wapello
Byers	Hopkins	Myers	Topping
Calhoun	Hush	Pendray	Valentine
Carden	Husted	Reese	Wenner
Cooney	Irwin	Ritchie	White
Coykendall	Kimberly	Roelofs	Wilson
Doze	Klemme	Schmidt	

Nays, none.

Absent or not voting, 5.

Chrystal	Miller of	Nelson	Patterson
Elthon	Buchanan		

The bill having received a constitutional majority was declared to have passed the Senate.

Senator Topping moved that the title be amended as follows:

Amend by inserting after the word “from” in line 2 the words “this or”.

The amendment was adopted and the title as amended was agreed to.

Senator Topping moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Hopkins, unanimous consent was granted to withdraw House File No. 145 from the committee on public schools and that such bill be substituted for Senate File No. 143.

On motion of Senator Hopkins House File No. 145, a bill for an act to amend section forty-three hundred seventy-one (4371), code 1931, relating to the use of public school buildings for other than school purposes, was taken up and considered.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 45.

Aschenbrenner	Fisch	Knudson	Ritchie
Beardsley	Frailey	McArthur	Roelofs
Beatty	Geske	Meyer	Shangle
Bennett	Harrington	Miller of	Stevens of
Booth	Hicklin	Buchanan	Decatur
Byers	Hill	Miller of Jones	Stevens of
Calhoun	Hopkins	Moore	Wapello
Carden	Hush	Mullaney	Topping
Cooney	Husted	Myers	Valentine
Coykendall	Irwin	Nelson	Wenner
Doze	Kimberly	Pendray	White
Elthon	Klemme	Reese	Wilson

Nays, 2.

Anderson Stanley

Absent or not voting, 3.

Chrystal Patterson Schmidt

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

On request of Senator Hopkins unanimous consent was granted to withdraw Senate File No. 143, companion bill to the one just passed.

HOUSE MESSAGES CONSIDERED

House File No. 199, a bill for an act to provide a plan for the relief of poor and unemployed people; to provide for the adoption of a plan of payment with "Stamp-Notes" by counties, and to declare the duties and liabilities of counties adopting said plan and to fix the rights and liabilities under said plan.

Read first and second times and referred to committee on banks and banking.

House File No. 238, a bill for an act to amend section seventeen hundred three-d twelve (1703-d12) and to repeal sections seventeen hundred six (1706), seventeen hundred seven (1707), seventeen hundred fifteen (1715), seventeen hundred eighteen (1718), seventeen hundred eighteen-c one (1718-c1), seventeen hundred nineteen (1719), seventeen hundred nineteen-a one (1719-a1), seventeen hundred twenty (1720) to seventeen hundred twenty-four (1724), inclusive, seventeen hundred twenty-four-c one (1724-c1), seventeen hundred twenty-five (1725) to seventeen hundred thirty-three (1733), inclusive, seventeen hundred thirty-three-c one (1733-c1), seventeen hundred thirty-four (1734) to seventeen hundred forty (1740), inclusive, seventeen hundred forty-seven (1747) to seventeen hundred sixty-one (1761), inclusive, seventeen hundred sixty-three (1763) to seventeen hundred sixty-six (1766), inclusive, seventeen hundred sixty-six-a one (1766-a1), seventeen hundred sixty-six-a two (1766-a2), seventeen hundred sixty-six-c one (1766-c1) to seventeen hundred sixty-six-c four (1766-c4), inclusive, seventeen hundred sixty-six-d one (1766-d1), seventeen hundred sixty-seven (1767), seventeen hundred sixty-seven-c one (1767-c1), seventeen hundred sixty-seven-c two (1767-c2), seventeen hundred sixty-seven-a one (1767-a1) to seventeen hundred sixty-seven-a four (1767-a4), inclusive, seventeen hundred sixty-eight (1768), seventeen hundred sixty-eight-c one (1768-c1), seventeen hundred sixty-nine (1769), to seventeen hundred seventy-two (1772), inclusive, seventeen hundred seventy-two-c one (1772-c1), seventeen hundred seventy-two-c two (1772-c2), seventeen hundred seventy-three (1773) to seventeen hundred seventy-six (1776), inclusive, seventeen hundred seventy-nine (1779), and seventeen hundred eighty-three (1783), all of the Code, 1931, and to enact substitutes therefor, relating to the protection of fish, game, and fur-bearing animals, and to the powers of the state fish and game commission in relation thereto.

Read first and second times and referred to committee on fish and game.

The Journal of January 20th was corrected and approved.

RESIGNATION OF COMMITTEE CLERK

TO THE SECRETARY OF THE SENATE: I hereby tender my resignation as committee clerk to Senator D. W. Kimberly. MADELEINE BURROWS.

The resignation was accepted.

The committee on committee clerks has assigned Eleanor Taylor as committee clerk for Senator D. W. Kimberly.

EDW. J. WENNER, *Chairman.*

On request of Senator Kimberly unanimous consent was granted to consider the report.

The report was adopted and Eleanor Taylor appeared before the Secretary and was duly sworn.

MOTION FILED

MR. PRESIDENT: We offer as a substitute for all pending amendments to Senate File No. 131, a substitute for Senate File No. 131, which will be found in the bill files, next to the original bill, and which, if adopted, will become the main bill and be known as "Substitute for Senate File No. 131".

F. M. BEATTY

O. P. BENNETT

AMENDMENTS FILED

Amend Senate File No. 231 as follows: Strike all after the Enacting clause and insert in lieu thereof the following:

"Section 1. There is hereby levied on all motor vehicle fuel used within this state a license fee of 10c (ten cents) per gallon for the use of the Primary Road Fund and which shall be in addition to all other license fees now provided for.

Sec. 2. The rules and regulations for the collection of such fees shall be made and promulgated by the State Treasurer and the fees so collected shall go into the Primary Road Fund of the State.

Sec. 3. All motor fuel used in this State and containing not less than 10% (ten per cent) of alcohol made from corn, rye or barley shall be exempt from such tax.

Sec. 4. The manner and form of furnishing proof of blending motor fuel with alcohol shall be prescribed by the State Treasurer and such proof shall be furnished to the State Treasurer by the distributor of motor fuel.

Sec. 5. Any person using motor fuel within the State shall be liable for the fee herein provided for, unless the same shall have been previously paid.

Sec. 6. By proclamation of the Governor an exemption from such license fee may be granted during such times as he shall determine that such alcohol is not available from factories within the State."

And that the title be corrected to read as follows, to wit:

"A Bill for an Act to Provide an Additional License Fee Tax on Motor Fuel."

W. R. RITCHIE.

Amend Senate File No. 190 by adding thereto the following:

Section 8. That Section Six Thousand Thirty-two (6032) of the code of 1931 is further amended by substituting a comma for the period following the word installments in the last line thereof and adding the fol-

lowing: except when the assessment exceeds \$10.00, in which event the same shall be automatically waived and paid in three annual installments.

Section 9. That Section Fifty-nine Hundred Seventy-four (5974) of the code of 1931 is amended by adding thereto as subsection 7, the following: The word oil shall include any asphaltic or bituminous liquids suitable for road building purposes and the word gravel shall include gravel, crushed rock, cinders, shale or similar material suitable for road building purposes.

GEO. A. WILSON.

Amend Senate File No. 131 by striking sections 2 to 17, inclusive.

G. W. PATTERSON.

Amend Senate File No. 131 by adding thereto the following:

"Sec. 2. Any taxing district may on showing of emergency or good cause made to the budget director and on securing his approval be exempt from the provisions of this act, provided, however, such exemption shall apply only to the year for which such exemption is requested."

Further amend by renumbering the remaining sections of the bill.

EDW. J. WENNER.

Amend Senate File No. 109 by striking from Section seven (7) in lines three, four and five (3, 4, 5) the words: "or may order the testimony taken in such counties and the final hearing had at any other place in the same judicial district" and insert in lieu thereof the following: "at such times as the judge holds regular terms of court in such counties".

Further amend by striking all of section nineteen (19).

EDW. J. WENNER.

Upon motion of Senator Ritchie the Senate adjourned until 9:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 22, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. A. R. Weed, pastor of the West Star and Worthington Churches.

The President, due to two special orders set for 9:00 a. m. and 10:30 a. m., dispensed with the regular order of business and the Senate proceeded with consideration of Senate File No. 131.

THIRD READING OF BILLS

On request of Senator Bennett, unanimous consent was granted to withdraw the substitute amendment as found on page 434 of the Senate Journal.

The time having arrived for resumption of the consideration of Senate File No. 131, Senators Bennett and Beatty moved the adoption of the following filed motion:

We offer as a substitute for all pending amendments to Senate File No. 131, a substitute for Senate File No. 131, which will be found in the bill files, next to the original bill, and which, if adopted, will become the main bill and be known as "Substitute for Senate File No. 131".

The motion was adopted, and the substitution was made.

INTRODUCTION OF BILLS

Substitute for Senate File No. 131, by Senators Beatty, Bennett, Booth, Chrystal, Hicklin, Stevens of Wapello, Topping and Valentine, a bill for an act relating to taxation, and to make mandatory reductions of the total tax levies in each taxing district of the state for the years 1933 and 1934.

Read first and second times.

On request of Senator Beatty, unanimous consent was granted to suspend Rule 17 and consider the substitute.

THIRD READING OF BILLS

On motion of Senator Bennett substitute for Senate File No. 131, a bill for an act relating to taxation, and to make mandatory reductions of the total tax levies in each taxing district of the state for the years 1933 and 1934, was taken up and considered.

Senator Patterson offered the following amendment and moved its adoption :

Amend section 2 by inserting in line 4 after the word "and" the following: "/or".

Senator Shangle offered the following amendment to the substitute bill and moved its adoption :

Amend by striking section 2.

Senator Shangle withdrew his amendment.

Senator Patterson withdrew his amendment.

Senator Patterson offered the following amendment to the substitute bill and moved its adoption :

After the comma in Line 4, Section 2, insert the following: "or in case of a school corporation, upon showing of a material increase in school population or school attendance since 1931 giving rise to such necessity,".

The amendment was adopted.

Senator Hicklin offered the following amendment to the substitute bill and moved its adoption :

Amend section 2 by adding thereto the following: "The approval of the budget director shall be given only after a public hearing to the taxpayers of the taxing district involved and upon at least ten days' published notice thereof given by the director in one of the official county newspapers of the county, of the time and place of said hearing."

Senator Valentine moved the previous question on the amendment, which motion prevailed.

The amendment was adopted.

Senator Calhoun offered the following amendment to the substitute bill and moved its adoption :

Amend by striking section 4.

The amendment was adopted.

Senator Stanley offered the following amendment to the substitute bill and moved its adoption :

Amend section 1 by striking from line 1 the following words: "millage levy of"; also, amend section 1 by striking from line 4 the following words: "millage levy made" and inserting in lieu thereof the word "taxes".

Senator Harrington moved the previous question on the amendment, which motion prevailed.

Roll call was demanded.

Senator Stanley asked unanimous consent to amend his amendment by inserting after the word "taxes" the following: ", which taxes are collected by millage,".

Senator Stevens of Wapello objected.

Senator Frailey raised the point of order that the amendment to the amendment was clearly out of order as the amendment was presented, the previous question prevailed and Senator Stanley could not then propose an amendment to the amendment.

The President held the point of order well taken.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 11.

Calhoun	Hush	Nelson	Stanley
Geske	Husted	Patterson	Wenner
Hopkins	Moore	Ritchie	

Nays, 36.

Anderson	Doze	Meyer	Shangle
Beardsley	Elthon	Miller of	Stevens of
Beatty	Fisch	Buchanan	Decatur
Bennett	Frailey	Miller of Jones	Stevens of
Booth	Harrington	Mullaney	Wapello
Byers	Hicklin	Myers	Topping
Carden	Hill	Pendray	Valentine
Chrystal	Kimberly	Reese	White
Cooney	Klemme	Roelofs	Wilson
Coykendall	Knudson	Schmidt	

Absent or not voting, 3.

Aschenbrenner	Irwin	McArthur
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The amendment was lost.

Senator Wenner offered the following amendment to the substitute bill and moved its adoption:

Amend section 2 by striking from line 3 the word "and" and inserting in lieu thereof the word "or".

Senator Shangle moved the previous question, which motion prevailed.

The amendment was lost.

The bill was read for information.

Senator Beatty moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 47.

Anderson	Elthon	Knudson	Schmidt
Aschenbrenner	Fisch	Meyer	Shangle
Beardsley	Frailey	Miller of	Stanley
Beatty	Geske	Buchanan	Stevens of
Bennett	Harrington	Miller of Jones	Decatur
Booth	Hicklin	Moore	Stevens of
Byers	Hill	Mullaney	Wapello
Calhoun	Hopkins	Myers	Topping
Carden	Hush	Nelson	Valentine
Chrystal	Husted	Pendray	Wenner
Cooney	Irwin	Reese	White
Coykendall	Kimberly	Roelofs	Wilson
Doze	Klemme		

Nays, 2.

Patterson Ritchie

Absent or not voting, 1.

McArthur

The bill having received a constitutional majority was declared to have passed the Senate.

Senators Hicklin and Beatty moved to amend the title to read as follows:

"A bill for an act relating to taxation, and to make mandatory reductions of the total tax levies in the taxing districts of the state, including special charter cities, for the years 1933 and 1934, providing for exceptions thereto, providing for powers and duties of the budget director and prescribing procedure therefor."

The amendment was adopted and the title as amended agreed to.

Senator Stevens of Wapello moved that the vote by which the bill passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in the Senate amendment to House File No. 194, a bill for an act relating to use of surplus funds in drainage districts.

Also, that the House has concurred in Senate amendment to the House amendments to Senate File No. 44, relating to minimum salaries of teachers.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 225, a bill for an act legalizing extension of corporate limits of Dedham, Iowa.

LLOYD ELLIS, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator Stanley, Senate File No. 228, a bill for an act relating to real estate mortgages, by providing for the priority of liens on the rents, profits and/or income derived from said real estate as provided for in said mortgages; and relating to the renting of said real estate; and the assignment or transfer of said rents; and repealing of inconsistent Acts; and providing that it shall not affect pending litigation, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Shangle moved the previous question, which motion prevailed.

Senator Harrington moved to reconsider the vote by which the previous question was ordered.

The motion to reconsider prevailed.

Senator Harrington moved to defer action on the bill, which bill shall retain its place on the calendar. The motion prevailed.

Senator Elthon raised the point of order that it took a two-thirds majority to reconsider the vote on previous question.

Senator Frailey raised the point of order that even though it did take a two-thirds majority vote, the decision had been announced.

The President held that the point was well taken and that it took only a majority vote to reconsider the previous question.

Senator Wilson asked unanimous consent to make Senate File No. 172 a special order following the special order for tomorrow.

Senator Irwin objected.

Senator Wilson moved that Senate File No. 172, be made a special order of business immediately following the special order made for tomorrow. The motion prevailed.

On motion of Senator White the Senate recessed until 1:00 p. m. today.

AFTERNOON SESSION

The Senate met at the fall of the gavel, President N. G. Kraschel presiding.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Approving prohibition. Senator Schmidt, from residents of Johnson county. Senator Meyer, from residents of Butler county. Judiciary No. 1.

Protesting the passage of House Files Nos. 117 and 255, and favoring passage of Senate File No. 248 and House File No. 273. Senator Schmidt, from residents of Iowa and Johnson counties. Agriculture and public health.

Favoring repeal of the "Simmer Law". Senator Meyer, from citizens of Sumner. Cities and towns.

Protesting the passage of the bill to close small elementary schools. Senator Cooney, from residents of Dubuque county. Public schools.

Opposing repeal of the five day marriage license law. Senator Miller of Jones, from residents of Cedar county. Judiciary No. 1.

Favoring making the tuberculin testing law optional. Senator Hicklin, from residents of Muscatine county. Agriculture.

Opposing a tax on the so-called "chain stores" doing business in the state. Senator Harrington, from residents of Woodbury county. Manufacturing, commerce and trade.

INTRODUCTION OF BILLS

Senate File No. 325, by Senator Wenner, a bill for an act to amend section eleven thousand five hundred fifty three (11553) Code 1931, to provide for the entering of judgment notwithstanding-

ing the verdict in certain cases and to prescribe the practice in such cases upon review by the Supreme Court, and to repeal all acts and parts of act inconsistent with the provisions of this act.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 326, by Senator Wenner, a bill for an act to repeal section twelve thousand eight hundred ninety-six (12896) Code 1931, relating to accessories after the fact to the commission of public offenses, to define such offense, to fix the punishment for the commission of said offense, and to declare the procedure governing prosecutions for such offense.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 327, by committee on claims, a bill for an act to make an appropriation to Mrs. Doris E. Kast.

Read first and second times and referred to committee on appropriations.

Senate File No. 328, by Senator Schmidt, a bill for an act to amend sections thirty-two hundred ninety-d one (3290-d1) and thirty-nine hundred forty-four-d one (3944-d1), Code, 1931, relating to expenditures for fire protection at certain state institutions.

Read first and second times and referred to committee on board of control.

Senate File No. 329, by committee on conservation, a bill for an act to repeal the law as it appears in chapter eighty-five (85), Code, 1931, relating to inspection of passenger boats, and to enact a substitute therefor relating to inspection of boats, licensing of pilots and engineers, and regulating the operation of boats on inland Iowa lakes and streams.

Read first and second times and placed on the calendar.

Senate File No. 330, by Senator Cooney, a bill for an act to provide for the licensing and regulation of the manufacture and sale of beer, lager beer, ale, porter, stout and other fermented malt liquor, containing not more than three and two-tenths (3.2) per centum of alcohol by weight.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 331, by Senator Miller of Buchanan, a bill for an act to legalize the granting of a franchise by the town of Rowley, Iowa, and by the electors thereof to the Iowa Railway and Light Corporation to construct, reconstruct, maintain and operate an electric light and power plant and a system for transmission, distribution and use of electrical energy, including the right to build and operate a high potential electric transmission line to and through said town.

Read first and second times and referred to committee on cities and towns.

Senator File No. 332, by Senator Nelson, a bill for an act to amend Section forty-seven hundred fifty-five-b twenty-nine (4755-b29), Code 1931, relating to maintenance of highways through cities and towns.

Read first and second times and referred to committee on highways.

HOUSE MESSAGES CONSIDERED

House File No. 225, a bill for an act to legalize the extension of the corporate limits of the town of Dedham, Carroll County, Iowa, the election of the officers of said town, the passage, approval, signing, recording and publication of its ordinances and resolutions, the levy and assessment of taxes and special assessments on persons or property within the extended limits of said town and to legalize all acts of its officers and all corporate acts of said town of Dedham; so far as the same affect persons or property within its extended limits, including the issuance of its warrants and bonds and construction of its public improvements.

Read first and second times and referred to committee on judiciary No. 2.

BILLS SENT TO THE GOVERNOR

Senator Hush from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 22nd day of February, 1933, sent to the governor for his approval, Senate Files Nos. 200, 201, 203 and 243.

HOMER HUSH, *Chairman.*

Passed on file.

REPORTS OF COMMITTEES

Senator White submitted the following reports:

MR. PRESIDENT: Your committee on appropriations to which was referred House File No. 245, a bill for an act to amend Chapter twenty (20) Code 1931, by adding section three hundred thirty-eight-e1 (338-e1) relating to the state budget, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend section one by striking from lines eleven (11) and twelve (12) the words "uniformly and by the same percentage" and by inserting in lieu thereof the following: "as nearly uniformly as practicable".

H. C. WHITE, *Chairman.*

Ordered passed on file.

Senator Carden submitted the following reports:

MR. PRESIDENT: Your committee on conservation to which was referred Senate File No. 271, a bill for an act to amend section 1824 to permit the executive council to sell, trade or exchange state owned lands under the jurisdiction of the board of conservation and providing for the use of the proceeds and the issuance of patents therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

WILLIAM CARDEN, *Chairman.*

Ordered passed on file.

Also:

Your committee on conservation to which was referred Senate File No. 272, a bill for an act to amend section 1799 to permit the board of conservation to maintain, improve or beautify state owned meandered and navigable lakes and streams, begs leave to report it has had the same under consideration and recommends the same do pass.

WILLIAM CARDEN, *Chairman.*

Ordered passed on file.

Also:

Your committee on conservation to which was referred House File No. 279, a bill for an act to repeal Section 1826, Code, 1931, fixing level of dams or spillways at outlets of lakes and across streams, begs leave to report it has had the same under consideration and recommends the same do pass.

WILLIAM CARDEN, *Chairman.*

Ordered passed on file.

Also:

Your committee on conservation to which was referred House File No. 275, a bill for an act to amend Section seventeen hundred ninety-nine b one (1799-b1) Code, 1931, so as to permit the Board of Conservation to fix speed limits and otherwise regulate traffic on roads and drives upon state lands and parks and to regulate parking of vehicles thereon,

begs leave to report it has had the same under consideration and recommends the same do pass.

WILLIAM CARDEN, *Chairman*.

Ordered passed on file.

Also :

Your committee on conservation to which was referred House File No. 274, a bill for an act to amend sections 7775, 7776, and 7777, Code, 1931, relating to collection of permit license and inspection fees, and uses of said fees, begs leave to report it has had the same under consideration and recommends the same do pass.

WILLIAM CARDEN, *Chairman*.

Ordered passed on file.

Also :

Your committee on conservation to which was referred House File No. 278, a bill for an act to repeal Section (1824) Code, 1931, relating to use of proceeds in sale or transfer of state-owned lands, begs leave to report it has had the same under consideration and recommends the same do pass.

WILLIAM CARDEN, *Chairman*.

Ordered passed on file.

Also :

Your committee on conservation to which was referred House File No. 276, a bill for an act to amend Section seventeen hundred ninety-nine (1799) Code, 1931, to permit the Board of Conservation to maintain, improve or beautify state-owned, meandered and navigable lakes and streams, begs leave to report it has had the same under consideration and recommends the same do pass.

WILLIAM CARDEN, *Chairman*.

Ordered passed on file.

Also :

Your committee on conservation to which was referred House File No. 280, a bill for an act to amend section 4631, Code 1931, relating to the location, alteration, changing and abandonment of highways and roads so as to give the Board of Conservation additional powers relative thereto, begs leave to report it has had the same under consideration and recommends the same do pass.

WILLIAM CARDEN, *Chairman*.

Ordered passed on file.

Also :

Your committee on conservation to which was referred House File No. 277, a bill for an act authorizing the Board of Conservation to designate certain persons as peace officers, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

"Amend Section one (1) line six (6) by striking the period following the word "officers" and add the following: "while in the performance of their official duties."

WILLIAM CARDEN, *Chairman*.

Ordered passed on file.

Senator Stevens of Wapello submitted the following reports:

MR. PRESIDENT: Your committee on reduction of public expenditures to which was referred House File No. 6, a bill for an act to amend certain sections of the code 1931 relating to the local budget law, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

Your committee on reduction of public expenditures to which was referred substitute for House File No. 1, a bill for an act to amend certain sections of the Code 1931, to change the method of determining actual value, assessed value, and taxable value and the tax rates thereon on all real and personal property, except moneys and credits, so that the terms actual value, assessed value and taxable value shall hereafter be synonymous and arithmetically the same; and to adjust the tax rates and levies thereon accordingly, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. In section 47 correct the spelling of the word "permissible".
2. In Sec. 57, line 2, insert the word "four" following the word "line".
3. Amend Sec. 60 by adding as a paragraph between paragraphs 9 and 10 the following: "Further amend said sub-section by striking from line seven (7) the word "two" and substituting therefor the word "one-half"."
4. Amend Sec. 60, paragraph 28, line 2 by striking the word and figure "one (1)" and substituting therefor the word and figure "two (2)".
5. Amend Sec. 64, line 3 by pluralizing the word "word".
6. Amend Sec. 66, lines 3 and 4 by striking the words "one and one-fourth" and substituting therefor the word "one-fourth".
7. Amend Sec. 70, line 3, by singularizing the word "words".
8. Amend Sec. 71, line 2, by striking therefrom the word and figure "thirty-seven (37)" and substituting therefor the word and figure "thirty-six (36)".
9. Strike out all of sec. 75 and substitute therefor the following: "Strike paragraphs one (1) and two (2) of Section seventy-one hundred nine (7109) code 1931, and substitute therefor the following: 'All property subject to taxation shall be assessed at its actual value which shall be entered opposite each item. The terms 'actual value', 'assessed value' and 'taxable value' shall hereafter be construed as referring to 'actual value'.
"The tax rate shall be applied to the actual value, except as otherwise provided.'"
10. Amend Sec. 76 by adding as paragraph two (2) thereof the following:
"Further amend said section by striking from line five (5) the words 'one dollar' and substituting therefor the words 'four dollars'."
11. Amend by adding as Sec. 87-A the following:
"The code editor is hereby directed to correct the spelling of the words

in the singular or plural in the various sections hereby affected to agree with the contexts as hereby changed." ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

Your committee on reduction of public expenditures to which was referred House File No. 45, a bill for an act to amend section 124, Code 1931, relating to an examination of financial transactions of school districts, begs leave to report it has had the same under consideration and recommends the same do pass. ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

Your committee on reduction of public expenditures to which was referred House File No. 70, a bill for an act to amend sections 69 and 70, Code 1931, relating to publication of proposed amendments to Constitution and of public measures, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

Your committee on reduction of public expenditures to which was referred Senate File No. 81, a bill for an act to legalize the acts of the Board of Supervisors in all counties of Iowa in levying less millage tax for secondary roads, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

Your committee on reduction of public expenditures to which was referred Senate File No. 79, a bill for an act to amend Sec. 4644-c17, Code 1931, relating to levies for secondary roads, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Senator Cooney submitted the following reports:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 206, a bill for an act to repeal section twelve hundred one (1201), twelve hundred four (1204), twelve hundred eight (1208) to twelve hundred eleven (1211), inclusive, and twelve hundred thirteen (1213), and to amend sections eleven hundred ninety-seven (1197), twelve hundred two (1202), twelve hundred three (1203), twelve hundred twelve (1212), twelve hundred fourteen (1214), twelve hundred fifteen (1215), ten thousand eighty-five (10085), and ten thousand one hundred three (10103), all of the code, 1931, and all relating to the

appointment, powers, and duties of notaries public, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

MATT D. COONEY, *Chairman*.

Ordered passed on file.

Also :

Your committee on judiciary No. 2 to which was referred House File No. 53, a bill for an act to amend Chapter sixty-seven (67), code 1931, relating to expenses incurred in connection with returning defendants from jurisdictions other than that wherein a crime is committed, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking all of section one (1) following the period (.) in line three (3) and substituting in lieu thereof the following:

"No warrant shall be issued requiring any peace officer to go beyond the boundaries of the state at public expense except with the approval of a judge of the district court."

MATT D. COONEY, *Chairman*.

Ordered passed on file.

Also :

Your committee on judiciary No. 2 to which was referred Senate File No. 93, a bill for an act to amend section twelve thousand three hundred eighty-five (12385) code of 1931 relating to release by the mortgagee after satisfaction of mortgages, and the penalty therefor, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend by striking out the words after the comma in the third line of the title, and substituting the following: "and providing a penalty for failure to so do".

MATT D. COONEY, *Chairman*.

Ordered passed on file.

Also :

Your committee on judiciary No. 2 to which was referred Senate File No. 118, a bill for an act requiring the debt named in a mortgage upon real estate to be certain and specific in amount, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend section one (1) thereof by adding after the comma (,) in line three (3) the following words: "except as provided in section two (2) of this act". Also amend section one after the comma (,) following the word "interest" in the sixth (6) line, by adding "taxes, insurance and continuation of abstract".

MATT D. COONEY, *Chairman*.

Ordered passed on file.

Also :

Your committee on judiciary No. 2 to which was referred House File No. 89, a bill for an act to amend section seventy-two hundred seventy-nine (7279) and to repeal section seventy-two hundred eighty (7280) and

to enact a substitute therefor, all of the Code, 1931, pertaining to notice of expiration of right of redemption from tax sale and the manner of service thereof, begs leave to report it has had the same under consideration and returns the bill without recommendation.

MATT D. COONEY, *Chairman.*

Ordered passed on file.

Also :

Your committee on judiciary No. 2 to which was referred Senate File No. 218, a bill for an act relating to the recovery of damages in actions for injury to persons or property, contributory negligence, comparative negligence and jury trials in such cases, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

MATT D. COONEY, *Chairman.*

Ordered passed on file.

COMMUNICATION FROM THE GOVERNOR

State of Iowa, Executive Department.

MR. PRESIDENT, MR. SPEAKER, SENATORS AND REPRESENTATIVES OF THE FORTY-FIFTH GENERAL ASSEMBLY:

May I not direct your attention to certain proposed legislation upon which, in view of definite recommendations to be made by the Committee on Reduction of Governmental Expenditures on the completion of its exhaustive survey, it would seem best to defer action for the present:

Senate File No. 14, which provides for the reorganization of the auditing system of the institutions under the Board of Education and the Board of Control.

Senate File No. 16, to abolish the Finance Committee of the State Board of Education.

House File No. 85, to provide for the consolidation of the Board of Parole with the Board of Control.

House File No. 86, to abolish the office of Director of the Budget and make the Auditor of State ex-officio Director of the Budget.

Inasmuch as the above proposed legislation has to do with structural changes of State Government, it is my judgment that action upon them should be delayed pending the complete recommendation of our Committee on Reduction of Governmental Expenditures. This Committee report when placed before you, will recommend a complete reorganization of Government in Iowa and will present an exhaustive survey of the present system. It is hoped these recommendations will be accepted by the General Assembly and put into effect, and therefore, changes in just a few divisions of Government in advance of this general reorganization would merely entail disorganization and expense which would probably outweigh the temporary benefits obtained. Our joint Committee with the assistance of Governmental experts have in preparation four definite proposed bills for Acts which will be presented to this Legislature, Monday, March 18th.

The first bill will be for a Budget and Financial Control Act and will

have reference to the reorganization of the financial structure of the State Government and the establishment of an effective control over all financial operations of State Government.

The second bill will be for an Act to re-define the duties of the State Auditor and will have for its purpose the centralization of auditing of all state accounts in one office and to re-define the duties of the State Auditor's office.

The third bill will provide for centralized purchasing and contracting. This will have for its purpose, centralization of all State purchasing and contracting in one office of the State Government. An investigation of other states having this centralized purchasing office shows that savings of better than one-half million dollars per year have been made by the application of this sound, business-like principle.

The fourth bill will provide for centralized billing of motor vehicle taxes. This will centralize the billing of all motor vehicle license fees and the mechanization of the system of billing and collecting and best estimates now indicate this will result in an actual saving of over One Million Dollars in the next ten-year period.

I recommend for your consideration, in the interest of economy and obtaining the earliest possible benefits to accrue under a complete reorganization program, that the General Assembly complete the work before it at the earliest possible date so that adjournment may be taken and the savings thereby affected may be available toward the expense of a Special Session to be called the latter part of August for the consideration of legislation proposed by our Committee on Reduction of Governmental Expenditures and for the consideration of other measures.

May I not also call your attention to the fact that these recommendations which are to be available in about six months will include an exhaustive study of our present taxing methods and will outline in detail, recommendations based upon experiences in other states as applied to conditions in Iowa.

While I realize the necessity of shifting the burden of taxation, I still believe what I stated in my Inaugural Message that the most effective work before this General Assembly is a continuance of its efforts to reduce expenditures and I am in hopes that every proposal looking to this end will have preferred consideration.

Action of the United States Congress within the past few days requires that this General Assembly provide legislation authorizing the calling of a Constitutional Convention for the purpose of either ratifying or rejecting the amendment for the repeal of the Eighteenth Amendment to the Constitution of the United States. This action was pledged in the party platforms of both political parties and unquestionably the people of Iowa demand an opportunity to express themselves upon this question. I suggest that you immediately pass legislation authorizing such Constitutional Convention and the appointment of an Interim Committee which, upon being advised of the action of this Constitutional Convention, shall immediately prepare such legislation as will conform to the action of the Constitutional Convention in relation to present statutes; the purpose being that this Interim Committee present its recommendations to

the Special Session of the General Assembly to be called the latter part of August of this year.

I cannot, in view of your accomplishments to date, refrain from again commending you and congratulating your constituents for the splendid, non-partisan, energetic manner in which you are tackling the difficult problems before you. I pledge you my continued cooperation.

Respectfully submitted,

CLYDE L. HERRING, *Governor.*

The Journal of February 21st was corrected and approved.

AMENDMENT FILED

Amend House File No. 13 by striking out in Section four (4), lines one (1) and two (2) the words "academy of science"; and further amend by striking out of line four (4) of the same section the word and figure "six (6)".

GEORGE A. WILSON.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 23, 1933.

The Senate met in regular session, President pro tempore Matt D. Cooney, presiding.

Prayer was offered by Dr. Fulton, pastor of the First Presbyterian Church of Des Moines.

President N. G. Kraschel took the chair at 9:10 a. m.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Approving prohibition. Senator Reese, from residents of Marshall county. Senator Hopkins, from residents of Guthrie county. Senator Bennett, from residents of Crawford and Harrison counties. Senator Byers, from the Cedar Rapids Ministerial Association. Senator Aschenbrenner, from residents of Marion county. Senator Nelson, from residents of Boone county. Senator Hill, from residents of Chickasaw county. Senator Hicklin, from residents of Muscatine county. Judiciary No. 1.

Opposing changes in the present pension law governing firemen and policemen. Senator Cooney, from citizens of Dubuque. Reduction of public expenditures.

Opposing changes in the "Simmer Law". Senator Coykendall, from citizens of Clarinda. Cities and towns.

Opposing the passage of Senate File No. 227. Senator Meyer, from residents of Butler county. Agriculture.

Favoring passage of House File No. 163. Senator Klemme, from the City Council of Cresco. Cities and towns.

Endorsing the tax program of the interim committee. Senator Meyer, from Taxpayers' Leagues of the Third District of Iowa. Emergency legislation.

INTRODUCTION OF BILLS

Senate File No. 333, by Senator Byers, a bill for an act to repeal Sections ninety three hundred seven (9307), ninety three hundred eight (9308), ninety three hundred twenty three (9323), ninety three hundred twenty four (9324), ninety three hundred twenty five (9325), ninety three hundred twenty six (9326), ninety three hundred twenty seven (9327), and ninety three hundred fifty three (9353), of the Code of Iowa; amending Sections ninety three hundred forty (9340), ninety three hundred fifty two (9352), ninety three hundred fifty four (9354), and ninety three hundred sixty two (9362); for regulation, supervision and examination of building and loan associations and savings and loan associations; defining and limiting territory within which mortgage loans may be made; for specifying exclusive liquidation proceedings; for providing for joint ownership of shares and the withdrawal thereof; for making publication of malicious, felonious reports concerning building and loan associations and savings and loan associations a felony and for punishment for the same; to amend Section twelve thousand seven hundred seventy two (12,772), of the Code of Iowa and make the bonds issued by Federal Home Loan Banks and shares issued by building and loan and savings and loan associations, incorporated under the laws of Iowa, authorized investments for trust funds by fiduciaries.

Read first and second times and referred to committee on banks and banking.

Senate File No. 334, by Senator Miller of Buchanan, a bill for an act to amend section sixteen hundred fifty-six (1656) of the code, 1931, relating to exemptions of members of Fire Companies from poll tax, and from serving as jurors.

Read first and second times and referred to committee on cities and towns.

Senate File No. 335, by Senator Hopkins, a bill for an act to amend sections forty-four hundred forty-six (4446), forty-four hundred forty-seven (4447), code 1931; and to repeal sections forty-four hundred sixty-four (4464), forty-four hundred sixty-five (4465), and forty-four hundred sixty-seven (4467), code 1931, all relating to textbooks and to provide for the free loan, rental, or sale of textbooks to the pupils of the district.

Read first and second times and referred to committee on public schools.

Senate File No. 336, by Senator Valentine, by request, a bill for an act relating to depositories of reserves of State and Savings banks and of public funds.

Read first and second times and referred to committee on banks and banking.

Senate File No. 337, by Senator Anderson, a bill for an act to amend sections twenty-six hundred seventy-five (2675) and twenty-six hundred seventy-nine (2679), Code, 1931, relating to bovine tuberculosis and the examination and testing of herds.

Read first and second times and referred to committee on agriculture.

Senate File No. 338, by committee on military affairs, a bill for an act to amend section four hundred fifty-nine (459) of the Code of 1931, relating to Military stores property of the State.

Read first and second times and referred to committee on appropriations.

Senate File No. 339, by committee on military affairs, a bill for an act to amend Section four hundred fifty-three (453) of the Code of 1931, relating to Armory Board, tenure, duties, payment of allowances.

Read first and second times and placed on the calendar.

SENATE RESOLUTION NO. 4 CONSIDERED

Senator Booth called up for consideration the report of committee on highways as found on page 432 of the Senate Journal and moved its adoption.

The committee report was adopted.

Senator Booth moved the adoption of Senate Resolution No. 4.

The resolution was adopted.

REPORTS OF COMMITTEES

Senator Cooney submitted the following reports:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred Senate File No. 214, a bill for an act to amend section fourteen

hundred fifty-four (1454), of the code, 1931, relating to the power of the District Court to render judgment in compensation cases on appeal to such Court, begs leave to report it has had the same under consideration and recommends the same do pass. **MATT D. COONEY, *Chairman.***

Ordered passed on file.

Also :

Your committee on judiciary No. 2 to which was referred House File No. 150, a bill for an act to amend sections sixty-eight hundred sixty-five (6865), sixty-nine hundred ninety-two (6992), and seven thousand five (7005), Code, 1931, relating to taxation and to co-ordinate said sections with the United States Code, begs leave to report it has had the same under consideration and recommends the same do pass.

MATT D. COONEY, *Chairman.*

Ordered passed on file.

Senator Pendray submitted the following reports:

MR. PRESIDENT: Your committee on public schools to which was referred Senate File No. 195, a bill for an act to provide for the certification and training of teachers in the public schools, begs leave to report it has had the same under consideration and returns the bill without recommendation.

CAROLYN C. PENDRAY, *Chairman.*

Ordered passed on file.

Also :

Your committee on public schools to which was referred Senate File No. 274, a bill for an act to amend section forty-four hundred fifty-six (4456) of the Code, 1927, and provide a method of abandonment of county uniformity of school textbooks, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

CAROLYN C. PENDRAY, *Chairman.*

Ordered passed on file.

Also :

Your committee on public schools to which was referred Senate File No. 275, a bill for an act to amend sections forty-four hundred sixty-three (4463), and forty-four hundred fifty-six (4456), code 1931, relating to county uniformity of textbooks, begs leave to report it has had the same under consideration and recommends the same do pass.

CAROLYN C. PENDRAY, *Chairman.*

Ordered passed on file.

Senator Stanley submitted the following report:

MR. PRESIDENT: Your committee on military affairs to which was referred Senate File No. 229, a bill for an act to provide for registration and protection of insignia of various societies and associations; to prohibit the wearing thereof by persons not entitled to; and fixing a penalty

for the violation hereof, begs leave to report it has had the same under consideration and recommends the same do pass.

CLAUDE STANLEY, *Chairman*.

Ordered passed on file.

Senator Fisch submitted the following reports:

MR. PRESIDENT: Your committee on fish and game to which was referred Senate File No. 138, a bill for an act to amend section fifty-four hundred thirteen (5413), Code 1931, with reference to bounties on wild animals, begs leave to report it has had the same under consideration and recommends the same do pass.

MIKE G. FISCH, *Chairman*.

Ordered passed on file.

Also:

Your committee on fish and game to which was referred Senate File No. 257, a bill for an act to amend section fifty-four hundred thirteen (5413), Code 1931, relating to bounties on wild animals, begs leave to report it has had the same under consideration and recommends the same do pass.

MIKE G. FISCH, *Chairman*.

Ordered passed on file.

Senator Booth submitted the following reports:

MR. PRESIDENT: Your committee on highways to which was referred Senate File No. 212, a bill for an act to amend section forty-six hundred thirty-three (4633) of the code of 1931, relating to the building of bridges on the state roads within or adjacent to state land and to relieve the counties of these structures, begs leave to report it has had the same under consideration and recommends the same do pass.

CHAS. D. BOOTH, *Chairman*.

Ordered passed on file.

Also:

Your committee on highways to which was referred Senate File No. 225, a bill for an act to amend the law as it appears in section one thousand seven hundred ninety-nine-b one (1799-b1) of the Code, 1931, so as to permit the Board of Conservation to fix speed limits and otherwise regulate traffic on roads and drives upon state lands and parks and to regulate parking of vehicles thereon, begs leave to report it has had the same under consideration and recommends the same do pass.

CHAS. D. BOOTH, *Chairman*.

Ordered passed on file.

Also:

Your committee on highways to which was referred Senate File No. 223, a bill for an act to create a system of road, bridge and culvert work, construction and maintenance for counties and townships, to fix the rights, powers, and duties of public officers with reference to said system to authorize the levy of taxes, both general and poll, with which to carry

on said system, to repeal sections 4644-c1 to 4644-c64, inclusive, Code, 1931, and so to amend various existing sections of law as to coordinate and harmonize said sections with the systems herein created, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed. CHAS. D. BOOTH, *Chairman.*

Ordered passed on file.

On request of Senator Stanley, unanimous consent was granted to defer action on Senate File 228, such bill to retain its place on the calendar.

THIRD READING OF BILLS

The time having arrived for consideration of the special order, on motion of Senator Fisch Senate File No. 121, a bill for an act to amend section seventeen hundred three-d twelve (1703-d12) and to repeal sections seventeen hundred six (1706), seventeen hundred seven (1707), seventeen hundred fifteen (1715), seventeen hundred eighteen (1718), seventeen hundred eighteen-c1 (1718-c1), seventeen hundred nineteen (1719), seventeen hundred nineteen-a one (1719-a1), seventeen hundred twenty (1720) to seventeen hundred twenty-four (1724), inclusive, seventeen hundred twenty-four-c one (1724-c1), seventeen hundred twenty-five (1725) to seventeen hundred thirty-three (1733), inclusive, seventeen hundred thirty-three-c one (1733-c1), seventeen hundred thirty-four (1734) to seventeen hundred forty (1740), inclusive, seventeen hundred forty-seven (1747) to seventeen hundred sixty-one (1761), inclusive, seventeen hundred sixty-three (1763) to seventeen hundred sixty-six (1766), inclusive, seventeen hundred sixty-six-a one (1766-a1), seventeen hundred sixty-six-a two (1766-a2), seventeen hundred sixty-six-c one (1766-c1) to seventeen hundred sixty-six-c four (1766-c4), inclusive, seventeen hundred sixty-six-d one (1766-d1), seventeen hundred sixty-seven (1767), seventeen hundred sixty-seven-c one (1767-c1), seventeen hundred sixty-seven-c two (1767-c2), seventeen hundred sixty-seven-a one (1767-a1) to seventeen hundred sixty-seven-a four (1767-a4), inclusive, seventeen hundred sixty-eight (1768), seventeen hundred sixty-eight-c one (1768-c1), seventeen hundred sixty-nine (1769) to seventeen hundred seventy-two (1772), inclusive, seventeen hundred seventy-two-c one (1772-c1), seventeen hundred seventy-two-c two (1772-c2), seventeen hundred seventy-three (1773) to seventeen hundred seventy-six (1776), inclusive, seventeen hundred seventy-nine

(1779), and seventeen hundred eighty-three (1783), all of the Code, 1931, and to enact substitutes therefor, relating to the protection of fish, game, and fur-bearing animals, and to the powers of the state fish and game commission in relation thereto, with report of committee recommending amendment and passage, was taken up, considered and report of the committee adopted.

On request of Senator Fisch, unanimous consent was granted to substitute House File No. 238, a companion bill, for Senate File No. 121.

Senator Fisch offered the following amendment and moved its adoption:

Amend by striking all after the enacting clause and substituting in lieu thereof all of Senate File No. 121, after the enacting clause, as amended by the committee.

(Such amendments found on pages 381-384 of the Senate Journal).

The amendment was adopted.

President pro tempore Matt D. Cooney was called to the chair at 10:50 a. m.

Senator Hush offered the following amendment and moved its adoption:

Amend by inserting a comma (,) and the words "red fox" after the word "gophers" in line eight (8) of section 23.

On request of Senator Hush unanimous consent was granted to strike the words "red fox" from his amendment and insert the word "foxes".

The amendment was lost.

Senator Calhoun offered the following amendment and moved its adoption:

Amend by striking from section 23 lines 1, 2, 3, 4, 5 and 6.

Senator Irwin moved the previous question on all pending amendments and the main bill.

The motion was lost.

The amendment was lost.

Senator Knudson offered the following amendment and moved its adoption:

Amend section 23 by striking lines 13, 14 and 15 and inserting in lieu thereof the following: "No female resident of the state shall be required to have a license, nor shall a male resident of the state under 16 years of age be required to have a license to fish in the waters of the state."

On request of Senator Knudson, unanimous consent was granted to insert in his amendment the word "fishing" before the word "license" as it first appears.

The amendment as amended was adopted.

Senator Coykendall offered the following amendment and moved its adoption:

Amend by changing the period at the end of Section 1 to a semi-colon (;) and adding thereto the following: "provided, however, that the hunting season on pinnated grouse, prairie chicken, and quail shall be closed at all times."

The amendment was lost.

Senator Elthon offered the following amendment and moved its adoption:

Amend section 10 by inserting after the word "state" in line 17 the words "over the age of sixteen (16)".

The amendment was adopted.

Senator Elthon offered the following amendment and moved its adoption:

Amend section 23 by inserting after the word "license" in line 14 the words "to trap and".

Senator Elthon withdrew his amendment.

Senator Fisch offered the following amendment and moved its adoption:

Amend section 10 by striking lines 8, 9, 10 and 11 and inserting in lieu thereof the following: "Hunting and fishing license: All persons legal residents of the state except as otherwise provided.....\$1.00".

The amendment was adopted.

Senator Stanley offered the following amendment and moved its adoption:

Amend section 23 by placing a period (.) after the word "do" and striking the remainder of the sentence.

The amendment was adopted.

Senator Hicklin offered the following amendment and moved its adoption:

Amend by inserting the word "recorder" in lieu of the word "treasurer" wherever it may appear in the bill.

The amendment was adopted.

Senator Fisch moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 45.

Anderson	Fisch	Miller of	Schmidt
Aschenbrenner	Frailey	Buchanan	Shangle
Beardsley	Geske	Miller of Jones	Stanley
Bennett	Harrington	Moore	Stevens of
Booth	Hicklin	Mullaney	Decatur
Byers	Hopkins	Myers	Stevens of
Calhoun	Irwin	Nelson	Wapello
Carden	Kimberly	Patterson	Topping
Cooney	Klemme	Pendray	Valentine
Coykendall	Knudson	Reese	Wenner
Doze	McArthur	Ritchie	White
Elthon	Meyer	Roelofs	Wilson

Nays, 1.

Hush

Absent or not voting, 4.

Beatty	Chrystal	Hill	Husted
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The bill having received a constitutional majority was declared to have passed the Senate.

Senator Hicklin moved that the title be amended to read as follows:

A bill for an act to amend section seventeen hundred three-d twelve (1703-d12) and to repeal sections seventeen hundred six (1706), seventeen hundred seven (1707), seventeen hundred fifteen (1715), seventeen hundred eighteen (1718), seventeen hundred eighteen-c one (1718-c1), seventeen hundred nineteen (1719), seventeen hundred nineteen-a one (1719-a1), seventeen hundred twenty (1720) to seventeen hundred twenty-four (1724), inclusive, seventeen hundred twenty-four-c one (1724-c1), seventeen hundred twenty-five (1725) to seventeen hundred thirty-three (1733), inclusive, seventeen hundred thirty-three-c one (1733-c1), seventeen hundred thirty-four (1734) to seventeen hundred forty (1740), inclusive, seventeen hundred forty-seven (1747) to seventeen hundred sixty-one (1761), inclusive, seventeen hundred sixty-three (1763) to seventeen hundred sixty-six (1766), inclusive, seventeen hundred sixty-six-a one

(1766-a1), seventeen hundred sixty-six-a two (1766-a2), seventeen hundred sixty-six-c one (1766-c1) to seventeen hundred sixty-six-c four (1766-c4), inclusive, seventeen hundred sixty-six-d one (1766-d1), seventeen hundred sixty-seven (1767), seventeen hundred sixty-seven-c one (1767-c1), seventeen hundred sixty-seven-c two (1767-c2), seventeen hundred sixty-seven-a one (1767-a1) to seventeen hundred sixty-seven-a four (1767-a4), inclusive, seventeen hundred sixty-eight (1768), seventeen hundred sixty-eight-c one (1768-c1), seventeen hundred sixty-nine (1769) to seventeen hundred seventy-two (1772), inclusive, seventeen hundred seventy-two-c one (1772-c1), seventeen hundred seventy-two-c two (1772-c2), seventeen hundred seventy-three (1773) to seventeen hundred seventy-six (1776), inclusive, seventeen hundred seventy-nine (1779), and seventeen hundred eighty-three (1783), all of the Code, 1931, and to provide for additional powers for the State Fish and Game Commission; and to provide for the method of adoption of rules and regulations by the State Fish and Game Commission; to amend Section one thousand seven hundred and eighty-nine (1789) of the Code of 1931, so as to fix penalties for the violations of the rules of the State Fish and Game Commission; to give the State Fish and Game Commission power to regulate game management areas; to provide for the seizure of illegal devices, contrivances and materials used to violate regulations and statutes; to provide a method of procedure for hearings upon such seizures, and for the confiscation and destruction of property so seized; to prohibit the fishing, trapping, hunting and other pursuits affecting wild life, except under license; to fix and determine the amounts of the various licenses to be collected; to provide for the issuance of licenses; to give the court the right to revoke or suspend licenses; to provide exceptions to license requirements; to define guns, limit their uses, and place a limit upon shipments of fish and game.

The amendment was adopted and the title as amended agreed to.

Senator Fisch moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILES NOS. 106 AND 216 WITHDRAWN

On request of Senator Coykendall, unanimous consent was granted to withdraw from further consideration, Senate File No. 106 relating to red foxes.

On request of Senator Patterson, unanimous consent was granted to withdraw from further consideration, Senate File No. 216, relating to limitations of action.

On request of Senator Carden, unanimous consent was granted to consider Calendar No. 64, House File No. 78.

On motion of Senator Carden House File No. 78, a bill for an act to legalize the acts of the Board of Supervisors in any and all counties in the State of Iowa, in levying for 1932 a less millage tax for secondary road construction and maintenance than is provided to be levied under sections forty-six hundred forty-four-c six (4644-c6), forty-six hundred forty-four-c eleven (4644-c11), forty-six hundred forty-four-c fifteen (4644-c15), and forty-six hundred forty-four-c sixteen (4644-c16), code 1931, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Carden moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 44.

Anderson	Fisch	Meyer	Shangle
Aschenbrenner	Geske	Miller of	Stanley
Beardsley	Harrington	Buchanan	Stevens of
Beatty	Hicklin	Miller of Jones	Decatur
Bennett	Hill	Mullaney	Stevens of
Booth	Hopkins	Myers	Wapello
Calhoun	Hush	Nelson	Topping
Carden	Irwin	Patterson	Valentine
Cooney	Kimberly	Pendray	Wenner
Coykendall	Klemme	Reese	White
Doze	Knudson	Ritchie	Wilson
Elthon	McArthur	Roelofs	

Nays, none.

Absent or not voting, 6.

Byers	Frailey	Moore	Schmidt
Chrystal	Husted		

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

Senator Carden moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Carden, unanimous consent was granted to withdraw Senate File No. 81, a companion bill to the one just passed.

The time having arrived for consideration of the second special

order, on motion of Senator Roelofs Senate File No. 172, a bill for an act to provide a plan for the relief of poor and unemployed people; to provide for the adoption of a plan of payment with "Stamp-Money" by counties, and to declare the duties and liabilities of counties adopting said plan and to fix the rights and liabilities under said plan, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

On request of Senator Roelofs, unanimous consent was granted to withdraw from the committee, House File No. 199, a companion bill, and substitute it for Senate File No. 172.

On motion of Senator Wilson the Senate recessed until 1:00 p. m. today.

AFTERNOON SESSION

The Senate met at the fall of the gavel, President N. G. Kraschel presiding.

On request of Senator Patterson, unanimous consent was granted to return to introduction of bills.

INTRODUCTION OF BILLS

Senate Joint Resolution No. 10, by Senator Patterson, a joint resolution providing for the appointment of a committee to hold consultations and conferences with members of the faculty of the medical college and members of the staff of the hospital of the State University of Iowa.

Read first and second times and referred to committee on public health.

Senator White offered the following:

MR. PRESIDENT: In response to the request contained in the Governor's message that the Legislature set up proper machinery for a convention to act upon the constitutional amendment proposed by the Congress of the United States, I move you, that the chair appoint a committee of three to draft a proper bill for the consideration of the Senate.

The motion was adopted.

CONSIDERATION OF HOUSE FILE NO. 199 RESUMED

Action was deferred temporarily.

COPIES SUBSTITUTE FOR SENATE FILE NO. 131 ORDERED

On request of Senator Stevens of Wapello, unanimous consent was granted to have ordered printed 600 extra copies of Substitute for Senate File No. 131 as passed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate File No. 44.

HOMER HUSH, *Chairman Senate Committee.*

WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File No. 44.

The Journal of February 22d was corrected and approved.

AMENDMENTS FILED

Amend Senate File No. 141 by adding thereto as additional sub-sections the following:

Sec. 1-A. When a permit has been granted, actual construction work shall begin within thirty (30) days from the time such permit is granted and such work shall continue until completed without unnecessary delay, which conditions and restrictions shall be incorporated in the permit. Like terms and conditions shall apply to permits heretofore granted and shall be in full force and effect from and after the date when notice has been given by the Board of Railroad Commissioners to such permit holders. A failure to comply with such restrictions by any permit holder shall forfeit all rights theretofore obtained or incident thereto by virtue of such permit.

Sec. 1-B. Before the Board of Railroad Commissioners exercises its discretion to grant a permit the applicant shall show to the satisfaction of the board that the applicant is such person or corporation who has the right to exercise the right of eminent domain, or that the applicant has obtained the right to construct its pipe line over and across the proposed route.

H. L. IRWIN.

Amend House File No. 199, substitute for Senate File No. 172 by adding the following:

"Sec. 17. This act shall not be valid or become operative until the holder, owner, or owners of any copyright or copyrights covering the sub-

ject matter thereof, shall transfer, set-over and assign to the State of Iowa, any and all rights of such holder, owner, or owners, derived under such copyright or copyrights. The actual cost of such copyright or copyrights shall be reimbursed to the said holder, owner, or owners."

Renumber the following sections.

EDW. J. WENNER.

Amend Senate File No. 22 by striking therefrom Sections twenty-five (25) and twenty-six (26), and by re-numbering the remaining sections.

PAUL H. ANDERSON.

Amend Senate File No. 66 by striking therefrom Section six (6), and by re-numbering the remaining sections.

PAUL H. ANDERSON.

Amend Senate File No. 267 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. From and after the taking effect of this act, no judgment shall be enforced and no execution issued thereon and no force or vitality given thereto for any purpose whatever after the expiration of a period of five (5) years from the entry thereof if entered in a court of record, or after the expiration of a period of three (3) years if entered in a court not of record.

Sec. 2. After the taking effect of this act, no action or proceedings shall be brought or maintained in any court of this state for the purpose of renewing or extending a judgment or prolonging the life thereof.

Sec. 3. All acts, or parts of acts, and all provisions of the Code of Iowa, or of any section or part of a section thereof, in conflict with this act are hereby repealed."

Also to further amend Senate File No. 267 by striking the title therefrom and inserting in lieu thereof the following:

"An Act to limit the life of a judgment in a court of record to five (5) years and in a court not of record to three (3) years and to abolish all actions for the renewal or extension of judgments."

G. W. PATTERSON.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 24, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. A. R. Weed, of Winterset, pastor of the West Star and Worthington Churches.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Approving prohibition. Senator Bennett, from residents of Monona county. Senator Hill, from residents of Floyd county. Senator McArthur, from residents of Cerro Gordo county. Senator Schmidt, from residents of Johnson county. Senator Shangle, from residents of Mahaska county. Senator White, from residents of Tama county. Judiciary No. 1.

Favoring repeal of prohibition laws. Senator Cooney, from citizens of Dubuque. Judiciary No. 1.

Opposing appropriation of state and county funds for the Farm Bureau and the Extension Bureau of Iowa State College. Senator Cooney, from residents of Dubuque county. Appropriations.

Opposing the tuberculin testing law. Senator Cooney, from residents of Dubuque county. Agriculture.

Favoring the gross income tax. Senator Klemme, from citizens of Decorah. Ways and means.

Protesting the passage of the bill to close small elementary schools. Senator Cooney, from residents of Dubuque county. Senator Irwin, from residents of Clinton county. Public schools.

Opposing passage of Senate Files Nos. 19 and 141. Senator Irwin, from residents of Clinton county. Ways and means and public schools.

INTRODUCTION OF BILLS

Senate File No. 340, by Senator Hopkins, a bill for an act to amend sections ninety-four hundred four (9404) and ninety-four hundred five (9405), Code, 1931, relating to the legal rate of interest chargeable in this state.

Read first and second times and referred to committee on banks and banking.

Senate File No. 341, by Senator Fisch, a bill for an act to amend sections fifty-three hundred eighty-eight (5388) and fifty-three hundred ninety (5390), Code 1931, relating to time of appointment and time of meeting of the soldier's relief commission.

Read first and second times and referred to committee on military affairs.

Senate File No. 342, by Senator Mullaney, a bill for an act to provide that actions on certain obligations shall not be maintained unless they bear a stamp or statement by the assessor or county auditor showing that said obligations have been assessed as moneys or credits.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 343, by committee on cities and towns, a bill for an act to amend sections two thousand and three (2003), two thousand and four (2004), and two thousand and thirteen e five (2013-c5), of the Iowa Code of 1931, relating to seizure and sale of conveyances.

Read first and second times and placed on the calendar.

Senate File No. 344, by committee on insurance, a bill for an act to amend the law as it appears in section eighty-seven hundred forty-one (8741) of the Code 1931, relating to the depositing of securities with the commissioner of insurance, the exchange of securities and the amount at which the same may be held by the department of insurance.

Read first and second times and placed on the calendar.

Senate File No. 345, by Senator Beardsley, a bill for an act to amend section nine hundred thirty-nine (939), Code 1931, relating to absent voter's affidavit.

Read first and second times and referred to committee on elections.

Senate File No. 346, by Senator Nelson, by request, a bill for an act to amend Section fifty-one hundred five-a forty-one (5105-a41), code 1931, regulating the taxation of motor vehicle carriers.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 347, by committee on insurance, a bill for an act to amend the law as it appears in section eighty-seven hundred thirty-seven (8737), of the Code 1931, relating to the investment of funds of life insurance companies, and the amount of real estate and real estate securities which may be deposited with the insurance department.

Read first and second times and placed on the calendar.

Senate File No. 348, by Senator Elthon, a bill for an act requiring assigned or transferred mortgages to be reported to County Auditor within certain time limit and providing penalty.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 349, by committee on reduction of public expenditures, a bill for an act to amend section eleven hundred sixty-six (1166), code 1931, relating to nepotism.

Read first and second times and placed on the calendar.

Senate File No. 350, by Senator Anderson, a bill for an act to prohibit, on school grounds, sales of goods, wares and merchandise and other articles; and to prohibit solicitations for such sales and for donations.

Read first and second times and referred to committee on public schools.

Senate File No. 351, by Senators Calhoun and Hush, a bill for an act to equalize the direct general property tax burden and governmental expenditures on a basis of earning power of property, cost of living and cost of governmental functions and prescribing the duties of levying, assessing and collection boards, commissions and officers in connection therewith.

Read first and second times and referred to committee on departmental affairs.

Senate File No. 352, by Senator Miller of Buchanan, a bill for an act to repeal chapter two hundred fifty-two-A-one (252-A1),

chapter two hundred fifty-two-A-two (252-A2), and chapter two hundred fifty-two-C-one (252-C1) of the Code, 1931, and to provide for the supervision and regulation by the board of railroad commissioners of this State of those engaged in the transportation of persons or property by motor vehicles and of their use of the highways of this State; to define common and contract motor carriers; to provide for the levy and collection of a tax to be paid by such motor carriers for the administration and enforcement of this Act and for the maintenance and repair of the highways; the disposition of moneys collected hereunder and punishment for violation of the provisions hereof.

Read first and second times and referred to committee on motor vehicles.

WITHDRAWAL OF SENATE FILE NO. 113

On the request of Senator Wenner, unanimous consent was granted to withdraw Senate File No. 113 and the following explanation was filed:

"I ask unanimous consent of the Senate to withdraw Senate File No. 113 introduced on January 20, 1933, and on said date referred to the committee on emergency legislation.

"On January 25th this committee took action on this bill, reporting it out for consideration on the floor of the Senate with the recommendation that it do pass. The committee withheld the filing of its report and further hearings were held.

"On Monday, January 30th, and again on Tuesday, January 31st, the Senate was, for most of its working time, in executive session and in committee of the whole, working on emergency legislation proposals. Later on January 31st Senate File No. 171 was filed in the Senate and given its first and second reading. It was considered on the floor of the Senate on February 1.

"House File No. 193 came to the Senate on February 3d. House File No. 193 was amended in the Senate by substituting Senate File No. 171 for all of said House File except the number, and then followed the action of the Senate and the action of the House which resulted in the appointment of a conference committee.

"On February 3d I introduced Senate File No. 196.

"The conference committee report, which is House File No. 193 as now printed, was the result of the consideration of all the various bills mentioned.

"Inasmuch as the principles embodied in Senate File No. 113 and Senate File No. 196 were incorporated, in one form or another, in House File No. 193, it seemed to the author unnecessary that Senate File No. 113 be considered on the floor of the Senate.

"On account of the matter set forth above, I ask unanimous consent to withdraw Senate File No. 113."

REPORTS OF COMMITTEES

Senator Irwin submitted the following reports:

MR. PRESIDENT: Your committee on banks and banking to which was referred House File No. 152, a bill for an act to repeal section ninety-two hundred thirty-nine-c one (9239-c1), Code, 1931, and to enact a substitute therefor, relating to preferred claims against insolvent banks, begs leave to report it has had the same under consideration and recommends the same do pass.

H. L. IRWIN, *Chairman.*

Ordered passed on file.

Also:

Your committee on banks and banking to which was referred House File No. 134, a bill for an act to amend section seventy-four hundred twenty-d 4 (7420-d4), Code, 1931, relating to the location of depositories of public funds, begs leave to report it has had the same under consideration and recommends the same do pass.

H. L. IRWIN, *Chairman.*

Ordered passed on file.

Also:

Your committee on banks and banking to which was referred House File No. 179, a bill for an act to amend Section ninety-two hundred seventeen C-1 (9217 C-1), Code, 1931, relating to the minimum capitalization of State and savings banks and trust companies, begs leave to report it has had the same under consideration and recommends the same do pass.

H. L. IRWIN, *Chairman.*

Ordered passed on file.

Also:

Your committee on banks and banking to which was referred Senate File No. 223, a bill for an act to amend Sections ninety three hundred twenty-nine (9329), ninety three hundred forty-b 1 (9340-b1), and ninety three hundred forty-b 2 (9340-b 2), of the Code of Iowa 1931, to authorize Building and Loan or Savings and Loan Associations to become members of, purchase stock in, borrow money from a Federal Home Loan Bank, to pledge assets as security for repayment of borrowed money, and for advances from a Federal Home Loan Bank, to make deposits with such Bank and to invest in bonds and obligations of a Federal Home Loan Bank, begs leave to report it has had the same under consideration and recommends the same do pass.

H. L. IRWIN, *Chairman.*

Ordered passed on file.

Senator Wilson submitted the following reports:

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 318, a bill for an act to repeal section three hundred seventy-five (375) of the Code, 1931, and to enact a substitute which will provide for and regulate the matter of public hearings on estimates of annual tax levies for municipalities and for the publication of such

estimates in brief and understandable language, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman*.

Ordered passed on file.

Also :

Your committee on cities and towns to which was referred House File No. 170, a bill for an act to amend section sixty-four hundred fifty-six (6456), Code, 1931, relating to municipal zoning, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman*.

Ordered passed on file.

Also :

Your committee on cities and towns to which was referred Senate File No. 234, a bill for an act to amend section fifty-six hundred seventeen (5617), Code 1931, relating to the severance of territory from a city or town, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman*.

Ordered passed on file.

Also :

Your committee on cities and towns to which was referred Senate File No. 157, a bill for an act to amend sections fifty-eight hundred seventy-five (5875) and sixty-two hundred nine (6209), Code, 1931, relating to the control of the city bridge fund and the tax levy therefor in cities of the first and second class, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman*.

Ordered passed on file.

Also :

Your committee on cities and towns to which was referred Senate File No. 280, a bill for an act to amend section fifty-nine hundred three c ten (5903-c10) of the Code, 1931, relating to the power of cities and towns to lease all or any portion of real estate owned or used for airport purposes, begs leave to report it has had the same under consideration and recommends the same do pass.

GEO. A. WILSON, *Chairman*.

Ordered passed on file.

Also :

Your committee on cities and towns to which was referred Senate File No. 256, a bill for an act to authorize any city of the second class to pledge annually, certain portions of the net income of its municipally-owned electric light and power plant for the purpose of borrowing money with which to pay the cost of constructing a municipal hospital, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass :

Amend by inserting after the word "class" in line one (1) of Section One (1) thereof the words "having a population of five thousand and not more than six,".

Also by striking Section Two (2) and inserting in lieu thereof the following:

"Sec. 2. The power granted in section one (1) to issue certificates and to pledge said earnings for the payment thereof shall not be exercised unless a majority of the legal electors of the city voting thereon vote in favor of the exercise of such power. The council may, on its own motion, submit such question either at a general election or at a special election called for that purpose.

"Upon the filing with the mayor of a petition requesting the submission of such question, signed by twenty-five (25) legal electors of each voting precinct in the city, the mayor shall submit such question at the first general election following the filing of said petition, providing said general election occurs not less than forty (40) nor more than ninety (90) days after said filing. If said question cannot be submitted at a general election, as herein provided, the mayor shall submit such question at a special election which he shall forthwith call for such date as will permit the giving of the notice herein provided. Notice of said election shall be given as provided by section 6133, Code, 1931.

"Sec. 3. The question shall be submitted in substantially the following form:

"(Shall the city of, Iowa, construct a municipal hospital, and for the payment of such construction pledge, for a period not exceeding fifteen (15) years, not to exceed fifty per cent (50%) of the net earnings each year of the municipal light and power plant and issue interest-bearing certificates of indebtedness not exceeding Dollars, as evidence of said indebtedness?"

"Sec. 4. This act is deemed of immediate importance and shall be in force and effect from and after its passage and publication in the Rolfe Arrow, a newspaper published at Rolfe, Iowa, and in the Gilmore Enterprise, a newspaper published at Gilmore City, Iowa."

GEO. A. WILSON, *Chairman.*

Ordered passed on file.

Senator Harrington submitted the following report:

MR. PRESIDENT: Your committee on public utilities to which was referred Senate File No. 213, a bill for an act to impose an excise tax upon all pipe line companies, to be based upon the gross receipts of said pipe line companies on intra-state business which shall be paid into the general fund of the State of Iowa and providing for the making of reports to the State Board of Assessment and Review, and to provide for the payment, collection, distribution of said excise tax, and to provide for penalty for violation of this act, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

VINCENT F. HARRINGTON, *Chairman.*

Ordered passed on file.

Senator Knudson submitted the following reports:

MR. PRESIDENT: Your committee on insurance to which was referred House File No. 242, a bill for an act to repeal Chapter three hundred ninety-nine (399) of the 1931 code of Iowa and enact a substitute therefor relating to group life, health and accident insurance, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend House File No. 242 as follows:

1. Amend House File No. 242 by adding after line 21 of paragraph 3 of section 1 the following:

"4. Fraternal societies or associations and any subordinate lodges or branches thereof; provided, however, that the requirement for not less than fifty members shall not apply thereto."

2. By striking out the period (.) after the word "company" in line 4 of section 4 and inserting in lieu thereof a comma (,) followed by the words "and members of fraternal societies or associations, or any subordinate lodges or branches thereof."

3. By adding after the period (.) following the word "termination" in line 37 of paragraph 4 of section 5 the following: "Provided, however, that the provisions for issuing a policy to the employee upon termination of his employment shall not be required in policies issued to fraternal societies or associations or subordinate lodges or branches thereof, but such policies shall provide that in case the member changes his membership to another lodge or branch of the same society or association, his individual certificate hereinafter referred to may be transferred with his membership."

IRVING H. KNUDSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on insurance to which was referred House File No. 241, a bill for an act to amend section seven thousand twenty-five (7025) of the 1931 code of Iowa, relating to domestic insurance companies' tax on gross premiums, and providing for a definition of the words "business written within the state", as contained therein, begs leave to report it has had the same under consideration and recommends the same do pass.

IRVING H. KNUDSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on insurance to which was referred Senate File No. 124, a bill for an act to authorize the valuation of bonds and other securities held by insurance companies or associations authorized to transact business under the provisions of Chapters four hundred (400), four hundred four (404), or four hundred six (406) of the Code of Iowa, 1931, by the amortization method, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Senate File No. 124 by making the following changes:

Amend the title in line six (6) by inserting after the figures "406" the following: ", or four hundred eight (408)".

Amend Section one (1) in line three (3) by inserting the words "or association" after the word "corporation". Further amend said section by inserting in line five (5) after the figures "406" the following: ", or four hundred eight (408)".

IRVING H. KNUDSON, *Chairman.*

Ordered passed on file.

Senator Byers submitted the following reports:

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File No. 175, a bill for an act to amend the law as it appears in section 5065 of the code of Iowa, 1931, relating to the maximum weight and load of motor vehicles, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Senate File No. 175 by striking out all after the enacting clause and substituting in lieu thereof the following:

Section 1. That section fifty sixty-five (5065) of the Code of Iowa, 1931, be amended, revised and codified to read as follows:

Section 5065. (a) The total maximum load on any one wheel of any vehicle (except vehicles operated exclusively for the transportation of passengers and mail or light express by a common carrier under a certificate issued by the board of Railroad Commissioners) including the weight of the vehicle and the load it carries, shall be four tons for vehicles equipped with penumatic tires or three and one-half tons for vehicles equipped with solid rubber tires, provided the total maximum weight of any such vehicle or combination of vehicles and load shall not in any event exceed fifteen tons.

(b) The total maximum load on any one wheel of any vehicle operated exclusively for the transportation of passengers and mail or light express by a common carrier under a certificate issued by the board of Railroad Commissioners, including the weight of the vehicle and the load it carries, shall be four and one-half tons, provided the total maximum weight of any such vehicle or combination of vehicles and load shall not in any event exceed sixteen tons.

(c) Two or more wheels on the same end of a given axle shall be considered as one wheel.

Amend the title to read as follows: An act to amend, revise and codify section fifty sixty-five (5065) of the Code, 1931, relating to the maximum weight and load of motor vehicles.

FRANK C. BYERS, *Chairman.*

Ordered passed on file.

Also:

Your committee on motor vehicles to which was referred Senate File No. 139, a bill for an act to amend section 4864, Code of Iowa, 1931, requiring a non-resident who is employed thirty days or more to buy a motor vehicle license, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

FRANK C. BYERS, *Chairman.*

Ordered passed on file.

Also :

Your committee on motor vehicles to which was referred Senate File No. 241, a bill for an act to amend chapter 252-A1 of the code, 1931, relating to regulation of motor vehicles, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *Chairman.*

Ordered passed on file.

Also :

Your committee on motor vehicles to which was referred Senate File No. 123, a bill for an act to amend sections 4875, 4900, 4901, 4905, 4924, 4929, 4931, 4933, 4936, relating to the collection of motor vehicle license fees, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *Chairman.*

Ordered passed on file.

Also :

Your committee on motor vehicles to which was referred Senate File No. 89, a bill for an act to authorize the owner of a motor vehicle to store the same, and to authorize said owner subsequently to register said vehicle for a fractional part of the year, without penalty, and in accordance with the provisions of section 4905, etc., begs leave to report it has had the same under consideration and returns the bill without recommendation, amended as follows:

Amend by striking out all of section one (1) and substituting in lieu thereof the following, to-wit:

"Section 1. Storing vehicle—fractional registration. The owner of a motor vehicle who, prior to January fifteenth of any year, withdraws said vehicle from all use upon the public highways, and stores the same in the county of his residence, and surrenders all license plates for said vehicle to the county treasurer of the county in which such plates are of record, and files with said treasurer his duplicate personal affidavits showing a description of said vehicle, the license number thereof, and the fact of said storage, and particular place thereof, shall have the legal right, on the first day of April, July or October of said year, to register said vehicle for the remaining quarters or quarter of said year, without penalty, and in such case the fees shall be three-fourths ($\frac{3}{4}$) or one-half ($\frac{1}{2}$) or one-fourth ($\frac{1}{4}$) of the yearly fee, as the case may be, anything in chapter two hundred fifty-one (251), Code, 1931, to the contrary notwithstanding."

FRANK C. BYERS, *Chairman.*

Ordered passed on file.

Also :

Your committee on motor vehicles to which was referred Senate File No. 85, a bill for an act to amend section 4910 code of Iowa 1931 relating to motor vehicle fees, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

FRANK C. BYERS, *Chairman.*

Ordered passed on file.

Also :

Your committee on motor vehicles to which was referred Senate File No. 221, a bill for an act to amend section 5021, Code, 1931, relating to vehicles turning to the right when overtaken and to regulate the passing of vehicles upon or near the crest of grades or hills and upon curves and turns in the highway, and requiring the State Highway Commission to designate dangerous places by suitable signs or markings, and to provide penalties for violations of this act, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *Chairman*.

Ordered passed on file.

Senator Stevens of Wapello submitted the following reports :

MR. PRESIDENT: Your committee on reduction of public expenditures to which was referred House File No. 63, a bill for an act to amend section 11, 328 code 1931 relating to witness fees for peace officers, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also :

Your committee on reduction of public expenditures to which was referred Senate File No. 78, a bill for an act to amend sections 7214, 7215, and 7272, and to repeal section 7273, Code 1931, relating to penalties on unpaid taxes, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also :

Your committee on reduction of public expenditures to which was referred House File No. 69, a bill for an act to amend section 7272, Code 1931, reducing the amount of penalty in redemption of property from tax sale, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also :

Your committee on reduction of public expenditures to which was referred House File No. 58, a bill for an act to amend chapter 56, code 1931, relating to removal from office, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. Amend Section 1 by inserting in line six (6) after the word "bond", the following: "in such amount and".

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also :

Your committee on reduction of public expenditures to which was re-

ferred House File No. 65, a bill for an act to amend section 10,840 code 1931 with reference to the payment of unclaimed fees, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. Amend title to said act by striking therefrom the words, "with reference to payment of unclaimed fees", and substituting in lieu thereof, "relating to the payment of fees and fixing the time in which demand may be made for same." .

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

Your committee on reduction of public expenditures to which was referred House File No. 72, a bill for an act to amend sections 2023, etc., code 1931 relating to attorney fees in injunction and nuisance cases, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

Your committee on reduction of public expenditures to which was referred House File No. 3, a bill for an act to amend section 6959, etc. code 1931, relating to listing and valuing of real estate every four (4) years, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. Amend the title by changing the period "." after the word "years" in line four (4) thereof, to a comma "," and adding thereto the following: "and to provide for a revaluing and reassessing in the interim."

2. Amend Section 1 by striking out the period after the word "thereafter" in line four (4).

3. Amend Sec. 2 of said bill by changing the period "." following the figures "1931", in line twelve (12) to a comma "," and adding immediately following the comma "," the following: "provided however, that if the assessment of all property in any taxing district is raised the Board may instruct the Clerk to give immediate notice by one publication in one of the official newspapers of said county, and such published notice shall take the place of the mailed notice provided for in section 7131, code 1931, but all other provisions of said section shall apply."

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Also:

Your committee on reduction of public expenditures to which was referred House File No. 2, a bill for an act to amend section 7115, etc., code 1931 relating to combining assessment books and tax list, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman.*

Ordered passed on file.

Senator Ritchie submitted the following reports:

MR. PRESIDENT: Your committee on agriculture to which was referred Senate File No. 222, a bill for an act to amend sections fifty-four hundred thirty-five (5435) and fifty-four hundred forty (5440), Code, 1931, relating to license fees on dogs, begs leave to report it has had the same under consideration and recommends the same do pass.

W. R. RITCHIE, *Chairman*.

Ordered passed on file.

Also:

Your committee on agriculture to which was referred Senate File No. 252, a bill for an act to prohibit the fraudulent advertising or selling of seed corn represented to be hybrid unless it represents the first generation of a cross between strains of different parentage and involving inbred lines of corn of their combination and prescribing a penalty therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

W. R. RITCHIE, *Chairman*.

Ordered passed on file.

Also:

Your committee on agriculture to which was referred Senate File No. 194, a bill for an act to provide for the reduction of grain crop acreage and for the eradication of noxious weeds, by fixing the taxable valuation of land removed from crop production for these purposes, begs leave to report it has had the same under consideration and recommends the same do pass.

W. R. RITCHIE, *Chairman*.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled House Files Nos. 194 and 145.

HOMER HUSH, *Chairman Senate Committee*.

WM. KOCH, *Chairman House Committee*.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 194 and 145.

PROOF OF PUBLICATION

I hereby certify that there has been filed with me, as Secretary of the Senate, proofs of publication from the Van Buren Record, Bonaparte,

Iowa, and the Keosauqua Republican, Keosauqua, Iowa, relating to Senate File No. 75, a bill for an act to legalize and validate Twelve Thousand Five Hundred Dollars (\$12,500) drainage bonds of Fox River drainage district No. 1 of Van Buren County, Iowa.

BYRON G. ALLEN, *Secretary of the Senate.*

Senator Patterson asked unanimous consent to withdraw Senate Files Nos. 213 and 319.

Senator Wilson objected.

Senator Patterson moved that Senate Files Nos. 213 and 319 relating to pipe lines, be withdrawn, awaiting action on similar bill in the House.

Senator Wilson asked for a division of the question.

Senator Patterson withdrew his motion.

LANGFITT MEMORIAL RESOLUTION

Senator Husted asked unanimous consent to consider the following resolution and moved its adoption:

Whereas, The Honorable John N. Langfitt, who was a member of the House in the Thirty-seventh, and Thirty-eighth General Assemblies, and of the Senate in the Forty-first, Forty-second, Forty-second Extra, Forty-third, and Forty-fourth General Assemblies, from the Sixteenth District composed of Adair and Madison Counties, died at his home in Greenfield, Iowa, on the fifth day of August, 1932, therefore,

Be It Resolved by the Senate of the Forty-fifth General Assembly, That a committee of three be appointed to draft suitable resolutions commemorating his life, character and service to the State.

The resolution was adopted and the President appointed as such committee Senators Husted, Booth and Hopkins.

REASONS FOR OPPOSING THE PASSAGE OF SENATE FILE NO. 131

The assessed value of property in Iowa was reduced 4.61% in 1931. The State Board of Assessment and Review has ordered a still further reduction of 20%, making a total of 24.61% since 1930.

The property tax exclusive of moneys and credits collected in—

1930 was 107,748,877.19

1932 was 97,015,487.80

The reduction, in other words, was 10,733,389.31 or 9.96%.

Evidently 4.61% of this reduction resulted from reduced assessed valuations—leaving about 5.34% apparently resulting from decreased levies.

Senate File No. 131 seeks to arbitrarily order a reduction for 1933 and

1934 from the 1930 levies, or approximately 19.66% reduction from the 1932 levies.

A 24.61% reduction in assessed values plus a reduction of 19.66% in levies makes a reduction of 44.27% reduction in property taxes.

Now, the State Board of Assessment and Review in ordering a 20% reduction in assessed values, realizing that this arbitrary cut would likely create a serious problem in certain cases, pointed out in a statement:

"The Board realizes the fact that this new policy when carried into effect will result in some serious complications in the finances of the various tax raising bodies throughout the State, it is the judgment of the Board, however, that it cannot be avoided without a refusal on the part of the Board to recognize the fact that there has been a very great loss in values generally within the past two years. It points out that the legislature will be in session this winter, and they will be able to enact such measures as to meet local situations which may arise, and the Board is not unmindful also that the reductions as suggested will, in many instances, complicate the finances of the many governmental bodies, but it feels that this question must be squarely faced, and that the responsibility for correcting these difficulties of these financing bodies must be gotten through other sources than by attempting to maintain false and fictitious valuations for taxation purposes."

The Senate of Iowa in passing Senate File No. 131 not only have totally disregarded this plain warning from the State Board of Assessment and Review but has added another arbitrary cut order of 19.66%.

The amendment I offered to this bill (and which was adopted) sought to allow an avenue of escape from an impossible straight jacket. (The amendment provided that in case of school corporations having a material increase in school population or tuition pupils might be exempted from its provisions).

This amendment was weighted down with a subsequent amendment making costly publication and public hearings expense mandatory.

This latter amendment served to destructively shackle the former amendment I offered.

A flat reduction of 44.27% in revenues for 1933 and 1934 with no regard to the needs of the taxing district or the value and worth of the public service is a form of tax reduction that is blind and unreasonable.

Tax reduction should be reasonable and sound. A blind excess of it as a means of avoiding and deferring a readjustment of our tax load to the end that the big tax evaders should be made to carry their share—is a policy that I cannot subscribe to.

G. W. PATTERSON.

BILLS SENT TO THE GOVERNOR

Senator Hush from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports

they have on this 24th day of February, 1933, sent to the Governor for his approval Senate File No. 44. HOMER HUSH, *Chairman*.

Passed on file.

CONSIDERATION OF HOUSE FILE NO. 199 RESUMED

Action on House File No. 199 having been temporarily deferred, consideration was resumed.

Senator Wenner offered the following amendment and moved its adoption:

Amend by adding the following section:

"Sec. 17. This act shall not be valid or become operative until the holder, owner, or owners of any copyright or copyrights covering the subject matter thereof, shall transfer, set-over and assign to the State of Iowa, any and all rights of such holder, owner, or owners, derived under such copyright or copyrights. The actual cost of such copyright or copyrights shall be reimbursed to the said holder, owner, or owners."

Renumber the following sections.

Senator Wenner offered the following amendment to the amendment and moved its adoption:

Amend by inserting after the word "copyrights" in the last line the following: "insofar as it affects the use by the citizens, groups of citizens, or the state or any subdivision thereof".

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Wilson offered the following amendment and moved its adoption:

Amend section 1 by striking from line 5 the word "shall" and inserting in lieu thereof the word "may".

The amendment was adopted.

Senator Roelofs moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 40.

Aschenbrenner	Bennett	Carden	Coykendall
Beardsley	Byers	Chrystal	Doze
Beatty	Calhoun	Cooney	Elthon

Fisch	Kimberly	Moore	Shangle
Geske	Klemme	Mullaney	Stanley
Harrington	Knudson	Pendray	Stevens of
Hill	McArthur	Reese	Decatur
Hopkins	Meyer	Ritchie	Valentine
Hush	Miller of	Roelofs	White
Husted	Buchanan	Schmidt	Wilson
Irwin	Miller of Jones		

Nays, 2.

Booth Myers

Absent or not voting, 8.

Anderson	Hicklin	Patterson	Topping
Frailey	Nelson	Stevens of	Wenner
		Wapello	

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

Senator Roelofs moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Roelofs, House File No. 199 was ordered messaged to the House immediately.

SENATE FILES PLACED ON THE CALENDAR

Senate Files Nos. 92, 173, 205, 174, 99 and 101 were withdrawn from their respective committees under Rule 35.

On request of Senator Stanley, unanimous consent was granted to defer action on Calendar No. 1, Senate File No. 228, such bill to retain its place on the calendar.

On request of Senator Carden, unanimous consent was granted to defer action on Calendar No. 20, Senate File No. 208, such bill to retain its place on the calendar.

On request of Senator Fisch, unanimous consent was granted to message to the House immediately, House File No. 238 as passed yesterday.

On request of Senator Booth, unanimous consent was granted

to message to the House immediately House File No. 78 as passed yesterday.

THIRD READING OF BILLS

On motion of Senator Moore Senate File No. 154, a bill for an act to repeal section five hundred twenty-two (522) and sections fifty-one hundred eleven (5111) to fifty-one hundred fourteen (5114), inclusive, Code, 1931, and to enact substitutes therefor, relating to the districting of counties for the election of members of the board of supervisors, was taken up, and considered, the report of the committee having been previously adopted (Page 351 of the Senate Journal).

Senator Moore offered the following amendments and moved their adoption:

Strike all of section two (2) after the period following the word "district" in line eight (8) thereof.

The amendment was adopted.

Strike from line one (1) of section three (3) the words and figures "After January 1, 1934," and insert in lieu thereof "After the expiration of the terms for which members have been, at the time of the taking effect of this act, duly elected,".

The amendment was adopted.

Insert after the word "board" in line four (4) of section three (3) the following " , either for a regular term or to fill a vacancy,".

Also strike all of lines ten (10), eleven (11), twelve (12) and thirteen (13) of section three (3) and insert in lieu thereof the following:

"Each member of the board shall be nominated by the qualified electors of the district of which he is a resident. Members shall be elected by the qualified electors of the county at large, and the candidate from each district receiving the highest number of votes of the candidates residing in such district shall be declared elected."

Senator Myers moved to strike the enacting clause.

The motion prevailed.

On motion of Senator Wenner Senate File No. 109, a bill for an act to create a Court of Claims, to prescribe its jurisdiction, and to provide a method for the selection of Judges thereof, and to prescribe the procedure in said Court, was taken up, and considered, the report of the committee having been previously adopted (Page 111 of the Senate Journal).

On request of Senator Wenner, unanimous consent was granted to withdraw his amendments as found on page 112 of the Senate Journal.

Senator Wenner offered the following amendments and moved their adoption:

Amend by striking from Section seven (7) in lines three, four and five (3, 4, 5) the words: "or may order the testimony taken in such counties and the final hearing had at any other place in the same judicial district" and insert in lieu thereof the following: "at such times as the judge holds regular terms of court in such counties".

The amendment was adopted.

Further amend by striking all of section nineteen (19).

The amendment was adopted.

Senator Wenner moved that the bill as amended be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 12.

Carden	Elthon	Hush	Topping
Beatty	Harrington	Irwin	Wenner
Cooney	Hicklin	Stanley	Wilson

Nays, 32.

Aschenbrenner	Geske	Miller of	Reese
Beardsley	Hill	Buchanan	Ritchie
Bennett	Hopkins	Miller of Jones	Roelofs
Booth	Husted	Moore	Shangle
Eyers	Kimberly	Mullaney	Stevens of
Calhoun	Klemme	Myers	Wapello
Coykendall	Knudson	Patterson	Valentine
Doze	McArthur	Pendray	White
Fisch	Meyer		

Absent or not voting, 6.

Anderson	Frailey	Schmidt	Stevens of
Chrystal	Nelson		Decatur

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On request of Senator Patterson, unanimous consent was granted to withdraw Senate Joint Resolution No. 10 from the committee and consider it at this time.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate amendments to House File No. 129, a bill for an act relating to notice to post office of quarantined family.

Also, that the House has concurred in Senate amendments to House File No. 199, a bill for an act relating to plan of payment with "Stamp-Money".

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 290, a bill for an act relating to reduce state statutory salaries.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 357, a bill for an act relating to farm aid associations.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 90, a bill for an act relating to delinquent taxes and interest on such.

Also, that the House has passed House Joint Resolution No. 7 in which the concurrence of the Senate is asked, providing for appointment of committee to confer with faculty of medical college at Iowa City relative to admission for care.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 146, a bill for an act relating to license fee on motor vehicle fuel.

LLOYD ELLIS, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator Patterson, Senate Joint Resolution No. 10, a joint resolution providing for the appointment of a committee to hold consultations and conferences with members of the faculty of the medical college and members of the staff of the hospital of the State University of Iowa, was taken up, and considered.

On request of Senator Patterson unanimous consent was granted to substitute House Joint Resolution No. 7 as just messaged over, for this resolution.

On request of Senator Patterson, unanimous consent was granted to suspend Rule 17 and have the resolution read second and third times on the same day.

HOUSE MESSAGE CONSIDERED

House Joint Resolution No. 7, a joint resolution providing for the appointment of a committee to hold consultations and conferences with members of the faculty of the medical college and members of the staff of the hospital of the State University of Iowa.

Read first and second times.

Senator White raised the point of order that Senator Hill was not speaking on the resolution.

The President held the point of order well taken.

Senator Kimberly moved the previous question on the resolution, which motion prevailed.

The joint resolution was read for information.

Senator Patterson moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the joint resolution pass?" the vote was:

Ayes, 36.

Anderson	Fisch	Klemme	Schmidt
Beardsley	Geske	Knudson	Stanley
Beatty	Harrington	McArthur	Stevens of
Bennett	Hicklin	Meyer	Wapello
Byers	Hill	Mullaney	Topping
Calhoun	Hopkins	Patterson	Valentine
Chrystal	Husted	Reese	Wenner
Cooney	Irwin	Ritchie	White
Doze	Kimberly	Roelofs	Wilson
Elthon			

Nays, 10.

Aschenbrenner	Hush	Miller of Jones	Shangle
Booth	Miller of	Moore	Stevens of
Carden	Buchanan	Myers	Decatur

Absent or not voting, 4.

Coykendall	Frailey	Nelson	Pendray
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The joint resolution having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Patterson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Patterson, unanimous consent was granted to have House Joint Resolution No. 7 messaged to the House for immediate consideration.

On request of Senator Patterson, unanimous consent was granted to withdraw Senate Joint Resolution No. 10, a companion bill to the one just passed.

HOUSE MESSAGES CONSIDERED

House File No. 290, a bill for an act to amend sections eighty-eight-c one (88-c1), one hundred thirty-c one (130-c1), one hundred forty-seven-c one (147-c1), one hundred fifty-three-c one (153-c1), seventeen hundred three-d twenty-two (1703-d22), twenty-six hundred three-c one (2603-c1), twenty-eight hundred eighty-two (2882), twenty-nine hundred forty-seven (2947), twenty-nine hundred fifty-two (2952), thirty-three hundred seventy-three (3373), thirty-three hundred eighty-eight (3388), thirty-four hundred three (3403), thirty-four hundred sixty-six (3466), thirty-four hundred eighty-six (3486), thirty-six hundred sixty-one-a five (3661-a5), thirty-six hundred eighty-seven (3687), thirty-seven hundred seven (3707), thirty-seven hundred twenty-four (3724), thirty-seven hundred forty-one (3741), thirty-seven hundred forty-two (3742), forty-six hundred twenty-five (4625), forty-six hundred thirty-c one (4630-c1), sixty-nine hundred forty-three-c eighteen (6943-c18), ninety-one hundred thirty-seven (9137), ten thousand eight hundred four (10,804), and twelve thousand eight hundred sixteen-a one (12,816-a1), code 1931, to reduce state statutory salaries paid by the state.

Read first and second times and referred to committee on emergency legislation.

House File No. 357, a bill for an act to amend sections twenty-nine hundred thirty (2930), Code, 1931, relating to farm aid associations.

Read first and second times and referred to committee on agriculture.

SUBSTITUTE FOR SENATE FILE NO. 131 ORDERED PRINTED

On request of Senator Stevens of Wapello unanimous consent was granted to have printed 4200 extra copies of the substitute for Senate File No. 131, as passed by the Senate.

On motion of Senator Cooney, the Senate went into executive session.

The Senate arose from executive session and resumed regular session.

On motion of Senator Knudson the Senate recessed until the fall of the gavel.

AFTERNOON SESSION

The Senate met at the fall of the gavel, President pro tempore Matt D. Cooney presiding.

On request of Senator Valentine, unanimous consent was granted to instruct the secretary of the Senate to send each Senator the Senate Journal for February 24, 1933, the latest issue of the Index, a copy of each Senate and House bill introduced on the last legislative day before the recess, and a copy of the new calendar.

On request of Senator Reese, unanimous consent was granted to instruct the Secretary of the Senate to send each senator 25 copies of the substitute for Senate File No. 131.

INTRODUCTION OF BILLS

Senate File No. 353, by Senator Anderson, a bill for an act to amend sections five thousand twenty-six (5026) and five thousand twenty-six-b1 (5026-b1) of the Chapter two hundred fifty-one (251) of the Code of Iowa, 1931.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 354, by Senator Irwin, a bill for an act (1) to authorize the Superintendent of Banking as Receiver of closed banks under his jurisdiction to borrow from the Reconstruction Finance Corporation or other party and to pledge, hypothecate and/or sell the assets for the purpose of furnishing more immediate relief to depositors and creditors of any such bank; (2) For a period ending January 1st, 1938 (a) To increase the amount of Anticipatory Warrants that may be issued under the State Sinking Fund; (b) To lower interest rate of said Anticipatory Warrants; (c) To lower the denominations of said warrants; (d) To lower the interest payable on all warrants public bodies or the State may issue and to provide for their reissue if necessary to meet current expenses; (3) To provide for "Service Charges"; (4) Provision as emergency legislation; (5) Act deemed separable; (6) Publication clause.

Read first and second times and referred to committee on banks and banking.

Senate File No. 355, by Senator Hopkins, a bill for an act to repeal section fifty-one hundred seventy-nine (5179) of the code,

1931, and to enact a substitute therefor, relating to qualifications of county attorneys.

Read first and second times and referred to committee on judiciary No. 1.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files Nos. 90 and 146, and House Files Nos. 199, 129, 78, and House Joint Resolution No. 7.

HOMER HUSH, *Chairman Senate Committee.*
WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 90 and 146, and House Files Nos. 199, 129, 78, and House Joint Resolution No. 7.

BILLS SENT TO THE GOVERNOR

Senator Hush from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 24th day of February, 1933, sent to the Governor for his approval, Senate Files Nos. 90 and 146. HOMER HUSH, *Chairman.*

Passed on file.

The Journal of February 23d was corrected and approved.

AMENDMENTS FILED

Amend Senate File No. 283 by inserting after the word "corporation" in line four (4), Section 1 the following:

"consisting in part of a city having a population of five thousand (5000) or more,".

Further amend said section by inserting after the word "corporation" in line five (5) the following:

"the County Superintendent of schools shall, upon written request of".

ROY E. STEVENS.

Amend Senate File No. 205 by striking out all after the enacting clause, and by substituting the following:

Section 1. Moneys and credits—information required. The assessor shall at the time of assessing a person, firm, or corporation enter on

blanks, separate from the assessment rolls and furnished by the state board of assessment and review, the following information:

1. All indebtedness in the form of promissory obligations owing by said person, firm or corporation on January first of the year in which the assessment is made, giving the amount of each such obligation, and the post office address of each maker and payee of each obligation.

2. All stocks, bonds and securities held, owned or possessed by said person, firm or corporation and claimed to be exempt from taxation, the amount of each, the name of the state, municipality, corporation or party executing and issuing the same, with the rate of interest payable thereon.

Sec. 2. Duty to furnish. Said information shall, on demand of the assessor, be furnished by the person assessed, by any member of the firm assessed, and by any principal officer of the corporation assessed.

Sec. 3. Penalty. Failure on the part of the assessor to demand such information from a person, firm or corporation assessed shall constitute a misdemeanor. Any person or officer obligated to furnish said information who wilfully refuses so to do shall be guilty of a misdemeanor.

Sec. 4. The information entered on said blanks shall, both by the assessor and the auditor, be kept separate and distinct from the assessment rolls, and said information shall not be subject to inspection except by the assessor who obtained the information, by the county auditor or by his deputy, and by the members of the board of supervisors, and by said officers only when such inspection is necessary to enable said officers to discharge their statutory duties relative to taxation, and except on an order of the district court or of a judge thereof in a proceeding wherein the said court or judge deems said information, or a particular part thereof, material to the issues being tried. No public officer or employee in any public office shall, except within the scope of the above exceptions, ever reveal said information or any part thereof.

Sec. 5. Assessment in county. The county auditor, in making up the tax books for said year, shall compare the aforesaid information with the assessments of moneys and credits as returned to his office, and if it appears therefrom that any moneys and credits legally assessable in his county have not been assessed, he shall, as otherwise provided by law, proceed to assess the same as omitted property.

Sec. 6. Assessment in foreign county. Should it appear, from said information, that moneys and credits are apparently assessable in some county other than the auditor's county, the said auditor shall forthwith furnish to the auditor of such other county all information in his possession relative thereto and said latter auditor shall likewise proceed to assess said moneys and credits in his county as omitted property provided said property is legally assessable therein and has not been so assessed.

ORA E. HUSTED.

On motion of Senator Stanley, and in accordance with the concurrent resolution duly adopted, the Senate adjourned until Monday, March 6th, at 2:00 p. m.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 6, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. C. E. Lookingbill, of Nevada, member of the House of Representatives.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Beatty for the day, on request of Senator Stevens of Wapello; Senator Myers indefinitely on account of illness, on request of Senator Harrington.

INTRODUCTION OF BILLS

Senate File No. 356, by Senator Reese, a bill for an act to amend Section eleven thousand seven hundred sixty (11760) Code of Iowa, 1931, providing for the addition of radio receiving set and automobile or truck to general exemptions.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 357, by Senator Reese, a bill for an act to legalize the Renewal, Amended and Substituted Articles of Incorporation of the Marshall County Farmers Mutual Fire Insurance Association, of Marshalltown, Iowa, a corporation organized under the provisions of Chapter three hundred ninety-four (394), Title nineteen (XIX), of the Code of Iowa, and operating as a county mutual insurance association under the provisions of Chapter four hundred six (406), Title twenty (XX), of the Code of Iowa.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 358, by Senator Reese, a bill for an act to provide for the employment of citizens of the United States and residents of the state of Iowa in all state institutions supported by general tax.

Read first and second times and referred to committee on departmental affairs.

Senate File No. 359, by Senator Schmidt, a bill for an act creating a motorized State Highway patrol for Iowa; providing for the appointment and service of State Highway Patrol Commissioners; audit committee; commission secretary; executive officer; captains; lieutenants; sergeants; quartermaster sergeant; sergeant mechanic; patrolmen first class and patrolmen; defining their authority and powers, duties, uniform, equipment and rate of compensation; specifying motor patrol equipment; designating State Highway Patrol headquarters, patrol sub-stations and providing for the acquisition of land and the erection of buildings thereon; providing for the selection of patrol districts, and a highway traffic survey; providing for tests, examinations, schools of instruction, training, rules, regulations and promotion routine for said State Highway Patrol officers, under-officers, and members; providing for employment and dismissal; transferring certain duties, work, power and authority now vested in the Iowa Board of Railroad Commissioners to said State Highway Patrol; transferring certain duties, work, power and authority now vested in the Secretary of State, motor vehicle department, to said State Highway Patrol; transferring certain duties, work, power and authority now vested in the Treasurer of State for Iowa to said State Highway Patrol; providing that the State Highway Patrol shall have power and authority to collect monies due the State of Iowa; providing that the State Highway Patrol shall have power and authority to license, supervise and regulate automobiles, trucks, truck tractors, trailers, semitrailers, motor cycles and any or all other vehicles and traffic on the highways of the State; providing for the supervision, license and regulation of roadside tourist camps, cabins or camp grounds contiguous to roads of the Primary and Secondary road systems of Iowa; providing for the acquisition of property, equipment, supplies, materials, furnishings and furniture including equipment for radio communication; providing for the financing, maintenance and sustenance of said State Highway Patrol; providing for initial expenditures from available fund; and repealing such acts and parts of acts which may be in conflict with the purposes of this act.

Read first and second times and referred to committee on highways.

Senate File No. 360, by Senator Knudson, a bill for an act to amend section seventy-one hundred eighty-eight (7188), Code of 1931, relating to the collection of taxes.

Read first and second times and referred to committee on ways and means.

Senate File No. 361, by Senator Knudson, a bill for an act regulating the sale of school textbooks in the public schools of the State of Iowa.

Read first and second times and referred to committee on public schools.

Senate File No. 362, by Senator Reese, a bill for an act relating to taxation, and providing for the payment of taxes in quarterly installments, and to amend section seventy-two hundred ten (7210) of the code, 1931, and repeal sections seventy-two hundred eleven (7211) and seventy-two hundred fourteen (7214) of the code, 1931, and to enact substitutes therefor.

Read first and second times and referred to committee on ways and means.

Senate File No. 363, by Senators Knudson and Elthon, a bill for an act to amend section forty-seven hundred fifty-five-b twenty-six (4755-b26) of the code, 1931, relating to the improvement of extension of primary roads in cities and towns.

Read first and second times and referred to committee on highways.

Senate File No. 364, by Senator Nelson, a bill for an act to amend the provisions of Chapter seventy-six (76), code 1931, relating to child labor.

Read first and second times and referred to committee on labor.

Senate File No. 365, by Senator Klemme, a bill for an act to make an appropriation of two hundred eighty-nine dollars and ninety cents (289.90) to Lester Winger of Decorah, Iowa, to indemnify him for expense and damage suffered by him when, on November 24, 1932, an automobile driven by him hit a roll of snow fencing negligently left on the shoulder of Primary Highway No. 55 near Decorah, Iowa.

Read first and second times and referred to committee on claims.

Senate File No. 366, by Senators Hicklin and Topping, a bill for an act to give to the governing boards of Drainage Districts authority to determine and maintain water level within Drainage District, and to provide for the payment of damages for raising or lowering of such water level.

Read first and second times and referred to committee on drainage.

Senate File No. 367, by Senators Hicklin and Topping, a bill for an act authorizing the governing board of any Drainage or Levee District which holds Certificates of Purchase at tax sale of lands within Drainage or Levee Districts, to make application on behalf of the District for the appointment of a Receiver for such land; to provide for the appointment of such Receiver; to prescribe a procedure therefor, and distribution of the proceeds.

Read first and second times and referred to committee on drainage.

Senate File No. 368, by Senator Hicklin, a bill for an act to authorize the Burlington, Muscatine & Northwestern Railway Company, an Iowa Corporation, to construct, operate and maintain a railroad bridge across the Iowa River at or near the Village of Toolesboro, in Louisa County, Iowa.

Read first and second times and referred to committee on aircraft transportation and railroads.

Senate File No. 369, by Senator Hicklin, a bill for an act to provide that when any Bank incorporated under the laws of this State shall take over any State or National Bank, the purchasing Bank shall succeed to the rights of the Bank taken over, to act as Executor, Administrator, Guardian, Trustee or any fiduciary capacity.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 370, by Senator Wilson, a bill for an act relating to private detectives, detective agencies, and other investigation and protective services.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 371, by Senator Wilson, a bill for an act to authorize the board of waterworks trustees of the city of Des

Moines, Iowa, to furnish exhaust steam for heating the clubhouse of the Des Moines Chapter of the Izaak Walton League.

Read first and second times and referred to committee on cities and towns.

Senate File No. 372, by Senator Wilson, a bill for an act to amend section fifty-six hundred fifty-five (5655) of the Code, 1931, relating to surety bonds.

Read first and second times and referred to committee on cities and towns.

Senate File No. 373, by Senator Wilson, a bill for an act to amend section twenty-two hundred fifty-eight (2258) and section twenty-two fifty-nine (2259) of the Iowa Code 1931, relating to contagious and infectious diseases, and providing for the isolation of patients in certain cases, and providing the method by which isolation shall be accomplished.

Read first and second times and referred to committee on public health.

Senate File No. 374, by Senator Wilson, a bill for an act to amend the law as it appears in section thirty-six hundred fifty-nine (3659) of the Code, 1931, relating to the punishment for the offense of the delinquency of a minor.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 375, by Senator Harrington, a bill for an act to amend section fifty one hundred eleven (5111), Code 1931, relating to county government.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 376, by Senator Harrington, a bill for an act to amend Section six thousand six hundred seventy-five (6675), Code 1931, relating to the City Manager Plan.

Read first and second times and referred to committee on cities and towns.

Senate File No. 377, by Senator Harrington, a bill for an act to amend section five thousand two hundred twenty-nine (5229), Code 1931, relating to the appointment of Assistant County Attorneys and salaries thereof.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 378, by Senator Harrington, a bill for an act to amend section eleven hundred seventy-three (1173), Code 1931, relating to the sale of public bonds.

Read first and second times and referred to committee on banks and banking.

Senate File No. 379, by Senator Mullaney, a bill for an act directing the Governor, on behalf of the State of Iowa, to issue to Samuel Allen, Isaac S. Allen and Wilson R. Allen, jointly, a patent or conveyance to certain land in Allamakee county, Iowa.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 380, by Senator Harrington, a bill for an act relating to interstate bridges, granting to the state highway commission authority with respect thereto, and authorizing counties, townships, cities and towns of this state, including cities acting under special charter, to aid in the payment of the cost of the construction, acquisition and maintainance of such bridges and to levy taxes and issue bonds therefor.

Read first and second times and referred to committee on highways.

Senate File No. 381, by Senator Hicklin, by request, a bill for an act to legalize the acts of the Board of Supervisors in any and all counties in the State of Iowa in refusing to appropriate monies from the county treasury as provided in Section two thousand nine hundred and thirty (2930), Chapter one hundred thirty eight (138) relating to farm aid associations for the years of 1932 and 1933 and/or refusing to levy millage tax to provide for such appropriation.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 382, by Senator Hicklin, a bill for an act to amend Chapter Four Hundred Fifty-two (452), Code of Iowa, 1931, relating to labor and material on public improvements, by amending section ten thousand three hundred four (10304) relating to bonds; by repealing section ten thousand three hundred five (10305) relating to the filing of claims, and enacting a substitute

therefor, and by amending section ten thousand three hundred twelve-d 1 (10312-d1) relating to the filing of claims, all in connection with public improvements.

Read first and second times and referred to committee on departmental affairs.

Senate File No. 383, by Senator Elthon, a bill for an act to tax the incomes derived from tax free securities.

Read first and second times and referred to committee on judiciary No. 1.

On request of Senator Stanley unanimous consent was granted to defer action on Calendar No. 1, Senate File No. 228, such bill to retain its place on the calendar.

On request of Senator Knudson unanimous consent was granted to defer action on Calendar No. 2, Senate File No. 208, such bill to retain its place on the calendar.

On request of Senator Ritchie unanimous consent was granted to defer action on Calendar No. 3, Senate File No. 231, such bill to retain its place on the calendar.

THIRD READING OF BILLS

On motion of Senator Patterson Senate File No. 235, a bill for an act to amend Chapter three thirty-two (332), of the code, 1931, a committee bill, was taken up and considered.

The bill was read for information.

Senator Patterson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 44.

Anderson	Frailey	McArthur	Schmidt
Beardsley	Geske	Meyer	Shangle
Booth	Harrington	Miller of	Stanley
Byers	Hicklin	Buchanan	Stevens of
Calhoun	Hill	Miller of Jones	Decatur
Carden	Hopkins	Moore	Stevens of
Chrystal	Hush	Mullaney	Wapello
Cooney	Husted	Nelson	Topping
Coykendall	Irwin	Patterson	Valentine
Doze	Kimberly	Pendray	Wenner
Elthon	Klemme	Reese	White
Fisch	Knudson	Ritchie	

Nays, none.

Absent or not voting, 6.

Aschenbrenner	Bennett	Myers	Wilson
Beatty		Roelofs	

The bill having received a constitutional majority was declared to have passed the Senate.

On request of Senator Patterson unanimous consent was granted to amend the title by striking the period at the end thereof and adding the following:

“, relating to moneys and credits.”

The title as amended was agreed to.

On motion of Senator Patterson Senate File No. 236, a bill for an act to amend sections seventy-one fifteen (7115), seventy-one sixteen (7116), and seventy-one eighteen (7118), of the code, 1931, a committee bill, was taken up and considered.

The bill was read for information.

Senator Patterson moved that the reading just had be considered the third reading, which motion prevailed.

On the question “Shall the bill pass?” the vote was:

Ayes, 42.

Anderson	Geske	McArthur	Ritchie
Beardsley	Harrington	Meyer	Schmidt
Booth	Hicklin	Miller of	Shangle
Byers	Hill	Buchanan	Stanley
Calhoun	Hopkins	Miller of Jones	Stevens of
Carden	Hush	Moore	Wapello
Chrystal	Husted	Mullaney	Topping
Coykendall	Irwin	Nelson	Valentine
Doze	Kimberly	Patterson	Wenner
Fisch	Klemme	Pendray	White
Frailey	Knudson	Reese	Wilson

Nays, none.

Absent or not voting, 8.

Aschenbrenner	Cooney	Myers	Stevens of
Beatty	Elthon	Roelofs	Decatur
Bennett			

The bill having received a constitutional majority was declared to have passed the Senate.

On request of Senator Patterson, unanimous consent was granted

to amend the title by striking the period at the end thereof and adding the following:

“, relating to assessment rolls and books and as to furnishing and preserving schedules in connection with said assessment rolls and assessment books.”

The title as amended was agreed to.

On motion of Senator Patterson Senate File No. 237, a bill for an act to amend section sixty-nine eighty-two-D1 (6982-D1), and section sixty-nine eighty-two-D2 (6982-D2) of the code, 1931, a committee bill, was taken up, and considered.

Senator Hicklin moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question “Shall the bill pass?” the vote was:

Ayes, 45.

Anderson	Frailey	Meyer	Schmidt
Beardsley	Geske	Miller of	Shangle
Booth	Harrington	Buchanan	Stanley
Byers	Hicklin	Miller of Jones	Stevens of
Calhoun	Hopkins	Moore	Decatur
Carden	Hush	Mullaney	Stevens of
Chrystal	Husted	Nelson	Wapello
Cooney	Irwin	Patterson	Topping
Coykendall	Kimberly	Pendray	Valentine
Doze	Klemme	Reese	Wenner
Elthon	Knudson	Ritchie	White
Fisch	McArthur	Roelofs	Wilson

Nays, none.

Absent or not voting, 5.

Aschenbrenner	Bennett	Hill	Myers
Beatty			

The bill having received a constitutional majority was declared to have passed the Senate.

On request of Senator Patterson, unanimous consent was granted to amend the title by striking the period at the end thereof and adding the following:

“, relating to the time of filing of reports by the public utility companies.”

The title as amended was agreed to.

On motion of Senator Patterson Senate File No. 238, a bill for

an act to amend section twenty-six hundred and six (2606), of the code, 1931, a committee bill, was taken up, and considered.

Senator Beardsley offered the following amendment and moved its adoption :

Amend sec. 1, line 5, by striking the words "cities or towns" and inserting in lieu thereof the words "city or town".

The amendment was adopted.

Senator Wenner offered the following amendment and moved its adoption :

Amend sec. 1, line 3, by striking the word and figure "two (2)" and inserting in lieu thereof the word and figure "one (1)".

The amendment was adopted.

On request of Senator Patterson, unanimous consent was granted to defer action; such bill to retain its place on the calendar.

On motion of Senator Patterson Senate File No. 239, a bill for an act to amend section sixty-nine forty-seven (6947), of the code, 1931, a committee bill, was taken up, and considered.

The bill was read for information.

Senator Stanley moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 43.

Anderson	Geske	McArthur	Ritchie
Beardsley	Harrington	Meyer	Roelofs
Booth	Hicklin	Miller of	Schmidt
Byers	Hill	Buchanan	Shangle
Calhoun	Hopkins	Miller of Jones	Stanley
Carden	Hush	Moore	Stevens of
Chrystal	Husted	Mullaney	Wapello
Cooney	Irwin	Nelson	Topping
Doze	Kimberly	Patterson	Valentine
Elthon	Klemme	Pendray	Wenner
Fisch	Knudson	Reese	White
Frailey			

Nays, none.

Absent or not voting, 7.

Aschenbrenner	Bennett	Myers	Stevens of
Beatty	Coykendall		Decatur
			Wilson

The bill having received a constitutional majority was declared to have passed the Senate.

On request of Senator Patterson, unanimous consent was granted to amend the title by striking the period at the end thereof and adding the following:

“, relating to reduction and limitation of military exemptions.”

The title as amended was agreed to.

On motion of Senator Patterson Senate File No. 240, a bill for an act to amend section sixty-nine fifty-three (6953), of the code, 1931, a committee bill was taken up and considered.

The bill was read for information.

Senator Hicklin moved that the reading just had be considered the third reading, which motion prevailed.

On the question “Shall the bill pass?” the vote was:

Ayes, 35.

Anderson	Hill	Miller of Jones	Stanley
Booth	Irwin	Moore	Stevens of
Carden	Kimberly	Mullaney	Decatur
Chrystal	Klemme	Nelson	Stephens of
Cooney	Knudson	Patterson	Wapello
Coykendall	McArthur	Pendray	Topping
Elthon	Meyer	Reese	Valentine
Fisch	Miller of	Ritchie	Wenner
Geske	Buchanan	Schmidt	White
Hicklin		Shangle	

Nays, 3.

Doze	Hopkins	Husted
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Absent or not voting, 12.

Aschenbrenner	Bennett	Frailey	Myers
Beardsley	Byers	Harrington	Roclofs
Beatty	Calhoun	Hush	Wilson

The bill having received a constitutional majority was declared to have passed the Senate.

On request of Senator Patterson, unanimous consent was granted to amend the title by striking the period at the end thereof and adding the following:

“, relating to taxable property.”

The title as amended was agreed to.

On motion of Senator Moore Senate File No. 242, a bill for an act to amend section fifty-three hundred fifty-five, (5355) of the Code, 1931, relating to the appointment of trustees of county public hospitals, a committee bill, was taken up, and considered.

The bill was read for information.

Senator Moore moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 39.

Anderson	Harrington	Meyer	Ritchie
Booth	Hill	Miller of	Schmidt
Byers	Hopkins	Buchanan	Shangle
Calhoun	Hush	Miller of Jones	Stanley
Carden	Husted	Moore	Stevens of
Cooney	Irwin	Mullaney	Wapello
Coykendall	Kimberly	Nelson	Topping
Doze	Klemme	Patterson	Valentine
Elthon	Knudson	Pendray	Wenner
Fisch	McArthur	Reese	White
Geske			

Nays, none.

Absent or not voting, 11.

Aschenbrenner	Bennett	Hicklin	Stevens of
Beardsley	Chrystal	Myers	Decatur
Beatty	Frailey	Roelofs	Wilson

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

Senator Moore moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Roelofs, unanimous consent was granted to return to introduction of bills.

Senate File No. 384, by Senator Roelofs, a bill for an act to amend House File No. 199, acts of the forty-fifth general assembly, providing a plan for the relief of poor and unemployed people; to provide for the adoption of a plan of payment with "Stamp-Notes" by counties, and to declare the duties and liabilities of counties adopting said plan and to fix the rights and liabilities under said plan.

Read first and second times.

On request of Senator Roelofs, unanimous consent was granted to suspend Rule 17 prohibiting the second and third readings on the same day.

THIRD READING OF BILLS

On motion of Senator Roelofs Senate File No. 384, a bill for an act to amend House File No. 199, acts of the forty-fifth general assembly, providing a plan for the relief of poor and unemployed people; to provide for the adoption of a plan of payment with "Stamp-Notes" by counties, and to declare the duties and liabilities of counties adopting said plan and to fix the rights and liabilities under said plan, was taken up, and considered.

The bill was read for information.

President pro tempore Matt D. Cooney was called to the chair at 3:32 p. m.

Senator Valentine offered the following amendment and moved its adoption:

Amend section 3 by striking from line 4 the figures "5.00" and inserting in lieu thereof the figures "1.00".

Senator Wilson was called to the chair at 3:35.

Senator Hill moved that Rule No. 21, by which the bill should go to the committee on appropriations, be suspended.

The motion prevailed.

The Valentine amendment was adopted.

Senator Roelofs moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 40.

Anderson	Geske	McArthur	Schmidt
Beardsley	Harrington	Meyer	Shangle
Booth	Hicklin	Miller of	Stanley
Byers	Hopkins	Buchanan	Stevens of
Calhoun	Hush	Moore	Decatur
Carden	Husted	Mullaney	Topping
Cooney	Irwin	Patterson	Valentine
Coykendall	Kimberly	Pendray	Wenner
Elthon	Klemme	Reese	White
Fisch	Knudson	Ritchie	Wilson
Frailey		Roelofs	

Nays, none.

Absent or not voting, 10.

Aschenbrenner	Chrystal	Miller of Jones	Stevens of
Beatty	Doze	Myers	Wapello
Bennett	Hill	Nelson	

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

Senator Roelofs moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Roelofs, unanimous consent was granted to message the bill to the House immediately.

President N. G. Kraschel returned to the chair at 3:45 p. m.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 291, a bill for an act relative to reducing salaries for city officers.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 292, a bill for an act revising statutory salaries of county officers.
LLOYD ELLIS, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 291, a bill for an act to amend sections thirty-six hundred twelve (3612), sixty-five hundred seventeen (6517), sixty-seven hundred four (6704), sixty-seven hundred five (6705), sixty-nine hundred forty-three-c four (6943-c4), ten thousand six hundred eighty-eight (10,688), ten thousand seven hundred thirty-nine (10,739), and ten thousand seven hundred forty-eight (10,748), code 1931, to reduce statutory salaries for city officers and officials of municipal, juvenile and superior courts.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 292, a bill for an act to repeal sections fifty-two hundred twenty-one (5221), fifty-two hundred twenty-three (5223), fifty-two hundred twenty-five (5225), fifty-two hundred

twenty-nine (5229), fifty-two hundred thirty-one (5231), and fifty-two hundred thirty-six (5236), code 1931, and enact substitutes therefor; and to amend sections fifty-one hundred twenty-five (5125), fifty-two hundred twenty (5220), fifty-two hundred twenty-two (5222), fifty-two hundred twenty-four (5224), fifty-two hundred twenty-eight (5228), fifty-two hundred thirty (5230), fifty-two hundred thirty-two (5232), fifty-five hundred seventy-one (5571), fifty-five hundred seventy-two (5572), fifty-five hundred seventy-three (5573), and fifty-six hundred sixty-nine (5669), code 1931, revising statutory salaries of county officers and prescribing the method of fixing the salaries of their deputies.

Read first and second times and referred to committee on judiciary No. 1.

HOUSE FILE NO. 74 MADE SPECIAL ORDER

On request of Senator Calhoun, unanimous consent was granted to make House File No. 74 a special order for 10:30 a. m. Tuesday.

Senator Calhoun moved that when adjournment is had it be to reconvene at 10:00 a. m. Tuesday.

Senator Husted moved to substitute by making the time 9:00 a. m.

The substitution was lost, and the motion prevailed.

By unanimous consent on request of Senator Meyer the Journal of February 22nd was corrected as follows: On Page 448, under the head of "Petitions and Memorials," the petition presented by Senator Meyer from citizens of Sumner should read "Opposing repeal of the Simmer Law".

The Journal of February 23d was corrected and approved.

The Senate recessed until the fall of the gavel.

The Senate reconvened at the fall of the gavel, President pro tempore Matt D. Cooney presiding.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 384, a bill for an act relating to the issuance of Stamp-Notes. LLOYD ELLIS, *Chief Clerk.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption :

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate File No. 384.

HOMER HUSH, *Chairman Senate Committee.*

WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President pro tempore of the Senate announced that, as President pro tempore of the Senate, he had signed in the presence of the Senate, Senate File No. 384.

BILLS SENT TO THE GOVERNOR

Senator Hush from the committee on enrolled bills submitted the following report :

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 6th day of March, 1933, sent to the Governor for his approval, Senate File No. 384. HOMER HUSH, *Chairman.*

Passed on file.

REPORTS OF COMMITTEES

Senator Wilson submitted the following reports :

MR. PRESIDENT: Your committee on cities and towns to which was referred Senate File No. 273, a bill for an act to repeal sections sixty-one hundred thirty-four-d 1 (6134-d1), sixty one hundred thirty four-d 2 (6134-d2), sixty one hundred thirty four-d 3 (6134-d3), sixty one hundred thirty four-d 4 (6134-d4), sixty one hundred thirty four-d 5 (6134-d5), sixty one hundred thirty four-d 6 (6134-d6) and sixty one hundred thirty four-d 7 (6134-d7), of the Code, 1931, relating to heating plants, water or gas works, and electric plants, begs leave to report it has had the same under consideration and returns the bill without recommendation. GEO. A. WILSON, *Chairman.*

Ordered passed on file.

Also :

Your committee on cities and towns to which was referred Senate File No. 262, a bill for an act to amend section 6239 of the Code of 1931, relating to the purchase of property by municipal corporations and to the limitation of the indebtedness thereof, begs leave to report it has had the same under consideration and returns the bill without recommendation.

GEO. A. WILSON, *Chairman.*

Ordered passed on file.

Senator Moore submitted the following report:

MR. PRESIDENT: Your committee on public health to which was referred House File No. 180, a bill for an act to amend section twenty-two hundred thirty-three (2233), Code, 1931, relating to the time of meetings of local boards of health, begs leave to report it has had the same under consideration and recommends the same do pass. M. MOORE, *Chairman.*

Ordered passed on file.

Senator Patterson submitted the following reports:

MR. PRESIDENT: Your committee on ways and means to which was referred Senate File No. 263, a bill for an act relating to revenue and taxation; providing for public revenue and equalizing taxation; imposing a sales tax on retail merchants, a personal net income tax upon individuals, and a franchise tax upon business concerns, as defined in this Act; providing for the collection of such taxes; the distribution and use of the revenue derived therefrom; the administration of said law, fixing fines and penalties for the violation of this Act, begs leave to report it has had the same under consideration and recommends the same do pass.

G. W. PATTERSON, *Ranking Member.*

Ordered passed on file.

Also:

Your committee on political and judicial districts to which was referred Senate File No. 250, a bill for an act to apportion the state into senatorial districts, to provide the time when state senators shall be elected, and to repeal chapter thirty-five-A two (35-A2) of the Code, 1931, begs leave to report it has had the same under consideration and recommends the same be reported out for passage.

G. W. PATTERSON, *Chairman.*

Ordered passed on file.

RESIGNATION OF DOORKEEPER

TO THE PRESIDENT, SECRETARY AND MEMBERS OF THE SENATE OF THE 45TH GENERAL ASSEMBLY, DES MOINES, IOWA.

GENTLEMEN: I regret that my physical conditions are such that I am unable to further pursue my duties as doorkeeper, and by reason thereof I hereby tender you my resignation.

Assuring you I very greatly appreciate the favors bestowed and would have enjoyed rendering service as doorkeeper in the work in which you are now engaged. But in justice to you and myself I deem it necessary and advisable to tender you my resignation because of illness.

Respectfully yours, JOHN CLARKSON.

The resignation was accepted.

REPORT OF COMMITTEE ON EXTRA HELP

MR. PRESIDENT: Your joint committee, appointed to consider applications and to nominate the extra help of the 45th General Assembly, begs leave to report that they have nominated J. S. Dolan to take the place of John Clarkson, who has resigned as doorkeeper, and that his duties will commence on March 7th.

H. L. IRWIN

D. W. KIMBERLY

VINCENT F. HARRINGTON

On the part of the Senate.

WM. KOCH

MILTON PEACO

J. P. GALLAGHER

On the part of the House.

On request of Senator Irwin unanimous consent was granted to consider the report.

The report was adopted.

On request of Senator Stanley, unanimous consent was granted to return to introduction of bills.

INTRODUCTION OF BILLS

Senate File No. 385, by Senator Stanley, by request, a bill for an act to amend section ten thousand three hundred thirteen (10313) of the Code of Iowa, 1931, relating to labor and material on public improvements.

Read first and second times and referred to committee on highways.

AMENDMENTS FILED

Amend House File No. 74 by striking out all after the enacting clause and inserting in lieu thereof the following:

"Section 1. That Section 10429D1 of the Code of Iowa, 1931, be and the same is hereby amended by adding thereto the following: 'That in all cases where parties, either one of whom is a resident of this State, shall procure a marriage license in any foreign State and be married therein, either of said parties who is a resident of this State shall, within ten days after such marriage, file said marriage license, or a certified copy thereof, with the Clerk of the District Court of the County in which said party is a resident for registration and shall pay to the Clerk of said court a fee of \$2.00 for the registration of said marriage license.'

Sec. 2. A failure to file said marriage license, or a certified copy thereof and to pay the said registration fee of \$2.00, as above provided, shall subject the party whose duty it is under this act to so register said marriage license to a fine of \$10.00, to be collected by suit to be brought in the name of the County which is the residence of said party and to be paid into the school fund of said County."

Also, amend the title by striking out the entire title and inserting in lieu thereof the following:

"An Act to amend Section 10429D1 of the Code of Iowa, 1931, relating to marriage licenses, for the filing of marriage licenses, or certified copy, issued in a foreign State to residents of this State, and for the payment of a registration fee and providing for a penalty for failure to file the same."

FRANK C. BYERS.

Amend the title of Senate File No. 238 by striking the period at the end thereof and adding thereto the following: ", relating to fruit trees and forest reservations."

GEO. W. PATTERSON.

The President appointed as the committee to act under the motion of Senator White, found on page 470 of the Senate journal, Senator Harrington, Wilson and Shangle.

On motion of Senator Calhoun the Senate adjourned the time for reconvening having been set previously for 10:00 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 7, 1933.

The Senate met in regular session, President pro tempore Matt D. Cooney presiding.

Prayer was offered by Rev. W. E. Ewing, D. D., of the Grace Methodist Episcopal Church of Des Moines.

The President pro tempore announced the death of Senator O. P. Myers.

Senator Frailey spoke in commemoration of Senator Myers in part as follows:

MR. PRESIDENT: On an occasion of this character nothing that we can say or nothing that we can do here to pay our respect and tribute to the memory of this man can add or retract from the bitter inevitability of death; so that in our sorrow and in the feeling in the sense of missing this fellow workman, perhaps the noblest and the best tribute is silence.

Nevertheless, as we prepare to take up the work of the day, as we remember how day after day this noble, white-haired veteran, who through his peculiar characteristics was a marked man in this body, we cannot help but feel the sorrow that comes to us in knowing that he has finished his work here forever. Whether the work of this body be for great good or not, this much is true—that he was a conscientious, faithful, public spirited and patriotic citizen. He was a faithful and honest worker in this body. He was an honest man and God has created nothing greater. **May he rest in peace.**

Senator Booth moved that a committee of three be appointed to draft a suitable resolution in memory of Senator Myers.

The motion prevailed, and the President pro tempore appointed as such committee, Senators White, Carden and Patterson.

Senator Booth moved that a committee of three be appointed to attend the funeral of Senator Myers.

The motion prevailed and the President pro tempore appointed Senators White, Carden and Patterson.

MYERS MEMORIAL

Whereas, it has pleased Almighty God to remove from our midst one of our faithful and devoted members of this body, Senator O. P. Myers, therefore,

Be It Resolved, That we, the members of the state Senate of Iowa do hereby publicly express our profound regret in his going and extend to his wife and family our deepest sympathy in this their life's sorrow.

H. C. WHITE

WILLIAM CARDEN

G. W. PATTERSON

On request of Senator White unanimous consent was granted to consider the resolution.

The resolution was unanimously adopted.

Senator Ritchie moved that the Secretary of the Senate be authorized to send a copy of the resolution and a basket of flowers to the family of Senator Myers.

The motion prevailed.

Senator Booth moved that the chair occupied by Senator Myers during his service in the Iowa Senate be sent to his family.

The motion prevailed.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Approving prohibition. Senator Husted, from citizens of Fontanelle. Senator Miller of Buchanan, from residents of Buchanan county. Senator Calhoun, from members of the W. C. T. U. of Cantril. Senator Pendray, from residents of Jackson county. Senator Knudson, from citizens of Eagle Grove. Senator Hopkins, from residents of Audubon county. Senator Meyer, from residents of Butler county. Senator Doze, from residents of Wayne county. Senator Hicklin, from residents of Louisa county. Senator Harrington, from the W. C. T. U. of Moville. Senator Stanley, from citizens of Sharpsburg. Senator Hill, from residents of Floyd county. Senator Anderson, from residents of Calhoun county. Senator Moore, from residents of Pottawattamie county. Senator Ritchie, from Pocahontas county. Senator Miller of Jones, from residents of Jones county. Judiciary No. 1.

Favoring modification of prohibition laws. Senator Patterson, from residents of Clay county. Senator Topping, from residents of Des Moines county. Senator Wenner, from residents of Black Hawk county. Judiciary No. 1.

Opposing a tax on portable feed grinders. Senator Cooney, from residents of Dubuque county. Agriculture.

Favoring a tax on the so-called "chain stores" doing business in the state. Senator Booth, from residents of Shelby county. Senator Wenner, from residents of Grundy county. Senator Elthon, from residents of Winnebago county. Senator McArthur, from citizens of Corwith. Senator White, from residents of Benton county. Manufacturing, commerce and trade.

Opposing a tax on the so-called "chain stores" doing business in the state. Senator Stevens of Decatur, from residents of Decatur county. Senator Harrington, from residents of Woodbury county. Manufacturing, commerce and trade.

Favoring passage of House File No. 163. Senator Hicklin, from members of the City Council of Muscatine. Cities and towns.

Relating to the care of indigent people. Senator Miller of Jones, from residents of Cedar county. Public health.

Opposing the striking of the Bureau of Maternity and Child Hygiene from the State Department of Health. Senator Hicklin, from members of the Iowa Federation of Women's Clubs of Muscatine. Senator Stanley, from the Woman's Club of Lenox. Public health.

Opposing the repeal of the five day marriage license law. Senator McArthur, from the Sarosis Club of Clear Lake. Judiciary No. 1.

Opposing the repeal of the compulsory tuberculin testing law. Senator McArthur, from the Sarosis Club of Clear Lake. Agriculture.

Favoring the repeal of the Simmer law. Senator Beardsley, from the Lion's Club of Murray. Cities and towns.

Favoring the gross income tax bill. Senator Miller of Buchanan, from residents of Buchanan county. Senator Stevens of Wapello, from citizens of Ottumwa. Senator Harrington, from members of

the United Brotherhood of Carpenters and Joiners of America. Senator Schmidt, from the Iowa County Tax Payers League. Ways and means.

Opposing the repeal of the law prohibiting the live bird shooting matches in Iowa. Senator Reese, from sportsmen of Marshall county. Fish and game.

Opposing Senate File No. 140. Senator Wilson, from members of the Church of Christ of Des Moines. Public schools.

Opposing a tax on property of educational institutions. Senator Klemme, from residents of Winneshiek county. Ways and means.

Opposing proposed bills No. 4 and No. 5 of the interim committee. Senator Calhoun, from members of the Board of Education of Douds, Cantril, Milton and Stockport. Reduction of public expenditures.

Favoring a change in the auto license law. Senator Calhoun, from citizens of Stockport. Motor vehicles.

Relating to trucking laws. Senator Topping, from citizens of Burlington. Motor vehicles.

Relating to pipe lines. Senator Carden, from citizens of Brighton and Hillsboro. Public utilities.

Favoring the Harrington amendment to Senate File No. 49. Senator Harrington, from the Greater Sioux City Committee of Sioux City. Elections.

Opposing the bill to close small elementary schools. Senator Cooney, from residents of Dubuque county. Senator Miller of Jones, from residents of Jones county. Public schools.

Opposing the repeal of the tax refund on gasoline used for agricultural purposes. Senator Hush, from citizens of Red Oak. Agriculture.

Favoring placing of trucks and busses under the same regulation as the railroads. Senator Calhoun, from citizens of Bonaparte. Motor vehicles.

BILLS APPROVED BY THE GOVERNOR

A communication was received from the Governor, announcing that he had approved the following bills:

Senate File No. 201, relating to merger of Homesteaders Life Association with Golden West Life Insurance Association, February 23, 1933.

Senate File No. 200, relating to consolidation of fraternal beneficiary societies. February 23, 1933.

Senate File No. 243, relating to granting of annuities by life insurance companies, February 23, 1933.

Senate File No. 203, relating to inaugural ceremonies, February 23, 1933.

Senate File No. 44, relating to the minimum salary of teachers, February 24, 1933.

Senate File No. 90, relating to sales of real estate for delinquent taxes, February 25, 1933.

Senate File No. 146, relating to license on motor vehicle fuel, February 25, 1933.

Senate File No. 23, relating to mileage and expenses of public officers, February 21, 1933.

Senate File No. 115, relating to foreclosure of real estate mortgages, February 21, 1933.

INTRODUCTION OF BILLS

Senate File No. 386, by Senator Harrington, a bill for an act to provide for consolidating city and school elections in school districts which embrace a city and which have a population of not more than one hundred thousand (100,000), nor less than seventy thousand (70,000), by the last federal census; to prescribe the manner of holding the same; to provide for terms of directors and the manner of nominating and electing same; prescribing eligibility of voters and registration thereof, and making other statutes affecting city and school elections applicable except where inconsistent or contradictory; by amending sections forty-one hundred twenty-five (4125), forty-two hundred twenty (4220), forty-two hundred seventeen (4217) forty-two hundred eighteen (4218) forty-two hundred twenty-three-a2 (4223-a2), forty-two hundred twenty-three-b1 (4223-b1), forty-two hundred twenty-eight (4228), forty-three hundred fifty-four (4354), forty-four hundred one (4401), forty-four hundred six (4406), forty-four hundred fifty-three (4453), forty-four hundred sixty-four (4464).

Read first and second times and referred to committee on elections.

Senate File No. 387, by Senator Ritchie, a bill for an act to amend section forty-one hundred thirty-one-c 1 (4131-c 1) of the code, 1931, relating to detachment of territory from independent school districts, and providing for the distribution of property and of liability for indebtedness of such districts.

Read first and second times and referred to committee on public schools.

Senate File No. 388, by Senator Hush, a bill for an act to amend sections five hundred thirty-three (533), five hundred ninety-one (591), six hundred sixteen (616) and six hundred thirty-four (634) of the code, 1931, relating to the time of holding primary elections and party conventions.

Read first and second times and referred to committee on elections.

Senate File No. 389, by Senator Roelofs, a bill for an act to amend section forty eight hundred seventeen (4817), and section forty eight hundred nineteen (4819), and chapter two hundred forty six (246), of the Code, 1931, relating to weeds and the duties of the board of supervisors in regard to the destruction of the same.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 390, by Senator Knudson, by request, a bill for an act to regulate the practice of plumbing and to provide for the examination and licensing of practitioners thereof, to provide rules and regulations concerning the sanitary and healthful installation of plumbing and plumbing fixtures, to create a board of plumbing examiners, to provide for collection of license fees, to make provision for the payment of the expense of carrying out the provisions of this act, to provide for the regulation of plumbing by the State Health Department, and to amend the law as it appears in sections twenty-one hundred ninety-one (2191), twenty-one hundred ninety-two (2192), twenty-one hundred ninety-three (2193), twenty-four hundred thirty-eight (2438), twenty-four hundred thirty-nine (2439), twenty-four hundred fifty (2450), twenty-four hundred fifty-two (2452), twenty-four hundred fifty-five (2455), fifty-seven hundred seventy-five (5775), and fifty-seven hundred seventy-seven (5777), of the Code, 1931, and repealing sections twenty-one hundred ninety-five (2195),

fifty-seven hundred eighty-three (5783), inclusive of the Code, 1931, relating to the establishment of the State Plumbing Code of the State Department of Health and cities and towns.

Read first and second times and referred to committee on public health.

Senate File No. 391, by Senator Moore, a bill for an act to make an emergency appropriation to pay the cost of repairing the heating plant at the Iowa School for the Deaf, Council Bluffs, Iowa; and to pay the expenses of transporting two boilers from the Iowa State Teachers College, Cedar Falls, Iowa, to the Iowa School for the Deaf, and the installation thereof.

Read first and second times and referred to committee on appropriations.

Senate File No. 392, by Senators Schmidt, Carden, Byers and Cooney, a bill for an act to provide for the regulation, supervision and licensing of persons, firms, corporations or associations, which sell, or offer for sale, memberships or certificates of membership entitling the holders thereof to purchase, either from the issuer or someone designated by the issuer, merchandise, materials, equipment or services on a fixed basis.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 393, by Senators Schmidt, Carden, Byers and Cooney, a bill for an act to amend section eighty-five hundred eighty-one-c three (8581-c3), Code of Iowa, 1931, relating to the definition of a "security".

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 394, by Senator Booth, a bill for an act to amend section ninety hundred forty (9040) of chapter four hundred six (406), code 1931, relating to the emergency fund of mutual assessment insurance associations other than life, to provide for investment of such fund in loans to other associations organized under said chapter under certain conditions.

Read first and second times and referred to committee on insurance.

Senate File No. 395, by Senator Cooney, a bill for an act to amend section five thousand six hundred ninety-nine (5,699) of

the code, 1931, relating to the appointment of chiefs of police and chiefs of fire departments.

Read first and second times and referred to committee on cities and towns.

Senate File No. 396, by Senator Hicklin, a bill for an act to amend Section seven thousand four hundred ninety five (7495), Code, 1931, relating to the receiving of drainage warrants for assessments, to provide that drainage warrants may be used by taxpayers to pay the assessment for which such warrants are drawn, and to provide that drainage bonds may be acquired and used by taxpayers to pay off assessments levied for the payment of such bonds.

Read first and second times and referred to committee on ways and means.

Senate File No. 397, by Senator Cooney, a bill for an act to amend section fifteen hundred forty six-a1 (1546a1) of the code, 1931 relating to fees to be charged by employment agencies.

Read first and second times and referred to committee on labor.

Senate File No. 398, by Senator Kimberly, a bill for an act to require the use of certain safety equipment on Motor Vehicles.

Read first and second times and referred to committee on motor vehicles.

REPORT OF COMMITTEE ON COMMITTEE CLERKS

The committee on committee clerks has assigned Mary Lamb of Mapleton as clerk during the absence of Dorothy Wittenmeyer beginning March 8th.

EDW. J. WENNER, *Chairman.*

Th report was adopted.

On motion of Senator Stevens of Wapello, the Senate resolved itself into executive session.

EXECUTIVE SESSION

The Senate confirmed the appointment of James McLaughlin of Preston, Jackson county, as a member of the State Fish and Game Commission for a term of four years beginning May 1, 1933.

The Senate confirmed the appointment of Dr. Erwin J. Gottsch of Shenandoah, Page county, as a member of the State Fish and

Game Commission for a term of four years beginning May 1, 1933.

The Senate arose from executive session and resumed regular session.

HOUSE FILE NO. 74 MADE SPECIAL ORDER

On request of Senator Calhoun, unanimous consent was granted to defer action on the special order of House File No. 74 and that it be made a special order for 10:30 a. m. Wednesday.

Senator Ritchie asked that Senate File No. 231 be made special order following the special order at 10:30 tomorrow.

Senator Valentine objected.

SENATE FILES ON THE CALENDAR

Under Rule No. 35, Senate Files Nos. 180 and 277 were withdrawn from committee and placed on the calendar.

SENATE FILE NO. 100 REREFERRED

On request of Senator Nelson, unanimous consent was granted to rerefer Senate File No. 100 to the committee on county and township affairs.

The Journal of March 6th was corrected and approved.

AMENDMENT FILED

Amend Senate File No. 75 by striking the last paragraph of the preamble and inserting in lieu thereof the following:

"Whereas, doubts have arisen as to the legal sufficiency of said proceedings, especially as to the construction of said improvements, the levying of assessments, and as to the authority to issue and sell said bonds and to the authority to collect assessments now levied in sums sufficient to pay the principal and interest of said bonds as the same will become due, and it is deemed advisable to put said doubts and all others that may arise forever at rest; now therefore,"

Also, strike all of section 1 and substitute in lieu thereof the following:

"That all proceedings relating to the construction of said improvements, the levying of assessments and the issuance of said bonds be and the same are hereby declared to be legal and valid notwithstanding any irregularities, omissions or defects in connection therewith, and that said bonds in the sum of \$12,500.00 when and as issued and sold shall be and are hereby declared to be valid and binding obligations of said Fox River Drainage District Number One and said Fox River Drainage District

Number One is hereby authorized to collect the assessments now levied for the payment of the principal and interest of said bonds as the same will become due."

JOHN N. CALHOUN.

Senator Knudson moved that the Senate adjourn, out of respect to the memory of Senator Myers, until 9:00 a. m. Wednesday.

The motion prevailed and the Senate adjourned until 9:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 8, 1933.

The Senate met in regular session, President pro tempore Matt D. Cooney presiding.

Prayer was offered by Rev. De Loss Markin, Pastor of the Church of Christ, College Avenue, Des Moines.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Approving prohibition. Senator Byers, from residents of Linn county. Senator Roelofs, from citizens of Sheldon. Senator Doze, from residents of Wayne county. Senator Kimberly, from residents of Scott county. Judiciary No. 1.

Relating to tax reduction. Senator Stevens of Decatur, from residents of Decatur county. Ways and means.

Opposing the repeal of the Simmer law and the passage of Senate File No. 262. Senator Stevens of Decatur, from citizens of Lamoni. Cities and towns.

Opposing an appropriation for any farm organization. Senator Calhoun, from residents of Van Buren county. Appropriations.

Relating to election of school board members. Senator Harrington, from the Consolidated Independent School District of Pierson. Elections.

Relating to school legislation. Senator Kimberly, from the Parent-Teachers Association of the Hayes, Grant and Taylor Schools of Davenport, and the Buffalo Parent-Teachers Association of Scott county. Public schools.

Favoring the passage of Senate Files Nos. 19, 24, 48, 104 and 108, and House Files Nos. 171 and 203. Opposing the passage of Senate

File 156 and House File 201. Senator Mullaney, from residents of Allamakee county. County and township affairs.

INTRODUCTION OF BILLS

Senate File No. 399, by Senator Bennett, a bill for an act to repeal section twelve thousand six hundred forty-four c-fourteen (12644 c-14) of the Code, 1931, and to enact a substitute therefor relating to investment of funds by guardians.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 400, by Senator Stanley, a bill for an act to provide for the collection and disbursement of interest from the additional bonus and disability fund investments, and to regulate the accounting therefor.

Read first and second times and referred to committee on departmental affairs.

Senate File No. 401, by Senator Stanley, by request, a bill for an act to provide for the regulation of the rates and rents of individuals, firms and corporations operating any heating plants, waterworks, gasworks, or electric light or power plants or distribution systems thereof, outside the limits of cities and towns, and to require said individuals, firms and corporations to furnish any person applying therefor such service under reasonable rules and regulations.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 402, by Senator Stanley, by request, a bill for an act to require all individuals, firms or corporations operating any heating plants, waterworks, gasworks, or electric light or power plants, or distribution system therefor, to file with the auditor of state of the state of Iowa all their tariffs, schedules, charges, rates, fares, tolls, or other compensation asked, demanded, or received for any service rendered or furnished, and to file all contracts entered into with any individual, firm, corporation, domestic or foreign, municipal corporation, state government or sub-division thereof, or other public utility in relation to its service.

Read first and second times and referred to committee on county and township affairs.

Senate File No. 403, by Senator Hush, a bill for an act to amend section forty-seven hundred fifty-five b two (4755b2) relating to the primary road system; providing for a report of the highway commission to the General Assembly; and providing for the improvement of primary roads.

Read first and second times and referred to committee on highways.

Senate File No. 404, by Senator Wenner, a bill for an act to amend section seventy-four hundred twenty-d six (7420-d6), Code, 1931, relating to interest on bank deposits of public funds.

Read first and second times and referred to committee on banks and banking.

Senate File No. 405, by Senator Reese, by request, a bill for an act to repeal Section seventeen hundred seventy-eight (1778) of Chapter eighty-six (86) of the Code, 1931, relating to keeping or using live pigeons or other birds as targets to be shot at for amusement or as a test of skill in marksmanship.

Read first and second times and referred to committee on fish and game.

Senate File No. 406, by Senator Cooney, a bill for an act to amend Chapter Seventy-eight (78), Code, 1931, relating to the sale of cigarettes and cigarette papers and to the issuing of licenses to make sales thereof, and to the payment of a tax thereon, and to provide penalties for violations.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 407, by Senators Byers and Topping, a bill for an act to regulate the business of dealing at wholesale in perishable produce to be used for human food, and providing penalties for violation of this Act.

Read first and second times and referred to committee on agriculture.

Senate File No. 408, by Senator Kimberly, a bill for an act to legalize the proceedings of the City Council of the City of Davenport, Iowa, a municipal corporation by virtue of a special charter, relating to the improvement of certain streets and one alley by paving, without having obtained jurisdiction therefore as pro-

vided by Section 6913, 6914 and 6915, Chapter 329 of the Code, 1927, and any and all other irregularities, and legalizing the special improvement bonds issued to pay for said improvements as provided by Sections 6925 and 6926 of the Code, 1927.

Read first and second times and referred to committee on cities and towns.

Senate File No. 409, by Senator Stanley, by request, a bill for an act to amend section fifteen hundred and fifty-seven (1557) of chapter seventy-eight (78) of the Code of Iowa, 1931, relating to the sale of cigarettes and tobacco.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 410, by Senator Ritchie, by request, a bill for an act to amend section thirty-six hundred forty-three (3643) of the Code, 1931, further defining who shall be considered a widow and entitled to pension.

Read first and second times and referred to committee on ways and means.

Senate File No. 411, by Senator McArthur, a bill for an act to amend sections seventy-seven fourteen-b one (7714-b1), seventy-seven fourteen-b six (7714-b6), seventy-seven fourteen-b nine (7714-b9), seventy-seven fourteen-b ten (7714-b10), and seventy-seven fourteen-b eighteen (7714-b18), Code, 1931, relating to drainage refunding bonds.

Read first and second times and referred to committee on ways and means.

Senate File No. 412, by Senator McArthur, a bill for an act to amend section seven thousand four hundred eighty-two (7482) Code 1931 relating to drainage assessments and to provide relief in relation thereto.

Read first and second times and referred to committee on ways and means.

Senate File No. 413, by Senator McArthur, a bill for an act to amend section five thousand ninety-three-d eight (5093-d8), Chapter two hundred fifty-one-d one (251-d1) of the Code of 1931 relating to Motor Vehicle Fuel.

Read first and second times and referred to committee on motor vehicles.

Senate File No. 414, by Senator Doze, by request, a bill for an act to amend Section five thousand five hundred and sixty-six (5566) of the Code of 1931, relating to the improvement of cemetery lots.

Read first and second times and referred to committee on departmental affairs.

Senator Stanley moved that the Senate members accept individually the invitation of the House to hear Hon. R. B. Handy, Jr., National Adjutant of Veterans of Foreign Wars, who speaks before the House on Saturday, March 11, 1933, at 9:45 a. m.

The motion prevailed.

SENATE CONCURRENT RESOLUTION NO. 16

By Senate Committee on Agriculture

Concurrent Resolution Memorializing Congress, That it is the sense of the members of the Iowa General Assembly, the Senate and House concurring, that the Government of the United States should perform its solemn promise and place American agriculture on the basis of equality with other industries by providing an adequate system of credit, and that adequate legislation to that end should be adopted at the earliest possible date.

Whereas, unless immediate relief is given, hundreds of thousands of farmers will lose their farms and their homes and millions more will be forced into our cities and villages, and the army of unemployed will necessarily increase to alarming proportions; and

Whereas, the price of agricultural products during the past year has in fact been far below the cost of production; and

Whereas, there is no adequate way of refinancing existing agricultural indebtedness and the farmers are at the mercy of their mortgagees and creditors throughout this State and Nation; and

Whereas, Senate Bill No. 1197, introduced in the Senate of the United States by Senator Lynn J. Frazier of North Dakota, provides for the liquidating and refinancing of agricultural indebtedness and provides for a reduced rate of interest for the same through the Federal Farm Loan System and the Federal Reserve Bank System; and

Whereas, the provisions of this bill will have a vital effect upon the agricultural industry of the State of Iowa; and

Whereas, at the present time many loans relating to the agricultural industry should bear a reduced rate of interest; and

Whereas, agriculture is the basic industry of this country and there can be no sound business prosperity until agriculture is put on an equality with other industries;

Now, Therefore, Be It Resolved, That it is the sense of your Memorialists, the members of the Iowa General Assembly, the Senate and House

concurring, that the Congress of the United States should enact the provisions of the said Senate Bill No. 1197; and

Be It Further Resolved, That a copy of this Memorial, duly authenticated, be sent by the Secretary of the Iowa Senate to the Senate and House of Representatives of the United States and to each of the Senators and Representatives of Iowa in Congress, and to United States Senator Lynn J. Frazier, the Senator who introduced the bill.

Passed on file.

REPORT OF COMMITTEE

Senator Moore submitted the following report:

MR. PRESIDENT: Your committee on public health to which was referred Senate File No. 314, a bill for an act to repeal section 3149, Code, 1931, and to enact a substitute therefor, relating to itinerant vendors of drugs and providing for licensing the same, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

M. MOORE, *Chairman*.

Ordered passed on file.

On request of Senator Stanley, unanimous consent was granted to defer action on Calendar No. 1, Senate File No. 228, such bill to retain its place on the calendar.

On request of Senator Knudson, unanimous consent was granted to defer action on Calendar No. 2, Senate File No. 208, such bill to go to the foot of the calendar.

THIRD READING OF BILLS

On motion of Senator Ritchie Senate File No. 231, a bill for an act to repeal section forty-seven hundred fifty-five-b thirty-eight (4755-b38), code, 1931; to repeal section five thousand ninety-three-a one (5093-a1), code, 1931, and enact a substitute therefor; to amend sections five thousand ninety-three-a five (5093-a5) and five thousand ninety-three-a nine (5093-a9), and chapter two hundred fifty-one-A one (251-A1), code, 1931, relating to license fees on motor fuel and providing penalties thereunder, a committee bill, was taken up, and considered.

Senator Ritchie offered the following amendment and moved its adoption:

Amend sec. 2, line 4 by striking the words "tenc ents" and inserting in lieu thereof the words "ten cents".

The amendment was adopted.

Senator Byers moved that action be deferred, such bill to retain its place on the calendar.

The motion prevailed.

On request of Senator Patterson, unanimous consent was granted to defer action on Calendar No. 7, Senate File No. 238, such bill to retain its place on the calendar.

On the request of Senator Knudson, unanimous consent was granted to substitute House File No. 241, a companion bill, for Senate File No. 244.

On motion of Senator Knudson House File No. 241, a bill for an act to amend section seven thousand twenty-five (7025) of the 1931 code of Iowa, relating to domestic insurance companies' tax on gross premiums, and providing for a definition of the words "business written within the state", as contained therein, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wenner moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 40.

Anderson	Elthon	Meyer	Ritchie
Aschenbrenner	Fisch	Miller of	Roelofs
Beardsley	Geske	Buchanan	Shangle
Bennett	Hicklin	Miller of Jones	Stanley
Booth	Hopkins	Moore	Stevens of
Calhoun	Hush	Mullaney	Decatur
Carden	Husted	Nelson	Topping
Chrystal	Irwin	Patterson	Wenner
Cooney	Kimberly	Pendray	White
Coykendall	Klemme	Reese	Wilson
Doze	Knudson		

Nays, none.

Absent or not voting, 9.

Beatty	Harrington	McArthur	Stevens of
Byers	Hill	Schmidt	Wapello
Frailey			Valentine

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

Senator Wenner moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Knudson, unanimous consent was granted to withdraw Senate File No. 244, a companion bill to the one just passed.

On motion of Senator Knudson Senate File No. 245, a bill for an act to amend chapter four hundred four (404) code of Iowa for 1931, to provide a penalty for failure to file policies or permits, as provided in that chapter, a committee bill, was taken up and considered.

Senator Hicklin offered the following amendment and moved its adoption:

Amend by striking out the word "shall" in line 6, and inserting in lieu thereof the words "may in his discretion".

The amendment was adopted.

Senator Stevens of Wapello offered the following amendment and moved its adoption:

Amend the title by striking out the period (.) at the end of line three (3) and substituting therefor a comma (,) and adding the following:

"and repeal sections eighty-seven hundred eighteen (8718) and eighty-seven hundred nineteen (8719), Code 1931."

Insert immediately following Section 1 the following:

"Sec. 2. That sections eighty-seven hundred eighteen (8718) and eighty-seven hundred nineteen (8719), Code 1931, be and the same are hereby repealed."

Renumber the present Sec. 2 as Sec. 3.

Senator Knudson raised the point of order that the amendment was not germane to the bill.

The President pro tempore held the point of order not well taken.

Senator Carden moved to defer action on this bill, such bill to retain its place on the calendar.

The motion prevailed.

On request of Senator Knudson unanimous consent was granted to substitute House File No. 242 for Senate File No. 246.

On motion of Senator Knudson House File No. 242, a bill for an act to repeal Chapter three hundred ninety-nine (399) of the

1931 code of Iowa and enact a substitute therefor relating to group life, health and accident insurance, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

On request of Senator Bennett unanimous consent was granted to defer action, such bill to retain its place on the calendar.

On request of Senator Stevens of Wapello, unanimous consent was granted to defer action on Calendar Nos. 14, 15, 16 and 17, such bills to retain their places on the calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 40, a bill for an act relating to transportation in consolidated school districts.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 127, a bill for an act relating to the employment of the county engineer.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 226, a bill for an act relating to furnishing by Ex. Council of articles and supplies for public use.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 220, a bill for an act relating to exemptions from taxation.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 206, a bill for an act relating to annual license fees for German shepherd dogs, commonly known as police dogs.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 308, a bill for an act relating to nepotism.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 227, a bill for an act relating to furnishing of supplies to officers and departments of the State.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 167, a bill for an act to increase the amount of statutory exemptions from execution for resident farmers or the heads of families.

LLOYD ELLIS, *Chief Clerk.*

On motion of Senator Calhoun, the Senate resolved itself into executive session.

EXECUTIVE SESSION

The Senate confirmed the appointment of the Hon. Matt. D. Cooney of Dubuque, Dubuque county, as a member of the Board of Parole, for a term of six years beginning July 1, 1933.

The Senate confirmed the appointment of Dr. Walter L. Bierring of Des Moines, Polk county, to the office of Commissioner of Public Health, for a term of four years beginning July 1, 1933.

The Senate confirmed the appointment of Hon. Louis Roddewig of Davenport, Scott county, as a member of the State Board of Assessment and Review, for a term of six years beginning July 1, 1933.

The Senate confirmed the appointment of Hon. H. A. Maine, of Waterloo, Black Hawk county, as a member of the State Highway Commission, for a term of four years beginning July 1, 1933.

The Senate arose from executive session and resumed regular session.

Senator Wilson moved to suspend Rule 22 and that there be allowed one additional day for the introduction of bills.

The motion prevailed.

On motion of Senator Shangle the Senate recessed until the fall of the gavel.

AFTERNOON SESSION

The Senate met at the fall of the gavel.

On request of Senator Knudson, unanimous consent was granted to return to introduction of bills.

INTRODUCTION OF BILLS

Senate File No. 415, by committee on insurance, a bill for an emergency act to authorize the commissioner of insurance with the approval of the Governor to make, rescind, alter and amend rules and regulations, respecting the payment of premiums to, the withdrawal of funds from or payment of funds by or to fire, life,

accident, tornado, hail and all other insurance companies, associations and fraternal benefit societies; to suspend all laws and parts of laws in conflict therewith while such rules and regulations continue in effect; to provide for notice of such rules and regulations; to prevent actions at law or in equity asking for relief contrary to the rules and regulations of the Insurance Commissioner provided for herein; to provide a penalty for the violation of such rules and regulations; and providing for termination of the Emergency.

Read first and second times.

On request of Senator Knudson, unanimous consent was granted to suspend Rule No. 17 by which no bill may be read the second and third times the same day.

THIRD READING OF BILLS

On motion of Senator Knudson Senate File No. 415, a bill for an emergency act to authorize the commissioner of insurance with the approval of the governor to make, rescind, alter and amend rules and regulations, respecting the payment of premiums to, the withdrawal of funds from or payment of funds by or to fire, life, accident, tornado, hail and all other insurance companies, associations and fraternal benefit societies; to suspend all laws and parts of laws in conflict therewith while such rules and regulations continue in effect; to provide for notice of such rules and regulations; to prevent actions at law or in equity asking for relief contrary to the rules and regulations of the Insurance Commissioner provided for herein; to provide a penalty for the violation of such rules and regulations; and providing for termination of the Emergency, a committee bill, was taken up and considered.

Senator Booth offered the following amendment and moved its adoption:

Amend by striking Sec. 9 and inserting in lieu thereof the following:

"Sec. 9. This Act, being adopted to meet an emergency through police power of the State and being deemed of immediate importance, shall be in full force and effect after its passage and publication in The Des Moines Register and the Des Moines Daily Record, newspapers published in Des Moines, Iowa."

The amendment was adopted.

Senator Wenner offered the following amendment and moved its adoption:

Amend section 1, line 4 by striking the word "economical" and inserting in lieu thereof the word "economic".

The amendment was adopted.

On request of Senator Valentine unanimous consent was granted to change the figure "9" in line 2 of sec. 2 to the figure "8".

On request of Senator Schmidt, unanimous consent was granted to amend the title by striking the word "amend" in line 7 and inserting in lieu thereof the word "suspend".

The bill was read for information.

Senator Knudson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 46.

Anderson	Fisch	McArthur	Schmidt
Aschenbrenner	Geske	Meyer	Shangle
Beardsley	Harrington	Miller of	Stanley
Beatty	Hicklin	Buchanan	Stevens of
Bennett	Hill	Miller of Jones	Decatur
Booth	Hopkins	Moore	Stevens of
Byers	Hush	Mullaney	Wapello
Calhoun	Husted	Nelson	Topping
Carden	Irwin	Pendray	Valentine
Chrystal	Kimberly	Reese	Wenner
Cooney	Klemme	Ritchie	White
Coykendall	Knudson	Roelofs	Wilson
Doze			

Nays, 1.

Patterson

Absent or not voting, 2.

Elthon Frailey

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

Senator Knudson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Knudson unanimous consent was granted to message the bill to the House immediately.

The Senate recessed until the fall of the gavel.

The Senate reconvened at the fall of the gavel.

President pro tempore Matt D. Cooney called Senator Schmidt to the chair at 6:30 p. m.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 415, a bill for an act relating to the payment of premiums, withdrawal of funds, etc., of funds of insurance companies during existing emergency.
LLOYD ELLIS, *Chief Clerk.*

Senator Stevens of Decatur moved that when the Senate adjourns, it reconvene at 10:00 a. m. tomorrow.

The motion prevailed.

Senator Pendray submitted the following:

SENATE CONCURRENT RESOLUTION NO. 17

A Concurrent Resolution requesting the United States Senate to ratify the treaty whereby the United States would complete its adherence to the World Court.

Whereas, the platforms of both major parties endorsed the World Court and approved membership therein by the United States; and

Whereas, there seems to be no need for longer delay in joining the other nations of the world in supporting and maintaining said Court; and

Whereas, the entrance of the United States into said Court would give great strength and comfort to those who are trying to maintain world peace by just and peaceful means; and

Whereas, immediate ratification of the pending treaty for the adherence of the United States to the World Court would have a most heartening effect on the people everywhere; now, therefore

Be It Resolved by the Senate of the Forty-fifth General Assembly of Iowa, the House concurring, That the United States Senate be and it is hereby requested to ratify without delay the treaties now pending before it for the adherence of the United States to the World Court.

Be It Further Resolved, That copies of this resolution be transmitted to the Representatives of this state in the United States Senate.

CAROLYN C. PENDRAY.

Passed on file.

President pro tempore returned to the chair at 6:35 p. m.

HOUSE MESSAGES CONSIDERED

House File No. 40, a bill for an act to repeal sections forty-one

hundred seventy-nine (4179), forty-one hundred eighty (4180), and forty-one hundred eighty-one (4181), code 1931, and enact substitutes therefor; and to amend section forty-one hundred eighty-one (4181), code 1931; all relating to transportation in consolidated districts.

Read first and second times and referred to committee on public schools.

House File No. 127, a bill for an act to amend Section forty-six hundred forty-four-c nineteen (4644-c19) and section forty-six hundred forty-four-c twenty-three (4644-c23), Code, 1931, relating to the employment of the county engineer.

Read first and second times and referred to committee on county and township affairs.

House File No. 226, a bill for an act to amend section three hundred two (302), code 1931, relating to the furnishing by the Executive Council to the offices and departments of all articles and supplies required for public use.

Read first and second times and referred to committee on departmental affairs.

House File No. 220, a bill for an act to amend section sixty-nine hundred forty-six (6946), Code, 1931, relating to exemptions from taxation.

Read first and second times and referred to committee on military affairs.

House File No. 206, a bill for an act to amend the law as it appears in sections fifty-four hundred twenty-five (5425) and fifty-four hundred forty-nine (5449) of the Code, 1931, relating to annual license fees for German shepherd dogs, commonly known as police dogs.

Read first and second times and referred to committee on ways and means.

House File No. 308, a bill for an act to amend section eleven hundred sixty-six (1166), code 1931, relating to nepotism.

Read first and second times and referred to committee on judiciary No. 2.

House File No. 227, a bill for an act to amend section three hun-

dred two (302), code 1931, relating to the furnishing of articles and supplies to officers and departments of the State.

Read first and second times and referred to committee on departmental affairs.

On request of Senator Schmidt, unanimous consent was granted to return to introduction of bills.

INTRODUCTION OF BILLS

Senate File No. 416, by Senator Wenner, a bill for an act to clarify the absent voters' law with respect to the oaths required of such voters, and as to the officers who may take and certify such oaths, and to amend and supplement Chapter Forty-four (44) of the Code of Iowa, 1931.

Read first and second times and referred to committee on elections.

Senate File No. 417, by Senator Wilson, a bill for an act to amend sections fifty-nine hundred seventy-five (5975), six thousand two (6002), six thousand twenty-four (6024) and six thousand twenty-six (6026), of the Code, 1931, relating to street improvements, providing for repairing and leveling pavements by the maintenance and treatment of existing surfaces.

Read first and second times and referred to committee on cities and towns.

Senate File No. 418, by Senator Stevens of Decatur, by request, a bill for an act to prohibit the engaging in any business of a private nature by any municipality created under the laws of this state, any political sub-division of this state, and any corporation, board, or trustees charged with the administration of any state institution.

Read first and second times and referred to committee on board of control.

Senate File No. 419, by Senator Hicklin, by request, a bill for an act to amend the law as it appears in Section thirty-one hundred-d one (3100-d1) of the Code, 1931, relating to tax on oleomargarine, by omitting therefrom oleomargarine containing domestic oils.

Read first and second times and referred to committee on agriculture.

Senate File No. 420, by Senator Kimberly, a bill for an act to amend Section Two Thousand seventy-three (2073) and Section Two Thousand eighty-two (2082) of Chapter One Hundred (100), Code, 1931, relating to the applications for and the granting of permits to licensed pharmacists to buy, keep and sell intoxicating liquors for medicinal purposes.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 421, by Senator Reese, a bill for an act providing for the establishment of a System of Unemployment Reserves and Benefits; for the administration thereof, and for the enforcement of its provisions.

Read first and second times and referred to committee on labor.

Senate File No. 422, by Senators Chrystal and Geske, a bill for an act to repeal Chapter Thirty-eight (38), Code, 1931, relating to the nomination of Judges of the Supreme, District, and Superior Courts by conventions of political parties, and to the election of such Judges; and to enact a substitute therefor providing for the non-partisan nomination of such judges at primary elections, and providing for a non-partisan election of such Judges.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 423, by Senator Topping, a bill for an act to prohibit the sale in Iowa of all prison made goods produced by convict labor, and to provide a penalty for the violation thereof.

Read first and second times and referred to committee on labor.

Senate File No. 424, by Senator Cooney, a bill for an act to amend Section Seven Thousand One Hundred and nine (7109), Code 1931, by exempting from taxation additions, alterations and improvements made upon existing buildings in the years 1933 and 1934, not exceeding Five Thousand (5000) Dollars.

Read first and second times and referred to committee on labor.

Senate File No. 425, by Senators McArthur and Roelofs, a bill for an act to repeal chapter one hundred thirty-eight (138), title IX of the Code of 1931, relating to farm aid associations and to enact

a substitute therefor relating to educational work for improving and advancing agriculture, home economics and junior extension work in rural communities, and rural adult education in each county; and to provide county appropriation for conducting such educational work.

Read first and second times and referred to committee on agriculture.

Senate File No. 426, by Senator Stevens of Wapello, a bill for an act to repeal sections eighty-seven hundred eighteen (8718) and eighty-seven hundred nineteen (8719), Code, 1931, relating to life, health and accident insurance.

Read first and second times and referred to committee on insurance.

Senate File No. 427, by Senator Fisch, a bill for an act to amend sections thirteen thousand three hundred-forty (13,340) and thirteen thousand three hundred forty-seven (13,347) of the Code, 1931, relating to the crime of riot and riotous conduct.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 428, by Senator Fisch, a bill for an act to amend section thirteen thousand three hundred thirty-one (13,331), Code 1931, relating to resisting of the execution of process.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 429, by Senator Bennett, by request, a bill for an act providing for amending Section 11014, Code of Iowa 1931, and limiting time within which actions may be brought on causes of action arising within this State.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 430, by Senators Bennett and Cooney, a bill for an act to revise and modernize the laws of this state relating to certain corporations for profit; to provide for the incorporation, regulation, renewal, merger, consolidation and dissolution of certain corporations for profit; to extend the provisions of this act to certain corporations for profit existing under the laws of this state; to define the powers of certain corporations for profit; to define the words, phrases and terms used in this act; to prescribe penalties for

the violations of this act : to provide for a franchise tax ; to provide for certain fees and penalties to be paid the secretary of state ; to require certain reports to be filed ; and to repeal Chapter 384 of the Code 1931 relating to Corporations for Pecuniary Profit ; to repeal Chapter 385 of the Code 1931 relating to capital stock of Corporations for Pecuniary Profit ; to repeal Chapter 385-c1 of the Code 1931 relating to Non Par Value Stock of Corporations for Pecuniary Profit ; to repeal Chapter 388 of the Code 1931 relating to Annual Reports of Corporations ; and to repeal Chapter 392 of the Code 1931 relating to Sale of Stock on Installment Plan.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 431, by Senator Frailey, a bill for an act to amend Section ninety-six hundred eighty-eight (9688) of the Code, 1931, relating to warehouseman's lien against certain property.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 432, by Senator Roelofs, a bill for an act to provide for the licensing of direct buyers of livestock, regulating the conduct of such buyers, and providing for the feeding and watering of livestock purchased by them.

Read first and second times and referred to committee on agriculture.

Senate File No. 433, by Senator Roelofs, a bill for an act to provide for the weighing, grading, feeding, docking and watering of livestock at packing plants, slaughtering houses and concentration points.

Read first and second times and referred to committee on agriculture.

Senate File No. 434, by Senator Harrington, a bill for an act to regulate packing plants, slaughtering houses and concentration points operating in this State, to put them under the supervision and control of the Secretary of Agriculture, to provide for the weighing, grading, feeding watering and docking of such livestock and for official weighers and graders thereof, to authorize the appointment of a licensed veterinarian to superintend the operation of packing plants, slaughtering house and concentration points, to prohibit the purchase or other acquisition of livestock

for slaughter except as herein provided, and to provide penalties for violations thereof.

Read first and second times and referred to committee on agriculture.

Senate File No. 435, by Senator Miller of Buchanan a bill for an act to amend sections four hundred eighty-four (484) and four hundred ninety-two (492) of the code, 1931, relating to memorial buildings and monuments, petitions and qualifications, and method of appointing commissioners.

Read first and second times and referred to committee on cities and towns.

Senate File No. 436, by Senator Nelson, by request, a bill for an act authorizing the organization of Home Banks, limiting the amount that may be received by said bank on deposit from any individual, firm, co-partnership, association, bank or corporation, fixing the rate of interest that may be charged to borrowers and the rate of interest that may be paid on deposits by said banks and requiring said banks to operate without service charges to depositors.

Read first and second times and referred to committee on banks and banking.

Senate File No. 437, by committee on banks and banking, a bill for an act to amend Chapter 415, Code of Iowa, 1931, to provide for public bodies entering into depositors' agreements in banks during period of management by Superintendent of Banking under Senate File No. 111, Forty-fifth General Assembly.

Read first and second times and placed on the calendar.

Senate File No. 438, by Senator McArthur, a bill for an act requiring the exhausting of security on real estate located outside of the State of Iowa before an action may be brought in this state asking for personal judgment against the makers or guarantors of said note.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 439, by Senator Chrystal, a bill for an act to amend Section eleven hundred sixty-three (1163), Code, 1931, relating to soldiers' preference.

Read first and second times and referred to committee on military affairs.

Senate File No. 440, by committee on motor vehicles, a bill for an act so to amend and revise the statutes relative to motor vehicles and the operation thereof as to eliminate therefrom obsolete matter, duplications, inconsistencies and contradictions, to supply manifest omissions, to change the classification of motor vehicles, and to this end to amend sections forty-eight hundred sixty-three (4863), forty-nine hundred sixty-d one (4960-d1), and thirteen thousand ninety-two-d one (13093-d1), and to repeal sections forty-nine hundred twenty-two (4922), five thousand twenty-seven-d one (5027-d1), and five thousand twenty-seven-d two (5027-d2), all of the Code, 1931, and all relating to motor vehicles.

Read first and second times and placed on the calendar.

Senate File No. 441, by Senators Byers and Pendray, a bill for an act to provide for the audit of state institutions under the control of the Board of Education and Board of Control, and any or all municipalities, school districts, county officers, insurance companies or association, financing companies, and all other business institutions which are required to make use of state examiners of checkers in the filing of reports with the state of Iowa.

Read first and second times and referred to committee on departmental affairs.

Senate File No. 442, by Senator Wenner, a bill for an act to amend Subsection one (1) of Section eleven thousand eight hundred thirty-two (11832) of the Code of Iowa, 1931, relating to the probate powers of the Clerk of the District Court.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 443, by Senator Patterson, a bill for an act to postpone the issuance of all tax deeds until March first, 1935, and to suspend all laws in conflict with this Act.

Read first and second times and referred to committee on emergency legislation.

Senate File No. 444, by Senator Schmidt, by request, a bill for an act to amend section eleven thousand thirty-eight (11038) of the Code, 1931, relating to place of bringing action.

Read first and second times and referred to committee on judiciary No. 1.

PROOF OF PUBLICATION

I hereby certify that there has been filed with me, as Secretary of the Senate, a proof of publication from The Independence Conservative, Independence, Iowa, relating to Senate File No. 331, a bill for an act to legalize the granting of a franchise by the town of Rowley, Iowa, and by the electors thereof to the Iowa Railway and Light Corporation.

BYRON G. ALLEN, *Secretary of the Senate.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate Files Nos. 167 and 415.

HOMER HUSH, *Chairman Senate Committee.*

WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The president pro tempore of the Senate announced that, as president pro tempore of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 167 and 415.

BILLS SENT TO THE GOVERNOR

Senator Hush, from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 8th day of March, 1933, sent to the Governor for his approval, Senate File Nos. 167 and 415. HOMER HUSH, *Chairman.*

Passed on file.

The Journal of March 7th was corrected and approved.

AMENDMENTS FILED

Amend Senate File No. 328 by striking out all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Section thirty-two hundred ninety-d one (3290-d1), Code, 1931, is hereby amended by adding thereto the following, to wit:

"The board shall, each fiscal year, set aside the following respective sums for fire protection at the institutions indicated, which sum in each instance shall be set aside from the fund for the maintenance of the institution in question and shall, in each instance, be used, or so much thereof

as may be necessary, to discharge, the contract entered into hereunder on behalf of said institution, to wit:

Soldiers' Home	\$ 700.00
Soldiers' Orphans' Home	700.00
Juvenile Home	500.00
Institution for Feeble-Minded Children	600.00
State Sanatorium	500.00
Training School for Boys.....	600.00
Training School for Girls.....	800.00
Mount Pleasant State Hospital.....	700.00
Independence State Hospital.....	800.00
Clarinda State Hospital.....	600.00
Cherokee State Hospital.....	1,000.00
Hospital for Epileptics and School for Feeble-minded.....	700.00
State Penitentiary	900.00
Men's Reformatory	700.00
Women's Reformatory	300.00

Sec. 2. Section thirty-nine hundred forty-four-d one (3944-d1), Code, 1931, is hereby amended by adding thereto the following, to wit:

"The board shall, each fiscal year, set aside the following respective sums for fire protection at the institutions indicated, which sum in each instance shall be set aside from the fund for the maintenance of the institution in question and shall, in each instance, be used, or so much thereof as may be necessary, to discharge the contract entered into hereunder on behalf of said institution, to wit:

State University of Iowa.....	\$5000.00
State College of Agriculture and Mechanic Arts.....	2800.00
Iowa State Teachers Colls.....	1000.00
State School for the Blind.....	1000.00
State School for the Deaf.....	4500.00

PAUL W. SCHMIDT.

Amend Senate File No. 262 as follows:

Amend Section one (1), line twelve (12), by striking the period at the end of this line and inserting in lieu thereof a semicolon and adding the following:

"provided, further, that the provisions of this act shall not in any manner impair the rights of any municipal corporation now owning and operating any public utility or utilities from contracting for any necessary additions, extension or betterment of such utility or utilities and such contract indebtedness shall not be computed or included within the limitation herein prescribed."

COMMITTEE ON CITIES AND TOWNS.

On motion of Senator Schmidt the Senate adjourned, the time for reconvening having been set previously for 10:00 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 9, 1933.

The Senate met in regular session, President pro tempore Matt D. Cooney presiding.

Prayer was offered by Rev. A. R. Weed, pastor of the West Star and Worthington Churches of Winterset.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Approving prohibition. Senator Chrystal, from residents of Greene county. Senator Calhoun, from members of the Fairfield W. C. T. U., and from citizens of Batavia. Senator Elthon, from residents of Mitchell county. Judiciary No. 1.

Opposing the placing of a tax on the so-called "chain stores" doing business in the state. Senator Chrystal, from residents of Carroll county. Manufacturing, commerce and trade.

Opposing the repeal of the gas tax refund. Senator Nelson, from residents of Story county. Ways and means.

Favoring repeal of the deficiency judgment law, and the adoption of a state income tax law. Senator Patterson, from citizens of Mallard. Judiciary No. 1.

Opposing the passage of the bill to close small elementary schools. Senator Cooney, from residents of Dubuque county. Public schools.

Relating to the construction of secondary roads. Senator Chrystal, from residents of Sac county. County and township affairs.

Opposing Senate File No. 140. Senator Pendray, from residents of Jackson county. Public schools.

Favoring the gross income tax bill. Senator Chrystal, from residents of Carroll county. Senator Wilson, from residents of Polk county. Senator Stevens of Wapello, from citizens of Ottumwa. Senator Harrington, from residents of Palo Alto county. Ways and means.

Opposing the passage of the gross income tax bill. Senator Stanley, from members of Local Union 916, United Mine Workers of America of Hiteman. Ways and means.

INTRODUCTION OF BILLS

Senate File No. 445, by Senator Meyer, by request, a bill for an act to amend Section 5683 of the Code of 1931, by reducing the amount of appropriation authorized therein and to repeal Section 5684.

Read first and second times and referred to committee on appropriations.

Senate File No. 446, by Senator Harrington, a bill for an act relating to unfair competition and discrimination, making certain unfair and discriminatory practice unlawful, defining the duties of the attorney general in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalty.

Read first and second times and referred to committee on cities and towns.

Senate File No. 447, by Senator Hush, a bill for an act relating to public utilities engaging in business.

Read first and second times and referred to committee on public utilities.

The time having arrived for consideration of the special order, on motion of Senator Calhoun House File No. 74, a bill for an act to repeal section ten thousand four hundred twenty-nine-d one (10429-d1), code 1931, with reference to the withholding of marriage licenses, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Byers offered the following amendment and moved its adoption :

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

"Section 1. That Section 10429D1 of the Code of Iowa, 1931, be and the same is hereby amended by adding thereto the following: 'That in all cases where parties, either one of whom is a resident of this State, shall procure a marriage license in any foreign State and be married therein, either of said parties who is a resident of this State shall, within ten days after such marriage, file said marriage license, or a certified copy thereof, with the Clerk of the District Court of the County in which said party is a resident for registration and shall pay to the Clerk of said court a fee of \$2.00 for the registration of said marriage license.'

Sec. 2. A failure to file said marriage license, or a certified copy thereof and to pay the said registration fee of \$2.00, as above provided, shall subject the party whose duty it is under this act to so register said marriage license to a fine of \$10.00, to be collected by suit to be brought in the name of the County which is the residence of said party and to be paid into the school fund of said County."

Also, amend the title by striking out the entire title and inserting in lieu thereof the following:

"An Act to amend Section 10429D1 of the Code of Iowa, 1931, relating to marriage licenses, for the filing of marriage licenses, or certified copy, issued in a foreign State to residents of this State, and for the payment of a registration fee and providing for a penalty for failure to file the same."

Senator Knudson was called to the chair at 10:20 a. m.

Senator Coykendall offered the following amendment to the amendment and moved its adoption:

Amend by adding thereto the following: "Except that said section shall remain in full force and effect in all counties of this state which are traversed by both the Cedar River and the Lincoln Highway, and which have their respective Court Houses built on islands in the Cedar River."

Senator Coykendall raised the point of order that Senator Doze was not speaking on the amendment but on the bill and was out of order.

The chair held the point of order well taken.

Senator Elthon moved the previous question on all pending amendments, and the main bill.

The motion was lost.

The Coykendall amendment was adopted.

Senator Valentine moved the previous question on the amendment as amended.

The motion prevailed.

The Byers amendment was lost.

Senator Nelson offered the following amendments and moved their adoption:

Amend by striking all following the enacting clause and inserting in lieu thereof the following:

Section 1. That Section 10429D1 of the code of Iowa 1931, be and the same is hereby amended by adding thereto the following: That in all cases where parties, either one of whom is a resident of this State, shall procure a marriage license in any foreign State and be married therein, either of said parties who is a resident of this State shall, within ten days after such marriage, file said marriage license, or a certified copy thereof, with the Clerk of the District Court of the County in which said party is a resident for registration and shall pay to the Clerk of said court a fee of \$2.00 for the registration of said marriage license.

Also, amend the title by striking out the entire title and inserting in lieu thereof the following:

"An Act to amend Section 10429D1 of the code of Iowa, 1931, relating to marriage licenses, for the filing of marriage licenses, or certified copy, issued in a foreign State to residents of this State, and for the payment of a registration fee.

Senator Patterson raised the point of order that the amendment was out of order because it is the same subject matter as that which was rejected in the Byers amendment.

The chair ruled that, under provisions of page 141 of Roberts Rules of Order, the point was not well taken.

Senator Cooney moved the previous question on the pending amendment and the main bill. The motion prevailed.

Roll call was demanded.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 13.

Bennett	Chrystal	Hopkins	McArthur
Booth	Geske	Husted	Nelson
Byers	Hill	Knudson	Wilson
Carden			

Nays, 34.

Anderson	Hicklin	Moore	Stanley
Aschenbrenner	Hush	Mullaney	Stevens of
Beardsley	Irwin	Patterson	Decatur
Calhoun	Kimberly	Pendray	Stevens of
Cooney	Klemme	Reese	Wapello
Coykendall	Meyer	Ritchie	Topping
Doze	Miller of	Roelofs	Valentine
Elthon	Buchanan	Schmidt	Wenner
Fisch	Miller of Jones	Shangle	White
Harrington			

Absent or not voting, 2.

Beatty Frailey

The amendment was lost.

Senator Calhoun moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 35.

Anderson	Elthon	Miller of	Shangle
Aschenbrenner	Fisch	Buchanan	Stanley
Beardsley	Frailey	Miller of Jones	Stevens of
Beatty	Harrington	Moore	Decatur
Booth	Hicklin	Patterson	Stevens of
Calhoun	Hill	Pendray	Wapello
Chrystal	Hush	Reese	Topping
Cooney	Irwin	Roelofs	Valentine
Coykendall	Kimberly	Schmidt	White
Doze	Meyer		

Nays, 14.

Bennett	Hopkins	McArthur	Ritchie
Byers	Husted	Mullaney	Wenner
Carden	Klemme	Nelson	Wilson
Geske	Knudson		

Absent or not voting, none.

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

Senator Calhoun moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the following House Concurrent Resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution No. 14, relating to maintaining a memorial for Abraham Lincoln.

Also, that the House has adopted the following House Concurrent Resolution, in which the concurrence of the Senate is asked:

House Concurrent Resolution No. 11, memorializing Congress to enact Senate Bill No. 1197.

Also, that the House has refused to concur in Senate amendments to House File No. 238, a bill for an act relating to protection of fish and game and powers of the commission.

LLOYD ELLIS, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION NO. 11

Memorializing Congress and the President of the United States, to enact Senate Bill No. 1197, known as the Frazier Bill,

Whereas, the pressure of an intense economic crisis has completely disrupted our financial stability and caused thousands of families to lose their farms and homes as a result of the low prices of farm products and high interest rates on their credits, and caused millions of men and women to lose their employment and to be without the necessities of life, and

Whereas, it is within the power of the Congress to provide through the government agencies now in existence the necessary money and credit to relieve the distress,

Whereas, it is within the functions of the Federal Government to redress such grievance through the machinery of the Federal Farm Loan system, the Federal Reserve Banking system and the Postal Savings Depository system.

Therefore, Be It Resolved by the House of Representatives of the State of Iowa, the Senate concurring, That we earnestly request and urge Congress and the President of the United States to speedily enact and sign Senate Bill No. 1197, known as the Frazier Refinancing Bill.

Be It Further Resolved, That a copy of this Resolution be sent to the Congressmen from Iowa and to the President of the United States.

HOUSE CONCURRENT RESOLUTION NO. 14

Whereas, the Lincoln Memorial Association of Iowa has been organized for the purpose of erecting, establishing, and maintaining a Memorial to be placed upon the Capitol Grounds at Des Moines, Iowa, in memory of Abraham Lincoln, therefore,

Be It Resolved by the House, the Senate concurring: That the Executive Council of the State of Iowa, be and is hereby directed to accept such Memorial on behalf of the State and provide a suitable location for its erection on the Capitol Grounds at Des Moines, Iowa.

President pro tempore Matt D. Cooney returned to the chair at 12:02 p. m.

Senator Wilson moved that the Senate recess until 1:00 p. m., and that when it reconvene it go into executive session.

AFTERNOON SESSION

The Senate met at the fall of the gavel, Senator Wilson in the chair at the request of President pro tempore Matt D. Cooney.

On the request of Senator Frailey, unanimous consent was granted to return to introduction of bills.

INTRODUCTION OF BILLS

Senate File No. 448, by committee on claims, a bill for an act to make an appropriation to W. H. Sprole.

Read first and second times and referred to committee on appropriations.

Senate File No. 449, by Senator Cooney, a bill for an act to make Section Six Thousand Eight Hundred forty-six (6846), Code 1931, relating to contagious diseases, applicable to Cities operating under Chapter Three Hundred twenty-eight (328) of said Code.

Read first and second times and referred to committee on public health.

Senate File No. 450, by Senator Wilson, a bill for an act to amend section One Thousand Two Hundred thirty-one (1231), Code 1931, relating to examination and qualification of mine inspector.

Read first and second times and referred to committee on mines and mining.

Senate File No. 451, by Senator Topping, a bill for an act to regulate the practice of Naprapathy, and providing for the examination and license of Naprapaths, and the appointment and maintenance of a board of examiners.

Read first and second times and referred to committee on public health.

Senate File No. 452, by Senator Cooney, a bill for an act to amend Section Three Thousand Forty-five (3045), Code 1931, by adding thereto an additional paragraph designated as four (4), with reference to license, tax and to regulate certain businesses and occupations.

Read first and second times and referred to committee on agriculture.

Senate File No. 453, by Senators Bennet and Cooney, a bill for an act to Revise and Modernize the Corporation Laws of this State relating to Certain Foreign Corporations, to Provide for the Registration, Regulation, Licensing, Cancellation and Withdrawal of, and Service of Process of Certain Foreign Corporations, to Prescribe Penalties for the Violation of Certain Sections hereof, to Extend the Provisions of this Act to Certain Foreign Corporations Licensed to do Business in this State, to Provide for a Franchise Tax and the Payment of Certain Fees, Charges and Penalties, to

Require Certain Reports to be filed and to Repeal Chapter Three Hundred Eighty-six (386) of the Code, 1931, Relating to Permits to Foreign Corporations, and Chapter Three Hundred Eighty-seven (387) of the Code, 1931, Relating to Foreign Public Utility Corporations.

Read first and second times and referred to committee on judiciary No. 2.

Senate File No. 454, by Senator Aschenbrenner, a bill for an act relating to the state board of eugenics reducing the membership thereof nine (9) to three (3) and to repeal section twenty-four hundred thirty-seven-c one, (2437-c1) and twenty-four hundred thirty-seven-c two, (2437-c2) of the code 1931, and enact substitutes therefor, and to amend section twenty-four hundred thirty-seven-c twenty (2437-c20) of the code 1931, relating to the payment of the expenses of said board.

Read first and second times and referred to committee on public health.

Senate File No. 455, by Senator Frailey, a bill for an act to amend Chapter Three Hundred Twelve (312) of the code, 1931, relating to heating plants, water and gas works, and electric plants.

Read first and second times and referred to committee on cities and towns.

Senate File No. 456, by Senator Knudson, a bill for an act regulating the head lamps of motor vehicles.

Read first and second times and referred to committee on motor vehicles.

On request of Senator Nelson, unanimous consent was granted to substitute House File No. 127 for Calendar No. 81, Senate File No. 86.

On request of Senator Patterson, unanimous consent was granted to consider Calendar No. 136, Senate File No. 256.

THIRD READING OF BILLS

On motion of Senator Patterson Senate File No. 256, a bill for an act to authorize any city of the second class to pledge, annually, certain portions of the net income of its municipally-owned electric.

light and power plant for the purpose of borrowing money with which to pay the cost of constructing a municipal hospital, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered.

Amend by inserting after the word "class" in line one (1) of Section One (1) thereof the words "having a population of five thousand and not more than six,".

Also by striking Section Two (2) and inserting in lieu thereof the following:

"Sec. 2. The power granted in section one (1) to issue certificates and to pledge said earnings for the payment thereof shall not be exercised unless a majority of the legal electors of the city voting thereon vote in favor of the exercise of such power. The council may, on its own motion, submit such question either at a general election or at a special election called for that purpose.

"Upon the filing with the mayor of a petition requesting the submission of such question, signed by twenty-five (25) legal electors of each voting precinct in the city, the mayor shall submit such question at the first general election following the filing of said petition, providing said general election occurs not less than forty (40) nor more than ninety (90) days after said filing. If said question cannot be submitted at a general election, as herein provided, the mayor shall submit such question at a special election which he shall forthwith call for such date as will permit the giving of the notice herein provided. Notice of said election shall be given as provided by section 6133, Code, 1931.

"Sec. 3. The question shall be submitted in substantially the following form:

"(Shall the city of, Iowa, construct a municipal hospital, and for the payment of such construction pledge, for a period not exceeding fifteen (15) years, not to exceed fifty per cent (50%) of the net earnings each year of the municipal light and power plant and issue interest-bearing certificates of indebtedness not exceeding Dollars, as evidence of said indebtedness?"

"Sec. 4. This act is deemed of immediate importance and shall be in force and effect from and after its passage and publication in the Rolfe Arrow, a newspaper published at Rolfe, Iowa, and in the Gilmore Enterprise, a newspaper published at Gilmore City, Iowa."

The amendments were adopted.

Senator Booth offered the following amendment and moved its adoption:

Amend by inserting before the period at the end of the publication clause the following: "without expense to the state".

The amendment was adopted.

Senator Patterson moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 45.

Aschenbrenner	Fisch	Meyer	Schmidt
Beardsley	Frailey	Miller of	Shangle
Beatty	Geske	Buchanan	Stanley
Bennett	Harrington	Miller of Jones	Stevens of
Booth	Hill	Moore	Decatur
Byers	Hopkins	Mullaney	Stevens of
Calhoun	Hush	Nelson	Wapello
Carden	Husted	Patterson	Topping
Chrystal	Irwin	Pendray	Valentine
Coykendall	Kimberly	Reese	Wenner
Doze	Klemme	Ritchie	White
Elthon	Knudson	Roelofs	Wilson

Nays, none.

Absent or not voting, 4.

Anderson	Cooney	Hicklin	McArthur
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The bill having received a constitutional majority was declared to have passed the Senate.

On request of Senator Hush, unanimous consent was granted to amend the title by inserting after the word "class" in line one (1) of the title the following:

"having a population of five thousand (5,000) and not more than six thousand (6,000),";

Also by striking the period after the word "hospital" in line four (4) of the title and inserting in lieu thereof a comma (,) and adding the following:

"and providing for a vote of the electors thereon".

The title as amended was agreed to.

SENATE INSISTS ON AMENDMENTS

Senate Fisch moved that the Senate insist on its amendments to House File No. 238.

On the question, "Shall the Senate insist on its amendments?" the vote was:

Ayes, 40.

Aschenbrenner	Byers	Cooney	Geske
Beardsley	Calhoun	Doze	Harrington
Bennett	Carden	Fisch	Hicklin
Booth	Chrystal	Frailey	Hill

Hopkins	Miller of	Reese	Stevens of
Irwin	Buchanan	Roelofs	Wapello
Kimberly	Miller of Jones	Schmidt	Topping
Klemme	Moore	Shangle	Valentine
Knudson	Mullaney	Stanley	Wenner
Meyer	Patterson	Stevens of	White
	Pendray	Decatur	Wilson

Nays, 2.

Elthon Ritchie

Absent or not voting, 7.

Anderson	Coykendall	Husted	Nelson
Beatty	Hush	McArthur	

The Senate insisted on its amendments.

On motion of Senator Stevens of Wapello the Senate resolved itself into executive session.

EXECUTIVE SESSION

The Senate confirmed the appointment of Hon. Harry C. White, of Vinton, Benton county, as a member of the Board of Control, for the term of six years beginning July 1, 1933.

The Senate confirmed the appointment of Hon. Frank Wenig, of Spencer, Clay county, as Labor Commissioner, for the term of two years beginning July 1, 1933.

The Senate confirmed the appointment of Hon. C. B. Murtagh, of Algona, Kossuth county, as Director of the Budget, for the term of six years beginning July 1, 1933.

The Senate confirmed the appointment of Hon. Henry Shull, of Sioux City, Woodbury county, as a member of the Board of Education, for the term of six years, beginning July 1, 1933.

The Senate confirmed the appointment of Hon. S. J. Galvin, of Hampton, Franklin county, as a member of the Board of Education, for the term of six years, beginning July 1, 1933.

The Senate arose from executive session and resumed regular session.

Senator Byers moved that when the Senate adjourns it be to reconvene at 10:00 a. m. Friday. The motion prevailed.

The Senate recessed until the fall of the gavel.

The Senate reconvened at the fall of the gavel. President pro tempore Matt D. Cooney presiding.

On request of Senator Topping, unanimous consent was granted to return to introduction of bills.

INTRODUCTION OF BILLS

Senate File No. 457, by Senator Cooney, a bill for an act to prohibit the sale of milk or milk products under false representations as to the breed of cattle from which the same were produced.

Read first and second times and referred to committee on manufacturing, commerce and trade.

Senate File No. 458, by Senator Topping, a bill for an act to amend Section eighty nine fifty nine (8959), Code of 1931, relative to forfeiture of policy, cancellation notice.

Read first and second times and referred to committee on judiciary No. 1.

Senate File No. 459, by Senator Harrington, a bill for an act to amend section sixty-two hundred forty-two, (6242) Code 1931, providing for the initiation of the proceedings to call an election for certain purposes described in section sixty-two hundred thirty-nine (6239), Code 1931.

Read first and second times and referred to committee on elections.

Senate File No. 460, by Senator Harrington, by request, a bill for an act to amend Section sixty-one hundred forty-three (6143), Code 1931, providing for regulation of the bills of gas, heat, water, light or power and providing a penalty for the violation thereof.

Read first and second times and referred to committee on public utilities.

Senate File No. 461, by Senator Harrington, by request, a bill for an act to amend section sixty-two hundred forty-six (6246), Code 1931, providing for majorities required in certain special elections.

Read first and second times and referred to committee on elections.

Senate File No. 462, by Senator Harrington, by request, a bill for an act to amend Section sixty-four hundred seventy-eight, (6478), Code 1931, providing for the method of signing petitions for certain special elections.

Read first and second times and referred to committee on

Senate File No. 463, by Senator Harrington, by request, a bill elections.

for an act providing for the creation and establishment, for the state of Iowa, of a state board for licensing contractors; providing for the appointment and qualification of the members of said board and the organization and jurisdiction thereof; providing for the registration of contractors, and defining the term "contractor"; providing for the method of obtaining licenses for contractors engaged in the business of contracting; providing the method of suspension and revocation of such licenses; and providing penalties for violations of the provisions of this act.

Read first and second times and referred to committee on manufacturing, commerce and trade.

REPORTS OF COMMITTEES

Senator Byers submitted the following reports:

MR. PRESIDENT: Your committee on motor vehicles to which was referred Senate File No. 266, a bill for an act to amend section 4869, Code of Iowa 1931, relating to the testing of the brakes, head lights and rear lights of motor vehicles before registration, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *Chairman*.

Ordered passed on file.

Also:

Your committee on motor vehicles to which was referred Senate File No. 102, a bill for an act to amend section 492102 Chapter 251 of the Code 1931, relating to trucks used in highway construction and maintenance work, begs leave to report it has had the same under consideration and recommends the same do pass.

FRANK C. BYERS, *Chairman*.

Ordered passed on file.

EXTRA COPIES ORDERED PRINTED

On request of Senator Beardsley, unanimous consent was granted to have printed 1200 extra copies of Senate File No. 263.

On request of Senator Irwin, unanimous consent was granted to have printed 1200 extra copies of Senate File No. 354.

On request of Senator Bennett, unanimous consent was granted to have printed 2400 extra copies of Senate File No. 430.

The Journal of March 8th was corrected and approved.

CONFERENCE COMMITTEE APPOINTED

President pro tempore Matt D. Cooney appointed Senators

Fisch, Hicklin, Knudson and Stevens of Wapello as members of the conference committee on House File No. 238.

AMENDMENT FILED

Amend the committee report to Senate File No. 110, page 384 of Senate Journal by striking the last sentence of said report. C. H. TOPPING.

On motion of Senator Harrington the Senate adjourned the time having been set previously for 10:00 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 10, 1933.

The Senate met in regular session, President pro tempore Matt D. Cooney presiding.

Prayer was offered by Rev. Gordon Dale Cox, ex-army chaplain of Ottumwa.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Senator Wilson introduced the 6B class of Greenwood school of Des Moines who petitioned in person for good legislation.

Approving prohibition. Senator Schmidt, from young people of Iowa City, and residents of Johnson county. Senator Stevens of Decatur, from residents of Union county. Judiciary No. 1.

Opposing the striking of the Bureau of Maternity and Child Hygiene from the State Department of Health. Senator Anderson, from the Woman's Club of Dayton. Public health.

INTRODUCTION OF BILLS

Senate File No. 464, by committee on agriculture, a bill for an act to repeal sections forty-eight hundred eighteen (4818), forty-eight hundred nineteen (4819) and forty-eight hundred twenty-one (4821), Code of 1931, and to enact substitutes therefor, relating to noxious weeds, and to define the powers of the Secretary of Agriculture in relation thereto.

Read first and second times and placed on the calendar.

Senate File No. 465, by committee on agriculture, a bill for an act to amend sections thirty-one hundred twenty-seven (3127),

Code of 1931, and thirty-one hundred thirty-seven (3137), Code of 1931, relating to agricultural seeds.

Read first and second times and placed on the calendar.

REPORTS OF COMMITTEES

Senator White submitted the following reports:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File No. 327, a bill for an act to make an appropriation to Mrs. Doris E. Kast, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File No. 338, a bill for an act to amend section four hundred fifty-nine (459) of the Code of 1931, relating to Military stores property of the State, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend section 1 by striking from line seven the words "sufficient amount" and insert in lieu thereof the following:

"an amount not to exceed three thousand dollars (\$3,500) in each year".

H. C. WHITE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on appropriations, to which was referred Senate File No. 300, a bill for an act to make an appropriation for the expenses incurred in the election contest of Caldwell vs. Shangle, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

1. Amend section one (1), lines two (2) and three (3), by striking out the words and figures "one thousand seven hundred sixty dollars and sixty cents (\$1760.60)" and inserting in lieu thereof "seven hundred forty-four dollars and ten cents (\$744.10)".

2. Amend section one (1) by striking all after the colon (:) in line eight (8) and inserting in lieu thereof the following:

Devitt, Eichorn & Devitt, Attorney fees.....	\$250.00
Thomas J. Bray, Attorney fees.....	250.00
B. E. Evans, Auditor of Mahaska County, expenses.....	20.65
K. L. Johnson, M.D., Medical fees.....	12.50
Harry Allgood, Witness, mileage and per diem.....	5.50
Ben Anderson, Witness, mileage and per diem.....	5.80
Irwin Beach, Witness, mileage and per diem.....	5.75

B. E. Evans, Witness, mileage and per diem.....	5.00
F. E. Hyett, Witness, mileage and per diem.....	5.10
Howard Kemp, Witness, mileage and per diem.....	5.50
Cooney Lathrop, Witness, mileage and per diem.....	5.70
J. C. McClune, Witness, mileage and per diem.....	5.10
Clifford Ott, Witness, mileage and per diem.....	5.10
W. W. Stewart, Witness, mileage and per diem.....	5.50
Paul Stutzman, Witness, mileage and per diem.....	5.00
Chris Winter, Witness, mileage and per diem.....	5.10
Zoe Wright, Witness, mileage and per diem.....	5.50
Jack Wright, Witness, mileage and per diem.....	5.65
Ethel F. Katz, Court Reporter, services.....	15.00
Rolland Fletcher, Doorkeeper.....	3.60
W. D. Clark, Doorkeeper.....	18.00
Senator E. J. Wenner, long distance phone call.....	1.00
Byron G. Allen, Secretary of Senate, long distance call.....	.85
L. T. Shangle, expenses.....	87.55
Cornelius Ver Ploeg, Notary fee.....	9.65
TOTAL EXPENSE	\$744.10

H. C. WHITE, *Chairman*.

Ordered passed on file.

Senator Knudson submitted the following report:

MR. PRESIDENT: Your committee on insurance, to which was referred House File No. 189, a bill for an act to amend section eighty-nine hundred forty-three (8943), Code 1931, relating to execution of policies of insurance, begs leave to report it has had the same under consideration and recommends the same do pass.

IRVING H. KNUDSON, *Chairman*.

Ordered passed on file.

Senator Stevens of Wapello submitted the following reports:

MR. PRESIDENT: Your committee on reduction of public expenditures, to which was referred Senate File No. 19, a bill for an act to amend Section sixty-nine hundred forty-four (6944), paragraph eleven (11), code 1931, exempting from taxation the real estate owned by any educational institution of this state as part of its endowment fund when leased or otherwise used with a view to pecuniary profit, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT: Your committee on reduction of public expenditures, to which was referred Senate File No. 64, a bill for an act to repeal section seventy-three hundred forty-five (7345) Code 1931, and to enact a

substitute therefor relating to relief from appraisal of estates for inheritance tax purposes, begs leave to report it has had the same under consideration and recommends the same do pass.

ROY E. STEVENS, *Chairman*.

Ordered passed on file.

On request of Senator Mullaney, unanimous consent was granted to remove the pictures of Ex-President Herbert Hoover and Ex-Vice President Curtis and hang in their stead a picture of our President, Franklin D. Roosevelt.

President pro tempore Matt D. Cooney appointed Senators Mullaney and Knudson as a committee of two to perform the rites.

Senator Coykendall moved that the pictures taken down be presented to Senator Hopkins. The motion prevailed.

Senator Hopkins accepted the gift with the following words:

MR. PRESIDENT: I am indeed very grateful to the Senate for the presentation of the picture of Ex-President Hoover and Ex-Vice President Curtis.

When the American people wake up to the wonderful service of President Hoover, they will rank his administration as one of the greatest in the history of the United States.

I shall always cherish this gift as one of my prize possessions.

SENATE FILE NO. 163 ON CALENDAR

Under rule No. 35 Senate File No. 163 was withdrawn from committee and placed on the calendar.

On request of Senator Stanley unanimous consent was granted to defer action on Calendar No. 1, Senate File No. 228, such bill to retain its place on the calendar.

On request of Senator Ritchie unanimous consent was granted to withdraw Calendar No. 3, Senate File No. 231, as the companion bill failed to pass the House.

On request of Senator Patterson unanimous consent was granted to defer action on Calendar No. 7, Senate File No. 238, such bill to retain its place on the calendar.

THIRD READING OF BILLS

On motion of Senator Knudson, Senate File No. 245, a bill for an act to amend chapter four hundred four (404), code of Iowa for

1931, to provide a penalty for failure to file policies or permits, as provided in that chapter, a committee bill, was taken up and considered.

On request of Senator Stevens of Wapello, unanimous consent was granted to withdraw his amendments as found on page 534 of the Senate Journal.

The bill was read for information.

Senator Knudson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 39.

Anderson	Fisch	Meyer	Ritchie
Aschenbrenner	Geske	Miller of	Roelofs
Beardsley	Hill	Buchanan	Shangle
Booth	Hopkins	Miller of Jones	Stanley
Calhoun	Hush	Moore	Stevens of
Carden	Husted	Mullaney	Decatur
Chrystal	Irwin	Nelson	Valentine
Cooney	Kimberly	Patterson	Wenner
Coykendall	Klemme	Pendray	White
Doze	Knudson	Reese	Wilson
Elthon			

Nays, none.

Absent or not voting, 10.

Beatty	Fraily	McArthur	Stevens of
Bennett	Harrington	Schmidt	Wapello
Byers	Hicklin		Topping

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

Senator Knudson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Stevens of Wapello, unanimous consent was granted to defer action on Calendars Nos. 14, 15, 16 and 17, Senate Files Nos. 22, 66, 21 and 40, such bills to retain their places on the calendar.

On request of Senator Anderson, unanimous consent was granted to defer action on Calendar No. 18, Senate File No. 254, such bill to retain its place on the calendar.

On motion of Senator Ritchie, Senate File No. 255, a bill for an

act to amend sections thirty hundred seventy-one (3071) and thirty hundred seventy-two (3072) of the code, 1931, relating to milk dealers' licenses, a committee bill, was taken up and considered.

Senator Wilson offered the following amendment and moved its adoption:

Amend by striking the enacting clause.

The amendment was adopted.

On motion of Senator Knudson, House File No. 242, a bill for an act to repeal Chapter three hundred ninety-nine (399) of the 1931 code of Iowa and enact a substitute therefor relating to group life, health and accident insurance, with report of committee recommending amendment and passage, was taken up and considered, the report of the committee having been adopted on page 535 of the Senate Journal.

The following committee amendments were considered:

Amend by adding after line 21 of paragraph 3 of section 3 the following:

"4. Fraternal societies or associations and any subordinate lodges or branches thereof; provided, however, that the requirement for not less than fifty members shall not apply thereto."

2. By striking out the period (.) after the word "company" in line 4 of section 4 and inserting in lieu thereof a comma (,) followed by the words "and members of fraternal societies or associations, or any subordinate lodges or branches thereof."

3. By adding after the period (.) following the word "termination" in line 37 of paragraph 4 of section 5 the following: "Provided, however, that the provisions for issuing a policy to the employee upon termination of his employment shall not be required in policies issued to fraternal societies or associations or subordinate lodges or branches thereof, but such policies shall provide that in case the member changes his membership to another lodge or branch of the same society or association, his individual certificate hereinafter referred to may be transferred with his membership."

The amendments were adopted.

Senator Knudson moved to defer action on this bill, such bill to retain its place on the calendar. The motion prevailed.

On request of Senator Roelofs, unanimous consent was granted to return to introduction of resolutions.

Senator Roelofs submitted the following:

SENATE RESOLUTION NO. 5

A resolution providing for the appointment of a committee to investigate the cafeteria in the basement of the Capitol Building and to report its findings to the General Assembly.

Whereas, there has come to the attention of the General Assembly the claim that the management of the cafeteria in the basement of the State House is buying all its merchandise outside the State of Iowa, and that there is a measure of extortion in the price charged for meals at said cafeteria, and

Whereas, the question has arisen as to whether or not proper rules of sanitation are being observed in the operation of said cafeteria, and whether the terms of the lease under which said cafeteria is being operated is fair to the State and whether the service given at said cafeteria is fair to the employees of the State and the public for whose accommodation said cafeteria was originally authorized, now therefore,

Be It Resolved by the Senate of the 15th General Assembly:

Section 1. That a committee, consisting of three members of the Senate to be appointed by the presiding officer of the Senate is hereby created to investigate the establishment, maintenance, and operation of the cafeteria in the basement of the State House, and particularly, to ascertain the place at which the food stuffs are purchased that are being used in said cafeteria and the price paid for the same, and to ascertain whether the rules of sanitation are being observed in the operation of said cafeteria, and the efforts that are being used, if any, to exterminate vermin in connection therewith, and to ascertain the names of the persons responsible for the management thereof, and to investigate the terms of the lease under which space in the basement is being occupied and whether or not the terms of said lease are being observed, and any other matters in connection with the establishment and the operation of said cafeteria which said committee may determine affect the employees of the State, the State itself, and the public generally having business with the departments of the State.

Section 2. That said committee be and is hereby authorized to issue subpoenas for the production of witnesses before it, and to compel the attendance of witnesses and the disclosure of any information said witnesses may possess, and to require the production of books and records, and to fully inquire into any matters relating to said cafeteria.

Section 3. That said committee, upon completion of its investigation and before the adjournment of this Assembly, make a report of its findings to this Senate for such action as the public interest may require.

On request of Senator Roelofs, unanimous consent was granted to consider the resolution.

Senator Booth moved that the resolution be referred to the State Executive Council. The motion prevailed.

THIRD READING OF BILLS

On request of Senator Hush, unanimous consent was granted to

substitute House File No. 29, a companion bill to Senate File No. 29.

On motion of Senator Hush, House File No. 29, a bill for an act to repeal section fifty-two hundred sixty-c-ten (5260-c10), code 1931, and enact a substitute therefor, and to amend section fifty-two hundred sixty-c eleven (5260-c11), code 1931, relating to the county budget and providing penalty for violation thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wilson offered the following amendment and moved its adoption:

Amend section 1, by inserting in line 5 after the word "expenditure" the words "without the approval of the Board of Supervisors".

Senator Wilson withdrew his amendment.

Senator Wilson offered the following amendment and moved its adoption:

Amend section 1 by striking from line 7 the words "for that year".

The amendment was adopted.

The bill was read for information.

Senator Hush moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 43.

Aschenbrenner	Geske	Meyer	Schmidt
Beardsley	Harrington	Miller of	Shangle
Bennett	Hicklin	Buchanan	Stanley
Booth	Hill	Miller of Jones	Stevens of
Byers	Hopkins	Mullaney	Decatur
Calhoun	Hush	Nelson	Stevens of
Carden	Husted	Patterson	Wapello
Crystal	Irwin	Pendray	Valentine
Cooney	Kimberly	Reese	Wenner
Doze	Klemme	Ritchie	White
Elthon	Knudson	Roelofs	Wilson
Fisch	McArthur		

Nays, none.

Absent or not voting, 6.

Anderson	Coykendall	Moore	Topping
Beatty	Frailey		

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

Senator Hush moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

SENATE FILE NO. 267 MADE SPECIAL ORDER

On request of Senator Patterson, unanimous consent was granted to make Senate File No. 267 a special order for 10:30 a. m., Monday.

On motion of Senator Byers, the Senate resolved itself into executive session.

EXECUTIVE SESSION

The Senate confirmed the appointment of Hon. Ollie J. Ditto of Sibley, Osceola county, as a member of the State Highway Commission for a term of four years beginning July 1, 1933.

The Senate arose from executive session and resumed regular session.

The Journal of March 9th was corrected and approved.

Senator Wenner moved to adjourn until 10:00 a. m. Monday.

Senator Knudson moved as a substitute that the Senate adjourn until 10:00 a. m. Saturday.

Senator Doze raised the point of order that the motion to adjourn was not debatable.

The President pro tempore held the point well taken.

The substitution was lost.

The motion prevailed and the Senate adjourned until 10:00 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 13, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. Levi P. Goodwin, Pastor of the Wesley Methodist Episcopal Church of Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Hicklin for the day, on request of Senator Mullaney.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Approving prohibition. Senator Wenner, from the Grundy County Ministerial Association. Senator Frailey, from residents of Lee county. Senator Chrystal, from residents of Greene county. Senator Calhoun, from residents of Van Buren county. Judiciary No. 1.

Favoring the placing of a tax on the so-called "chain stores" doing business in the state. Senator Wenner, from residents of Grundy county. Manufacturing, commerce and trade.

Favoring the gross income tax plan. Senator Mullaney, from citizens of Lansing. Senator Stevens of Wapello, from citizens of Ottumwa. Senator Reese, from citizens of Marshalltown. Ways and means.

Opposing the passage of any legislation which in any way restricts local authority over secondary road work. Senator Wenner, from County Supervisors and Engineers of Benton, Linn, Jones, Clinton, Jackson, Scott, Cedar, Johnson, Iowa, Black Hawk, Buchanan, Delaware, Dubuque and Clayton counties. County and township affairs.

Opposing the gas tax refund. Senator Hush, from residents of Montgomery county. Ways and means.

Favoring the placing of an excise tax on pipe line companies. Senator Byers, from residents of Linn county. Ways and means.

Favoring the passage of House File No. 409. Senator Stevens of Decatur, from members of the Board of Supervisors of Union county. Highways.

Relating to tax exempt laws. Senator Wenner, from citizens of La Porte City. Ways and means.

Favoring passage of Senate File No. 195 and House File No. 215. Senator Pendray, from members of the Welch Parent Teacher Association of Ames. Public schools.

Opposing the passage of Senate File No. 140. Senator Pendray, from members of the Board of Education of the Lanyon Consolidated School District of Lanyon, and members of that community. Public schools.

INTRODUCTION OF BILLS

Senate File No. 466, by committee on banks and banking, a bill for an act to repeal Section ninety-two hundred sixty-nine (9269) of the Code, 1931, and enact a substitute therefor.

Read first and second times and placed on the calendar.

COMMUNICATION FROM THE SECRETARY OF STATE

I, Mrs. Alex Miller, Secretary of State of the State of Iowa, Custodian of the Acts and Resolutions introduced and passed by the General Assemblies,

Do hereby certify that the attached instrument in writing is a true and correct copy of

SENATE JOINT RESOLUTION NO. 2

as passed by the Forty-fourth General Assembly, providing that the same be referred to the Forty-fifth General Assembly.

I do further certify that the above Resolution has been published in accordance with Chapter 6, Section 69, Code of Iowa, as shown by the Affidavits of Publication on file in this office.

In testimony whereof, I have hereunto set my hand and affixed my official seal this 9th day of January, A. D. 1933.

(Seal)

MRS. ALEX MILLER, *Secretary of State.*

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

Section 1. That the following amendment to article three (3) of the constitution of the state of Iowa, be and the same is hereby proposed:

That section twelve (12) of article three (3) of the constitution of the state of Iowa be stricken and the following adopted as a substitute therefor:

"The general assembly shall, by general law, and in such manner as it may see fit, provide for the filling of vacancies in the membership of either house."

Sec. 2. Be it further resolved that the foregoing amendment be and the same is hereby referred to the legislature to be chosen at the next general election for members for the next general assembly, and that the secretary of state cause the same to be published for three (3) months previous to the date of said election, as provided by law.

ARCH W. MCFARLANE, *President of the Senate.*

FRANCIS JOHNSON, *Speaker of the House.*

I hereby certify that this Resolution originated in the Senate and is known as Senate Joint Resolution No. 2.

WALTER H. BEAM, *Secretary of the Senate.*

SENATE FILES WITHDRAWN

On request of Senator Roelofs, unanimous consent was granted to withdraw Senate File No. 172, a companion bill to House File No. 199 as passed by the Senate.

On request of Senator Stevens of Wapello, unanimous consent was granted to withdraw Senate File No. 29, a companion bill to House File No. 29 as passed by the Senate.

On request of Senator Reese, unanimous consent was granted to withdraw Senate File No. 357, relating to the renewal of the Articles of Incorporation of Marshall County Farmers Mutual Fire Insurance Association.

SENATE FILES REREFERRED

On request of Senator Ritchie, unanimous consent was granted to rerefer Senate File No. 452, relating to regulation of certain businesses, to the committee on cities and towns.

On request of Senator Nelson unanimous consent was granted to rerefer Senate File No. 323, relating to auditing and financial reports, to the committee on public schools.

EXTRA COPIES ORDERED PRINTED

On request of Senator Nelson, unanimous consent was granted to have printed 600 extra copies of Senate File No. 425.

REPORTS OF COMMITTEES

Senator Nelson submitted the following reports:

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File No. 284, a bill for an act to amend section fifty-five hundred eighty-seven (5587) of the code, 1931, relating to township licenses of places of amusement, begs leave to report it has had the same under consideration and returns the bill without recommendation.

FRED W. NELSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on county and township affairs to which was referred House File No. 176, a bill for an act to amend section fifty-five hundred forty-three (5543), Code, 1931, relating to the time of meetings of local boards of township trustees, begs leave to report it has had the same under consideration and recommends the same do pass.

FRED W. NELSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on county and township affairs to which was referred Senate File No. 281, a bill for an act to repeal section seventy-one hundred seventy-nine (7179), Code, 1931, and to enact a substitute therefor relating to the power of boards of supervisors to license or prohibit circuses, shows or other exhibitions, begs leave to report it has had the same under consideration and recommends the same do pass.

FRED W. NELSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on county and township affairs to which was referred Senate File No. 377, a bill for an act to amend Section five thousand two hundred twenty-nine (5229), Code 1931, relating to the appointment of Assistant County Attorneys and salaries thereof, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

FRED W. NELSON, *Chairman.*

Ordered passed on file.

Senator Wenner submitted the following report:

MR. PRESIDENT: Your committee on elections to which was referred Senate File No. 249, a bill for an act providing that where contests of election are filed in a general assembly the presiding officer shall appoint some member to represent each contestant in the capacity as legal representative before the contest committee, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Strike out all after the enacting clause and insert the following in lieu thereof:

"Section 1. Upon the filing of a contest before either the House or the Senate, the president of the senate and speaker of the house shall immediately upon organization of their respective houses jointly appoint legal representatives for the contestant and incumbent, such legal representatives so appointed to be members of the legislature, and who shall serve without pay other than regular statutory salary.

"Sec. 2. In making the appointments as herein provided, if the contest concerns a seat in the senate the legal representatives shall be appointed from the house; and if the contest concerns a seat in the house, the legal representatives shall be appointed from the senate.

"Sec. 3. Nothing in this act shall prevent either the contestant or incumbent from securing legal representation without expense to the state."
EDWARD J. WENNER, *Chairman.*

Ordered passed on file.

Senator Pendray submitted the following reports:

MR. PRESIDENT: Your committee on public schools to which was referred Senate File No. 282, a bill for an act to amend section 4133, code 1931, relating to attaching and detaching territory to or from adjoining school corporations, begs leave to report it has had the same under consideration and recommends the same do pass.

CAROLYN C. PENDRAY, *Chairman.*

Ordered passed on file.

Also:

Your committee on public schools to which was referred Senate File No. 259, a bill for an act to repeal sections 4329 to 4335, inc., code, 1931, relating to state aid to certain school districts, begs leave to report it has had the same under consideration and returns the bill without recommendation.

CAROLYN C. PENDRAY, *Chairman.*

Ordered passed on file.

Also:

Your committee on public schools to which was referred House File No. 207, a bill for an act to amend section 4505, code, 1931, relating to the proceeds of the re-sale of lands acquired for the permanent school fund where an excess or loss occurs, begs leave to report it has had the same under consideration and recommends the same do pass.

CAROLYN C. PENDRAY, *Chairman.*

Ordered passed on file.

Also:

Your committee on public schools to which was referred Senate File No. 335, a bill for an act to amend sections forty-four hundred forty-six (4446), etc., code 1931, and to repeal sections forty-four hundred sixty-

four (4464), etc., all relating to textbooks and to provide for the free loan, rental, or sale of textbooks to the pupils of the district, begs leave to report it has had the same under consideration and recommends the same do pass.

CAROLYN C. PENDRAY, *Chairman*.

Ordered passed on file.

Also:

Your committee on public schools to which was referred Senate File No. 305, a bill for an act relating to high school tuition, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Senate File No. 305 by striking from line three (3) of paragraph two (2) the words "if the board so desires" and substituting in lieu thereof the words "providing no additional expense is incurred to the district".

CAROLYN C. PENDRAY, *Chairman*.

Ordered passed on file.

Senator Irwin submitted the following report:

MR. PRESIDENT: Your committee on banks and banking to which was referred Senate File No. 354, a bill for an act to authorize the Superintendent of Banking as Receiver of closed banks under his jurisdiction to borrow from the Reconstruction Finance Corporation or other party and to pledge, hypothecate and/or sell the assets for the purpose of furnishing more immediate relief to depositors and creditors of any such bank; (2) For a period ending January 1st, 1938 (a) to increase the amount of Anticipatory Warrants that may be issued under the State Sinking Fund; (b) To lower interest rate of said Anticipatory Warrants; (c) To lower the denominations of said warrants; (d) To lower the interest payable on all warrants public bodies or the State may issue and to provide for their reissue if necessary to meet current expenses; (3) To provide for "Service Charges"; (4) Provision as emergency legislation; (5) Act deemed separable; (6) Publication clause, begs leave to report it has had the same under consideration and recommends the same do pass.

H. L. IRWIN, *Chairman*.

Ordered passed on file.

Senator Booth submitted the following reports:

MR. PRESIDENT: Your committee on highways to which was referred Senate File No. 385, a bill for an act to amend section ten thousand three hundred thirteen (10313) of the Code of Iowa, 1931, relating to labor and material on public improvements, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Strike out the words "six months" in line four (4) and insert in lieu thereof the words "ninety days".

CHAS. D. BOOTH, *Chairman*.

Ordered passed on file.

Also :

Your committee on highways to which was referred Senate File No. 332, a bill for an act to amend section forty-seven hundred fifty-five-b twenty-nine (4755-b29), Code 1931, relating to maintenance of highways through cities and towns, begs leave to report it has had the same under consideration and recommends the same do pass.

CHAS. D. BOOTH, *Chairman.*

Ordered passed on file.

Also :

Your committee on highways to which was referred Senate File No. 363, a bill for an act to amend section forty-seven hundred fifty-five-b twenty-six (4755-b26) of the code, 1931, relating to the improvement of extension of primary roads in cities and towns, begs leave to report it has had the same under consideration and recommends the same do pass.

CHAS. D. BOOTH, *Chairman.*

Ordered passed on file.

Also :

Your committee on highways to which was referred Senate File No. 380, a bill for an act relating to interstate bridges, granting to the state highway commission authority with respect thereto, and authorizing counties, townships, cities and towns of this state, including cities acting under special charter, to aid in the payment of the cost of the construction, acquisition and maintenance of such bridges and to levy taxes and issue bonds therefor, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

CHAS. D. BOOTH, *Chairman.*

Ordered passed on file.

Senator Nelson submitted the following report :

MR. PRESIDENT: Your committee on county and township affairs to which was referred Senate File No. 100, a bill for an act to amend section fifty-one hundred twenty-six (5126) of the code, 1931, relating to compensation of County Supervisors, begs leave to report it has had the same under consideration and recommends the same do pass.

FRED W. NELSON, *Chairman.*

Ordered passed on file.

MESSAGES FROM THE HOUSE

The following messages were received from the House :

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 101, a bill for an act relating to interest rate on small chattel loans.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 130, a bill for an act relating to intoxicating liquors and to the commission on fines.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 157, a bill for an act relating to the secondary road construction fund.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 210, a bill for an act relating to election of police judge option in cities of first class.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 299, a bill for an act relating to fraudulent advertising or selling of seed corn.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 350, a bill for an act relating to extension of real estate foreclosures.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 256, a bill for an act relating to construction of municipal hospital from funds of municipally owned electric light and power plants.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Substitute for Senate File No. 131, a bill for an act relating to taxation and to make mandatory reductions of total tax levies for 1933 and 1934.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 18, a bill for an act relating to auditing of state institutions.

Also, that the House has passed the following House concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution No. 18, memorializing Congress relative to the "Stamp Note Plan" and the "Clair Plan".

Also, that the House has adopted the following House concurrent resolution, in which the concurrence of the Senate is asked:

House Concurrent Resolution No. 19, relating to adherence of the United States to the World Court.

Also, that the House has adopted the following House concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution No. 20, relating to Joint Session of the General Assembly to hear address of representative of farmers.

Also, that the Speaker of the House has appointed as members of the Conference Committee on the part of the House on House File No. 238, a bill for an act relating to fish and game, Representatives Bonnstetter, McFarlane, Wenig and Maniece.

LLOYD ELLIS, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE NO. 18

Amend Senate File No. 18 by inserting after Section One the following: "Sec. 2. Section three hundred forty-four (344), Code, 1931, is hereby repealed."

Renumber the following section.

Amend the title, line one, by inserting after "(397-d1)" the following: "and section three hundred forty-four (344),".

HOUSE AMENDMENT TO SUBSTITUTE FOR SENATE
FILE NO. 131

Amend Section 1 as follows:

1. Strike from line 4 the words and figures "seventy-five per cent (75%)" and insert in lieu "eighty-five per cent (85%)".

2. Line 11, preceding the word "nor" insert the following: "nor care of the sick poor as provided in section fifty-three hundred fifty-three (5353), Code, 1931,".

3. Line 18, after the word "bonds" insert the following: ", certificates, warrants or levies for contracts".

4. Strike out the "period (.)" at the end of the section and insert the following:

"; and provided that the limitation herein imposed shall not be held to require any school district, in either the year 1933 or the year 1934, to reduce its general fund levy below six hundred dollars (\$600.00) for each school conducted in the district, exclusive of the amount required by such district to pay tuition for its students attending high school in other school districts or levies for the maintenance and operation of police and fire departments within any city or town."

Amend Section 2 as follows:

1. After the "comma (,)" in line 4 insert the following: "or in any case where a taxing district makes a showing of emergency and strict necessity,".

2. Line 7, preceding the word "made" by inserting the following: "or upon showing of necessity arising from the fact that a substantially larger portion of its general fund is required to pay tuition for students attending high school in other school districts than was required in 1931,".

3. Strike out lines 13 to 17 inclusive.

Further amend by adding thereto the following:

"Sec. 4. This act being deemed of immediate importance shall be in full force and effect after its passage and publication in the Ottumwa Daily Courier, a newspaper published at Ottumwa, Iowa, and in the Atlantic News Telegraph, a newspaper published in the city of Atlantic, Iowa."

HOUSE CONCURRENT RESOLUTION NO. 18

Whereas, a great national and international emergency exists as a result of the inadequacy of the financial system in use today as testified to by such prominent men as the head of the Bank of England who said recently that no reasonable solution along the accepted rules of financing was as yet in sight, and

Whereas, the workers and producers of this world are not able to derive a living from their toil for the lack of a fair price on their labor and products, and

Whereas, a settlement of debts individually, nationally and internationally has become a total impossibility and therefore complete bankruptcy is facing the world, therefore in view of these conditions,

Be It Resolved by the House, the Senate concurring, that the Congress and the President of the United States be memorialized to enact laws to remedy or help remedy these conditions by:

(1) Providing, in place of the destructive remedy of currency inflation, a system of credit currency which is self liquidating by the plan as adopted by the State of Iowa for the use of its several counties, known under the act pertaining thereto as the "Stamp Note Plan". To make this currency legal tender in all payments on private and public debts and to expand its use to where taxes can be dispensed with and the entire population of the United States gainfully employed.

(2) To adopt a plan of regulating the market supply of food and raw materials in order to obtain a reasonable price therefrom, as outlined in what is nationally known as the "Clair Plan" or to vary said plan as may appear necessary.

(3) To have the President of the United States call an international monetary conference for the purpose of establishing an international medium of settlement of exchange balances, in the form of metal bars composed of twenty per cent (20%) of gold and eighty per cent (80%) of silver. The nations now holding practically all the gold, to exchange with the nations having practically only silver, such amount of this silver as may appear necessary and to establish the value of these bars as the fundamental value backing the various currencies, without defining the value of either the gold or silver content of such bars.

A copy of these resolutions together with a copy of House File No. 199 shall be sent to the President of the United States, the President of the United States Senate, and the Speaker of the National House of Representatives. Also a copy of each be sent to the Governor, the President of the Senate, and the Speaker of the House of each state of the Union, with the request that they forward similar resolutions.

HOUSE CONCURRENT RESOLUTION NO. 20

Whereas, information has been brought to our attention that there will be in the City of Des Moines, Iowa, on Monday, March 13th, groups of farmers in the interest of their welfare.

Be It, Therefore, Resolved by the House, the Senate concurring, That a Committee of three be named, two from the House and one from the Senate, to communicate and invite said farmers and their leaders to meet and address the General Assembly at a Joint Session at 1:15 P. M., on Monday, March 13th.

On request of Senator Knudson unanimous consent was granted to suspend the rules and consider the resolution.

The resolution was adopted, and the President appointed Senator Geske to act on such committee.

HOUSE CONCURRENT RESOLUTION NO. 19

A Concurrent Resolution requesting the United States Senate to ratify the treaty whereby the United States would complete its adherence to the World Court.

Whereas, the platforms of both major parties endorsed the World Court and approved membership therein by the United States; and

Whereas, there seems to be no need for longer delay in joining the other nations of the world in supporting and maintaining said Court; and

Whereas, the entrance of the United States into said Court would give great strength and comfort to those who are trying to maintain world peace by just and peaceful means; and

Whereas, immediate ratification of the pending treaty for the adherence of the United States to the World Court would have a most heartening effect on the people everywhere; now therefore

Be It Resolved by the House of the Forty-fifth General Assembly of Iowa, the Senate concurring, that the United States Senate be and it is hereby requested to ratify without delay the treaties now pending before it for the adherence of the United States to the World Court.

Be It Further Resolved, that copies of this resolution be transmitted to the Representatives of this State in the United States Senate.

On request of Senator Pendray, unanimous consent was granted to suspend the rules and consider the resolution.

Roll call was demanded.

On the question, "Shall the resolution be adopted?" the vote was:

Ayes, 21.

Anderson	Doze	Mullaney	Shangle
Beardsley	Hush	Patterson	Stevens of
Calhoun	McArthur	Pendray	Decatur
Carden	Miller of	Reese	Stevens of
Chrystal	Buchanan	Ritchle	Wapello
Coykendall	Miller of Jones	Roelofs	White

Nays, 16.

Booth	Frailey	Hopkins	Stanley
Cooney	Geske	Klemme	Topping
Elthon	Harrington	Meyer	Wenner
Fisch	Hill	Schmidt	Wilson

Absent or not voting, 12.

Aschenbrenner	Byers	Irwin	Moore
Beatty	Hicklin	Kimberly	Nelson
Bennett	Husted	Knudson	Valentine

The resolution was adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption :

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate File No. 256, and House Files Nos. 241 and 74.

HOMER HUSH, *Chairman Senate Committee.*

WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File No. 256, and House Files Nos. 241 and 74.

HOUSE AMENDMENTS CONSIDERED

Senator Stevens of Wapello called up for consideration Substitute for Senate File No. 131, amended by the House, and moved that the Senate concur in the following amendments :

Amend Section 1 as follows:

1. Strike from line 4 the words and figures "seventy-five per cent (75%)" and insert in lieu "eighty-five per cent (85%)".

2. Line 11, preceding the word "nor" insert the following:
"nor care of the sick poor as provided in section fifty-three hundred fifty-three (5353), Code, 1931,".

3. Line 18, after the word "bonds" insert the following:
"certificates, warrants or levies for contracts".

4. Strike out the "period (.)" at the end of the section and insert the following:

"; and provided that the limitation herein imposed shall not be held to require any school district, in either the year 1933 or the year 1934, to reduce its general fund levy below six hundred dollars (\$600.00) for each school conducted in the district, exclusive of the amount required by such district to pay tuition for its students attending high school in other school districts or levies for the maintenance and operation of police and fire departments within any city or town."

Amend Section 2 as follows:

1. After the "comma (,)" in line 4 insert the following:
"or in any case where a taxing district makes a showing of emergency and strict necessity,".

2. Line 7, preceding the word "made" by inserting the following:
"or upon showing of necessity arising from the fact that a substantially larger portion of its general fund is required to pay tuition for students attending high school in other school districts than was required in 1931,".

3. Strike out lines 13 to 17 inclusive.

Further amend by adding thereto the following:

“Sec. 4. This act being deemed of immediate importance shall be in full force and effect after its passage and publication in the Ottumwa Daily Courier, a newspaper published at Ottumwa, Iowa, and in the Atlantic News Telegraph, a newspaper published in the city of Atlantic, Iowa.”

Senator Wilson was called to the chair at 10:33 a. m.

On the question “Shall the Senate concur?” the vote was:

Ayes, 1.

Ritchie

Nays, 43.

Anderson	Fisch	McArthur	Shangle
Beardsley	Frailey	Meyer	Stanley
Beatty	Geske	Miller of	Stevens of
Bennett	Harrington	Buchanan	Decatur
Booth	Hill	Miller of Jones	Stevens of
Byers	Hopkins	Mullaney	Wapello
Calhoun	Hush	Nelson	Topping
Carden	Husted	Patterson	Valentine
Cooney	Irwin	Pendray	Wenner
Coykendall	Kimberly	Reese	White
Doze	Klemme	Roelofs	Wilson
Elthon	Knudson		

Absent or not voting, 5.

Aschenbrenner	Hicklin	Moore	Schmidt
Chrystal			

The House amendments having failed to receive a constitutional majority were declared to have failed to be adopted and concurred in by the Senate.

On request of Senator Stevens of Wapello, unanimous consent was granted to message the Substitute for Senate File No. 131 to the House immediately.

On request of Senator Irwin unanimous consent was granted to suspend Rule 17, by which no bill may be read the second and third times the same day, and consider Senate File No. 466.

THIRD READING OF BILLS

On motion of Senator Irwin Senate File No. 466, a bill for an act to repeal Section ninety-two hundred sixty-nine (9269) of the Code, and enact a substitute therefor, a committee bill, was taken up, and considered.

The bill was read for information.

Senator Irwin moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 40.

Anderson	Frailey	Meyer	Stanley
Beardsley	Geske	Mullaney	Stevens of
Beatty	Harrington	Nelson	Decatur
Bennett	Hill	Patterson	Stevens of
Booth	Hopkins	Pendray	Wapello
Byers	Hush	Reese	Topping
Carden	Husted	Ritchie	Valentine
Cooney	Irwin	Roelofs	Wenner
Coykendall	Kimberly	Schmidt	White
Doze	Klemme	Shangle	Wilson
Fisch	McArthur		

Nays, none.

Absent or not voting, 9.

Aschenbrenner	Elthon	Miller of	Miller of Jones
Calhoun	Hicklin	Buchanan	Moore
Chrystal	Knudson		

The bill having received a constitutional majority was declared to have passed the Senate.

On request of Senator Hush, unanimous consent was granted to amend the title as follows:

Amend by striking the period at the end thereof, and inserting the following: "relating to state and savings banks and trust companies entering the Federal Reserve system."

The title as amended was agreed to.

Senator Irwin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Irwin unanimous consent was granted to message the bill just passed to the House immediately.

The time having arrived for consideration of Senate File No. 267, on motion of Senator Patterson Senate File No. 267, a bill for an act to amend paragraph seven (7) of section eleven thousand seven (11007) of the code, 1931 relating to limitations of actions on judgments of courts of record and to repeal section eleven thousand nine (11009) relating to judgments and to enact a substitute therefor, with report of committee, without recommendation, was taken up, and considered, and the report of the committee adopted.

Senator Patterson offered the following amendment and moved its adoption:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. From and after the taking effect of this act, no judgment shall be enforced and no execution issued thereon and no force or vitality given thereto for any purpose whatever after the expiration of a period of five (5) years from the entry thereof if entered in a court of record, or after the expiration of a period of three (3) years if entered in a court not of record.

Sec. 2. After the taking effect of this act, no action or proceedings shall be brought or maintained in any court of this state for the purpose of renewing or extending a judgment or prolonging the life thereof.

Sec. 3. All acts, or parts of acts, and all provisions of the Code of Iowa, or of any section or part of a section thereof, in conflict with this act are hereby repealed."

Also to further amend by striking the title therefrom and inserting in lieu thereof the following:

"An Act to limit the life of a judgment in a court of record to five (5) years and in a court not of record to three (3) years and to abolish all actions for the renewal or extension of judgments."

Senator Byers offered the following amendment to the amendment and moved its adoption:

Amend by inserting after the word "judgment" in the first line of Section 1, the following:

"in an action for the foreclosure of a real estate mortgage".

Also, further amend the amendments by striking out the word "a" in line 3 of Section 2, and inserting in lieu thereof the word "such".

On request of Senator Byers unanimous consent was granted to correct his amendment by striking the figure "3" in the next to last line thereof and inserting in lieu thereof the figure "4".

Senator Bennett moved to defer action, the bill to retain its place on the calendar and come up as unfinished business.

The motion prevailed.

On request of Senator Carden unanimous consent was granted to consider Senate File No. 79.

On request of Senator Carden unanimous consent was granted to consider House File No. 79 instead of Senate File No. 79.

On motion of Senator Carden House File No. 79, a bill for an act for the relief of taxpayers in 1933, 1934 and 1935 by amending

section Four Thousand six hundred forty four-c Seventeen (4644-c17), Four Thousand six hundred forty four-c Six (4644-c6), Four Thousand six hundred forty four-c Seven (4644-c7), Four Thousand six hundred forty four-c Eleven (4644-c11), Four Thousand six hundred forty four-c Twelve (4644-c12), Four thousand six hundred forty four-c Fifteen (4644-c15), Code, 1931, relating to mandatory and optional road levies, and authorizing Boards of Supervisors in said years: (1) to use motor fuel taxes for secondary road maintenance; (2) to abandon programs for secondary road construction; (3) to set aside road levies made for road purposes in 1932; (4) to abate and remit any or all road taxes levied in 1932 to be collected in 1933; and (5) to limit expenditures for road purposes on secondary roads to necessary maintenance, having been withdrawn from committee under Rule No. 35, was taken up, and considered.

Senator Topping offered the following amendment and moved its adoption:

Amend Sec. 3 by striking period at end of line 8, inserting a comma, and adding the following, "or may transfer to the poor fund of such county the whole or part of any moneys collected in 1933, from the levy required under section 4644-C15, Code of 1931".

The amendment was adopted.

Senator Stevens of Wapello offered the following amendment and moved its adoption:

Amend section 4 by striking from line 4 after the comma the word "shall" and inserting in lieu thereof the word "may".

Senator Stevens of Wapello withdrew his amendment.

Senator Booth offered the following amendment and moved its adoption:

Amend by striking section 7.

Roll call was demanded.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 12.

Anderson
Beardsley
Booth

Byers
Calhoun
Coykendall

Hopkins
Husted
Miller of Jones

Mullaney
Schmidt
Stanley

Nays, 32.

Aschenbrenner	Geske	Meyer	Stevens of
Bennett	Harrington	Miller of	Decatur
Carden	Hill	Buchanan	Stevens of
Chrystal	Hush	Nelson	Wapello
Cooney	Irwin	Pendray	Topping
Doze	Kimberly	Reese	Valentine
Elthon	Klemme	Ritchie	Wenner
Fisch	Knudson	Roelofs	White
Frailey	McArthur	Shangle	

Absent or not voting, 5.

Beatty	Moore	Patterson	Wilson
Hicklin			

The amendment was lost.

Senator Calhoun offered the following amendment and moved its adoption:

Amend section 1 by inserting in line 4 before the word "budget" the word "state".

The amendment was adopted.

The bill was read for information.

Senator Carden moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 31.

Anderson	Fisch	McArthur	Stevens of
Aschenbrenner	Frailey	Meyer	Decatur
Beatty	Geske	Miller of	Stevens of
Bennett	Harrington	Buchanan	Wapello
Byers	Hill	Miller of Jones	Topping
Carden	Hush	Moore	Valentine
Chrystal	Irwin	Roelofs	Wenner
Doze	Kimberly	Shangle	White
Elthon	Knudson		

Nays, 16.

Beardsley	Hopkins	Nelson	Ritchie
Booth	Husted	Patterson	Schmidt
Calhoun	Klemme	Pendray	Stanley
Coykendall	Mullaney	Reese	Wilson

Absent or not voting, 2.

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

Senator Carden moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Carden, unanimous consent was granted to withdraw Senate File No. 79, a companion bill to the one just passed.

President N. G. Kraschel returned to the chair at 11:46 a. m.

Senator Stanley moved that action on Calendar No. 1, Senate File No. 228, be deferred, such bill to retain its place on the calendar.

The motion prevailed.

On request of Senator Patterson, unanimous consent was granted to defer action on Calendar No. 7, Senate File No. 238, such bill to retain its place on the calendar.

On request of Senator Knudson, unanimous consent was granted to defer action on Calendar No. 13, House File No. 242, such bill to retain its place on the calendar.

On request of Senator Stevens of Wapello, unanimous consent was granted to defer action on Calendars Nos. 14, 15 and 16, Senate Files Nos. 22, 66 and 21; such bills to be taken up Wednesday morning, March 15th.

On motion of Senator Stevens of Wapello Senate File No. 40, a bill for an act to amend sections forty-one hundred seventy-nine (4179) and forty-one hundred eighty-one (4181), code, 1931, relating to transportation in consolidated school districts, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

On request of Senator Patterson, unanimous consent was granted to substitute House File No. 40 for Senate File No. 40, a companion bill.

On request of Senator Patterson unanimous consent was granted to substitute House File No. 40 on the calendar for Senate File No. 40.

Senator Patterson offered the following amendment and moved its adoption:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section forty-one hundred seventy-nine (4179), code 1931, is amended by striking out the word 'shall' in line two (2) of said section and inserting in lieu thereof the word 'may'.

"Sec. 2. Section forty-one hundred eighty (4180), code 1931, is amended by inserting immediately after the word 'board' in line one (1) the following:

' , if it furnishes transportation,'.

"Sec. 3. Section forty-one hundred eighty-one (4181), code 1931, is amended as follows:

1. Insert immediately after the word 'board' in line one (1) the following: ' , if it furnishes transportation,'.

2. Strike out the word 'shall' in line nine (9) and insert in lieu thereof the word 'may'.

"Sec. 4. Section forty-one hundred eighty-two (4182), code 1931, is amended by striking from lines one (1) and two (2) the words: 'of any school corporation maintaining a consolidated school', and inserting in lieu thereof the following: ' , if it furnishes transportation,'.

The amendment was adopted.

Action was deferred temporarily.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 466, a bill for an act relating to state and savings banks and trust companies entering the Federal Reserve System.

Also, that the House insists on its amendments to Substitute for Senate File No. 131, a bill for an act relating to taxation, and requests a conference committee, and the Speaker of the House has appointed as such committee on the part of the House: Representatives Teter, Rice, Swift of Jackson and Reed.

LLOYD ELLIS, *Chief Clerk.*

CONFERENCE COMMITTEE ON SUBSTITUTE FOR SENATE FILE NO. 131

The President appointed as conference committee on Substitute for Senate File No. 131, on the part of the Senate, Senators Stevens of Wapello, Beatty, Valentine and Coykendall.

On motion of Senator Patterson, the Senate recessed until 12:45 p. m. today.

AFTERNOON SESSION

The Senate met at the fall of the gavel, President N. G. Kraschel presiding.

CONSIDERATION OF HOUSE FILE NO. 40 RESUMED

Senator Harrington offered the following amendments and moved their adoption:

Amend by inserting after Section No. 2 the following: That Section 4179, Code 1931, is amended by adding after the period following the word "situated" in the last line the following: "The word 'school' as it appears in this section shall be construed as applying to parochial schools the same as to public schools where a parochial school is situated within one mile of any such public school".

And to further amend by renumbering Section No. 3 to read Section No. 4.

On request of Senator Harrington, unanimous consent was granted to change the word "parochial" wherever it appears to the word "private"; also by striking the period at the end of the amendment and inserting the following:

" , and sec. 4 to read sec. 5."

Roll call was demanded.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 15.

Anderson	Fisch	Kimberly	Mullaney
Bennett	Fralley	Miller of	Roelofs
Byers	Harrington	Buchanan	Valentine
Cooney	Irwin	Moore	Wilson

Nays, 21.

Beardsley	Klemme	Reese	Stevens of
Beatty	Knudson	Ritchie	Wapello
Calhoun	Miller of Jones	Shangle	Wenner
Coykendall	Nelson	Stanley	White
Doze	Patterson	Stevens of	
Hopkins	Pendray,	Decatur	
Husted			

Absent or not voting, 13.

Aschenbrenner	Elthon	Hill	Meyer
Booth	Geske	Hush	Schmidt
Carden	Hicklin	McArthur	Topping
Chrystal			

The amendment was lost.

The bill was read for information.

Senator Patterson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 32.

Beatty	Hush	Miller of Jones	Stevens of
Bennett	Husted	Mullaney	Decatur
Booth	Irwin	Patterson	Stevens of
Byers	Kimberly	Pendray	Wapello
Carden	Knudson	Reese	Topping
Doze	McArthur	Ritchie	Valentine
Frailey	Meyer	Roelofs	Wenner
Harrington	Miller of	Shangle	White
Hopkins	Buchanan	Stanley	

Nays, 10.

Anderson	Coykendall	Klemme	Schmidt
Calhoun	Fisch	Nelson	Wilson
Cooney	Geske		

Absent or not voting, 7.

Aschenbrenner	Chrystal	Hicklin	Moore
Beardsley	Elthon	Hill	

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

Senator Harrington moved to reconsider.

Senator Patterson moved to lay the motion to reconsider on the table.

The motion to table prevailed.

The time having arrived for the joint session, provided for in House Concurrent Resolution No. 20, the President announced that he, as presiding officer of the Senate, Senator Geske, Senate member of the special committee on arrangements, the secretary, the sergeant-at-arms and as many senators as could find the time, would attend the joint session informally.

The officers and members of Senate acting under the President's instructions that a quorum remain in the Senate chamber, proceeded to the House Chamber under the direction of the sergeant-at-arms.

President pro tempore Matt D. Cooney was called to the chair at 1:16 p. m.

JOINT SESSION

In accordance with the concurrent resolution duly adopted, the joint convention was called to order, Lieutenant Governor Kraschel presiding.

Lieutenant Governor Kraschel announced a quorum present and the joint convention duly organized.

Lieutenant Governor Kraschel introduced Clyde L. Herring,

Governor of Iowa, who welcomed the members of the Farmers' Holiday Association.

Lieutenant Governor Kraschel then introduced the following speakers: Mr. G. F. Miller, President Iowa Farmers' Union; Mr. John Chalmers of Madrid, President of the Farmers' Holiday Association; Mr. Fred Bloss, Legislative Representative of the Holiday Association, who in turn presided. Mr. Bloss introduced the following speakers: Mr. Clifton Savery of Logan; Mr. A. J. Johnson of Moorehead; Mr. Lawrence Casper of Grandville; Mr. B. C. Martz of Hampton; Mr. Fred Jones of Ottumwa; and Mr. Wallace M. Short of Sioux City.

Senator Knudson moved that the joint convention be now dissolved. Motion prevailed.

HOUSE MESSAGES CONSIDERED

House File No. 101, a bill for an act to amend the law as it appears in section ninety-four hundred twenty (9420) of the code, 1931, relating to interest on chattel loans up to three hundred (\$300.00) Dollars.

Read first and second times and referred to committee on banks and banking.

House File No. 299, a bill for an act to prohibit the fraudulent advertising or selling of seed corn represented to be hybrid unless it represents the first generation of a cross between strains of different parentage and involving inbred lines of corn or their combination and prescribing a penalty therefor.

Read first and second times and referred to committee on agriculture.

House File No. 130, a bill for an act to amend section twenty hundred twenty-three-a one (2023-a1), Code, 1931, relating to the taxation of costs in actions and proceedings under the statutes relating to intoxicating liquors, and to the commission on fines imposed and collected under said statutes.

Read first and second times and referred to committee on judiciary No. 1.

House File No. 157, a bill for an act to amend section forty-six

hundred forty-four-e eight (4644-c8), Code, 1931, relating to the secondary road construction fund.

Read first and second times and referred to committee on county and township affairs.

House File No. 210, a bill for an act to repeal section fifty-six hundred thirty-two (5632), Code, 1931, and enacting a substitute therefor, making the election of the police judge optional in cities of the first class.

Read first and second times and referred to committee on cities and towns.

House File No. 350, a bill for emergency act relating to the extension of the period of redemption of real estate in all real estate foreclosure actions now pending where deeds of conveyance have not been granted.

Read first and second times and referred to committee on emergency legislation.

The Journal of March 10th was corrected and approved.

AMENDMENTS FILED

Amend the committee amendment to Senate File No. 300 by striking the line reading "TOTAL EXPENSE.....\$744.10" and insert in lieu the following:

J. G. Githens, Witness, mileage and per diem.....	3.50
Ray Harris, Witness, mileage and per diem.....	3.50
J. B. Martin, Witness, mileage and per diem.....	3.50
D. C. Rhoads, Witness, mileage and per diem.....	3.50
W. P. Rhoads, Witness, mileage and per diem.....	3.50
Katheryn Caldwell, Witness, mileage and per diem.....	2.10
Mary Morrison, Witness, mileage and per diem.....	4.00
H. R. Davenport, Witness, mileage and per diem.....	2.10
Ethel Strohman, Witness, mileage and per diem.....	2.10
Mellissa Osborn, Witness, mileage and per diem.....	2.10
Naomi Kimbrough, Witness, mileage and per diem.....	2.10
Della M. Chapman, Witness, mileage and per diem.....	2.10
W. H. Kemp, Witness, mileage and per diem.....	3.00
R. L. Blackford, Witness, mileage and per diem.....	2.10
W. W. Stewart, Witness, mileage and per diem.....	3.00
Harry Allgood, Witness, mileage and per diem.....	3.00
W. Z. Wright, Witness, mileage and per diem.....	3.20
Jeannette Lokers, Witness, mileage and per diem.....	2.40
Don Allsup, Witness, mileage and per diem.....	2.10
D. Harold Lee, Witness, mileage and per diem.....	2.10
Fern Rexroth, Witness, mileage and per diem.....	2.10

Arlo W. Palmer, Witness, mileage and per diem.....	2.10
Mattie Robeson, Witness, mileage and per diem.....	2.10
Bryan E. Evans, Witness, mileage and per diem.....	2.10
Ira C. Barnhart, Witness, mileage and per diem.....	4.10
L. T. Shangle, Witness, mileage and per diem.....	no fees
Mary Jane Butler, Witness, mileage and per diem.....	2.10
Lucille Fuller, Witness, mileage and per diem.....	2.10
TOTAL EXPENSE	\$815.80

L. T. SHANGLE.

Amend Senate File No. 228 as follows:

Amend section one (1) by striking therefrom in lines five (5) and six (6) thereof the following words: "said pledge shall be effective from the date of said mortgage and".

Also by striking from said bill section three (3) thereof and enacting in lieu thereof the following:

"Sec. 3. It is further provided that any contract for the rents, profits and/or income from said real estate, and/or the assignment or transfer thereof, made by the owner who purchased such real estate after there was a default in the payment of any interest due on any mortgage on said real estate and/or any taxes due on said real estate, shall be invalid, null and void as to the rights of the mortgagee or mortgagees of said real estate, unless consented to by said mortgagee, or unless said rentals, or the proceeds from the sale and assignment thereof shall be applied to the payment of, (a) the taxes upon said real estate, (b) the interest upon the mortgage or mortgages on said real estate, which contain said pledge, in order of their priority."

CLAUDE STANLEY.

MR. PRESIDENT: We move to amend the committee amendments to Senate File No. 202 by striking from lines 3 and 4 the figures \$250.00 and inserting in lieu thereof the figures \$125.00.

COMMITTEE ON APPROPRIATIONS,

H. C. WHITE, *Chairman*.

Amend Senate File No. 318 as follows:

Section one (1), line nine (9) change July 5th to July 8th, also in lines fifteen (15); eighteen (18) and twenty-one (21). CLYDE H. TOPPING.

On motion of Senator White, the Senate adjourned until 9:00 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 14, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. Wm. A. Knight, pastor of the Highland Park Church of Christ, Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Ritchie for the day, on request of Senator Reese; Senator Hicklin for the day, on request of Senator Mullaney.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Approving prohibition. Senator Wenner, from residents of Black Hawk county. Senator Wilson, from residents of Polk county. Judiciary No. 1.

Favoring modification of the prohibition laws. Senator Mullaney, from residents of Fayette county. Senator Miller of Jones, from residents of Cedar county. Senator White, from residents of Benton county. Judiciary No. 1.

Favoring the passage of Senate File No. 195. Senator Miller of Buchanan, from members of the Oneida Adult Evening School of Oneida. Public schools.

Protesting the striking of the Bureau of Maternity and Child Hygiene from the State Department of Health. Senator Doze, from citizens of Allerton. Public health.

Favoring passage of House File No. 163. Senator Wenner, from the City Council of Waterloo. Cities and towns.

Favoring the passage of House File No. 409. Senator Wenner,

from members of the Board of Supervisors of Union county. Highways.

Relating to tax reduction legislation. Senator Wenner, from members of the Black Hawk County Taxpayers' League, and from representatives of the Taxpayers' League of the Third District of Iowa. Reduction of public expenditures.

Opposing the passage of Senate File No. 259 and House File No. 295. Senator Nelson, from members of the Logansport community. Public schools.

Opposing the granting of permits for the further building of pipe lines for any purpose in the state of Iowa. Senator Byers from citizens of Cedar Rapids. Public utilities.

Opposing the passage of Senate File No. 40. Senator Patterson, from citizens of Milford. Public schools.

INTRODUCTION OF BILLS

Senate File No. 467, by committee on judiciary No. 1, a bill for an act to correct errors in the reference in sections forty hundred sixty-two-b twelve (4062-b12), eighty-seven hundred thirty-seven (8737), eighty-eight hundred twenty-nine (8829), and eighty-nine hundred twenty-seven (8927), Code, 1931, to certain federal acts.

Read first and second times and placed on the calendar.

REPORTS OF COMMITTEES

Senator Geske submitted the following report:

MR. PRESIDENT: Your committee on emergency legislation to which was referred House File No. 350, a bill for an act relating to the extension of the period of redemption of real estate in all real estate foreclosure actions now pending where deeds of conveyance have not been granted, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend section 1 by inserting after the word "been" in line three (3) the words "or may hereafter be".

M. X. GESKE, *Chairman.*

Ordered passed on file.

Senator Frailey submitted the following reports:

MR. PRESIDENT: Your committee on judiciary No. 1 to which was referred Senate File No. 178, a bill for an act to amend the law as the same appears in Sections 1479, 1480 and 1481, Chapter 72 of the Code, relating to Workmen's Compensation, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1 to which was referred Senate File No. 179, a bill for an act to amend the law as the same appears in line fifteen (15), Section 1479, of the Code, relating to Workmen's Compensation, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1 to which was referred Senate File No. 230, a bill for an act to amend section eighty eight hundred eighty one (8881) Code, 1931 to provide for the ownership, operation or disposition of hospitals, asylums, sanitariums, schools or homes by Fraternal societies having transformed under the provisions of sections eighty eight hundred sixty nine (8869) to eighty eight hundred eighty four (8884) Code, 1931, inclusive, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1 to which was referred Senate File No. 261, a bill for an act to repeal sections twenty-one hundred five (2105) to twenty-one hundred nine (2109), inclusive, and to amend section twenty-one hundred ten (2110), Code, 1931, relating to the physician's record of prescriptions for intoxicating liquors, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also: •

Your committee on judiciary No. 1 to which was referred Senate File No. 270, a bill for an act to legalize the corporate acts and proceedings of the Highland Mutual Telephone Association of Highland Center, Iowa, and to provide for the renewal and extension of the period of corporate existence of said Highland Mutual Telephone Association, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1 to which was referred Senate File No. 302, a bill for an act to legalize warrants issued by the Board of Park Commissioners of the City of Clinton, Iowa, proceedings taken authorizing the issuance of bonds to retire said warrants, and provisions made for the levy of taxes to pay said bonds, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1 to which was referred Senate File No. 393, a bill for an act to amend section eighty-five hundred eighty-one-c three (8581-c3), Code of Iowa, 1931, relating to the definition of a "security", begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1 to which was referred House File No. 266, a bill for an act to provide a lien on grain and seed threshed or corn shelled for the benefit of persons operating grain threshing or corn shelling equipment, and the method of perfecting said lien, and to provide the limitations of actions to enforce said lien and the procedure for the enforcement thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the

House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 315, a bill for an act relating to closing of highways near state-owned lakes or rivers.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 272, a bill for an act relating to provision of ownership, operation or disposition of hospitals, asylums, sanitariums, schools, etc., by Fraternal Societies.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 264, a bill for an act relating to the powers and duties of the Executive Council.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 231, a bill for an act relating to permanent registration fund.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 181, a bill for an act relating to exemption payable to surviving widow.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 124, a bill for an act relating to the appointment of referees in probate matters.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 83, a bill for an act relating to releases and discharges of liens and encumbrances upon real and personal property.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 64, a bill for an act relating to relief from appraisal of estates for inheritance tax purposes.

Also, that the House has concurred in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File No. 29, a bill for an act relating to the county budget.

Also, that the House has concurred in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File No. 79, a bill for an act relating to mandatory and optional road levies.

Also, that the House has refused to concur in Senate amendments to House File No. 40, a bill for an act relating to transportation in consolidated school districts.

LLOYD ELLIS, *Chief Clerk.*

SENATE FILE NO. 407 REREFERRED

On request of Senator Topping, unanimous consent was granted to rerefer Senate File No. 407 to the committee on manufacturing, commerce and trade.

CONSIDERATION OF SENATE FILE NO. 267 RESUMED

Action having been deferred temporarily on Senate File No. 267, on page 586 of the Senate Journal, consideration was resumed.

Roll call was demanded on the Byers amendment to the Patterson amendment. (See page 586 of Senate Journal.)

Rule 8 was invoked.

On the question, "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 23.

Beardsley	Frailey	Moore	Stevens of
Beatty	Geske	Roelofs	Wapello
Booth	Harrington	Shangle	Topping
Byers	Klemme	Stanley	Valentine
Calhoun	Miller of	Stevens of	Wenner
Carden	Buchanan	Decatur	Wilson
Fisch	Miller of Jones		

Nays, 22.

Anderson	Hill	Knudson	Patterson
Aschenbrenner	Hopkins	McArthur	Pendray
Chrystal	Hush	Meyer	Reese
Coykendall	Husted	Mullaney	Schmidt
Doze	Irwin	Nelson	White
Elthon	Kimberly		

Absent or not voting, 4.

Bennett	Cooney	Hicklin	Ritchie
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The amendment was adopted.

Senator Wenner offered the following amendment to the amendment as amended and moved its adoption:

Amend line 2 of section 1 by inserting after the word "mortgage" the words "or deed of trust".

The amendment to the amendment was adopted.

Senator Patterson offered the following amendment to the amendment and moved its adoption:

Amend by striking from line 1, section 1, the words "the taking effect of this act" and inserting in lieu thereof the word and figures "January 1, 1934"; also amend by striking from section 2, line 1, the words "the taking effect of this act" and inserting in lieu thereof the word and figures "January 1, 1934".

Senator Frailey raised the point of order that all amendments should be written out, signed and filed at the desk.

The President held the point well taken.

The amendment to the amendment was adopted.

Senator Beatty offered the following amendment to the amendment and moved its adoption :

Amend section 1 by inserting after the words "deed of trust" the following: "or judgment assigned by a receiver of a closed bank or rendered upon credits assigned by the receiver of a closed bank when the assignee is not a trustee for depositors or creditors of the bank".

The amendment to the amendment was adopted.

Senator Wenner offered the following amendment to the amendment and moved its adoption :

Amend section 1 by striking all of the section after the word "thereof" in line 5, as follows: "if entered in a court of record, or after the expiration of a period of three (3) years if entered in a court not of record".

The amendment to the amendment was adopted.

Senator Shangle offered the following amendment to the amendment and moved its adoption :

Amend section 1 by inserting after the words "deed of trust" the words "or claim for rent".

The amendment to the amendment was adopted.

Senator Bennett offered the following amendment to the amendment and moved its adoption :

Amend by striking from lines 4 and 5 the word and figure "five (5)" and substituting in lieu thereof the word and figure "two (2)".

The amendment to the amendment was adopted.

Senator Calhoun offered the following amendment to the amendment and moved its adoption :

Amend by striking out the words "or maintained" in lines 2 of section 2.

The amendment to the amendment was adopted.

Senator Wilson offered the following amendment to the amendment and moved its adoption :

Amend section 1 by striking from line 4 the word "whatever" and inserting in lieu thereof the words "other than as a set-off or counter-claim".

The amendment to the amendment was adopted.

The Patterson amendment as found on page 586 of the Senate Journal, as amended, was adopted.

The bill was read for information.

Senator Patterson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 44.

Anderson	Doze	Knudson	Reese
Aschenbrenner	Elthon	McArthur	Roelofs
Beardsley	Fisch	Meyer	Shangle
Beatty	Frailey	Miller of	Stanley
Bennett	Geske	Buchanan	Stevens of
Booth	Hill	Miller of Jones	Decatur
Byers	Hopkins	Moore	Topping
Calhoun	Hush	Mullaney	Valentine
Carden	Husted	Nelson	Wenner
Chrystal	Irwin	Patterson	White
Cooney	Kimberly	Pendray	Wilson
Coykendall	Klemme		

Nays, 1.

Stevens of Wapello

Absent or not voting, 4.

Harrington	Hicklin	Ritchie	Schmidt
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The bill having received a constitutional majority was declared to have passed the Senate.

On request of Senator Patterson, unanimous consent was granted to amend the title to read as follows:

"A bill for an act relating to the duration of judgments and the limitations of actions on judgments and fixing the time within which certain judgments may be enforced and executions issued thereon."

The title as amended was agreed to.

Senator Patterson moved that the vote by which the bill passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully

reports that it has examined and finds correctly enrolled Senate File No. 466.

HOMER HUSH, *Chairman Senate Committee.*

WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File No. 466.

BILLS SENT TO THE GOVERNOR

Senator Hush from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 14th day of March, 1933, sent to the Governor for his approval, Senate Files Nos. 256 and 466. HOMER HUSH, *Chairman.*

Passed on file.

On request of Senator Geske, unanimous consent was granted to have House File No. 350 made a special order for Wednesday, March 15th, upon the convening of the Senate.

THIRD READING OF BILLS

On motion of Senator Valentine Senate File No. 260, a bill for an act to amend sections seventy-one hundred thirty-two (7132), and seventy-one hundred thirty-three (7133), Code, 1931, relating to complaints by property owners to the local board of review, and to appeals from said board to the district court, a committee bill, was taken up, and considered.

Senator Valentine moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 42.

Anderson	Fisch	Knudson	Shangle
Aschenbrenner	Frailey	McArthur	Stanley
Bennett	Geske	Meyer	Stevens of
Booth	Harrington	Miller of Jones	Decatur
Byers	Hill	Moore	Stevens of
Calhoun	Hopkins	Mullaney	Wapello
Carden	Hush	Nelson	Topping
Chrystal	Husted	Patterson	Valentine
Cooney	Irwin	Pendray	Wenner
Doze	Kimberly	Reese	White
Elthon	Klemme	Roelofs	Wilson

Nays, none.

Absent or not voting, 7.

Beardsley
Beatty

Coykendall
Hicklin

Miller of
Buchanan

Ritchie
Schmidt

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

Senator Valentine moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF COMMITTEE

Senator Cooney submitted the following report:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred House File No. 225, a bill for an act to legalize the extension of the corporate limits of the town of Dedham, Carroll County, Iowa, and legalize the operation of same, begs leave to report it has had the same under consideration and recommends the same do pass.

M. D. COONEY, Chairman.

The report was adopted.

THIRD READING OF BILLS

On request of Senator Chrystal, unanimous consent was granted to consider House File No. 225.

On motion of Senator Chrystal House File No. 225, a bill for an act to legalize the extension of the corporate limits of the town of Dedham, Carroll County, Iowa, the election of the officers of said town, the passage, approval, signing, recording and publication of its ordinances and resolutions, the levy and assessment of taxes and special assessments on persons or property within the extended limits of said town and to legalize all acts of its officers and all corporate acts of said town of Dedham, so far as the same affect persons or property within its extended limits, including the issuance of its warrants and bonds and construction of its public improvements, with report of committee recommending passage, was taken up and considered.

The bill was read for information.

Senator Chrystal moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 43.

Anderson	Elthon	Knudson	Shangle
Aschenbrenner	Fisch	McArthur	Stanley
Beardsley	Frailey	Meyer	Stevens of
Bennett	Geske	Miller of	Decatur
Booth	Harrington	Buchanan	Stevens of
Byers	Hill	Miller of Jones	Wapello
Calhoun	Hopkins	Mullaney	Topping
Carden	Hush	Patterson	Valentine
Chrystal	Husted	Pendray	Wenner
Cooney	Irwin	Reese	White
Coykendall	Kimberly	Roelofs	Wilson
Doze	Klemme		

Nays, none.**Absent or not voting, 6.**

Beatty	Moore	Ritchie	Schmidt
Hicklin	Nelson		

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

Senator Chrystal moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Chrystal, unanimous consent was granted to withdraw Senate File No. 232, a companion bill to the one just passed.

On motion of Senator Stanley Senate File No. 46, a bill for an act to authorize the school board in one or more districts to enter into a contract jointly or individually with the board of another district to provide for elementary and secondary school facilities including transportation under certain conditions for the children of their respective districts, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The President called Senator Wilson to the chair at 10:55 a. m.

Action was deferred temporarily.

On the request of Senator Stevens of Wapello, unanimous consent was granted to defer action on Calendar Nos. 22 and 23, Senate Files Nos. 11 and 39, such bills to retain their places on the calendar.

On request of Senator Knudson, unanimous consent was granted to consider Calendar No. 13, House File No. 242.

On motion of Senator Knudson House File No. 242, a bill for an act to repeal Chapter three hundred ninety-nine (399) of the 1931 code of Iowa and enact a substitute therefor relating to group life, health and accident insurance, was taken up and considered, the report of the committee having been adopted on page 535 of the Senate Journal.

The committee amendments were adopted on page 568 of the Senate Journal.

The bill was read for information.

Senator Knudson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 41.

Anderson	Elthon	Knudson	Roelofs
Aschenbrenner	Fisch	McArthur	Shangle
Bennett	Frailey	Meyer	Stanley
Booth	Geske	Miller of	Stevens of
Byers	Harrington	Buchanan	Decatur
Calhoun	Hill	Miller of Jones	Stevens of
Carden	Hopkins	Moore	Wapello
Chrystal	Husted	Mullaney	Valentine
Cooney	Irwin	Nelson	Wenner
Coykendall	Kimberly	Pendray	White
Doze	Klemme	Reese	Wilson

Nays, none.

Absent or not voting, 8.

Beardsley	Hicklin	Patterson	Schmidt
Beatty	Hush	Ritchie	Topping

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

Senator Knudson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Stevens of Wapello, unanimous consent was granted to withdraw Senate File No. 246, companion bill to the one just passed.

On request of Senator Stevens of Wapello, unanimous consent was granted to withdraw from committee and substitute House File No. 47 for Senate File No. 47, on the calendar.

On motion of Senator Stevens of Wapello House File No. 47, a bill for an act to repeal sections forty-two hundred thirty-two (4232), forty-two hundred thirty-three (4233), forty-three hundred seventy-five (4375), and forty-three hundred seventy-six (4376), code 1931, and to enact a substitute therefor; and to amend section forty-two hundred seventy-four (4274), code 1931, all relating to school privileges under certain conditions, was taken up and considered.

The bill was read for information.

Senator Stanley moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 40.

Anderson	Fisch	McArthur	Stanley
Aschenbrenner	Frailey	Meyer	Stevens of
Beatty	Geske	Miller of	Decatur
Bennett	Harrington	Buchanan	Stevens of
Booth	Hill	Miller of Jones	Wapello
Byers	Hopkins	Moore	Topping
Carden	Hush	Mullaney	Valentine
Chyrstal	Husted	Patterson	Wenner
Coykendall	Irwin	Pendray	White
Doze	Klemme	Reese	Wilson
Elthon	Knudson	Shangle	

Nays, none.

Absent or not voting, 9.

Beardsley	Hicklin	Nelson	Roelofs
Calhoun	Kimberly	Ritchie	Schmidt
Cooney			

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

Senator Stanley moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Stanley, unanimous consent was granted to withdraw Senate File No. 47, companion bill to the one just passed.

On request of Senator Stevens of Wapello, unanimous consent was granted to withdraw from committee and substitute House File No. 48 for Senate File No. 48, a companion bill.

On motion of Senator Stanley House File No. 48, a bill for an act to amend section forty-two hundred seventy-seven (4277), code 1931, relating to high school tuition, was taken up and considered.

Senator Frailey offered the following amendment and moved its adoption:

Amend section 1 by striking from line 4 the word "nine" and inserting in lieu thereof the word "ten".

The amendment was lost.

The bill was read for information.

Senator Stanley moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 45.

Anderson	Elthon	Knudson	Schmidt
Aschenbrenner	Fisch	McArthur	Shangle
Beardsley	Frailey	Meyer	Stanley
Beatty	Geske	Miller of	Stevens of
Bennett	Harrington	Buchanan	Decatur
Booth	Hill	Miller of Jones	Stevens of
Byers	Hopkins	Moore	Wapello
Calhoun	Hush	Mullaney	Topping
Carden	Husted	Nelson	Valentine
Chrystal	Irwin	Patterson	Wenner
Coykendall	Kimberly	Pendray	White
Doze	Klemme	Reese	Wilson

Nays, 1.

Cooney

Absent or not voting, 3.

Hicklin	Ritchie	Roelofs
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Stanley moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Stanley, unanimous consent was granted to withdraw Senate File No. 48, a companion bill to the one just passed.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 46, a bill for an act relating to elementary school facilities including transportation. LLOYD ELLIS, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 46, a bill for an act to authorize the school board in one or more districts to enter into a contract jointly or individually with the board of another district to provide for elementary school facilities including transportation under certain conditions for the children of their respective districts.

Read first and second times.

CONSIDERATION OF SENATE FILE NO. 46 RESUMED

On request of Senator Stanley, unanimous consent was granted to substitute House File No. 46, for Senate File No. 46, a companion bill.

On request of Senator Stanley, unanimous consent was granted to suspend Rule No. 17, by which no bill may be read the second and third times the same day.

On motion of Senator Stanley House File No. 46, a bill for an act to authorize the school board in one or more districts to enter into a contract jointly or individually with the board of another district to provide for elementary school facilities including transportation under certain conditions for the children of their respective districts, was taken up and considered.

The bill was read for information.

Senator Stanley moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 41.

Anderson	Carden	Fisch	Husted
Aschenbrenner	Chrystal	Frailey	Irwin
Beardsley	Cooney	Geske	Kimberly
Bennett	Coykendall	Harrington	Klemme
Booth	Doze	Hopkins	Knudson
Byers	Elthon	Hush	McArthur

Meyer	Mullaney	Shangle	Valentine
Miller of Buchanan	Nelson	Stanley	Wenner
Miller of Jones	Patterson	Stevens of Wapello	White
Moore	Pendray	Reese	Wilson
		Topping	

Nays, none.

Absent or not voting, 8.

Beatty	Hill	Roelofs	Stevens of
Calhoun	Ritchie	Schmidt	Decatur
Hicklin			

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

On request of Senator Stanley, unanimous consent was granted to withdraw Senate File No. 46, a companion bill to the one just passed.

On request of Senator Valentine, unanimous consent was granted to withdraw from committee and substitute House File No. 50 for Senate File No. 50, a companion bill.

THIRD READING OF BILLS

On motion of Senator Valentine House File No. 50, a bill for an act to repeal chapters two hundred fifteen-c1 (215-c1) and two hundred fifteen-c2 (215-c2), code 1931, relating to tax-free lands and to enact a substitute therefor, was taken up and considered.

Senator Valentine moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 33.

Anderson	Coykendall	Klemme	Shangle
Aschenbrenner	Doze	Knudson	Stanley
Bennett	Elthon	McArthur	Stevens of
Booth	Fisch	Miller of Buchanan	Wapello
Byers	Frailey	Mullaney	Topping
Calhoun	Geske	Nelson	Valentine
Carden	Harrington	Pendray	Wenner
Chrystal	Hill	Reese	Wilson
Cooney	Kimberly		

Nays, 2.

Hopkins	Moore
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Absent or not voting, 14.

Beardsley	Husted	Patterson	Stevens of
Beatty	Irwin	Ritchie	Decatur
Hicklin	Meyer	Roelofs	White
Hush	Miller of Jones	Schmidt	

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

On request of Senator Valentine, unanimous consent was granted to withdraw Senate File No. 50, a companion bill to the one just passed.

On motion of Senator Stanley Senate File No. 52, a bill for an act to amend sections three hundred sixty-nine (369), three hundred seventy-five (375), and forty-three hundred eighty-six (4386), code 1931, and to repeal sections forty-three hundred fifteen (4315) and forty-three hundred ninety-two (4392), code 1931, relating to the method of estimating and certifying the school budget, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Stanley offered the following amendments and moved their adoption :

Amend section 1 by striking from line 2 of paragraph 3 the word "districts" and inserting in lieu thereof the word "district"; also by striking from line 3 the word "townships" and inserting in lieu thereof the word "township"; also by striking section 5.

The amendments were adopted.

The bill was read for information.

Senator Stanley moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 41.

Anderson	Elthon	Knudson	Shangle
Aschenbrenner	Fisch	McArthur	Stanley
Beardsley	Frailey	Meyer	Stevens of
Beatty	Geske	Miller of	Decatur
Bennett	Harrington	Buchanan	Stevens of
Booth	Hill	Miller of Jones	Wapello
Byers	Hopkins	Moore	Topping
Calhoun	Husted	Mullaney	Valentine
Carden	Irwin	Patterson	Wenner
Cooney	Kimberly	Pendray	White
Coykendall	Klemme	Reese	Wilson

Nays, none.

Absent or not voting, 8.

Chrystal	Hicklin	Nelson	Roelofs
Doze	Hush	Ritchie	Schmidt

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

On motion of Senator Valentine Senate File No. 56, a bill for an act to amend section eleven thousand four hundred forty-one (11,441), of the code 1931, relating to the printing of court calendars, with report of committee recommending amendment and passage, was taken up, considered and the report of the committee adopted.

The following committee amendment was considered.

Amend Section 1 by inserting a comma (,) in lieu of the period (.) at the end of said Section, and adding the following: "and that the following be inserted in lieu thereof: 'The Clerk shall furnish the Court and Bar with a sufficient number of copies of the calendar at the first term of Court of each year, and shall at each succeeding term of Court during said year, furnish the Court and Bar with a sufficient number of copies of a supplement thereto, which shall include the new causes only.'"

The amendment was adopted.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 41.

Anderson	Elthon	McArthur	Shangle
Aschenbrenner	Fisch	Meyer	Stanley
Beardsley	Frailey	Miller of	Stevens of
Bennett	Geske	Buchanan	Decatur
Booth	Harrington	Miller of Jones	Stevens of
Byers	Hill	Moore	Wapello
Calhoun	Hopkins	Mullaney	Topping
Carden	Husted	Nelson	Valentine
Cooney	Irwin	Patterson	Wenner
Coykendall	Kimberly	Pendray	White
Doze	Knudson	Reese	Wilson

Nays, none.

Absent or not voting, 8.

Beatty	Hicklin	Klemme	Roelofs
Chrystal	Hush	Ritchie	Schmidt

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

SENATE FILE NO. 61 WITHDRAWN

On request of Senator Stevens of Wapello, unanimous consent

was granted to withdraw Senate File No. 61, as its companion in the House was indefinitely postponed.

On motion of Senator Stanley Senate File No. 83, a bill for an act to repeal sections seventy-three hundred twenty-one (7321) and seventy-three hundred forty-five (7345), code of 1931, and to enact a substitute therefor relating to appraisal for inheritance tax purposes, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend by adding as Sec. 3, the following:

"Sec. 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Bloomfield Democrat, a newspaper published in Bloomfield, Iowa, and the Corning Free Press, a newspaper published in Corning, Iowa."

The amendment was adopted.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 45.

Anderson	Elthon	Knudson	Roelofs
Aschenbrenner	Fisch	McArthur	Shangle
Beardsley	Frailey	Meyer	Stanley
Beatty	Geske	Miller of	Stevens of
Bennett	Harrington	Buchanan	Decatur
Booth	Hill	Miller of Jones	Stevens of
Eyers	Hopkins	Moore	Wapello
Calhoun	Hush	Mullaney	Topping
Carden	Husted	Nelson	Valentine
Cooney	Irwin	Patterson	Wenner
Coykendall	Kimberly	Pendray	White
Doze	Klemme	Reese	Wilson

Nays, none.

Absent or not voting, 4.

Chrystal	Hicklin	Ritchie	Schmidt
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Stanley moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator McArthur Senate File No. 197, a bill for an act changing the boundary lines of school districts in certain cases, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator McArthur offered the following amendment and moved its adoption:

Amend by striking all of section 3 after the word "publication" in line 3 and inserting in lieu thereof the words "as provided by law."

The amendment was adopted.

The bill was read for information.

Senator McArthur moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 40.

Anderson	Elthon	McArthur	Roelofs
Aschenbrenner	Fisch	Meyer	Shangle
Beardsley	Frailey	Miller of	Stanley
Beatty	Geske	Buchanan	Stevens of
Bennett	Hill	Miller of Jones	Decatur
Booth	Hopkins	Moore	Stevens of
Byers	Hush	Mullaney	Wapello
Calhoun	Irwin	Nelson	Topping
Carden	Kimberly	Patterson	Valentine
Coykendall	Klemme	Pendray	Wenner
Doze	Knudson	Reese	

Nays, none.

Absent or not voting, 9.

Chrystal	Hicklin	Ritchie	White
Cooney	Husted	Schmidt	Wilson
Harrington			

The bill having received a constitutional majority was declared to have passed the Senate.

On request of Senator Hush, unanimous consent was granted to amend the title by inserting after the word "act" the words "relating to".

The title as amended was agreed to.

HOUSE MESSAGES CONSIDERED

House File No. 264, a bill for an act to amend House File Twenty (20), as passed by the Forty-fifth (45) General Assembly, relating to the powers and duties of the Executive Council.

Read first and second times.

House File No. 231, a bill for an act to authorize cities having a population of over one hundred twenty-five thousand (125,000) and having permanent registration to establish a permanent registration fund, providing that all moneys received from the city or county shall be placed in said fund, and providing that this section be placed in the Code immediately following section seven hundred eighteen-b eighteen (718-b18) as section seven hundred eighteen-e one (718-e1).

Read first and second times.

House File No. 315, a bill for an act prohibiting cities or towns from closing or vacating, without the consent of the State Board of Conservation, any roads, highways or streets which are within three hundred (300) feet of a state-owned lake or river.

Read first and second times.

House File No. 272, a bill for an act to amend section eighty-eight hundred eighty-one (8881), Code, 1931, to provide for the ownership, operation or disposition of hospitals, asylums, sanitariums, schools or homes by Fraternal Societies having transformed under the provisions of sections eighty-eight hundred sixty-nine (8869) to eighty-eight hundred eighty-four (8884), Code, 1931, inclusive.

Read first and second times.

On request of Senator Valentine, unanimous consent was granted to place House File No. 272 on the calendar as its companion is now on the calendar.

House File No. 181, a bill for an act to amend section eighty-seven hundred seventy-six (8776), Code of Iowa, 1931, by increasing the amount of an insurance policy which shall be exempt when payable to the surviving widow to Fifteen thousand Dollars (\$15,000.00).

Read first and second times.

House File No. 124, a bill for an act to amend Section twelve thousand forty-one (12041), Code, 1931, relating to the appointment of referees in probate matters.

Read first and second times.

House File No. 83, a bill for an act to provide for and authorize the making of releases, satisfactions, assignments and discharges of liens and encumbrances upon real and personal property upon the records of any county by fiduciary officers.

Read first and second times.

Senate File No. 64, a bill for an act to repeal section seventy-three hundred forty-five (7345) Code 1931, and to enact a substitute therefor relating to relief from appraisal of estates for inheritance tax purposes.

Read first and second times.

President N. G. Kraschel returned to the chair at 12:11 p. m.

REPORTS OF COMMITTEE

Senator Cooney submitted the following reports:

MR. PRESIDENT: Your committee on judiciary No. 2 to which was referred House File No. 187, a bill for an act to amend section fifteen hundred sixty-three (1563), Code 1931, relating to the payment of a mulct tax for permit to sell cigarettes or cigarette papers, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

MATT D. COONEY, Chairman.

Ordered passed on file.

Also:

Your committee on judiciary No. 2 to which was referred Senate File No. 303, a bill for an act to amend section sixty-nine hundred eighty-five (6985), Code, 1931, relating to the taxation of moneys and credits, begs leave to report it has had the same under consideration and recommends the same do pass.

MATT D. COONEY, Chairman.

Ordered passed on file.

Also:

Your committee on judiciary No. 2 to which was referred Senate File No. 75, a bill for an act to legalize and validate twelve thousand five hundred dollars (\$12,500.00) drainage bonds of Fox River Drainage District No. one (1) of Van Buren County, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

MATT D. COONEY, Chairman.

Ordered passed on file.

Also :

Your committee on judiciary No. 2 to which was referred Senate File No. 315, a bill for an act to repeal chapter ninety-one-C two (91-C2), Code, 1931, relating to the licensing of real estate brokers, begs leave to report it has had the same under consideration and recommends the same be indefinitely postponed.

MATT D. COONEY, *Chairman.*

Ordered passed on file.

Also :

Your committee on judiciary No. 2 to which was referred Senate File No. 295, a bill for an act to amend section thirty-eight hundred one (3801), Code, 1931, relating to the custody of persons paroled by the court, providing for the appointment by the Court of two regular parole officers to whom persons may be paroled, in counties having a population of one hundred twenty-five thousand (125,000) or more; and providing for their compensation, begs leave to report it has had the same under consideration and recommends the same do pass.

MATT D. COONEY, *Chairman.*

Ordered passed on file.

Also :

Your committee on judiciary No. 2 to which was referred Senate File No. 168, a bill for an act to authorize the court or any judge thereof before whom any guardianship is pending to require anyone suspected of having knowledge of or control over any property of the guardianship to appear for examination and to provide for the enforcement of orders in connection therewith, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Strike out the title and substitute in lieu thereof the following: "An Act making the provisions of sections eleven thousand nine hundred twenty-five (11,925) and eleven thousand nine hundred twenty-six (11,926) apply to a guardianship."

Strike all of Sections 1 and 2 and substitute as Section 1, the following: "The provisions of Sections eleven thousand nine hundred twenty-five (11,925) and eleven thousand nine hundred twenty-six (11,926) shall also apply to a guardianship."

Strike out all of Section 3.

MATT D. COONEY, *Chairman.*

Ordered passed on file.

APPOINTMENT OF SIFTING COMMITTEE

President N. G. Kraschel, under rule No. 40, propounded the question, "Shall a sifting committee at this time be appointed?"

Senator Cooney moved that the President appoint a sifting committee.

Senator Patterson moved that bills on the calendar be not, at this time, referred to the sifting committee.

Senator Cooney raised the point of order that the motion was not in order, as there was a motion before the Senate.

The President held the point of order well taken.

On request of Senator Cooney, unanimous consent was granted to include in his motion "that the sifting committee take charge of the calendar."

Senator Patterson moved to amend so that the following tax revision bills be exempted: Senate Files Nos. 263, 265, 112, 205, 204 and 303.

Senator Stevens of Wapello moved to defer action on the amendment to the motion and the motion to appoint sifting committee.

The President held the motion to defer action out of order.

Senator Elthon moved the previous question.

Senator Frailey moved to adjourn until 9:00 a. m. tomorrow.

Roll call was demanded.

On the question, "Shall the Senate adjourn?" the vote was:

Ayes, 15.

Anderson	Byers	Hopkins	Stanley
Beatty	Carden	Miller of Jones	Stevens of
Bennett	Frailey	Moore	Wapello
Booth	Geske	Nelson	Wenner

Nays, 30.

Aschenbrenner	Harrington	McArthur	Roelofs
Beardsley	Hill	Meyer	Schmidt
Calhoun	Hush	Miller of	Stevens of
Chrystal	Husted	Buchanan	Decatur
Cooney	Irwin	Mullaney	Topping
Coykendall	Kimberly	Patterson	Valentine
Elthon	Klemme	Pendray	White
Fisch	Knudson	Reese	Wilson

Absent or not voting, 4.

Doze	Hicklin	Ritchie	Shangle
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The motion to adjourn was lost.

The previous question prevailed.

Roll call was demanded on the Patterson amendment to the Cooney motion.

On the question, "Shall the amendment to the motion prevail?"
the vote was:

Ayes, 31.

Anderson	Elthon	Knudson	Roelofs
Aschenbrenner	Frailey	McArthur	Stanley
Beardsley	Harrington	Meyer	Stevens of
Bennett	Hill	Mullaney	Decatur
Booth	Hopkins	Nelson	Stevens of
Calhoun	Hush	Patterson	Wapello
Carden	Husted	Pendray	Wenner
Chrystal	Klemme	Reese	White
Coykendall			

Nays, 13.

Byers	Irwin	Miller of Jones	Topping
Cooney	Kimberly	Moore	Valentine
Fisch	Miller of	Schmidt	Wilson
Geske	Buchanan		

Absent or not voting, 5.

Beatty	Hicklin	Ritchie	Shangle
Doze			

The amendment to the motion was adopted.

The Cooney motion as amended was adopted.

The journal of March 13th was corrected and approved.

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which the Senate adopted the motion authorizing the President of the Senate to name a sifting committee which is to have referred to it all bills on the calendar except Senate Files Nos. 263, 265, 112, 205, 204 and 303, and those excepted by the rules of the Senate.

ROY E. STEVENS.

AMENDMENTS FILED

TO SENATE FILE NO. 130

Amend Senate File No. 130 by adding thereto the following section:

Sec. 4. Nothing in this act shall be construed as applying to Commercial Foods so defined in Section 3113 of the Code of 1931. J. R. FRAILEY.

TO COMMITTEE SUBSTITUTE FOR SENATE FILE NO. 175

Amend the committee substitute for Senate File No. 175, by striking in line five (5) of paragraph (b) of Section 1, after the word "four", the words "and one-half".

CHAS. D. BOOTH.

TO SENATE FILE NO. 263

Amend Senate File No. 263 by striking all after the enacting clause and substitute in lieu thereof the following:

PART ONE—DEFINITIONS

Section 1. For the purpose of this act and unless otherwise required by the context:

(a) The word "board" means the State Board of Assessment and Review.

(b) The words "retail merchant" shall mean every person, firm, association, co-partnership, joint stock company or corporation opening, establishing, operating or maintaining any store or stores, under the same administrative management for the purpose of selling goods, wares, merchandise and other personal property at retail in this State and so selling the same, except those actually engaged in gardening or farming and selling garden or farm products raised by them in this State.

(c) The words "gross income" means the value proceeding or accruing from the sale of tangible property, whether real or personal, or service, or both and all receipts, actual or accrued, by reason of investment of the capital of the business engaged in, including interest, discount, rentals, royalties, fees, or other emoluments however designated and without any deduction on account of the cost of property sold, the cost of materials used, labor costs, interest or discount paid, or any other expense whatsoever; and without any deductions on account of loss; also receipts of income derived from any source whatsoever. The amount of cigarette, oleomargarine, and gasoline taxes, both the Iowa tax and United States Government Tax on gasoline, collected from the purchaser or consumer of such articles during the tax payment period, shall be deducted from the gross income of each vendor thereof.

(d) The word "sale" includes exchange of property as well as the sale thereof for money, every closed transaction constituting a sale.

(e) The term "gross proceeds of sales" means the value proceeding or accruing from the sale of tangible property without any deduction on account of the cost of property sold, expense of any kind, or loss.

(f) The word "taxpayer" means any person liable for any tax under the provisions of this act.

(g) "Taxable income" means all net income after the exemptions allowed for provisions of this act have been deducted.

(h) The word "corporation" means a corporation organized for pecuniary profit and also include joint stock companies, limited partnerships and associations and all other associations organized for pecuniary profit.

(i) The words "domestic insurance corporation" mean any insurance corporation organized under the laws of this State.

(j) The word "fiduciary" means a guardian, trustee, executor, administrator, receiver, conservator or any person, whether individual or corporate, acting in any fiduciary capacity for any person, trust or estate.

(k) The word "paid" means "paid or accrued" and "paid or incurred" and shall be construed according to the method of accounting upon the basis of which the net income is computed under this act.

(l) The word "received" means "received or accrued" and shall be construed according to the method of accounting upon the basis of which the net income is computed under this act.

(m) The word "resident" applies only to individuals and includes for the purpose of determining liability to the tax imposed by this act upon or with reference to the income of any tax year, any individual domiciled in the State of Iowa, and any other individual who maintains a permanent

place of abode within this State and spends in the aggregate more than six (6) months of the tax year within the state.

(n) The word "individual" means a natural person.

(o) The word "dividend" means any distribution made by a corporation out of its earnings or profits to its shareholders or members, whether in cash or in other property or in stock of the corporation.

(p) The word "person" includes individuals, fiduciaries and partnerships.

(q) The words "income year" mean the calendar year or a fiscal year upon the basis of which the tax is computed under this act. If no fiscal year has been established, they mean the calendar year.

(r) The words "fiscal year" mean an accounting period of twelve (12) months ending on the last day of any month other than December.

(s) The words "tax year" mean the calendar year or the fiscal year ending during such calendar year during which the tax is computed under this act.

PART TWO—RETAIL SALES TAX

Section 2. Every retail merchant, as herein defined, shall pay a quarterly sales tax for the right and privilege of opening, establishing, operating and maintaining any store, or retail business defined, determined by computing the tax on the amount of annual gross sales as made quarterly, as follows:

(a) On the first fifty thousand dollars of annual gross sales, or any part thereof in excess of three thousand dollars, one-half per cent ($\frac{1}{2}\%$).

(b) On the next fifty thousand dollars of annual gross sales, or any part thereof, three-fourths per cent ($\frac{3}{4}\%$).

(c) On the next one hundred fifty thousand dollars of annual gross sales, or any part thereof, one per cent (1%).

(d) On the next two hundred and fifty thousand dollars of annual gross sales, or any part thereof, one and one-fourth per cent ($1\frac{1}{4}\%$).

(e) On the next two hundred fifty thousand dollars of annual gross sales, or any part thereof, one and one-half per cent ($1\frac{1}{2}\%$).

(f) On the next two hundred fifty thousand dollars of annual gross sales, or any part thereof, one and three-fourths per cent ($1\frac{3}{4}\%$).

(g) On all annual gross sales in excess of one million dollars two per cent (2%).

The sales tax imposed by this Act shall be paid in four installments, each covering the gross sales for the last preceding three months. The calendar year shall be divided into four equal taxpaying periods of three months each, and the tax for each period shall be due and payable within thirty days from the close of the period for which the tax is computed.

Section 3. Every retail merchant, as hereinafter defined, in order to ascertain the amount of taxes due and payable under this Act, shall file with the State Board of Assessment and Review, within thirty days from the close of each quarterly period for which such tax is due, a written report verified by the affidavit of the owner or chief officer on such forms as said board may prescribe, giving the name, number and location of its store or stores included in said retail business, defined, the name and post

office address of its owner or principal officer, the name and address of its officer or agent in charge of its business at each separate store, the nature and kind of business; the total gross sales of all kinds during the preceding quarterly period, and such other facts bearing on the matter of taxation as the State Board of Assessment and Review require. In compliance with such report, the retail merchant shall remit to the Treasurer of State the total tax due thereon as herein and hereby imposed.

The State Board of Assessment and Review in any case, may require additional information as it may deem necessary to enable it to perform its duties hereunder. It shall be the duty of the board to ascertain the amount of taxes due for the preceding three months from such quarterly reports and from such additional information so obtained and to enforce collection of the amount found due from every such retail merchant.

PART THREE—FRANCHISE TAX

Sec. 4. Each "business concern", as herein defined, shall pay for each tax year to the Treasurer of State, for the exclusive use of the State of Iowa and each of all of its several school districts, in consideration for the privilege of carrying on its business, in whole or in part, in the State of Iowa, as a gainful pursuit, business and/or vocation, either for itself, or as broker, factor, or commission merchant, a franchise or privilege tax, based on the volume of its business, and at the respective rates as hereinafter provided.

The tax herein provided shall be paid quarterly and the amount thereof for each such business concern shall be determined by multiplying the gross income, or value, as herein defined, of its business transacted during the last preceding three months, at the respective rates as follows:

(a) For each business concern engaging or continuing within this state in the business of mining and producing coal for sale, profit or use, the amount of such tax to be equal to the value of coal produced as shown by the gross proceeds derived from the sale thereof by the producer, except as hereinafter provided, multiplied by the respective rate as follows: ten hundredths per cent (10/100%). The measure of this tax is the value of the entire production in this state, regardless of the place of sale or the fact that deliveries may be made to points outside the state.

(b) For each business concern engaging or continuing within this state in the business of manufacturing, compounding, or preparing for sale, profit, or use, any article, substance or commodity, the amount of such tax to be equal to the value of the article, substance or commodity manufactured, compounded or prepared for sale, as shown by the gross proceeds derived from the sale thereof by the manufacturer compounding or preparing the same, except as herein provided, multiplied by a rate of twenty-one hundredths per cent (21/100%).

If any person liable for any tax under sections (a) or (b) shall ship or transport his products, or any part thereof, out of the state without making sale of such products, the value of the products or articles in the condition or form in which they existed when transported out of the state shall be the basis of calculation for the assessment of the tax imposed in

said paragraphs; and the board shall prescribe equitable and uniform rules for ascertaining such value.

In determining value as regards sales from one to another of affiliated companies, or persons, or under other circumstances where the relation between the buyer and seller is such that the gross proceeds from the sale are not indicative of the true value of the subject matter of the sale, the board shall prescribe uniform and equitable rules for determining the value upon which such privilege tax shall be levied, corresponding as nearly as possible to the gross proceeds from the sale of similar products of like quality or character by such business concern where no common interest exists between the buyer and seller, but otherwise under similar circumstances and conditions.

(c) For each business concern engaging or continuing within this state in the business of selling any tangible property, whether real or personal, there is likewise hereby levied, and shall be collected, a tax equivalent to forty hundredths per cent (40/100%) of the annual gross income of the business; provided that in the case of a wholesaler or jobber, the tax shall be equal to ten hundredths per cent (10/100%) of the annual gross income of the business, and the tax imposed under Part of this Act shall not apply to taxpayers who are taxable as retail merchants under Part hereof. The classification of wholesaler or jobber shall be used only by any person doing a regularly organized jobbing business, known to the trade as such.

(d) Upon persons engaging or continuing within this state in their respective businesses, there is likewise hereby levied and shall be collected, taxes on account of the business engaged in equal to the gross income of the business multiplied by the respective rates as follows: banks and all other institutions employing money and capital in competition therewith, sixty hundredths per cent (60/100%); street railroads, forty hundredths per cent (40/100%); other public service companies or utilities not otherwise expressly taxed herein eighty hundredths per cent (80/100%); telephone, telegraph, express, electric light and power companies, one two-tenths per cent (1.2%); railroads, two per cent (2%); companies selling and distributing pure artificial gas (1%); and companies selling and distributing natural gas or mixed natural and artificial gas (3%).

The term "public service companies or utilities", as used in this section, shall include every other individual, co-partnership, corporation, joint stock company, syndicate or association engaged in any business whose property is dedicated to the public use, or whose charges or rates for the furnishing of its product or service is or may be subject to regulation by the State of Iowa.

The term "gross income" of a railroad corporation, railway corporation, street railway corporation, bus line, motor freight carrier, telegraph and telephone company, freight line and equipment company, sleeping car company, express company, electric transmission line, pipe line company, private car lines, and other common carrier, other than pipe lines, is hereby declared and shall be construed to mean all income from business beginning and ending within this state.

(e) Upon every business concern engaging or continuing within this

state in the business of contracting and building, the tax shall be equal to sixty hundredths per cent (60/100%) of the gross income of the business.

(f) Upon every person engaging or continuing within this state in the business of operating a theatre, opera house, moving picture show, vaudeville, amusement park, dance hall, skating rink, race track, or any other place at which amusements are offered the public, the tax shall be equal to two per cent (2%) of the gross income of each such business.

(g) For each domestic insurance company or association and for any such foreign insurance company or association not otherwise paying a tax to the State of Iowa doing business in this State the tax shall be forty one hundredths per cent (40/100%) of the gross premiums received from residents of Iowa, less dividends paid in cash or applied toward payment of said premiums, and less reinsurance premiums paid thereon to licensed companies.

Nothing herein contained shall be construed so as to require the use of any gross income in the measure of the tax levied under subdivisions c, d, e, f, or g of this section and who produce minerals or timber the production of which is taxable under subdivision "a" and use or consume same in their business, shall be deemed to be engaged in the business of mining and producing minerals or timber for sale, profit or use, and shall be required to pay a tax thereon and make returns on account of the production of said minerals or timber showing the gross proceeds therefrom or the equivalent thereof, in accordance with uniform and equitable rules for determining the value upon which such privilege tax shall be levied, corresponding as nearly as possible to the gross proceeds from the sale of similar products of like quality or character which rules the board shall prescribe and publish.

The terms "person" and "business concern", as used in this section, shall include any individual, firm, co-partnership, joint adventure, association, corporation, trust, or any other group or combination acting as a unit, and the plural as well as the singular number, unless the intention to give a more limited meaning is disclosed by the context.

(h) Upon every person engaging or continuing within this state in any business not included in the preceding sections, there is likewise hereby levied, and shall be collected a tax equal to sixty hundredths per cent (60/100%) of the gross income of any such business.

Section 4. Any person as herein defined who shall engage or continue in any business for which a franchise or privilege tax is imposed by this Act, shall be deemed to have applied for and to have duly obtained from the State of Iowa such a franchise or license to engage in and to conduct such business for the current tax year, upon the condition that he shall pay the tax accruing to the State of Iowa under the provisions of this Act; and he shall hereby be licensed to engage in and conduct such business.

Section 5. There are exempted from the provisions of the Act: (a) Labor and agriculture, (b) Labor organizations; (c) horticultural societies and organizations not operated for profit; (d) burial associations and cemetery companies which are organized and operated exclusively

for the benefit of their members; (e) corporations, associations, or societies organized and operated exclusively for religious, charitable, scientific or educational purposes; (f) business leagues, chambers of commerce, boards of trade, civic leagues, and organizations operated exclusively for the benefit of the community and for the promotion of social welfare; provided that none of said companies, organizations, corporations or societies named in this section are organized for profit and no part of the income of which inures to the benefit of any private stockholder or individual.

Section 6. On or before thirty days after the end of the tax year each business concern, as herein defined, liable for the payment of a tax under section of this act shall make a return showing the annual gross proceeds of sales, or annual gross income of business, and compute the amount of tax chargeable against it in accordance with the provisions of the act, and deduct the amount of quarterly payments, as hereinbefore provided, and transmit in compliance with its report a remittance covering the residue of the tax chargeable against it to the office of the treasurer of state such return shall be verified by the oath of the taxpayer, if made by an individual, or the oath of the president, vice-president, secretary or treasurer of a corporation if made on behalf of a corporation. If made on behalf of a partnership, joint adventure, association, trust, or any other group or combination acting as a unit, any individual delegated by such firm, co-partnership, joint adventure, association, trust, or any other group or combination acting as a unit shall make the oath on behalf of the taxpayer. If for any reason it is not practicable for the individual taxpayer to make the oath, the same may be made by any duly authorized agent. The state board of assessment and review, for good cause shown, may extend the time for making the annual return on the application of any taxpayer and grant such reasonable additional time within which to make the same as may, by it be deemed advisable.

PART FOUR—PERSONAL INCOME TAX

Sec. . A tax is hereby imposed upon every individual resident of the state and upon every nonresident of the state, insofar as income is derived from property located or business transacted within the state, which tax shall be levied annually, and collected semi-annually, with respect to his entire net income as herein defined, computed at the following rates, after deducting the exemptions hereinafter provided in this act:

(a) On the first two thousand dollars of taxable income, or any part thereof, one per cent (1%).

(b) On the third one thousand dollars of taxable income, or any part thereof, two per cent (2%).

(c) On the fourth one thousand dollars of taxable income, or any part thereof, three per cent (3%).

(d) On the fifth one thousand dollars of taxable income, or any part thereof, four per cent (4%).

(e) On all taxable income in excess of five thousand dollars, five per cent (5%).

A filing fee of three dollars shall be paid in lieu of any such tax by every single resident of the state having a net annual income of more than three hundred dollars and less than six hundred dollars, and every married resident of the state having an annual net income of more than nine hundred dollars and less than twelve hundred dollars.

The tax imposed by this act shall apply to and become a charge against estates or trusts, which tax shall be levied, collected and paid annually upon and with respect to the income of estates of any kind of property held in trust, according to such rules and regulations as shall be adopted, promulgated and published by the board.

Sec. . The term "gross income" does not include the following items, which shall be exempted from taxation under this act: (a) Amounts received under a life insurance contract paid by reason of the death of the insured, whether in a single sum or in installments except when such amounts are held by the insurer under an agreement to pay interest thereon, the interest payments shall be included in gross income; (b) amounts received other than amounts paid by reason of the death of the insured and interest payments on such amounts under a life insurance, endowment, or annuity contract, or any interest therein, only the actual value of such consideration and the amount of the premiums and other sums subsequently paid by the transferee shall be exempt from taxation under subdivision (a) hereof; (c) the value of property acquired by gift, bequest, devise, or descent but the income from such property shall be included in gross income; (d) interest upon the obligations of the United States or its possessions, agencies, or instrumentalities, which is or shall be exempt from state taxation by federal law; (e) salaries, wages and other compensation received from the United States by officials or employees thereof which are or shall be exempt from state taxation by federal law; (f) any amounts received through accident or health insurance or under workmen's compensation acts as compensation for personal injuries or sickness, plus the amount of damages received, whether by suit or agreements, on account of such injuries or sickness.

Sec. . In computing net income there shall be allowed as deductions:

(a) All the ordinary and necessary expenses, paid or incurred in case of report on an accrual basis during the tax year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal service actually rendered, traveling expenses while away from in pursuit of trade or business, and including rentals or other payments required to be made as a condition to the continued use or possession, for the purpose of the trade or business, or property to which the taxpayer has not taken or is not taking title or in which he has no equity.

(b) All interest paid or accrued during the tax year on indebtedness, except on indebtedness incurred or continued to purchase or carry obligations or securities, the interest on which is exempt from taxation under this act.

(c) Taxes paid or accrued within the income year, imposed by the authority of the United States or of any of its possessions or of any state, territory or the District of Columbia or of any foreign country;

except inheritance taxes, federal estate taxes or estate taxes of this or any other state, and except income taxes imposed by this act and taxes assessed for local benefits, of any kind tending to increase the value of the property assessed.

(d) Losses sustained during the tax year and not compensated for by insurance or otherwise, if incurred in trade or business.

(e) Losses sustained during the tax year and not compensated for by insurance or otherwise, if incurred in any transaction entered into for profit, though not connected with the trade or business.

(f) Losses sustained during the tax year of property not connected with the trade or business, if arising from fires, storm, shipwreck or other casualty, or from theft and not compensated for by insurance or otherwise.

(g) Losses deducted under the foregoing paragraphs d, e, and f shall be ascertained and computed upon the same basis as provided in section of this act.

(h) Debts ascertained to be worthless and charged off within the tax year if the amount has previously been included in gross income in a return under this act.

(i) A reasonable allowance for the depreciation, exhaustion, wear and tear and obsolescence of property used in the trade or business, and in the case of mines or other natural deposits and timber, a reasonable allowance for depletion; provided that in computing the deductions allowed under this paragraph the basis shall be the cost including in the case of mines and other natural deposits, the cost of development, not otherwise deducted, and in case of property acquired prior to July 1, 1933, the fair market value of the property on that date shall be taken in lieu of the cost up to that date. The reasonable allowance under this paragraph shall be made under rules and regulations to be prescribed by the board. In the case of leases and deductions allowed may be equitably apportioned between the lessor and the lessee.

(j) Contributions made within the taxable year to or for the use of charity. This deduction is limited to an amount which does not exceed five (5) per cent of the taxpayer's net income, computed without the benefit of such deductions.

(k) If for any taxable year it appears on the production of evidence satisfactory to the board that any taxpayer has sustained a net loss, the amount thereof shall be deducted from the net income of the taxpayer for the succeeding year.

(1) In computing the income no deductions shall in any case be allowed in respect to the following:—Personal, living or family expenses; any amount paid out for new buildings or for permanent improvements or betterments, made to increase the value of any property or estate; any amount expended in restoring property or in making good the exhaustion thereof, for which an allowance is or has been made; premiums paid on any life insurance policy covering the life of any officer or employee or of any individual financially interested in any trade or business carried on by the taxpayer, when the taxpayer is directly or indirectly a beneficiary under such policy.

Sec. . There shall be allowed for the purpose of this personal tax the following credits against the net income computed as set forth herein:

(a) In the case of a single person, a personal exemption of three hundred dollars (\$300.00); or in the case of the head of the family or a married person living with husband or wife, a personal exemption of nine hundred dollars (\$900.00). A husband and wife living together shall receive but one personal exemption. If such husband and wife make separate returns, the personal exemption may be taken by either or divided between them.

(b) If the status of the taxpayer, in so far as it affects the personal exemptions or the credit for dependents, which is during the taxable year, such personal exemption or credit shall be apportioned, under rules and regulations prescribed by the board, in accordance with the number of months before and after such change.

Sec. . When property is exchanged for other property having a readily ascertainable market value, the property received in exchange shall, for the purpose of determining gain or loss, be treated as the equivalent of cash to the amount of its fair market value, if any, but even if property received in exchange has a readily ascertainable market value, no gain or loss shall be recognized (1) when in the reorganization, recapitalization, or other change in identity, form, or place of organization, however affected, consolidation or merger of one or more corporations a taxpayer receives in place of any stock, or securities owned by him, stock or securities in a corporation a party to or resulting from such reorganization, consolidation or merger, or (2) when a taxpayer or taxpayers transfer any property, real, personal or mixed, to a corporation and immediately after the transfer is or are in control of such corporation by a stock ownership acquired by the transfer of such property for stock of the corporation.

When property is exchanged for other property and no gain or loss is recognized, the property received shall be treated as taking the place of the property exchanged therefor.

Installment Basis.

(a) Dealers in personal property. Under regulations prescribed by the board, any person or corporation who regularly sells or otherwise disposes of personal property on the installment plan may return as income therefrom in any taxable year that proportion of the installment payments actually received in that year which the gross profit realized or to be realized when payment is completed, bears to the total contract price.

(b) Sales of realty and casual sales of personalty. In the case (1) of a casual sale or other casual disposition of personal property other than property of a kin which would properly be included in the inventory of the taxpayer if on hand at the close of the taxable year, for a price exceeding \$1,000, or (2) of a sale or other disposition of real property, if in either case the initial payments do not exceed 40 per centum of the selling price, the income may, under regulations prescribed by the board, be returned on the basis and in the manner above prescribed in

this section. As used in this section the term "initial payments" means the payments received in cash or property other than evidence of indebtedness of the purchaser during the taxable period in which the sale or other disposition is made.

(c) Change from accrual to installment basis. If a taxpayer entitled to the benefits of subsection (a) elects for any taxable year to report his net income on the installment basis, then in computing his income for the year of change or any subsequent year, amounts actually received during any such year on account of sales or other dispositions of property made in any prior year shall not be excluded; provided no tax shall be imposed on any income accrued from sales made prior to the taking effect of this act.

(d) Gain or loss upon disposition of tax. If an installment tax is satisfied at other than its face value or distributed, transmitted, sold, or otherwise disposed of, gain or loss shall result to the extent of the difference between the basis of the obligation and (1) in the case of satisfaction at other than face value or a sale or exchange—the amount realized, or (2) in the case of a distribution, transmission, or disposition otherwise than by sale or exchange—the fair market value of the obligation at the time of such distribution, transmission, or disposition. The basis of the obligation shall be the excess of the face value of the obligation over an amount equal to the income which would be returnable were the obligation satisfied in full.

Sec. . For the purpose of ascertaining the gain derived or loss sustained from the sale or other disposition of property, real, personal or mixed, the basis shall be, in case of property acquired on or after the beginning of the tax year the cost thereof, or the inventory value, if the inventory is made in accordance with this act.

In case of property acquired prior to the beginning of the tax year and disposed of thereafter:

(a) No profit shall be deemed to have been derived if either the cost or the fair market price or value at the beginning of the tax year exceeds the value realized.

(b) No loss shall be deemed to have been sustained if either the cost or the fair market price or value at the beginning of the tax year is less than the value realized.

(c) Where both the cost and the fair market price or value at the beginning of the tax year are less than the value realized, the basis for computing profit shall be the cost or the fair market price or value at the beginning of the tax year, whichever is higher.

(d) Where both the cost and the fair market price or value at the beginning of the tax year are in excess of the value realized, the basis for computing loss shall be the cost or the fair market price or value at the beginning of the tax year whichever is lower .

(e) Any partial or final distribution to the taxpayer of the assets of a corporation shall be treated as a sale of the stocks or securities of the corporation owned by him and the gain or loss shall be computed accordingly.

Sec. . Every individual having a net income for the tax year from

sources taxable under this act of three hundred dollars (\$300.00) or over, if single, or if married and not living with husband or wife, or having a net income for the tax year of nine hundred dollars (\$900.00) or over if married and living with husband or wife; and every partnership doing business in this state shall make a return under oath, stating specifically the items of gross income and the deductions and exemptions allowed by this act.

If husband and wife living together have an aggregate net income of nine hundred (\$900.00) dollars or over, each shall make such a return, unless the income of each is included in a single joint return.

If the taxpayer is unable to make his own return, the return shall be made by a duly authorized agent or by a guardian or other person charged with the care of the person or property of such taxpayer.

Sec. Every fiduciary subject to taxation under the provisions of this act, as provided in section hereof, shall make a return under oath for the individual, estate or trust for whom or for which he acts, if the net amount thereof amounts to one thousand dollars or more or the gross amount thereof amounts to two thousand dollars or more.

The return made by a fiduciary shall state specifically the items of gross income, and the deductions and exemptions allowed by this act and such other facts as the board may prescribe. Under such regulations as the board may prescribe, a return may be made by one of two or more joint fiduciaries.

Fiduciaries required to make returns under this act shall be subject to all the provisions of this act which apply to individuals.

Sec. Every person or corporation being a resident of or having a place of business in this state, in whatever capacity acting, including lessees or mortgagors of real or personal property, fiduciaries, employers and all officers and employees of the state or of any political subdivision of the state, having the control, receipt, custody, disposal or payment of interest other than interest coupons payable to bearer, rent, salaries, wages, premiums, annuities, compensations, remunerations, emoluments or other fixed or determinable annual or periodical gains, profits and income, amounting to one thousand dollars or over, paid or payable during any year to any taxpayer, shall make complete return thereof under oath to the state board, under such regulations and in such form and manner and to such extent as may be prescribed by it.

Every partnership, having a place of business in the state, shall make a return, stating specifically the items of its gross income and the deductions allowed by this act, and shall include in the return the names and addresses of the individuals who would be entitled to share in the net income if distributed, and the amount of the distributive share of each individual. The return shall be sworn to by any one of the partners.

Every fiduciary shall make, under oath, a return for the individual, estate, or trust for whom or for which he acts, and shall set forth in such returns the items of the gross income, the deductions allowed by this act, the net income, the names and addresses of the beneficiaries, the amounts distributed or distributable to each and the amount, if any, lawfully retained by him for future distribution. Such return may be made by one or more joint fiduciaries.

Sec. Returns and reports shall be in such form as the board may, from time to time, prescribe, and those required under _____ of this act shall be filed with the board within ninety days after the expiration of the tax year. In case of sickness, absence or other disability, or whenever, in its judgment, good cause exists, the board may allow further time for filing returns. There shall be annexed to the return or the report the affidavit or affirmation of the taxpayer making the return to the effect that the statements contained therein are true.

The board shall cause to be prepared blank forms for said reports and returns and shall cause them to be distributed throughout the state and to be furnished upon application, but failure to receive or secure the form shall not relieve the taxpayer from the obligation of making any return or report herein required.

Sec. If the board shall be of the opinion that any person required under this act to file a report or make a return has failed to file such a report or return or to include in a return filed, either intentionally or through error, items of sales, transactions or taxable income, it may require from such taxpayer a return or supplementary return, under oath, in such form as it shall prescribe, of all the items of business done, sales made, transactions completed or income received by the taxpayer during the period for which the return or report is made, whether or not taxable under the provisions of this act. If from a supplementary return, or otherwise, the board finds that any items taxable under this act, have been omitted from the original return it may require the items so omitted to be disclosed under oath of the taxpayer, and to be added to the original return or report. Such supplementary return and the correction of the original return shall not relieve the taxpayer from any of the penalties to which he may be liable under any provisions of this act whether or not the board required a return or supplementary return under this section.

Sec. The return by an individual, who, while living, was subject to income tax in the state during the tax year, and who has died before making the return, shall be made in his name and behalf by the administrator or executor of the estate and the tax shall be levied upon and collected from his estate.

PART FIVE—COLLECTION OF TAXES

Section 21. Time and place of payment. 1. The personal income tax may be paid in two installments, each consisting of one-half of the total amount of the tax. The first installment shall be remitted with the return and the second installment shall be paid on or before six months after the date fixed for filing the return; provided, however, that in case the total amount of the tax shall be ten dollars or less, then, and in that case, the whole amount of the tax shall be paid at the time of filing the return. All other taxes imposed by this Act shall be paid quarterly.

When, at the request of the taxpayer, the time for filing the return or report is extended, interest at the rate of six per cent (6%) per annum on the amount of tax then due from the time when the return was originally required to be filed to the time of payment shall be added and paid.

In the event any taxpayer fails or refuses to make any report or return

or fails or refuses to pay any tax reported, or fails or refuses to do or perform any act or thing required to be done or performed under the provisions of this Act or under the provisions of any rule or regulation promulgated or prescribed hereunder, the State Board of Assessment and Review shall make such report, or perform such act and compute the amount of tax on gross income due, and there is hereby imposed upon such taxpayer failing or refusing to perform such act or pay such tax a penalty in the amount of twenty (20) per cent of the amount of the tax which should otherwise have been paid or reported or shown in addition to other penalties herein described.

Section 22. Examination of returns. 1. As soon as practicable after the return is filed the board shall examine it and determine the correct amount of the tax, and the amount so determined by the board shall be the tax. If the tax found due shall be greater than the amount theretofore paid, the excess shall be paid within ten days after notice of the amount shall be mailed by the board.

Section 23. If the taxpayer shall make any error in computing the tax assessable against him, the State Board of Assessment and Review shall correct such error or re-assess the proper amount of taxes, and notify the taxpayer of its action by mailing to him promptly a copy of the corrected assessment, and any additional tax for which such taxpayer may be liable shall be paid within ten days after the receipt of such statement.

Section 24. If the return or the report is made in good faith and the understatement of the tax is not due to any fault of the taxpayer, there shall be no penalty or additional tax added because of the understatement, but interest shall be added to the amount of the deficiency at the rate of one-half per cent ($\frac{1}{2}\%$) for each month or fraction of a month.

If the understatement is due to negligence on the part of the taxpayer, but without intent to defraud, there shall be added to the amount of the deficiency five per cent (5%) thereof, and in addition, interest at the rate of one-half per cent ($\frac{1}{2}\%$) per month or fraction of a month.

If the understatement is found by the board to be false or fraudulent, with intent to evade the tax, the tax on the additional business or income discovered to be taxable shall be doubled and an additional one per cent (1%) per month or fraction of a month shall be added.

The interest provided for in this section shall in all cases be computed from the date the return or report was originally required to be filed to the date of payment.

If the amount of tax as determined by the board shall be less than the amount theretofore paid, the excess shall be refunded under such regulations as may be prescribed by the board.

All payments received for any tax due under this Act must be credited, first, to penalty and interest accrued, and then to tax due.

Sec. Additional taxes. 1. If the Board discovers from the examination of the return or report or otherwise that the business or income of any taxpayer, or any portion thereof, has not been assessed, it may, at any time within two years after the time when the return was due, compute the tax and give notice to the taxpayer of the proposed assessment, and the taxpayer shall thereupon have an opportunity, within thirty

days, to file an appeal with the board and a hearing shall be granted and a final decision thereon shall be made by the board as soon as possible. The limitation of two years to the assessment of such tax or additional tax shall not apply to the assessment of additional taxes upon fraudulent returns. After the expiration of thirty days from such notification, if no appeal has been filed or after such hearing if such appeal has been filed, the board shall assess the income of such taxpayer of any portion thereof which it determines has not heretofore been assessed and shall give notice to the taxpayer so assessed of the amount of the tax and interest and penalties, if any, and the amount thereof shall be due and payable within ten days from the date of such notice. The provisions of this act with respect to revision and appeal shall apply to a tax so assessed. No additional tax amounting to less than five dollars shall be assessed.

Sec. Warrant for the collection of taxes. If any tax imposed by this act or any portion of such tax be not paid within sixty days after the same becomes due, the board may issue a warrant under its official seal, directed to the sheriff of any county of the state commanding him to levy upon and sell the real and personal property of the taxpayer found within his county, for the payment of the amount thereof, with the added penalties, interest, and the cost of executing the warrant, and to return such warrant to the board and pay to it the money collected by virtue thereof by a time to be therein specified, not less than sixty days from the date of the warrant. The sheriff shall, within five days after the receipt of the warrant, file with the clerk of the district court of his county a copy thereof, and thereupon the clerk shall enter in the judgment docket, in the column for judgment debtors, the name of the taxpayer mentioned in the warrant, and in appropriate columns the amount of the tax or portion thereof and penalties for which the warrant is issued and the date when such copy is filed, and thereupon the amount of such warrant so docketed shall become a lien upon the title to and interest in real property of the taxpayer against whom it is issued in the same manner as a judgment duly docketed in the office of such clerk. The said sheriff shall thereupon proceed upon the same in all respects, with like effect and in the same manner prescribed by law in respect to executions issued against property upon judgment of a court of record, and shall be entitled to the same fees for his service in executing the warrant, to be collected in the same manner.

Sec. Tax a debt. Every tax imposed by this Act, and all increases, interest and penalties thereon shall become, from the time it is due and payable, a personal debt from the person or persons liable to pay the same to the state of Iowa, and all property of the taxpayer, whether exempt from execution or not, shall be liable for satisfaction of the debt.

Sec. Lien. Any tax as herein provided, which has been reported and not paid, or the amount found to be due by the State Board of Assessment and Review under the provisions of this act, shall be a lien upon any and all real and personal property within this state of the delinquent taxpayer, which such lien shall be preserved, and enforced; and such delinquent tax shall be collected in the same manner and at the same time as liens and taxes upon real and personal property and moneys and

credits are preserved, enforced and collected under the provisions of existing law.

Sec. Action for recovery of taxes. Action may be brought at any time by the attorney general of the state, and shall be brought by him upon the request of the state board, in the name of the state, to recover the amount of any taxes, penalties, and interest due under this act.

Sec. Tax upon settlement of fiduciary's account. No final account of a fiduciary shall be allowed by any court unless such account shows, and the judge of said court finds, that all taxes imposed by the provisions of this act upon said fiduciary, which have become payable, have been paid, and that all taxes which may become due are secured by bond, deposit or otherwise. The certificate of the board and the receipts for the amount of the tax therein certified shall be conclusive as to the payment of the tax to the extent of said certificate.

For the purpose of facilitating the settlement and distribution of estates held by fiduciaries, the board may, on behalf of the state, agree upon the amount of taxes at any time due or to become due from such fiduciaries under the provisions of this act, and payment in accordance with such agreement shall be full satisfaction of the taxes to which the agreement relates.

Sec. Penalties. If any taxpayer, without intent to evade any tax imposed by this act, shall fail to file a report of business or return of income, or pay a tax, if one is due at the time required by or under the provisions of this act, but shall voluntarily file a corrected report of business or return of income and pay the tax due, within sixty days thereafter, there shall be added to and made a part of the tax an additional amount equal to five per cent (5%) thereof.

If any taxpayer fails voluntarily to file a report of business or a return of income, or to pay a tax, if one is due, within sixty days of the time required by or under the provisions of this act, the tax rates shall be increased by twenty per cent (20%).

If any taxpayer fails to file a return or a report within sixty days of the time prescribed by this act, any judge of the district court, upon petition of the state board, shall issue a writ of mandamus requiring such person to file a return. The order of notice upon the petition shall be returnable not later than ten days after the filing of the petition. The petition shall be heard and determined on the return day or on such day thereafter as the court shall fix, having regard to the speediest possible determination of the case, consistent with the rights of the parties.

Any person who, without fraudulent intent, fails to pay any tax or to make, render, sign or verify any return or report, or to supply any information within the time required by or under the provisions of this act, shall be liable to a penalty of not more than one thousand dollars to be recovered by the attorney general, in the name of the state, by action in any court of competent jurisdiction.

Any person, who with intent to evade any requirement of this act or any lawful requirement of the board thereunder shall fail to pay any tax or to make, sign or verify any return or to supply any information required by or under the provisions of this act, shall be guilty of a mis-

demeanor and punished accordingly. Any person, officer, director, trustee or agent, who with intent to evade any of the requirements of this act, or any lawful requirement of the board thereunder, shall make, render, sign or verify any false or fraudulent reports or returns or statements, or shall supply any false or fraudulent information, or who shall aid, abet, direct, cause or who shall procure anyone so to do, shall be liable to a penalty of not more than five thousand dollars, to be recovered by the attorney general, in the name of the state, by action in any court of competent jurisdiction, and shall also upon conviction be punished by imprisonment in the penitentiary for a term of from one to three years and by a fine of not less than one thousand dollars nor more than five thousand dollars.

The failure to do any act required by or under the provisions of this act shall be deemed an act committed in part at the office of the board. The certificate of the board to the effect that a tax has not been paid, that a return has not been filed or that information has not been supplied, as required by or under the provisions of this act, shall be prima facie evidence that such tax has not been paid, that such return has not been filed or that such information has not been supplied.

If any taxpayer has failed to file a return or make a report or has filed an incorrect or insufficient return or report and has been notified by the board of his delinquency and refuses or neglects, within twenty days after such notice, to file a proper return or report, or files a fraudulent return or report, the board shall determine the income of such taxpayer, according to its best information and belief, and assess the same at not more than double the amount so determined. The board may, in its discretion, allow further time for filing a return in such case.

REVISION AND REPEAL

Sec. . Any taxpayer may appeal to the board for revision of the tax assessed against him at any time within one year from the time of the filing of the report or return or from the date of the notice of the assessment of any additional tax. The board shall grant a hearing thereon and if, upon such hearings, it shall determine that the tax is excessive or incorrect, it shall adjust the same according to the law and the facts and make computation of the tax accordingly. The board shall notify the taxpayer of its findings and shall refund to the taxpayer the amount, if any, paid in excess of the tax found by it to be due with interest at six per cent per annum from date of payment. If the taxpayer has failed without good cause, to file a return within the time prescribed by law, or has filed a fraudulent return, or, having filed an incorrect return, has failed, after notice, to file a proper return, the board shall not reduce the tax below the amount for which the taxpayer is found to be properly assessed.

Sec. . The determination of the board upon application made by a taxpayer for revision of any tax may be reviewed in any court of competent jurisdiction by a complaint filed by the taxpayer against the board in the county in which the taxpayer resides or has his principal

place of business within sixty days after notice by the board of its determination, given as provided in section

Thereupon appropriate proceedings shall be had and the relief, if any, to which the taxpayer may be found entitled may be granted and any such taxes, interest or penalties paid, found by the court to be in excess of those legally assessed, shall be ordered refunded to the taxpayer, with interest at six per cent per annum from time of payment. An appeal may be taken by the taxpayer, or the board, to the District Court in the manner that appeals are taken in suits in equity, irrespective of the amounts involved.

ADMINISTRATION

Section . The board shall administer, enforce, collect, and receipt for the taxes herein imposed. Each member of said board shall give a surety bond in the amount of \$10,000.00 signed as surety by a corporation authorized to do a fidelity insurance business in the State of Iowa, and the reasonable cost of said bond shall be paid by the state. The board may divide the state into districts for administrative purposes but shall not divide any county in so doing.

The board is hereby authorized to make and modify such rules and regulations as it may deem necessary to insure the proper administration and enforcement of this act. Such rules and regulations shall be in full force and effect from and after their publication in two newspapers of general circulation in the State of Iowa.

Section . The board, for the purpose of ascertaining the correctness of any return or for the purpose of making an estimate of the taxable income of any taxpayer, shall have power: to examine or cause to be examined by it or any agent or representative any or all books, papers, records or memoranda of said taxpayer; to require by subpoena the attendance and testimony of witnesses; to issue and sign subpoenas; administer oaths and affirmations; to examine witnesses and receive evidence; to compel witnesses to produce for examination books, papers, records and documents relating to any matter which it shall have the authority to investigate or determine.

In all cases where it finds that the taxpayer has not properly reported, or made his returns, as provided by law, and all hearings where it decides a matter against the taxpayer, the board shall tax the costs to the taxpayer, otherwise they shall be taxed to the state.

The fees and mileage to be paid witnesses and taxed as costs shall be the same as prescribed by law in proceedings in the courts of this state in civil cases.

Where the costs are taxed to the taxpayer they shall be added to the taxes assessed against said taxpayer and shall be collected in the same manner.

In case of disobedience to a subpoena the board may invoke the aid of any court of competent jurisdiction in requiring the attendance and testimony of witnesses and production of records, books, papers and documents, and such court may issue an order requiring the person to appear before the board and give evidence or produce records, books,

papers and documents, as the case may be, and any failure to obey such order of court may be punished by the court as a contempt thereof.

Testimony on hearings before the board may be taken by deposition as in civil cases, and any person may be compelled to appear and depose in the same manner as witnesses may be compelled to appear and testify as hereinbefore provided.

Section . The state board of assessment and review, is hereby authorized to examine the books, records, papers, files and equipment of any retail merchant, as defined herein, made taxable by this Act, and, to that end, shall have the power to examine witnesses under oath to verify the accuracy of any return made under the provisions of this Act, or to ascertain whether or not any tax is due under the provisions of this Act by any retail merchant; and in the collection of said tax, the state board of assessment and review shall have the power and authority to institute legal proceedings for the purpose of ascertaining the amount of tax due and the collections thereof with the penalties thereon, and the state board of assessment and review shall be vested with all the powers under the laws of the State for the collection of taxes. The board, at or after the commencement of an action for the purpose of collecting the amount of tax due and penalties and interest thereon, as set out herein, may have an attachment against the property of the defendant, including garnishees, without the execution of a bond, upon the filing of an affidavit showing the nature of the claim, and that it is just; also the sum which the board believes the plaintiff ought to recover, and that the collection of the demand will be endangered by delay in obtaining judgment or a return of no property found.

Section . The board may appoint and remove such agents, auditors, clerks and employees as it may deem necessary, such persons to have such duties and powers as the board may, from time to time prescribe.

The salaries of all agents and employees shall be fixed by the board subject to the approval of the executive council.

All such agents and employees shall be allowed such reasonable and necessary traveling and other expenses as provided by law as may be incurred in the performance of their duties.

The board may require such of the officers, agents, and employees as it may designate to give bond for the faithful performance of the duties in such sum and with such sureties as it may determine and the state shall pay the premiums on such bonds.

Section . All officers empowered by law to administer oaths, and all agents, auditors, and such other employees as the board may designate, shall have power to administer an oath to any person to take the acknowledgement of any person in respect of any return or report required by this act or the rules and regulations of the board.

Section . The board shall prepare and publish annually statistics reasonably available, with respect to the operation of this act, including amounts collected, classification of taxpayers, and such other facts as are deemed pertinent and valuable.

Section 1. Except in accordance with proper judicial order, or as otherwise provided by law, it shall be unlawful for the board, any deputy

agent, auditor or other officer or employee, to divulge or make known in any manner the amount of sales, business or income, or any particulars set forth or disclosed in any report or return required under this act. Nothing herein shall be construed to prohibit the publication of statistics so classified as to prevent the identification of particular reports or returns and the items thereof, or the inspection by the attorney general or other legal representatives of the state of the report or return of any taxpayer who shall bring action to set aside or review the tax based thereon, or against whom an action or proceeding has been instituted to recover any tax or any penalty imposed by this act. Reports and returns shall be preserved for four years and thereafter until the board orders them to be destroyed. Nothing herein shall be construed to prohibit the delivery to a taxpayer or his duly authorized representative of a certified copy of any return or report filed in connection with his tax.

2. Any person violating subdivision one of this section shall be deemed guilty of a misdemeanor, and if the offender be an officer or employee of the state he shall be dismissed from office and shall be incapable of holding any public office in this state for a period of five years thereafter.

3. Every taxpayer shall, upon request of the board, furnish a copy of the return for the corresponding year which he has filed or may file with the federal government of the United States, showing his gross and net income and how obtained and the several sources from which derived.

Section . All revenue arising under the operation of this act collected by the treasurer of state shall be kept in a separate trust fund fully protected against loss.

Section . 1. The board is hereby authorized to grant a refund of any taxes erroneously or illegally assessed or collected thereon, and all taxes that appear to it to be unjustly assessed or excessive in amount, or in any manner wrongfully collected under this act.

2. Such refunds shall be ordered only after claims therefor have been filed by the taxpayer and after hearing, investigation, or other proofs under oath, as the said board may require.

3. No claim for refund shall be allowed by the board unless a claim therefor has been filed, under oath, with the board within one year after the payment of said tax, penalty or interest thereon.

4. Upon final determination by the board that such refund shall be allowed, the said board shall certify the amount thereof and the name of the claimant to the auditor of state, who, shall, upon receipt of such certificate, draw his warrant upon the treasurer of state therefor, and the treasurer of state shall pay the same out of any funds in the state treasury not otherwise appropriated.

PART SIX—DISTRIBUTION OF TAX

Sec. . All revenue arising under the operation of this act and collected by the treasurer of state to be carried by him as a special tax fund entirely separate from all other revenues of the State, which fund shall be distributed from time to time upon order of the board in accord-

ance with the provisions of this act on warrants drawn by the auditor of state upon direction of the board and made payable to the several school districts of the state as by this act hereinafter provided. The warrants so drawn shall, upon presentation, be paid by the treasurer of state out of said special fund.

Sec. . All of the revenue derived from the specific taxes imposed by the several provisions of this Act shall be used, first, for the operation and maintenance of all of the public schools of the state, and second, toward the support of the State Government, but then only upon the conditions and subject to the limitations herein set forth. All revenue annually collected under this act up to the extent of twenty-five million dollars shall be made available for the operation and maintenance of such schools; and all such revenues so annually collected under this act in excess of the said twenty-five million dollars appropriated to schools, shall, to the extent of five million dollars, be transferred by the treasurer of state to the general fund of the state, after which he will deposit, preserve, distribute and pay out the same under and in accordance with the laws of the state of Iowa, any excess over said thirty million dollars shall be kept intact in said trust fund. On the first day of February, June, September, and December of each year, the State Board of Assessment and Review shall apportion to the several school corporations of the State the money then in the above mentioned special tax fund in the proportion that the total number of teacher units allotted to each school corporation, in the manner hereinafter provided, bears to the total number of teacher units so allotted to all the school corporations of the state by the Superintendent of Public Instruction; provided that every High School teacher unit shall be considered the equivalent of one and one-half ($1\frac{1}{2}$) elementary teacher units. On order of the board the state auditor shall draw a warrant on the treasurer of state, payable to each school corporation, in the amount to which it is entitled, which warrant shall be sent by the treasurer of state to the secretary of the proper school corporation. A complete and accurate record of such disbursement shall be kept by the treasurer of state. Upon receipt of such funds from the treasurer of state the secretary of the school corporation shall cause same to be deposited to the general fund of said school corporation.

The above mentioned allotment of teacher units shall be made annually by the superintendent of public instruction and filed with the board on or before March first of each year, together with the name and address of each secretary of each school corporation in the State.

In making such allotment, the superintendent of public instruction shall use the following method: (a) Elementary Teacher Units. A school employing but one teacher for grades one to eight inclusive shall be considered as a teacher unit, regardless of its average daily attendance. In a district employing more than one teacher for grades one to eight inclusive, two teachers shall be counted for the first thirty-five of such pupils in average daily attendance, and one teacher for each additional twenty-seven pupils or major fraction thereof, in average daily attendance, (b) High School Teacher Units. In a district having an average daily attendance of less than twenty-five in grades nine to twelve or less,

inclusive, the superintendent of public instruction shall use the actual number of teachers employed by such district, not to exceed two. In such a district having an average daily attendance of forty or less in grades nine to twelve or less, inclusive, two teachers shall be counted for the first twenty-five of such pupils in average daily attendance and one teacher for each additional fifteen or major fraction thereof. In such a district having an average daily attendance of more than forty pupils, three teachers shall be counted for the first forty of such pupils and one teacher for each additional twenty-two pupils or major fraction thereof, of average daily attendance.

In determining the number of teacher units to be allocated to any school corporation, the superintendent of public instruction shall include both resident and non-resident pupils. Each school corporation in the state, which is liable for the payment of tuition as provided for in Section 4277 Code 1931, shall pay to the corporation which said tuition pupils attend, in lieu of said tuition charge, a sum sufficient to meet the average monthly cost for the operation and maintenance of the school buildings in said corporation, which sum shall not exceed \$2.00 per pupil per month. In any school corporation the number of teachers actually employed is less than the number of teacher units allotted to that school, the superintendent of public instruction shall use the number actually employed in determining the number of teacher units to be allotted to that school.

Notwithstanding the provisions of the preceding paragraphs, the board of assessment and review shall not order the auditor of state to draw a warrant distributing to any school district in Iowa for any one year any portion or part of the revenues derived from the several taxes imposed by this act unless and until the President and Secretary of such school district shall prepare, execute, verify and file in the office of the state board of assessment and review a statement that during the preceding year the public funds of their school district raised by a direct property tax was less by twenty (20) per cent than the tax so raised during the year 1932, and the further statement that the board of such school district would use any amount received from the state board of assessment and review out of the revenues raised by this act as a replacement of the direct property tax and that they would in good faith make a corresponding reduction in the revenue raised by direct taxation in said school taxing district.

It is hereby expressly provided that the revenue derived from the several taxes imposed by this act which is transferred to the general fund of the state shall replace, to that extent the state millage tax which the board would otherwise levy for state purposes, and that no further distribution of the revenues raised by the several taxes of this state shall be distributed to the state of Iowa during any year when the same is not used as a replacement tax to the full extent of the fund received under the provisions of this act.

Sec. The provisions of this act are severable, and if any section or sections, paragraph, or paragraphs, sentence or sentences, clause or clauses, word or words of this act shall be held to be unconstitutional by the valid judgment or decree or any court of competent jurisdiction,

such particular section or sections, paragraph or paragraphs, sentence or sentences, clause or clauses, word or words may be rejected without affecting the remainder of the act, and the decisions of the court shall not affect or impair any of the remaining sections, paragraphs, sentences, clauses or words of this act. It is hereby declared that it is the legislative intent that this act and each word, clause, sentence, paragraph and section thereof would have been enacted had such unconstitutional section or sections, paragraph or paragraphs, sentence or sentences, clause or clauses, word or words not be included.

Sec. All laws or parts of laws in conflict herewith are hereby repealed.

Sec. This act shall take effect July 1, 1933. Upon publication in the Indianola Record, a newspaper published at Indianola, Iowa, and the Van Buren Record, a newspaper published at Bonaparte, Iowa, as provided by law.

WM. S. BEARDSLEY
JOHN N. CALHOUN

On motion of Senator Calhoun, the Senate adjourned until 9:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 15, 1933.

The Senate met in regular session, President pro tempore Matt D. Cooney presiding.

Prayer was offered by Rev. A. R. Weed, pastor of the West Star and Worthington churches of Winterset.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Ritchie for the day, on request of Senator Reese; Senator Harrington for the day on request of Senator Valentine.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Favoring modification of the prohibition laws. Senator Mulaney, from residents of Fayette and Allamakee counties. Senator Kimberly, from residents of Scott county. Senator Miller of Buchanan, from residents of Buchanan county. Senator Wilson, from residents of Polk county. Senator Roelofs, from residents of Lyon, O'Brien, Ida, Cherokee and Plymouth counties. Judiciary No. 1.

Approving prohibition. Senator Knudson, from young people of Webster City. Judiciary No. 1.

Favoring the placing of a tax on the so-called "chain stores" doing business in the state. Senator Knudson, from citizens of Goldfield. Manufacturing, commerce and trade.

Favoring the passage of the gross income tax bill. Senator Knudson, from citizens of Eldora. Ways and means.

Favoring the placing of an excise tax on pipe line companies doing business in the state. Senator Valentine, from citizens of Centerville and Mystic. Public utilities.

Opposing the passage of the Substitute for Senate File No. 131. Senator Wenner, from the City Council of Parents and Teachers of Waterloo. Reduction of public expenditures.

Favoring the passage of Senate File No. 195 and House File No. 215. Senator Wenner, from members of the Macy Campbell School Masters Club of Black Hawk county. Public schools.

Favoring the enactment of child labor legislation, and the ratification by the state of Iowa of the proposed Child Labor Amendment to the Constitution of the United States. Senator Wenner, from citizens of Cedar Falls. Labor.

Favoring the continuation of state aid for county fairs. Senator Klemme, from residents of Winneshiek county. Appropriations.

Opposing the striking of the Bureau of Maternity and Child Hygiene from the State Department of Health, and favoring the passage of Senate File No. 454. Senator Miller of Buchanan, from women's clubs of Manchester. Public health.

Relating to school legislation. Senator Kimberly, from the Parent-Teachers Associations of the Pierce, Garfield and Polk schools of Davenport. Public schools.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 237, a bill for an act relating to the election of superintendent of schools.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 235, a bill for an act relating to settlement of poor persons.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 192, a bill for an act relating to manufacture and possession of stench bombs and tear bombs.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 67, a bill for an act relating to changing and fixing time for publication of legal notices.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 52, a bill for an act relating to method of estimating and certifying school budget.

LLOYD ELLIS, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 52, a bill for an act to amend sections three hundred sixty-nine (369), three hundred seventy-five (375), and forty-three hundred eighty-six (4386), code 1931, and to repeal sections forty-three hundred fifteen (4315), and forty-three hundred ninety-two (4392), code 1931, relating to the method of estimating and certifying the school budget.

Read first and second times.

House File No. 192, a bill for an act prohibiting the unlawful use, manufacture, preparation, or possession of stench bombs, tear bombs, or any liquid, gaseous, or solid substance with intent to throw, drop, pour, explode, deposit, release, discharge or expose any such noxious, annoying, offensive or dangerous substance in any public place.

Read first and second times.

House File No. 67, a bill for an act to amend sections five hundred fifty-one (551), four thousand eighty-six (4086), forty-four hundred fifty-one (4451), forty-four hundred seventy-three (4473), forty-six hundred eighty (4680), fifty-one hundred thirty-one (5131), fifty-three hundred ninety-eight (5398), fifty-four hundred sixty-one (5461), fifty-four hundred sixty-eight (5468), fifty-five hundred thirty-three (5533), fifty-six hundred sixty-three (5663), six thousand seventy (6070), sixty-two hundred forty-four (6244), sixty-three hundred four (6304), sixty-four hundred ninety-nine (6499), sixty-five hundred eight (6508), sixty-five hundred eighty-four (6584), all of the code 1931, with reference to the changing and fixing the time for the publication of legal and official notices, the number of official newspapers and the designation thereof.

Read first and second times.

House File No. 235, a bill for an act to amend sections fifty-three hundred fourteen (5314), fifty-three hundred sixteen (5316), and fifty-three hundred nineteen (5319), Code, 1931, and to repeal sections fifty-three hundred eleven (5311) to fifty-three hundred thirteen, (5313), inclusive, Code, 1931, all relating to settlement of poor persons.

Read first and second times.

House File No. 237, a bill for an act to amend sections forty-two

hundred thirty (4230), forty-two hundred twenty-eight (4228), and forty-two hundred twenty-nine (4229), code, 1931, relating to the election of superintendents and teachers in public schools.

Read first and second times.

REPORTS OF COMMITTEE

Senator White submitted the following reports:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 448, a bill for an act to make an appropriation to W. H. Sprole, begs leave to report it has had the same under consideration and recommends the same do pass. H. C. WHITE, *Chairman.*

Ordered passed on file.

Also:

Your committee on appropriations to which was referred Senate File No. 391, a bill for an act to make an emergency appropriation to pay the cost of repairing the heating plant at the Iowa School for the Deaf, Council Bluffs, Iowa; and to pay the expenses of transporting two boilers from the Iowa State Teachers College, Cedar Falls, Iowa, to the Iowa School for the Deaf, and the installation thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman.*

Ordered passed on file.

Senator Geske moved to recess until the fall of the gavel.

Senator Frailey raised the point of order that the question propounded by Senator Patterson of Senator Geske on the motion to recess amounted to a debate on the question, and that the motion to recess was precisely the same as the motion to adjourn, which is not debatable.

The President pro tempore held the point of order well taken.

Senator Beardsley demanded a roll call.

On the question "Shall the Senate recess?" the vote was:

Ayes, 33.

Anderson	Fisch	Meyer	Schmidt
Bennett	Frailey	Miller of	Shangle
Booth	Geske	Buchanan	Stevens of
Byers	Hicklin	Miller of Jones	Decatur
Carden	Irwin	Moore	Stevens of
Chrystal	Kimberly	Mullaney	Wapello
Cooney	Klemme	Nelson	Topping
Coykendall	Knudson	Pendray	Valentine
Doze	McArthur	Reese	Wilson

Nays, 9.

Beardsley	Hill	Hush	Patterson
Calhoun	Hopkins	Husted	Roelofs
Elthon			

Absent or not voting, 7.

Aschenbrenner	Harrington	Stanley	White
Beatty	Ritchie	Wenner	

The motion to recess until the fall of the gavel prevailed.

The Senate reconvened at the fall of the gavel, President pro tempore Matt. D. Cooney presiding.

The chair announced that as the sifting committee had not as yet been appointed, the Senate should proceed with the calendar.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Topping for the rest of the day on request of Senator Hicklin.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled House Files Nos. 29, 79 and 225.

HOMER HUSH, *Chairman Senate Committee.*
WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President pro tempore of the Senate announced that, as President pro tempore of the Senate, he had signed in the presence of the Senate, House Files Nos. 29, 79 and 225.

THIRD READING OF BILLS

The time having arrived for consideration of the special order, on motion of Senator Geske, House File No. 350, a bill for emergency act relating to the extension of the period of redemption of real estate in all real estate foreclosure actions now pending where deeds of conveyance have not been granted, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered:

Amend section 1 by inserting after the word "been" in line three (3) the words "or may hereafter be".

Senator Wilson moved that action on the bill be deferred, and that the same remain a special order for tomorrow morning as a first order of business. The motion prevailed.

SENATE CONCURRENT RESOLUTION NO. 16 CONSIDERED

Senator Nelson called up for consideration, Senate Concurrent Resolution No. 16, as found on page 531 of the Senate Journal, and moved its adoption.

The resolution was adopted.

On request of Senator Stevens of Wapello, unanimous consent was granted to consider Calendar No. 104, Substitute for House File No. 1.

On Motion of Senator Calhoun, Substitute for House File No. 1, a bill for an act to amend sections three hundred seventy-three (373), four hundred eighty-nine (489), four hundred ninety (490), twenty-two hundred ninety (2290), twenty-six hundred eighty-six (2686), twenty-nine hundred five (2905), twenty-nine hundred nine (2909), thirty-six hundred four (3604), thirty-six hundred forty-one-b one (3641-b1), thirty-six hundred fifty-four (3654), four thousand eighty-three (4083), forty-two hundred seventeen (4217) paragraph seven (7), forty-two hundred nineteen (4219), forty-three hundred forty-six (4346), forty-three hundred sixty-three (4363), forty-three hundred ninety-one (4391), forty-three hundred ninety-five (4395), forty-four hundred thirty-five (4435), forty-six hundred forty-four-c six (4644-c6), forty-six hundred forty-four-c seven (4644-c7), forty-six hundred forty-four-c eleven (4644-c11), forty-six hundred forty-four-c twelve (4644-c12), forty-six hundred forty-four-c fifteen (4644-c15), forty-six hundred eighty-two (4682), fifty-two hundred sixty-eight (5268), fifty-two hundred eighty-four (5284), fifty-two hundred ninety-two (5292), fifty-three hundred thirty-seven (5337), fifty-three hundred fifty-three (5353), fifty-three hundred sixty-seven (5367), fifty-three hundred eighty-five (5385), fifty-five hundred sixty-two (5562), fifty-five hundred seventy-c two (5570-c2), fifty-five hundred seventy-five (5575), fifty-five hundred eighty-one (5581), fifty-seven hun-

dred sixty-seven (5767), fifty-seven hundred ninety-two (5792), fifty-seven hundred ninety-three (5793), fifty-eight hundred twenty-two (5822), fifty-eight hundred thirty-five (5835), fifty-eight hundred thirty-eight (5838), fifty-eight hundred sixty-two (5862), fifty-eight hundred sixty-three (5863), fifty-eight hundred eighty-nine (5889), fifty-nine hundred two (5902) paragraph ten (10), fifty-nine hundred three-c five (5903-c5), fifty-nine hundred fifteen (5915), fifty-nine hundred forty-nine-a two (5949-a2), six thousand forty-three (6043), six thousand seventy-five (6075), sixty-one hundred (6100), sixty-one hundred fifty-two (6152), sixty-one hundred fifty-four (6154), sixty-one hundred fifty-nine (6159), sixty-one hundred sixty-four (6164), sixty-two hundred seven (6207), sixty-two hundred eight (6208), sixty-two hundred nine (6209), sixty-two hundred ten (6210), sixty-two hundred eleven (6211), sixty-two hundred thirteen (6213), sixty-two hundred fourteen (6214), sixty-three hundred ten (6310), sixty-five hundred seventy-eight (6578), sixty-five hundred eighty-eight (6588), sixty-five hundred ninety-two (6592), sixty-five hundred ninety-nine (6599), sixty-six hundred (6600), sixty-six hundred three (6603), sixty-six hundred seven (6607), sixty-six hundred ten (6610), sixty-eight hundred twenty-three (6823), sixty-eight hundred fifty-five (6855), sixty-eight hundred fifty-six (6856), seventy-one hundred nine (7109), seventy-one hundred ten (7110), seventy-one hundred seventy-one (7171), seventy-one hundred seventy-two (7172), seventy-one hundred seventy-three (7173), seventy-seven hundred fifty (7750), ten thousand one hundred ninety (10,190), ten thousand one hundred ninety-one (10,191), ten thousand one hundred ninety-four (10,194), ten thousand one hundred ninety-five (10,195), ten thousand one hundred ninety-six (10,196), ten thousand six hundred ninety-two (10,692), code 1931, to change the method of determining actual value, assessed value, and taxable value and the tax rates thereon on all real estate and personal property, except moneys and credits, so that the terms actual value, assessed value, and taxable value shall hereafter be synonymous and arithmetically the same; and to adjust the tax rates and levies thereon accordingly, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted:

The following committee amendments were considered:

1. In section 47 correct the spelling of the word "permissible".

2. In Sec. 57, line 2, insert the word "four" following the word "line".
3. Amend Sec. 60 by adding as a paragraph between paragraphs 9 and 10 the following: "Further amend said sub-section by striking from line seven (7) the word 'two' and substituting therefor the word 'one-half'."
4. Amend Sec. 60, paragraph 28, line 2 by striking the word and figure "one (1)" and substituting therefor the word and figure "two (2)".
5. Amend Sec. 64, line 3 by pluralizing the word "word".
6. Amend Sec. 66, lines 3 and 4 by striking the words "one and one-fourth" and substituting therefor the word "one-fourth".
7. Amend Sec. 70, line 3, by singularizing the word "words".
8. Amend Sec. 71, line 2, by striking therefrom the word and figure "thirty-seven (37)" and substituting therefor the word and figure "thirty-six (36)".

Senator Calhoun moved to amend amendment No. 4 by changing the figures "28" in line 1 thereof to the figures "27".

The amendment to the amendment was adopted.

Amendments Nos. 1 to 8, inclusive, were adopted.

9. Strike out all of section 75 and substitute therefor the following: "Strike paragraphs one (1) and two (2) of Section seventy-one hundred nine (7109) code 1931, and substitute therefor the following: 'All property subject to taxation shall be assessed at its actual value which shall be entered opposite each item. The terms 'actual value', 'assessed value' and 'taxable value' shall hereafter be construed as referred to 'actual value'.

"The tax rate shall be applied to the actual value, except as otherwise provided."

The amendment was adopted.

10. Amend Sec. 76 by adding as paragraph two (2) thereof the following:

"Further amend said section by striking from line five (5) the words 'one dollar' and substituting therefor the words 'four dollars'."

The amendment was adopted. .

11. Amend by adding as Sec. 87-A the following:

"The code editor is hereby directed to correct the spelling of the words in the singular or plural in the various sections hereby affected to agree with the contexts as hereby changed."

The amendment was adopted.

Senator Hicklin offered the following amendment and moved its adoption:

Amend by inserting after sec. 87, as sec. 88, the following:

"Sec. 88. Whenever in the statutes, other than in the foregoing sections, a tax rate on one-fourth of the actual value of real and personal property, except moneys and credits, is authorized said tax rate shall be divided by four (4) so as to adjust said tax rate according to the revised system of assessed valuations as herein provided, and, in said instances, if any, the Code Editor is directed to make the division and to insert the proper quotient."

Further amend by renumbering the remaining section.

The amendment was adopted.

Senator Hicklin offered the following amendment and moved its adoption:

Amend sec. 89 as renumbered by striking out all after the word "publication" as it appears in line 3 and substituting in lieu thereof the words "as provided by law."

The amendment was adopted:

The bill was read for information.

Senator Calhoun moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 40.

Anderson	Elthon	Knudson	Roelofs
Aschenbrenner	Fisch	McArthur	Shangle
Beardsley	Frailey	Meyer	Stanley
Bennett	Geske	Miller of Jones	Stevens of
Booth	Hicklin	Moore	Decatur
Byers	Hill	Mullaney	Stevens of
Calhoun	Hopkins	Nelson	Wapello
Carden	Husted	Patterson	Valentine
Cooney	Irwin	Pendray	Wenner
Coykendall	Kimberly	Reese	White
Doze	Klemme		

Nays, 1.

Wilson

Absent or not voting, 8.

Beatty	Harrington	Miller of	Schmidt
Chrystal	Hush	Buchanan	Topping
		Ritchie	

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

Senator Calhoun moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Stanley, unanimous consent was granted to return to introduction of resolutions.

SENATE CONCURRENT RESOLUTION NO. 18

By Senate Appropriation Committee

Be It Resolved by the Senate, the House of Representatives concurring; that

Whereas, the Forty-fourth General Assembly of Iowa by its acts, as contained in Chapter 249 thereof, provided for an exhibit of the arts, industries and resources of the State of Iowa at the Century Progress Exposition to be held in the City of Chicago, Illinois in the year 1933, and

Whereas, the said acts provided for the creation of a "Century Progress Exposition Commission", and

Whereas, the said act further provided for an appropriation of \$25,000.00 or so much thereof as may be necessary for the purpose of paying the costs and expenses incident to the making of said exhibit, and

Whereas, the Senate of Iowa is now informed that a great majority of the states of the United States and all of the states adjoining the State of Iowa are participating in said Exposition, and

Whereas, the General Assembly of Iowa believes that the great State of Iowa should be represented with an exhibit in said Exposition for the purpose of exhibiting the resources of the State of Iowa and the developments made in said state, now, therefore,

Be It Resolved by the General Assembly of Iowa, That the Governor of the State of Iowa, and the Executive Council thereof, are hereby directed, authorized and empowered to carry into effect the provisions of Chapter 249 of the Acts of the Forty-fourth General Assembly of Iowa.

On request of Senator Stanley unanimous consent was granted to suspend the rules and consider the resolution.

Senator Hicklin moved to defer action on the resolution.

Senator Shangle moved to recess until 1:00 p. m.

Senator Stevens of Wapello moved to amend by making the time 1:30.

The amendment was adopted, the motion prevailed and the Senate recessed until 1:30 p. m. today.

AFTERNOON SESSION

The Senate met at the fall of the gavel, President pro tempore Matt D. Cooney presiding.

SENATE CONCURRENT RESOLUTION NO. 19

Whereas, the Congress of the United States, now convened in extra-

ordinary session, will proceed immediately to the drafting and enacting of farm relief legislation which shall have for its purpose the increasing and stabilization of prices of farm commodities, and

Whereas, the fortunes of all the people of the State of Iowa rest squarely upon the industry of agriculture; now, therefore,

Be It Resolved by the Senate, the House concurring, That this Forty-fifth General Assembly of the State of Iowa petition the Congress of the United States to enact no legislation that does not contain the fundamental provision of cost of production to the farmer for all staple farm commodities, and

Be It Further Resolved, That we petition the President of the United States to veto any measure providing for the stabilization of farm commodity prices that does not recognize the right of the farmer to cost of production.

PAUL W. SCHMIDT.

Passed on file.

On request of Senator Hill, unanimous consent was granted to consider Calendar No. 51, Senate File No. 166.

THIRD READING OF BILLS

On motion of Senator Hill Senate File No. 166, a bill for an act to clarify and harmonize the law with reference to school elections; to amend sections forty-one hundred twenty-nine (4129), forty-one hundred thirty (4130), forty-one hundred forty-one (4141), forty-one hundred forty-two (4142), forty-one hundred fifty (4150), forty-one hundred fifty-one (4151), forty-one hundred fifty-three (4153), forty-one hundred seventy-one (4171), forty-one hundred seventy-eight (4178), forty-two hundred sixteen c-one (4216-c1), forty-two hundred sixteen c-two (4216-c2), forty-two hundred sixteen c-twenty-four (4216-c24), forty-two hundred sixteen c-twenty-nine (4216-c29), forty-two hundred sixteen c-thirty (4216-c30), forty-two hundred seventeen (4217), forty-two hundred eighteen (4218), forty-two hundred nineteen (4219), forty-two hundred twenty-three a-two (4223-a2), forty-two hundred twenty-three b-one (4223-b1), forty-two hundred twenty-eight (4228), forty-three hundred eight (4308), forty-three hundred fifteen (4315), forty-three hundred fifty-four (4354), forty-three hundred seventy-three (4373), forty-three hundred ninety (4390), forty-three hundred ninety-four (4394), forty-four hundred one (4401), forty-four hundred six (4406), forty-four hundred fifty-three (4453), forty-four hundred fifty-six (4456), forty-four hundred fifty-seven (4457), forty-four hundred sixty-four (4464), forty-four hundred sixty-five (4465), code 1931; and

to repeal sections forty-two hundred sixteen c-thirty-five (4216-c35) and forty-three hundred eleven (4311), code 1931, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Hill moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 38.

Anderson	Frailey	McArthur	Reese
Aschenbrenner	Geske	Meyer	Roelofs
Beardsley	Hicklin	Miller of	Schmidt
Booth	Hill	Buchanan	Shangle
Calhoun	Hopkins	Miller of Jones	Stanley
Carden	Hush	Moore	Stevens of
Cooney	Husted	Mullaney	Decatur
Doze	Irwin	Nelson	Wenner
Elthon	Kimberly	Patterson	White
Fisch	Klemme	Pendray	Wilson

Nays, none.

Absent or not voting, 11.

Beatty	Chrystal	Knudson	Topping
Bennett	Coykendall	Ritchie	Valentine
Byers	Harrington	Stevens of	
		Wapello	

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

Senator Hill moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Wenner, unanimous consent was granted to consider Calendar No. 50, House File No. 113.

On motion of Senator Wenner House File No. 113, a bill for an act to repeal Section six hundred fifty-five a-four (655-a4), Code, 1931, relative to the time of filing objections to certificate of nomination or eligibility of a candidate, and to enact a substitute therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wenner offered the following amendment and moved its adoption:

Amend section 1, line 13, by inserting after the word "election," the words "such objections must be filed".

The amendment was adopted.

On request of Senator Wenner, unanimous consent was granted to defer action, such bill to come up under unfinished business tomorrow.

On request of Senator Irwin, unanimous consent was granted to consider Calendar No. 48, Senate File No. 98.

On motion of Senator Irwin Senate File No. 98, a bill for an act to amend section six hundred forty-three (643) Code, 1931, relating to the printing of names on primary ballots, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered.

Amend by striking the word "Auditor" from line 4 of subsection 2, and inserting in lieu thereof the word "Clerk".

The amendment was adopted.

The bill was read for information.

Senator Irwin moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 38.

Anderson	Frailey	McArthur	Reese
Aschenbrenner	Geske	Meyer	Roelofs
Booth	Hicklin	Miller of	Schmidt
Byers	Hill	Buchanan	Shangle
Calhoun	Hopkins	Miller of Jones	Stanley
Carden	Hush	Moore	Stevens of
Cooney	Husted	Mullaney	Decatur
Doze	Irwin	Nelson	Wenner
Elthon	Kimberly	Patterson	White
Fisch	Klemme	Pendray	Wilson

Nays, none.

Absent or not voting, 11.

Beardsley	Chrystal	Knudson	Topping
Beatty	Coykendall	Ritchie	Valentine
Bennett	Harrington	Stevens of	
		Wapello	

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

Senator Irwin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Wilson unanimous consent was granted to consider Calendar No. 135, Senate File No. 280.

On motion of Senator Wilson Senate File No. 280, a bill for an act to amend section fifty-nine hundred three e ten (5903-c10) of the Code, 1931, relating to the power of cities and towns to lease all or any portion of real estate owned or used for airport purposes, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 38.

Anderson	Elthon	McArthur	Reese
Aschenbrenner	Fisch	Meyer	Roelofs
Beardsley	Frailey	Miller of	Schmidt
Booth	Geske	Buchanan	Shangle
Byers	Hicklin	Miller of Jones	Stanley
Calhoun	Hopkins	Moore	Stevens of
Carden	Hush	Mullaney	Decatur
Chrystal	Husted	Nelson	Wenner
Cooney	Irwin	Patterson	White
Doze	Kimberly	Pendray	Wilson

Nays, none.

Absent or not voting, 11.

Beatty	Harrington	Knudson	Topping
Bennett	Hill	Ritchie	Valentine
Coykendall	Klemme	Stevens of	
		Wapello	

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

Senator Wilson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Mullaney, unanimous consent was granted to consider Calendar No. 71, Senate File No. 96.

On motion of Senator Mullaney Senate File No. 96, a bill for an

act to repeal section forty-two hundred seventy-eight (4278), Code, 1931, and to enact a substitute therefor relating to tuition of high school pupils in certain cases, with report of committee without recommendation, was taken up and considered and the report of the committee adopted.

The bill was read for information.

Senator Mullaney moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 35.

Anderson	Fisch	Klemme	Patterson
Aschenbrenner	Geske	McArthur	Pendray
Beardsley	Hicklin	Meyer	Reese
Booth	Hill	Miller of	Shangle
Byers	Hopkins	Buchanan	Stanley
Calhoun	Hush	Miller of Jones	Stevens of
Carden	Husted	Moore	Decatur
Chrystal	Irwin	Mullaney	Wenner
Cooney	Kimberly	Nelson	White
Doze			

Nays, none.

Absent or not voting, 14.

Beatty	Frailey	Roelofs	Topping
Bennett	Harrington	Schmidt	Valentine
Coykendall	Knudson	Stevens of	Wilson
Elthon	Ritchie	Wapello	

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

Senator Mullaney moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Hicklin, unanimous consent was granted to consider Calendar No. 42, Senate File No. 71.

On motion of Senator Hicklin Senate File No. 71, a bill for an act to amend section fifty-four hundred eleven (5411), code 1931, relating to publishing proceedings of Boards of Supervisors; and to repeal section fifty-four hundred twelve-a one (5412-a1), code 1931, relating to the publication of the same and enacting a substitute therefor, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

1. Amend Section 1 by changing the semicolon (;) to a period (.) after the word "report" in line 9 and striking out the remainder of the section.

2. Amend Sec. 2 by striking out the last three words in line 10 and all of lines 11, 12, and 13 and inserting in lieu thereof the following: "The County Auditor shall furnish a copy of such proceedings to be published, within one week following the adjournment of the Board."

The amendments were adopted.

On request of Senator Reese, his amendment as found on page 102 of the Senate Journal was withdrawn.

Senator Stevens of Wapello, offered the following amendment and moved its adoption:

Amend by striking from Sec. 2, line 5, the word "meetings" and inserting in lieu thereof the word "meeting".

The amendment was adopted.

Senator Schmidt moved to adjourn until 9:00 a. m. Thursday.

The motion was lost.

Senator Hicklin offered the following amendment and moved its adoption:

Amend section 2 by striking from line 4 the figures "5912-e1" and inserting in lieu thereof the figures "5412-e1".

The amendment was adopted.

The bill was read for information.

Senator Hicklin moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 42.

Anderson	Elthon	Meyer	Schmidt
Aschenbrenner	Fisch	Miller of	Shangle
Beardsley	Frailey	Buchanan	Stanley
Bennett	Geske	Miller of Jones	Stevens of
Booth	Hicklin	Moore	Decatur
Byers	Hill	Mullaney	Stevens of
Calhoun	Hopkins	Nelson	Wapello
Carden	Husted	Patterson	Valentine
Chrystal	Kimberly	Pendray	Wenner
Cooney	Klemme	Reese	White
Coykendall	McArthur	Roelofs	Wilson
Doze			

Nays, none.

Absent or not voting, 7.

Beatty
Harrington

Hush
Irwin

Knudson
Ritchie

Topping

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

Senator Hicklin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Stevens of Wapello, unanimous consent was granted to withdraw Senate File No. 1, companion bill to Substitute for House File No. 1 as passed by the Senate.

On request of Senator Stevens of Wapello, unanimous consent was granted to withdraw his motion to reconsider found on page 620 of the Senate Journal.

Senator Hill asked unanimous consent to consider Calendar No. 43, Senate File No. 87.

Senator Calhoun asked whether or not the withdrawal of Senator Stevens' motion to reconsider, would throw all bills on the calendar to the sifting committee.

The chair held that all bills would go to the sifting committee with the exception of those exempted on page 619 of the Senate Journal.

Senator Hicklin objected to the request of Senator Hill.

Senator Hill moved to consider Senate File No. 87.

Senator Patterson raised the point of order that all bills went to the sifting committee at once.

The chair held the point of order well taken.

Senator Schmidt moved to recess until the fall of the gavel.

Senator Geske moved as a substitute that the Senate adjourn until 9:00 a. m. Thursday.

Senator Calhoun moved to amend as follows: "that when adjournment is had it be to reconvene at 9:00 a. m. Thursday.

Senator Hill raised the point of order that the only question that could be debated was the change of time. The original

motion was to "adjourn" and the second, or amendment, was "that when the Senate adjourns," and thus out of order.

The chair held the amendment out of order.

AMENDMENTS FILED

Amend the committee amendment to Senate File No. 300 by inserting after line twenty-seven (27) of Section two (2) the following:

J. G. Githens, Witness, mileage and per diem.....	3.50
Ray Harris, Witness, mileage and per diem.....	3.50
J. B. Martin, Witness, mileage and per diem.....	3.50
D. C. Rhoads, Witness, mileage and per diem.....	3.50
W. P. Rhoads, Witness, mileage and per diem.....	3.50
Katheryn Caldwell, Witness, mileage and per diem.....	2.10
Mary Morrison, Witness, mileage and per diem.....	4.00
H. R. Davenport, Witness, mileage and per diem.....	2.10
Ethel Strohman, Witness, mileage and per diem.....	2.10
Mellissa Osborn, Witness, mileage and per diem.....	2.10
Naomi Kimbrough, Witness, mileage and per diem.....	2.10
Della M. Chapman, Witness, mileage and per diem.....	2.10
W. H. Kemp, Witness, mileage and per diem.....	3.00
R. L. Blackford, Witness, mileage and per diem.....	2.10
W. W. Stewart, Witness, mileage and per diem.....	3.00
Harry Allgood, Witness, mileage and per diem.....	3.00
W. Z. Wright, Witness, mileage and per diem.....	3.20
Jeannette Lokers, Witness, mileage and per diem.....	2.40
Don Allsup, Witness, mileage and per diem.....	2.10
D. Harold Lee, Witness, mileage and per diem.....	2.10
Fern Rexroth, Witness, mileage and per diem.....	2.10
Arlo W. Palmer, Witness, mileage and per diem.....	2.10
Mattie Robeson, Witness, mileage and per diem.....	2.10
Bryan E. Evans, Witness, mileage and per diem.....	2.10
Ira C. Barnhart, Witness, mileage and per diem.....	4.10
L. T. Shangle, Witness, mileage and per diem.....	no fees
Mary Jane Butler, Witness, mileage and per diem.....	2.10
Lucille Fuller, Witness, mileage and per diem.....	2.10

Further amend by striking the line reading "Total Expense....." \$744.10" and insert in lieu thereof the following:

"Total Expense\$815.80"

APPROPRIATIONS COMMITTEE,

H. C. WHITE, *Chairman.*

I move, as a substitute amendment for Senate File No. 227 to strike all after the enacting clause and to substitute the following, to-wit:

Section 1. It is hereby declared that when there is a surplus of corn, wheat, barley or rye over or above the amount normally consumed, an emergency exists and that it is in the public interest and for the public welfare to facilitate and stimulate the orderly consumption of such surplus.

Sec. 2. When used in this act, unless otherwise clearly indicated, the term "fuel alcohol" shall mean alcohol distilled, manufactured or produced in this state from corn, wheat, barley or rye, of the quality and specifications as may, from time to time, be prescribed by the executive council.

Sec. 3. No person, firm or corporation, as herein defined, shall sell, keep for sale or offer for sale, within this state, any fuel for use in any internal combustion engine unless such fuel contains fuel alcohol, as herein defined, in the ration and proportion prescribed by the executive council of this state under the provisions of this act.

Sec. 4. No person, firm or corporation, shall use in any motor vehicle operated upon the public highways of this state any motor vehicle fuel unless such fuel contains fuel alcohol, as herein defined, in the ratio and proportion prescribed by the executive council of this state under the provisions of this Act.

Sec. 5. It shall be the duty of the Department of Agriculture to furnish to the executive council, and to maintain, a reasonably accurate survey of the crops of corn, wheat, barley and rye; and it shall be the duty of the executive council to determine from such survey, and such other information as may be available, when a surplus of any of such crops exists and the approximate extent thereof; to determine the amount of fuel alcohol which could be produced therefrom; to confer with authorities of other states acting in a similar capacity; to compute the quantity of alcohol derived from corn, wheat, barley or rye consumed in other states and, from such data and such other information as may be available, to determine when the required consumption of fuel alcohol in this state is in the public interest; to determine the percentage of blend of internal combustion engine fuel by the use of such fuel alcohol necessary in the public interest to consume such surplus; and to prescribe by order, from time to time the quality and specifications and the percentage of such fuel alcohol which such internal combustion engine fuel shall contain.

Sec. 6. In order to accomplish the purposes of this act the executive council shall have authority to adopt rules and regulations not inconsistent with the provisions of this act and to do all things reasonably necessary to perform its duties as herein defined.

Sec. 7. It shall be the duty of the executive council to hold hearings as herein prescribed, to compel the attendance of witnesses, to administer oaths; to compel production of books, records and papers; and to supervise and direct all the activities necessary in the administration of this act; including the mandatory filing of a report by each licensee exact in all respects to the report or reports required by the internal revenue department of the United States.

Sec. 8. It shall be unlawful for any person, firm or corporation to distill, manufacture, or produce alcohol within this state without having procured from the executive council a permit so to do in accordance with the provisions of this act, provided however, nothing herein contained shall be construed as requiring or delegating the power to require the performance or omission of any act required or prohibited by the constitution of the United States or any statute, rule or regulation promulgated thereunder.

Sec. 9. Any person desiring to distill, manufacture or produce alcohol within this state may make application to the executive council for a license so to do or to engage in the business of distilling, manufacturing or producing such alcohol, such application to be made on forms to be provided by the executive council for such purpose. Such application shall set out the name and address of the applicant, the place applicant seeks to engage in such business, manufacturing, production or distilling; a financial statement of applicant; and a description of the property and assets applicant proposes to use for such purpose.

Sec. 10. Upon receipt of such application the executive council shall fix a date and place for a hearing thereon and shall cause notice thereof to be published once each week for two successive weeks in some newspaper of general circulation in the county in which applicant seeks to operate, the last publication of which notice shall be not less than ten days before the date set for such hearing.

Sec. 11. Any person, firm or corporation whose rights or interests may be affected shall have the right to make written objections to the proposed application. All such objections shall be on file with the executive council at least five days before the date fixed for hearing. The executive council may permit objections to be filed later, in which event the applicant shall be given reasonable time to meet such objections. The executive council shall consider the application and any objections filed thereto and may hear testimony to aid it in determining the propriety of granting the application. It may grant the application in whole or in part upon such terms, conditions, and/or restrictions as may seem to it just and proper. The applicant shall pay all the costs and expenses of the hearing and necessary preliminary investigation in connection therewith before the hearing begins. The executive council shall have the right to require the applicant to deposit with it at the time the application is filed, an amount of money to be determined by it to secure the payment of the said costs and expenses.

Sec. 12. If, upon such hearing, the executive council finds that the public convenience and necessity require the operation of such distillery and that the applicant is financially able to properly conduct such business in the public interest, and is of good moral character, it shall issue a license to the applicant therefor upon the payment by the applicant of a fee of five hundred (500) dollars to be paid into the general fund of the state. Such license shall be renewed annually upon payment of a renewal fee of five hundred (500) Dollars. Previous conviction for violation of any law, either federal or state prohibiting the manufacture, sale or traffic in intoxicating liquor shall constitute a bar to the issuance of such license and a pending indictment therefor shall require the postponement of the issuance of any license pending final disposal thereof and any subsequent conviction thereof shall constitute the automatic revocation of any outstanding license issued hereunder, without refund of license or application fees.

Sec. 13. Appeal may be taken from the decision of the executive council by the applicant or any party who appeared in opposition to the application to the District Court within thirty days from the time the decision

was rendered, by giving at least ten days notice to the executive council, to be served on its secretary in the same manner as original notices are now served and by filing with the Clerk of the District Court a bond for costs in the sum fixed by the Court.

Sec. 14. Upon appeal being taken, the Secretary of the executive council shall make and certify a transcript of all testimony, papers, records, and proceedings in connection with such application and hearing and file the same with the Clerk of the District Court within ten days after the service of said notice of appeal.

Sec. 15. The appeal shall be submitted upon the transcript of the evidence and the record made before the executive council and the District Court shall either affirm or reverse the order of the executive council.

Sec. 16. Nothing herein contained shall be construed as granting to the executive council or any of its subordinates authority to prescribe such a percentage of fuel alcohol to be contained in internal combustion engine fuel as to materially impair the efficiency of such fuel in internal combustion engines.

Sec. 17. In addition to the powers and duties herein conferred, the executive council and such subordinates as it may designate, shall have full power and authority to supervise and regulate the business of all persons engaged in the distilling, manufacture and/or production of fuel alcohol as herein defined; to inspect at any and all reasonable times and places the operations, books and records of any licensee hereunder; including the right to inspect all records required to be made under the acts of congress or under rules and regulations of internal revenue department of the United States; to negotiate with authorities holding like powers in other states relative to the cooperative action of the State of Iowa with such other states toward the disposal of grain or cereal surpluses.

Sec. 18. For violation by any licensee hereunder of any provision of this act or of any rule or regulation promulgated hereunder, the executive council may, in addition to any other penalties herein provided, suspend or revoke and cancel the license of any such licensee.

Sec. 19. Every person, firm or corporation who violates or fails to comply with or who procures, aids or abets in the violation of any provision of this act or who fails to obey, observe or comply with any order, decision, rule or regulation, direction, demand or requirement or any part or provision thereof of the executive council or who procures, aids or abets any corporation or person in its, or his, failure to obey, observe or comply with any part or provision thereof, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not less than five hundred (500) Dollars or more than one thousand (1000) dollars or by imprisonment in the county jail for a period of not less than thirty days, nor more than one year or both.

Sec. 20. Should any section of this act or any part thereof be held by any court of competent jurisdiction to be unconstitutional, such section or part thereof shall be deemed to be independent of and unrelated to any other section or part of this act, and it is hereby declared that no section, or part thereof, of this act, has been an inducement to the enactment of any section, or part thereof, of this act and such decision shall affect only the specific provision which it is held offends against the constitution.

And that the title be corrected to read as follows:

A bill for an act to declare when an emergency exists; to declare that the production, distribution and consumption of alcohol derived from corn, wheat, barley and rye is clothed with a public interest; to provide for the use of alcohol in internal combustion engine fuel and the proportion thereof; to prohibit the sale of internal combustion engine fuel in this state which does not contain the required percentage of alcohol, to prohibit the use in motor vehicles operated on the public highways of fuel unless such fuel contains fuel alcohol, to define fuel alcohol; to delegate to the executive council the right to regulate the production and sale of alcohol, to license those engaged in such business and require a license fee therefor; to levy a tax on motor fuel for the construction and maintenance of the primary roads; to provide exemptions from such tax; to declare an emergency; and to provide penalties for the violation hereof.

FRED W. NELSON.

Amend House File No. 292 as follows:

Amend by striking the word "dollars" in line twenty-eight (28) of section four (4).

Also amend line seven (7) of section thirteen (13) by inserting after the word "but" the words "such salary shall be".

Also amend line eleven (11) of section thirteen (13) by inserting after the word "but" the words "such salary shall be".

Also amend line fifteen (15) of section thirteen (13) by inserting after the word "but" the words "such salary shall be".

Also amend line nineteen (19) of section thirteen (13) by inserting after the word "but" the words "such salary shall be".

Also amend line twenty-three (23) of section thirteen (13) by inserting after the word "but" the words "such salary shall be".

Also amend line twenty-seven (27) of section thirteen (13) by inserting after the word "but" the words "such salary shall be".

Also amend line thirty-one (31) of section thirteen (13) by inserting after the word "but" the words "such salary shall be". HOMER HUSH.

Amend Senate File No. 487 as follows:

1. Amend the title by striking the period at the end thereof and adding thereto the following: ", and legalizing such agreements heretofore entered into."

2. Amend Section one (1) by striking the period at the end of line nineteen (19) and adding thereto the following: ", provided that any Depositor's Agreement for waiving time of payment of deposits entered into heretofore to which no objections have been taken by Court action are hereby legalized and approved so far as the action of the Board of supervisors or other public bodies joining in the waiver is concerned upon the approval of such agreements by the Superintendent of Banking and the Executive Council."

H. L. IRWIN.

Senator Geske's substitute motion to adjourn prevailed and the Senate adjourned until 9:00 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 16, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. Walter F. Kieker, pastor of the Evangelical Lutheran Church of Walnut.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Ritchie for the day, on request of Senator Elthon; Senator Topping for the morning, on request of Senator Hicklin; Senator Carden for the day on request of Senator Stanley.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Approving prohibition. Senator Bennett, from residents of Harrison county. Senator Wilson, from residents of Polk county, and members of the Church of Christ at Park Avenue, Des Moines. Senator Harrington, from citizens of Sioux City, and from members of the Church of Christ at Akron. Judiciary No. 1.

Favoring modification of the prohibition laws. Senator Harrington, from residents of Woodbury county. Judiciary No. 1.

Opposing the placing of a tax on the so-called "chain stores" doing business in the state. Senator Bennett, from residents of Monona county. Senator Stevens of Decatur, from residents of Decatur county. Manufacturing, commerce and trade.

Relating to insurance legislation. Senator Valentine, from the Centerville Association of Insurance Agents. Insurance.

Opposing the repeal of the Primary Election law. Senator Bennett, from residents of Monona county. Elections.

Favoring the passage of House File No. 163. Senator Bennett, from the City Council of Missouri Valley. Cities and towns.

Favoring the passage of the gross income tax bill. Senator Roelofs, from citizens of Sheldon. Ways and means.

Opposing the passage of Senate File No. 140. Senator Bennett, from citizens of Onawa. Senator Harrington, from members of the Church of Christ at Akron. Public schools. .

Favoring the passage of Senate Files Nos. 125 and 175, and relating to the regulation of weights of trucks. Senator Irwin, from residents of Clinton county. Senator Bennett, from residents of Crawford, Harrison and Monona counties. Motor vehicles.

COMMUNICATION

TO THE IOWA SENATE: Let me express to you, in words wholly inadequate, the appreciation we feel for your love, sympathy and kindly words and actions, expressed in flowers, personal expressions and also in your presence at the funeral of our beloved husband and father. We shall never cease to treasure them all, and shall always consider you as our personal friends.

MRS. LEAH MYERS AND FAMILY.

The Senate recessed for fifteen minutes.

The Senate met at the fall of the gavel.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 151, a bill for an act relating to the management of state, county, and municipally owned real estate.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 88, a bill for an act relating to limiting personal deficiency judgments.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 293, a bill for an act relating to organization of mutual insurance companies.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 373, a bill for an act relating to appointment and compensation of trustees.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 205, a bill for an act relating to compensation of appraisers in condemnation proceedings.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 91, a bill for an act relating to appropriations of public funds.

Also, that the House has adopted the following House Concurrent Resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution No. 21, relating to appropriation committees.

LLOYD ELLIS, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION NO. 21

Whereas, we are in need of further information regarding the State Institutions before we complete our appropriations to these different Institutions, therefore,

Be It Resolved by the House, the Senate concurring, That we ask the State Board of Education to furnish this needed information to the appropriations committees of both the House and Senate. We request that they meet in joint session with the members of these committees and with the presidents of the State Institutions and give to the committees definite information regarding the salaries of the faculties of our State Educational Institutions for the coming year.

On the request of Senator Stevens of Wapello, unanimous consent was granted to message Senate File No. 71 to the House immediately.

Senator Frailey moved that before the sifting committee is appointed that the Senate adopt the rule that it shall take a two-thirds vote of the Senate to draw any bill from the sifting committee. The motion prevailed.

Senator Patterson moved that all bills on the calendar be referred to the sifting committee with the exception of Senate File No. 263 or any possible substitute embodying the subject matter therein. The motion prevailed.

SIFTING COMMITTEE

President N. G. Kraschel announced the appointment of the following Senators as members on the sifting committee:

Senators Valentine, chairman, Kimberly, Knudson, Miller of Jones, Topping, Cooney, Harrington, Hicklin, and Geske.

On request of Senator Valentine, unanimous consent was

granted to defer action on House File No. 350 until this afternoon, to allow the preparation of an amendment.

On request of Senator Wenner, unanimous consent was granted to defer action on House File No. 113, such bill to retain its place, as unfinished business, to be called up tomorrow morning.

Senator Wilson moved that the Secretary of the Senate be directed to furnish a calendar each morning of bills as reported out by the sifting committee. The motion prevailed.

On motion of Senator Wilson, the Senate recessed until 1:00 p. m. today.

AFTERNOON SESSION

The Senate reconvened at the fall of the gavel.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Miller of Jones for the afternoon, on request of Senator Calhoun.

BILLS REFERRED TO SIFTING COMMITTEE

The following bills received by the Senate on March 14th and 15th were referred to the sifting committee:

House Files Nos. 264, 231, 315, 272, 181, 124, 83, 64, 52, 192, 67, 235, and 237.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your Sifting Committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar:

H. F. No. 2	H. F. No. 58
H. F. No. 3	H. F. No. 63
H. F. No. 6	H. F. No. 68
H. F. No. 13	H. F. No. 70
H. F. No. 45	H. F. No. 72
H. F. No. 53	

JOHN K. VALENTINE, *Chairman.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully

reports that it has examined and finds correctly enrolled House Files Nos. 46, 47, 48 and 50.

HOMER HUSH, *Chairman Senate Committee.*

WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 46, 47, 48 and 50.

HOUSE MESSAGES CONSIDERED

House File No. 151, a bill for an act to repeal sections ten thousand two hundred fifty (10250) to ten thousand two hundred sixty (10260), inclusive, Code, 1931, and to enact substitutes therefor, relating to the management of state, county, and municipally owned real estate.

Read first and second times and referred to sifting committee.

House File No. 88, a bill for an act to amend chapter five hundred twenty-five (525) of Code, 1931, providing for limiting personal deficiency judgments in the foreclosure of real estate mortgages:

Read first and second times and referred to sifting committee.

House File No. 293, a bill for an act to amend section eighty-nine hundred six (8906) of the 1931 code of Iowa, providing for the organization of mutual insurance companies in the State of Iowa requiring assets in a minimum amount before authority to do business is granted, and to provide for contributions.

Read first and second times and referred to sifting committee.

House File No. 373, a bill for an act to amend sections fourteen hundred nine (1409), Code 1931, and to repeal section fourteen hundred ten (1410), Code 1931, and enact a substitute therefor, relating to the appointment of trustees for incompetent persons entitled to workmen's compensation and to the compensation to be paid such trustees.

Read first and second times and referred to sifting committee.

House File No. 205, a bill for an act to amend the law as it appears in section seventy-eight hundred twenty-seven (7827)

of the Code, 1931, relating to compensation of appraisers in condemnation proceedings.

Read first and second times and referred to sifting committee.

SENATE FILE WITHDRAWN

On request of Senator Fisch, unanimous consent was granted to withdraw Senate File No. 121, a companion bill to House File No. 238, as passed by the Senate.

On request of Senator Stevens of Wapello, unanimous consent was granted to withdraw Senate File No. 40, a companion bill to House File No. 40, as passed by the Senate.

THIRD READING OF BILLS

On motion of Senator Stevens of Wapello House File No. 3, a bill for an act to amend section sixty-nine hundred fifty-nine (6959), and seventy-one hundred twenty-nine (7129), code 1931, to provide for a listing and valuing of real estate every four years, returned by the sifting committee, was taken up, and considered.

The following amendments proposed by the committee on reduction of public expenditures were considered:

1. Amend the title by changing the period "." after the word "years" in line four (4) thereof, to a comma "," and adding thereto the following: "and to provide for a revaluing and reassessing in the interim."

2. Amend Section 1 by striking out the period after the word "thereafter" in line four (4).

3. Amend Sec. 2 of said bill by changing the period "." following the figures "1931", in line twelve (12) to a comma "," and adding immediately following the comma "," the following: "provided however, that if the assessment of all property in any taxing district is raised the Board may instruct the Clerk to give immediate notice by one publication in one of the official newspapers of said county, and such published notice shall take the place of the mailed notice provided for in section 7131, code 1931, but all other provisions of said section shall apply."

The amendments were adopted.

The bill was read for information.

Senator Calhoun moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 40.

Anderson	Elthon	Klemme	Roelofs
Aschenbrenner	Fisch	Knudson	Schmidt
Beardsley	Frailey	McArthur	Stanley
Beatty	Geske	Meyer	Stevens of
Booth	Harrington	Miller of	Decatur
Byers	Hicklin	Buchanan	Stevens of
Calhoun	Hill	Moore	Wapello
Chrystal	Hopkins	Mullaney	Valentine
Cooney	Husted	Patterson	Wenner
Coykendall	Irwin	Pendray	White
Doze	Kimberly	Reese	

Nays, 1.

Shangle

Absent or not voting, 8.

Bennett	Hush	Nelson	Topping
Carden	Miller of Jones	Ritchie	Wilson

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

Senator Calhoun moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stevens of Wapello House File No. 2, a bill for an act to amend section seventy-one hundred fifteen (7115), section seventy-one hundred nineteen (7119); and section seventy-one hundred twenty-three (7123) and to repeal section seventy-one hundred twenty-four (7124), code 1931, combining the assessment book and tax list in one record, returned by the sifting committee, was taken up, and considered.

The bill was read for information.

Senator Hicklin moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 42.

Anderson	Fisch	Knudson	Schmidt
Aschenbrenner	Frailey	McArthur	Shangle
Beardsley	Geske	Meyer	Stanley
Beatty	Harrington	Miller of	Stevens of
Booth	Hicklin	Buchanan	Decatur
Byers	Hill	Moore	Stevens of
Calhoun	Hopkins	Mullaney	Wapello
Chrystal	Husted	Patterson	Valentine
Cooney	Irwin	Pendray	Wenner
Coykendall	Kimberly	Reese	White
Doze	Klemme	Roelofs	Wilson
Elthon			

Nays, none.

Absent or not voting, 7.

Bennett	Hush	Nelson	Topping
Carden	Miller of Jones	Ritchie	

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

Senator Hicklin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Stevens of Wapello, unanimous consent was granted to withdraw Senate Files Nos. 2 and 3, companion bills to the last two just passed.

On motion of Senator Coykendall, House File No. 6, a bill for an act to amend sections three hundred seventy-five (375) and three hundred eighty-one (381), code, 1931, relating to the local budget law, and to repeal section seventy-one hundred sixty-five (7165), Code, 1931, returned by the sifting committee was taken up, and considered.

The bill was read for information.

Senator Coykendall moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 40.

Anderson	Elthon	Knudson	Shangle
Aschenbrenner	Fisch	Meyer	Stanley
Beardsley	Frailey	Miller of	Stevens of
Beatty	Geske	Buchanan	Decatur
Booth	Harrington	Moore	Stevens of
Byers	Hicklin	Mullaney	Wapello
Calhoun	Hill	Patterson	Valentine
Chrystal	Husted	Pendray	Wenner
Cooney	Irwin	Reese	White
Coykendall	Kimberly	Roelofs	Wilson
Doze	Klemme	Schmidt	

Nays, none.

Absent or not voting, 9.

Bennett	Hush	Miller of Jones	Ritchie
Carden	McArthur	Nelson	Topping
Hopkins			

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

On motion of Senator Hicklin House File No. 13, a bill for an act to amend sections two hundred twenty-six (226), two hundred twenty-seven (227), two hundred thirty (230), two hundred sixty-four (264), two hundred sixty-nine (269), two hundred forty-two (242), two hundred fifty-eight (258), and repeal section two hundred sixty-five-a one (265-a1), and enact a substitute therefor of the code 1931, to change provisions relative to state printing, returned by the sifting committee, was taken up, and considered.

Senator Hicklin offered the following amendments and moved their adoption:

Amend as follows:

Add to Section 2 the following: "Such number of the Iowa Documents shall be furnished the state Librarian for exchange purposes as he deems necessary without cost."

Strike out Section 6 (Bill Index).

Strike out Section 7 and insert in lieu thereof the following: "From line four of section 258 of the code strike the word 'five' and insert the word 'three'."

Strike out all of paragraph seven (7) of section 8.

On request of Senator Hicklin, unanimous consent was granted to defer action until tomorrow.

CONSIDERATION OF HOUSE FILE NO. 350 RESUMED

Senator Geske called up for consideration, his amendment as found on page 648 of the Senate Journal.

The amendment was adopted.

Senator Valentine offered the following amendments and moved their adoption:

Amend: 1. By inserting at the end of line 4 in section 1, the following: "upon application of the owner or owners of such real estate, the court shall, unless upon hearing upon said application good cause is shown to the contrary, order that".

2. By striking the word, "debtor", in line 6 of section 1 and inserting in lieu thereof the words, "such owner or owners".

3. By striking the word, "is", in line 6 of section 1 and inserting in lieu thereof the word, "are".

4. By striking all of paragraph 1 of Section 1 after the word, "thereof", in line 7 and adding a period.

5. By striking the words, "and interest", in lines 13 and 14 in Section 1.

6. By inserting after the comma in line 15 of Section 1 the following: "and any balance distributed as the court may direct,".

7. By striking the words, "debtor does", in line 22 of Section 1 and inserting in lieu thereof the words, "owner or owners do".

8. By inserting before the word, "extension", in line 23 of Section 1 the words, "order for".

9. By striking the word, "suspended", in line 25 of Section 1 and inserting in lieu thereof the words, "set aside".

10. By striking all of Section 2 and inserting in lieu thereof the following: "Sec. 2. During the period of extension of redemption, as herein provided, the owner or owners of said real estate shall have the exclusive right to redeem, and the rights of redemption of subsequent mortgagees, junior lienholders, and creditors shall terminate within the period as by law now provided, the provisions of this act notwithstanding."

The amendments were adopted.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 38.

Anderson	Frailey	Knudson	Roelofs
Aschenbrenner	Geske	McArthur	Shangle
Beatty	Harrington	Miller of	Stanley
Booth	Hicklin	Buchanan	Stevens of
Byers	Hill	Moore	Decatur
Calhoun	Hopkins	Mullaney	Stevens of
Chrystal	Hush	Nelson	Wapello
Coykendall	Husted	Patterson	Valentine
Doze	Irwin	Pendray	Wenner
Elthon	Klemme	Reese	White
Fisch			

Nays, 1.

Wilson

Absent or not voting, 10.

Beardsley	Cooney	Miller of Jones	Schmidt
Bennett	Kimberly	Ritchie	Topping
Carden	Meyer		

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

Senator Valentine moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Harrington House File No. 45, a bill for an act to amend section one hundred twenty-four (124), code 1931, relating to an examination of the financial transactions of

school districts, returned by the sifting committee, was taken up, and considered.

The bill was read for information.

Senator Harrington moved that the reading just had be considered the third reading, which motion prevailed.

Senator Wilson was called to the chair at 2:09 p. m.

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

Ayes, 42.

Anderson	Geske	McArthur	Schmidt
Aschenbrenner	Harrington	Meyer	Shangle
Beardsley	Hicklin	Miller of	Stanley
Booth	Hill	Buchanan	Stevens of
Byers	Hopkins	Moore	Decatur
Calhoun	Hush	Mullaney	Stevens of
Chrystal	Husted	Nelson	Wapello
Coykendall	Irwin	Patterson	Valentine
Doze	Kimberly	Pendray	Wenner
Elthon	Klemme	Reese	White
Fisch	Knudson	Roelofs	Wilson
Frailey			

Nays, none.

Absent or not voting, 7.

Beatty	Carden	Miller of Jones	Topping
Bennett	Cooney	Ritchie	

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

Senator Harrington moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Calhoun House File No. 53, a bill for an act to amend Chapter sixty-seven (67), code 1931, relating to expenses incurred in connection with returning defendants from jurisdictions other than that wherein a crime is committed, returned by the sifting committee, was taken up, and considered.

Senator Calhoun offered the following amendment and moved its adoption:

Amend by striking out all of Section 1 following the period in line three (3) and substituting in lieu thereof the following:

"No warrant shall be issued requiring any peace officer to go beyond

the boundaries of the state at public expense except with the approval of a judge of the district court."

The amendment was adopted.

On request of Senator Calhoun, unanimous consent was granted to withdraw the committee amendments as proposed on page 455 of the Senate Journal.

The bill was read for information.

Senator Calhoun moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 40.

Anderson	Frailey	McArthur	Shangle
Aschenbrenner	Geske	Meyer	Stanley
Beardsley	Harrington	Miller of	Stevens of
Booth	Hicklin	Buchanan	Decatur
Byers	Hill	Moore	Stevens of
Calhoun	Hopkins	Mullaney	Wapello
Chrystal	Hush	Nelson	Valentine
Cooney	Husted	Patterson	Wenner
Coykendall	Kimberly	Pendray	White
Doze	Klemme	Reese	Wilson
Elthon	Knudson	Roelofs	

Nays, 1.

Fisch

Absent or not voting, 8.

Beatty	Carden	Miller of Jones	Schmidt
Bennett	Irwin	Ritchie	Topping

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

Senator Hicklin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Calhoun House File No. 58, a bill for an act to amend chapter fifty-six (56), code 1931, relating to removal from office, returned by the sifting committee, was taken up, and considered.

The following committee amendment as proposed by the committee on reduction of public expenditures was considered:

Amend section 1 by inserting in line six (6) after the word "bond", the following: "in such amount and".

The amendment was adopted.

The bill was read for information.

Senator Calhoun moved that the reading just had be considered the third reading, which motion prevailed.

Senator Wenner moved to reconsider the vote by which the bill passed to its third reading, which motion prevailed.

Senator Wenner offered the following amendment and moved its adoption :

Amend by striking from line 6 the word "plaintiffs" and inserting in lieu thereof the word "petitioners".

The amendment was adopted.

Senator Hicklin moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 38.

Anderson	Geske	McArthur	Schmidt
Aschenbrenner	Harrington	Meyer	Stanley
Booth	Hicklin	Miller of	Stevens of
Byers	Hopkins	Buchanan	Decatur
Calhoun	Hush	Moore	Stevens of
Cooney	Husted	Mullaney	Wapello
Coykendall	Irwin	Nelson	Valentine
Doze	Kimberly	Patterson	Wenner
Elthon	Klemme	Pendray	White
Fisch	Knudson	Roelofs	Wilson
Frailey			

Nays, 3.

Hill	Reese	Shangle
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Absent or not voting, 8.

Beardsley	Bennett	Chrystal	Ritchie
Beatty	Carden	Miller of Jones	Topping

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

Senator Hicklin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Hicklin unanimous consent was granted

to defer action on Calendar No. 8, House File No. 63, such bill to retain its place on the calendar.

On motion of Senator Hicklin House File No. 68, a bill for an act to amend sections seventy-two hundred forty-six (7246), and seventy-two hundred forty-seven (7247), code 1931, relating to notice of tax sale, service and cost thereof, returned by the sifting committee, was taken up, and considered.

The bill was read for information.

Senator Hicklin moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 40.

Anderson	Geske	Meyer	Stanley
Aschenbrenner	Harrington	Miller of	Stevens of
Beardsley	Hicklin	Buchanan	Decatur
Beatty	Hill	Moore	Stevens of
Booth	Hopkins	Mullaney	Wapello
Byers	Hush	Nelson	Topping
Calhoun	Husted	Patterson	Valentine
Coykendall	Kimberly	Pendray	Wenner
Elthon	Klemme	Reese	White
Fisch	Knudson	Roelofs	Wilson
Frailey	McArthur	Shangle	

Nays, none.

Absent or not voting, 9.

Bennett	Cooney	Irwin	Ritchie
Carden	Doze	Miller of Jones	Schmidt
Chrystal			

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

On motion of Senator Hicklin House File No. 70, a bill for an act to amend sections sixty-nine (69) and seventy (70), code 1931, relating to the publication of proposed amendments to the Constitution and of public measures, returned by the sifting committee, was taken up, and considered.

The bill was read for information.

Senator Hicklin moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 41.

Anderson	Fisch	McArthur	Shangle
Aschenbrenner	Frailey	Meyer	Stanley
Beardsley	Geske	Miller of	Stevens of
Beatty	Harrington	Buchanan	Decatur
Booth	Hicklin	Moore	Stevens of
Byers	Hill	Mullaney	Wapello
Calhoun	Hopkins	Nelson	Topping
Cooney	Hush	Patterson	Valentine
Coykendall	Kimberly	Pendray	Wenner
Doze	Klemme	Reese	White
Elthon	Knudson	Roelofs	Wilson

Nays, none.

Absent or not voting, 8.

Bennett	Chrystal	Irwin	Ritchie
Carden	Husted	Miller of Jones	Schmidt

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

Senator Hicklin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Hicklin House File No. 72, a bill for an act to amend sections twenty hundred twenty-three (2023), and twenty hundred twenty-three-a one (2023-a1), and to repeal section twenty hundred fifty (2050), code 1931, and to enact a substitute therefor, relating to attorneys' fees in injunction and nuisance cases, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Hicklin moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 37.

Anderson	Fisch	McArthur	Roelofs
Aschenbrenner	Frailey	Meycr	Shangle
Beardsley	Geske	Miller of	Stevens of
Booth	Harrington	Buchanan	Wapello
Byers	Hicklin	Moore	Topping
Calhoun	Hill	Mullaney	Valentine
Cooney	Irwin	Nelson	Wenner
Coykendall	Kimberly	Patterson	White
Doze	Klemme	Pendray	Wilson
Elthon	Knudson	Reese	

Nays, 1.

Hopkins

Absent or not voting, 11.

Beatty	Chrystal	Miller of Jones	Stanley
Bennett	Hush	Ritchie	Stevens of
Carden	Husted	Schmidt	Decatur

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

Senator Hicklin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator White Senate File No. 278, a bill for an act making an appropriation for miscellaneous expenses of the general assembly, an appropriations committee bill, was taken up, and considered.

The bill was read for information.

Senator White moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 36.

Anderson	Geske	Miller of	Stevens of
Aschenbrenner	Harrington	Buchanan	Decatur
Beardsley	Hicklin	Moore	Stevens of
Booth	Hill	Mullaney	Wapello
Byers	Hopkins	Patterson	Topping
Calhoun	Irwin	Pendray	Valentine
Doze	Kimberly	Reese	Wenner
Elthon	Klemme	Roelofs	White
Fisch	Knudson	Shangle	Wilson
Frailey	Meyer	Stanley	

Nays, none.

Absent or not voting, 13.

Beatty	Cooney	Husted	Nelson
Bennett	Coykendall	McArthur	Ritchie
Carden	Hush	Miller of Jones	Schmidt
Chrystal			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator White Senate File No. 327, a bill for an act to make an appropriation to Mrs. Doris E. Kast, with report

of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hill moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 39.

Anderson	Geske	McArthur	Stanley
Aschenbrenner	Harrington	Meyer	Stevens of
Beatty	Hicklin	Miller of	Decatur
Byers	Hill	Buchanan	Stevens of
Calhoun	Hopkins	Moore	Wapello
Cooney	Hush	Mullaney	Topping
Coykendall	Husted	Patterson	Valentine
Doze	Irwin	Pendray	Wenner
Elthon	Kimberly	Roelofs	White
Fisch	Klemme	Shangle	Wilson
Frailey	Knudson		

Nays, none.

Absent or not voting, 10.

Beardsley	Carden	Nelson	Ritchie
Bennett	Chrystal	Reese	Schmidt
Booth	Miller of Jones		

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Hill moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator White Senate File No. 300, a bill for an act to make an appropriation for the expenses incurred in the election contest of Caldwell vs. Shangle, with report of appropriations committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

President N. G. Kraschal returned to the chair at 2:55 p. m.

The following committee amendment was considered:

1. Amend section one (1), lines two (2) and three (3), by striking out the words and figures "one thousand seven hundred sixty dollars and sixty cents (\$1760.60)" and inserting in lieu thereof "seven hundred forty-four dollars and ten cents (\$744.10)".

2. Amend section one (1) by striking all after the colon (:) in line eight (8) and inserting in lieu thereof the following:

Devitt, Eichorn & Devitt, Attorney fees.....	\$250.00
Thomas J. Bray, Attorney fees.....	250.00
B. E. Evans, Auditor of Mahaska County, expenses.....	20.65
K. L. Johnson, M.D., Medical fees.....	12.50
Harry Allgood, Witness, mileage and per diem.....	5.50
Ben Anderson, Witness, mileage and per diem.....	5.80
Irwin Beach, Witness, mileage and per diem.....	5.75
B. E. Evans, Witness, mileage and per diem.....	5.00
F. E. Hyett, Witness, mileage and per diem.....	5.10
Howard Kemp, Witness, mileage and per diem.....	5.50
Cooney Lathrop, Witness, mileage and per diem.....	5.70
J. C. McClune, Witness, mileage and per diem.....	5.10
Clifford Ott, Witness, mileage and per diem.....	5.10
W. W. Stewart, Witness, mileage and per diem.....	5.50
Paul Stutzman, Witness, mileage and per diem.....	5.00
Chris Winter, Witness, mileage and per diem.....	5.10
Zoe Wright, Witness, mileage and per diem.....	5.50
Jack Wright, Witness, mileage and per diem.....	5.65
Ethel F. Katz, Court Reporter, services.....	15.00
Rolland Fletcher, Doorkeeper.....	3.60
W. D. Clark, Doorkeeper.....	18.00
Senator E. J. Wenner, long distance phone call.....	1.00
Byron G. Allen, Secretary of Senate, long distance call.....	.85
L. T. Shangle, expenses.....	87.55
Cornelius Ver Ploeg, Notary fee.....	9.65
TOTAL EXPENSE	\$744.10

Senator White from the committee on appropriations offered the following amendment to the committee amendment and moved its adoption:

Amend by inserting after line twenty-seven (27) of Section two (2) the following:

J. G. Githens, Witness, mileage and per diem.....	3.50
Ray Harris, Witness, mileage and per diem.....	3.50
J. B. Martin, Witness, mileage and per diem.....	3.50
D. C. Rhoads, Witness, mileage and per diem.....	3.50
W. P. Rhoads, Witness, mileage and per diem.....	3.50
Katheryn Caldwell, Witness, mileage and per diem.....	2.10
Mary Morrison, Witness, mileage and per diem.....	4.00
H. R. Davenport, Witness, mileage and per diem.....	2.10
Ethel Strohman, Witness, mileage and per diem.....	2.10
Mellissa Osborn, Witness, mileage and per diem.....	2.10
Naomi Kimbrough, Witness, mileage and per diem.....	2.10
Della M. Chapman, Witness, mileage and per diem.....	2.10
W. H. Kemp, Witness, mileage and per diem.....	3.00
R. L. Blackford, Witness, mileage and per diem.....	2.10
W. W. Stewart, Witness, mileage and per diem.....	3.00
Harry Allgood, Witness, mileage and per diem.....	3.00

W. Z. Wright, Witness, mileage and per diem.....	3.20
Jeannette Lokers, Witness, mileage and per diem.....	2.40
Don Allsup, Witness, mileage and per diem.....	2.10
D. Harold Lee, Witness, mileage and per diem.....	2.10
Fern Rexroth, Witness, mileage and per diem.....	2.10
Arlo W. Palmer, Witness, mileage and per diem.....	2.10
Mattie Robeson, Witness, mileage and per diem.....	2.10
Bryan E. Evans, Witness, mileage and per diem.....	2.10
Ira C. Barnhart, Witness, mileage and per diem.....	4.10
L. T. Shangle, Witness, mileage and per diem.....	no fees
Mary Jane Butler, Witness, mileage and per diem.....	2.10
Lucille Fuller, Witness, mileage and per diem.....	2.10

Further amend by striking the line reading "Total Expense.....
\$744.10" and insert in lieu thereof the following:

"Total Expense\$815.80"

The amendment to the amendment was adopted.

On request of Senator Shangle unanimous consent was granted to withdraw his amendments as found on page 594 of the Senate Journal.

Senator Shangle asked to be excused from voting.

Senator Calhoun offered the following amendment to the amendment and moved its adoption:

Amend line 1 by striking the words and figures "two (2) and three (3)" and inserting in lieu thereof the words and figures "three (3) and four (4)"; also by striking from lines 3 and 4 the words and figures "seven hundred forty-four dollars and ten cents (\$744.10)" and inserting in lieu thereof the words and figures "eight hundred fifteen dollars and eighty cents (\$815.80)".

The amendment was adopted.

The committee amendment as amended was adopted.

The bill was read for information.

Senator White moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 36.

Anderson	Frailey	Knudson	Stevens of
Aschenbrenner	Geske	McArthur	Decatur
Beardsley	Harrington	Meyer	Stevens of
Bennett	Hill	Moore	Wapello
Calhoun	Hopkins	Mullaney	Topping
Cooney	Hush	Nelson	Valentine
Coykendall	Husted	Patterson	Wenner
Doze	Irwin	Pendray	White
Elthon	Kimberly	Stanley	Wilson
Fisch	Klemme		

Nays, none.

Absent or not voting, 13.

Beatty	Chrystal	Miller of Jones	Roelofs
Booth	Hicklin	Reese	Schmidt
Byers	Miller of	Ritchie	Shangle
Carden	Buchanan		

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator White Senate File No. 202, a bill for an act to make an appropriation for the expenses incurred in the general election contest of Moen vs. Roelofs, with report of appropriations committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered :

1. Amend Section 1 by striking all after the colon (:) in line 7 and inserting in lieu thereof the following:

I. T. Metzger, Attorney fees.....	\$250.00
G. C. Holliday, Attorney fees.....	250.00
N. C. Rogers, Auditor of Lyon County, expenses.....	59.62
F. W. Folkers, Auditor of Osceola County, expenses.....	45.22
I. R. Isenberg, Auditor of O'Brien County, expenses.....	56.60
M. J. Van Wyk, Auditor of Sioux County, expenses.....	70.00
Harry Colburn, Referee	32.00
Mrs. Carpenter, Clerk	28.80
Will Wallace, Doorkeeper	39.60
Rolland Fletcher, Doorkeeper	39.60
Hotel Savery, room rent and expense.....	81.10
Byron G. Allen, Secretary of Senate for telegrams and long distance phone calls	10.04
Total Expense	\$962.58

Senator White from the committee on appropriations offered the following amendment to the amendment and moved its adoption:

Amend by striking from lines 3 and 4 the figures "\$250.00" and inserting in lieu thereof the figures "125.00".

Action was deferred temporarily.

Senator Wilson was called to the chair at 3:13 p. m.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 162, a bill for an act relating to dissolution of certain corporations not for pecuniary profit.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 534, a bill for an act relating to high schools established in townships.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 339, a bill for an act relating to remission of taxes in case of loss.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 71, a bill for an act relating to publishing proceedings of Board of Supervisors.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 56, a bill for an act relating to printing of court calendars.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 52, a bill for an act relating to method of estimating and certifying the school budget.

LLOYD ELLIS, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 162, a bill for an act to amend section eight thousand five hundred eighty-three (8583), Code, 1931, relating to the dissolution of certain corporations not for pecuniary profit.

Read first and second times and referred to sifting committee.

House File No. 534, a bill for an act to amend section forty-two hundred sixty-seven (4267), code, 1931, relating to high schools established in townships.

Read first and second times and referred to sifting committee.

House File No. 339, a bill for an act to amend section seven thousand two hundred thirty-seven (7237), Code 1931, relating to remission of taxes in case of loss.

Read first and second times and referred to sifting committee.

SUBSTITUTE FOR SENATE FILE NO. 265

Senators Harrington, Geske, Topping and Meyer filed a substitute bill for Senate File No. 265, which will be known as "Substitute for Senate File No. 265" and which will be found in the bill files next to the original bill as provided for under joint Rule No. 12.

AMENDMENT FILED

Amend Senate File No. 275 by striking out the title and substituting in lieu thereof the following:

An act to repeal sections forty-four hundred fifty-six (4456), forty-four hundred fifty-seven (4457) and forty-four hundred fifty-eight (4458), Code 1931, and enact a substitute therefor and amend section forty-four hundred sixty-three (4463) relating to county uniformity of textbooks.

Also, strike all after the enacting clause and substitute in lieu thereof the following:

Section 1. Sections 4456, 4457 and 4458 are hereby repealed and the following is substituted in lieu thereof:

The county board of education shall select the school textbooks for the entire county and contract for the same under such rules and regulations as the said board of education may adopt.

Section 2. Amend section 4463 by striking the word "seven" in line two (2) thereof and insert the word "five" in lieu thereof and insert the word "non-consolidated" following the word "to" in line three (3) thereof.

Section 3. The provisions of this act shall not affect the use of textbooks under existing contracts.

H. D. MILLER.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 17, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. Gordon Dale Cox, ex-army chaplain of Ottumwa, Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Hill for the forenoon, on request of Senator Reese.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Approving prohibition. Senator Doze, from residents of Lucas county. Senator Knudson, from members of the W. C. T. U. of Union. Judiciary No. 1.

Favoring the placing of a tax on the so-called "chain stores" doing business in the state. Senator Booth, from business men of Portsmouth. Manufacturing, commerce and trade.

Opposing the placing of a tax on the so-called "chain stores" doing business in the state. Senator Wenner, from residents of Black Hawk county. Manufacturing, commerce and trade.

Relating to tax exemption laws. Senator Booth, from residents of Shelby county. Ways and means.

Favoring the passage of Senate File No. 265. Senator Harrington, from residents of Lucas county. Ways and means.

Favoring the passage of Senate Files Nos. 125 and 175, and House File No. 246. Senator Anderson, from residents of Calhoun county. Senator Chrystal, from residents of Carroll county. Senator Irwin, from residents of Clinton county. Senator Wenner,

from citizens of Dike. Senator White, from residents of Tama county. Senator Miller of Jones, from residents of Cedar county. Motor vehicles.

Opposing the passage of House File No. 266. Senator Bennett, from grain dealers of Harrison county. Judiciary No. 2.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your Sifting Committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar:

S. F. No. 311	H. F. No. 243
S. F. No. 312	S. F. No. 178
S. F. No. 379	S. F. No. 179
S. F. No. 212	S. F. No. 275
S. F. No. 449	S. F. No. 367
H. F. No. 102	S. F. No. 252
S. F. No. 348	S. F. No. 480
S. F. No. 360	S. F. No. 453
S. F. No. 450	S. F. No. 386

JOHN K. VALENTINE, *Chairman.*

Senator Knudson moved that the Senate arrange to hear Hon. George Farrell, official of the Department of Agriculture of Washington, D. C., who will meet with state officials and legislators. The motion prevailed.

SENATE FILES WITHDRAWN

On request of Senator Stevens, unanimous consent was granted to withdraw Senate Files Nos. 6, 45, 53, 58, 68, 70 and 72, companion bills to House Files of the same number passed by the Senate on March 16th.

Senator Booth called up for consideration House Concurrent Resolution No. 21, as found on page 667 of the Senate Journal and moved its adoption.

The resolution was adopted.

On request of Senator Geske, unanimous consent was granted to message to the House immediately House File No. 350 as passed by the Senate.

CONSIDERATION OF SENATE FILE NO. 202 RESUMED

Senator Roelofs asked consent to defer action on Senate File No. 202 and that such bill retain its place on the calendar.

Senator White objected.

Senator Roelofs moved that action on Senate File No. 202 be deferred.

Roll call was demanded.

On the question, "Shall the motion prevail?" the vote was:

Ayes, 16.

Aschenbrenner	Fisch	Kimberly	Topping
Beardsley	Geske	Patterson	Valentine
Bennett	Harrington	Ritchie	Wenner
Byers	Irwin	Roelofs	Wilson

Nays, 24.

Anderson	Hush	Miller of	Shangle
Chrystal	Husted	Buchanan	Stanley
Coykendall	Klemme	Miller of Jones	Stevens of
Doze	Knudson	Mullaney	Decatur
Elthon	McArthur	Nelson	Stevens of
Hicklin	Meyer	Pendray	Wapello
Hopkins		Reese	White

Absent or not voting, 9.

Beatty	Carden	Frailey	Moore
Booth	Cooney	Hill	Schmidt
Calhoun			

The motion was lost.

Senators Bennett, Roelofs and Byers offered the following as a substitute for the amendment to the committee amendment and moved its adoption:

Amend by striking from lines 3 and 4 the figures "\$250.00" and inserting in lieu thereof the figures "\$240.00".

Roll call was demanded.

On the question, "Shall the substitute amendment for the amendment to the amendment be adopted?" the vote was:

Ayes, 19.

Anderson	Byers	Kimberly	Schmidt
Aschenbrenner	Carden	McArthur	Topping
Beardsley	Fisch	Miller of Jones	Wenner
Bennett	Hicklin	Patterson	Wilson
Booth	Irwin	Roelofs	

Nays, 26.

Beatty	Hopkins	Moore	Stanley
Chrystal	Hush	Mullaney	Stevens of
Coykendall	Husted	Nelson	Decatur
Doze	Klemme	Pendray	Stevens of
Elthon	Knudson	Reese	Wapello
Geske	Meyer	Ritchie	Valentine
Harrington	Miller of	Shangle	White
	Buchanan		

Absent or not voting, 4.

Calhoun	Cooney	Frailey	Hill
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The substitute amendment for the amendment to the amendment was lost.

The White amendment to the committee amendment as found on page 684 of the Senate Journal, was adopted.

The committee amendment as found on page 684 of the Senate Journal as amended was adopted.

The bill was read for information.

Senator White moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 38.

Aschenbrenner	Harrington	Miller of	Shangle
Beatty	Hicklin	Buchanan	Stanley
Bennett	Hopkins	Miller of Jones	Stevens of
Booth	Hush	Moore	Decatur
Carden	Husted	Mullaney	Stevens of
Coykendall	Kimberly	Nelson	Wapello
Doze	Klemme	Patterson	Topping
Elthon	Knudson	Reese	Valentine
Fisch	McArthur	Ritchie	Wenner
Geske	Meyer	Schmidt	White
			Wilson

Nays, none.

Absent or not voting, 11.

Anderson	Calhoun	Frailey	Pendray
Beardsley	Chrystal	Hill	Roelofs
Byers	Cooney	Irwin	

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On request of Senator Wenner, unanimous consent was granted to defer action on House File No. 113, such bill to remain as unfinished business for tomorrow.

On motion of Senator White Senate File No. 391, a bill for an act to make an emergency appropriation to pay the cost of repairing the heating plant at the Iowa School for the Deaf, Council Bluffs, Iowa; and to pay the expenses of transporting two boilers from the Iowa State Teachers College, Cedar Falls, Iowa, to the Iowa School for the Deaf, and the installation thereof, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Moore moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 39.

Anderson	Harrington	Miller of Jones	Stanley
Aschenbrenner	Hicklin	Moore	Stevens of
Beatty	Hopkins	Mullaney	Decatur
Bennett	Hush	Nelson	Stevens of
Carden	Kimberly	Patterson	Wapello
Chrystal	Klemme	Pendray	Topping
Coykendall	Knudson	Reese	Valentine
Doze	McArthur	Ritchie	Wenner
Elthon	Meyer	Roelofs	White
Fisch	Miller of	Schmidt	Wilson
Geske	Buchanan		

Nays, none.

Absent or not voting, 10.

Beardsley	Calhoun	Hill	Irwin
Booth	Cooney	Husted	Shangle
Byers	Frailay		

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Hopkins Senate File No. 448, a bill for an act to make an appropriation for W. H. Sprole, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 42.

Anderson	Fisch	Meyer	Roelofs
Aschenbrenner	Geske	Miller of	Schmidt
Beatty	Harrington	Buchanan	Shangle
Bennett	Hicklin	Miller of Jones	Stanley
Booth	Hopkins	Moore	Stevens of
Byers	Hush	Mullaney	Decatur
Carden	Husted	Nelson	Topping
Chrystal	Kimberly	Patterson	Valentine
Coykendall	Klemme	Pendray	Wenner
Doze	Knudson	Reese	White
Elthon	McArthur	Ritchie	Wilson

Nays, none.

Absent or not voting, 7.

Beardsley	Cooney	Hill	Stevens of
Calhoun	Frailey	Irwin	Wapello

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator White Senate File No. 279, a bill for an act to make an appropriation for Frank D. Paine, an appropriation committee bill, was taken up and considered.

The bill was read for information.

Senator White moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 39.

Anderson	Geske	Miller of	Roelofs
Aschenbrenner	Harrington	Buchanan	Schmidt
Bennett	Hicklin	Miller of Jones	Stanley
Booth	Hopkins	Moore	Stevens of
Byers	Hush	Mullaney	Decatur
Carden	Husted	Nelson	Topping
Chrystal	Kimberly	Patterson	Valentine
Coykendall	Knudson	Pendray	Wenner
Doze	McArthur	Reese	White
Elthon	Meyer	Ritchie	Wilson
Fisch			

Nays, none.

Absent or not voting, 10.

Beardsley	Cooney	Irwin	Stevens of
Beatty	Frailey	Klemme	Wapello
Calhoun	Hill	Shangle	

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF HOUSE FILE NO. 13 RESUMED

Senator Topping called up for consideration the Hicklin amendment as found on page 673 of the Senate Journal, and asked for a division of the amendment and moved the adoption of the following:

Amend as follows:

Add to Section 2 the following: "Such number of the Iowa Documents shall be furnished the state Librarian for exchange purposes as he deems necessary without cost."

The amendment was lost.

Senator Topping called up for consideration the following amendment, and moved its adoption:

Strike out Section 6 (Bill Index).

The amendment was adopted.

Senator Topping withdrew the rest of the amendment.

Senator Wilson offered the following amendment and moved its adoption:

Amend by striking out in Section four (4), lines one (1) and two (2) the words "academy of science"; and further amend by striking out of line four (4) of the same section the word and figure "six (6)".

The amendment was adopted.

Senator Hicklin offered the following amendment and moved its adoption:

Amend the title by striking out of line four the following: "two hundred forty-two (242), two hundred fifty-eight (258),".

Also further amend the title by striking out the word "section" in line five and inserting in lieu thereof the following: "section two hundred fifty-eight (258) and".

The amendment was adopted.

The bill was read for information.

Senator Hicklin moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 42.

Anderson	Geske	Miller of	Shangle
Aschenbrenner	Harrington	Buchanan	Stanley
Beatty	Hicklin	Miller of Jones	Stevens of
Bennett	Hopkins	Moore	Decatur
Booth	Hush	Mullaney	Stevens of
Byers	Husted	Nelson	Wapello
Calhoun	Kimberly	Patterson	Topping
Carden	Klemme	Pendray	Valentine
Coykendall	Knudson	Reese	Wenner
Doze	McArthur	Ritchie	White
Elthon	Meyer	Roelofs	Wilson
Fisch			

Nays, none.

Absent or not voting, 7.

Beardsley	Cooney	Hill	Schmidt
Chrystal	Frailey	Irwin	

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

On request of Senator Hicklin, unanimous consent was granted to withdraw Senate File No. 13, companion bill to the one just passed.

On motion of Senator Hicklin Senate File No. 311, a bill for an act to amend section seven thousand one hundred and sixty-one

(7161) of the Code, 1927, relating to the appointment of the compensation of persons employed to discover property not listed or assessed for taxation, returned by the sifting committee, was taken up, and considered.

Senator Hush offered the following amendment and moved its adoption :

Amend the title by striking the word "appointment" from the third line and inserting in lieu thereof the word "apportionment".

The amendment was adopted.

The bill was read for information.

Senator Hicklin moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 30.

Anderson	Hopkins	Moore	Stanley
Aschenbrenner	Hush	Mullaney	Stevens of
Byers	Husted	Nelson	Decatur
Chrystal	McArthur	Pendray	Stevens of
Doze	Meyer	Reese	Wapello
Fisch	Miller of	Roelofs	Valentine
Geske	Buchanan	Schmidt	Wenner
Harrington	Miller of Jones	Shangle	White
Hicklin			

Nays, 10.

Beatty	Carden	Knudson	Topping
Bennett	Coykendall	Patterson	Wilson
Booth	Klemme		

Absent or not voting, 9.

Beardsley	Elthon	Hill	Kimberly
Calhoun	Frailey	Irwin	Ritchie
Cooney			

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

Senator Hicklin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Elthon Senate File No. 348, a bill for an act requiring assigned or transferred mortgages to be reported to County Auditor within certain time limit and providing penalty, returned by the sifting committee, was taken up, and considered.

Senator Hicklin offered the following amendment and moved its adoption:

Amend section 1 by striking the period after the word "auditor" in line 4 and inserting in lieu thereof the following: ", of the county of the residence of the assignee."

The amendment was adopted.

Senator Miller of Buchanan offered the following amendment and moved its adoption:

Amend section 2 by striking from line 3 the word "authorized" and inserting in lieu thereof the word "directed".

On request of Senator Elthon, unanimous consent was granted to defer action, such bill to retain its place on the calendar.

On motion of Senator Valentine House File No. 63, a bill for an act to amend section eleven thousand three hundred twenty-eight (11,328), code 1931, relating to witness fees for peace officers and other public officials, returned by the sifting committee, was taken up, and considered.

Senators Byers and Wilson offered the following amendment and moved its adoption:

Amend by striking out the period in line 8 and inserting a comma in lieu thereof, and by adding after the comma the following: "except police officers who are called as witnesses when not on duty".

The amendment was adopted.

The bill was read for information.

Senator Hicklin moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 40.

Anderson	Fisch	Miller of	Stanley
Aschenbrenner	Geske	Buchanan	Stevens of
Beatty	Harrington	Miller of Jones	Decatur
Bennett	Hicklin	Moore	Stevens of
Booth	Hush	Mullaney	Wapello
Byers	Husted	Nelson	Topping
Carden	Kimberly	Patterson	Valentine
Cooney	Klemme	Reese	Wenner
Coykendall	Knudson	Roelofs	White
Doze	McArthur	Schmidt	Wilson
Elthon	Meyer	Shangle	

Nays, 1.

Ritchie

Absent or not voting, 8.Beardsley
CalhounChrystal
FraileyHill
HopkinsIrwin
Pendray

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

On request of Senator Hicklin, unanimous consent was granted to withdraw Senate File No. 63, companion bill to the one just passed.

On request of Senator Hopkins, unanimous consent was granted to message Senate File No. 448 to the House immediately.

On motion of Senator Mullaney Senate File No. 379, a bill for an act directing the Governor, on behalf of the State of Iowa, to issue to Samuel Allen, Isaac S. Allen and Wilson R. Allen, jointly, a patent or conveyance to certain land in Allamakee county, Iowa, returned by the sifting committee, was taken up, and considered.

The bill was read for information.

Senator Mullaney moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 38.Bennett
Booth
Byers
Carden
Cooney
Coykendall
Doze
Elthon
Fisch
Geske
HarringtonHicklin
Hopkins
Hush
Husted
Kimberly
Klemme
Knudson
McArthur
Meyer
Miller of
BuchananMiller of Jones
Moore
Mullaney
Nelson
Patterson
Pendray
Reese
Ritchie
Roelofs
ShangleStanley
Stevens of
Decatur
Stevens of
Wapello
Topping
Valentine
Wenner
White**Nays, none.****Absent or not voting, 11.**Anderson
Aschenbrenner
BeardsleyBeatty
Calhoun
ChrystalFrailey
Hill
IrwinSchmidt
Wilson

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

Senator Mullaney moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Mullaney, unanimous consent was granted to have Senate File No. 379 messaged to the House immediately.

SENATE INSISTS ON AMENDMENTS TO HOUSE FILE NO. 40

Senator Stevens of Wapello moved that the Senate insist on its amendments to House File No. 40.

On the question, "Shall the Senate insist?" the vote was:

Ayes, 39.

Anderson	Elthon	Meyer	Stanley
Aschenbrenner	Fisch	Miller of	Stevens of
Beatty	Geske	Buchanan	Decatur
Bennett	Harrington	Miller of Jones	Stevens of
Booth	Hicklin	Moore	Wapello
Byers	Hopkins	Mullaney	Topping
Carden	Hush	Reese	Valentine
Chrystal	Husted	Roelofs	Wenner
Cooney	Kimberly	Schmidt	White
Coykendall	Klemme	Shangle	Wilson
Doze	Knudson		

Nays, 2.

Nelson	Pendray
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Absent or not voting, 8.

Beardsley	Frailey	Irwin	Patterson
Calhoun	Hill	McArthur	Ritchie

The motion to insist prevailed.

CONFERENCE COMMITTEE ON HOUSE FILE NO. 40

The President appointed as conference committee on the part of the Senate on House File No. 40, Senators Husted, Patterson, Coykendall and Miller of Buchanan.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate Files Nos. 91, 56, 52 and 71.

HOMER HUSH, *Chairman Senate Committee.*
WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 91, 71, 56 and 52.

On motion of Senator Doze the Senate recessed until 2:00 p. m. today.

AFTERNOON SESSION

The Senate met at the fall of the gavel, President N. G. Kraschel presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Geske for the afternoon, on request of Senator Wilson; Senator Anderson for the afternoon, on request of Senator White.

REPORT OF COMMITTEE ON EXTRA HELP

MR. PRESIDENT: Your joint committee, appointed to consider applications and to nominate the extra help of the 45th General Assembly, begs leave to report that they have nominated Carl W. Aschan as Janitor for the Library and that his duties will commence March 20, 1933.

H. L. IRWIN

WM. KOCH

VINCENT F. HARRINGTON

MILTON PEACO

D. W. KIMBERLY

J. P. GALLAGHER

On the part of the Senate

On the part of the House

On request of Senator Irwin, unanimous consent was granted to suspend the rules and consider the report.

The report was adopted.

Senate File No. 312 being next on the calendar, Senator Wener raised the point of order that the bill embodied the same subject matter as one previously considered in the Senate and also in the House. Senate File No. 30 was laid on the table in the House and House File No. 30 was reported by the House committee recommending indefinite postponement and the House sustained that committee report; that the action taken in the House killed the subject matter for this session, both in the House and Senate.

On request of Senator Hicklin, unanimous consent was granted to defer action on Senate File No. 312.

MOTION TO RECONSIDER WITHDRAWN

On request of Senator Harrington, unanimous consent was granted to withdraw his motion to reconsider the vote on Senate File No. 49, as found on page 304 of the Senate Journal.

THIRD READING OF BILLS

On motion of Senator Nelson Senate File No. 212, a bill for an act to amend section forty-six hundred thirty-three (4633) of the code of 1931, relating to the building of bridges on the state roads within or adjacent to state land and to relieve the counties of these structures, returned by the sifting committee, was taken up, and considered.

The bill was read for information.

Senator Nelson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 34.

Aschenbrenner	Hopkins	Miller of Jones	Shangle
Booth	Husted	Moore	Stanley
Byers	Irwin	Mullaney	Stevens of
Carden	Kimberly	Nelson	Decatur
Doze	Klemme	Patterson	Stevens of
Fisch	Knudson	Reese	Wapello
Frailey	Meyer	Ritchie	Topping
Harrington	Miller of	Roelofs	Valentine
Hicklin	Buchanan	Schmidt	Wenner
Hill			

Nays, none.

Absent or not voting, 15.

Anderson	Calhoun	Elthon	Pendray
Beardsley	Chrystal	Geske	White
Beatty	Cooney	Hush	Wilson
Bennett	Coykendall	McArthur	

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

HOUSE AMENDMENTS CONSIDERED

Senator Stevens of Wapello called up for consideration Senate File No. 18, amended by the House, and moved that the Senate concur in the following amendments:

Amend by inserting after Section One the following:

"Sec. 2. Section three hundred forty-four (344), Code, 1931, is hereby repealed."

Renumber the following section.

Amend the title, line one, by inserting after "(397-d1)" the following: "and section three hundred forty-four (344),".

On the question "Shall the Senate concur?" the vote was:

Ayes, 32.

Aschenbrenner	Hill	Miller of	Shangle
Booth	Hopkins	Buchanan	Stanley
Byers	Husted	Miller of Jones	Stevens of
Carden	Irwin	Moore	Decatur
Doze	Kimberly	Mullaney	Stevens of
Fisch	Klemme	Patterson	Wapello
Frailey	Knudson	Reese	Topping
Harrington	Meyer	Ritchie	Valentine
Hicklin		Roelofs	Wenner

Nays, none.

Absent or not voting, 17.

Anderson	Chrystal	Geske	Pendray
Beardsley	Cooney	Hush	Schmidt
Beatty	Coykendall	McArthur	White
Bennett	Elthon	Nelson	Wilson
Calhoun			

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

SENATE AMENDMENTS TO HOUSE FILE NO. 28

Senator Stevens of Wapello moved that the Senate recede from its amendments to lines 7 and 10 of House File No. 28.

On the question, "Shall the Senate recede?" the vote was:

Ayes, 30.

Aschenbrenner	Hicklin	Miller of	Roelofs
Booth	Hill	Buchanan	Stanley
Byers	Hopkins	Miller of Jones	Stevens of
Carden	Husted	Moore	Decatur
Doze	Irwin	Mullaney	Stevens of
Elthon	Kimberly	Patterson	Wapello
Fisch	Knudson	Pendray	Valentine
Frailey	Meyer	Reese	Wenner
Harrington			

Nays, 3.

Klemme	Shangle	Topping
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Absent or not voting, 16.

Anderson	Calhoun	Geske	Ritchie
Beardsley	Chrystal	Hush	Schmidt
Beatty	Cooney	McArthur	White
Bennett	Coykendall	Nelson	Wilson

The Senate receded from its amendments to lines 7 and 10 of House File No. 28.

On request of Senator Valentine unanimous consent was granted to defer action on Senate File No. 449, such bill to retain its place on the calendar as the author of the bill was not present.

On motion of Senator Knudson House File No. 102, a bill for an act to amend sections forty-eight hundred seventy-five (4875), forty-nine hundred (4900), forty-nine hundred one (4901), forty-nine hundred five, (4905), forty-nine hundred twenty-four (4924), forty-nine hundred twenty-nine (4929), forty-nine hundred thirty-one (4931), forty-nine hundred thirty-three (4933), and forty-nine hundred thirty-six (4936), Code 1931, relating to the collection of motor vehicle license fees, returned by the sifting committee, was taken up, and considered.

The bill was read for information.

Senator Stevens of Wapello moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 38.

Aschenbrenner	Hicklin	Miller of	Shangle
Booth	Hill	Buchanan	Stanley
Byers	Hopkins	Moore	Stevens of
Carden	Hush	Mullaney	Decatur
Chyrstal	Husted	Nelson	Stevens of
Coykendall	Irwin	Patterson	Wapello
Doze	Kimberly	Pendray	Topping
Elthon	Klemme	Reese	Valentine
Fisch	Knudson	Ritchie	Wenner
Frailey	Meyer	Roelofs	White
Harrington			

Nays, none.

Absent or not voting, 11.

Anderson	Bennett	Geske	Schmidt
Beardsley	Calhoun	McArthur	Wilson
Beatty	Cooney	Miller of Jones	

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

Senator Stevens of Wapello moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Knudson Senate File No. 360, a bill for an act to amend section seventy-one hundred eighty-eight (7188), Code of 1931, relating to the collection of taxes, returned by the sifting committee, was taken up, and considered.

Senator Knudson offered the following amendment and moved its adoption:

Amend section 1 by inserting after the figures "(7188)" in line 2 the following: ", code 1931,"; also by striking from line 7 the word "second" and inserting in lieu thereof the word "second".

The amendment was adopted.

The bill was read for information.

Senator Knudson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 37.

Aschenbrenner	Hill	Miller of	Shangle
Booth	Hopkins	Buchanan	Stanley
Carden	Hush	Moore	Stevens of
Chrystal	Husted	Mullaney	Decatur
Coykendall	Irwin	Nelson	Stevens of
Doze	Kimberly	Patterson	Wapello
Fisch	Klemme	Pendray	Topping
Frailey	Knudson	Reese	Valentine
Harrington	McArthur	Ritchie	Wenner
Hicklin	Meyer	Roelofs	White

Nays, none.

Absent or not voting, 12.

Anderson	Bennett	Cooney	Miller of Jones
Beardsley	Byers	Elthon	Schmidt
Beatty	Calhoun	Geske	Wilson

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

Senator Miller of Buchanan was excused for the remainder of the day, on request of Senator Hush.

On motion of Senator Valentine Senate File No. 450, a bill for an act to amend section One Thousand Two Hundred thirty-one (1231), Code 1931, relating to examination and qualification of mine inspector, returned by the sifting committee, was taken up, and considered.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 34.

Aschenbrenner	Harrington	McArthur	Shangle
Booth	Hicklin	Meyer	Stanley
Byers	Hill	Moore	Stevens of
Carden	Hopkins	Mullaney	Wapello
Coykendall	Hush	Nelson	Topping
Doze	Irwin	Patterson	Valentine
Elthon	Kimberly	Pendray	Wenner
Fisch	Klemme	Ritchie	White
Frailey	Knudson	Roelofs	

Nays, none.

Absent or not voting, 15.

Anderson	Chrystal	Miller of	Schmidt
Beardsley	Cooney	Buchanan	Stevens of
Beatty	Geske	Miller of Jones	Decatur
Bennett	Husted	Reese	Wilson
Calhoun			

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

On request of Senator Cooney, unanimous consent was granted to return to introduction of bills.

INTRODUCTION OF BILLS

Senate File No. 468, by committee on judiciary No. 2, a bill for an act to repeal sections thirty-seven hundred fourteen (3714) and thirty-seven hundred fifteen (3715), Code, 1931, and so to amend sections thirty-seven hundred two (3702), thirty-seven hundred seventeen (3717), and thirty-seven hundred nineteen (3719) of said code as to coordinate said sections with chapter four hundred seventy-three (473) of said code, relating to the adoption of children.

Read first and second times and referred to sifting committee.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in the Senate amendments to the following bill in which the concurrence of the House was asked:

House File No. 350, a bill for an act relating to redemption in real estate foreclosure actions.

LLOYD ELLIS, *Chief Clerk.*

The Journals of March 14th, 15th and 16th were corrected and approved.

SENATE FILE NO. 445 REREFERRED

On request of Senator White, unanimous consent was granted to refer Senate File No. 445 to the sifting committee.

Senator Wenner moved that the Senate join with the House in Joint Session March 18th at 9:30 a. m. to hear Mr. H. P. Seidemann's partial report of the findings of the Brookings Institution.

The motion prevailed.

AMENDMENTS FILED

1. Amend House File No. 292 by striking from the title thereof, beginning in line one, the words and figures "repeal sections fifty-two hundred twenty-one (5221), fifty-two hundred twenty-three (5223), fifty-two hundred twenty-five (5225), fifty-two hundred twenty-seven (5227), fifty-two hundred twenty-nine (5229), fifty-two hundred thirty-one (5231), and fifty-two hundred thirty-six (5236), Code 1931, and enact substitutes therefor; and to".

2. Further amend by striking all of Section 1.

3. Further amend by renumbering the remaining sections.

4. Further amend by striking from sub-section seven of section seven the words "three thousand" and inserting in lieu thereof the words "four thousand".

5. Further amend by striking from sub-section eight of section seven the words "thirty-five hundred" and inserting in lieu thereof the words "forty-five hundred".

6. Further amend by striking from sub-section nine of section seven the words "four thousand" and inserting in lieu thereof the words "five thousand".

VINCENT F. HARRINGTON.

Amend Senate File No. 312 by striking from line fourteen (14) of section 4 the word "contract" and inserting in lieu thereof the words "contracts not".

CLAUDE STANLEY.

Amend Senate File No. 348 by striking from Section 1, line 2, the word and figures "ten (10)" and substituting in lieu thereof the word and figures "thirty (30)".

Also by striking from Sec. 2, line 2 the word and figures "tenth (10th)" and substituting therefor the word and figures "thirtieth (30th)".

ROY E. STEVENS .

Amend House File No. 243, by adding the following:

Sec. 3. In counties where there is a city operating under the commission form of government, with a population of more than 75,000 people, the petition shall contain ten (10) per cent of the qualified electors resid-

ing in the county and outside of the city, and then (10) per cent of the qualified electors residing in the city.

Sec. 4. When the proposition is voted upon, the qualified electors residing in the county and outside of the city, shall vote separately upon the proposition, and there shall be cast a majority vote of such electors outside of the city, and a majority vote of the qualified electors of the city, before such change shall be effective. FRED W. NELSON.

Amend Senate File No. 348 by striking out the word "reported" after the word "be" in line 2 of section 1 and insert in lieu thereof the words "filed for record".

Further amend section 1 by changing the word "assignor" in line 3 to "assignee".

Further amend section 1 by changing the word "Auditor" in line 4 to "Recorder". L. T. SHANGLE.

Amend Senate File No. 326 as follows:

1. Strike out all of line five (5) of section one (1) of the bill and in lieu insert the following:

"trial, conviction, or punishment, shall be punished by imprisonment in the".

2. Amend by striking out the title and inserting in lieu thereof the following:

"An Act to repeal section twelve thousand eight hundred ninety-six (12896) Code 1931, relating to accessories after the fact to the commission of public offenses, to define such offense, to fix the punishment for the commission of said offense, and to declare the procedure governing prosecutions for such offense". EDW. J. WENNER.

Amend Senate File No. 348 by striking all after the enacting clause and substituting the following:

Section 1. The assignment or transfer of all mortgages and liens on real estate shall be recorded within ten (10) days from the date of execution thereof by the assignee to the County Recorder in the county of the resident of the assignee.

Sec. 2. A penalty of five dollars (\$5) for each day after the tenth (10th) day shall be paid by the assignee to the County Treasurer, and the County Attorney is directed to prosecute all violations and enforce payment of all penalties for violation thereof. LEO ELTHON.

On motion of Senator Valentine the Senate adjourned until 9:00 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 18, 1933.

The Senate met in regular session, President pro tempore Matt D. Cooney, presiding.

Prayer was offered by Mr. Cyril L. Coussens, First Reader of First Church of Christ, Scientist, Des Moines.

LEAVE OF ABSENCE

Senator Patterson moved that the following Senators be excused for the day:

Anderson	Hicklin
Aschenbrenner	Miller of Buchanan
Beatty	Moore
Bennett	Shangle
Booth	Stanley
Frailey	Stevens of Decatur
Geske	

The motion prevailed.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Approving prohibition. Senator Byers, from residents of Linn county. Judiciary No. 1.

Favoring modification of the prohibition laws. Senator Mulaney, from residents of Allamakee county. Judiciary No. 1.

Favoring the gross income tax bill. Senator Wilson, from citizens of Des Moines. Ways and means.

Opposing the striking of the Bureau of Maternity and Child Hygiene from the State Department of Health. Senator Wenner, from the Cedar Heights Woman's Club and the John Fiske Parent Teachers Association of Waterloo. Appropriations.

Opposing Senate Files Nos. 146 and 86, and House File No. 127. Senator Wenner, from the Black Hawk Board of Supervisors. Judiciary No. 2.

Relating to truck legislation. Senator Ritchie, from citizens of Renwick. Senator Patterson, from citizens of Lone Rock, and Bancroft. Senator Reese, from citizens of State Center. Senator Byers, from citizens of Fairfax. Senator Wilson, from the Grand International Auxiliary to the B. of L. E. of Des Moines. Motor vehicles.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends that they be placed upon a special calendar to be acted on Saturday, March 18th:

S. F. No. 368	S. F. No. 198
S. F. No. 331	S. F. No. 254
S. F. No. 270	S. F. No. 298
H. F. No. 84	S. F. No. 310
S. F. No. 320	S. F. No. 467
S. F. No. 302	H. F. No. 150
S. F. No. 75	H. F. No. 151

JOHN K. VALENTINE, *Chairman.*

Report was adopted.

INTRODUCTION OF BILLS

Senate File No. 469, by sifting committee, a bill for an act to make permanent the temporary transfer of money from the secondary road construction fund to the general county fund of Pocahontas County, Iowa.

Read first and second times and placed on the calendar.

THIRD READING OF BILLS

On motion of Senator Byers, Senate File No. 331, a bill for an act to legalize the granting of a franchise by the town of Rowley, Iowa, and by the electors thereof to the Iowa Railway and Light Corporation to construct, reconstruct, maintain and operate an electric light and power plant and a system for transmission, distribution and use of electrical energy, including the right to build and operate a high potential electric transmission line to and through said town, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Byers moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 31.

Beatty	Hill	Meyer	Schmidt
Byers	Hopkins	Miller of Jones	Stanley
Carden	Hush	Mullaney	Stevens of
Cooney	Husted	Nelson	Wapello
Coykendall	Irwin	Patterson	Valentine
Doze	Kimberly	Pendray	Wenner
Fisch	Klemme	Reese	White
Harrington	McArthur	Roelofs	Wilson

Nays, none.

Absent or not voting, 18.

Anderson	Calhoun	Hicklin	Ritchie
Aschenbrenner	Chrystal	Knudson	Shangle
Beardsley	Elthon	Miller of	Stevens of
Bennett	Frailey	Buchanan	Decatur
Booth	Geske	Moore	Topping

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

Senator Byers moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

President N. G. Kraschel, in the chair at 9:27 a. m.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled House File No. 350.

HOMER HUSH, Chairman Senate Committee.
WM. KOCH, Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The president of the senate announced that, as president of the senate, he had signed in the presence of the senate, House File No. 350.

BILLS SENT TO THE GOVERNOR

Senator Hush, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 18th day of March, 1933, sent to the governor for his approval, Senate Files Nos. 91, 71, 56 and 52.

HOMER HUSH, *Chairman.*

Passed on file.

The time having arrived for the Senate to join with the House, provided for by motion found on page 704 of the Senate journal, the Senate proceeded to the House chamber informally.

JOINT MEETING OF THE SENATE AND HOUSE

Mercer of Johnson moved that the proceedings of the House be interrupted in order that Henry P. Seidemann, representing the Brookings Institution, be afforded an opportunity of speaking to an informal session of the Senate and the House in explanation of the bills with reference to reorganization of the state government. Motion prevailed.

The Senate returned to the Senate chamber and resumed regular session, President pro tempore Matt D. Cooney presiding.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 541, a bill for an act relating to agreement by public bodies covering claims against banks and trust companies.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 540, a bill for an act relating to rates and rules by insurance companies.

Also: That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 340, a bill for an act relating to the entering of judgment.

Also: That the House has adopted the following house concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution No. 23, relating to demands of Farmers Holiday Association.

LLOYD ELLIS, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION NO. 23

Whereas, the Farmers Holiday Association in its recent meeting in Des Moines adopted the following resolution, which was read to a joint convention of the Forty-fifth General Assembly on Monday, March 13th:

The Farmers Holiday Association, of Iowa, meeting in Des Moines on March 13, 1933, is convened for the specific purpose of demanding legislative justice at the hands of the Forty-fifth General Assembly of Iowa.

We are, first of all, loyal American citizens, proud of this great nation and our state. Our organization recognizes no race, creed, color, economic interest or political affiliation to the exclusion of any other. We are American freemen demanding our inalienable right to "life, liberty and the pursuit of happiness."

We demand that the Iowa Legislature, now convened in regular session, immediately enact into laws pending legislation which has for its purpose relief of the farm debtor and relief for the overburdened taxpayers of the state.

We demand that revision of tax laws be predicated upon ability to pay, and if this Legislature is unable to revise tax laws on this basis we insist there be no revision. We do not propose to be administered a dose of chloroform under the guise of tax revision.

We demand that those institutions, corporations and individuals, now escaping their fair share of the tax burden, be made to pay. We demand that Legislation be enacted stopping the further issuance or sale of tax free securities.

We demand that all mandatory levies be repealed, except those levies absolutely necessary to sustain actual state and county government, and those levies necessary to pay the principal and interest of debts already outstanding.

We demand that the emasculation of bills, designed for the relief of the farmer and the taxpayers of this state, be stopped.

We serve notice that we are watching the voting records of our legislators as we have never before watched them.

We are agriculture, bankrupt and facing eviction from our homes. We have pleaded with our legislators in years past for justice. We are now demanding and we propose to have just plain, simple justice.

Therefore, Be It Resolved by the House, the Senate Concurring, That we appreciate fully the problems and the necessities contained in the foregoing resolution and pledge our best consideration to legislation that will alleviate them.

THIRD READING OF BILLS

On motion of Senator Stevens of Wapello, Senate File No. 270, a bill for an act to legalize the corporate acts and proceedings of the Highland Mutual Telephone Association of Highland Center, Iowa, and to provide for the renewal and extension of the period of corporate existence of said Highland Mutual Telephone Association, returned by the sifting committee, was taken up, and considered.

The bill was read for information.

Senator Stevens of Wapello moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 28.

Byers	Hill	McArthur	Roelofs
Carden	Hopkins	Meyer	Stevens of
Cooney	Hush	Miller of Jones	Wapello
Coykendall	Irwin	Mullaney	Topping
Doze	Kimberly	Patterson	Valentine
Elthon	Klemme	Pendray	Wenner
Fisch	Knudson	Ritchie	Wilson
Harrington			

Nays, none.

Absent or not voting, 21.

Anderson	Calhoun	Miller of	Shangle
Aschenbrenner	Chrystal	Buchanan	Stanley
Beardsley	Frailey	Moore	Stevens of
Beatty	Geske	Nelson	Decatur
Bennett	Hicklin	Reese	White
Booth	Husted	Schmidt	

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

Senator Stevens of Wapello moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Valentine, unanimous consent was granted to consider Senate File No. 449.

On motion of Senator Valentine, Senate File No. 449, a bill for an act to make Section Six Thousand Eight Hundred forty-six (6846), Code 1931, relating to contagious diseases, applicable to Cities operating under Chapter Three Hundred twenty-eight (328) of said Code, returned by the sifting committee, was taken up, and considered.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 31.

Byers	Harrington	McArthur	Roelofs
Carden	Hill	Meyer	Stevens of
Chrystal	Hopkins	Miller of Jones	Wapello
Cooney	Hush	Mullaney	Topping
Coykendall	Irwin	Nelson	Valentine
Doze	Kimberly	Patterson	Wenner
Elthon	Klemme	Pendray	White
Fisch	Knudson	Ritchie	Wilson

Nays, none.

Absent or not voting, 18.

Anderson	Booth	Husted	Schmidt
Aschenbrenner	Calhoun	Miller of	Shangle
Beardsley	Frailey	Buchanan	Stanley
Beatty	Geske	Moore	Stevens of
Bennett	Hicklin	Reese	Decatur

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

Senator Valentine moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Stevens of Wapello, unanimous consent was granted to message to the House immediately, Senate Files Nos. 449, 270 and 331 and House Files Nos. 13 and 63.

On motion of Senator Hopkins, House File No. 84, a bill for an act to repeal chapter two hundred five (205), code 1931; to repeal sections forty-two hundred eighty (4280), forty-two hundred eighty-one (4281), and forty-two hundred eighty-two (4282), code 1931; and to amend section forty-two hundred seventy-five (4275), code 1931, all relating to county high schools, returned by the sifting committee, was taken up, and considered.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 29.

Beardsley	Hill	Meyer	Stevens of
Carden	Hopkins	Mullaney	Wapello
Chrystal	Hush	Nelson	Topping
Coykendall	Irwin	Patterson	Valentine
Doze	Kimberly	Pendray	Wenner
Elthon	Klemme	Ritchie	White
Fisch	Knudson	Roelofs	Wilson
Harrington	McArthur		

Nays, none.

Absent or not voting, 20.

Anderson	Calhoun	Husted	Schmidt
Aschenbrenner	Cooney	Miller of	Shangle
Beatty	Frailey	Buchanan	Stanley
Bennett	Geske	Miller of Jones	Stevens of
Booth	Hicklin	Moore	Decatur
Byers		Reese	

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

Senator Hopkins moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Hopkins, unanimous consent was granted to withdraw Senate File No. 92, companion bill to the one just passed.

On motion of Senator Irwin, Senate File No. 302, a bill for an act to legalize warrants issued by the Board of Park Commissioners of the City of Clinton, Iowa, proceedings taken authorizing the issuance of bonds to retire said warrants, and provisions made for the levy of taxes to pay said bonds, returned by the sifting committee, was taken up, and considered.

The bill was read for information.

Senator Irwin moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 28.

Byers	Harrington	McArthur	Stevens of
Carden	Hopkins	Meyer	Wapello
Chrystal	Hush	Mullaney	Topping
Cooney	Irwin	Nelson	Valentine
Coykendall	Kimberly	Patterson	Wenner
Doze	Klemme	Pendray	White
Elthon	Knudson	Roelofs	Wilson
Fisch			

Nays, none.

Absent or not voting, 21.

Anderson	Calhoun	Miller of	Schmidt
Aschenbrenner	Frailey	Buchanan	Shangle
Beardsley	Geske	Miller of Jones	Stanley
Beatty	Hicklin	Moore	Stevens of
Bennett	Hill	Reese	Decatur
Booth	Husted	Ritchie	

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

Senator Irwin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Valentine, Senate File No. 198, a bill for an act to amend section seventy-one hundred ninety-three-b one (7193-b1), Code, 1931, relating to the compromise of personal property taxes, returned by the sifting committee, was taken up, and considered.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 32.

Byers	Harrington	Knudson	Roelofs
Calhoun	Hill	McArthur	Stevens of
Carden	Hopkins	Meyer	Wapello
Chrystal	Hush	Mullaney	Topping
Cooney	Husted	Nelson	Valentine
Coykendall	Irwin	Patterson	Wenner
Doze	Kimberly	Pendray	White
Elthon	Klemme	Ritchie	Wilson
Fisch			

Nays, none.

Absent or not voting, 17.

Anderson	Booth	Miller of	Schmidt
Aschenbrenner	Frailey	Buchanan	Shangle
Beardsley	Geske	Miller of Jones	Stanley
Beatty	Hicklin	Moore	Stevens o f
Bennett		Reese	Decatur

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

Senator Valentine moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Calhoun, Senate File No. 75, a bill for an act to legalize and validate twelve thousand five hundred dollars (\$12,500.00) drainage bonds for Fox River Drainage District No. One (1) of Van Buren county, Iowa, returned by the sifting committee, was taken up, and considered.

Senator Calhoun offered the following amendments and moved their adoption :

Amend by striking the last paragraph of the preamble and inserting in lieu thereof the following :

"Whereas, doubts have arisen as to the legal sufficiency of said proceedings, especially as to the construction of said improvements, the levying of assessments, and as to the authority to issue and sell said bonds and to the authority to collect assessments now levied in sums sufficient to pay the principal and interest of said bonds as the same will become due, and it is deemed advisable to put said doubts and all others that may arise forever at rest; now therefore,"

Also, strike all of section 1 and substitute in lieu thereof the following :

"That all proceedings relating to the construction of said improvements, the levying of assessments and the issuance of said bonds be and the same are hereby declared to be legal and valid notwithstanding any irregularities, omissions or defects in connection therewith, and that said bonds in the sum of \$12,500.00 when and as issued and sold shall be and are hereby declared to be valid and binding obligations of said Fox River Drainage District Number One and said Fox River Drainage District Number One is hereby authorized to collect the assessments now levied for the payment of the principal and interest of said bonds as the same will become due."

The amendments were adopted.

The bill was read for information.

Senator Calhoun moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 30.

Byers	Fisch	Knudson	Stevens of
Calhoun	Hill	McArthur	Wapello
Carden	Hopkins	Meyer	Topping
Chrystal	Hush	Mullaney	Valentine
Cooney	Husted	Nelson	Wenner
Coykendall	Irwin	Patterson	White
Doze	Kimberly	Pendray	Wilson
Elthon	Klemme	Ritchie	

Nays, none.

Absent or not voting, 19.

Anderson	Frailey	Miller of Jones	Shangle
Aschenbrenner	Geske	Moore	Stanley
Beardsley	Harrington	Reese	Stevens of
Beatty	Hicklin	Roelofs	Decatur
Bennett	Miller of	Schmidt	
Booth	Buchanan		

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

Senator Calhoun moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Coykendall, Senate File No. 254, a bill for an act to amend, revise, and codify sections two hundred seventy-eight (278) to two hundred eighty-one (281), inclusive, and two hundred eighty-three (283) to two hundred eighty-five (285), inclusive, and section sixty-nine hundred forty-three-c twenty-three (6943-c23), all of the Code, 1931, relating to the duties of the secretary of the executive council and to the duties of the members of the state board of assessment and review and of the employees of said board, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Coykendall moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 29.

Byers	Hill	McArthur	Stevens of
Carden	Hopkins	Meyer	Wapello
Chrystal	Hush	Miller of Jones	Topping
Cooney	Husted	Mullaney	Valentine
Coykendall	Irwin	Nelson	Wenner
Doze	Kimberly	Pendray	White
Elthon	Klemme	Ritchie	Wilson
Fisch	Knudson		

Nays, none.

Absent or not voting, 20

Anderson	Calhoun	Miller of	Schmidt
Aschenbrenner	Frailey	Buchanan	Shangle
Beardsley	Geske	Moore	Stanley
Beatty	Harrington	Patterson	Stevens of
Bennett	Hicklin	Reese	Decatur
Booth		Roelofs	

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

Senator Coykendall moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Nelson, Senate File No. 298, a bill for an act to repeal section fifty-three hundred twenty-eight (5328), Code, 1931, and to enact a substitute therefor relating to application by poor persons for relief, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Nelson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 28.

Byers	Hill	Knudson	Ritchie
Carden	Hopkins	McArthur	Schmidt
Cooney	Hush	Meyer	Topping
Coykendall	Husted	Mullaney	Valentine
Doze	Irwin	Nelson	Wenner
Elthon	Kimberly	Patterson	White
Fisch	Klemme	Pendray	Wilson

Nays, none.

Absent or not voting, 21.

Anderson	Calhoun	Miller of	Shangle
Aschenbrenner	Chrystal	Buchanan	Stanley
Beardsley	Frailey	Miller of Jones	Stevens of
Beatty	Geske	Moore	Decatur
Bennett	Harrington	Reese	Stevens of
Booth	Hicklin	Roelofs	Wapello

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

Senator Nelson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Wilson, Senate File No. 310, a bill for an act to amend sections thirteen thousand six hundred sixty-nine (13669) and thirteen thousand six hundred seventy-one (13671), Code, 1931, as to provide for the rendition of judgments during a recess of the district court, in criminal cases prosecuted on trial information filed by the county attorney, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 30.

Byers	Hopkins	Mullaney	Stevens of
Carden	Hush	Nelson	Wapello
Chrystal	Irwin	Patterson	Topping
Cooney	Kimberly	Pendray	Valentine
Coykendall	Klemme	Reese	Wenner
Doze	Knudson	Ritchie	White
Elthon	McArthur	Roelofs	Wilson
Hill	Meyer	Schmidt	

Nays, none.

Absent or not voting, 19.

Anderson	Calhoun	Hicklin	Moore
Aschenbrenner	Fisch	Husted	Shangle
Beardsley	Frailey	Miller of	Stanley
Beatty	Geske	Buchanan	Stevens of
Bennett	Harrington	Miller of Jones	Decatur
Booth			

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

Senator Wilson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Wilson, Senate File No. 467, a bill for an act to correct errors in the reference in sections forty hundred sixty-two-b twelve (4062-b12), eighty-seven hundred thirty-seven (8737), eighty-eight hundred twenty-nine (8829), and eighty-nine hundred twenty-seven (8927), Code, 1931, to certain federal acts, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 30.

Byers	Hill	Meyer	Stevens of
Carden	Hopkins	Mullaney	Wapello
Chrystal	Hush	Patterson	Topping
Cooney	Irwin	Pendray	Valentine
Coykendall	Kimberly	Reese	Wenner
Doze	Klemme	Ritchie	White
Elthon	Knudson	Roelofs	Wilson
Fisch	McArthur	Schmidt	

Nays, none.

Absent or not voting, 19.

Anderson	Calhoun	Husted	Nelson
Aschenbrenner	Frailey	Miller of	Shangle
Beardsley	Geske	Buchanan	Stanley
Beatty	Harrington	Miller of Jones	Stevens of
Bennett	Hicklin	Moore	Decatur
Booth			

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

Senator Wilson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Valentine, House File No. 150, a bill for an act to amend sections sixty-eight hundred sixty-five (6865), sixty-nine hundred ninety-two (6992), and seven thousand five (7005), Code, 1931, relating to taxation and to coordinate said sections with the United States Code, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 27.

Byers	Hill	Meyer	Stevens of
Carden	Hopkins	Mullaney	Wapello
Cooney	Hush	Patterson	Topping
Coykendall	Irwin	Pendray	Valentine
Doze	Kimberly	Reese	Wenner
Elthon	Klemme	Ritchie	White
Fisch	Knudson	Roelofs	Wilson

Nays, none.

Absent or not voting, 22.

Anderson	Calhoun	Husted	Nelson
Aschenbrenner	Chrystal	McArthur	Schmidt
Beardsley	Frailey	Miller of	Shangle
Beatty	Geske	Buchanan	Stanley
Bennett	Harrington	Miller of Jones	Stevens of
Booth	Hicklin	Moore	Decatur

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

Senator Valentine moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Valentine House File No. 151, a bill for an act to repeal sections ten thousand two hundred fifty (10250) to ten thousand two hundred sixty (10260), inclusive, Code, 1931, and to enact substitutes therefor, relating to the management of state, county, and municipally owned real estate, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 31.

Beardsley	Fisch	McArthur	Schmidt
Byers	Hill	Meyer	Stevens of
Carden	Hopkins	Mullaney	Wapello
Chrystal	Hush	Nelson	Topping
Cooney	Irwin	Patterson	Valentine
Coykendall	Kimberly	Pendray	Wenner
Doze	Klemme	Reese	White
Elthon	Knudson	Ritchie	Wilson

Nays, none.

Absent or not voting, 18.

Anderson	Calhoun	Husted	Roelofs
Aschenbrenner	Frailey	Miller of	Shangle
Beatty	Geske	Buchanan	Stanley
Bennett	Harrington	Miller of Jones	Stevens of
Booth	Hicklin	Moore	Decatur

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

Senator Valentine moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Valentine Senate File No. 368, a bill for an act to authorize the Burlington, Muscatine & Northwestern Railway Company, an Iowa Corporation, to construct, operate and maintain a railroad bridge across the Iowa River at or near the Village of Toolesboro, in Louisa County, Iowa, returned by the sifting committee was taken up and considered.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 28.

Carden	Hopkins	Meyer	Ritchie
Chrystal	Hush	Miller of Jones	Roelofs
Cooney	Irwin	Mullaney	Schmidt
Coykendall	Kimberly	Nelson	Topping
Doze	Klemme	Patterson	Valentine
Elthon	Knudson	Pendray	Wenner
Fisch	McArthur	Reese	White

Nays, none.

Absent or not voting, 21.

Anderson	Byers	Hill	Stanley
Aschenbrenner	Calhoun	Husted	Stevens of
Beardsley	Frailey	Miller of	Decatur
Beatty	Geske	Buchanan	Stevens of
Bennett	Harrington	Moore	Wapello
Booth	Hicklin	Shangle	Wilson

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

Senator Valentine moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

HOUSE MESSAGES CONSIDERED

House File No. 340, a bill for an act to amend chapter four hundred ninety-six (496), Code 1931, to provide for the entering of judgment notwithstanding the verdict in certain cases and to prescribe the practice in such cases upon review by the Supreme Court, and to repeal all acts and parts of acts inconsistent with the provisions of this act.

Read first and second time and referred to the sifting committee.

House File No. 540, a bill for an act requiring the filing of schedules of rates and rules by insurance companies, associations and interinsurance exchanges, prohibiting rebating and discrimination, and providing penalties for the violation thereof.

Read first and second time and referred to the sifting committee.

House File No. 541, a bill for an act to amend section ninety-two hundred thirty-nine a-two (9239-a2), Code, 1931, relating to the agreement by public bodies covering claims against banks and trust companies; by extending the provisions thereof to all state, national and private banks in the State of Iowa, and by making the provisions thereof applicable to reorganizations made pursuant to Senate File One Hundred Eleven (111), Acts of the Forty-fifth General Assembly of Iowa.

Read first and second time and referred to the sifting committee.

Senator Valentine submitted the following:

SENATE CONCURRENT RESOLUTION NO. 20

Whereas, this nation is confronted with an emergency, successfully to meet which requires the united and unselfish cooperation of every citizen without regard to political beliefs; and

Whereas, the President of the United States, Franklin D. Roosevelt, has moved courageously to meet the emergency and offers the leadership to all citizens who are interested in the well being of their country and the future happiness of its people; therefore

Be It Resolved by the Senate, the House Concurring, That the Forty-fifth General Assembly of Iowa and its members pledge their full cooperation to the President of the United States in his efforts to meet this present emergency, in so far as they by their action may contribute to that end; and

Be It Further Resolved, That this General Assembly, representing the people of Iowa, in their behalf and its behalf, call upon the members of the Iowa delegation in Congress unanimously to support and uphold the President of the United States in action proposed by him for the solution of this emergency, particularly with regard to those measures which may apply to or affect agriculture; and

Be It Further Resolved, That this resolution be transmitted to the President of the United States and to United States Congress and the members of the Congress from the State of Iowa.

Passed on file.

NOTICE TO RECONSIDER FILED

MR. PRESIDENT: I move that the vote by which Senate File No. 202 passed the Senate be reconsidered.

O. P. BENNETT.

The Journal of March 17th was corrected and approved.

On motion of Senator Valentine, the Senate adjourned until 10:00 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 20, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. Gordon Dale Cox, Ex-Army Chaplain, of Ottumwa.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Stanley for the day, on request of Senator Carden; Senator Chrystal for the day, on request of Senator Mullaney.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Approving prohibition. Senator Aschenbrenner, from residents of Marion county. Judiciary No. 1.

Favoring modification of the prohibition laws. Senator Stevens of Decatur, from residents of Union county. Senator Reese, from residents of Marshall county. Senator Frailey, from residents of Lee county. Senator Hicklin, from residents of Muscatine county. Judiciary No. 1.

Opposing the passage of Senate File No. 140. Senator Doze, from members of churches of Corydon. Public schools.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor stating that on March 10th he had approved Senate File No. 167, relating to the amount of statutory exemption from execution for residents who are the heads of families.

Also, that on March 14th he had approved Senate File No. 466,

relating to State and Savings Banks and Trust Companies entering the Federal Reserve System.

Also, that on March 14th he had approved Senate File No. 256, relating to the manner of defraying the cost of constructing a municipal hospital.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in the Senate amendments to House File No. 53, a bill for an act relating to expenses incurred by returning defendants other than that wherein a crime is committed.

Also, that the House has concurred in Senate amendments to House File No. 13, a bill for an act relating to state printing.

Also, that the House has concurred in the Senate amendments to House File No. 58, a bill for an act relating to removal from office.

Also, that the House has concurred in the Senate amendments to House File No. 3, a bill for an act relating to listing and valuing of real estate every four years.

Also, that the House has concurred in the Senate amendments to House File No. 242, a bill for an act relating to group life, health and accident insurance.

Also, that the House has refused to concur in Senate amendments to House File No. 63, a bill for an act relating to witness fees for peace officers.

Also, that the House has indefinitely postponed Senate Files 235 and 240.

LLOYD ELLIS, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator Roelofs House File No. 243, a bill for an act to amend sections fifty-one hundred seven (5107) and fifty-one hundred eight (5108), Code, 1931, relating to method of increasing or reducing number of members on Boards of Supervisors, returned by the sifting committee, was taken up and considered.

Senator Nelson offered the following amendment and moved its adoption:

Amend by adding the following:

Sec. 3. In counties where there is a city operating under the commission form of government, with a population of more than 75,000 people, the petition shall contain ten (10) per cent of the qualified electors residing in the county and outside of the city, and then (10) per cent of the qualified electors residing in the city.

Sec. 4. When the proposition is voted upon, the qualified electors residing in the county and outside of the city, shall vote separately upon the

proposition, and there shall be cast a majority vote of such electors outside of the city, and a majority vote of the qualified electors of the city, before such change shall be effective.

The amendment was adopted.

The bill was read for information.

Senator Roelofs moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 33.

Anderson	Elthon	Klemme	Pendray
Aschenbrenner	Fisch	Knudson	Roelofs
Beatty	Frailey	McArthur	Schmidt
Bennett	Geske	Meyer	Stevens of
Booth	Hopkins	Miller of	Decatur
Byers	Hush	Buchanan	Stevens of
Carden	Husted	Miller of Jones	Wapello
Coykendall	Irwin	Mullaney	White
Doze	Kimberly	Nelson	Wilson

Nays, none.

Absent or not voting, 16.

Beardsley	Harrington	Patterson	Stanley
Calhoun	Hicklin	Reese	Topping
Chrystal	Hill	Ritchie	Valentine
Cooney	Moore	Shangle	Wenner

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

On motion of Senator Valentine Senate File No. 178, a bill for an act to amend the law as the same appears in Sections 1479, 1480 and 1481, Chapter 72 of the Code, relating to Workmen's Compensation, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 35.

Anderson	Byers	Frailey	Husted
Aschenbrenner	Carden	Geske	Irwin
Beatty	Doze	Harrington	Kimberly
Bennett	Elthon	Hopkins	Klemme
Booth	Fisch	Hush	Knudson

McArthur	Mullaney	Stevens of	Topping
Meyer	Pendray	Decatur	Valentine
Miller of	Ritchie	Stevens of	White
Buchanan	Roelofs	Wapello	Wilson
Miller of Jones	Schmidt		

Nays, none.

Absent or not voting, 14.

Beardsley	Coykendall	Nelson	Shangle
Calhoun	Hicklin	Patterson	Stanley
Chrystal	Hill	Reese	Wenner
Cooney	Moore		

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

On motion of Senator Valentine Senate File No. 179, a bill for an act to amend the law as the same appears in line fifteen (15), Section 1479 of the Code, relating to Workmen's Compensation, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 34.

Anderson	Frailey	Knudson	Shangle
Aschenbrenner	Geske	McArthur	Stevens of
Bennett	Harrington	Meyer	Decatur
Booth	Hopkins	Miller of	Stevens of
Byers	Hush	Buchanan	Wapello
Carden	Husted	Miller of Jones	Topping
Coykendall	Irwin	Mullaney	Valentine
Doze	Kimberly	Pendray	White
Elthon	Klemme	Ritchie	Wilson
Fisch			

Nays, none.

Absent or not voting, 15.

Beardsley	Cooney	Nelson	Schmidt
Beatty	Hicklin	Patterson	Stanley
Calhoun	Hill	Reese	Wenner
Chrystal	Moore	Roelofs	

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

On motion of Senator Miller of Jones Senate File No. 275, a bill for an act to amend sections forty-four hundred sixty-three (4463), and forty-four hundred fifty-six (4456), Code 1931, relat-

ing to county uniformity of textbooks, returned by the sifting committee, was taken up and considered.

Senator Miller of Jones offered the following amendments and moved their adoption:

Amend by striking out the title and substituting in lieu thereof the following:

An act to repeal sections forty-four hundred fifty-six (4456), forty-four hundred fifty-seven (4457) and forty-four hundred fifty-eight (4458), Code 1931, and enact a substitute therefor and amend section forty-four hundred sixty-three (4463) relating to county uniformity of textbooks.

Also, strike all after the enacting clause and substitute in lieu thereof the following:

Section 1. Sections 4456, 4457 and 4458 are hereby repealed and the following is substituted in lieu thereof:

The county board of education shall select the school textbooks for the entire county and contract for the same under such rules and regulations as the said board of education may adopt.

Section 2. Amend section 4463 by striking the word "seven" in line two (2) thereof and insert the word "five" in lieu thereof and insert the word "non-consolidated" following the word "to" in line three (3) thereof.

Section 3. The provisions of this act shall not affect the use of textbooks under existing contracts.

The amendments were adopted.

Senator Roelofs moved the previous question, which motion prevailed.

The bill was read for information.

Senator Miller of Jones moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 35.

Anderson	Doze	Miller of	Shangle
Aschenbrenner	Fisch	Buchanan	Stevens of
Beatty	Frailey	Miller of Jones	Decatur
Bennett	Geske	Mullaney	Stevens of
Booth	Harrington	Nelson	Wapello
Byers	Kimberly	Pendray	Topping
Calhoun	Klemme	Reese	Valentine
Carden	Knudson	Roelofs	White
Cooney	McArthur	Schmidt	Wilson
Coykendall	Meyer		

Nays, 4.

Elthon	Hopkins	Hush	Patterson
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Absent or not voting, 10.

Beardsley	Hill	Moore	Stanley
Chrystal	Husted	Ritchie	Wenner
Hicklin	Irwin		

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

Senator Miller of Jones moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Topping Senate File No. 367, a bill for an act authorizing the governing board of any Drainage or Levee District which holds Certificates of Purchase at tax sale of lands within Drainage or Levee Districts, to make application on behalf of the District for the appointment of a Receiver for such land; to provide for the appointment of such Receiver, to prescribe a procedure therefor, and distribution of the proceeds, returned by the sifting committee, was taken up and considered.

On request of Senator Topping unanimous consent was granted to defer action, such bill to retain its place on the calendar.

On request of Senator Irwin, unanimous consent was granted to consider House File No. 541, an emergency legislation bill.

On motion of Senator Irwin House File No. 541, a bill for an act to amend section ninety-two hundred thirty-nine a-two (9239-a2), Code, 1931, relating to the agreement by public bodies covering claims against banks and trust companies; by extending the provisions thereof to all state, national and private banks in the State of Iowa, and by making the provisions thereof applicable to reorganizations made pursuant to Senate File One Hundred Eleven (111), Acts of the Forty-fifth General Assembly of Iowa, was taken up and considered.

Senator Irwin offered the following amendments and moved their adoption:

(1) Amend by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. During the period of management by the Superintendent of Banking of any State bank, Savings Bank or Trust Company or private bank pursuant to Senate File No. 111, Forty-fifth General Assembly, any County, City, Town, Township or School District, by its governing board at the board's discretion, may enter into depositors' agreements looking

toward the reorganization, reopening or consolidation of the bank to the extent of its unsecured and unpreferred claims.

The State may so agree through the Executive Council as to its unsecured and unpreferred claims.

The Board of Supervisors may at its discretion, enter into such depositors' agreements as to taxes for the State, School, townships, cities, towns, motor vehicle fund, primary road fund or other purposes and for other funds created by law, whether regular, temporary or special, which have been duly collected by the Treasurer of the County and duly and regularly deposited by the County Treasurer in a State bank, savings bank, trust company or private bank prior to the period of management by the State Superintendent of Banking.

Any public body hereinbefore named may with depositors of any national bank enter into a depositors' agreement with said bank, provided the form of said agreement shall be one that shall have been first approved by the Superintendent of Banking and by the Executive Council of the State of Iowa. Any depositors' agreement that has heretofore been entered into by any public body above referred to with any state, savings, national or private bank or trust company in Iowa and to which depositor's agreement no objections have been taken by Court action, is hereby legalized and approved.

Section 2. Joining in such agreement shall not be a waiver of any preference or of the right to participate in State Sinking Fund for public deposits, but after receipt of payment from such fund or assignment of deposit to the Treasurer of State, he shall represent the same and may with the approval of the Executive Council, join in such agreements.

Section 3. If the Treasurer has duly and regularly deposited money in such bank, then after the reorganization, reopening or consolidation of said bank he shall only be held to account for such amount of the deposit as remains on deposit in such bank after the reorganization, reopening or consolidation, irrespective of whether a depositors' agreement was entered into or not.

Section 4. Wherever the depositor's agreement provides for the appointment of trustees and the subsequent payment of funds by the trustees to the depositors, such payments shall be paid to the County Treasurer and by him distributed pro rata to the funds entitled thereto, unless payment has been received from the State Sinking Fund for public deposits or assignment of the deposit has been made to the Treasurer of State and in such event, such payment shall be made to him and credited to the State Sinking Fund.

Section 5. Insofar as the provisions of this Act may conflict with other Acts or parts thereof, the provisions of this Act shall control.

Section 6. This Act, being deemed of immediate importance, it shall take effect and be in full force from and after its publication in the Red Oak Express, a newspaper published at Red Oak, Iowa, and in the Clinton Herald, a newspaper published at Clinton, Iowa.

(2) Further amend by striking its title and substituting in lieu thereof the following:

A bill for an act to amend Chapter 415, Code of Iowa, 1931, to provide for public bodies entering into depositors' agreements in banks during

period of management by Superintendent of Banking under Senate File No. 111, Forty-fifth General Assembly and with national banks, and legalizing such agreements heretofore entered into.

The amendments were adopted.

The bill was read for information.

Senator Irwin moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 40.

Anderson	Doze	Klemme	Ritchie
Aschenbrenner	Elthon	Knudson	Schmidt
Beardsley	Fisch	McArthur	Stevens of
Beatty	Frailey	Meyer	Decatur
Bennett	Geske	Miller of	Stevens of
Booth	Harrington	Buchanan	Wapello
Byers	Hopkins	Miller of Jones	Topping
Calhoun	Hush	Mullaney	Valentine
Carden	Husted	Nelson	White
Cooney	Irwin	Patterson	Wilson
Coykendall	Kimberly	Pendray	

Nays, none.

Absent or not voting, 9.

Chrystal	Moore	Roelofs	Stanley
Hicklin	Reese	Shangle	Wenner
Hill			

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

Senator Hush moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Irwin, unanimous consent was granted to message House File No. 541 to the House immediately.

On motion of Senator McArthur Senate File No. 252, a bill for an act to prohibit the fraudulent advertising or selling of seed corn represented to be hybrid unless it represents the first generation of a cross between strains of different parentage and involving inbred lines of corn or their combination and prescribing a penalty therefor, returned by the sifting committee, was taken up and considered.

On request of Senator McArthur unanimous consent was granted

to substitute House File No. 299, a companion bill to Senate File No. 252:

On request of Senator McArthur unanimous consent was granted to defer action temporarily.

On motion of Senator Harrington Senate File No. 386, a bill for an act to provide for consolidating city and school elections in school districts which embrace a city and which have a population of not more than one hundred thousand (100,000), nor less than seventy thousand (70,000), by the last federal census; to prescribe the manner of holding the same; to provide for terms of directors and the manner of nominating and electing same; prescribing eligibility of voters and registration thereof, and making other statutes affecting city and school elections applicable except where inconsistent or contradictory; by amending sections forty-one hundred twenty-five (4125), forty-two hundred twenty (4220), forty-two hundred seventeen (4217) forty-two hundred eighteen (4218) forty-two hundred twenty-three-a2 (4223-a2), forty-two hundred twenty-three-b1 (4223-b1), forty-two hundred twenty-eight (4228), forty-three hundred fifty-four (4354), forty-four hundred one (4401), forty-four hundred six (4406), forty-four hundred fifty-three (4453), forty-four hundred sixty-four (4464), returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Harrington moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 29.

Anderson	Frailey	Miller of	Shangle
Aschenbrenner	Geske	Buchanan	Stevens of
Bennett	Harrington	Miller of Jones	Decatur
Carden	Hopkins	Mullaney	Stevens of
Cooney	Husted	Patterson	Wapello
Coykendall	Irwin	Pendray	Topping
Doze	Klemme	Reese	Valentine
Fisch	Knudson	Schmidt	White

Nays, 1.

Beardsley

Absent or not voting, 19.

Beatty	Elthon	McArthur	Roelofs
Booth	Hicklin	Meyer	Stanley
Byers	Hill	Moore	Wenner
Calhoun	Hush	Nelson	Wilson
Chrystal	Kimberly	Ritchie	

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

Senator Harrington moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Harrington, unanimous consent was granted to message Senate File No. 386 to the House immediately.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled House Files Nos. 2, 6, 45, 68, 70, 72 and Senate File No. 18.

HOMER HUSH, *Chairman Senate Committee.*

WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 2, 6, 45, 68, 70, 72 and Senate File No. 18.

On motion of Senator Knudson the Senate recessed until 2:00 p. m. today.

AFTERNOON SESSION

The Senate reconvened at the fall of the gavel, President N. G. Kraschel presiding.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Your Sifting Committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar:

H. F. No. 69

H. F. No. 181

S. F. No. 313

H. F. No. 534

S. F. No. 67

S. F. No. 339

S. F. No. 396

H. F. No. 189

S. F. No. 317

JOHN K. VALENTINE, *Chairman.*

HOUSE CONCURRENT RESOLUTION NO. 14 CONSIDERED

Senator Valentine called up for consideration, House Concurrent Resolution No. 14 as found on page 554 of the Senate Journal and moved its adoption.

The resolution was adopted.

CONSIDERATION OF HOUSE FILE NO. 113 RESUMED

Senator Wenner called up for consideration House File No. 113 on which action was deferred on page 655 of the Senate Journal.

The bill was read for information.

Senator Wenner moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 2.

Anderson	Kimberly
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Nays, 30.

Aschenbrenner	Geske	Knudson	Reese
Booth	Harrington	Meyer	Ritchie
Byers	Hicklin	Miller of	Schmidt
Carden	Hill	Buchanan	Shangle
Cooney	Hopkins	Miller of Jones	Stevens of
Doze	Husted	Moore	Decatur
Elthon	Irwin	Mullaney	Wenner
Fisch	Klemme	Patterson	White

Absent or not voting, 17.

Beardsley	Coykendall	Pendray	Topping
Beatty	Frailey	Roelofs	Valentine
Bennett	Hush	Stanley	Wilson
Calhoun	McArthur	Stevens of	
Chrystal	Nelson	Wapello	

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

CONSIDERATION OF HOUSE FILE NO. 299 RESUMED

Senator Booth offered the following amendment and moved its adoption:

Amend by striking in section three (3), line three (3) after the word "than" the remainder of the sentence and inserting in lieu thereof the following: "one hundred dollars (\$100) or thirty (30) days in the county jail or both."

The amendment was adopted.

Senator Wenner offered the following amendment to the amendment and moved its adoption:

Amend by inserting before the word "thirty" in the last line the words "or imprisonment for".

The amendment was adopted.

The bill was read for information.

Senator McArthur moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 34.

Anderson	Fisch	Klemme	Patterson
Aschenbrenner	Geske	Knudson	Reese
Booth	Hicklin	McArthur	Ritchie
Byers	Hill	Meyer	Shangle
Carden	Hopkins	Miller of	Stevens of
Cooney	Hush	Buchanan	Decatur
Coykendall	Husted	Miller of Jones	Valentine
Doze	Irwin	Mullaney	Wenner
Elthon	Kimberly	Nelson	White

Nays, none.

Absent or not voting, 15.

Beardsley	Chrystal	Pendray	Stevens of
Beatty	Frailey	Roelofs	Wapello
Bennett	Harrington	Schmidt	Topping
Calhoun	Moore	Stanley	Wilson

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

On the request of Senator McArthur, unanimous consent was granted to withdraw Senate File No. 252, a companion bill to the one just passed.

On motion of Senator Stevens of Wapello House File No. 69, a bill for an act to amend section seventy-two hundred fourteen (7214) and section seventy-two hundred seventy-two (7272), code 1931, reducing the amount of penalty to be paid on delinquent taxes and redemption of property from tax sale, returned by the sifting committee, was taken up and considered.

Senator Hicklin offered the following amendment and moved its adoption:

Amend by striking section 1 and renumbering the remaining sections accordingly.

Senator Hicklin withdrew his amendment.

The bill was read for information.

Senator Stevens of Wapello moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 39.

Anderson	Geske	Knudson	Roelofs
Aschenbrenner	Harrington	McArthur	Shangle
Bennett	Hicklin	Meyer	Stevens of
Booth	Hill	Miller of Jones	Decatur
Byers	Hopkins	Moore	Stevens of
Carden	Hush	Mullaney	Wapello
Cooney	Husted	Nelson	Topping
Coykendall	Irwin	Patterson	Valentine
Doze	Kimberly	Reese	Wenner
Elthon	Klemme	Ritchie	White
Fisch			

Nays, none.

Absent or not voting, 10.

Beardsley	Chrystal	Miller of	Schmidt
Beatty	Frailey	Buchanan	Stanley
Calhoun		Pendray	Wilson

The bill having received a constitutional majority was declared to have passed the Senate.

On request of Senator Hush, unanimous consent was granted to amend the title by inserting in line 2 thereof after the word "of" the words "interest and".

The title as amended was agreed to.

On request of Senator Stevens of Wapello, unanimous consent was granted to withdraw Senate File No. 69, a companion bill to the one just passed.

On motion of Senator Stevens of Wapello Senate File No. 313, a bill for an act to amend Chapter three hundred thirty (330) by amending section sixty-nine hundred fifty (6950) and repealing section sixty-nine hundred fifty-one (6951), all of the code 1931, relating to the remission of taxes, returned by the sifting committee, was taken up and considered.

Senator Stevens of Wapello offered the following amendment and moved its adoption :

Amend Section 1 by striking out the period (.) at the end of line 3

and substituting therefor a comma (,) and adding the following: "and by inserting in lieu thereof the following words: 'or such board may suspend the taxes on the real estate and cancel and remit the taxes on the personal property and the polls of the petitioner,'".

The amendment was adopted.

The bill was read for information.

Senator Stevens of Wapello moved that the reading just had be considered the third reading, which motion prevailed.

President pro tempore Matt D. Cooney was called to the chair at 3:50 p. m.

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

Ayes, 29.

Anderson	Elthon	Miller of Jones	Stevens of
Aschenbrenner	Fisch	Mullaney	Decatur
Beatty	Geske	Patterson	Stevens of
Bennett	Hicklin	Pendray	Wapello
Booth	Hill	Reese	Topping
Byers	Klemme	Ritchie	Valentine
Carden	Miller of	Roelofs	White
Cooney	Buchanan	Shangle	
Doze			

Nays, 8.

Coykendall	Hopkins	Husted	Nelson
Harrington	Hush	Moore	Wenner

Absent or not voting, 12.

Beardsley	Frailey	Knudson	Schmidt
Calhoun	Irwin	McArthur	Stanley
Chrystal	Kimberly	Meyer	Wilson

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

Senator Stevens of Wapello moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Hicklin Senate File No. 396, a bill for an act to amend Section seven thousand four hundred ninety five (7495), Code, 1931, relating to the receiving of drainage warrants for assessments, to provide that drainage warrants may be used by taxpayers to pay the assessment for which such warrants are drawn, and to provide that drainage bonds may be acquired and used by taxpayers to pay off assessments levied for the payment

of such bonds, returned by the sifting committee, was taken up and considered.

On request of Senator Patterson unanimous consent was granted to defer action, such bill to retain its place on the calendar.

On motion of Senator Knudson House File No. 181, a bill for an act to amend section eighty-seven hundred seventy-six (8776), Code of Iowa, 1931, by increasing the amount of an insurance policy which shall be exempt when payable to the surviving widow to Fifteen thousand Dollars (\$15,000.00), returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Knudson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 34.

Aschenbrenner	Geske	Knudson	Pendray
Beardsley	Harrington	McArthur	Ritchie
Bennett	Hicklin	Meyer	Shangle
Booth	Hopkins	Miller of	Stevens of
Byers	Hush	Buchanan	Decatur
Carden	Husted	Miller of Jones	Topping
Chrystal	Irwin	Moore	Valentine
Cooney	Kimberly	Mullaney	Wenner
Elthon	Klemme	Nelson	White

Nays, 4.

Anderson	Beatty	Coykendall	Doze
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Absent or not voting, 11.

Calhoun	Hill	Roelofs	Stevens of
Fisch	Patterson	Schmidt	Wapello
Frailey	Reese	Stanley	Wilson

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

Senator Knudson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Hicklin unanimous consent was granted to substitute House File No. 67 for Senate File No. 67 on the calendar.

On motion of Senator Hicklin House File No. 67, a bill for an

act to amend section five hundred fifty-one (551), twenty-two hundred thirty-five (2235), four thousand eighty-six (4086), forty-three hundred fifty-six (4356), forty-four hundred fifty-one (4451), forty-four hundred seventy-three (4473), forty-six hundred eighty (4680), fifty-one hundred thirty-one (5131), fifty-three hundred ninety-eight (5398), fifty-three hundred forty (5340), fifty-three hundred ninety-nine (5399), fifty-four hundred two (5402), fifty-four hundred sixty-one (5461), fifty-four hundred ten (5410), fifty-four hundred sixty-eight (5468), fifty-five hundred thirty-three (5533), fifty-six hundred sixty-three (5663), fifty-six hundred seventy-nine (5679), six thousand seventy (6070), sixty-one hundred forty-five (6145), sixty-two hundred forty-four (6244), sixty-three hundred four (6304), sixty-four hundred ninety-nine (6499), sixty-five hundred eight (6508), sixty-five hundred eighty-four (6584), all of the code 1931, with reference to the changing and fixing the time for the publication of legal and official notices, the number of official newspapers and the designation thereof, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Hicklin moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 35.

Anderson	Doze	Kimberly	Pendray
Aschenbrenner	Elthon	Klemme	Ritchie
Beardsley	Geske	McArthur	Shangle
Beatty	Harrington	Meyer	Stevens of
Bennett	Hicklin	Miller of	Decatur
Booth	Hill	Buchanan	Topping
Byers	Hopkins	Moore	Valentine
Carden	Hush	Mullaney	Wenner
Chrystal	Husted	Patterson	White
Coykendall			

Nays, none.

Absent or not voting, 14.

Calhoun	Reese	Stevens of
Cooney	Roelofs	Wapello
Fisch	Schmidt	Wilson
Frailey	Stanley	
	Nelson	

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

Senator Hicklin moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Hicklin, unanimous consent was granted to withdraw Senate File No. 67, a companion bill to the one just passed.

On motion of Senator Hopkins House File No. 534, a bill for an act to amend section forty-two hundred sixty-seven (4267), code, 1931, relating to high schools established in townships, returned by the sifting committee, was taken up and considered.

Senator Hopkins offered the following amendment and moved its adoption:

Amend section 1 by striking from line 6 the word "majority".

Action was deferred temporarily.

On motion of Senator Knudson Senate File No. 339, a bill for an act to amend Section four hundred fifty-three (453) of the Code of 1931, relating to Armory Board, tenure, duties, payment of allowances, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Beardsley moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 39.

Anderson	Fisch	Klemme	Pendray
Beardsley	Geske	Knudson	Ritchie
Beatty	Harrington	McArthur	Roelofs
Bennett	Hicklin	Meyer	Shangle
Booth	Hill	Miller of	Stevens of
Byers	Hopkins	Buchanan	Decatur
Carden	Hush	Moore	Topping
Chrystal	Husted	Mullaney	Valentine
Cooney	Irwin	Nelson	Wenner
Coykendall	Kimberly	Patterson	White
Doze			

Nays, none

Absent or not voting, 10.

Aschenbrenner	Frailey	Schmidt	Stevens of
Calhoun	Miller of Jones	Stanley	Wapello
Elthon	Reese		Wilson

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

Senator Knudson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

CONSIDERATION OF SENATE FILE NO. 367 RESUMED

Senator Topping offered the following amendment and moved its adoption:

Amend section 6 by inserting after the word "the" in line 4 the words "Burlington Hawkeye"; also by inserting after the word "at" in line 5 the word "Burlington".

The amendment was adopted.

The bill was read for information.

Senator Hicklin moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 38.

Anderson	Coykendall	Kimberly	Patterson
Aschenbrenner	Doze	Klemme	Pendray
Beardsley	Elthon	Knudson	Ritchie
Beatty	Fisch	McArthur	Roelofs
Bennett	Geske	Meyer	Stevens of
Booth	Hicklin	Miller of	Decatur
Byers	Hill	Buchanan	Topping
Carden	Hopkins	Moore	Valentine
Chrystal	Husted	Mullaney	Wenner
Cooney	Irwin	Nelson	White

Nays, 1.

Shangle

Absent or not voting, 10.

Calhoun	Hush	Schmidt	Stevens of
Frailey	Miller of Jones	Stanley	Wapello
Harrington	Reese		Wilson

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

Senator Topping moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Husted, unanimous consent was granted to return to introduction of bills.

On request of Senator Valentine unanimous consent was granted to leave the number of the bill blank as there were two more bills to be introduced embodying the same subject matter.

INTRODUCTION OF BILLS

Senate File No. 474, by committee on drainage, a bill for an act to provide for the appointment of a conservator for a Drainage District in default to holders of Drainage District Bonds issued by such insolvent district; to provide for reassessment of real estate affected in such drainage district; to provide for the issuance of Conservator's Drainage District Bonds to the bondholders; to provide for adequate proceedings in the district court and to provide for notices and writs incident to the operation of this act.

Read first and second times and referred to sifting committee.

On request of Senator Nelson, 600 extra copies of the amendment to Senate File No. 227, found on page 660 of the Senate Journal were ordered printed.

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which the Senate tabled the motion to reconsider the vote by which the Senate passed House File No. 151.

M. D. COONEY.

REPORT OF SIFTING COMMITTEE

MR. PRESIDENT: Bills on Calendar at close of session March 20th.

S. F. No. 263

S. F. No. 469

S. F. No. 312

S. F. No. 396

S. F. No. 348

S. F. No. 317

S. F. No. 480

H. F. No. 534

S. F. No. 453

H. F. No. 189

S. F. No. 320

Your Sifting Committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar:

H. F. No. 210

S. F. No. 475

S. F. No. 157

S. F. No. 189

S. F. No. 474

S. F. No. 476

S. F. No. 473

S. F. No. 333

H. F. No. 275

S. F. No. 223

H. F. No. 279

S. F. No. 176

H. F. No. 278

S. F. No. 470

H. F. No. 276

S. F. No. 471

S. F. No. 354

S. F. No. 472

Of the above bills, six are being introduced by the Sifting Committee: Senate Files Nos. 470, 471, 472, 473, 475 and 476. Senate Files Nos. 470, 471 and 472 were prepared by the Interim Committee on Governmental Reorganization, working in conjunction with the Brookings Institution.

JOHN K. VALENTINE, *Chairman.*

The Journal of March 18th was corrected and approved.

Senator Valentine moved to adjourn until 10:00 a. m.

Senator White moved to amend by making the time 9:00 a. m.

The amendment was lost.

The motion prevailed and the Senate adjourned until 10:00 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 21, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. C. E. Lookingbill of the Methodist Episcopal Church of Nevada.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Irwin for the day, on request of Senator Kimberly.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Favoring the placing of a tax on the so-called "chain stores" doing business in the state. Senator Moore, from business men of Avoca. Senator Booth, from business men of Harlan. Senator Husted, from business men of Greenfield. Senator Hopkins, from business men of Bayard and Audubon. Senator Bennett, from business men of Missouri Valley. Senator White, from residents of Benton county. Manufacturing, commerce and trade.

Approving prohibition. Senator Wilson, from residents of Iowa county. Senator Wenner, from residents of Grundy county. Judiciary No. 1.

Favoring modification of prohibition laws. Senator Byers, from residents of Linn county. Senator Klemme, from residents of Winneshiek county. Senator Geske, from residents of Clayton county. Judiciary No. 1.

Favoring the use of the gasoline tax for the construction of secondary roads. Senator Chrystal, from residents of Sac county. Highways.

Favoring the passage of Senate File No. 163. Senator Meyer, from citizens of Readlyn. Aircraft, transportation and railroads.

Relating to tax exempt laws. Senator Booth, from residents of Shelby county. Ways and means.

Favoring the passage of Senate File No. 421. Senator Aschenbrenner, from members of Local Union No. 1504, United Mine Workers of America, of Melcher. Labor.

Favoring the passage of Senate File No. 418 and House File No. 447. Senator Schmidt, from citizens of Iowa City. Board of control and cities and towns.

Favoring the passage of House File No. 301. Senator Wenner, from members of the dental profession of Black Hawk county. Public health.

Opposing the repeal of the five day marriage law. Senator Mullaney, from members of the Church of Christ at Oelwein. Judiciary No. 1.

Relating to threshing equipment. Senator Husted, from citizens of Winterset. Agriculture.

Relating to truck legislation. Senator Bennett, from residents of Monona county. Senator Moore, from citizens of Council Bluffs. Motor vehicles.

BILLS SENT TO THE GOVERNOR

Senator Hush from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 21st day of March, 1933, sent to the governor for his approval, Senate File No. 18.

HOMER HUSH, *Chairman.*

Passed on file.

INTRODUCTION OF BILLS

Senate File No. 470, by sifting committee, a bill for an act to better secure the administration of the financial affairs of the State and to establish financial control over all State financial operations, and for that purpose, to vest in the Governor certain powers and duties; to create the office, define the powers and duties and fix the salary of a State Comptroller; to abolish the

State Board of Audit, and to transfer its personnel, appropriations, records, equipment and other property to the Office of State Comptroller; to abolish the Office of Director of the Budget and to transfer its personnel, appropriations, records, equipment and other property in part to the Office of State Comptroller and, in part to the Office of State Auditor; to relieve the Board of Control of certain accounting and auditing duties and to provide for the transfer of certain employees and the unexpended balance of appropriations made for salaries, together with certain books, records, documents, papers, office furniture and equipment and other property to the Office of State Comptroller; to relieve the Auditor of State of certain duties and to provide for the transfer of certain employees and the unexpended balance of appropriations made for salaries, together with certain books, records, documents, papers, office furniture and equipment and other property to the Office of State Comptroller; to establish a State budget system; to provide for lapsing of appropriations; to provide for the transmission of the budget to the Legislature; to provide a method for securing estimates of appropriations and for estimates of income of the State; to provide a tentative budget and to provide for hearings on the same; to provide for transmission of the tentative budget to the Governor; to provide for allotment of appropriations to prevent an overdraft or a deficit in any fiscal year for which appropriations are made; to control departmental and institutional receipts; to provide an appropriation for printing, installation expenses and operating supplies; to establish a uniform fiscal year for all State departments and establishments; to prevent the wrongful expending of appropriations and to provide penalties and punishment; to provide when this Act shall go into effect and to repeal all Code sections and all Acts or parts of Acts in conflict with this Act.

Read first and second times and placed on the calendar.

Senate File No. 471, by sifting committee, a bill for an act to redefine the duties of the Auditor of State; to concentrate all post-auditing and examining functions of State and Local governments in the Auditor of State; to require biennial and individual audit reports; to restrict the Auditor's duties; to fix the salary of the Auditor of State; to provide the personnel required by the Auditor of State's Office; to make an appropriation for additional

accountants, examiners, assistants and clerks needed to audit all State institutions under the Board of Control and the State Board of Education formerly audited by certified public accountants; to provide when this Act shall go into effect; and to repeal all Code Sections and all Acts or parts of Acts in conflict with this Act.

Read first and second times and placed on the calendar.

Senate File No. 472, by sifting committee, a bill for an act to amend Sections one hundred thirty-three (133), one hundred thirty-four (134), one hundred thirty-five (135), one hundred thirty-seven (137), one hundred forty-three-b two (143-b2), one hundred forty-three-b three (143-b3), one hundred forty-four (144), one hundred forty-five (145), Code 1931, to conform to the Budget and Financial Control and State Audit Acts, and to authorize the State Treasurer to accept and pay warrants drawn on him by the State Comptroller.

Read first and second times and placed on the calendar.

Senate File No. 473, by sifting committee, a bill for an act extending the time in which to pay, without penalty, the first installment of all taxes payable in 1933, and to provide for interest on said installment in case payment is not made within the time specified.

Read first and second times and placed on the calendar.

Senate File No. 475, by sifting committee, a bill for an act to legalize the Renewal, Amended and Substituted Articles of Incorporation of the Marshall County Farmers Mutual Fire Insurance Association, of Marshalltown, Iowa, a corporation organized under the provisions of Chapter three hundred ninety-four (394), Title nineteen (XIX), of the Code of Iowa, and operating as a county mutual insurance association under the provisions of Chapter four hundred six (406), Title twenty (XX), of the Code of Iowa.

Read first and second times and placed on the calendar.

Senate File No. 476, by sifting committee, a bill for an act to amend section nine thousand and fifty-eight (9058), as it appears in the Code of 1931, relating to official bonds for mutual fire, tornado, hailstorm and other assessment insurance associations.

Read first and second times and placed on the calendar.

SENATE CONCURRENT RESOLUTION NO. 20 CONSIDERED

Senator Valentine called up for consideration Senate Concurrent Resolution No. 20, found on page 722 of the Senate Journal, and moved its adoption.

The resolution was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House :

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked :

House File No. 533, a bill for an act relating to purchase of office equipment and machinery for State use.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked :

House File No. 307, a bill for an act relating to legalizing execution sales.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked :

House File No. 390, a bill for an act relating to investment of funds of insurance companies.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked :

House File No. 223, a bill for an act relating to bounties for wild animals.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked :

House File No. 537, a bill for an act relating to appropriation to J. W. Arnett.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked :

House File No. 348, a bill for an act relating to appropriation to G. G. Gregg.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked :

House File No. 349, a bill for an act relating to township licenses of places of amusement.

Also, that the House has concurred in the following Senate Concurrent Resolution, in which the concurrence of the House was asked :

Senate Concurrent Resolution No. 16, relating to relief system for American farmers.

Also, that the House has adopted the following House Concurrent Resolution, in which the concurrence of the Senate is asked :

House Concurrent Resolution No. 22, relating to state bird for Iowa.

Also, that the House has concurred in the Senate amendments to the following bill, in which the concurrence of the House was asked :

House File No. 541, a bill for an act relating to covering claims against banks and trust companies.

LLOYD ELLIS, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION NO. 22

Whereas, the Twenty-sixth General Assembly of the State of Iowa, in the year 1897, by Concurrent Resolution, adopted the Wild Rose as the state flower of Iowa, the record of which is duly recorded in Senate Journal, pages 1124 and 1164, and in House Journal, page 1025; and

Whereas, many states have not only adopted certain named flowers as their state flowers, but have also adopted certain named birds as their state birds, and

Whereas, the Iowa Ornithological Union, an association comprising students and lovers of birds, residing within our state, at their annual meeting held in Des Moines, Iowa, in May, 1932, by resolution and vote, designated the Eastern Goldfinch as their choice for a state bird, and recommended that said Eastern Goldfinch be adopted as the official state bird of Iowa, therefore,

Be It Resolved in the House of Representatives, the Senate concurring, That the Eastern Goldfinch, *Spinus tristis tristis*, is hereby designated and shall hereafter be officially known as the state bird of Iowa.

HOUSE MESSAGES CONSIDERED

House File No. 533, a bill for an act to require the Executive Council of the State of Iowa and all State Institutions and State Purchasing Agents, to accept competitive bids for all supplies costing over one hundred dollars (\$100.00), including office equipment, automobiles, and machinery purchased by them and that business institutions owned in the state be given preference when the bids are equal.

Read first and second times and referred to sifting committee.

House File No. 307, a bill for an act to legalize execution sales made by execution officers without making proper and required entries and indorsements on the execution, as provided by law.

Read first and second times and referred to sifting committee.

House File No. 390, a bill for an act to amend section eight thousand seven hundred thirty-seven (8737), Code, 1931, relating to investment of funds of insurance companies.

Read first and second times and referred to sifting committee.

House File No. 223, a bill for an act to amend section fifty-four hundred thirteen (5413), code 1931, relating to bounties for wild animals caught and killed within the county.

Read first and second times and referred to sifting committee.

House File No. 537, a bill for an act to make an appropriation to J. W. Arnett, for injuries received at Ft. Madison.

Read first and second times and referred to committee on appropriations.

House File No. 348, a bill for an act to make an appropriation to G. G. Gregg, for damage for loss of corn because of insufficient opening in bridge on Highway No. 32, near Oakland, Iowa.

Read first and second times and referred to committee on appropriations.

House File No. 349, a bill for an act to amend sections fifty-five hundred eighty-two (5582), fifty-five hundred eighty-three (5583), fifty-five hundred eighty-five (5585), fifty-five hundred eighty-six (5586), and fifty-five hundred eighty-seven (5587), Code, 1931, relating to township licenses of places of amusement.

Read first and second times and referred to sifting committee.

CONSIDERATION OF HOUSE FILE NO. 534 RESUMED

Senator Hopkins called up for consideration his amendment found on page 739 of the Senate Journal and asked that it be withdrawn.

Senator Hush offered the following amendment and moved its adoption:

Strike all of lines six (6) and seven (7) of section one (1) and insert in lieu thereof the following:

“only by an affirmative vote of sixty (60) per cent of the votes cast for and against such proposition at an election which may be called by the county superintendent of schools upon a petition for such election being presented signed by twenty-five (25) per cent of the electors in such township.”

The amendment was adopted.

Senator Wenner offered the following amendment to the amendment and moved its adoption:

Amend by striking from line 3 thereof the words and figures “sixty (60) per cent” and inserting in lieu thereof the words “a majority”.

The amendment was adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 42.

Anderson	Fisch	McArthur	Ritchie
Aschenbrenner	Frailey	Meyer	Roelofs
Bennett	Geske	Miller of	Schmidt
Booth	Harrington	Buchanan	Shangle
Byers	Hicklin	Miller of Jones	Stanley
Carden	Hill	Moore	Stevens of
Chrystal	Hopkins	Mullaney	Decatur
Cooney	Hush	Nelson	Topping
Coykendall	Husted	Patterson	Wenner
Doze	Kimberly	Pendray	White
Elthon	Klemme	Reese	Wilson

Nays, none.

Absent or not voting, 7.

Beardsley	Calhoun	Knudson	Valentine
Beatty	Irwin	Stevens of	
		Wapello	

The bill having received a constitutional majority was declared to have passed the Senate.

On request of Senator Stanley, unanimous consent was granted to amend the title by inserting after words "relating to" in the second line the words "the discontinuance of".

The title as amended was agreed to.

Senator Hopkins moved that the vote by which the bill passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Stanley Senate File No. 338, a bill for an act to amend section four hundred fifty-nine (459) of the Code of 1931, relating to Military stores property of the State, with report of appropriations committee recommending amendment and passage, was taken up, considered and the report of the committee adopted.

The following committee amendment was considered:

Amend section 1 by striking from line seven the words "sufficient amount" and inserting in lieu thereof the following:

"an amount not to exceed three thousand dollars (\$3,500) in each year".

Senator Stanley offered the following amendment to the amendment and moved its adoption:

Amend by striking the words and figures "three thousand dollars (\$3,500)" and inserting in lieu thereof the words and figures "two thousand five hundred dollars (\$2,500)".

The amendment to the amendment was adopted.

The amendment as amended was adopted.

The bill was read for information.

Senator Stanley moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 38.

Anderson	Fisch	McArthur	Ritchie
Beardsley	Frailey	Meyer	Roelofs
Bennett	Geske	Miller of	Schmidt
Booth	Harrington	Buchanan	Stanley
Byers	Hicklin	Miller of Jones	Stevens of
Carden	Hill	Moore	Decatur
Chystal	Hopkins	Mullaney	Topping
Cooney	Kimberly	Nelson	Valentine
Coykendall	Klemme	Pendray	Wenner
Elthon	Knudson	Reese	White

Nays, 3.

Aschenbrenner	Doze	Shangle
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Absent or not voting, 8.

Beatty	Husted	Stevens of	Wilson
Calhoun	Irwin	Wapello	
Hush	Patterson		

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

On motion of Senator White House File No. 245, a bill for an act to amend Chapter twenty (20) Code 1931, by adding section three hundred thirty-eight-e1 (338-e1) relating to the state budget, with report of appropriations committee recommending amendment and passage, was taken up, considered and the report of the committee adopted.

The following committee amendment was considered:

Amend section one by striking from lines eleven (11) and twelve (12) the words "uniformly and by the same percentage" and by inserting in lieu thereof the following: "as nearly uniformly as practicable".

Senator Shangle offered the following amendment and moved its adoption:

Amend section 1 by striking the word "authorized" from line 3, and inserting in lieu thereof the word "directed"; also in line 7 by striking the words "have the power to".

Senator Valentine moved to defer action until Thursday, March 23d, at 10:30 a. m. The motion prevailed.

On motion of Senator Topping Senate File No. 317, a bill for an act to amend Sections Six Thousand Nine Hundred and seventy-nine (6979) and Six Thousand Nine Hundred and eighty-one (6981) of the Code of Iowa, 1931, relative to the assessment of public utility plants and the personal property thereof, returned by the sifting committee, was taken up and considered.

Senator Topping offered the following amendments and moved their adoption:

Amend the title by striking the words "public utility plants" in line four (4) and substituting in lieu thereof the following "water works plants".

Also in Section one (1), line four (4) insert after the word "assessment", "of water works plants".

Also in Section two (2), line four (4), insert after the word "assessment", "of water works plants".

The amendments were adopted.

The bill was read for information.

Senator Topping moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 47.

Anderson	Fisch	McArthur	Schmidt
Aschenbrenner	Frailey	Meyer	Shangle
Beardsley	Geske	Miller of	Stanley
Beatty	Harrington	Buchanan	Stevens of
Bennett	Hicklin	Miller of Jones	Decatur
Booth	Hill	Moore	Stevens of
Byers	Hopkins	Mullaney	Wapello
Calhoun	Hush	Nelson	Topping
Carden	Husted	Patterson	Valentine
Cooney	Irwin	Pendray	Wenner
Coykendall	Kimberly	Ritchie	White
Doze	Klemme	Roelofs	Wilson
Elthon	Knudson		

Nays, none.

Absent or not voting, 2.

Chrystal Reese

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

Senator Topping moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

CONSIDERATION OF SENATE FILE NO. 396 RESUMED

Senator Hicklin called up for consideration, Senate File No. 396, action having been deferred on page 737 of the Senate Journal.

The bill was read for information.

Senator Hicklin moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 45.

Anderson	Elthon	Klemme	Schmidt
Aschenbrenner	Fisch	Knudson	Shangle
Beardsley	Frailey	McArthur	Stanley
Beatty	Geske	Miller of	Stevens of
Bennett	Harrington	Buchanan	Decatur
Booth	Hicklin	Miller of Jones	Stevens of
Byers	Hill	Moore	Wapello
Calhoun	Hopkins	Mullaney	Topping
Carden	Hush	Pendray	Valentine
Cooney	Husted	Reese	Wenner
Coykendall	Irwin	Ritchie	White
Doze	Kimberly	Roelofs	Wilson

Nays, none.

Absent or not voting, 4.

Chrystal	Meyer	Nelson	Patterson
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Nelson submitted the following:

SENATE CONCURRENT RESOLUTION NO. 21

Whereas, we have, from time to time, existing surpluses of grain production throughout the various grain production areas of the United States, and

Whereas, such existing surpluses have always reacted to the disadvantage and direct loss of the producer, and

Whereas, these surpluses have been created at least in part, through the transition from horse drawn vehicles and machinery to motor propelled vehicles, and machinery, and that said transition has displaced the consumption throughout the nation of thirty million acres of agricultural products, and

Whereas, the solution of grain surplus situation can best be solved by devising new methods of consumption, and

Whereas, the manufacture of grain alcohol as a blend for motor vehicle fuel offers the best potential field for increased consumption of grain surpluses, and

Whereas, practical tests have established the efficiency and superiority of alcohol gasoline blends for motor vehicle fuel, and

Whereas, vast imports of blackstrap molasses are now permitted, duty free, to enter into competition with domestic agricultural products in the manufacture of alcohol for industrial purposes, and

Whereas, an emergency now exists wherein agricultural products are selling at a price below cost of production, now, therefore,

Be It Resolved by the Senate of the State of Iowa, the House of Representatives concurring, That we memorialize the Congress of the United States to give serious consideration to the enactment of legislation tending to promote and develop the production of grain or ethyl alcohol to be used as a blend with petroleum products for motor vehicle fuel, and that an import duty be placed on blackstrap molasses entering the United States for the manufacture of ethyl or industrial alcohol in competition with agricultural products grown within the Continental United States, said import duty to make the price of molasses comparable to a price of fifty-five (55) cents per bushel on corn at Chicago, and a relative value on other cereals.

Be It Further Resolved, That a copy of this resolution be forwarded by the Secretary of the Senate to the Secretary of the United States Senate and the Chief Clerk of the House of Representatives, and that copies be sent to each Iowa member of Congress.

Be It Further Resolved, That copies of this resolution be sent to the Secretary and Chief Clerk, respectively, of the General Assemblies of Minnesota, Illinois, Missouri, Kansas, South Dakota and Nebraska, asking that similar action be taken by the General Assemblies of the above mentioned states.

FRED W. NELSON.

Passed on file.

The Journal of March 20th was corrected and approved.

Senator Klemme moved to adjourn until 1:30 p. m. today.

Senator White moved to amend by making the time 9:00 a. m. Wednesday. The amendment was adopted.

The motion prevailed and the Senate adjourned until 9:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 22, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. J. E. DeLong, pastor of the Methodist Episcopal Church of Nora Springs.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Stevens of Wapello for the day, on request of Senator Beatty.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Favoring modification of prohibition laws. Senator Schmidt, from residents of Johnson county. Senator Anderson, from residents of Webster and Calhoun counties. Judiciary No. 1.

Favoring the placing of a tax on the so-called "chain stores" doing business in the state. Senator Byers, from residents of Linn county. Manufacturing, commerce and trade.

Favoring the repeal of the deficiency judgment law, and the adoption of a state income tax law. Senator Patterson, from citizens of Mallard. Emergency legislation.

Favoring the passage of House File No. 301. Senator Wenner, from dentists of Cedar Falls. Public health.

Favoring the passage of House Files Nos. 300, 242 and 377, and Senate Files Nos. 334 and 328. Senator Patterson, from citizens of West Bend. Insurance, cities and towns, and board of control.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor stating that on March 18th he had approved the following bills:

Senate File No. 52, relating to the method of estimating and certifying the school budget.

Senate File No. 71, relating to the publication of the proceedings of boards of supervisors.

Senate File No. 56, relating to the printing of court calendars.

Senate File No. 91, relating to appropriations of public funds.

Also that on March 21st he had approved:

Senate File No. 18, relating to the auditing of state institutions.

SIFTING COMMITTEE REPORT

MR. PRESIDENT: Your Sifting Committee begs leave to report that it has had under consideration Senate File No. 290, a bill for an act to amend Section 4755-b32 of the Code of 1931, relating to the financing of primary road bonds and bonds issued to refund primary road bonds, and recommends that it be amended as follows; and when so amended the bill be placed upon the calendar:

Amend by inserting after Section 4 as Section 5, the following, and renumber the remaining sections:

"Sec. 5. If in any year the available primary road funds are in excess of the amount required in said year to maintain the primary roads and to pay the interest and principal accruing and maturing on primary road bonds in said year, the State Executive Council may require that said excess primary road funds not exceeding two million dollars in said year, shall be used to call in and pay off additional primary road bonds which do not mature in said year."

Your Sifting Committee has also had under consideration the following bills, and requests that they also be placed upon the calendar:

S. F. No. 363

S. F. No. 291

S. F. No. 332

S. F. No. 221

S. F. No. 289

S. F. No. 269

Your Sifting Committee also wishes to report out as a Sifting Committee bill, Senate File No. 477, a bill for an act to provide for a Constitutional convention to determine whether or not Iowa shall ratify the repeal of the 18th Amendment, and requests that same be placed upon the calendar.

JOHN K. VALENTINE, *Chairman.*

HOUSE CONCURRENT RESOLUTION NO. 22 CONSIDERED

Senator Carden called up for consideration House Concurrent Resolution No. 22, found on page 748 of the Senate Journal and moved its adoption.

The resolution was adopted.

SENATE CONCURRENT RESOLUTION NO. 21 CONSIDERED

Senator Nelson called up for consideration Senate Concurrent Resolution No. 21, found on page 753 of the Senate Journal, and moved its adoption.

The resolution was adopted.

THIRD READING OF BILLS

On motion of Senator Schmidt House File No. 210, a bill for an act to repeal section fifty-six hundred thirty-two (5632), Code, 1931, and enacting a substitute therefor, making the election of the police judge optional in cities of the first class, returned by the sifting committee, was taken up and considered.

Senator Wilson was called to the chair at 9:22 a. m.

The bill was read for information.

Senator Schmidt moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 36.

Aschenbrenner	Geske	Meyer	Schmidt
Beardsley	Harrington	Miller of	Shangle
Beatty	Hill	Buchanan	Stanley
Booth	Hopkins	Miller of Jones	Stevens of
Byers	Hush	Moore	Decatur
Carden	Husted	Mullaney	Valentine
Chrystal	Irwin	Nelson	Wenner
Coykendall	Kimberly	Patterson	White
Doze	Klemme	Pendray	Wilson
Elthon	McArthur		

Nays, none.

Absent or not voting, 13.

Anderson	Fisch	Reese	Stevens of
Bennett	Frailley	Ritchie	Wapello
Calhoun	Hicklin	Roelofs	Topping
Cooney	Knudson		

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

Senator Schmidt moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Schmidt, unanimous consent was granted to message House File No. 210 to the House immediately.

On motion of Senator Klemme Senate File No. 157, a bill for an act to amend sections fifty-eight hundred seventy-five (5875), and sixty-two hundred nine (6209), Code, 1931, relating to the control of the city bridge fund and the tax levy therefor in cities of the first and second class, returned by the sifting committee, was taken up, and considered.

The bill was read for information.

Senator Klemme moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 14.

Aschenbrenner	Coykendall	Klemme	Stevens of
Byers	Harrington	Mullaney	Decatur
Carden	Irwin	Schmidt	Wilson
Chrystal	Kimberly	Stanley	

Nays, 13.

Beardsley	Hopkins	McArthur	Pendray
Doze	Hush	Miller of Jones	Reese
Elthon	Husted	Nelson	Shangle
Hill			

Absent or not voting, 22.

Anderson	Fisch	Miller of	Stevens of
Beatty	Frailey	Buchanan	Wapello
Bennett	Geske	Moore	Topping
Booth	Hicklin	Patterson	Valentine
Calhoun	Knudson	Ritchie	Wenner
Cooney	Meyer	Roelofs	White

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Carden House File No. 275, a bill for an act to amend Section seventeen hundred ninety-nine-b one (1799-b1) Code, 1931, so as to permit the Board of Conservation to fix speed limits and otherwise regulate traffic on roads and drives upon state lands and parks and to regulate parking of vehicles thereon, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Carden moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 35.

Aschenbrenner	Elthon	McArthur	Ritchie
Beardsley	Geske	Meyer	Shangle
Beatty	Harrington	Miller of Jones	Stanley
Booth	Hill	Moore	Stevens of
Byers	Hopkins	Mullaney	Decatur
Carden	Hush	Nelson	Valentine
Chrystal	Husted	Patterson	Wenner
Coykendall	Irwin	Pendray	White
Doze	Kimberly	Reese	Wilson

Nays, 1.

Klemme

Absent or not voting, 13.

Anderson	Fisch	Miller of	Stevens of
Bennett	Frailey	Buchanan	Wapello
Calhoun	Hicklin	Roelofs	Topping
Cooney	Knudson	Schmidt	

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

Senator Carden moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Carden House File No. 276, a bill for an act to amend Section seventeen hundred ninety-nine (1799) Code, 1931, to permit the Board of Conservation to maintain, improve or beautify state-owned, meandered and navigable lakes and streams, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Carden moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 33.

Aschenbrenner	Geske	Miller of Jones	Shangle
Beardsley	Hill	Moore	Stanley
Booth	Hopkins	Mullaney	Stevens of
Byers	Hush	Nelson	Decatur
Carden	Husted	Patterson	Valentine
Chrystal	Irwin	Pendray	Wenner
Coykendall	Kimberly	Reese	White
Doze	McArthur	Ritchie	Wilson
Elthon	Meyer		

Nays, none.

Absent or not voting, 16.

Anderson	Fisch	Knudson	Schmidt
Beatty	Frailey	Miller of	Stevens of
Bennett	Harrington	Buchanan	Wapello
Calhoun	Hicklin	Roelofs	Topping
Cooney	Klemme		

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

Senator Carden moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Carden, unanimous consent was granted to withdraw Senate Files Nos. 225 and 272, companion bills to the House Files Nos. 275 and 276 as passed.

On motion of Senator Roelofs House File No. 279, a bill for an act to repeal section eighteen hundred twenty-six (1826) Code, 1931, and to enact a substitute therefor authorizing the Board of Conservation to fix the level of dams or spillways at the outlets of lakes and across streams, to construct same, to provide the procedure, and for the assessment of damages, returned by the sifting committee, was taken up and considered.

On request of Senator Roelofs unanimous consent was granted to defer action, such bill to retain its place on the calendar.

On motion of Senator Carden House File No. 278, a bill for an act to repeal section eighteen hundred twenty-four (1824) Code, 1931, and enacting a substitute therefor, permitting the Executive Council, upon recommendation of the Board of Conservation, to sell, trade or exchange state-owned lands under the jurisdiction of said board, and providing for the use of the proceeds of such sale or transfer and for the issuance of patents therefor, returned by the sifting committee, was taken up and considered.

Senators Patterson and Elthon offered the following amendment and moved its adoption :

Amend by changing the period in line 8 after the word "purposes" to a comma and adding the following: "excepting state owned meandered lands already surveyed and platted at state expense as a conservation plan and project tentatively adopted and now in the process of rehabilitation and development authorized by a special legislative act".

The amendment was adopted.

The bill was read for information.

Senator Carden moved that the reading just had be considered the third reading; which motion prevailed.

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

Ayes, 38.

Anderson	Geske	Meyer	Ritchie
Aschenbrenner	Hill	Miller of	Schmidt
Beardsley	Hopkins	Buchanan	Shangle
Booth	Husb	Miller of Jones	Stanley
Byers	Husted	Moore	Stevens of
Carden	Irwin	Mullaney	Decatur
Chrystal	Kimberly	Nelson	Valentine
Coykendall	Klemme	Patterson	Wenner
Doze	Knudson	Pendray	White
Elthon	McArthur	Reese	Wilson

Nays, none.

Absent or not voting, 11.

Beatty	Cooney	Harrington	Stevens of
Bennett	Fisch	Hicklin	Wapello
Calhoun	Frailley	Roelofs	Topping

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

Senator Carden moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Hill, unanimous consent was granted to withdraw Senate File No. 271, a companion bill to the one just passed.

On motion of Senator Irwin Senate File No. 354, a bill for an act (1) to authorize the Superintendent of Banking as Receiver of closed banks under his jurisdiction to borrow from the Reconstruction Finance Corporation or other party and to pledge, hypothecate and/or sell the assets for the purpose of furnishing more immediate relief to depositors and creditors of any such bank; (2) For a period ending January 1st, 1938 (a) To increase the amount of Anticipatory Warrants that may be issued under the State Sinking Fund; (b) To lower interest rate of said Anticipatory Warrants; (c) To lower the denominations of said warrants; (d) To lower the interest payable on all warrants public bodies or the State may issue and to provide for their reissue if necessary to meet current expenses; (3) To provide for "Service Charges"; (4) Provision as emergency

legislation; (5) Act deemed separable; (6) Publication clause, returned by the sifting committee, was taken up and considered.

Senator Irwin offered the following amendment and moved its adoption:

Amend by striking from line one (1) of Section nine (9) the words "Publication Clause." and inserting in lieu thereof the following:

"This act, being deemed of immediate importance, shall be in full force and effect after its passage and publication in the Clinton Herald, a newspaper published at Clinton, Iowa, and in the DeWitt Observer, a newspaper published at DeWitt, Iowa."

Senator Patterson moved to defer action, such bill to come up as unfinished business tomorrow. The motion prevailed.

On motion of Senator Reese Senate File No. 475, a bill for an act to legalize the Renewal, Amended and Substituted Articles of Incorporation of the Marshall County Farmers Mutual Fire Insurance Association, of Marshalltown, Iowa, a corporation organized under the provisions of Chapter three hundred ninety-four (394), Title nineteen (XIX), of the Code of Iowa, and operating as a county mutual insurance association under the provisions of Chapter four hundred six (406), Title twenty (XX), of the Code of Iowa, a sifting committee bill, was taken up and considered.

Senator Reese offered the following amendment and moved its adoption:

Amend by adding as section 2 the following:

"Sec. 2. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Marshalltownian and the Times-Republican, newspapers published in Marshalltown, Iowa, without expense to the state."

The amendment was adopted.

The bill was read for information.

Senator Reese moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 43.

Anderson	Calhoun	Geske	Husted
Aschenbrenner	Carden	Harrington	Irwin
Beardsley	Cooney	Hicklin	Kimberly
Beatty	Coykendall	Hill	Klemme
Bennett	Elthon	Hopkins	Knudson
Byers	Fisch	Hush	McArthur

Meyer	Nelson	Roelofs	Topping
Miller of Buchanan	Patterson	Schmidt	Valentine
Miller of Jones	Pendray	Shangle	Wenner
Moore	Reese	Stanley	Wilson
Mullaney	Ritchie	Stevens of Decatur	

Nays, none.

Absent or not voting, 6.

Booth	Doze	Stevens of	White
Chrystal	Frailey	Wapello	

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

Senator Reese moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Reese, unanimous consent was granted to message Senate File No. 475 to the House immediately.

On motion of Senator Irwin Senate File No. 189, a bill for an act to amend section seventy-four hundred twenty-d one (7420-d1), Code, 1931, relating to deposits of clerks and bailiffs of municipal courts, with report of committee recommending amendment and passage, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Irwin moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 41.

Anderson	Elthon	Klemme	Ritchie
Aschenbrenner	Fisch	Knudson	Roelofs
Beardsley	Geske	Meyer	Shangle
Beatty	Harrington	Miller of	Stanley
Bennett	Hicklin	Buchanan	Stevens of
Booth	Hill	Miller of Jones	Decatur
Byers	Hopkins	Moore	Topping
Calhoun	Hush	Mullaney	Valentine
Carden	Husted	Nelson	Wenner
Cooney	Irwin	Patterson	Wilson
Coykendall	Kimberly	Pendray	

Nays, none.

Absent or not voting, 8.

Chrystal	McArthur	Stevens of	White
Doze	Reese	Wapello	
Frailey	Schmidt		

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

Senator Irwin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Wenner Senate File No. 476, a bill for an act to amend section nine thousand and fifty-eight (9058), as it appears in the Code of 1931, relating to official bonds for mutual fire, tornado, hailstorm and other assessment insurance associations, a sifting committee bill, was taken up and considered.

The bill was read for information.

Senator Wenner moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 41.

Anderson	Fisch	Meyer	Roelofs
Aschenbrenner	Geske	Miller of	Shangle
Bennett	Harrington	Buchanan	Stanley
Booth	Hopkins	Miller of Jones	Stevens of
Byers	Hush	Moore	Decatur
Calhoun	Husted	Mullaney	Topping
Carden	Irwin	Nelson	Valentine
Chrystal	Kimberly	Patterson	Wenner
Cooney	Klemme	Pendray	White
Coykendall	Knudson	Reese	Wilson
Elthon	McArthur	Ritchie	

Nays, none.

Absent or not voting, 8.

Beardsley	Frailey	Hill	Stevens of
Beatty	Hicklin	Schmidt	Wapello
Doze			

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

Senator Wenner moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Topping Senate File No. 473, a bill for an act extending the time in which to pay, without penalty, the first installment of all taxes payable in 1933, and to provide for interest on said installment in case payment is not made within the time specified, a sifting committee bill, was taken up and considered.

Senator Harrington moved the previous question, which motion prevailed.

The bill was read for information.

Senator Topping moved that the reading just had be considered the third reading, which motion prevailed.

Rule 8 was invoked.

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

Ayes, 32.

Anderson	Coykendall	Klemme	Schmidt
Aschenbrenner	Elthon	Knudson	Shangle
Beardsley	Geske	Meyer	Stevens of
Beatty	Harrington	Miller of Jones	Decatur
Bennett	Hicklin	Moore	Topping
Byers	Hill	Mullaney	Valentine
Carden	Irwin	Pendray	White
Chrystal	Kimberly	Reese	Wilson
Cooney			

Nays, 12.

Booth	Husted	Nelson	Stanley
Calhoun	McArthur	Patterson	Wenner
Hopkins	Miller of	Ritchie	
Hush	Buchanan		

Absent or not voting, 5.

Doze	Frailley	Roelofs	Stevens of
Fisch			Wapello

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

Senator Topping moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Topping, unanimous consent was granted to message the bill to the House immediately.

On motion of Senator Byers Senate File No. 333, a bill for an act to repeal Sections ninety three hundred seven (9307), ninety three hundred eight (9308), ninety three hundred twenty three (9323), ninety three hundred twenty four (9324), ninety three hundred twenty five (9325), ninety three hundred twenty six (9326), ninety three hundred twenty seven (9327), and ninety three hundred fifty three (9353), of the Code of Iowa; amending Sections ninety three hundred forty (9340), ninety three hundred fifty two (9352),

ninety three hundred fifty four (9354), and ninety three hundred sixty two (9362); for regulation, supervision and examination of building and loan associations and savings and loan associations; defining and limiting territory within which mortgage loans may be made; for specifying exclusive liquidation proceedings; for providing for joint ownership of shares and the withdrawal thereof; for making publication of malicious, felonious reports concerning building and loan associations and savings and loan associations a felony and for punishment for the same; to amend Section twelve thousand seven hundred seventy two (12,772), of the Code of Iowa and make the bonds issued by Federal Home Loan Banks and shares issued by building and loan and savings and loan associations, incorporated under the laws of Iowa, authorized investments for trust funds by fiduciaries, returned by the sifting committee, was taken up and considered.

Senator Byers offered the following amendments and moved their adoption:

Amend by striking out comma after the word "situated" in line 6 of section 7, and further striking all following said comma in said section and inserting in lieu thereof the following:

"or in counties immediately adjoining or abutting on such county."

Further amend by striking out section 10 thereof and inserting in lieu thereof the following:

"Sec. 10. That section 9323 of the Code of Iowa, 1931, be and the same is hereby amended by striking the word "local" in the first line thereof; that section 9359 of the Code of Iowa, 1931, be and the same is hereby amended by striking the word "local" in the second line thereof; that section 9381 of the Code of Iowa, 1931, be and the same is hereby amended by striking the word "local" in the second line thereof."

Further amend by adding Sec. 11 as follows:

"Sec. 11. If any portion of this act is held unconstitutional or invalid by the courts, such decision shall not affect the remaining portion of this act."

The amendments were adopted.

The bill was read for information.

Senator Byers moved that the reading just had be considered the third reading, which motion prevailed.

Rule 8 was invoked.

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

Ayes, 32.

Anderson	Elthon	Miller of Jones	Stanley
Bennett	Geske	Moore	Stevens of
Booth	Hicklin	Mullaney	Decatur
Byers	Hopkins	Nelson	Topping
Calhoun	Irwin	Pendray	Valentine
Carden	Kimberly	Reese	Wenner
Cooney	McArthur	Schmidt	White
Coykendall	Meyer	Shangle	Wilson
Doze			

Nays, 9.

Aschenbrenner	Hill	Husted	Patterson
Beatty	Hush	Knudson	Ritchie
Chrystal			

Absent or not voting, 8.

Beardsley	Harrington	Miller of	Stevens of
Fisch	Klemme	Buchanan	Wapello
Frailey		Roelofs	

The bill having received a constitutional majority was declared to have passed the Senate.

On request of Senator Byers, unanimous consent was granted to amend the title as follows:

Strike out the entire title and insert in lieu thereof the following:

A bill for an act to repeal Sections ninety three hundred seven (9307), ninety three hundred eight (9308), and ninety three hundred fifty three (9353), of the Code of Iowa; amending Sections ninety three hundred forty (9340), ninety three hundred fifty two (9352), ninety three hundred fifty four (9354), ninety three hundred sixty two (9362), ninety three hundred twenty three (9323), ninety three hundred fifty nine (9359) and ninety three hundred eighty one (9381); defining domestic building and loan associations; for the regulation, supervision and examination of building and loan associations and savings and loan associations; defining and limiting territory within which mortgage loans may be made; authorizing the regulation of withdrawals and the payment of dividends; for specifying exclusive liquidation proceedings; for providing for joint ownership of shares and the withdrawal thereof; for making publication of malicious, felonious reports concerning building and loan associations and savings and loan associations a felony and for punishment for the same; to amend Section twelve thousand seven hundred seventy two (12,772), of the Code of Iowa and make the bonds issued by Federal Home Loan Banks and shares issued by building and loan and savings and loan associations, incorporated under the laws of Iowa, authorized investments for trust funds by fiduciaries.

The title as amended was agreed to.

Senator Byers moved that the vote by which the bill passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 382, a bill for an act relating to the distribution and regulation in the sale of replacement and repair parts of machines.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 532, a bill for an act relating to licensing motor trucks operated in cities and towns.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 364, a bill for an act relating to refunds to tax payers in Montour School District, Tama County, Iowa.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 281, a bill for an act relating to the deposit of public funds.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 197, a bill for an act relating to a five mill deduction in tax levy on real estate.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 164, a bill for an act relating to duties of pedestrians using the primary highways.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 93, a bill for an act relating to motor vehicle license fees.

Also, that the House has concurred in Senate Amendments to House File No. 534, a bill for an act relating to township high schools.

Also, that the House has concurred in Senate Amendments to House File No. 243, a bill for an act relating to method of increasing or reducing number of members on Boards of Supervisors.

Also, that the House has concurred in Senate Amendments to House File No. 299, a bill for an act relating to prohibiting fraudulent advertising or selling of seed corn.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 333, a bill for an act relative to duties of assistants and clerks in County Offices.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 343, a bill for an act relating to anticipatory warrants.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 381, a bill for an act relating to the custody of persons paroled by the Court.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 384, a bill for an act relating to heating of club house of the Izaak Walton League of the Des Moines Chapter.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 410, a bill for an act relating to the relief for soldiers, sailors and marines.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 448, a bill for an act relative to costs of contesting elections of County Officers.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 529, a bill for an act legalizing the proceedings of the City Council of Davenport, Iowa. LLOYD ELLIS, *Chief Clerk.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Substitute for House File No. 1 and House Files Nos. 3, 13, 28, 53, 58, 84, 102, 150, 242, 534, 541 and 210.

HOMER HUSH, Chairman Senate Committee.

WM. KOCH, Chairman House Committee.

Report adopted.

On request of Senator Valentine, unanimous consent was granted to return to introduction of bills.

INTRODUCTION OF BILLS

Senate File No. 477, by sifting committee, a bill for an act to provide for a State Constitutional Convention to consider the ratification or rejection of amendment or amendments to the Constitution of the United States, as proposed and submitted by the Congress of the United States, and for the calling of a special election to elect delegates at large to such convention.

Read first and second times and placed on the calendar.

On motion of Senator Shangle the Senate recessed until 1:30 p. m. today.

AFTERNOON SESSION

The Senate reconvened at the fall of the gavel, President N. G. Kraschel presiding.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Substitute for House File No. 1 and House Files Nos. 3, 13, 28, 53, 58, 84, 102, 150, 242, 534, 541 and 210.

Senator Knudson submitted the following:

WALLACE MEMORIAL RESOLUTION

Senator Knudson asked unanimous consent to consider the following resolution and moved its adoption:

Whereas, the Honorable Joseph Wallace, formerly of Hardin County, who was a member of the Senate in the Twenty-seventh and Twenty-eighth General Assemblies, from the Thirty-seventh Senatorial District composed of Hardin, Hamilton and Wright Counties, died at his home in Long Beach, California, on Sunday evening, March 12, 1933, therefore,

Be It Resolved by the Senate of the Forty-fifth General Assembly, That a committee of three be appointed to draft suitable resolutions commemorating his life, character and services to the State.

On request of Senator Knudson, unanimous consent was granted to suspend the rules and consider the resolution.

The resolution was unanimously adopted and the chair appointed Senators Knudson, Wenner and McArthur.

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT: Your conference committee to which was referred House File No. 40, a bill for an act to amend sections forty-one hundred seventy-nine (4179) and forty-one hundred eighty-one (4181), code 1931, relating to transportation in consolidated school districts, begs leave to report that it has had the same under consideration and has failed to agree, therefore it is the wish of the committee that it be discharged and that another committee be appointed. ORA E. HUSTED, *Chairman*.

The report was adopted.

THIRD READING OF BILLS

On motion of Senator Byers Senate File No. 223, a bill for an act to amend Sections Ninety three hundred twenty nine (9329), ninety

three hundred forty-b1 (9340-b1), and ninety three hundred forty-b2 (9340-b2), of the Code of Iowa 1931, to authorize Building and Loan or Savings and Loan Associations to become members of, purchase stock in, borrow money from a Federal Home Loan Bank, to pledge assets as security for repayment of borrowed money, and for advances from a Federal Home Loan Bank, to make deposits with such bank and to invest in bonds and obligations of a Federal Home Loan Bank, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Byers moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 36.

Beardsley	Hill	Miller of	Schmidt
Beatty	Hush	Buchanan	Shangle
Booth	Husted	Miller of Jones	Stanley
Byers	Irwin	Moore	Stevens of
Carden	Kimberly	Mullaney	Decatur
Chrystal	Klemme	Nelson	Topping
Cooney	Knudson	Pendray	Valentine
Doze	McArthur	Reese	Wenner
Geske	Meyer	Ritchie	White
Hicklin		Roelofs	

Nays, none.

Absent or not voting, 13.

Anderson	Coykendall	Harrington	Stevens of
Aschenbrenner	Elthon	Hopkins	Wapello
Bennett	Fisch	Patterson	Wilson
Calhoun	Frailey		

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

Senator Byers moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Husted Senate File No. 176, a bill for an act providing that an order suspending a public officer from the exercise of his office shall automatically suspend the payment of all official salary or compensation to said officer, and fixing the conditions under which said suspended salary or compensation shall be withheld from, or paid to, such officer, returned by the sifting committee, was taken up and considered.

Senator Husted offered the following amendment and moved its adoption:

Amend section 1 by adding in line 16 after the word "acquittal" the following: "or the dismissal of the charges".

The amendment was adopted.

Senator Miller of Buchanan offered the following amendment and moved its adoption:

Amend section 2 by striking from line 7 the word "and" and inserting in lieu thereof the word "or".

The amendment was adopted.

The bill was read for information.

Senator Husted moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 40.

Aschenbrenner	Geske	Miller of	Schmidt
Beardsley	Hicklin	Buchanan	Shangle
Beatty	Hill	Miller of Jones	Stanley
Booth	Hush	Moore	Stevens of
Byers	Husted	Mullaney	Decatur
Calhoun	Irwin	Nelson	Topping
Carden	Kimberly	Pendray	Valentine
Chrystal	Klemme	Reese	Wenner
Coykendall	Knudson	Ritchie	White
Doze	McArthur	Roelofs	Wilson
Elthon	Meyer		

Nays, none.

Absent or not voting, 9.

Anderson	Fisch	Hopkins	Stevens of
Bennett	Frailey	Patterson	Wapello
Cooney	Harrington		

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

Senator Husted moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Booth Senate File No. 221, a bill for an act to amend section five thousand twenty-one (5021), Code, 1931, relating to vehicles turning to the right when overtaken and to regulate the passing of vehicles upon or near the crest of grades or

hills and upon curves and turns in the highway, and requiring the State Highway Commission to designate dangerous places by suitable signs or markings, and to provide penalties for violations of this act, returned by the sifting committee, was taken up and considered.

Senator Booth offered the following amendments and moved their adoption:

Amend section 2 by striking from line 3 the word "another" and inserting in lieu thereof the words "a motor"; also amend section 3 by striking from line 7 the word "another" and inserting in lieu thereof the words "a motor".

The amendments were adopted.

Senator Wilson offered the following amendment and moved its adoption:

Amend section 3 by inserting after the word "turns" in line 5 the words ", crest of hills".

The amendment was adopted.

Senator Wenner offered the following amendment and moved its adoption:

Amend section 2 by adding after the word "direction" in line 1 the words "on primary roads of the state".

The amendment was adopted.

The bill was read for information.

Senator Booth moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 45.

Aschenbrenner	Elthon	McArthur	Roelofs
Beardsley	Geske	Meyer	Schmidt
Beatty	Harrington	Miller of	Shangle
Bennett	Hicklin	Buchanan	Stanley
Booth	Hill	Miller of Jones	Stevens of
Byers	Hopkins	Moore	Decatur
Calhoun	Hush	Mullaney	Topping
Carden	Husted	Nelson	Valentine
Chrystal	Irwin	Patterson	Wenner
Cooney	Kimberly	Pendray	White
Coykendall	Klemme	Reese	Wilson
Doze	Knudson	Ritchie	

Nays, none.

Absent or not voting, 4.

Anderson	Fisch	Frailey	Stevens of Wapello
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The bill having received a constitutional majority was declared to have passed the Senate.

President pro tempore Matt D. Cooney was called to the chair at 2:40 p. m.

On request of Senator Booth unanimous consent was granted to amend the title by striking from line 4 the word "highway" and inserting in lieu thereof the words "primary highways".

The title as amended was agreed to.

Senator Booth moved that the vote by which the bill passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Booth Senate File No. 289, a bill for an act to repeal sections five thousand sixty-eight (5068) and five thousand sixty-nine (5069), code 1931, relating to the operation of certain motor vehicles, tractors, traction engines, and other machines or equipment over improved road surfaces and to enact a substitute therefor, returned by the sifting committee, was taken up and considered.

Senator Booth offered the following amendment and moved its adoption:

Amend section 2 by inserting in line 5 after the word "bituminous-treated" the word "primary".

The amendment was adopted.

Senator Husted offered the following amendment and moved its adoption:

Amend section 2 by inserting after the word "graveled," in line 4, the word "crushed-rock,".

On request of Senator Booth, unanimous consent was granted to defer action until tomorrow, such bill to be called up under unfinished business.

On request of Senator Beardsley, unanimous consent was granted to return to introduction of bills.

INTRODUCTION OF BILLS

Substitute for Senate File No. 263, by Senators Beardsley, Calhoun, Chrystal, Hush, McArthur, Nelson, Pendray, Reese, Roelofs

and Stevens of Decatur, a bill for an act relating to revenue and taxation; providing for public revenue and equalizing taxation; imposing a sales tax on retail merchants, a franchise tax upon business concerns and a personal net income tax upon individuals, as defined in this Act; providing for the collection of such taxes, the distribution and use of revenue derived therefrom and the administration of said law; fixing fines and penalties for the violation of this Act; declaring an emergency to exist, and repealing all laws in conflict with the provisions of this Act.

Read first and second times and placed on the calendar.

EXTRA COPIES ORDERED PRINTED

On request of Senator Calhoun, unanimous consent was granted to have printed 1200 extra copies of Substitute for Senate File No. 263.

HOUSE MESSAGES CONSIDERED

House File No. 164, a bill for an act to provide for the erection of signs at certain points on primary roads directing pedestrian traffic to walk on its left-hand side of the road, facing traffic.

Read first and second times and referred to sifting committee.

House File No. 93, a bill for an act to repeal section forty-nine hundred ten (4910), Code, 1931, and to enact a substitute therefor relating to motor vehicle license fees.

Read first and second times and referred to sifting committee.

House File No. 197, a bill for an act to amend section sixty-nine hundred fifty-six (6956), chapter three hundred thirty-one (331), code 1931, relating to the responsibility for listing moneys and credits for tax purposes; and to amend chapter three hundred thirty (330), code 1931, by adding a section relating to a five mill reduction in the tax levy on real estate.

Read first and second times and referred to sifting committee.

House File No. 281, a bill for an act to amend section seventy-four hundred twenty-eight (7420-d8), Code, 1931, relating to the deposit of non-public funds.

Read first and second times and referred to sifting committee.

House File No. 364, a bill for an act authorizing the Board of Supervisors of Tama County, Iowa to make certain refunds of

taxes to the taxpayers of the Montour Independent School District, located in said Tama County, Iowa.

Read first and second times and referred to sifting committee.

House File No. 532, a bill for an act to repeal section forty-nine hundred fifteen (4915), Code, 1931, relating to the licensing of motor trucks operated in cities and towns.

Read first and second times and referred to sifting committee.

House File No. 382, a bill for an act to provide against discrimination or monopoly in the sale of replacement and repair parts of machines and mechanical devices, and for the regulation of the distribution and sale of same, and providing penalties for the violation of this act.

Read first and second times and referred to sifting committee.

House File No. 384, a bill for an act to authorize the Board of Waterworks Trustees of the City of Des Moines to furnish exhaust steam for heating the clubhouse of the Des Moines Chapter of the Izaak Walton League.

Read first and second times and referred to sifting committee.

House File No. 333, a bill for an act to amend section fifty-two hundred forty-two (5242) of the Code of 1931 in relation to the duties of those employed as assistants and clerks in County offices.

Read first and second times and referred to sifting committee.

House File No. 343, a bill for an act to amend Section seventy-four hundred and twenty-b3 (6420-b3), Code, 1931, relating to anticipatory warrants.

Read first and second times and referred to sifting committee.

House File No. 529, a bill for an act to legalize the proceedings of the City Council of the City of Davenport, Iowa, a municipal corporation by virtue of a special charter, relating to the improvement of certain streets and one alley by paving, without having obtained jurisdiction therefore as provided by Sections six thousand nine hundred thirteen (6913), six thousand nine hundred fourteen (6914), and six thousand nine hundred fifteen (6915), Chapter three hundred twenty-nine (329) of the Code, 1927, and any and all other irregularities, and legalizing the special improvement bonds issued to pay for said improvements as provided by Sections

six thousand nine hundred twenty-five (6925), and six thousand nine hundred twenty-six (6926) of the Code, 1927.

Read first and second times and referred to sifting committee.

House File No. 448, a bill for an act to amend section ten hundred forty-three (1043) of the Code of 1931 in relation to costs of contesting elections of County Officers.

Read first and second times and referred to sifting committee.

House File No. 410, a bill for an act to amend sections fifty-three hundred eighty-eight (5388) and fifty-three hundred ninety (5390), Code, 1931, relating to the relief for soldiers, sailors, and marines.

Read first and second times and referred to sifting committee.

House File No. 381, a bill for an act amending section thirty-eight hundred one (3801), Code 1931, relating to the custody of persons paroled by the court, and providing for the appointment by the court of two regular parole officers to whom persons may be paroled, in counties having a population of one hundred twenty five thousand (125,000) or more, and providing for their compensation.

Read first and second times and referred to sifting committee.

AMENDMENT FILED

Amend Senate File No. 477 by striking from line four (4) of section four (4) thereof the words "at large" appearing after the word candidate in said line, and further amend by inserting after the word "delegate" in line four (4) of section four (4) the words "at large", and further amend by inserting after the word "county" in line eight (8) of section seven (7) thereof the following: "at such places as the county auditor of such county shall designate, and such auditor shall publish such designation of places by one (1) publication in a newspaper of general circulation in said county, at least three (3) days prior to said convention,".

GEO. A. WILSON.

Amend Senate File No. 474 by striking the title and inserting in lieu thereof the following:

"A bill for an act to provide for the appointment of a conservator for a drainage district, levee district, drainage and levee district, drainage and levee district with pumping stations in default to holders of bonds issued by such districts in default; to provide for the issuance of conservator's bonds by such districts to the bondholders; to provide for adequate proceedings in the district court and to provide for notices and writs incident to the operation of this act; and defining the meaning of the term 'drainage district' for the purpose of this act."

Further amend Senate File No. 474 by striking the word "affected" in

line twelve (12) of section 1 and insert in lieu thereof the words "in default".

Further amend by striking all of Section 3 and insert in lieu thereof the following:

"Sec. 3. Ten (10) owners of real estate in such district, or the owners of not less than ten (10) per cent in amount of the outstanding drainage bonds of such drainage district, may institute proceedings in the district court of the county issuing such bonds wherein the drainage district is located, by filing a petition which shall set forth, the names and addresses of the ten petitioning real estate owners or the names and addresses of the petitioning owners of ten (10) per cent in amount of the drainage bonds of said district, that said bonds are in default as defined in Section 1 of this act, that the petitioners have good reason to believe that said default cannot or will not be removed by payment under the present schedule of said district, and asking that the matters herein presented be reviewed by the Court and determined as provided by this act."

Further amend Section 6 by striking from lines four (4) and five (5) the words "notice by publication" and insert in lieu thereof the words "a published notice". Also, by striking the figure "5" in line eight (8) of Section 6 and insert in lieu thereof the following: "five (5)".

Further amend by striking all of Section 9 and insert in lieu thereof the following:

"Sec. 9. The Court shall direct the conservator to prepare and file a full report in eight (8) divisions. The first division shall list in detail the bonded indebtedness of said drainage district. The second division shall list in detail the accrued interest on the bonded indebtedness of said drainage district. The third division shall list in detail all other indebtedness of said drainage district. The fourth division shall set forth a complete schedule of all drainage assessments lost through "scavenger" sales. The fifth division shall list all real estate within the drainage district, showing the unpaid assessments thereon. The sixth division shall set forth a recommended schedule of reassessments on the real estate within such drainage district on which there are unpaid drainage district assessments. The seventh division shall set forth a proposed schedule under which the bonded indebtedness of said drainage district can be reamortized. The eighth division shall set forth a proposed schedule under which all other indebtedness of said drainage district can be paid and/or reamortized."

Further amend by striking the figure "30" in line two (2) of Section 10 and inserting in lieu thereof the following: "thirty (30)."

Further amend by striking all of Section 13 and insert in lieu thereof the following:

"Sec. 13. The Court shall further direct the Board of Supervisors to issue bonds in lieu of the outstanding drainage bonds for said drainage district and additional bonds to proper parties for accrued interest and current claims. The bonds shall be called "Conservator's Drainage District Bonds". Each bond shall state on its face the county, the number of the district for which it is issued, its maturity, and which rate shall not be less than three and one-half (3½) per cent per annum. All bonds

shall be countersigned by the Conservator, designated as such, and shall be in such numbers and denominations as are found by the court to be an equitable substitution for the outstanding drainage district bonds of said district. The holders of all other indebtedness of said drainage district shall receive conservator's Drainage District Bonds or cash in such amounts as ordered by the Court."

Further amend by striking the period "." at the end of line two (2) of Sec. 19 and inserting in lieu thereof the following:

" , intra and/or inter-county levee districts, intra and/or inter-county drainage and levee districts, and intra and/or inter-county drainage and levee districts with pumping stations." E. R. HICKLIN.

Senator Valentine moved to adjourn until 10:00 a. m. Thursday.

Senator Husted moved to amend by making the time 9:00 a. m.

Senator Schmidt moved as a substitute that the Senate adjourn until 9:30 a. m. Thursday.

The substitution was made.

The motion prevailed and the Senate adjourned until 9:30 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 23, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. C. H. Van Metre, Pastor of the Methodist Episcopal Church of Mapleton.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Ritchie for the day, on request of Senator Elthon.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Favoring modification of the prohibition laws. Senator Pendray, from residents of Jackson county. Senator Aschenbrenner, from residents of Marion and Monroe counties. Senator Moore, from residents of Pottawattamie county. Senator Klemme, from residents of Winneshiek county. Senator White, from residents of Tama and Benton counties. Senator Byers, from citizens of Mount Vernon. Senator Cooney, from residents of Dubuque county. Judiciary No. 1.

Approving prohibition. Senator Harrington, from citizens of Sioux City. Judiciary No. 1.

Favoring the placing of a tax on the so-called "chain stores" doing business in the state. Senator McArthur, from residents of Franklin and Cerro Gordo counties. Senator Booth, from citizens of Griswold. Manufacturing, commerce and trade.

Opposing the passage of House File No. 206. Senator Reese, from citizens of Marshalltown. Ways and means.

Favoring the passage of the gross income tax bill. Senator Harrington, from citizens of Des Moines. Ways and means.

Protesting the passage of the Beatty-Bennett bill. Senator Topping, from students of the Senior High School of Burlington. Senator Fisch, from students of the Cherokee High School. Ways and means.

SIFTING COMMITTEE REPORT

MR. PRESIDENT: Your Sifting Committee begs leave to advise that they have had the following listed bills under consideration and recommends that they be placed upon the calendar:

S. F. No. 265	H. F. No. 130
S. F. No. 248	S. F. No. 130
S. F. No. 128	H. F. No. 540
H. F. No. 266	S. F. No. 125
H. F. No. 191	H. F. No. 179
H. F. No. 124	S. F. No. 443
S. F. No. 422	H. F. No. 237
S. F. No. 394	S. F. No. 133
H. F. No. 384	

JOHN K. VALENTINE, *Chairman.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House Files Nos. 67, 181, 243 and 299.

HOMER HUSH, *Chairman Senate Committee.*

WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 67, 181, 243 and 299.

REPORTS OF COMMITTEE

Senator White submitted the following reports:

MR. PRESIDENT: Your committee on appropriations to which was referred House File No. 537, a bill for an act to make an appropriation to J. W. Arnett, for injuries received at Fort Madison, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman.*

Ordered passed on file.

Also:

Your committee on appropriations to which was referred House File No. 348, a bill for an act to make an appropriation to G. G. Gregg for damage for loss of corn because of insufficient opening in bridge on Highway No. 32, near Oakland, Iowa, begs leave to report that it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman.*

Ordered passed on file.

THIRD READING OF BILLS

On motion of Senator Wilson House File No. 189, a bill for an act to amend section eighty-nine hundred forty-three (8943), Code 1931, relating to execution of policies of insurance, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 36.

Aschenbrenner	Geske	Meyer	Shangle
Bennett	Hicklin	Miller of Jones	Stanley
Booth	Hill	Moore	Stevens of
Byers	Hopkins	Mullaney	Decatur
Calhoun	Hush	Patterson	Topping
Carden	Husted	Pendray	Valentine
Cooney	Irwin	Reese	Wenner
Doze	Kimberly	Roelofs	White
Fisch	Klemme	Schmidt	Wilson
Frailey			

Nays, none.

Absent or not voting, 13.

Anderson	Coykendall	McArthur	Ritchie
Beardsley	Elthon	Miller of	Stevens of
Beatty	Harrington	Buchanan	Wapello
Chrystal	Knudson	Nelson	

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

Senator Wilson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

President pro tempore Matt D. Cooney, was called to the chair at 9:50 a. m.

On motion of Senator Husted Senate File No. 474, a bill for an act to provide for the appointment of a conservator for a Drainage District in default to holders of Drainage District Bonds issued by such insolvent district; to provide for reassessment of real estate affected in such drainage district; to provide for the issuance of Conservator's Drainage District Bonds to the bondholders; to provide for adequate proceedings in the district court and to provide for notices and writs incident to the operation of this act, returned by the sifting committee, was taken up and considered.

President N. G. Kraschel returned to the chair at 9:55 a. m.

Senator Hicklin offered the following amendments and moved their adoption:

Amend by striking the title and inserting in lieu thereof the following:

"A bill for an act to provide for the appointment of a conservator for a drainage district, levee district, drainage and levee district, drainage and levee district with pumping stations in default to holders of bonds issued by such districts in default; to provide for the issuance of conservator's bonds by such districts to the bondholders; to provide for adequate proceedings in the district court and to provide for notices and writs incident to the operation of this act; and defining the meaning of the term 'drainage district' for the purpose of this act."

Further amend by striking the word "affected" in line twelve (12) of section 1 and insert in lieu thereof the words "in default".

Further amend by striking all of Section 3 and insert in lieu thereof the following:

"Sec. 3. Ten (10) owners of real estate in such district, or the owners of not less than ten (10) per cent in amount of the outstanding drainage bonds of such drainage district, may institute proceedings in the district court of the county issuing such bonds wherein the drainage district is located, by filing a petition which shall set forth, the names and addresses of the ten petitioning real estate owners or the names and addresses of the petitioning owners of ten (10) per cent in amount of the drainage bonds of said district, that said bonds are in default as defined in Section 1 of this act, that the petitioners have good reason to believe that said default cannot or will not be removed by payment under the present schedule of said district, and asking that the matters herein presented be reviewed by the Court and determined as provided by this act."

Further amend Section 6 by striking from lines four (4) and five (5) the words "notice by publication" and insert in lieu thereof the words "a published notice". Also, by striking the figure "5" in line eight (8) of Section 6 and insert in lieu thereof the following: "five (5)".

Further amend by striking all of Section 9 and insert in lieu thereof the following:

"Sec. 9. The Court shall direct the conservator to prepare and file a full report in eight (8) divisions. The first division shall list in detail

the bonded indebtedness of said drainage district. The second division shall list in detail the accrued interest on the bonded indebtedness of said drainage district. The third division shall list in detail all other indebtedness of said drainage district. The fourth division shall set forth a complete schedule of all drainage assessments lost through "scavenger" sales. The fifth division shall list all real estate within the drainage district, showing the unpaid assessments thereon. The sixth division shall set forth a recommended schedule of reassessments on the real estate within such drainage district on which there are unpaid drainage district assessments. The seventh division shall set forth a proposed schedule under which the bonded indebtedness of said drainage district can be reamortized. The eighth division shall set forth a proposed schedule under which all other indebtedness of said drainage district can be paid and/or reamortized."

Further amend by striking the figure "30" in line two (2) of Section 10 and inserting in lieu thereof the following: "thirty (30)."

Further amend by striking all of Section 13 and insert in lieu thereof the following:

"Sec. 13. The Court shall further direct the Board of Supervisors to issue bonds in lieu of the outstanding drainage bonds for said drainage district and additional bonds to proper parties for accrued interest and current claims. The bonds shall be called "Conservator's Drainage District Bonds". Each bond shall state on its face the county, the number of the district for which it is issued, its maturity, and which rate shall not be less than three and one-half (3½) per cent per annum. All bonds shall be countersigned by the Conservator, designated as such, and shall be in such numbers and denominations as are found by the court to be an equitable substitution for the outstanding drainage district bonds of said district. The holders of all other indebtedness of said drainage district shall receive conservator's Drainage District Bonds or cash in such amounts as ordered by the Court."

Further amend by striking the period "." at the end of line two (2) of Sec. 19 and inserting in lieu thereof the following:

“, intra and/or inter-county levee districts, intra and/or inter-county drainage and levee districts, and intra and/or inter-county drainage and levee districts with pumping stations."

On request of Senator Hicklin, unanimous consent was granted to change the word "scavenger" in line 7 of sec. 9 to the word "scavenger"; also by striking the word "my" in line 3 of sec. 3 and inserting in lieu thereof the word "may".

The amendment was adopted.

The bill was read for information.

Senator Husted moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 41.

Aschenbrenner	Elthon	Klemme	Stanley
Beardsley	Frailey	McArthur	Stevens of
Beatty	Geske	Meyer	Decatur
Bennett	Harrington	Miller of Jones	Stevens of
Booth	Hicklin	Moore	Wapello
Calhoun	Hill	Mullaney	Topping
Carden	Hopkins	Nelson	Valentine
Chrystal	Hush	Patterson	Wenner
Cooney	Husted	Pendray	White
Coykendall	Irwin	Roelofs	Wilson
Doze	Kimberly	Shangle	

Nays, none.

Absent or not voting, 8.

Anderson	Fisch	Miller of	Ritchie
Byers	Knudson	Buchanan	Schmidt
		Reese	

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

Senator Husted moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Cooney House File No. 540, a bill for an act requiring the filing of schedules of rates and rules by insurance companies, associations and interinsurance exchanges, prohibiting rebating and discrimination, and providing penalties for the violation thereof, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Cooney moved that the reading just had be considered the third reading, which motion prevailed.

Rule No. 8 was invoked.

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

Ayes, 24.

Bennett	Harrington	McArthur	Stevens of
Byers	Hicklin	Meyer	Decatur
Carden	Irwin	Mullaney	Topping
Cooney	Kimberly	Schmidt	Valentine
Coykendall	Klemme	Shangle	Wenner
Frailey	Knudson	Stanley	White
Geske			

Nays, 18.

Aschenbrenner	Chrystal	Hush	Roelofs
Beardsley	Doze	Husted	Stevens of
Beatty	Elthon	Nelson	Wapello
Booth	Hill	Patterson	Wilson
Calhoun	Hopkins	Pendray	

Absent or not voting, 7.

Anderson	Miller of	Miller of Jones	Reese
Fisch	Buchanan	Moore	Ritchie

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

MOTIONS TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which House File No. 540 failed to pass the Senate. G. E. ROELOFS.

MR. PRESIDENT: I move to reconsider the vote by which House File No. 540 failed to pass the Senate. O. P. BENNETT.

THIRD READING OF BILLS

On motion of Senator Roelofs House File No. 279, a bill for an act to repeal section eighteen hundred twenty-six (1826) Code, 1931, and to enact a substitute therefor authorizing the Board of Conservation to fix the level of dams or spillways at the outlets of lakes and across streams, to construct same, to provide the procedure, and for the assessment of damages, returned by the sifting committee, was taken up and considered, action having been deferred on page 760 of the Senate Journal.

The bill was read for information.

Senator Roelofs moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 36.

Beardsley	Geske	McArthur	Stanley
Bennett	Harrington	Meyer	Stevens of
Booth	Hicklin	Miller of Jones	Decatur
Byers	Hopkins	Moore	Stevens of
Calhoun	Hush	Nelson	Wapello
Carden	Husted	Pendray	Topping
Chrystal	Irwin	Roelofs	Valentine
Doze	Kimberly	Schmidt	White
Elthon	Klemme	Shangle	Wilson
Frailey	Knudson		

Nays, none.

Absent or not voting, 13.

Anderson	Coykendall	Miller of	Reese
Aschenbrenner	Fisch	Buchanan	Ritchie
Beatty	Hill	Mullaney	Wenner
Cooney		Patterson	

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

On motion of Senator Booth Senate File No. 290, a bill for an act to amend section forty-seven hundred fifty-five b-thirty-two (4755-b32) of the code 1931, to remove the present limitations on the use of primary road funds for the payment of principal and interest of primary road bonds and bonds issued to refund primary road bonds, to provide a comprehensive plan for the financing of primary road bonds and bonds issued to refund primary road bonds, and to make more certain that primary road bonds and bonds issued to refund primary road bonds and the interest on such bonds will be paid out of the primary road fund, returned by the sifting committee, was taken up and considered.

The following amendment proposed by the sifting committee was considered :

Amend by inserting after Section 4 as Section 5, the following, and renumbering the remaining sections:

"Sec. 5. If in any year the available primary road funds are in excess of the amount required in said year to maintain the primary roads and to pay the interest and principal accruing and maturing on primary road bonds in said year, the State Executive Council may require that said excess primary road funds not exceeding two million dollars in said year, shall be used to call in and pay off additional primary road bonds which do not mature in said year."

Senator Beardsley offered the following amendment to the amendment and moved its adoption :

Amend by striking from line 8 the words, "the State Executive Council may require that".

CALL OF THE SENATE

MR. PRESIDENT: The undersigned request a call of the Senate for the remainder of the day, March 23, 1933.

VINCENT F. HARRINGTON
 J. R. FRAILEY
 FRANK C. BYERS
 MIKE G. FISCH
 JOHN K. VALFNTINE
 ROY E. STEVENS
 CHRIS REESE
 M. D. COONEY

D. W. KIMBERLY
 E. R. HICKLIN
 CLYDE H. TOPPING
 GEO. A. WILSON
 M. X. GESKE
 L. H. MEYER
 M. MOORE

Roll call revealed the presence of all Senators except Senators Miller of Buchanan and Ritchie.

Senator Cooney moved to excuse Senator Ritchie, who is absent from the city, from the call.

The motion prevailed.

CONSIDERATION OF SENATE FILE NO. 290 RESUMED

On request of Senator Beardsley, unanimous consent was granted to withdraw his amendment to the amendment.

Senator Beardsley offered the following amendment to the amendment and moved its adoption :

Amend by striking from line 8 the words "the State Executive Council may require that" and inserting in lieu thereof the words "not required to meet the federal aid allotments and".

The amendment to the amendment was lost.

The amendment was adopted.

Senator Miller of Buchanan appeared in the Senate Chamber and the call was declared complete.

The bill was read for information.

Senator Booth moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 45.

Anderson	Frailey	McArthur	Schmidt
Beatty	Geske	Meyer	Shangle
Bennett	Harrington	Miller of	Stanley
Booth	Hicklin	Buchanan	Stevens of
Byers	Hill	Miller of Jones	Decatur
Calhoun	Hopkins	Moore	Stevens of
Carden	Hush	Mullaney	Wapello
Cooney	Husted	Nelson	Topping
Coykendall	Irwin	Patterson	Valentine
Doze	Kimberly	Pendray	Wenner
Elthon	Klemme	Reese	White
Fisch	Knudson	Roelofs	Wilson

Nays, 1.

Beardsley

Absent or not voting, 3.

Aschenbrenner Chrystal

Ritchie

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

Senator Booth moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Irwin Senate File No. 477, a bill for an act to provide for a State Constitutional Convention to consider the ratification or rejection of amendment or amendments to the Constitution of the United States, as proposed and submitted by the Congress of the United States, and for the calling of a special election to elect delegates at large to such convention, a sifting committee bill, was taken up and considered.

Senator Patterson raised the point of order that the consideration of the bill was not in order at this time under Rule No. 24 as Sec. 18 carries an appropriation.

Senator Irwin moved that Rule No. 24 be suspended and that the clerk proceed with the reading of the bill.

Roll call was demanded.

Rule No. 8 was invoked.

On the question "Shall the motion to suspend the rule prevail?" the vote was:

Ayes, 30.

Anderson	Geske	Miller of Jones	Stevens of
Aschenbrenner	Harrington	Moore	Decatur
Byers	Hicklin	Mullaney	Stevens of
Chrystal	Irwin	Reese	Wapello
Cooney	Kimberly	Roelofs	Topping
Coykendall	Klemme	Schmidt	Valentine
Doze	Meyer	Shangle	Wenner
Fisch	Miller of		White
Frailey	Buchanan		

Nays, 18.

Beardsley	Carden	Husted	Patterson
Beatty	Elthon	Knudson	Pendray
Bennett	Hill	McArthur	Stanley
Booth	Hopkins	Nelson	Wilson
Calhoun	Hush		

Absent or not voting, 1.

Ritchie

The motion to suspend Rule No. 24 was lost, the suspension requiring a two-thirds majority.

On motion of Senator Irwin the Senate recessed until 1:30 p. m. today.

AFTERNOON SESSION

The Senate reconvened at the fall of the gavel, President N. G. Kraschel presiding.

Roll call revealed the presence of all Senators except Senators Beardsley, Calhoun, Carden, Ritchie, McArthur and Stevens of Wapello.

The absent Senators appeared in the Senate Chamber, except Senator Ritchie, excused, and the call was declared complete.

CONSIDERATION OF SENATE FILE NO. 477 RESUMED

Senator Irwin raised the point of order that Rule No. 24 is not applicable to the subject matter of this bill, nor is the objection raised by Senator Patterson, for the reason that the bill was introduced yesterday, was given its first and second readings without objection from the Senate, and it would naturally follow that unanimous consent was had for the introduction of the bill.

The President held that the point of order raised by Senator Irwin was well taken, for the reason that the attempt for enforcement of Rule No. 24 was not made at the time Senate File No. 477 was introduced and read a first and second time, and for the further reason that the Senate had by its own motion ordered a special committee to draft the bill which was introduced by the sifting committee.

Senator Patterson raised the point of order that the bills before this Senate body were the bills on the calendar and of those bills the first one in order was Senate File No. 263 or its substitute and that a motion made to consider this bill would have to get a two-thirds vote to set aside the order of procedure.

The President held in further support of Senator Irwin's point of order, that all morning bills had been called up from the calendar without regard to their priority, and that the point of order raised by Senator Patterson was not well taken.

Senator Wilson offered the following amendment and moved its adoption:

Amend by striking from line four (4) of section four (4) thereof the words "at large" appearing after the word "candidate" in said line, and

further amend by inserting after the word "delegate" in line five (5) of section four (4) the words "at large", and further amend by inserting after the word "county" in line eight (8) of section seven (7) thereof the following: "at such places as the county auditor of such county shall designate, and such auditor shall publish such designation of places by one (1) publication in a newspaper of general circulation in said county, at least three (3) days prior to said convention,".

On request of Senator Wilson, unanimous consent was granted to strike from line 6 of his amendment the word and figure "eight (8)" and insert in lieu thereof the word and figure "seven (7)".

Senator Coykendall offered the following amendment to the amendment and moved its adoption:

Amend by striking from line 10 the words "a newspaper" and inserting in lieu thereof the words and figure "two (2) newspapers if there be such two newspapers".

The amendment to the amendment was adopted.

Senator Husted offered the following amendment to the amendment and moved its adoption:

Amend line 11 by striking the word and figure "three (3)" and inserting in lieu thereof the word and figure "seven (7)".

The amendment to the amendment was lost.

The amendment as amended was adopted.

Senator Hush offered the following amendments and moved their adoption:

1. Strike from lines seven (7) and eight (8) of section one (1) the words "from the date of issuance of a proclamation" and insert in lieu thereof "after the date of the election at which delegates to such convention shall be chosen".

2. Strike all of section two (2) after the word "convention" in line three (3) of said section and insert in lieu thereof the following: "and shall state the date of the holding of an election for the election of delegates to such convention, which election shall be held at the same time as the next ensuing general biennial election as provided by law."

3. Strike all of section three (3).

Senator Frailey moved the previous question, which motion prevailed.

Roll call was demanded.

On the question, "Shall the amendments be adopted?" the vote was:

Ayes, 18.

Beardsley	Carden	Husted	Patterson
Beatty	Elthon	Knudson	Pendray
Bennett	Hill	McArthur	Stanley
Booth	Hopkins	Nelson	Wenner
Calhoun	Hush		

Nays, 30.

Anderson	Frailey	Miller of	Stevens of
Aschenbrenner	Geske	Buchanan	Decatur
Byers	Harrington	Miller of Jones	Stevens of
Chrystal	Hicklin	Moore	Wapello
Cooney	Irwin	Mullaney	Topping
Coykendall	Kimberly	Reese	Valentine
Doze	Klemme	Roelofs	White
Fisch	Meyer	Schmidt	Wilson
		Shangle	

Absent or not voting, 1.

Ritchie

Amendments Nos. 1, 2 and 3 were lost.

Senator Hush offered the following amendments and moved their adoption:

4. Strike all of section four (4) and substitute in lieu thereof the following:

"Sec. 4. Subject to the provisions of this act, the qualified electors of each county in the state of Iowa shall be entitled to nominate and elect delegates to the state constitutional convention. Each county shall be entitled to one delegate in said convention for each unit of ten thousand (10,000) population or major fraction thereof in said county as shown by the last federal census."

5. Strike section seven (7) and substitute in lieu thereof the following:

"Sec. 7. At eleven o'clock A. M. on the fourth Monday prior to the date of the election at which delegates to such convention are to be chosen, the group of qualified electors in each county favoring the ratification of such proposed amendment and the group opposed thereto, shall convene in separate county conventions at the seat of government of such county at such places as the county auditor of each county shall designate, notice of which shall be published by such auditor by one publication in a newspaper of general circulation in said county at least seven (7) days prior to such county convention, and shall nominate candidates for delegates to the state constitutional convention herein provided for, in the number to which such county shall be entitled. The secretary of state shall determine and certify to the auditor of each county, at least ten (10) days prior to the time of holding such election, the number of delegates to which each county shall be entitled, and such number shall be stated in the notice herein required to be published by the county auditor.

Senator Irwin moved the previous question, which motion prevailed.

On the question, "Shall the amendments be adopted?" the vote was:

Ayes, 18.

Aschenbrenner	Carden	Hush	Nelson
Beardsley	Doze	Husted	Patterson
Beatty	Elthon	Knudson	Pendray
Bennett	Hill	McArthur	Roelofs
Calhoun	Hopkins		

Nays, 30.

Anderson	Harrington	Moore	Stevens of
Booth	Hicklin	Mullaney	Wapello
Byers	Irwin	Reese	Topping
Chrystal	Kimberly	Schmidt	Valentine
Cooney	Klemme	Shangle	Wenner
Coykendall	Meyer	Stanley	White
Fisch	Miller of	Stevens of	Wilson
Frailey	Buchanan	Decatur	
Geske	Miller of Jones		

Absent or not voting, 1.

Ritchie

Amendments Nos. 4 and 5 were lost.

Senator Hush offered the following amendment and moved its adoption :

6. Amend section eight (8) by striking the word "repeal" as it appears in each of the last four lines of said section and substitute therefor the word "ratification".

Senator Topping moved to recess until the fall of the gavel.

The motion prevailed.

The Senate reconvened at the fall of the gavel.

Roll call revealed the presence of all Senators except Senator Ritchie, excused, the call was declared complete and the Senate resumed consideration of amendment No. 6.

On request of Senator Hush his amendment was amended by striking from line 2 the words "the last four lines" and inserting in lieu thereof the figures "lines 18, 20, 21 and 23."

Amendment No. 6 as amended was adopted.

Senator Hush offered the following amendment and moved its adoption :

7. Strike section sixteen (16) and substitute in lieu thereof the following:

"Sec. 16. A majority of the total number of delegates elected to such convention shall be necessary to constitute a quorum for the transaction of business, but if a quorum shall not be present, the convention may adjourn from time to time until the attendance of a quorum can be secured. If the convention by vote of a majority of the total number of delegates elected and qualified shall agree to the ratification of the proposed amendment to the constitution of the United States, a certificate to that effect shall be executed in duplicate by the president and secretary of the convention and transmitted to the secretary of state of the state of

Iowa who shall file one of such duplicates in his office and shall transmit the other of such duplicates, under the great seal of the state of Iowa, to the secretary of state of the United States. If such convention shall fail to agree to the ratification of such proposed amendment to the constitution of the United States or, by a vote of a majority of the delegates elected and qualified shall refuse to agree to the ratification of such proposed amendment, such fact shall be certified in like manner and filed in the office of the secretary of state of the state of Iowa and transmitted by him to the secretary of state of the United States.

Senator Irwin moved the previous question, which motion prevailed.

The amendment was lost.

Senator Hush offered the following amendment and moved its adoption:

8. Strike section seventeen (17) and substitute in lieu thereof the following:

"Sec. 17. All laws of this state relating to the manner of conducting elections for county officers, and to the certification of the results of such elections, so far as applicable, shall govern the election of delegates to the state constitutional convention except that all persons voting at such election shall attend in person at the proper polling places and cast their ballots, and no absent voters ballot shall be received or counted by the officials conducting such election.

The amendment was lost.

Senator Hush offered the following amendments and moved their adoption:

1. Strike all of section nine (9) and insert in lieu thereof the following:

"Sec. 9. It shall be the duty of the chairman and secretary of each of such county conventions before adjournment thereof to certify the names of the persons nominated as delegates to the constitutional convention by their respective county conventions to the auditor of such county, which certification together with the written statement of the person so nominated, as provided in section eight (8) hereof, shall be delivered to such county auditor not later than nine o'clock in the forenoon of the third day following the day during which the county convention was held."

2. Strike all of section ten (10).

3. Amend section eleven (11) by striking from line nine (9) the word "second" and insert in lieu thereof the word "third". Also by inserting after the word "vacancies" in line seventeen (17) the following: "from persons identified with the same group as the judge or clerk so refusing or failing to act or as to whose office such vacancy occurs."

4. Amend section twelve (12) by inserting after the word "be" in line two (2) the word "in". Also by striking the last line of said section, and by inserting in lieu thereof the following: "Such ballots shall be prepared in the usual manner by the county auditor of each county and shall be by him delivered to the judges of election in each voting precinct prior to the opening of the polls."

5. Amend section thirteen (13) by striking from line one (1) thereof the word "special". Also by striking from line twelve (12) of said section the words and figures "nine-nine (99)" and by inserting in lieu thereof the words "the number of delegates to which such county shall be entitled,".

6. Insert after section seventeen (17) as section seventeen-a (17-a) the following:

"Sec. 17-a. If prior to the final adjournment of such state constitutional convention, vacancies shall occur in the office of delegates to said convention from any county such vacancies shall be filled by appointment by the chairman and secretary of the county convention of the group of electors which nominated the delegates as to whose office such vacancies may occur. Said chairman and secretary shall execute certificates of such appointments and deliver the same to the persons so appointed to fill vacancies and such certificates shall constitute the credentials of the persons so appointed and entitle them to seats in such convention and to participate in its proceedings to the same extent as if they had been duly elected as provided in this act.

7. Amend section eighteen (18) by striking all of lines eleven (11), twelve (12), thirteen (13) and fourteen (14) thereof.

8. Amend section twenty (20) by inserting after the word "inoperative" in line seven (7) thereof the following: "to the extent that the same may be in conflict with such requirements so prescribed by congress."

9. Add after section twenty (20) a new section as follows:

"Sec. 21. If prior to the time of the election of delegates to the constitutional convention, or prior to the time of holding such convention, thirteen (13) or more of the states of the United States, by action of the conventions thereof, called for the purpose of considering such amendment to the constitution of the United States, shall have refused to ratify any such amendment, then no further action for the calling of such election or the holding of such convention shall be taken by the officials of this state or of any county hereof and any action hereunder theretofore taken shall become inoperative and of no effect."

Senator Hush offered the following amendment in lieu of all his pending amendments and moved its adoption:

Amend section 12 by striking all of lines 15 and 16.

The amendment was lost.

On request of Senator Hush, unanimous consent was granted to withdraw his amendments on which no action was taken.

Senator Hopkins offered the following amendment and moved its adoption:

Amend section 12, line 4, by adding after the words "United States" the words "repealing the Eighteenth Amendment".

In line 7 by inserting between the words "ratification" and "opposing" the words "of the repeal of the eighteenth amendment" and by inserting between the words "ratification" and "candidates" the words "of the eighteenth amendment".

On request of Senator Hopkins unanimous consent was granted to withdraw his amendment.

Senator Wenner offered the following amendment and moved its adoption:

Amend section 12 by inserting in line 2 after the word "be" the word "in".

The amendment was adopted.

Senator Patterson offered the following amendments and moved their adoption:

Amend section twelve (12) by inserting in line five (5) as the same appears in the printed bill the following:

"Section 1. The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

Sec. 2. The transportation or importation into any state, territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

Sec. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress."

Also by striking the word "ratification" in both places where it appears in line seven (7) of said section and inserting in lieu thereof the word "adoption", and by inserting in line eight (8) under the words "favoring adoption" the words "of new amendment", and under the words "opposing adoption" the words "of new amendment".

Senator Valentine offered the following amendment as a substitute to the pending Patterson amendment and moved its adoption:

Amend section 12 by inserting at the end of line 5 the following: "(Here set out proposed amendment)".

Senator Irwin moved the previous question on the substitute amendment, which motion prevailed.

The substitution was made, the motion as substituted was adopted.

Senator Harrington offered the following amendment and moved its adoption:

Amend Section 12 by inserting in line 11 circles (○) at the head of each of the several columns designated as follows:

Group of Candidates Favoring Ratification	Group of Candidates Opposing Ratification	Group of Unofficial Candidates * Names To Be Written in by Voter If He So Desires
--	--	---

○

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○

The amendment was adopted.

Senator Wenner offered the following amendments and moved their adoption :

Amend section 9 by inserting in line 5 before the word "Iowa" the words "the state of"; also amend section 15 by inserting before the word "Iowa" in line 5 the word "the State of"; also amend section 18 by inserting in line 14 preceding the words "the State" the words "State of"; also amend section 18 by inserting in line 10 after the word "auditor" the words "of state".

The amendments were adopted.

The bill was read for information.

Senator Harrington moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 36.

Anderson	Frailey	Miller of	Stanley
Aschenbrenner	Geske	Buchanan	Stevens of
Booth	Harrington	Miller of Jones	Decatur
Byers	Hicklin	Moore	Stevens of
Calhoun	Irwin	Mullaney	Wapello
Chrystal	Kimberly	Pendray	Topping
Cooney	Klemme	Reese	Valentine
Coykendall	McArthur	Roelofs	Wenner
Elthon	Meyer	Schmidt	White
Fisch		Shangle	Wilson

Nays, 12.

Beardsley	Carden	Hopkins	Knudson
Beatty	Doze	Hush	Nelson
Bennett	Hill	Husted	Patterson

Absent or not voting, 1.

Ritchie

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

Senator Harrington moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Frailey moved to raise the call of the Senate.

The motion prevailed.

Senator Topping moved that when the Senate adjourns it be to reconvene at 10:00 a. m. Friday.

Senator Husted moved to amend by making the time 9:00 a. m.

Senator Hicklin moved as a substitute that when the Senate adjourns it be to reconvene at 9:50 a. m.

The substitution was made, and the substitute motion prevailed.

On request of Senator Byers, unanimous consent was granted to message Senate File No. 223 to the House immediately.

SENATE FILES WITHDRAWN

On request of Senate McArthur, unanimous consent was granted to withdraw Senate Files Nos. 411 and 412 relating to drainage.

On request of Senator Roelofs, unanimous consent was granted to withdraw Senate File No. 253 a companion bill to House File No. 279, as passed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed the following senators as members of the second conference committee on House File No. 40:

Senators Nelson, Hopkins, Miller of Jones and Stevens of Decatur.

The Journal of March 22d was corrected and approved.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in the Senate concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution No. 21, relating to the surplus grain production.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 75, a bill for an act legalizing drainage bonds of Fox River Drainage District No. One (1) of Van Buren County, Iowa.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 391, a bill for an act relative to installation of heating plants for the Iowa School for the Deaf, Council Bluffs, Iowa.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 107, a bill for an act relating to the office of constable in certain counties.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 192, a bill for an act relating to optometry.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 414, a bill for an act relating to appropriation for contest election of Adair vs. Teter.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 404, a bill for an act relating to transfers of county funds to the poor fund.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 263, a bill for an act relating to review of award or settlement in compensation.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 444, a bill for an act relating to statement of expenses of candidates for office.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 327, a bill for an act relative to appropriation to Mrs. Doris E. Kast.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 539, a bill for an act relating to Junior colleges.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 305, a bill for an act relating to State Board of Assessment and Review.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 353, a bill for an act relating to maintenance of highways through cities and towns.

Also, that the House has concurred in the Senate Amendment to House File No. 69, a bill for an act relating to reducing amount of penalty in redemption of property from tax sale.

Also, that the House has adopted the Conference Committee Report on House File No. 238 and has accepted the Senate Amendment as amended thereto.

LLOYD ELLIS, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE NO 192

Amend Senate File 192, Section 2, by striking from lines four and five the following:

“, or as an agent or employee of any unlicensed person.”.

Amend the title by striking from the last line thereof the words “or as the agent or employee of an unlicensed person”.

HOUSE AMENDMENT TO SENATE FILE NO. 327

Amend by adding as section 3 the following:

Sec. 3. This act being deemed of immediate importance, shall take effect and be in force from and after its publication as provided by law.

HOUSE MESSAGES CONSIDERED

House File No. 539, a bill for an act to amend section forty-two hundred sixty-seven-b one (4267-b1), Code, 1931, relating to Junior Colleges, to provide for the temporary suspension of same.

Read first and second times and referred to sifting committee.

House File No. 305, a bill for an act to amend section six thousand nine hundred forty-three c-twenty-seven (6943c-27) of the Code, 1931, relating to the state board of assessment and review.

Read first and second times and referred to sifting committee.

House File No. 353, a bill for an act to amend section forty-seven hundred fifty-five-b twenty-nine (4755-b29), Code 1931, relating to maintenance of highways through cities and towns.

Read first and second times and referred to sifting committee.

House File No. 414, a bill for an act to make an appropriation for the expenses incurred in the election contest of Adair vs. Teter.

Read first and second times and referred to the appropriations committee.

House File No. 444, a bill for an act to amend Chapter forty-six (46) Code 1931, relating to statement of expenses of candidates for office.

Read first and second times and referred to sifting committee.

House File No. 107, a bill for an act relating to the office of constable in certain counties.

Read first and second times and referred to sifting committee.

House File No. 263, a bill for an act to amend Section Fourteen hundred fifty-seven (1457) of the Code 1931, relating to review of award or settlement in compensation.

Read first and second times and referred to sifting committee.

House File No. 404, a bill for an act to make permanent the transfers of county funds in Butler County to the poor fund from the maintenance fund, where said transfers were originally made with the approval of the Director of the Budget.

Read first and second times and referred to sifting committee.

AMENDMENTS FILED

We move to amend House File No. 290 as follows, insert after the word "officials" in line one (1) of section twenty-six (26) the following:

"as the same were fixed or authorized by the law in effect on the first day of January, 1932,".

O. P. BENNETT

J. R. FRAILEY

Amend Senate File No. 289 as follows: Insert after the word "tread" in line four (4) of Section two (2) the words " , except farm machinery which is not self-propelled,".

CHAS. D. BOOTH.

Amend Senate File 289 by striking from section 2, line 4 thereof both commas and the word "graveled".

LEO ELTHON.

As a substitute for all pending amendments, I move to amend Senate File No. 348 by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. The assignment, sale, or transfer of all mortgages or notes or other evidences of indebtedness secured by real estate mortgages, shall be reported to the County Auditor of the residence of the assignee, by the assignee thereof, within thirty (30) days from the date of the execution of said assignment, sale or transfer.

"Sec. 2. No such assignment shall be of any validity until the same be reported to said County Auditor.

"Sec. 3. The assignment, sale or transfer of mortgages or notes secured thereby, heretofore sold, assigned or transferred, shall be reported to the County Auditor, aforesaid, within thirty (30) days after taking effect of this act.

"Sec. 4. Failure to comply with this statute shall subject the person offending to a penalty of Twenty-five Dollars (\$25.00), which shall be a lien upon his interest in the property covered by the instrument and may be collected by suit in the name of the state for the benefit of the school fund within the county in which the property is located, and no such instrument shall be released or satisfied of record until such penalty has been paid.

"Sec. 5. The payment of the penalty herein provided shall not be construed to relieve the holder of any note or mortgage from the obligation to pay the taxes, penalty and interest due from him thereon."

H. L. IRWIN.

On motion of Senator Wilson the Senate adjourned the time having been set previously for 9:50 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 24, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. J. F. Burton, Evangelist of the Church of the Brethren, Des Moines.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Approving prohibition. Senator Stanley, from delegates of the Taylor County Sunday School Convention. Senator Harrington, from residents of Woodbury county. Senator Fisch, from residents of Cherokee county. Senator Byers, from residents of Linn county. Judiciary No. 1.

Favoring modification of the prohibition laws. Senator Chrystal, from residents of Carroll, Greene and Sac counties. Judiciary No. 1.

Opposing the striking of the Bureau of Maternity and Child Hygiene from the State Department of Health. Senator Husted, from residents of Clarke and Warren counties. Public health.

Relating to truck legislation. Senator Irwin, from citizens of Low Moor and Clinton. Motor vehicles.

Favoring the placing of an excise tax on pipe line companies. Senator Harrington, from citizens of Sioux City. Ways and means.

Opposing the passage of Senate File No. 263. Senator Wenner, from members of the City Federation of Women's Clubs and the Business and Professional Women's Club of Waterloo. Ways and means.

Protesting the passage of the Beatty-Bennett bill. Senator Chrystal, from the Sac City Junior and Senior High Schools. Senator Cooney, from citizens of Dubuque. Ways and means.

Favoring the passage of Senate File No. 389. Senator Hush, from residents of Montgomery county. County and township affairs.

On request of Senator Geske, unanimous consent was granted to message Senate File No. 477 to the House immediately.

MESSAGES FROM THE HOUSE

The following messages were received from the House :

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 223, a bill for an act authorizing building and loan or savings and loan associations to become members of Federal Home Loan Bank.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 399, a bill for an act relating to annuity contracts for taxation.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 200, a bill for an act specifying license fees for hearses.

Also, that the House has concurred in the following Senate concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution No. 20, relating to cooperation with the President of the United States in the present economic emergency.

LLOYD ELLIS, Chief Clerk.

HOUSE MESSAGES CONSIDERED

House File No. 200, a bill for an act to amend sections forty-eight hundred sixty-three (4863), forty-nine hundred eight (4908), and forty-nine hundred twelve (4912), Code, 1931, specifying license fees for hearses.

Read first and second times and referred to the sifting committee.

House File No. 399, a bill for an act to amend section sixty-nine hundred fifty-three (6953), code 1931, so as to provide for the taxation of annuity contracts.

Read first and second times and referred to the sifting committee.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush, from the joint committee on enrolled bills, submitted the following report, and moved its adoption :

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate Files Nos. 391 and 75.

HOMER HUSH, *Chairman Senate Committee.*

WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 391 and 75.

THIRD READING OF BILLS

On motion of Senator Beardsley, Substitute for Senate File No. 263, a bill for an act relating to revenue and taxation; providing for public revenue and equalizing taxation; imposing a sales tax on retail merchants, a franchise tax upon business concerns and a personal net income tax upon individuals, as defined in this Act; providing for the collection of such taxes, the distribution and use of revenue derived therefrom and the administration of said law; fixing fines and penalties for the violation of this Act; declaring an emergency to exist, and repealing all laws in conflict with the provisions of this Act, was taken up and considered, and the report of the committee adopted.

Senator Patterson offered the following amendment and moved its adoption:

Amend by adding to Part Three (3), Section five (5), subdivision (b) the following:

Milk distributors who process and distribute pasteurized milk and who purchase their milk supply from farmers' co-operative marketing associations shall be classified hereunder and not as a retail merchant."

The amendment was adopted.

Senator Patterson offered the following amendment and moved its adoption:

Amend by striking out paragraph (h) of Section five (5), part three (3), and substitute therefor the following:

"(h) For each business concern engaging, operating and/or continuing in this state in the railroad, bus line, motor truck and freight, sleeping car or private car business, and each business concern engaging, operating and/or continuing in this state in any business and/or whose property is dedicated to the public use or whose charges or rates for furnishing its product or service, are or may be, subject to regulation by the

state of Iowa, or any governmental sub-division thereof, the amount of such tax for each such concern shall be equal to the gross income of such business multiplied by the rate of two per cent (2%). For each business concern, operating and/or continuing in this state in the telephone, telegraph, electric light, central heating, power business, the amount of tax for each such concern shall be equal to the gross income multiplied by the rate of one and two-tenths per cent (1.2%). For each business concern operating and/or continuing in this state in the artificial gas business, the amount of tax for each such concern shall be equal to the gross income multiplied by the rate of one per cent (1%). For each business concern operating and/or continuing in this state in the business of selling or distributing natural gas or natural gas mixed with artificial gas, also including pipe line business, the amount of tax for each such concern shall be equal to the gross income multiplied by the rate of six per cent (6%) upon natural gas or mixture of natural gas and artificial gas in any mixture. Municipalities and/or other political subdivisions of the state are expressly included by the term "business concern" as used in this subsection (h) only."

Senator Frailey moved that all amendments to this bill, before action is taken thereon, shall be printed in the Journal.

Senator Calhoun moved as a substitute that all amendments now pending shall be printed in the Journal, before action is taken.

The substitution was made.

On request of Senator Calhoun, unanimous consent was granted to amend the substitute by striking the words "now pending" and substituting therefor the words "filed today".

The substitute motion as amended prevailed.

On motion of Senator Schmidt the Senate recessed until 1:30 p. m. today.

AFTERNOON SESSION

The Senate reconvened at the fall of the gavel, President N. G. Kraschel presiding.

COPIES SENATE FILE NO. 269 ORDERED

On request of Senator McArthur, unanimous consent was granted to have printed 600 extra copies of Senate File No. 269.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that

the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 128, a bill for an act relating to provision for liens in favor of hospitals.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 461, a bill for an act relating to licensing motor trucks used for delivery of merchandise.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 423, a bill for an act relating to funds of the State in closed banks.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 451, a bill for an act relating to emergency fund of mutual assessment insurance associations other than life.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 475, a bill for an act relating to selling merchandise, materials, equipment or services on a fixed basis.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 476, a bill for an act defining the requirements of legal newspapers for publication of legal notices.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 477, a bill for an act relating to the State Constitutional Convention.

LLOYD ELLIS, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE NO. 477

1. Amend the Title by striking the period at the end of the last line of the Title and adding thereto the words "and making appropriations therefor".

2. Amend Sec. 1, line 6 by striking therefrom the words "a constitutional" and inserting in lieu thereof the following, "such".

3. Amend Section 11, line 17 by inserting after the word "the" in said line the words "office of the".

4. Amend Section 12, line 2 by changing the colon at the end of said line to a comma, and inserting immediately below it the words "Ballot for Voting for Delegates to a State Constitutional Convention".

5. Amend Section 12, lines 3 and 4 by enclosing in parentheses the words "The Proposed Amendment to the Constitution of the United States".

6. Amend Sec. 12 by inserting between lines 5 and 6 of said section the following: "Candidates for Delegates-at-Large to the State Constitutional Convention".

7. Amend Sec. 12, lines 5 by inserting after said line the following: "Instructions to Voters".

8. Amend section 11, line 5 by striking therefrom the word "places" and substituting in lieu thereof, the word "precincts".

CONSIDERATION OF SUBSTITUTE FOR SENATE FILE
NO. 263 RESUMED

Senator Wilson was called to the chair at 2:35 p. m.

Discussion on the bill continued.

Senator Moore moved to adjourn until 10:00 a. m. Saturday.

Senator Knudson moved as a substitute that the Senate adjourn until 9:30 a. m.

Senator Knudson withheld his motion for the reading of House bills.

HOUSE MESSAGES CONSIDERED

House File No. 461, a bill for an act to amend chapter two hundred ninety-two (292), Code, 1931, granting to cities and towns the power to regulate, license, and tax itinerant motor trucks used in the delivery of merchandise other than agricultural and dairy products sold and/or delivered by the local producer thereof.

Read first and second times and referred to sifting committee.

House File No. 423, a bill for an act to amend Section Seventy-three hundred ninety-eight (7398), Code 1931, relating to responsibilities of the counties to the state with reference to the funds of the state in closed banks within said counties.

Read first and second times and referred to sifting committee.

House File No. 451, a bill for an act to amend section ninety hundred forty (9040) of chapter four hundred six (406) code 1931, relating to the emergency fund of mutual assessment insurance associations other than life, to provide for investment of such fund in loans to other associations organized under said chapter under certain conditions.

Read first and second times.

On request of Senator Booth unanimous consent was granted to substitute the bill for Senate File No. 394 and place the bill on the calendar.

House File No. 475, a bill for an act to provide for the regulation, supervision and licensing of persons, firms, corporations or associations, which sell, or offer for sale, memberships or certificates of membership entitling the holders thereof to purchase,

either from the issuer or someone designated by the issuer, merchandise, materials, equipment or services on a fixed basis.

Read first and second times and referred to sifting committee.

House File No. 476, a bill for an act to define the requirements of a legal newspaper for publication of legal notices, etc.

Read first and second times and referred to sifting committee.

House File No. 128, a bill for an act to provide for liens in favor of hospitals furnishing care, treatment and maintenance for persons injured in accidents, said liens to be against any claim, demand, or judgment, in favor of the injured person or in case of death, his estate, heirs or legal representatives, against other persons, or corporations for damages on account of negligence causing the injuries or death, and upon the proceeds of the settlements of any such claim, demand, or judgment.

Read first and second times and referred to sifting committee.

Senator Harrington moved to defer action on substitute for Senate File No. 263 until Monday morning.

Senator Knudson raised the point of order that as there was a motion before the Senate, the Harrington motion was out of order.

The chair held the point of order well taken.

AMENDMENTS FILED

Amend the Substitute for Senate File No. 263 as follows:

Amend paragraph "f" of Section 5, by adding at the end of line two of said paragraph the words:

" , buses operated entirely within the corporate limits of cities,"

WM. S. BEARDSLEY.

The question being on the motion to adjourn, the substitute motion was lost.

The motion prevailed and the Senate adjourned until 10:00 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 25, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. Gordon Dale Cox, Ex-army chaplain of Ottumwa.

LEAVE OF ABSENCE

On request of Senator Roelofs, unanimous consent was granted to excuse all absent Senators for the day.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Approving prohibition. Senator Moore, from citizens of Council Bluffs. Senator Booth, from young people of Harlan. Judiciary No. 1.

Favoring the placing of a tax on the so-called "chain stores" doing business in the state. Senator Knudson, from business men of Rowan. Manufacturing, commerce and trade.

Favoring the repeal of the law prohibiting the shooting of live pigeons over traps. Senator Knudson, from citizens of Eagle Grove. Fish and game.

Opposing the passage of the Beardsley-Calhoun bill. Senator Booth, from citizens of Elk Horn. Ways and means.

Protesting section 18 of Senate File 330. Senator Bennett, from officials and citizens of Onawa. Judiciary No. 1.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the

House has concurred in the Senate Amendment to the following bill in which the concurrence of the House was asked:

House File No. 278, a bill for an act relating to proceeds from sale or transfer of state-owned lands.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 323, a bill for an act relating to amount of county attorney's salary.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 341, a bill for an act relating to inspection of passenger boats.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 335, a bill for an act relating to amount of the sheriff's salary.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 166, a bill for an act relating to school elections.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 212, a bill for an act relating to building of bridges on state roads.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 280, a bill for an act relating to leases of real estate for airport purposes.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 300, a bill for an act relating to appropriation for election of Caldwell vs. Shangle.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 337, a bill for an act relating to permits to carry revolvers.

LLOYD ELLIS, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 323, a bill for an act to amend section fifty-two hundred twenty-eight (5228), code, 1931, relating to the amount of the County Attorney's salary in counties having a population of over fifty thousand.

Read first and second times and referred to sifting committee.

House File No. 335, a bill for an act to amend section fifty-two hundred twenty-six (5226) Code, 1931, relating to the amount of the Sheriff's salary having a population of over fifty thousand.

Read first and second times and referred to sifting committee.

House File No. 341, a bill for an act to repeal the law as it appears in chapter eighty-five (85) Code, 1931, relating to inspection of passenger boats, and to enact a substitute therefor relating to inspection of boats, licensing of pilots and engineers, and regulating the operation of boats on inland Iowa lakes and streams.

Read first and second times and referred to sifting committee.

House File No. 337, a bill for an act to amend section twelve thousand nine hundred thirty-nine (12939) Code 1931, relating to applications for permits to carry revolver, pistol or pocket billy, and providing for the payment of an annual permit fee.

Read first and second times and referred to sifting committee.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled House Files Nos. 69, 276, 275, and Senate File No. 223.

HOMER HUSH, *Chairman Senate Committee.*

WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The president of the Senate announced that, as president of the Senate, he had signed in the presence of the Senate, House Files Nos. 69, 276, 275, and Senate File No. 223.

HOUSE AMENDMENTS CONSIDERED

Senator Hill called up for consideration Senate File No. 327, amended by the House, and moved that the Senate concur in the following amendment:

Amend by adding as section 3 the following:

Sec. 3. This act being deemed of immediate importance, shall take effect and be in force from and after its publication as provided by law.

On the question "Shall the Senate concur?" the vote was:

Ayes, 31.

Bennett	Geske	McArthur	Ritchie
Booth	Hopkins	Meyer	Roelofs
Byers	Hush	Miller of Jones	Schmidt
Chrystal	Husted	Moore	Shangle
Cooney	Irwin	Mullaney	Stanley
Coykendall	Kimberly	Patterson	Wenner
Doze	Klemme	Pendray	Wilson
Fisch	Knudson	Reese	

Nays, 1.

Hill

Absent or not voting, 17.

Anderson	Carden	Miller of	Stevens of
Aschenbrenner	Elthon	Buchanan	Wapello
Beardsley	Frailey	Nelson	Topping
Beatty	Harrington	Stevens of	Valentine
Calhoun	Hicklin	Decatur	White

The House amendment having failed to receive a constitutional two-thirds majority was declared to have failed to be adopted and concurred in by the Senate.

Senator Hill moved to reconsider the vote by which the Senate failed to concur in and adopt the House amendment to Senate File No. 327.

On the question, "Shall the motion to reconsider prevail?" the vote was:

Ayes, 35.

Beardsley	Geske	McArthur	Roelofs
Bennett	Hill	Meyer	Schmidt
Booth	Hopkins	Miller of Jones	Shangle
Byers	Hush	Moore	Stanley
Chrystal	Husted	Mullaney	Topping
Cooney	Irwin	Patterson	Wenner
Coykendall	Kimberly	Pendray	White
Doze	Klemme	Reese	Wilson
Fisch	Knudson	Ritchie	

Nays, none.

Absent or not voting, 14.

Anderson	Carden	Hicklin	Stevens of
Aschenbrenner	Elthon	Miller of	Decatur
Beatty	Frailey	Buchanan	Stevens of
Calhoun	Harrington	Nelson	Wapello
			Valentine

The motion to reconsider prevailed.

On the question, "Shall the Senate concur?" the vote was:

Ayes, 34.

Beardsley	Geske	McArthur	Roelofs
Bennett	Hill	Meyer	Schmidt
Booth	Hopkins	Miller of Jones	Shangle
Byers	Hush	Moore	Stanley
Chrystal	Husted	Mullaney	Topping
Cooney	Irwin	Patterson	Wenner
Coykendall	Kimberly	Reese	White
Doze	Klemme	Ritchie	Wilson
Fisch	Knudson		

Nays, none.

Absent or not voting, 15.

Anderson	Elthon	Miller of	Stevens of
Aschenbrenner	Frailey	Buchanan	Decatur
Beatty	Harrington	Nelson	Stevens of
Calhoun	Hicklin	Pendray	Wapello
Carden			Valentine

The House amendment having received a constitutional two-thirds majority was declared to have been adopted and concurred in by the Senate.

Senator Moore called up for consideration Senate File No. 192, amended by the House, and moved that the Senate concur in the following amendments:

Amend Section 2, by striking from lines four and five the following:
 “, or as an agent or employee of any unlicensed person,”.

Amend the title by striking from the last line thereof the words “or as the agent or employee of an unlicensed person”.

On the question, “Shall the Senate concur?” the vote was:

Ayes, 30.

Beardsley	Geske	Meyer	Ritchie
Bennett	Hill	Miller of Jones	Shangle
Booth	Hopkins	Moore	Stanley
Byers	Husted	Mullaney	Topping
Chrystal	Irwin	Patterson	Wenner
Cooney	Kimberly	Pendray	White
Doze	Klemme	Reese	Wilson
Fisch	McArthur		

Nays, 1.

Coykendall

Absent or not voting, 18.

Anderson	Frailey	Miller of	Stevens of
Aschenbrenner	Harrington	Buchanan	Decatur
Beatty	Hicklin	Nelson	Stevens of
Calhoun	Hush	Roelofs	Wapello
Carden	Knudson	Schmidt	Valentine
Elthon			

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

THIRD READING OF BILLS

On motion of Senator Wilson Senate File No. 320, a bill for an act to amend Section six thousand six hundred and ten c sixteen (6610-c16) Iowa Code of 1931, relating to Street Improvements and Sewers in cities under Commission form of Government au-

thorizing return of checks to all bidders except the low responsible bidder, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 34.

Beardsley	Geske	Meyer	Ritchie
Bennett	Hill	Miller of	Roelofs
Booth	Hopkins	Buchanan	Shangle
Byers	Hush	Miller of Jones	Stanley
Chrystal	Husted	Moore	Topping
Cooney	Kimberly	Mullaney	Wenner
Coykendall	Klemme	Patterson	White
Doze	Knudson	Pendray	Wilson
Fisch	McArthur	Reese	

Nays, none.

Absent or not voting, 15.

Anderson	Elthon	Irwin	Stevens of
Aschenbrenner	Frailey	Nelson	Wapello
Beatty	Harrington	Schmidt	Valentine
Calhoun	Hicklin	Stevens of	
Carden		Decatur	

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

On motion of Senator Booth House File No. 451, a bill for an act to amend section ninety hundred forty (9040) of chapter four hundred six (406) code 1931, relating to the emergency fund of mutual assessment insurance associations other than life, to provide for investment of such fund in loans to other associations organized under said chapter under certain conditions, substituted for Senate File No. 394 on the calendar, was taken up and considered.

The bill was read for information.

Senator Booth moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 31.

Bennett	Calhoun	Coykendall	Geske
Booth	Chrystal	Doze	Hill
Byers	Cooney	Fisch	Hush

Husted	McArthur	Moore	Shangle
Irwin	Meyer	Mullaney	Stanley
Kimberly	Miller of	Reese	Topping
Klemme	Buchanan	Ritchie	White
Knudson	Miller of Jones	Roelofs	Wilson

Nays, none.

Absent or not voting, 18.

Anderson	Elthon	Patterson	Stevens of
Aschenbrenner	Frailey	Pendray	Wapello
Beardsley	Harrington	Schmidt	Valentine
Beatty	Hicklin	Stevens of	Wenner
Carden	Hopkins	Decatur	
	Nelson		

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

Senator Booth moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Booth unanimous consent was granted to withdraw Senate File No. 394, companion bill to the one just passed.

On motion of Senator Coykendall House File No. 191, a bill for an act relating to road poll taxes and providing that the payment thereof may be in cash or labor, and further providing for the collection and expenditure of such tax and the supervision of such labor; and to amend sections forty-six hundred forty-four c-fifty-eight (4644-c58), forty-six hundred forty-four c-sixty (4644-c60), forty-six hundred forty-four c-sixty-one (4644-c61) and forty-six hundred forty-four c-sixty-four (4644-c64) of the Code, 1931, returned by the sifting committee, was taken up and considered.

The bill was read for information.

On request of Senator Hill unanimous consent was granted to defer action, such bill to retain its place on the calendar.

On motion of Senator Booth Senate File No. 291, a bill for an act to amend section forty-seven hundred fifty-five-b twenty-seven (4755-b27), code 1931, relating to the taking of land for the rounding of primary road corners, returned by the sifting committee, was taken up and considered.

The bill was read for information.

On request of Senator Booth, unanimous consent was granted to defer action, such bill to retain its place on the calendar.

On motion of Senator Wenner House File No. 179, a bill for an act to amend Section ninety-two hundred seventeen C-1 (9217-C1), Code, 1931, relating to the minimum capitalization of state and savings banks and trust compaines, returned by the sifting committee, was taken up and considered.

Senator Calhoun offered the following amendment and moved its adoption:

Amend section 1 by striking therefrom line 14.

The amendment was adopted.

Senator Knudson offered the following amendment and moved its adoption:

Amend by adding as Sec. 2 the following: "The provisions of this act shall terminate January 1, 1937."

Senator Knudson moved to defer action, such bill to retain its place on the calendar.

Roll call was demanded.

On the question, "Shall action be deferred?" the vote was:

Ayes, 4.			
Byers	Doze	Hush	Knudson
Nays, 33.			
Anderson	Geske	Miller of	Schmidt
Beardsley	Hill	Buchanan	Shangle
Bennett	Hopkins	Miller of Jones	Stanley
Booth	Husted	Moore	Stevens of
Calhoun	Irwin	Mullaney	Wapello
Chrystal	Klemme	Patterson	Topping
Cooney	McArthur	Pendray	Wenner
Coykendall	Meyer	Ritchie	White
Fisch		Roelofs	Wilson
Absent or not voting, 12.			
Aschenbrenner	Frailey	Kimberly	Stevens of
Beatty	Harrington	Nelson	Decatur
Carden	Hicklin	Reese	Valentine
Elthon			

The motion to defer action was lost.

Senator Knudson withdrew his amendment.

The bill was read for information.

Senator Wenner moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 37.

Anderson	Fisch	McArthur	Ritchie
Beardsley	Geske	Meyer	Roelofs
Bennett	Hill	Miller of	Schmidt
Booth	Hopkins	Buchanan	Stanley
Byers	Hush	Miller of Jones	Stevens of
Calhoun	Husted	Moore	Wapello
Chrystal	Irwin	Mullaney	Wenner
Cooney	Kimberly	Patterson	White
Coykendall	Klemme	Pendray	Wilson
Doze	Knudson	Reese	

Nays, 1.

Shangle

Absent or not voting, 11.

Aschenbrenner	Elthon	Hicklin	Topping
Beatty	Frailey	Nelson	Valentine
Carden	Harrington	Stevens of	
		Decatur	

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

Senator Wenner moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

BILLS SENT TO THE GOVERNOR

Senator Hush from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 25th day of March, 1933, sent to the governor for his approval, Senate Files Nos. 391 and 75. HOMER HUSH, *Chairman*.

Passed on file.

PROOF OF PUBLICATION

I hereby certify that there has been filed with me, as Secretary of the Senate, a proof of publication from the Pocahontas Record-Democrat Pocahontas, Iowa, relating to Senate File No. 469, a bill for an act to make permanent the temporary transfer of money from the secondary road construction fund to the general county fund of Pocahontas County, Iowa.

BYRON G. ALLEN, *Secretary of the Senate*.

Senator Klemme moved to recess until 1:30 p. m. today.

Senator Wilson moved as a substitute that the Senate adjourn until 10:00 a. m. Monday.

The substitution was made, the motion prevailed and the Senate adjourned until 10:00 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 27, 1933.

The Senate met in regular session, President pro tempore Matt D. Cooney presiding.

Prayer was offered by Rev. Henry P. Franken, pastor of the Reformed Church in America, of Eddyville.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Ritchie for the day, on request of Senator Reese; Senator Valentine for the morning, on request of Senator Harrington; Senator Topping for the morning, on request of Senator Wilson; Senator Stevens of Wapello for the morning, on request of Senator Hicklin; Senator Knudson for the morning, on request of Senator Patterson.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Approving prohibition. Senator Harrington, from residents of Woodbury county. Senator Stanley, from members of the Woman's Club of Lenox. Judiciary No. 1.

Favoring a change in the liquor laws of Iowa. Senator Klemme, from residents of Howard and Winneshiek counties. Judiciary No. 1.

Favoring the passage of House File No. 105, without the Swift amendment. Senator Fisch, from citizens of Remsen. Manufacturing, commerce and trade.

COMMUNICATION FROM THE GOVERNOR'S OFFICE

March 27, 1933.

TO THE HONORABLE SENATE OF THE FORTY-FIFTH GENERAL ASSEMBLY:

MR. PRESIDENT: I am directed by Governor Herring to advise your Honorable Body that on the 23d day of February, 1933, there was received a certified copy of a resolution of Congress entitled, "Joint Resolution Proposing an Amendment to the Constitution of the United States"

passed during the second session of the Seventy-second Congress of the United States, with a request that the Joint Resolution be submitted to a convention in Iowa for such action as may be had.

Yours very truly,

EDITH M. JOHNSON, *Secretary to the Governor.*

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor stating that on March 25th he had approved the following bills:

Senate File No. 391, relating to the installation of a heating plant at the Iowa School for the Deaf, Council Bluffs.

Senate File No. 75, relating to drainage bonds of Fox River Drainage District No. 1 of Van Buren county.

THIRD READING OF BILLS

Senator Coykendall called up for consideration House File No. 191, upon which action was deferred on page 815 of the Senate Journal.

Senator Coykendall moved that the reading previously had be considered the third reading, which motion prevailed.

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

Ayes, 35.

Beardsley	Doze	Husted	Patterson
Beatty	Elthon	Irwin	Pendray
Bennett	Fisch	Kimberly	Reese
Byers	Geske	Klemme	Roelofs
Calhoun	Harrington	McArthur	Schmidt
Carden	Hicklin	Meyer	Shangle
Chrystal	Hill	Miller of Jones	Stanley
Cooney	Hopkins	Mullaney	Stevens of
Coykendall	Hush	Nelson	Decatur

Nays, 2.

Miller of	Wenner
Buchanan	

Absent or not voting, 12.

Anderson	Knudson	Stevens of	Valentine
Aschenbrenner	Moore	Wapello	White
Booth	Ritchie	Topping	Wilson
Frailey			

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

Senator Coykendall moved that the vote by which the bill

passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Elthon called up for consideration Senate File No. 348, upon which action was deferred on page 695 of the Senate Journal.

Senator Irwin offered the following amendment as a substitute for all pending amendments and moved its adoption:

Amend by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. The assignment, sale, or transfer of all mortgages or notes or other evidences of indebtedness secured by real estate mortgages, shall be reported to the County Auditor of the residence of the assignee, by the assignee thereof, within thirty (30) days from the date of the execution of said assignment, sale or transfer.

"Sec. 2. No such assignment shall be of any validity until the same be reported to said County Auditor.

"Sec. 3. The assignment, sale or transfer of mortgages or notes secured thereby, heretofore sold, assigned or transferred, shall be reported to the County Auditor, aforesaid, within thirty (30) days after taking effect of this act.

"Sec. 4. Failure to comply with this statute shall subject the person offending to a penalty of Twenty-five Dollars (\$25.00), which shall be a lien upon his interest in the property covered by the instrument and may be collected by suit in the name of the state for the benefit of the school fund within the county in which the property is located, and no such instrument shall be released or satisfied of record until such penalty has been paid.

"Sec. 5. The payment of the penalty herein provided shall not be construed to relieve the holder of any note or mortgage from the obligation to pay the taxes, penalty and interest due from him thereon."

Senator Beatty offered the following amendment to the amendment and moved its adoption:

Amend section 1 by inserting before the word "mortgages" in line 2 the word "real estate".

The amendment to the amendment was adopted.

Senator Beatty offered the following amendment to the amendment and moved its adoption:

Amend section 1 by inserting in line 2 after the word "notes" the words "secured by real estate mortgages".

The amendment to the amendment was adopted.

Senator Wilson was called to the chair at 10:55 a. m.

Senator Beatty offered the following amendment to the amendment and moved its adoption :

Amend section 1 by striking the period at the end thereof and substituting in lieu thereof the following " , unless such assignment be recorded in the county recorder's office of the county in which the assignee resides."

The amendment to the amendment was adopted.

The amendment as amended was adopted.

The bill was read for information.

Senator Elthon moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 28.

Anderson	Elthon	Kimberly	Pendray
Aschenbrenner	Fisch	Klemme	Reese
Beardsley	Harrington	McArthur	Roelofs
Calhoun	Hill	Miller of	Stevens of
Chrystal	Hopkins	Buchanan	Decatur
Cooney	Hush	Mullaney	White
Coykendall	Husted	Nelson	Wilson
Doze	Irwin		

Nays, 7.

Carden	Miller of Jones	Shangle	Wenner
Meyer	Patterson	Stanley	

Absent or not voting, 14.

Beatty	Frailey	Moore	Stevens of
Bennett	Geske	Ritchie	Wapello
Booth	Hicklin	Schmidt	Topping
Byers	Knudson		Valentine

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

Senator Elthon moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Harrington Senate File No. 469, a bill for an act to make permanent the temporary transfer of money from the secondary road construction fund to the general county fund of Pocahontas County, Iowa, a sifting committee bill, was taken up and considered.

The bill was read for information.

Senator Harrington moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 35.

Anderson	Harrington	McArthur	Reese
Aschenbrenner	Hicklin	Meyer	Roelofs
Bennett	Hill	Miller of	Schmidt
Byers	Hopkins	Buchanan	Shangle
Calhoun	Hush	Miller of Jones	Stevens of
Carden	Husted	Mullaney	Decatur
Chrystal	Irwin	Nelson	Wenner
Doze	Kimberly	Patterson	White
Fisch	Klemme	Pendray	Wilson
Geske			

Nays, 1.

Stanley

Absent or not voting, 13.

Beardsley	Coykendall	Knudson	Stevens of
Beatty	Elthon	Moore	Wapello
Booth	Frailey	Ritchie	Topping
Cooney			Valentine

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

Senator Harrington moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Nelson Senate File No. 332, a bill for an act to amend Section forty-seven hundred fifty-five-b twenty-nine (4755-b29), Code 1931, relating to maintenance of highways through cities and towns, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Nelson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 37.

Anderson	Calhoun	Geske	Husted
Aschenbrenner	Carden	Harrington	Irwin
Beatty	Chrystal	Hicklin	Kimberly
Bennett	Doze	Hill	Klemme
Booth	Elthon	Hopkins	McArthur
Byers	Fisch	Hush	Meyer

Miller of Buchanan	Nelson Patterson	Roelofs Shangle	Stevens of Decatur
Miller of Jones	Pendray	Stanley	White
Mullaney	Reese		Wilson

Nays, 2.

Coykendall	Wenner
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Absent or not voting, 10.

Beardsley	Knudson	Schmidt	Topping
Cooney	Moore	Stevens of	Valentine
Frailey	Ritchie	Wapello	

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

Senator Nelson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 339, a bill for an act relating to Armory Board, tenure, duties, payment of allowances.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 302, a bill for an act legalizing warrants issued by the City of Clinton, Iowa.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 289, a bill for an act relating to election of county superintendent of schools.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 342, a bill for an act to relinquish any claim to certain real estate known as Flanders-Bixby State Park, Marion County, Iowa.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 344, a bill for an act relating to nuisances within one thousand feet of the limits of any municipal airport.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 397, a bill for an act relating to associations engaged in writing hail insurance.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 422, a bill for an act relating to the payment of taxes on notes, bonds, contracts and other evidence of indebtedness shall be paid by plaintiff or become a lien against the same.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 482, a bill for an act relating to license fees on motor vehicle trailers.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 494, a bill for an act relating to contesting elections for seats in the General Assembly.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 324, a bill for an act relating to County Recorder's salary in counties where the Recorder's office is kept in two different places.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 325, a bill for an act relating to salary of deputy clerk of district court in counties where district court is held in two places.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 327, a bill for an act relating to salary of clerk of district court in counties where district court is held in two places.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 330, a bill for an act relating to County Treasurer's salary in counties having a special charter City, or holding District Court in two places.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 334, a bill for an act relating to County Auditor's salary in counties having two places of holding District Court.

LLOYD ELLIS, *Chief Clerk.*

President N. G. Kraschel came to the chair at 11:20 a. m.

THIRD READING OF BILLS

Senator Booth called up for consideration Senate File No. 289, upon which action was deferred on page 774 of the Senate Journal.

On request of Senator Husted, unanimous consent was granted to withdraw his amendment as found on page 774 of the Senate Journal.

Senator Elthon offered the following amendment and moved its adoption:

Amend by striking from section 2, line 4 thereof both commas and the word "graveled".

The amendment was adopted.

Senator Booth offered the following amendment and moved its adoption:

Amend by inserting after the word "tread" in line four (4) of Section two (2) the words ", except farm machinery which is not self-propelled,". The amendment was adopted.

Senator Coykendall offered the following amendment and moved its adoption:

Amend by striking the last sentence in section 2.

On request of Senator Beatty unanimous consent was granted to defer action, such bill to retain its place on the calendar.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House Files Nos. 189, 278 and 279.

HOMER HUSH, *Chairman Senate Committee.*
WM. KOCH, *Chairman House Committee,*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 189, 278 and 279.

BILLS SENT TO THE GOVERNOR

Senator Hush from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 27th day of March, 1933, sent to the Governor for his approval, Senate File No. 223.

HOMER HUSH, *Chairman.*

Passed on file.

Senator Bennett moved that the chair in which the late Senator John H. Judd sat during his service in the Senate be sent to his family. The motion prevailed.

Senator Carden moved to recess until 1:30 p. m. today. The motion prevailed.

Senator Bennett moved to reconsider the vote by which the Senate recessed, which motion prevailed.

On request of Senator Beatty unanimous consent was granted to file a report of conference committee on substitute for Senate File No. 131, in the Journal.

Senator White moved, that when the Senate adjourn it be to reconvene at 9:00 a. m. Tuesday. The motion prevailed.

The Journal of March 25th was corrected and approved.

HOUSE MESSAGES CONSIDERED

House File No. 289, a bill for an act to amend sections forty hundred ninety-seven (4097), forty hundred ninety-nine (4099), forty-one hundred (4100), and forty-one hundred one (4101), code 1931, relating to the election of the county superintendent of schools.

Read first and second times and referred to sifting committee.

House File No. 342, a bill for an act to relinquish any claim, right, title or interest for or on behalf of the State of Iowa in and to certain real estate now known as Flanders-Bixby State Park in Marion County, Iowa.

Read first and second times and referred to sifting committee.

House File No. 344, a bill for an act to amend section twelve thousand three hundred ninety-six (12396), Code, 1931, relating to nuisances, and to provide that any object or structure over fifty feet high hereafter erected or maintained within one thousand feet of the limits of any municipal airport which may endanger or obstruct aerial navigation is a nuisance.

Read first and second times and referred to sifting committee.

House File No. 494, a bill for an act to amend section nine hundred ninety-four (994) Code of 1931, relating to contesting elections for seats in the General Assembly.

Read first and second times and referred to sifting committee.

House File No. 324, a bill for an act to amend section fifty-two hundred twenty-four (5224), code, 1931, relating to the amount of

the County Recorder's Salary in counties having a population of over fifty thousand (50,000), where district court is held in two places.

Read first and second times and referred to sifting committee.

House File No. 325, a bill for an act to amend section fifty-two hundred thirty-one (5231), code, 1931, relating to the amount of the salary of the Deputy Clerk of the District Court in counties having a population of over fifty thousand (50,000), where District Court is held in two places.

Read first and second times and referred to sifting committee.

House File No. 397, a bill for an act to amend Section ninety hundred fifty-five (9055), and to repeal section ninety hundred forty-three (9043), Code, 1931, and to enact a substitute in lieu thereof relating to associations engaged in the writing of hail insurance and to provide for limited assessments; to fix time of closing books, the minimum percentage which shall be returned to members through payment of losses and dividends from the income for each year; to provide for contributions to an emergency or surplus fund, and to provide the date on which hail losses shall be due and payable.

Read first and second times and referred to sifting committee.

House File No. 422, a bill for an act to provide that actions based on notes, bonds, contracts, and other written evidence of indebtedness, shall not be maintained in the courts of this state, unless as a condition precedent to the rendition of judgment thereon, the same shall have been listed for taxation or taxes shall have been paid, and providing for prima facia evidence of such listing and payment of taxes, and providing that unpaid taxes shall be a lien on such judgment.

Read first and second times and referred to sifting committee.

House File No. 482, a bill for an act to amend Section forty-nine hundred twenty (4920), Code, 1931, relating to license fees on motor vehicle trailers.

Read first and second times and referred to sifting committee.

House File No. 327, a bill for an act to amend section fifty-two hundred thirty (5230), code, 1931, relating to the amount of the salary of the Clerk of the District Court in counties having a pop-

ulation of over fifty thousand (50,000), where District Court is held in two places.

Read first and second times and referred to sifting committee.

House File No. 330, a bill for an act to amend section fifty-two hundred twenty-two (5222), Code, 1931, relating to the amount of the County Treasurer's salary in counties over twenty-five thousand (25,000) population having a special charter City and counties over fifty thousand (50,000) population where district court is held in two places.

Read first and second times and referred to sifting committee.

House File No. 334, a bill for an act to amend section fifty-two hundred twenty (5220) Code, 1931, relating to the amount of the county auditor's salary in counties having a population of over fifty thousand (50,000), where District Court is held in two places.

Read first and second times and referred to sifting committee.

AMENDMENTS FILED

Amend Senate File No. 289 as follows:

Amend Section 2 by striking from line 4 the word "paved".

O. P. BENNETT.

Amend Senate File No. 289 as follows:

By inserting after Sec. 2 the following:

Sec. 3. The provisions of this act shall not apply to farm machinery necessarily moved over the highway to gain access to fields for agricultural purposes or any necessary transportation of agricultural machinery from one farm to another.

Further amend by renumbering Sec. 3 as Sec. 4. FRED W. NELSON.

On motion of Senator Cooney the Senate adjourned, the time for reconvening having been set previously for 9:00 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 28, 1933.

The Senate met in regular session, Senator Wilson presiding, at the request of President N. G. Kraschel.

Prayer was offered by Rev. Fred A. Smith, of Methodist Episcopal Church of Shell Rock, Iowa.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Approving prohibition. Senator Moore, from residents of Pottawattamie county. Judiciary No. 1.

Opposing the passage of Senate File No. 140. Senator Carden, from members of the Church of Christ at Kalona. Public schools.

Opposing the consolidation of school election with city elections. Senator Harrington, from residents of Woodbury county. Elections.

Favoring an appropriation for county fairs. Senator Stevens of Decatur, from residents of Union county. Appropriations.

Favoring the passage of Senate File No. 269. Senator Coykendall, from residents of Page county. Senator Fisch, from residents of Cherokee county. Agriculture.

MOTION WITHDRAWN

On request of Senator Roelofs, unanimous consent was granted to withdraw his motion to reconsider the vote by which House File No. 540 failed to pass the Senate, found on page 786 of the Senate Journal.

REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 238

Senator Fisch called up for consideration the following confer-

ence committee report on House File No. 238 and moved its adoption:

TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE:

We, your conference committee appointed to consider the differences between the Senate and the House on House File No. 238, beg leave to report that we have had the same under consideration and desire to report as follows:

Amend Section 1 of the Senate substitute amendment by adding after the word "regulations" in line 5 the words "subject to the approval of the Executive Council".

Amend Section 10 of the Senate substitute amendment by striking out of lines 15 and 16 the words "over the age of sixteen".

Also amend Section 10 by striking out of line 27 the words "with more than" and insert in lieu thereof after the figures "100" the words "or more".

Amend the Senate substitute amendment by adding the following as section 26.

Sec. 26. This act being deemed of immediate importance, shall be in force and effect from and after its publication in the Waterloo Evening Courier, a newspaper published at Waterloo, Iowa, and the Le Mars Semi-Weekly Sentinel, a newspaper published at Le Mars, Iowa, the expense of such publication to be paid out of the Fish and Game fund.

That the House concur in Senate substitute amendment as amended herein.

MIKE G. FISCH
ROY E. STEVENS
E. R. HICKLIN

On the part of the Senate.

A. H. BONNSTETTER
ARCH W. MCFARLANE
E. J. MANIECE
FRANK E. WENIG

On the part of the House.

On the question, "Shall the report be adopted and the amendments proposed be concurred in?" the vote was:

Ayes, 34.

Aschenbrenner	Elthon	Meyer	Ritchie
Beardsley	Frailey	Miller of	Roelofs
Booth	Geske	Buchanan	Schmidt
Byers	Harrington	Miller of Jones	Shangle
Carden	Hill	Moore	Stanley
Chrystal	Hopkins	Mullaney	Stevens of
Cooney	Husted	Nelson	Wapello
Coykendall	Kimberly	Pendray	Wenner
Doze	Klemme	Reese	Wilson

Nays, none.

Absent or not voting, 15.

Anderson	Hicklin	McArthur	Topping
Beatty	Hush	Patterson	Valentine
Bennett	Irwin	Stevens of	White
Calhoun	Knudson	Decatur	
Fisch			

The report was adopted and the amendments concurred in.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 567, a bill for an act relating to fees charged by township clerks for mileage and reporting same.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 367, a bill for an act relating to transfer of funds by authority of the Budget Director to the poor fund.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 535, a bill for an act relating to appropriation to R. Kamminga, Administrator of the estate of Michael Barry, deceased.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 565, a bill for an act to make permanent the transfer of certain funds in Floyd County to the poor fund and soldiers' relief fund.

LLOYD ELLIS, Chief Clerk.

HOUSE MESSAGES CONSIDERED

House File No. 567, a bill for an act to amend section sixteen hundred fifty-four (1654), Code, 1931, relating to fees charged by township clerks for mileage and reporting same.

Read first and second times and referred to sifting committee.

House File No. 565, a bill for an act to make permanent the transfers of county funds in Floyd County to the poor fund and to the soldiers' relief fund from the road construction fund, where said transfers were originally made with the approval of the Director of the Budget.

Read first and second times and referred to sifting committee.

House File No. 367, a bill for an act to make permanent a temporary transfer made March 8, 1932, by authority of the Director of the Budget for Iowa, of twenty thousand dollars (\$20,000.00) from the Secondary Road Construction Fund of Monroe County, Iowa, to the Poor Fund of said county.

Read first and second times and referred to sifting committee.

House File No. 535, a bill for an act to make an appropriation to R. Kamminga, Administrator of the Estate of Michael Barry, deceased.

Read first and second times and referred to committee on appropriations.

SENATE INSISTS ON AMENDMENTS TO HOUSE FILE NO. 63

Senator Stevens of Wapello moved that the Senate insist on its amendments to House File No. 63 as follows:

Amend by striking out the period in line 8 and inserting a comma in lieu thereof, and by adding after the comma the following: "except police officers who are called as witnesses when not on duty".

On the question, "Shall the Senate insist?" the vote was:

Ayes, 32.

Anderson	Geske	Meyer	Shangle
Aschenbrenner	Harrington	Miller of	Stanley
Byers	Hicklin	Buchanan	Stevens of
Carden	Hill	Miller of Jones	Decatur
Chrystal	Hopkins	Moore	Stevens
Doze	Husted	Mullaney	of Wapello
Elthon	Kimberly	Pendray	Wenner
Fisch	Klemme	Reese	Wilson
Frailey	Knudson	Roelofs	

Nays, 1.

Ritchie

Absent or not voting, 16.

Beardsley	Calhoun	Irwin	Schmidt
Beatty	Cooney	McArthur	Topping
Bennett	Coykendall	Nelson	Valentine
Booth	Hush	Patterson	White

The Senate insisted on its amendments to House File No. 63.

CONFERENCE COMMITTEE ON HOUSE FILE NO. 63

The chair appointed as conference committee in consideration of House File No. 63, Senators Byers, Booth, Harrington and Cooney.

THIRD READING OF BILLS

On motion of Senator Byers House File No. 384, a bill for an act to authorize the Board of Waterworks Trustees of the City of Des Moines to furnish exhaust steam for heating the clubhouse of the Des Moines Chapter of the Izaak Walton League, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Byers moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 37.

Anderson	Geske	Knudson	Schmidt
Aschenbrenner	Harrington	Meyer	Shangle
Booth	Hicklin	Miller of	Stanley
Byers	Hill	Buchanan	Stevens of
Carden	Hopkins	Miller of Jones	Decatur
Coykendall	Hush	Moore	Stevens of
Doze	Husted	Mullaney	Wapello
Elthon	Irwin	Pendray	Wenner
Fisch	Kimberly	Reese	White
Frailey	Klemme	Ritchie	Wilson

Nays, none.

Absent or not voting, 12.

Beardsley	Calhoun	McArthur	Roelofs
Beatty	Chrystal	Nelson	Topping
Bennett	Cooney	Patterson	Valentine

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

On motion of Senator Shangle House File No. 266, a bill for an act to provide a lien on grain and seed threshed or corn shelled for the benefit of persons operating grain threshing or corn shelling equipment, and the method of perfecting said lien, and to provide the limitations of actions to enforce said lien and the procedure for the enforcement thereof, returned by the sifting committee, was taken up and considered.

Senator Mullaney offered the following amendment and moved its adoption:

Amend section 1 by inserting after the word "corn" in line 3 the words "shredding corn, filling silos,".

The amendment was adopted.

Senator Wenner moved to defer action. The motion was lost.

The bill was read for information.

Senator Shangle moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 30.

Anderson	Bennett	Geske	Husted
Aschenbrenner	Carden	Hicklin	Irwin
Beardsley	Cooney	Hill	Kimberly
Beatty	Doze	Hopkins	McArthur

Meyer	Mullaney	Ritchie	Topping
Miller of	Nelson	Shangle	White
Buchanan	Patterson	Stanley	Wilson
Moore	Reese	Stevens of	
		Decatur	

Nays, 14.

Calhoun	Fisch	Miller of Jones	Stevens of
Chrystal	Frailey	Pendray	Wapello
Coykendall	Hush	Schmidt	Valentine
Elthon	Klemme		Wenner

Absent or not voting, 5.

Booth	Harrington	Knudson	Roelofs
Byers			

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

Senator Shangle moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Hicklin House File No. 237, a bill for an act to amend sections forty-two hundred thirty (4230), forty-two hundred twenty-eight (4228), and forty-two hundred twenty-nine (4229), code, 1931, relating to the election of superintendents and teachers in public schools, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Hicklin moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 45.

Anderson	Frailey	McArthur	Schmidt
Aschenbrenner	Geske	Meyer	Shangle
Beardsley	Harrington	Miller of	Stanley
Bennett	Hicklin	Buchanan	Stevens of
Booth	Hill	Miller of Jones	Decatur
Carden	Hopkins	Mullaney	Stevens of
Chrystal	Hush	Nelson	Wapello
Cooney	Husted	Patterson	Topping
Coykendall	Irwin	Pendray	Valentine
Doze	Kimberly	Reese	Wenner
Elthon	Klemme	Ritchie	White
Fisch	Knudson	Roelofs	Wilson

Nays, 2.

Calhoun	Moore
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Absent or not voting, 2.

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

Senator Hicklin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

CONSIDERATION OF SUBSTITUTE FOR SENATE FILE
NO. 263 RESUMED

Senator Patterson called up for consideration Senate File No. 263, upon which action was deferred on page 808 of the Senate Journal.

Senator Patterson called up the following amendment as offered previously, on page 804 of the Senate Journal, and moved its adoption:

Amend by striking out paragraph (h) of Section five (5), part three (3), and substitute therefor the following:

“(h) For each business concern engaging, operating and/or continuing in this state in the railroad, bus line, motor truck and freight, sleeping car or private car business, and each business concern engaging operating and/or continuing in this state in any business and/or whose property is dedicated to the public use or whose charges or rates for furnishing its product or service, are or may be, subject to regulation by the state of Iowa, or any governmental sub-division thereof, the amount of such tax for each such concern shall be equal to the gross income of such business multiplied by the rate of two per cent (2%). For each business concern, operating and/or continuing in this state in the telephone, telegraph, electric light, central heating, power business, the amount of tax for each such concern shall be equal to the gross income multiplied by the rate of one and two-tenths per cent (1.2%). For each business concern operating and/or continuing in this state in the artificial gas business, the amount of tax for each such concern shall be equal to the gross income multiplied by the rate of one per cent (1%). For each business concern operating and/or continuing in this state in the business of selling or distributing natural gas or natural gas mixed with artificial gas, also including pipe line business, the amount of tax for each such concern shall be equal to the gross income multiplied by the rate of six per cent (6%) upon natural gas or mixture of natural gas and artificial gas in any mixture. Municipalities and/or other political subdivisions of the state are expressly included by the term “business concern” as used in this subsection (h) only.”

Senator Patterson moved to substitute Substitute for Senate File No. 263 for Senate File No. 263 on the calendar.

On the question, “Shall the substitution be made?” the vote was:

Ayes, 40.

Aschenbrenner	Frailey	Miller of	Schmidt
Beardsley	Geske	Buchanan	Shangle
Beatty	Harrington	Miller of Jones	Stanley
Bennett	Hicklin	Moore	Stevens of
Booth	Hill	Mullaney	Decatur
Calhoun	Hopkins	Nelson	Stevens of
Carden	Hush	Patterson	Wapello
Chrystal	Husted	Pendray	Topping
Coykendall	Kimberly	Reese	Wenner
Doze	McArthur	Ritchie	White
Elthon		Roelofs	Wilson

Nays, 5.

Anderson	Cooney	Irwin	Valentine
Byers			

Absent or not voting, 4.

Fish	Klemme	Knudson	Meyer
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The substitution was made.

Senator Hicklin offered the following amendment to the Patter-son amendment and moved its adoption:

Amend by striking all after the words, "natural gas" as it first appears in line 20 of the printed amendment, also by striking all of lines 21, 22, 23 and the first word in line 24 of such printed amendment and substituting in lieu thereof the following:

"the amount of tax for each such concern shall be equal to the gross income multiplied by the rate of 2 per cent.

For each business concern operating and/or continuing in this state in the business of selling or distributing natural gas mixed with artificial gas, also including pipe line business, the amount of tax for each such concern shall be equal to the gross income multiplied by the rate of one per cent where the mixture of natural gas is less than 25%, one and one quarter per cent where the mixture is more than 25% and less than 50%, one and one half per cent where the mixture of natural gas is more than 50% and less than 75% and one and three-quarters per cent where the mixture is in excess of 75%,".

President N. G. Kraschel in the chair at 11:14 a. m.

Senator Bennett moved to recess until the fall of the gavel, which motion prevailed.

AFTERNOON SESSION

The Senate reconvened at the fall of the gavel, President N. G. Kraschel presiding.

Senator McArthur presented to the Senate representatives from each county in the state favoring prohibition.

REPORT OF COMMITTEE ON CREDENTIALS

MR. PRESIDENT: Your Committee on Credentials begs leave to report that they find that D. Myron Tripp has a certificate of election from the Twenty-ninth Senatorial District, has been duly elected, and is entitled to a seat in this body.

ROY E. STEVENS
GEO. A. WILSON
M. D. COONEY

E. R. HICKLIN
CHAS. D. BOOTH

On request of Senator Stevens, unanimous consent was granted to consider the report.

The report was adopted.

Senator Stevens of Wapello moved that a committee of two be appointed to escort the Hon. D. Myron Tripp to the President's desk to take the oath of office.

The motion prevailed and the President appointed Senators Stevens of Wapello and Byers, who escorted the newly elected Senator to the desk, where he took the oath of office.

SPECIAL MESSAGE TO LEGISLATURE

MR. PRESIDENT, MR. SPEAKER, SENATORS AND REPRESENTATIVES OF THE FORTY-FIFTH GENERAL ASSEMBLY:

I wish to place before the General Assembly my position upon tax revision as I am advised that the Legislature now has before it a number of tax revision measures. For twelve years I have advocated a complete revision of our taxing machinery. My position in this connection has in no wise changed. I believe tax revision to be of at least equal importance with every other question before the Legislature and the people. I am opposed to tax revision in this session of the Legislature for the following reasons:

A comprehensive study of revenue systems, state and local, is now being made. This report will describe the existing system of taxation. It will point out its inequalities and defects and will recommend specific measures for improvement. Tax revision will be compared, so far as it may be possible, with the incomes of taxpayers, and this report will show in what taxing districts, among what classes of population, the burden of taxation is heaviest. Due attention will be given to the method of assessments and to the allocation of the proceeds of taxation. Especially will careful consideration be given to the general property tax and to possible substitute sources, which if taxed, might bring about a more equitable distribution of the tax burden. In my opinion, it would be extremely difficult, if not impossible, to accomplish a sound revision of our revenue system without the information which this survey will provide. Taxation is an extremely intricate matter, and though done with the best of intentions, the hasty enactment of new revenue laws

might defeat their own purpose. I want new taxes devised after we know what the tax load is to be.

I have upon another occasion advised your Honorable Body that I purpose calling a special session of the Legislature in the latter part of the present summer. I pledge you now that one of the very first matters to be urged for consideration by this special session of the Legislature will be tax revision, to be based upon full and complete revenue information which will be laid before you.

The only possible advantage from a revenue standpoint of tax revision measures now before the General Assembly as contrasted with action to be taken in the next session, would be revenue from a sales tax program, and possibly a small return from a net income tax. I do not believe that this possible revenue justifies revamping our entire revenue-raising structure without the information which the above referred to survey will provide. I recognize it is clearly the duty of the Legislature to provide revenue and it is further the duty of the Legislature to provide revenue in the most just and equitable manner, and I recognize further the injustices of a system which has been in effect for approximately seventy-five years. However, I cannot believe that the continuance of this present inequitable system for an additional one hundred and twenty days justifies disregarding altogether the effort that is now being made to assemble facts and conditions upon which an intelligent long-time program can be devised.

Respectfully submitted,

CLYDE L. HERRING, *Governor.*

MESSAGES FROM THE HOUSE

The following messages were received from the House :

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and failed to pass Senate File No. 122, a bill for an act relating to the duties of the secretary of the Board of Engineering Examiners.

Also, that the House has concurred in the Senate amendments to House File No. 179, a bill for an act relating to minimum capitalization of state and savings banks and trust companies. LLOYD ELLIS, *Chief Clerk.*

CALL OF THE SENATE

MR. PRESIDENT: The undersigned request a call of the Senate for the remainder of the day, March 28th, 1933.

M. D. COONEY

J. R. FRAILEY

JOHN K. VALENTINE

E. R. HICKLIN

FRANK BYERS

CHAS. D. BOOTH

H. C. WHITE

L. H. MEYER

M. X. GESKE

GEO. A. WILSON

H. D. MILLER

VINCENT F. HARRINGTON

PAUL W. SCHMIDT

L. T. SHANGLE

Roll call revealed the presence of all senators and the call was declared complete.

MOTION TO COMMIT

Senator Geske moved that Senate Files Nos. 263, 265 and all substitutes therefor, including all pending amendments, be referred to a special committee of five members of the Senate, to be appointed by the President of the Senate, to study the same, together with other tax revision measures and proposals, and report thereon with such recommendations as to tax revision as they may deem proper at the 45th Special Session of the Legislature.

Senator Cooney raised the point of order that Senator Patterson was not talking on a subject germane to the motion before the Senate.

The President held the point of order not well taken.

Senator Stanley moved to defer action on the motion until tomorrow.

Senator Irwin raised the point of order that under Rule No. 10, a motion to defer was out of order as the motion in question was a motion to commit, which would take precedence.

The President ruled that the motion to commit took precedence.

Senator Frailey moved the previous question, which motion prevailed.

Roll call was demanded.

On the question, "Shall the Geske motion prevail?" the vote was:

Ayes, 28.

Anderson	Harrington	Miller of Jones	Stevens of
Byers	Hicklin	Moore	Wapello
Cooney	Irwin	Mullaney	Topping
Coykendall	Kimberly	Reese	Tripp
Doze	Klemme	Schmidt	Valentine
Fisch	Meyer	Shangle	White
Frailey	Miller of	Stevens of	Wilson
Geske	Buchanan	Decatur	

Nays, 22.

Aschenbrenner	Carden	Husted	Pendray
Beardsley	Chrystal	Knudson	Ritchie
Beatty	Elthon	McArthur	Roelofs
Bennett	Hill	Nelson	Stanley
Booth	Hopkins	Patterson	Wenner
Calhoun	Hush		

Absent or not voting, none.

The motion prevailed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files Nos. 300, 280, 212, 166, 327, 192, 339 and 302.

HOMER HUSH, *Chairman Senate Committee.*

WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files No. 300, 280, 212, 166, 327, 192, 339 and 302.

BILLS SENT TO THE GOVERNOR

Senator Hush from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 28th day of March, 1933, sent to the Governor for his approval, Senate Files Nos. 300, 280, 212, 166, 327, 192, 339 and 302.

HOMER HUSH, *Chairman.*

Passed on file.

Senator Frailey moved that the call of the Senate be raised.

The motion prevailed.

EXTRA COPIES SENATE FILE NO. 471 ORDERED

On request of Senator Valentine unanimous consent was granted to have printed 600 extra copies of Senate File No. 471.

CONSIDERATION OF HOUSE FILE NO. 540 RESUMED

Senator Bennett asked unanimous consent to consider the motion to reconsider the vote by which House File No. 540 failed to pass the Senate, which motion had been filed by Senator Roelofs on page 786.

Senator Stevens of Wapello raised the point of order that Senator Roelofs had withdrawn his motion to reconsider.

The President held that the request to withdraw the motion to reconsider could not be made unless it was made within the time

in which a new motion to reconsider could be filed, therefore Senator Roelofs' withdrawal of his motion to reconsider was not effective.

Senator Frailey raised the point of order that the matter before the Senate was the motion to reconsider and the Senators speaking were out of order.

The President held the point of order well taken.

Senator Patterson raised the point of order that there was no motion to reconsider, as Senator Roelofs had withdrawn his motion and Senator Bennett's motion to reconsider was out of order as he did not vote on the prevailing side and could not file such a motion.

The President cited Senator Patterson to page 158 of Robert's Rules of Order which states that the motion to reconsider cannot be withdrawn unless it is so done in time for another motion to reconsider to be filed.

Senator Wilson raised the point of order that if the motion to reconsider prevailed it would still leave the bill on its third reading and it would not be under discussion, or subject to amendment, but only be subject to another roll call on the passage of the bill; that the motion to reconsider the vote by which the bill went to its third reading would have to be filed on the same day on which the motion to reconsider the passage or failure of the bill could be filed, citing for authority Rule No. 26.

Senator Frailey raised the point of order that Senator Wilson was one step ahead of the procedure as the motion before the Senate was the motion to reconsider the vote by which the bill failed to pass the Senate; that when the bill came up, then Senator Wilson could make his point of order.

Senator Wilson stated that the reason for his observation was to inform the Senate of his contention that the bill would not be up for discussion even though the motion to reconsider the vote by which the bill failed to pass, prevailed.

Rule 8 was invoked.

On the question, "Shall the Senate reconsider the vote by which the Senate failed to pass House File No. 540?" the vote was:

Ayes:

Anderson	Harrington	Meyer	Roelofs
Bennett	Hill	Miller of	Schmidt
Cooney	Hopkins	Buchanan	Stanley
Doze	Irwin	Moore	Stevens of
Fisch	Kimberly	Mullaney	Decatur
Frailey	Knudson	Pendray	Valentine
Geske	McArthur	Reese	

Nays:

Aschenbrenner	Chrystal	Miller of Jones	Topping
Beardsley	Coykendall	Nelson	Tripp
Beatty	Elthon	Patterson	Wenner
Booth	Hicklin	Ritchie	White
Byers	Hush	Shangle	Wilson
Calhoun	Husted	Stevens of	
Carden	Klemme	Wapello	

Absent or not voting, none.

The President announced for the information of the Senate that there was a tie vote and asked the indulgence of the Senate to decide whether or not he should cast the deciding vote or whether the motion should be considered as lost.

Senator Wilson moved to adjourn until 9:00 a. m. Wednesday.

Senator Shangle asked unanimous consent to change his vote from "nay" to "aye".

Senator Wilson objected, stating that the vote had been announced and Senator Shangle could not change his vote.

The President announced that he had not given the vote officially, and overruled the objection.

Senator Kimberly raised the point of order that the motion before the Senate was the motion to adjourn, which was not debatable and all later proceedings were out of order.

The President held the point of order well taken.

SIFTING COMMITTEE REPORT

March 28th, 1933.

MR. PRESIDENT: Your Sifting Committee begs leave to report that it has had the following bills under consideration and recommends that they be placed upon the calendar:

H. F. No. 64

H. F. No. 223

H. F. No. 65

The Sifting Committee also reports out as a Committee bill, a bill for an act to repeal section eighty-seven (87) of Substitute for House File

Number one (1), enacted by the Forty-fifth General Assembly, relating to taxation.

The Sifting Committee also reports out as a Committee bill, a bill for an act providing for the reduction of the salaries and compensations of the public officials of the state, the counties, the towns and townships of the state, whose salaries and compensation are fixed by law, excepting salaries of judges and such others who, under the constitution, are entitled to receive their present salaries during the term of office for which they are elected, providing for the suspension of statutes fixing the present salaries of public officials until March 1, 1935.

The Sifting Committee also reports out as a Committee bill, a bill for an act to amend House File No. 47, enacted by the 45th General Assembly, relating to school privileges under certain conditions.

The Sifting Committee has also had the following bills under consideration and recommends that they be placed on the calendar:

S. F. No. 324

H. F. No. 268

S. F. No. 102

S. F. No. 406

S. F. No. 318

H. F. No. 200

The Sifting Committee also reports out as a Sifting Committee bill, a substitute for Senate File No. 352, a bill for an act to repeal chapters 252-a1, 252-a2, and 252-c1 of the code, 1931, relating to the regulation and taxation of motor carriers; and to provide for the supervision and regulation by the board of railroad commissioners of the use of the highways by those engaged in transportation by motor vehicles for hire; etc.

JOHN K. VALENTINE, *Chairman.*

AMENDMENTS FILED

Amend House File No. 128 as follows:

Section 1. By inserting after the word "hospitals," in line 3 of Sec. 1 thereof, the words "and every licensed physician or surgeon"; by inserting after the comma in line 7 of Sec. 1, the words "or medical or surgical services or treatment from such physician or surgeon"; and by changing the period at the end of line 13 of Sec. 1 to a comma, and by adding thereto the following, "or the amount of the regular and customary charges of such physician or surgeon for such medical or surgical care or treatment."

Sec. 2. By inserting after the word "hospital" in line 1 of Sec. 2, the words "or such physician or surgeon".

Sec. 3. By inserting after the word "hospital" in line 9 of Sec. 3, the words ", physician or surgeon".

Sec. 4. By inserting after the word "hospital," in line 2 of Sec. 4, the words "or any physicians or surgeons"; by changing the word "wishes" in line 3 of Sec. 4 to "wish"; by inserting after the word "hospital" in line 10 of Sec. 4, the words ", physician or surgeon"; by inserting after the word "hospital" in line 17 of Sec. 4, the words ", physician or surgeon".

Sec. 5. By inserting after the word "hospital," in line 8 of Sec. 5,

the words "physician or surgeon,"; and by inserting after the word "hospital" in line 13 of Sec. 5, the words ", physician or surgeon".

Sec. 6. By inserting after the word "hospital" in line 2 of Sec. 6, the words ", physician or surgeon"; by inserting after the word "hospital" in line 5 of Sec. 6, the words ", physician or surgeon"; by inserting after the word "hospital," in line 11 of Sec. 6, the words "physician or surgeon,"; by inserting after the word "hospital" in line 22 of Sec. 6, the words ", physician or surgeon"; by inserting after the word "hospital" in line 24 of Sec. 6, the words ", physician or surgeon".

Sec. 7. By inserting after the word "authorities" in line 2 of Sec. 7, the words ", physician or surgeon"; by inserting after the word "its" in line 3 of Sec. 7, the words "or his"; by inserting after the word "services" in line 3 of Sec. 7, the words "or medical or surgical services or treatment from such physician or surgeon"; by inserting after the word "hospital" in line 6 of Sec. 7, the words ", physician or surgeon"; by inserting after the word "hospital" in line 11 of Sec. 7, the words ", physician or surgeon"; by inserting after the word "hospital" in line 15 of Sec. 7, the words ", physician or surgeon"; by inserting after the word "hospital" in line 17 of Sec. 7, the words ", physician or surgeon"; by inserting after the word "its" in line 17 of Sec. 7, the words "or his"; and by inserting after the word "hospital" in line 18 of Sec. 7, the words ", physician or surgeon".

Further amend by inserting in line 1 of the title following the word "hospitals", the words ", physicians or surgeons".

M. MOORE.

Amend House File No. 537 by adding thereto the following:

"Sec. 4. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Albert City Appeal, a newspaper published at Albert City, Iowa, and in the Gilmore Enterprise, a newspaper published at Gilmore City, Iowa.

W. R. RITCHIE.

Amend Senate File No. 318 as follows:

Strike out everything beginning with line four (4) and substitute the following: "Each municipality shall file with the secretary or clerk thereof the estimates required to be made in the six preceding sections not later than July 10 and shall forthwith fix a date for a hearing thereon, and shall publish such estimates with a notice of the time when and place where such hearing shall be held at least ten (10) days before the hearing. At the time of filing with the secretary or clerk, copy of such estimates shall be filed with the county auditor for the purpose of enabling any taxpayer in any taxing district affected to ascertain the total proposed amount of local tax levies against his district as compared to the year preceding. All public hearings on such estimates shall be held in every taxing district during the last week in July and the first week in August.

For a county such publication shall be in official newspapers thereof.

For any other municipality such publication shall be in the newspaper published therein, if any, if not, then in a newspaper of general circulation therein."

Sec. 2. This act being deemed of immediate importance shall be in

full force and effect after its passage and publication in the Burlington Hawkeye, a newspaper published at Burlington, Iowa, and in the Sioux City Tribune, a newspaper published at Sioux City, Iowa.

CLYDE H. TOPPING.

The sifting committee, by its chairman, Senator Valentine, filed a substitute for Senate File No. 352 which will be found in the bill file next to the original bill and is to be termed "Substitute for Senate File No. 352."

The motion to adjourn prevailed and the Senate adjourned until 9:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 29, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. Dale Gordon Cox, ex-army chaplain of Ottumwa.

PETITIONS AND MEMORIALS

The following petition was received and referred to the designated committee:

Favoring the passage of Senate File No. 269. Senator Tripp, from residents of Jasper county. Agriculture.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor stating that on March 27th he had approved:

Senate File No. 223, relating to membership of building and loan or savings and loan associations in a Federal Home Loan Bank.

Also, that on March 29th he had approved the following bills:

Senate File No. 166, relating to school elections.

Senate File No. 192, relating to optometry.

Senate File No. 212, relating to the building of bridges on state roads.

Senate File No. 280, relating to the power of cities and towns to lease real estate used for airport purposes.

Senate File No. 300, relating to an appropriation for expenses of the election contest of Caldwell vs. Shangle.

Senate File No. 302, relating to the legalization of warrants issued by the Board of Park Commissioners of Clinton.

Senate File No. 327, relating to an appropriation to Mrs. Doris E. Kast.

Senate File No. 339, relating to armory board.

COMMUNICATION FROM THE GOVERNOR

February 23, 1933.

TO THE HONORABLE SENATE OF THE FORTY-FIFTH GENERAL ASSEMBLY:

MR. PRESIDENT: We are this date in receipt of communication from Washington enclosing copy of a Resolution of Congress entitled "Joint Resolution Proposing an Amendment to the Constitution of the United States", copy of which communication and enclosure is attached hereto.

Yours very truly,

CLYDE L. HERRING, *Governor.*

No. 684

UNITED STATES OF AMERICA
DEPARTMENT OF STATE

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

I certify that the copy hereto attached is a true copy of a Resolution of Congress entitled "Joint Resolution Proposing an Amendment to the Constitution of the United States" the original of which is on file in this Department.

In Testimony Whereof, I, Henry L. Stimson, Secretary of State, have hereunto caused the Seal of the Department of State to be affixed and my name subscribed by the Acting Chief Clerk of the said Department, at the City of Washington, in the District of Columbia, this 21st day of February, 1933.

SEAL

HENRY L. STIMSON, *Secretary of State.*

By P. F. ALLEN, *Acting Chief Clerk.*

SEVENTY-SECOND CONGRESS OF THE UNITED STATES
OF AMERICA;

At the Second Session,

Begun and held at the City of Washington on Monday, the fifth day of December, one thousand nine hundred and thirty-two.

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by conventions in three-fourths of the several States:

"Article —

"Section 1. The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

"Sec. 2. The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

"Sec. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress."

JNO. N. GARNER, *Speaker of the House of Representatives.*

CHARLES CURTIS, *Vice President of the United States and President of the Senate.*

INTRODUCTION OF BILLS

Senate File No. 478, by sifting committee, a bill for an act to repeal section eighty-seven (87) of Substitute for House File Number one (1), enacted by the forty-fifth (45th) General Assembly, relating to taxation.

Read first and second times and placed on the calendar.

Senate File No. 479, by sifting committee, a bill for an act providing for the reduction of the salaries and compensations of the public officials of the state, the counties, the towns and townships of the state, whose salaries and compensation are fixed by law, excepting salaries of judges and such others who, under the constitution, are entitled to receive their present salaries during the term of office for which they are elected, providing for the suspension of statutes fixing the present salaries of public officials until March 1, 1935.

Read first and second times and placed on the calendar.

Senate File No. 480, by sifting committee, a bill for an act to amend House File No. 47, enacted by the 45th General Assembly, relating to school privileges under certain conditions.

Read first and second times and placed on the calendar.

Substitute for Senate File No. 352, by sifting committee, a bill for an act to repeal chapters 252-a1, 252-a2, and 252-c1 of the code, 1931, relating to the regulation and taxation of motor carriers; and to provide for the supervision and regulation by the board of railroad commissioners of the use of the highways by those engaged in transportation by motor vehicles for hire; to define common and contract motor carriers; to provide for the levy and collection of a tax to be paid by such motor carriers for the maintenance and repair of the highways; and to provide for

the administration and enforcement of the provisions of this act, the disposition of moneys collected hereunder, and punishment for violation of the provisions hereof.

Read first and second times and placed on the calendar.

CONSIDERATION OF HOUSE FILE NO. 540 RESUMED

On request of Senator Shangle unanimous consent was granted him to change his vote from "nay" to "aye".

The President announced the result of the roll call:

Ayes, 26.

Anderson	Harrington	Meyer	Roelofs
Bennett	Hill	Miller of	Schmidt
Cooney	Hopkins	Buchanan	Shangle
Doze	Irwin	Moore	Stanley
Fisch	Kimberly	Mullaney	Stevens of
Frailey	Knudson	Pendray	Decatur
Geske	McArthur	Reese	Valentine

Nays, 24.

Aschenbrenner	Carden	Husted	Stevens of
Beardsley	Chrystal	Klemme	Wapello
Beatty	Coykendall	Miller of Jones	Topping
Booth	Elthon	Nelson	Tripp
Byers	Hicklin	Patterson	Wenner
Calhoun	Hush	Ritchie	White
			Wilson

The motion to reconsider the vote by which House File No. 540 failed to pass the Senate prevailed.

CALL OF THE SENATE

MR. PRESIDENT: The undersigned request a call of the Senate for consideration of House File No. 540.

O. P. BENNETT	J. E. DOZE
CHRIS REESE	GEO. A. WILSON
FRED W. NELSON	IRVING H. KNUDSON
G. E. ROELOFS	G. W. PATTERSON
WILLIAM CARDEN	M. D. COONEY
HOMER HUSH	WM. S. BEARDSLEY
W. F. MILLER	LEO ELTHON
WM. H. KLEMME	

Roll call revealed the presence of all Senators except Senators Byers, Fisch, Frailey, Harrington, Hicklin, Irwin and McArthur.

Action was deferred temporarily until the presence of all Senators was accounted for.

Senator Hill asked unanimous consent to withdraw House File No. 101 from the sifting committee and place it on the calendar.

Senator Wilson objected.

Senators Frailey, Harrington, Irwin and McArthur appeared in the chamber.

Senator Frailey raised the point of order that objection had been made to the bill being called from the sifting committee and it now took a two-thirds vote to recall the bill from the sifting committee.

The President held the point of order well taken.

Senator Hill moved that House File No. 101 be withdrawn from the sifting committee and placed on the calendar.

Roll call was demanded.

On request of Senator Hill unanimous consent was granted to withdraw his motion.

THIRD READING OF BILLS

On motion of Senator Elthon Senate File No. 363, a bill for an act to amend section forty-seven hundred fifty-five-b twenty-six (4755-b26) of the code, 1931, relating to the improvement of extension of primary roads in cities and towns, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Knudson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 38.

Anderson	Frailey	Miller of	Schmidt
Aschenbrenner	Geske	Buchanan	Shangle
Beardsley	Harrington	Miller of Jones	Stanley
Bennett	Hill	Moore	Stevens of
Booth	Hush	Mullaney	Decatur
Calhoun	Irwin	Nelson	Topping
Carden	Kimberly	Patterson	Tripp
Chrystal	Klemme	Pendray	Valentine
Doze	Knudson	Reese	Wenner
Elthon	Meyer	Roelofs	White

Nays, 4.

Hopkins	Husted	Ritchie	Wilson
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Absent or not voting, 8.

Beatty	Coykendall	Hicklin	Stevens of
Byers	Fisch	McArthur	Wapello
Cooney			

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

Senator Knudson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Fisch appeared in the Senate Chamber.

On motion of Senator Booth Senate File No. 291, a bill for an act to amend section forty-seven hundred fifty-five-b twenty-seven (4755-b27), code 1931, relating to the taking of land for the rounding of primary road corners, returned by the sifting committee, was taken up and considered.

Senator Husted offered the following amendment and moved its adoption :

Amend by striking from line 3, section one, the words and figures "one hundred (100)" and substituting in lieu thereof "two hundred (200)".

Senator Calhoun raised the point of order that Senator Reese was not talking on a subject germane to the amendment.

The President held the point of order not well taken.

The amendment was adopted.

Senator Hicklin appeared in the Senate Chamber.

The bill was read for information.

Senator Booth moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 31.

Anderson	Elthon	Kimberly	Stevens of
Aschenbrenner	Fisch	Klemme	Wapello
Beardsley	Frailey	Moore	Topping
Beatty	Geske	Roelofs	Tripp
Bennett	Harrington	Schmidt	Valentine
Booth	Hopkins	Shangle	Wenner
Calhoun	Husted	Stanley	White
Carden	Irwin	Stevens of	
Doze		Decatur	

Nays, 11.

Chrystal	McArthur	Miller of Jones	Reese
Coykendall	Meyer	Mullaney	Ritchie
Hush	Miller of	Nelson	
	Buchanan		

Absent or not voting, 8.

Byers	Hicklin	Knudson	Pendray
Cooney	Hill	Patterson	Wilson

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

Senator Calhoun moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Anderson unanimous consent was granted to withdraw from the sifting committee and substitute House File No. 128 for Senate File No. 128 on the calendar.

On request of Senator Moore unanimous consent was granted to defer action, such bill to retain its place on the calendar.

SENATE FILE NO. 128 WITHDRAWN

On request of Senator Moore unanimous consent was granted to withdraw Senate File No. 128, a companion bill to House File No. 128.

THIRD READING OF BILLS

On motion of Senator McArthur Senate File No. 269, a bill for an act to repeal sections twenty-seven hundred twenty (2720) to twenty-seven hundred thirty-seven (2737), inclusive, Code, 1931, and to enact substitutes therefor, relating to the right to administer hog cholera virus, and to reports by manufacturers of such virus, returned by the sifting committee, was taken up and considered.

Senator Byers appeared in the Senate Chamber and the call was declared complete.

Senator Calhoun moved the previous question which motion was lost.

Senator Booth moved the previous question, which motion prevailed.

The bill was read for information.

Senator McArthur moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 15.

Calhoun	Harrington	Pendray	Topping
Cooney	Hush	Schmidt	Tripp
Coykendall	Kimberly	Stevens of	Valentine
Fisch	McArthur	Wapello	
Frailey			

Nays, 32.

Anderson	Geske	Miller of	Roelofs
Aschenbrenner	Hill	Buchanan	Shangle
Beardsley	Hopkins	Miller of Jones	Stanley
Beatty	Husted	Moore	Stevens of
Bennett	Irwin	Mullaney	Decatur
Booth	Klemme	Nelson	Wenner
Carden	Knudson	Patterson	White
Chrystal	Meyer	Reese	Wilson
Doze		Ritchie	

Absent or not voting, 3.

Byers	Elthon	Hicklin
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The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Elthon House File No. 124, a bill for an act to amend Section twelve thousand forty-one (12041), Code, 1931, relating to the appointment of referees in probate matters, returned by the sifting committee, was taken up and considered.

Senator Elthon offered the following amendments and moved their adoption:

Amend section 1 by striking the word "who" in line 4; also amend by striking from lines 7 and 8 the words "his opinion" and inserting in lieu thereof the words "the opinion of the court"; also amend by inserting before the period (.) in line 10 the following: ",'".

The amendment was adopted.

Senator Wenner offered the following amendment and moved its adoption:

Amend by striking from line fourteen (14) of section 1 the following: "whenever in his opinion it seems fit and proper".

The amendment was adopted.

The bill was read for information.

Senator Elthon moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 47.

Anderson	Elthon	Knudson	Schmidt
Aschenbrenner	Fisch	McArthur	Shangle
Beardsley	Frailey	Meyer	Stanley
Beatty	Geske	Miller of	Stevens of
Bennett	Harrington	Buchanan	Decatur
Booth	Hicklin	Miller of Jones	Stevens of
Byers	Hill	Moore	Wapello
Calhoun	Hopkins	Mullaney	Topping
Carden	Hush	Patterson	Tripp
Chrystal	Husted	Pendray	Valentine
Cooney	Irwin	Ritchie	Wenner
Coykendall	Kimberly	Roelofs	White
Doze	Klemme		

Nays, 1.

Reese

Absent or not voting, 2.

Nelson Wilson

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

Senator Elthon moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

CONSIDERATION OF HOUSE FILE NO. 540 RESUMED

The roll call showed the presence of all Senators and the call was declared complete.

The motion to reconsider the vote by which the bill failed to pass the Senate having prevailed, the question was on the passage of the bill.

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

Ayes, 24.

Anderson	Harrington	Knudson	Reese
Bennett	Hopkins	Meyer	Roelofs
Cooney	Husted	Miller of	Schmidt
Doze	Irwin	Buchanan	Shangle
Fisch	Kimberly	Moore	Topping
Frailey	Klemme	Pendray	Valentine
Geske			

Nays, 26.

Aschenbrenner	Calhoun	Hicklin	Mullaney
Beardsley	Carden	Hill	Nelson
Beatty	Chrystal	Hush	Patterson
Booth	Coykendall	McArthur	Ritchie
Byers	Elthon	Miller of Jones	Stanley

Stevens of
Decatur

Stevens of
Wapello

Tripp
Wenner

White
Wilson

Absent or not voting, none.

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Calhoun moved that the vote by which the bill failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Topping the Senate recessed until 1:30 p. m. today.

AFTERNOON SESSION

The Senate reconvened at the fall of the gavel, President pro tempore Matt D. Cooney presiding.

The Journals of March 27th and 28th were corrected and approved.

EXTRA COPIES HOUSE FILE NO. 541 ORDERED PRINTED

Senator McArthur asked unanimous consent to have 1200 extra copies printed of House File No. 541.

Senator Shangle objected.

Senator McArthur moved to have printed 1200 extra copies of House File No. 541, relating to banks operating under Senate File No. 111. The motion prevailed.

REPORT OF CONFERENCE COMMITTEE ON SENATE FILE NO. 131

MR. PRESIDENT AND MR. SPEAKER: Your joint Committee of Conference appointed to confer in regard to Senate Substitute for Senate File No. 131, as amended and passed by the House, begs leave to report that your Committee has conferred and that it has agreed and recommends as follows:

That Senate Substitute for Senate File No. 131, as amended and passed by the House be amended as proposed by the Conference Committee Amendment set forth herein and made a part of this report, that said Conference Committee Amendment be adopted, and that the bill when so amended be approved.

ROY E. STEVENS, *Chairman.*

FRANK I. COYKENDALL

JOHN K. VALENTINE

F. M. BEATTY

On the part of the Senate.

L. D. TETER, *Chairman.*

C. L. RICE

I. M. REED

F. J. SWIFT

On the part of the House.

CONFERENCE COMMITTEE AMENDMENT TO SENATE
SUBSTITUTE FOR SENATE FILE NO. 131

Amend Senate Substitute for Senate File No. 131, as amended and passed by the House, by striking all after the enacting clause, and substituting in lieu thereof the following:

Section 1. The total rate of millage levy of taxes in each of the years 1933 and 1934, for or on behalf of any taxing district in this state, including special charter cities, shall not exceed twenty per cent (20%) of the total rate of millage levy made in the year 1930, for or on behalf of said district; provided, however, that the term "total rate of millage levy" in both instances where heretofore used in this section, shall not be construed to include, and the limitation imposed by this section shall not be applicable to, any millage levies authorized or required to be determined or certified by the state board of assessment and review, nor any millage levies authorized to be made by the board of supervisors for the support of the poor as provided in section fifty-three hundred thirty-seven (5337) of the Code, 1931, nor any millage levies for the care of the sick poor as provided in section fifty-three hundred fifty-three (5353) of the Code, 1931, nor any millage levies authorized under the provisions of section fifty-three hundred eighty-five (5385) of the Code, 1931, nor any millage levies authorized or required to be made to pay any judgment rendered by a court of competent jurisdiction against any county, municipality or other taxing district, nor any millage levies authorized or required to be made or certified for the payment of the principal, interest or sinking fund of any bonds of any county, municipality or other taxing district, authorized or outstanding at the time of the taking effect of this act, or for the payment of the principal, interest or sinking fund of any bonds issued to refund any such bonds so authorized or outstanding, or of any funding bonds issued to pay indebtedness incurred prior to the taking effect of this act, or of any bonds issued by any county to pay indebtedness now or hereafter incurred for the support of poor persons, as defined in Chapter Two Hundred Sixty-seven (267) of the Code, 1931, nor any millage levies authorized or required to be made by any city or town for the fire fund or fire department maintenance fund.

Sec. 2. Any taxing district, upon application to the State Budget Director, and upon showing made to said Budget Director of strict necessity arising from the fact;

(a) that those of its levies, made in the year 1930, which would now be subject to the limitation contained in Section one (1) hereof, were low as compared with such levies for any of the four years immediately preceding or the year immediately following, or

(b) that those of its levies, made in the year 1930, which would now be subject to the limitation contained in Section one (1) hereof, were low on account of the contemplated use of an accumulated surplus or balance then on hand, or

(c) that since the year 1930 there has been an unusual destruction or removal of property within the district causing a substantially larger per cent of decrease in the value of property subject to taxation in such

district than the average per cent of decrease for such class of districts throughout the state generally, or

(d) that an emergency exists in such district by reason of loss or damage of public buildings or other public improvements by fire or flood, or other natural elements, which loss or damage is not compensated for by insurance or otherwise, or

(e) that, in case of a school district, there has been a material increase in school population or school attendance since 1931, or that a substantially larger portion of its general fund is required to pay tuition for students attending high school in other districts than was required in 1931, or

(f) that, in case of a school district, the total value of the taxable property within the district in the year 1930 was materially low in relation to the number of persons of school age attending school within such district, and the amount of the general school fund per person of school age attending school in said district was substantially less than in other districts of like character in the state, or

(g) that, in case of a city or town, the amount which can be made available under this act for the maintenance and operation of the police department within such city or town is clearly inadequate for such purposes;

may be exempted by said Budget Director from the limitation imposed by Section one (1) of this Act, but only to the extent required by such necessity and only for the year and with respect to the specific levies for which such exemptions shall be granted. Such application shall be made in writing and shall specifically state the facts giving rise to such necessity in said district, and the burden of establishing such necessity and the facts giving rise thereto shall be upon the applicant. Upon receiving such application the State Budget Director shall fix the time and place for the hearing at which such showing may be made, and shall prescribe a notice of such hearing, and the applicant shall cause one publication of such notice to be made not less than ten (10) days before the time of such hearing, in a newspaper which has a general circulation in such taxing district and is an official newspaper of the county within which such taxing district is situated. At such hearing, any party interested may appear and be heard in person or by counsel, and such showing or resistance thereto may be made orally or presented in writing.

Sec. 3. If any city or town shall be irrevocably obligated, under a contract duly authorized by law entered into and in effect on or before January 1, 1933, to pay a fixed or determinable amount or amounts during the fiscal years beginning April 1, 1934, and/or April 1, 1935, for light, water, gas, heat or for the purchase or use of property, and if such amounts are payable from a specific fund or funds to be raised by millage rates affected by the limitation contained in section one (1) hereof, such city or town may, in the years 1933 and/or 1934, levy for such specific fund or funds a millage rate sufficient to raise not more than twenty per cent (20%) of the amounts required to be paid in each such fiscal year under such contract, in addition to the total millage rates which may be levied in accordance with the provisions of section one (1) hereof.

Sec. 4. If any city or town, at the time of the taking effect of this

act, shall have outstanding certificates payable from and issued in anticipation of the collection of a specific fund or funds to be raised by millage levies affected by the limitation contained in section one (1) hereof, such city or town may, in each of the years 1933 and/or 1934, levy for such specific fund or funds a millage rate sufficient to raise not more than twenty per cent (20%) of the amount of principal and/or interest of such certificates payable from such fund or funds in the year respectively following each of said years, in addition to the total millage rate which may be levied in accordance with the provisions of section one (1) hereof.

Sec. 5. Any city or town may, in each of the years 1933 and/or 1934, levy for its general fund a millage rate sufficient to raise an amount not more than twenty per cent (20%) of the amounts actually expended by it for the operation and maintenance of its police department during its fiscal year next preceding, in addition to the total millage rate which may be levied in accordance with the provisions of section one (1) hereof.

Sec. 6. Any taxing district which is now devoting the revenue received from sources other than millage levies to the payment of principal, interest or sinking fund for bonds or anticipatory certificates shall not divert, while such bonds or certificates are outstanding, such revenues to other purposes and thereby require increased millage levies to be made in the year 1933 or 1934 for payment of principal, interest or sinking fund of such bonds or certificates.

Sec. 7. The total rate of millage levies made in the years 1933 or 1934 by any city or town for fire fund and fire department maintenance fund shall not exceed one-fourth of the total rate of millage levies made in the year 1930 by such city or town for said funds.

Sec. 8. Any consolidated school district maintaining an approved high school course, which in the year 1930 did not levy for its general fund more than ninety-five dollars (\$95.00) for each person of school age residing in such district, shall not be required by the provisions of this act to reduce the amount levied in the year 1933 or 1934 for its general fund for each such person of school age, more than thirty-two per cent (32%) below the amount levied for its general fund for each such person in the year 1930; and any such district which levied for its general fund in the year 1930 more than ninety-five dollars (\$95.00) for each person of school age residing in such district, shall not be required by the provisions of this act to reduce the amount levied in the year 1933 or 1934 for its general fund below sixty-five dollars (\$65.00) for each such person of school age. No consolidated school district maintaining an approved high school shall be required to levy for its general fund in the year 1933 or 1934 less than seventy-two dollars (\$72.00) for each pupil in average daily attendance in such district, or less than fifty-eight dollars (\$58.00) for each person of school age residing in such district.

Any school corporation having a school enumeration of ten thousand (10,000) or more shall not be required by the provisions of this act to reduce the amount levied in the year 1933 or 1934 for its general fund for each person of school age residing in such district, more than thirty-two per cent (32%) below the amount levied for its general fund for each such person in the year 1930. No school corporation having a school enumeration of ten thousand (10,000) or more shall be required to levy

for its general fund in the year 1933 or 1934 less than sixty-eight dollars (\$68.00) per pupil in average daily attendance in such district, or less than forty dollars (\$40.00) for each person of school age residing in such district.

Any other school corporation which in the year 1930 did not levy for its general fund more than seventy-five dollars (\$75.00) for each person of school age residing in such district, shall not be required by the provisions of this act to reduce the amount levied in the year 1933 or 1934 for its general fund for each such person of school age more than thirty-two per cent (32%) below the amount levied for its general fund for each such person in the year 1930; and any such other school corporation which levied for its general fund in the year 1930 more than seventy-five dollars (\$75.00) for each person of school age residing in such school district shall not be required by the provisions of this act to reduce the amount levied in the year 1933 or 1934 for its general fund below fifty-one dollars (\$51.00) for each such person of school age. Any such other school corporation shall not be required to levy for its general fund in the year 1933 or 1934 less than fifty dollars (\$50.00) per pupil in average daily attendance in such district, or less than thirty-six dollars (\$36.00) for each person of school age residing in such district.

No school district shall be required, in either the year 1933 or 1934, to reduce the millage levy for its general fund to a rate which will produce less than six hundred dollars (\$600.00) for each school conducted in the district, exclusive of the amount required by such district to pay tuition for its students attending high school in other school districts.

The school census for the year 1930 shall be used for the basis as to computations for the levy made in the year 1930. The school census for the year 1932 shall be used as the basis for determining the levy to be made in the year 1933, and the school census for the year 1934 shall be used as the basis for determining the levy to be made in the year 1934. Wherever the average daily attendance shall be relevant in determining the levies to be made in the year 1933 or 1934 for any school district, the average daily attendance of such district for each school year respectively preceding such year shall be used as the basis for such determination. The term "general fund" shall not include amounts levied for interest on bonds or for principal payments on bonds.

Sec. 9. No taxing district shall be required by the provisions of this act to levy or certify for levy in the year 1933 or 1934, for the purposes or funds affected by the limitation contained in section one (1) hereof, less than sixty-five per cent (65%) of the amount in dollars levied or certified for levy by such taxing district, in the year 1930, for such funds or purposes, exclusive of any additional amount such district is permitted to levy or certify for levy under sections three (3), four (4) and five (5) of this act.

Sec. 10. If in the construction or application of the provisions of this act it shall be necessary to arrive at the rate of millage levy of any taxing district made in the year 1930 for a certain purpose, and a separate levy was not made in 1930 by such district for such purpose, the rate of millage levy which, if applied to the adjusted taxable value of the property in such taxing district for the year 1930 (not including moneys and

credits, and other moneyed capital taxed at a flat rate as provided in section 6985), would be required to raise the amount expended for such purpose by such taxing district during the fiscal year commencing in 1931, shall be considered the rate of millage levy made in the year 1930, by such taxing district for such purpose.

Sec. 11. Insofar as the provisions of this act may conflict with other laws of this state, the provisions of this act shall control. It is hereby declared that the provisions of this act and of each clause, sentence, paragraph, section or part hereof are severable and not dependent upon each other, and that none of such parts is an inducement to the enactment of any other part, and if any such clause, sentence, paragraph, section or part hereof shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this act, but shall be confined in its operation to the clause, sentence, paragraph, section or part hereof directly involved in the controversy in which such judgment shall have been rendered.

Sec. 12. This act being deemed of immediate importance shall be in full force and effect after its passage and publication in the Ottumwa Daily Courier, a newspaper published at Ottumwa, Iowa, and in the Atlantic News Telegraph, a newspaper published in the city of Atlantic, Iowa.

Also amend the title to Senate Substitute for Senate File No. 131, as amended and passed by the House, so that the title will read as follows:

A bill for an act relating to taxation, and to make mandatory reductions of the total tax levies in the taxing districts of the state, including special charter cities, for the years 1933 and 1934, fixing the tax limits of taxing districts for the years 1933 and 1934, providing for exceptions thereto, providing for powers and duties of the budget director and prescribing procedure therefor.

REPORT OF COMMITTEE ON EXTRA HELP

MR. PRESIDENT: Your Senate members of the Joint Committee on extra help beg leave to report that there has been a vacancy created in the position of Assistant Doorkeeper, due to the inability of H. J. Miller to serve, we hereby nominate W. D. Clark to fill said vacancy, beginning March 28, 1933.

D. W. KIMBERLY, *Chairman.*

On request of Senator Kimberly unanimous consent was granted to consider the report.

The report was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 221, a bill for an act relating to vehicle regulations on primary roads.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 166, a bill for an act relating to public utilities and to the power of cities and towns. LLOYD ELLIS, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File No. 166, a bill for an act to amend section sixty one hundred twenty seven (6127), sixty one hundred thirty four d-six (6134-d6), sixty one hundred thirty five (6135), sixty one hundred forty two (6142) of the code of 1931, relating to public utilities and to the power of cities and towns.

Read first and second times and referred to sifting committee.

THIRD READING OF BILLS

Senator Pendray asked unanimous consent that Senate File No. 248 be rereferred to the sifting committee for further consideration.

Senator Patterson objected.

Senator Pendray moved that Senate File No. 248 be rereferred to the sifting committee for further study and consideration.

On request of Senator Pendray unanimous consent was granted to defer action on her motion until Senator Moore, the chairman of committee on public health, is present in the Senate Chamber.

On motion of Senator Nelson Senate File No. 130, a bill for an act to amend and revise sections thirty-one hundred forty-eight (3148) and thirty-one hundred forty-nine (3149) of chapter one hundred fifty-five (155) of the Code, 1931, relating to itinerant vendors of drugs, and fixing the license fees therefor, and providing an exemption therefrom, returned by the sifting committee, was taken up and considered.

Senator Frailey offered the following amendment and moved its adoption:

Amend by adding thereto the following section:

Sec. 4. Nothing in this act shall be construed as applying to Commercial Foods so defined in Section 3113 of the Code of 1931.

Senator Nelson offered the following amendment to the amendment and moved its adoption:

Amend by inserting after the word "in" in line 5 the following "subsection 1 of".

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Frailey offered the following amendment and moved its adoption:

Amend by striking section 1 and renumbering the remaining sections accordingly.

The amendment was lost.

Senator Beardsley offered the following amendment and moved its adoption:

Amend section 3 by inserting after the word "customer" in line 3 the word "by".

The amendment was adopted.

Senator Ritchie moved the previous question, which motion prevailed.

The bill was read for information.

Senator Nelson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 26.

Aschenbrenner	Fisch	Nelson	Stevens of
Beardsley	Hill	Patterson	Decatur
Byers	Hopkins	Pendray	Stevens of
Calhoun	Husted	Ritchie	Wapello
Carden	McArthur	Roelofs	Tripp
Chrystal	Miller of Jones	Shangle	Valentine
Doze	Moore	Stanley	White

Nays, 22.

Anderson	Elthon	Kimberly	Reese
Beatty	Frailey	Klemme	Schmidt
Bennett	Geske	Meyer	Topping
Booth	Hicklin	Miller of	Wenner
Cooney	Hush	Buchanan	Wilson
Coykendall	Irwin	Mullaney	

Absent or not voting, 2.

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

Senator Beardsley moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

CONSIDERATION OF PENDRAY MOTION RESUMED

Senator Pendray renewed her motion to rerefer Senate File No. 248 to the sifting committee.

Senator Moore moved as a substitute motion that Senate File No. 248 be made a special order of business for Thursday, March 30th, at 10:30 a. m.

The substitution was lost.

Roll call demanded on the motion to rerefer.

Rule No. 8 was invoked.

On the question, "Shall the motion to rerefer prevail?" the vote was:

Ayes, 18.

Calhoun	Husted	Reese	Stevens of
Carden	Knudson	Schmidt	Wapello
Coykendall	McArthur	Shangle	Topping
Elthon	Nelson	Stevens of	Tripp
Hicklin	Pendray	Decatur	Wenner

Nays, 30.

Anderson	Doze	Kimberly	Patterson
Aschenbrenner	Fisch	Klemme	Ritchie
Beatty	Geske	Meyer	Roelofs
Bennett	Harrington	Miller of	Stanley
Booth	Hill	Buchanan	Valentine
Byers	Hopkins	Miller of Jones	White
Chrystal	Hush	Moore	Wilson
Cooney	Irwin	Mullaney	

Absent or not voting, 2.

Beardsley	Frailey
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The motion to rerefer was lost.

On request of Senator Geske, unanimous consent was granted to defer action on House amendments to Senate File No. 477, such bill to be made a first order of business for tomorrow.

THIRD READING OF BILLS

On motion of Senator Hush House File No. 130, a bill for an act to amend section twenty hundred twenty-three-a one (2023-a1), Code, 1931, relating to the taxation of costs in actions and proceedings under the statutes relating to intoxicating liquors, and to the commission on fines imposed and collected under said statutes, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Hush moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 42.

Anderson	Frailey	Knudson	Ritchie
Bennett	Geske	McAthur	Roelofs
Booth	Harrington	Meyer	Schmidt
Byers	Hicklin	Miller of	Shangle
Calhoun	Hill	Buchanan	Stanley
Carden	Hopkins	Miller of Jones	Stevens of
Chrystal	Hush	Mullaney	Decatur
Cooney	Husted	Nelson	Topping
Coykendall	Irwin	Patterson	Valentine
Doze	Kimberly	Pendray	Wenner
Elthon	Klemme	Reese	White

Nays, none.

Absent or not voting, 8.

Aschenbrenner	Fisch	Stevens of	Tripp
Beardsley	Moore	Wapello	Wilson
Beatty			

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

Senator Hush moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Nelson Senate File No. 125, a bill for an act to amend the law as it appears in section 5067-d4 of the code of Iowa, 1931, relating to the maximum length of motor vehicles, trailers and semi-trailers, and combinations thereof, returned by the sifting committee, was taken up and considered.

Action was deferred temporarily.

Senator Wilson moved to adjourn until 9:30 a. m. Thursday.

Senator Wilson withheld his motion to adjourn for the consideration of a resolution.

Senator Frailey submitted the following:

SNOOK MEMORIAL RESOLUTION

Whereas, Honorable Isaac N. Snook, a former member of this body in the Fortieth, Fortieth Extra and Forty-first General Assemblies, died on the second day of November, 1931, therefore,

Be It Resolved, That a committee be appointed to draft a suitable memorial to his services in this body.

On request of Senator Frailey, unanimous consent was granted to consider the resolution.

The resolution was unanimously adopted and the chair appointed to act on such committee Senators Frailey, White and Kimberly.

AMENDMENTS FILED

Amend House File 128 in the following manner:

"Strike all after the enacting clause and substitute therefor the following:

Section 1. Any person, firm, charitable association, corporation or other institution operating any hospital in the State of Iowa, including state, county and municipal hospitals and any physician, surgeon, osteopath and/or chiropractor licensed to practice in the State of Iowa, who renders any hospital care or maintenance or professional service, or both, to any person injured by reason of the negligence of any other person, firm or corporation, may have a lien for the reasonable value of such professional services and/or such hospital care and maintenance furnished, upon:

1. Any judgment recovered by the said injured person or his legal representative on account of said injury. Said lien upon any such judgment may be made effective by filing a verified itemized statement thereof in the office of the Clerk of Court and entering same in the judgment or combination docket opposite the entry of the judgment.

2. Any valid claim for damages of such injured person or his legal representative on account of such injury. Said lien upon any such claim shall be made effective by the delivery of a written notice thereof together with verified itemized statement thereof to the person, firm or corporation owing such claim.

Section 2. In all cases the lien provided in Section 1 hereof may be enforced by proper proceedings in equity.

Section 3. The lien provided herein shall be junior only to attorney fees and costs.

E. R. HICKLIN.

Amend Senate File No. 418 as follows:

Amend Section 1 by striking the period at the end of the section and adding thereto the following: "nor permit the use of buildings under their control to be used for such purposes."

Further amend by inserting after Section 3 the following:

"Sec. 4. This shall not be construed to prevent municipalities from owning and operating public utilities, such as hospitals, water, gas, light and power plants."

Further amend by renumbering Section 4 as Section 5.

Amend Section 1 by inserting in line five (5) after the word "scope," the following phrase: "penal institutions excepted,".

Amend by inserting after Section 4 (said section being an amendment to the original bill) the following:

"Sec. 5. No section of this measure shall be construed to prevent:

(1) any state institutions from selling at wholesale prices any produce grown, article manufactured, or livestock raised by said institution for experimental or educational purposes; and,

(2) any state institutions from maintaining any experimental station or laboratory that is essentially vital to achieve the purpose that said institution or any branch thereof was created for in the first instance."

Further amend by renumbering Section 5 as Section 6.

PAUL W. SCHMIDT.

On motion of Senator Wilson the Senate adjourned until 9:30 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 30, 1933.

The Senate met in regular session, President pro tempore Matt D. Cooney presiding.

Prayer was offered by Rev. Gordon Dale Cox, ex-army chaplain of Ottumwa.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Approving prohibition. Senator Miller of Buchanan, from citizens of Monticello. Senator Reese, from the congregation of the Associated Churches of State Center. Senator Frailey, from residents of Lee county. Senator Chrystal, from citizens of Lake View. Senator Hill, from residents of Chickasaw county. Senator Beardsley, from students of Simpson College. Senator Byers, from citizens of Mount Vernon, and members of the W. C. T. U. of Cedar Rapids. Judiciary No. 1.

Favoring the passage of the bill to legalize beer. Senator Cooney, from the local union of the United Mine Workers of America of Williamson. Senator Reese, from citizens of St. Anthony. Senator Elthon, from residents of Worth county. Judiciary No. 1.

Favoring the passage of Senate File No. 269. Senator Moore, from citizens of Oakland. Senator Coykendall, from residents of Page county. Agriculture.

Opposing the passage of the Beatty-Bennett bill. Senator Patterson, from board members of the Curlew Independent School District. Senator Miller of Buchanan, from students of the High School and Junior College of Independence. Ways and means.

Opposing the passage of the Beardsley-Calhoun bill. Senator Schmidt, from citizens of North English. Ways and means.

HOUSE AMENDMENTS CONSIDERED

Senator Geske called up for consideration Senate File No. 477, amended by the House, and moved that the Senate concur in the following amendments:

1. Amend the Title by striking the period at the end of the last line of the Title and adding thereto the words "and making appropriations therefor".

2. Amend Sec. 1, line 6 by striking therefrom the words "a constitutional" and inserting in lieu thereof the following, "such".

3. Amend Section 11, line 17 by inserting after the word "the" in said line the words "office of the".

4. Amend Section 12, line 2 by changing the colon at the end of said line to a comma, and inserting immediately below it the words "Ballot for Voting for Delegates to a State Constitutional Convention".

5. Amend Section 12, lines 3 and 4 by enclosing in parentheses the words "The Proposed Amendment to the Constitution of the United States".

6. Amend Sec. 12 by inserting between lines 5 and 6 of said section the following: "Candidates for Delegates-at-Large to the State Constitutional Convention".

7. Amend Sec. 12, lines 5 by inserting after said line the following: "Instructions to Voters".

8. Amend section 11, line 5 by striking therefrom the word "places" and substituting in lieu thereof, the word "precincts".

On the question "Shall the Senate concur?" the vote was:

Ayes, 6.

Beardsley
Chrystal

Hopkins
Husted

Patterson

Ritchie

Nays, 33.

Aschenbrenner
Booth
Byers
Calhoun
Carden
Cooney
Coykendall
Elthon
Fisch

Frailey
Geske
Harrington
Hicklin
Hill
Kimberly
Klemme
McArthur
Meyer

Miller of
Buchanan
Miller of Jones
Moore
Mullaney
Reese
Shangle
Stanley
Stevens of
Decatur

Stevens of
Wapello
Topping
Tripp
Valentine
Wenner
White
Wilson

Absent or not voting, 11.

Anderson
Beatty
Bennett

Doze
Hush
Irwin

Knudson
Nelson
Pendray

Roelofs
Schmidt

The House amendments having failed to receive a constitutional majority were declared to have failed to be adopted and concurred in by the Senate.

On request of Senator Geske unanimous consent was granted to message Senate File No. 477 to the House immediately.

THIRD READING OF BILLS

On motion of Senator White, House File No. 348, a bill for an act to make an appropriation to G. G. Gregg, for damage for loss of corn because of insufficient opening in bridge on Highway No. 32, near Oakland, Iowa, with report of appropriations committee recommending passage, was taken up and considered, and the report of the committee adopted.

The bill was read for information.

Senator White moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 46.

Aschenbrenner	Frailey	Miller of	Shangle
Beardsley	Geske	Buchanan	Stanley
Beatty	Harrington	Miller of Jones	Stevens of
Bennett	Hicklin	Moore	Decatur
Byers	Hill	Mullaney	Stevens of
Calhoun	Hopkins	Nelson	Wapello
Carden	Hush	Patterson	Topping
Chrystal	Husted	Pendray	Tripp
Cooney	Kimberly	Reese	Valentine
Coykendall	Klemme	Ritchie	Wenner
Doze	McArthur	Roelofs	White
Elthon	Meyer	Schmidt	Wilson
Fisch			

Nays, none.

Absent or not voting, 4.

Anderson	Booth	Irwin	Knudson
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The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Hopkins moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Hopkins House File No. 537, a bill for an act to make an appropriation to J. W. Arnett, for injuries received at Ft. Madison, with report of appropriations committee recommending passage, was taken up and considered.

Senator Ritchie offered the following amendment and moved its adoption:

Amend by adding thereto the following:

"Sec. 4. This act being deemed of immediate importance shall be in full force and effect from and after its passage and publication in the Albert City Appeal, a newspaper published at Albert City, Iowa, and in the Gilmore Enterprise, a newspaper published at Gilmore City, Iowa."

The amendment was adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 43.

Aschenbrenner	Frailey	Meyer	Stanley
Beardsley	Geske	Miller of Jones	Stevens of
Beatty	Harrington	Moore	Decatur
Bennett	Hicklin	Mullaney	Stevens of
Booth	Hill	Patterson	Wapello
Byers	Hopkins	Pendray	Topping
Calhoun	Hush	Reese	Tripp
Carden	Husted	Ritchie	Valentine
Cooney	Kimberly	Roelofs	Wenner
Coykendall	Klemme	Schmidt	White
Doze	McArthur	Shangle	Wilson
Fisch			

Nays, none.

Absent or not voting, 7.

Anderson	Elthon	Knudson	Nelson
Chrystal	Irwin	Miller of	
		Buchanan	

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Hopkins moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

CONSIDERATION OF SENATE FILE NO. 125 RESUMED

Senator Nelson called up for consideration Senate File No. 125, action having been deferred on page 864 of the Senate Journal.

Senator Bennett offered the following amendment and moved its adoption:

Amend by striking out all after the enacting clause and substituting in lieu thereof the following:

"Section 1. That section five thousand sixty-seven d-four (5067-d4) of the code of Iowa, 1931, be amended by inserting after the comma in line five (5) thereof the following: 'except agricultural machinery and equipment,' and by striking from line five (5) thereof the words 'forty-five' and inserting in lieu thereof the following: 'for tractor and semi-trailer thirty-five feet in length over all or for motor vehicle and four-wheel trailer forty'."

Senator Fisch moved the previous question on the amendment which motion prevailed.

The amendment was adopted.

Senator Valentine moved the previous question on the bill, which motion prevailed.

The bill was read for information.

Senator Geske moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 26.

Beatty	Geske	Klemme	Reese
Bennett	Hicklin	Knudson	Shangle
Byers	Hill	Meyer	Stevens of
Calhoun	Hopkins	Miller of	Decatur
Cooney	Husted	Buchanan	Topping
Elthon	Irwin	Moore	Valentine
Frailey	Kimberly	Nelson	White

Nays, 24.

Anderson	Doze	Mullaney	Stanley
Aschenbrenner	Fisch	Patterson	Stevens of
Beardsley	Harrington	Pendray	Wapello
Booth	Hush	Ritchie	Tripp
Carden	McArthur	Roelofs	Wenner
Chrystal	Miller of Jones	Schmidt	Wilson
Coykendall			

Absent or not voting, none.

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

Senator Geske moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Klemme the Senate recessed until 1:00 p. m. today.

AFTERNOON SESSION

The Senate reconvened at the fall of the gavel, President pro tempore Matt D. Cooney presiding.

Senator Ritchie submitted the following:

HENDERSON MEMORIAL RESOLUTION

Whereas, the Honorable George W. Henderson, of Garfield Township, Pocahontas County, who was a member of the Senate in the Twenty-fifth, Twenty-sixth, and Twenty-sixth Extra Sessions of the General Assembly, died at his farm home during the interim between the meeting of the Forty-fourth and Forty-fifth General Assemblies; therefore,

Be It Resolved by the Senate of the Forty-fifth General Assembly: That a committee of three be appointed to draft suitable resolutions commemorating the life, character, and service of this pioneer farmer, substantial business man, leading citizen and law maker.

On request of Senator Ritchie unanimous consent was granted to suspend the rules and consider the resolution.

The resolution was unanimously adopted.

The chair appointed as such committee Senators Ritchie, Patterson, and Elthon.

THIRD READING OF BILLS

On motion of Senator Patterson Senate File No. 443, a bill for an act to postpone the issuance of all tax deeds until March first, 1935, and to suspend all laws in conflict with this Act, returned by the sifting committee, was taken up and considered.

Senator Stanley offered the following amendment and moved its adoption:

Amend by adding to section two (2) thereof the following:

"The holder of any tax sale certificate which, under the provisions of section seven thousand two hundred seventy-one (7271), Code of 1931, would expire prior to the first day of March, 1935, shall have six months' time from and after the first day of March, 1935, within which to obtain a tax deed on said certificates."

The amendment was adopted.

On request of Senator Patterson unanimous consent was granted to defer action.

On motion of Senator Harrington Senate File No. 133, a bill for an act to amend Chapter two hundred thirteen (213), and

Chapter two hundred eighty-seven (287), Code, 1931, to require city and school officials to confine annual expenditures to collectible income, returned by the sifting committee, was taken up and considered.

Senator Harrington offered the following amendment and moved its adoption:

Amend section 1 by striking the word "collectible" from line 7 and inserting in lieu thereof the word "anticipated"; also amend section 2 by striking from line 6 the word "collectible" and inserting in lieu thereof the word "anticipated".

The amendment was adopted.

Senator Shangle offered the following amendments and moved their adoption:

Amend by striking from lines 10 and 11 of section 1, the words "allowing a claim, issuing a warrant, or making a contract" and inserting in lieu thereof, the words "by whose vote a claim was allowed, or warrant issued, or contract made".

Further amend section 2, line 9 by striking out the words "allowing a claim, issuing a warrant, or making a contract" and inserting in lieu thereof, the words "by whose vote a claim was allowed, or warrant issued, or contract made".

On request of Senator Harrington unanimous consent was granted to defer action, such bill to retain its place on the calendar.

On motion of Senator Valentine House File No. 65, a bill for an act to amend section ten thousand eight hundred forty (10,840), code 1931, with reference to the payment of unclaimed fees, returned by the sifting committee, was taken up and considered.

The following amendment proposed by the committee on reduction of public expenditures was considered:

1. Amend title to said act by striking therefrom the words, "with reference to payment of unclaimed fees", and substituting in lieu thereof, "relating to the payment of fees and fixing the time in which demand may be made for same."

The amendment was adopted.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 43.

Anderson	Frailey	Miller of	Shangle
Beardsley	Geske	Buchanan	Stanley
Beatty	Hicklin	Miller of Jones	Stevens of
Bennett	Hill	Moore	Decatur
Booth	Hopkins	Mullaney	Stevens of
Byers	Hush	Nelson	Wapello
Carden	Husted	Patterson	Topping
Cooney	Irwin	Pendray	Tripp
Coykendall	Kimberly	Reese	Valentine
Doze	Klemme	Ritchie	Wenner
Elthon	Knudson	Roelofs	Wilson
Fisch	Meyer		

Nays, none.

Absent or not voting, 7.

Aschenbrenner	Chrystal	McArthur	White
Calhoun	Harrington	Schmidt	

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

Senator Valentine moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Hicklin Senate File No. 478, a bill for an act to repeal section eighty-seven (87) of Substitute for House File Number one (1), enacted by the forty-fifth (45th) General Assembly, relating to taxation, a sifting committee bill, was taken up and considered.

The bill was read for information.

Senator Hicklin moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 43.

Anderson	Fisch	McArthur	Ritchie
Beardsley	Frailey	Meyer	Shangle
Bennett	Geske	Miller of	Stanley
Booth	Hicklin	Buchanan	Stevens of
Byers	Hill	Miller of Jones	Decatur
Calhoun	Hush	Moore	Topping
Carden	Husted	Mullaney	Tripp
Chrystal	Irwin	Nelson	Valentine
Cooney	Kimberly	Patterson	Wenner
Coykendall	Klemme	Pendray	White
Doze	Knudson	Reese	Wilson
Elthon			

Nays, none.

Absent or not voting, 7.

Aschenbrenner	Harrington	Roelofs	Stevens of
Beatty	Hopkins	Schmidt	Wapello

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

Senator Hicklin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Hicklin unanimous consent was granted to message Senate File No. 478 to the House immediately.

On motion of Senator Hicklin Senate File No. 480, a bill for an act to amend House File No. 47, enacted by the 45th General Assembly, relating to school privileges under certain conditions, a sifting committee bill, was taken up and considered.

The bill was read for information.

Senator Hicklin moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 38.

Anderson	Fisch	McArthur	Stanley
Aschenbrenner	Frailey	Meyer	Stevens of
Beardsley	Geske	Miller of	Decatur
Bennett	Hicklin	Buchanan	Stevens of
Booth	Hill	Moore	Wapello
Carden	Hopkins	Nelson	Topping
Chrystal	Hush	Patterson	Tripp
Cooney	Kimberly	Pendray	Valentine
Coykendall	Klemme	Reese	Wenner
Doze	Knudson	Shangle	White
Elthon			

Nays, none.

Absent or not voting, 12.

Beatty	Harrington	Miller of Jones	Roelofs
Byers	Husted	Mullaney	Schmidt
Calhoun	Irwin	Ritchie	Wilson

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

Senator Hicklin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Hicklin, unanimous consent was granted to message to the House immediately Senate File No. 480.

On motion of Senator Fisch House File No. 223, a bill for an act to amend section fifty-four hundred thirteen (5413), code 1931, relating to bounties for wild animals caught and killed within the county, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Fisch moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 42.

Anderson	Fisch	Meyer	Stanley
Aschenbrenner	Frailey	Miller of	Stevens of
Beardsley	Geske	Buchanan	Decatur
Bennett	Hicklin	Miller of Jones	Stevens of
Booth	Hill	Moore	Wapello
Byers	Hush	Mullaney	Topping
Calhoun	Irwin	Patterson	Tripp
Carden	Kimberly	Pendray	Valentine
Chrystal	Klemme	Reese	Wenner
Cooney	Knudson	Roelofs	White
Doze	McArthur	Shangle	Wilson
Elthon			

Nays, 4.

Coykendall	Hopkins	Husted	Ritchie
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Absent or not voting, 4.

Beatty	Harrington	Nelson	Schmidt
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Fisch moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator White Senate File No. 102, a bill for an act to amend section four thousand nine hundred twenty-oneC two (4921C2) Chapter two hundred fifty-one (251) Code of Iowa 1931, relating to the exception of trucks used in highway construction and maintenance work, returned by the sifting committee, was taken up and considered.

Senator White offered the following amendment and moved its adoption:

Amend section 1 by striking from line 7 the words "Publication Clause." and inserting in lieu thereof the following: "Sec. 2."

The amendment was adopted.

The bill was read for information.

Senator White moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 45.

Anderson	Fisch	McArthur	Roelofs
Aschenbrenner	Frailey	Meyer	Schmidt
Beatty	Geske	Miller of	Shangle
Bennett	Hicklin	Buchanan	Stanley
Booth	Hill	Miller of Jones	Stevens of
Byers	Hopkins	Moore	Wapello
Calhoun	Hush	Mullaney	Topping
Carden	Husted	Nelson	Tripp
Cooney	Irwin	Patterson	Wenner
Coykendall	Kimberly	Pendray	White
Doze	Klemme	Reese	Wilson
Elthon	Knudson	Ritchie	

Nays, none.

Absent or not voting, 5.

Beardsley	Harrington	Stevens of	Valentine
Chrystal		Decatur	

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

Senator White moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Hush unanimous consent was granted to withdraw Senate File No. 257, a companion bill to the one just passed.

On motion of Senator Topping Senate File No. 318, a bill for an act to repeal Section three hundred seventy-five (375) of the Code, 1931, and to enact a substitute which will provide for and regulate the matter of public hearings on estimates of annual tax levies for municipalities and for the publication of such estimates in brief and understandable language, returned by the sifting committee, was taken up and considered.

On request of Senator Topping, unanimous consent was granted

to withdraw his amendment as found on page 595 of the Senate Journal.

Senator Topping offered the following amendment and moved its adoption :

Strike out everything beginning with line four (4) and substitute the following: "Each municipality shall file with the secretary or clerk thereof the estimates required to be made in the six preceding sections not later than July 10 and shall forthwith fix a date for a hearing thereon, and shall publish such estimates with a notice of the time when and place where such hearing shall be held at least ten (10) days before the hearing. At the time of filing with the secretary or clerk, copy of such estimates shall be filed with the county auditor for the purpose of enabling any taxpayer in any taxing district affected to ascertain the total proposed amount of local tax levies against his district as compared to the year preceding. All public hearings on such estimates shall be held in every taxing district during the last week in July and the first week in August.

For a county such publication shall be in official newspapers thereof.

For any other municipality such publication shall be in the newspaper published therein; if any, if not, then in a newspaper of general circulation therein."

Sec. 2. This act being deemed of immediate importance shall be in full force and effect after its passage and publication in the Burlington Hawkeye, a newspaper published at Burlington, Iowa, and in the Sioux City Tribune, a newspaper published at Sioux City, Iowa."

The amendment was adopted.

The bill was read for information.

Senator Topping moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 42.

Anderson	Elthon	Klemme	Schmidt
Aschenbrenner	Fisch	Knudson	Shangle
Beardsley	Frailey	McArthur	Stevens of
Bennett	Geske	Meyer	Decatur
Booth	Hicklin	Miller of Jones	Stevens of
Byers	Hill	Moore	Wapello
Carden	Hopkins	Mullaney	Topping
Chrystal	Hush	Nelson	Tripp
Cooney	Husted	Pendray	Valentine
Coykendall	Irwin	Reese	Wenner
Doze	Kimberly	Roelofs	White

Nays, none.

Absent or not voting, 8.

Beatty	Miller of	Patterson	Stanley
Calhoun	Buchanan	Ritchie	Wilson
Harrington			

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

Senator Topping moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Valentine Senate File No. 406, a bill for an act to amend Chapter Seventy-eight (78), Code, 1931, relating to the sale of cigarettes and cigarette papers and to the issuing of licenses to make sales thereof, and to the payment of a tax thereon, and to provide penalties for violations, returned by the sifting committee, was taken up and considered.

Senator Valentine moved that action be deferred, such bill to retain its place on the calendar.

The motion prevailed.

On motion of Senator Meyer House File No. 200, a bill for an act to amend sections forty-eight hundred sixty-three (4863), forty-nine hundred eight (4908), and forty-nine hundred twelve (4912), Code, 1931, specifying license fees for hearses, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Knudson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 48.

Anderson	Elthon	Knudson	Roelofs
Aschenbrenner	Fisch	McArthur	Shangle
Beardsley	Frailey	Meyer	Stevens of
Beatty	Geske	Miller of	Decatur
Bennett	Harrington	Buchanan	Stevens of
Booth	Hicklin	Miller of Jones	Wapello
Byers	Hill	Moore	Topping
Calhoun	Hopkins	Mullaney	Tripp
Carden	Hush	Nelson	Valentine
Chrystal	Husted	Patterson	Wenner
Cooney	Irwin	Pendray	White
Coykendall	Kimberly	Reese	Wilson
Doze	Klemme	Ritchie	

Nays, none.

Absent or not voting, 2.

Schmidt Stanley

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

Senator Knudson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Topping unanimous consent was granted to take from the table the motion to reconsider Senate File No. 318.

Senator Topping moved that the vote by which Senate File No. 318 passed the Senate be reconsidered.

On the question "Shall the motion to reconsider prevail?" the vote was:

Ayes, 45.

Anderson	Fisch	Knudson	Roelofs
Aschenbrenner	Frailey	McArthur	Shangle
Beardsley	Geske	Meyer	Stevens of
Bennett	Harrington	Miller of	Decatur
Booth	Hicklin	Buchanan	Stevens of
Byers	Hill	Miller of Jones	Wapello
Calhoun	Hopkins	Moore	Topping
Carden	Hush	Mullaney	Tripp
Cooney	Husted	Nelson	Valentine
Coykendall	Irwin	Pendray	Wenner
Doze	Kimberly	Reese	White
Elthon	Klemme	Ritchie	Wilson

Nays, none.

Absent or not voting, 5.

Beatty	Patterson	Schmidt	Stanley
Chrystal			

The motion to reconsider prevailed.

Senator Topping moved that the vote by which Senate File No. 318 passed to its third reading be reconsidered.

The motion prevailed.

Action was deferred on Senate File No. 318 temporarily.

The Journal of March 29th was corrected and approved.

SIFTING COMMITTEE REPORT

MR. PRESIDENT: Your Sifting Committee reports out as a Sifting Committee bill, a bill for an act to legalize the Corporate Acts and Proceedings of Clinton, Davenport & Muscatine Railway Company of Davenport, Iowa, and to provide for the renewal and extension of the period

of Corporate Existence and the adoption of Renewal, amended and substituted Articles of Incorporation of said Clinton, Davenport & Muscatine Railway Co.

Your Sifting Committee also reports out as a Sifting Committee bill, a bill for an act to legalize certain depositors' agreements heretofore entered into covering deposits of public moneys in the Commercial National Bank of Waterloo, Iowa.

Your Sifting Committee also begs leave to report that it has had the following bills under consideration and recommends that they be placed on the Calendar of the Senate:

S. F. No. 224	H. F. No. 327
H. F. No. 364	H. F. No. 330
H. F. No. 367	H. F. No. 334
H. F. No. 272	H. F. No. 335
H. F. No. 476	H. F. No. 390
H. F. No. 323	S. F. No. 344
H. F. No. 324	S. F. No. 99
H. F. No. 325	

JOHN K. VALENTINE, *Chairman.*

The Appropriations committee, by its chairman, Senator White, filed a substitute for Senate File No. 73 which will be found in the bill file next to the original bill and is to be termed "Substitute for Senate File No. 73".

AMENDMENTS FILED

Amend House File No. 382 by inserting following the word "applicable" in line 1 of section 2, the word "only" and by inserting after the word "any" in line 1 of said section the words "type of". FRED W. NELSON.

Amend Senate File No. 324 as follows:

1. By striking out lines sixteen and seventeen (16 and 17) of section two (2) and by inserting in lieu thereof the following, to-wit: "punished by a fine of not more than one hundred dollars (\$100) or by imprisonment not exceeding thirty (30) days or by both such fine and imprisonment".

2. By adding to said bill a new section as follows:

"Sec. 4. This act shall not be deemed to affect claims for refunds which accrue prior to the time this act takes effect."

3. By adding to said bill a new section as follows:

"Sec. 5. This act being deemed of immediate importance shall take effect on the thirty-first (31st) day following its publication in two newspapers as provided by law."

WM. MCARTHUR.

On motion of Senator Carden, the Senate adjourned until 9:30 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 31, 1933.

The Senate met in regular session, President pro tempore Matt D. Cooney presiding.

Prayer was offered by Rev. Henry McCraven, of the African Methodist Episcopal Church, Des Moines.

PETITIONS AND MEMORIALS

The following petition was received and referred to the designated committee:

Favoring change in the laws of Iowa so as to permit the manufacture and sale of beer. Senator Cooney, from residents of Dubuque county. Judiciary No. 1.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor stating that on March 7th he had approved Senate File No. 384, relating to a plan for the relief of poor and unemployed people.

Also, that on March 8th he had approved Senate File No. 415, an emergency act relating to insurance.

COMMUNICATION FROM CONGRESSMAN JACOBSEN

March 29, 1933.

SECRETARY OF THE SENATE,
Attention of HON. BYRON G. ALLEN.
Des Moines, Iowa.

MY DEAR SECRETARY: Received the Concurrent Resolutions, 16, 20, and 21. I am glad to inform you that I have consistently advocated liquidating and refinancing agricultural indebtedness at a reduced rate of interest—and when I say reduced I don't mean five or six per cent.

I think the House and Senate of Iowa are to be commended for the passage of Resolution No. 20. The Record will disclose that I have supported the measures that the President has sponsored to date.

With reference to Resolution No. 21, I have taken it upon myself to enlist the aid of the agricultural States and will attempt to get the Secretary of Agriculture behind a measure that will place us on a parity to say the least with the Cuban Black Strap Industry.

And now let me suggest that the House and Senate immediately enact legislation that will permit the manufacture and sale of beer, in the

State of Iowa. I can see no good reason for marking time when the States that border ours have already passed measures permitting the manufacture and sale of beer. We need the market for our surplus grain, the revenue derived therefrom should materially reduce present burdensome taxes, and the Lord knows our men need employment.

Let's have some action!

Sincerely yours,

B. M. JACOBSEN, M. C.

2nd District of Iowa.

INTRODUCTION OF BILLS

Senate File No. 481, by sifting committee, a bill for an act to legalize certain depositors' agreements heretofore entered into covering deposits of public moneys in the Commercial National Bank of Waterloo, Iowa.

Read first and second times and placed on the calendar.

Senate File No. 482, by sifting committee, a bill for an act to legalize the Corporate Acts and Proceedings of Clinton, Davenport, & Muscatine Railway Company of Davenport, Iowa, and to provide for the Renewal and Extension of the Period of Corporate Existence and the Adoption of Renewal, Amended and Substituted Articles of Incorporation of said Clinton, Davenport & Muscatine Railway Company.

Read first and second times and placed on the calendar.

Substitute for Senate File No. 73, by committee on appropriations, a bill for an act to establish the general fund for the State of Iowa, for the biennium beginning July 1, 1933, and ending June 30, 1935, and to appropriate therefrom for all departments and various divisions thereof, of the State of Iowa, for all purposes provided by law, for the said biennium.

Read first and second times and placed on the calendar.

CALL OF THE SENATE

MR. PRESIDENT: We, the undersigned, hereby request a call of the Senate for March 31, 1933, for the consideration of Substitute for Senate File No. 352.

O. P. BENNETT
 F. C. BYERS
 FRED W. NELSON
 JOHN K. VALENTINE
 CHRIS REESE
 H. D. MILLER
 JOHN N. CALHOUN
 LAFE HILL

CHAS. D. BOOTH
 WILLIAM CARDEN
 CLAUDE STANLEY
 EDW. J. WENNER
 M. X. GESKE
 M. MOORE
 D. W. KIMBERLY
 F. M. BEATTY

Roll call revealed the presence of all members of the Senate except Senators Anderson, Beatty, Elthon, Harrington and Stevens of Wapello.

THIRD READING OF BILLS

On motion of Senator McArthur Senate File No. 324, a bill for an act to amend section five thousand ninety-three-a five (5093-a5), to repeal section five thousand ninety-three-a eight (5093-a8) and to enact a substitute therefor, and to repeal section five thousand ninety-three-a ten (5093-a10), all of the Code, 1931, and relating to the tax on motor vehicle fuel, returned by the sifting committee, was taken up and considered.

Senator McArthur offered the following amendments and moved their adoption:

Amend:

1. By striking out lines sixteen and seventeen (16 and 17) of section two (2) and by inserting in lieu thereof the following, to-wit: "punished by a fine of not more than one hundred dollars (\$100) or by imprisonment not exceeding thirty (30) days or by both such fine and imprisonment".

2. By adding to said bill a new section as follows:

"Sec. 4. This act shall not be deemed to affect claims for refunds which accrue prior to the time this act takes effect."

3. By adding to said bill a new section as follows:

"Sec. 5. This act being deemed of immediate importance shall take effect on the thirty-first (31st) day following its publication in two newspapers as provided by law."

The amendments were adopted.

Senator Coykendall offered the following amendment and moved its adoption:

Amend by inserting after Sec. 2 the following and renumbering the remaining section as Sec. 4:

"Sec. 3. All aviation fuels, used in aircraft and for no other purpose shall be exempted from the requirements of this act."

Senator Coykendall withdrew his amendment.

The bill was read for information.

Senator McArthur moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 41.

Aschenbrenner
Beardsley
Bennett

Booth
Carden
Chrystal

Cooney
Coykendall
Fisch

Frailey
Geske
Hicklin

Hill	McArthur	Pendray	Stevens of
Hopkins	Meyer	Reese	Decatur
Hush	Miller of	Ritchie	Topping
Husted	Buchanan	Roelofs	Tripp
Irwin	Miller of Jones	Schmidt	Valentine
Kimberly	Moore	Shangle	Wenner
Klemme	Mullaney	Stanley	White
Knudson	Nelson		Wilson

Nays, none.

Absent or not voting, 9.

Anderson	Calhoun	Harrington	Stevens of
Beatty	Doze	Patterson	Wapello
Byers	Elthon		

The bill having received a constitutional majority was declared to have passed the Senate.

On request of Senator Hush, unanimous consent was granted to amend the title by inserting after the word "to" in line four (4) the following:

"refunds and exemptions from".

Further amend by striking the period (.) after the word "fuel" in line five (5) and inserting a semi-colon (;) and adding the following:

"providing for the coloring of tax exempt motor vehicle fuel and a penalty for the violation of this act."

The title as amended was agreed to.

Senator McArthur moved that the vote by which the bill passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

CONSIDERATION OF SENATE FILE NO. 318 RESUMED

Senator Topping called up for consideration, Senate File No. 318, upon which action was deferred on page 880 of the Senate Journal.

Senator Topping offered the following amendment and moved its adoption.

Amend as follows:

Strike out section 1 and in lieu insert the following, to-wit:

"Section 1. That the law as it appears in section three hundred seventy-five (375) of the Code, 1931, be and the same is hereby repealed and the following enacted in lieu thereof:

'Each municipality shall file with the secretary or clerk thereof the estimates required to be made in the six preceding sections together with a schedule or list of any annual levies previously authorized as provided in section eleven hundred seventy-nine-b two (1179-b2) not later than

July tenth (10th) and shall forthwith fix a date for a hearing thereon, and shall publish such estimates and schedule or list with a notice of the time when and place where such hearing shall be held at least ten (10) days before the hearing. At the time of filing with the secretary or clerk, copy of such estimates and schedule or list shall be filed with the county auditor for the purpose of enabling any taxpayer in any taxing district affected to ascertain the total proposed amount of local tax levies against his district as compared to the year preceding. All public hearings on such estimates shall be held in every taxing district during the last week in July and the first week in August.

For a county such publication shall be in official newspapers thereof.

For any other municipality such publication shall be in the newspaper published therein, if any, if not, then in a newspaper of general circulation therein; provided that in rural independent school districts and school townships such estimates and schedule or list and the notice of hearing thereon shall be posted in three public places in the district in lieu of publication."

The amendment was adopted.

Senators Anderson and Beatty appeared in the Senate Chamber.

The bill was read for information.

Senator Topping moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 41.

Anderson	Geske	Miller of Jones	Shangle
Aschenbrenner	Hicklin	Moore	Stanley
Bennett	Hill	Mullaney	Stevens of
Booth	Hopkins	Nelson	Decatur
Byers	Husted	Patterson	Topping
Carden	Irwin	Pendray	Tripp
Chrystal	Kimberly	Reese	Valentine
Cooney	Klemme	Ritchie	Wenner
Coykendall	Knudson	Roelofs	White
Doze	McArthur	Schmidt	Wilson
Fisch	Meyer		

Nays, none.

Absent or not voting, 9.

Beardsley	Elthon	Hush	Stevens of
Beatty	Frailey	Miller of	Wapello
Calhoun	Harrington	Buchanan	

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

Senator Topping moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senators Elthon and Stevens of Wapello appeared in the Senate Chamber.

On motion of Senator Reese Senate File No. 224, a bill for an act to amend Section sixty three hundred ten (6310) of the Code of 1931, relating to Disabled Firemen and Policemen, returned by the sifting committee, was taken up and considered.

Senator Reese offered the following amendment and moved its adoption:

Amend by striking out the words "of the first class" as they appear in line 5 thereof and substituting therefor the words "having a population of more than seventeen thousand (17,000)".

The amendment was adopted.

The bill was read for information.

Senator Reese moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 43.

Anderson	Elthon	McArthur	Shangle
Aschenbrenner	Fisch	Meyer	Stanley
Beatty	Frailey	Miller of Jones	Stevens of
Bennett	Geske	Moore	Decatur
Booth	Hicklin	Mullaney	Stevens of
Byers	Hill	Nelson	Wapello
Calhoun	Hopkins	Pendray	Topping
Carden	Irwin	Reese	Tripp
Chrystal	Kimberly	Ritchie	Valentine
Cooney	Klemme	Roelofs	Wenner
Coykendall	Knudson	Schmidt	Wilson
Doze			

Nays, none.

Absent or not voting, 7.

Beardsley	Hush	Miller of	Patterson
Harrington	Husted	Buchanan	White

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

Senator Reese moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Reese unanimous consent was granted to message Senate File No. 224 to the House immediately.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate File No. 221 and House Files Nos. 179, 191 and 451.

HOMER HUSH, *Chairman Senate Committee.*

WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate File No. 221 and House Files Nos. 179, 191 and 451.

BILLS SENT TO THE GOVERNOR

Senator Hush from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 31st day of March, 1933, sent to the Governor for his approval, Senate File No. 221.

HOMER HUSH, *Chairman.*

Passed on file.

Roll call revealed the presence of all members of the Senate except Senator Harrington.

Senator Bennett moved to excuse Senator Harrington from the call.

The motion prevailed.

The call was declared complete.

SUBSTITUTION FOR SENATE FILE NO. 352

Senator Valentine moved to substitute the Substitute for Senate File No. 352 for Senate File No. 352, and place same on the calendar.

The substitution was made.

THIRD READING OF BILLS

On motion of Senator Miller of Buchanan Substitute for Senate File No. 352, a bill for an act to repeal chapters 252-a1, 252-a2,

and 252-c1 of the code, 1931, relating to the regulation and taxation of motor carriers; and to provide for the supervision and regulation by the board of railroad commissioners of the use of the highways by those engaged in transportation by motor vehicles for hire; to define common and contract motor carriers; to provide for the levy and collection of a tax to be paid by such motor carriers for the maintenance and repair of the highways; and to provide for the administration and enforcement of the provisions of this act, the disposition of moneys collected hereunder, and punishment for violation of the provisions hereof, a sifting committee bill, was taken up and considered.

Senator Schmidt moved that action be deferred; that the bill be made a special order of business for Monday 2:00 p. m. and that the call of the Senate prevail at that time. The motion prevailed.

On motion of Senator Anderson House File No. 128, a bill for an act to provide for liens in favor of hospitals furnishing care, treatment and maintenance for persons injured in accidents, said liens to be against any claim, demand, or judgment, in favor of the injured person or in case of death, his estate, heirs or legal representatives, against other persons, or corporations for damages on account of negligence causing the injuries or death, and upon the proceeds of the settlements of any such claim, demand, or judgment, returned by the sifting committee, was taken up and considered.

Senator Hicklin offered the following amendment and moved its adoption:

Amend by striking all after the enacting clause and substituting in lieu thereof the following:

"Section 1. Any person, firm, charitable association, corporation or other institution operating any hospital in the State of Iowa, including state, county and municipal hospitals and any physician, surgeon, osteopath and/or chiropractor licensed to practice in the State of Iowa, who renders any hospital care or maintenance or professional service, or both, to any person injured by reason of the negligence of any other person, firm or corporation, may have a lien for the reasonable value of such professional services and/or such hospital care and maintenance furnished, upon:

"1. Any judgment recovered by the said injured person or his legal representative on account of said injury. Said lien upon any such judgment may be made effective by filing a verified itemized statement thereof in the office of the Clerk of Court and entering same in the judgment or combination docket opposite the entry of the judgment.

"2. Any valid claim for damages of such injured person or his legal representative on account of such injury. Said lien upon any such claim shall be made effective by the delivery of a written notice thereof together with verified itemized statement thereof to the person, firm or corporation owing such claim.

"Sec. 2. In all cases the lien provided in Section 1 hereof may be enforced by proper proceedings in equity.

"Sec. 3. The lien provided herein shall be junior only to attorney fees and costs."

The amendment was adopted.

On request of Senator Moore unanimous consent was granted to withdraw his amendment, found on page 843 of the Senate Journal.

The bill was read for information.

Senator Anderson moved that the reading just had be considered the third reading, which motion prevailed.

Rule No. 8 was invoked.

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

Ayes, 31.

Anderson	Fisch	Knudson	Roelofs
Aschenbrenner	Frailey	McArthur	Shangle
Beardsley	Geske	Meyer	Stanley
Bennett	Hicklin	Miller of	Topping
Booth	Hopkins	Buchanan	Valentine
Byers	Husted	Moore	Wenner
Carden	Kimberly	Mullaney	White
Cooney	Klemme	Reese	
Doze			

Nays, 16.

Beatty	Hill	Pendray	Stevens of
Calhoun	Hush	Ritchie	Wapello
Chrystal	Miller of Jones	Stevens of	Tripp
Coykendall	Nelson	Decatur	Wilson
Elthon	Patterson		

Absent or not voting, 3.

Harrington	Irwin	Schmidt
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The bill having received a constitutional majority was declared to have passed the Senate.

On request of Senator Hicklin unanimous consent was granted to amend the title by substituting in lieu thereof the following:

"A Bill for an Act to provide for liens in favor of hospitals, physicians, surgeons, osteopaths or chiropractors, upon judgments or claims for damages arising out of personal injuries for which such hospital or physi-

cian, surgeon, osteopath or chiropractor has rendered care, maintenance or professional services, and providing for the manner of enforcing such lien."

The title as amended was agreed to.

Senator Anderson moved that the vote by which the bill passed the Senate be considered and that the motion to reconsider be laid on the table which motion prevailed.

On motion of Senator Shangle the Senate recessed until 1:30 p. m. today.

AFTERNOON SESSION

The Senate reconvened at the fall of the gavel President N. G. Kraschel presiding.

THIRD READING OF BILLS

On motion of Senator Valentine House File No. 364, a bill for an act authorizing the Board of Supervisors of Tama County, Iowa, to make certain refunds of taxes to the taxpayers of the Montour Independent School District, located in said Tama County, Iowa, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 39.

Anderson	Doze	Klemme	Pendray
Aschenbrenner	Elthon	Knudson	Reese
Beatty	Fisch	McArthur	Stanley
Bennett	Frailey	Meyer	Stevens of
Booth	Geske	Miller of	Decatur
Calhoun	Hicklin	Buchanan	Topping
Carden	Hill	Miller of Jones	Tripp
Chrystal	Hush	Mullaney	Valentine
Cooney	Irwin	Nelson	Wenner
Coykendall	Kimberly	Patterson	White
			Wilson

Nays, 1.

Shangle

Absent or not voting, 10.

Beardsley	Hopkins	Ritchie	Stevens of
Byers	Husted	Roelofs	Wapello
Harrington	Moore	Schmidt	

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

On motion of Senator Aschenbrenner House File No. 367, a bill for an act to make permanent a temporary transfer made March 8, 1932, by authority of the Director of the Budget for Iowa, of twenty thousand dollars (\$20,000.00) from the Secondary Road Construction Fund of Monroe County, Iowa, to the Poor Fund of said county, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Aschenbrenner moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 31.

Anderson	Elthon	Irwin	Stevens of
Aschenbrenner	Fisch	Kimberly	Decatur
Beatty	Frailey	Knudson	Stevens of
Bennett	Geske	McArthur	Wapello
Booth	Hicklin	Meyer	Topping
Byers	Hill	Patterson	Tripp
Carden	Hopkins	Pendray	Valentine
Coykendall	Husted	Shangle	Wilson
Doze			

Nays, 11.

Calhoun	Klemme	Miller of Jones	Ritchie
Chrystal	Miller of	Mullaney	Stanley
Hush	Buchanan	Nelson	Wenner

Absent or not voting, 8.

Beardsley	Harrington	Reese	Schmidt
Cooney	Moore	Roelofs	White

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

Senator Aschenbrenner moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Valentine, unanimous consent was granted to return to introduction of bills.

INTRODUCTION OF BILLS

Senate File No. 483, by sifting committee, a bill for an act to provide for the reorganization of savings banks, state banks,

private banks and trust companies and in connection therewith for the issuance of trust certificates and for the setting aside of assets in an amount equal thereto; prescribing the rights of the holders of such trust certificates and authorizing the governing boards of taxing districts to accept the same; providing for the retirement of such trust certificates; and repealing conflicting laws or parts of laws.

Read first and second times and placed on the calendar.

SENATE FILE NO. 483 MADE SPECIAL ORDER

Senator Irwin moved to make Senate File No. 483 a special order for 10:30 a. m. Monday, April 3. The motion prevailed.

COPIES OF SENATE FILE NO. 483 ORDERED

On request of Senator Wenner unanimous consent was granted to have printed 1200 copies of Senate File No. 483.

THIRD READING OF BILLS

On motion of Senator Wilson, House File No. 272, a bill for an act to amend section eighty-eight hundred eighty-one (8881), Code, 1931, to provide for the ownership, operation or disposition of hospitals, asylums, sanitariums, schools or homes by Fraternal Societies having transformed under the provisions of sections eighty-eight hundred sixty-nine (8869) to eighty-eight hundred eighty-four (8884), Code, 1931, inclusive, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 43.

Anderson	Geske	Miller of	Shangle
Aschenbrenner	Harrington	Buchanan	Stanley
Beardsley	Hicklin	Miller of Jones	Stevens of
Beatty	Hill	Moore	Decatur
Bennett	Hush	Mullaney	Stevens of
Calhoun	Husted	Nelson	Wapello
Chrystal	Kimberly	Patterson	Topping
Cooney	Klemme	Pendray	Tripp
Coykendall	Knudson	Reese	Valentine
Doze	McArthur	Ritchie	Wenner
Fisch	Meyer	Roelofs	White
Frailey			Wilson

Nays, none.

Absent or not voting, 7.

Booth	Carden	Hopkins	Schmidt
Byers	Elthon	Irwin	

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

Senator Wilson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Hicklin House File No. 476, a bill for an act to define the requirements of a legal newspaper for publication of legal notices, etc., returned by the sifting committee, was taken up, and considered.

The bill was read for information.

Senator Hicklin moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 45.

Anderson	Geske	Miller of	Shangle
Aschenbrenner	Harrington	Buchanan	Stanley
Beardsley	Hicklin	Miller of Jones	Stevens of
Beatty	Hill	Moore	Decatur
Bennett	Hopkins	Mullaney	Stevens of
Byers	Husted	Nelson	Wapello
Calhoun	Irwin	Patterson	Topping
Coykendall	Kimberly	Pendray	Tripp
Doze	Klemme	Reese	Valentine
Elthon	Knudson	Ritchie	Wenner
Fisch	McArthur	Roelofs	White
Frailey	Meyer	Schmidt	Wilson

Nays, none.

Absent or not voting, 5.

Booth	Chrystal	Cooney	Hush
Carden			

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

On request of Senator Shangle, unanimous consent was granted him to be excused until Monday.

On request of Senator Kimberly, unanimous consent was granted to suspend Rule No. 17, by which no bill may be read

the second and third times the same day and consider Senate File No. 482.

On motion of Senator Hicklin Senate File No. 482, a bill for an act to legalize the Corporate Acts and Proceedings of Clinton, Davenport & Muscatine Railway Company of Davenport, Iowa, and to provide for the Renewal and Extension of the Period of Corporate Existence and the Adoption of Renewal, Amended and Substituted Articles of Incorporation of said Clinton, Davenport Muscatine Railway Company, a sifting committee bill, was taken up and considered.

The bill was read for information.

Senator Hicklin moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 36.

Anderson	Harrington	Miller of	Stevens of
Aschenbrenner	Hicklin	Buchanan	Decatur
Beatty	Husted	Miller of Jones	Stevens of
Bennett	Irwin	Moore	Wapello
Calhoun	Kimberly	Mullaney	Topping
Carden	Klemme	Nelson	Tripp
Chrystal	Knudson	Pendray	Valentine
Cooney	McArthur	Reese	Wenner
Doze	Meyer	Schmidt	White
Fisch		Stanley	Wilson

Nays, none.

Absent or not voting, 14.

Beardsley	Elthon	Hopkins	Ritchie
Booth	Frailey	Hush	Roelofs
Byers	Geske	Patterson	Shangle
Coykendall	Hill		

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

Senator Hicklin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Hicklin, unanimous consent was granted to message Senate File No. 482 to the House immediately.

On request of Senator Wenner, unanimous consent was granted to suspend Rule No. 17, by which no bill may be read the second and third times the same day, and consider Senate File No. 481.

On motion of Senator Wenner Senate File No. 481, a bill for an act to legalize certain depositors' agreements heretofore entered into covering deposits of public moneys in the Commercial National Bank of Waterloo, Iowa, a sifting committee bill, was taken up and considered.

The bill was read for information.

Senator Wenner moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 44.

Anderson	Elthon	Meyer	Stanley
Aschenbrenner	Fisch	Miller of Jones	Stevens of
Beardsley	Frailey	Moore	Decatur
Beatty	Harrington	Mullaney	Stevens of
Bennett	Hicklin	Nelson	Wapello
Booth	Hopkins	Patterson	Topping
Calhoun	Hush	Pendray	Tripp
Carden	Husted	Reese	Valentine
Chrystal	Irwin	Ritchie	Wenner
Cooney	Kimberly	Roelofs	White
Coykendall	Klemme	Schmidt	Wilson
Doze	Knudson		

Nays, none.

Absent or not voting, 6.

Byers	Hill	Miller of	Shangle
Geske	McArthur	Buchanan	

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

Senator Wenner moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Wenner, unanimous consent was granted to message Senate File No. 481 to the House immediately.

On motion of Senator Knudson Senate File No. 344, a bill for an act to amend the law as it appears in section eighty-seven hundred forty-one (8741) of the Code 1931, relating to the depositing of securities with the commissioner of insurance, the exchange of securities and the amount at which the same may be held by the department of insurance, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Knudson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 37.

Anderson	Hicklin	Miller of	Stanley
Aschenbrenner	Hill	Buchanan	Stevens of
Beatty	Hopkins	Miller of Jones	Decatur
Bennett	Husted	Mullaney	Topping
Booth	Irwin	Nelson	Tripp
Byers	Kimberly	Patterson	Valentine
Calhoun	Klemme	Pendray	Wenner
Carden	Knudson	Reese	White
Doze	McArthur	Ritchie	Wilson
Fisch	Meyer	Roelofs	

Nays, 1.

Chrystal

Absent or not voting, 12.

Beardsley	Frailey	Hush	Shangle
Cooney	Geske	Moore	Stevens of
Coykendall	Harrington	Schmidt	Wapello
Elthon			

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

Senator Knudson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Knudson House File No. 390, a bill for an act to amend section eight thousand seven hundred thirty-seven (8737), Code, 1931, relating to investment of funds of insurance companies, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Knudson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 43.

Anderson	Booth	Coykendall	Hicklin
Aschenbrenner	Byers	Doze	Hill
Beardsley	Calhoun	Elthon	Hopkins
Beatty	Carden	Frailey	Husted
Bennett	Chrystal	Harrington	Irwin

Kimberly	Miller of Jones	Roelofs	Topping
Klemme	Moore	Stanley	Tripp
Knudson	Mullaney	Stevens of	Valentine
McArthur	Nelson	Decatur	Wenner
Meyer	Pendray	Stevens of	White
Miller of	Reese	Wapello	Wilson
Buchanan	Ritchie		

Nays, none.

Absent or not voting, 7.

Cooney	Geske	Patterson	Shangie
Fisch	Hush	Schmidt	

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

Senator Knudson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Valentine House File No. 263, a bill for an act to amend Section Fourteen hundred fifty-seven (1457) of the Code 1931, relating to review of award or settlement in compensation, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 40.

Anderson	Harrington	Miller of	Stevens of
Aschenbrenner	Hicklin	Buchanan	Decatur
Bennett	Hill	Miller of Jones	Stevens of
Booth	Hopkins	Moore	Wapello
Byers	Hush	Mullaney	Topping
Carden	Husted	Nelson	Tripp
Chrystal	Kimberly	Pendray	Valentine
Coykendall	Klemme	Reese	Wenner
Doze	Knudson	Ritchie	White
Elthon	McArthur	Roelofs	Wilson
Frailey	Meyer	Stanley	

Nays, none.

Absent or not voting, 10.

Beardsley	Cooney	Irwin	Schmidt
Beatty	Fisch	Patterson	Shangie
Calhoun	Geske		

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

Senator Frailey moved that when the Senate adjourns it be to reconvene at 10:00 a. m. Saturday. The motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 564, a bill for an act relating to real estate foreclosure actions.

Also, that the House has concurred in the Senate Amendments to House File No. 266, a bill for an act relating to lien on grain and seed threshed.

Also, that the House has concurred in the Senate Amendments to House File No. 124, a bill for an act relating to the appointment of referees in probate matters.

Also, that the request for a Conference Committee to be appointed on House File No. 63, has been received and the Speaker has appointed as members on the part of the House the following: Swift of Jackson; Gissel of Buchanan; Peaco of Clinton; Wolf of Franklin.

Also, that the House insists on its amendments to Senate File No. 477, a bill for an act relating to a special election to elect delegates at large to a state constitutional convention, and requests a Conference Committee. The Speaker has appointed as such Conference Committee on the part of the House: Stiger of Tama; Schroeder of Carroll; Brady of Potawattamie, and Ditto of Osceola.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

Substitute for House File No. 73, a bill for an act to establish the general fund for the State of Iowa, and to make appropriations for the biennium ending June 30, 1935.

LLOYD ELLIS, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 564, a bill for an act to extend the time in which answer may be made by defendant in real estate foreclosure actions; to provide for the prevention of undue waste of property under foreclosure, and to provide for the application of income from real estate in foreclosure actions; to suspend the operation and effectiveness of all laws in conflict herewith; and to provide for the termination of the period during which this act shall be in effect.

Read first and second times and referred to sifting committee.

Substitute for House File No. 73, a bill for an act to establish the general fund for the State of Iowa, for the biennium beginning July 1, 1933, and ending June 30, 1935, and to appropriate there-

from for all departments and various divisions thereof, of the State of Iowa, for all purposes provided by law, for the said biennium.

Read first and second times and referred to committee on appropriations.

APPOINTMENT OF CONFERENCE COMMITTEE ON
SENATE FILE NO. 477

The President appointed as conference committee on Senate File No. 477, Senators Geske, Hush, Hicklin and Irwin.

By unanimous consent on their own request, Senators Doze and Aschenbrenner were excused until Monday.

The Journal of March 30th was corrected and approved.

AMENDMENTS FILED

Amend substitute for Senate File No. 352 as follows:

Amend section two (2), paragraph two (2), line ten (10), by inserting after the word "consignees" the following: ", unrelated in business,".

Amend section two (2), paragraph two (2), line ten (10) by striking therefrom the word "three" and substituting in lieu thereof the word "seven".

PAUL W. SCHMIDT.

Amend substitute for Senate File No. 352 by inserting in line 10 of Section 13 thereof, after the word, "balloon," the words, "or low pressure," and by inserting after the word, "balloon," in line 13 of Section 13 thereof, the words, "or low pressure."

Amend substitute for Senate File No. 352, by striking from line 10 in Section 13 thereof the words, "two mills," and by inserting in lieu thereof the words, "one and one-half mills," and by striking from lines 13 and 14 in Section 13 thereof the words, "one and one-half mills," appearing after the comma after the word, "tires," in line 13 of said Section 13 thereof, and by inserting in lieu thereof the words, "one mill."

F. C. BYERS.

Amend the substitute for Senate File No. 352 as follows:

Amend section sixteen (16) by striking from line two (2) the words "and every contract motor carrier" and by striking from line three (3) the words "and necessity".

Amend section thirteen (13), line three (3), by inserting after the word "every" the word "common".

Amend section two (2), paragraph two (2), line ten (10), by striking therefrom the words "one consignor" and substituting in lieu thereof the words "three consignors".

Amend section six (6) by striking therefrom lines one (1) to four (4), inclusive.

Amend section four (4) by striking therefrom lines one (1) to twenty-three (23), inclusive.

Amend section two (2), paragraph seven (7), by striking from line twenty-seven (27) the word "railroad" and substituting therefor and in lieu thereof the word "highway".

Amend section two (2), paragraph four (4), by striking from line sixteen (16) the words "of any kind" and the words "or promised either directly or indirectly" and by further striking from paragraph four (4) all the words and material in lines eighteen (18), nineteen (19) and twenty (20).

Amend section sixteen (16) by inserting in line seven (7) after the word "all" and before the word "motor" the word "common".

Amend section sixteen (16) by inserting in line twelve (12) after the word "any" the words "common motor".

Amend section sixteen (16) by inserting in line twenty-seven (27) after the words "of the" and before the words "motor carrier" the word "common" and striking from lines twenty-seven (27) and twenty-eight (28) the words ", and also upon all motor vehicles used in the motor carrier business."

Amend section thirty-five by striking therefrom lines one (1) to seven (7), inclusive.

Amend section thirty-six (36) by striking therefrom lines one (1) to four (4), inclusive.

Amend section thirty-seven (37) by striking from line one (1) the word "inspectors" and inserting in lieu thereof the words "motor cycle patrolmen".

Amend section forty-one (41) by striking from line seven (7) the word "misdemeanor" and inserting in lieu thereof the word "felony".

Amend section forty-one (41) by striking from line eight (8) the words and figures "one hundred dollars (\$100.00)" and inserting in lieu thereof the words and figures "one thousand dollars (\$1000.00)".

Amend section forty-one (41) by striking from line nine (9) the words and figures "thirty (30) days" and inserting in lieu thereof the words and figure "one (1) year".

PAUL W. SCHMIDT.

Amend Substitute for Senate File No. 352 by inserting after the word "village" in line three (3) of Section five (5) of the printed substitute bill, the following:

"or within a radius of twenty-five miles therefrom".

CLYDE H. TOPPING.

1. Amend sifting committee substitute for Senate File No. 352 by inserting in line 8 of Section 13, after the word, "or," the word, "major," and by inserting in line 11 of Section 13 thereof, after the word, "or," the word, "major," and by inserting in line 14 of Section 13 thereof, after the word, "or," the word, "major."

2. Further amend by inserting in line 4 of Section 5, after the word "those", the word, "while".

3. Further amend by inserting in line 8 of Section 8 after the word "established" the words "by the commission", and by inserting in line 8 of Section 8 after the word "commission" and before the semi-colon, the words "by such carrier".

4. Further amend by striking the words "Every motor vehicle" in the first line of Section 35, and by inserting in lieu thereof the words "The

commission may require motor vehicles", and by striking the word "shall" in line 3 of said section and substituting in lieu thereof the word "to", and by inserting in line 7 of said section before the word "such" the following: "such mechanical device on some form to be in the possession of the operator of".

5. Further amend by striking from line 3 of Section 7 the word "contract,".

JOHN K. VALENTINE.

Amend Substitute for Senate File No. 73 by striking from line 37, section 3 the figures "\$4,040" and insert in lieu thereof the figures "\$7,040".

Further amend by striking from line 40, section 3 the figures "\$349,440" and inserting in lieu thereof the figures "\$341,640".

Amend by striking section 56 and insert in lieu thereof the following:

"Sec. 56. For the department of the Motor Vehicle there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of seventy-one thousand four hundred forty dollars (\$71,740) or so much thereof as may be necessary, to be used in the following manner:

For Salary of Superintendent.....	\$ 3,000
For Salaries, Support, Maintenance and Miscellaneous Purposes	68,740
Grand total of all appropriations for all purposes for each year of the biennium for the Motor Vehicle Department.....	\$71,740

Provided, that no part of such compensation, nor, the expenses of such employees which have been provided by law shall be paid from the general fund of the state but shall be paid from that part of the motor licenses allocated to the motor vehicle department as provided for in Section 4999 of the Code.

Other expenditures of the department are to be paid in a like manner and said amount including salaries and expenses shall not exceed the amount allocated in Section 4999 of the Code."

Amend as follows:

1. Amend section 4, lines 3 and 4 by striking the words and figures "seventy thousand and forty-five dollars and forty cents (\$70,045.40)" and insert in lieu thereof the words and figures "seventy thousand one hundred forty-five dollars and forty cents (\$70,145.40)".

2. Strike from line 10 the figures "\$59,495.40" and insert in lieu thereof the figures "\$58,595.40".

3. Strike from line 13 the figures "\$70,045.40" and insert in lieu thereof the figures "\$70,145.40".

Amend Section 36 as follows:

1. Strike from lines 3 and 4 the words and figures "four hundred thirty-six thousand four hundred fifty dollars (\$436,450)" and insert in lieu thereof the words and figures "three hundred eighty-one thousand four hundred fifty (\$381,450)".

2. Strike from line 11 the figures "4,500" and insert in lieu thereof the figures "4,450".

Amend Section 45 as follows:

1. Strike from line 21 the words and figures "ninety-nine thousand two hundred dollars (\$3,899,200)" and insert in lieu thereof the words and figures "ninety-eight thousand one hundred dollars (\$3,898,100)".

2. Strike from line 100 the words and figures "one hundred dollars (\$471,100)" and insert in lieu thereof the words and figures "dollars (\$471,000)".

3. Strike from line 110 the figures "471,100" and insert in lieu thereof the figures "471,000".

4. Strike from lines 114 and 115 the words and figures "three hundred eighty-four thousand five hundred dollars (\$384,500)" and insert in lieu thereof the words and figures "three hundred eighty-three thousand five hundred dollars (\$383,500)".

5. Strike from line 205 the figures "\$3,899,200" and insert in lieu thereof the figures "\$3,898,100".

6. Strike from line 121 the figures "\$384,500" and insert in lieu thereof the figures "\$383,500".

Amend Section 46 as follows:

1. Strike from line 52 the figures "\$10,000" and insert in lieu thereof the figures "\$9,000".

H. C. WHITE, *Chairman.*

Amend Section 44 of the Substitute for Senate File No. 73, by striking lines 6, 7, and 8 and inserting in lieu thereof the following:

"For salary of Director of the Vocational Education Division
and Civilian Rehabilitation Division\$ 3,000

For Salaries, Support, Maintenance and Miscellaneous Pur-
poses for all divisions..... 30,345.20".

Further amend section 44 by striking from line 11 the figures "33,055.20" and inserting in lieu thereof the figures "33,345.20".

CHRIS REESE.

Amend Senate File No. 99 by adding thereto the following:

"Sec. 2. This act being deemed of immediate importance shall be in full force and effect after its passage and publication in the Oskaloosa Tribune, a newspaper published at Oskaloosa, Iowa, and in the Pella Chronicle, a newspaper published at Pella, Iowa." L. T. SHANGLE.

On motion of Senator Frailey the Senate adjourned, the time for reconvening having been set previously for 10:00 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 1, 1933.

The Senate met in regular session, Senator Wilson presiding, at the request of President N. G. Kraschel.

Prayer was offered by Rev. A. R. Weed of the West Star and Worthington Churches of Winterset.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Mullaney for the day, on request of Senator Klemme; Senator Meyer for the day, on request of Senator Cooney.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Approving prohibition. Senator Wenner, from the Waterloo Ministers' Association. Judiciary No. 1.

Opposing the placing of a tax on the so-called "chain stores" doing business in the state. Senator Wenner, from citizens of Waterloo. Manufacturing, commerce and trade.

Favoring the passage of Senate File No. 352 and House File No. 512. Senator Miller of Jones, from citizens of Clarence. Senator Irwin, from citizens of Clinton. Motor vehicles.

SIFTING COMMITTEE REPORT

MR. PRESIDENT: Your sifting committee reports out as sifting committee bills, the following:

1. Senate File No. 483, a bill for an act to provide for the reorganization of savings banks, state banks, private banks and trust companies and in connection therewith for the issuance of trust certificates and for the setting aside of assets in an amount equal thereto; etc.

2. A bill for an act so to amend chapter 261, Code 1931, and various sections of said chapter, as to eliminate certain unnecessary allowances to county officers, etc.

3. A bill for an act so to amend Chapter 452, Code 1931, as to provide

a record of the final acceptance by public bodies of public improvements, and to amend Sec. 10313, Code 1931, relative to the time when actions may be brought to adjudicate claims against public funds covered by said chapter.

4. A bill for an act to authorize cities and towns to construct, own, equip, operate, maintain and improve works for the collection and/or treatment, purification and disposal of sewage and garbage; etc.

Your sifting committee also begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar of the Senate:

H. F. No. 381	S. F. No. 89	S. F. No. 462
S. F. No. 190	H. F. No. 539	S. F. No. 457
S. F. No. 395	H. F. No. 357	S. F. No. 303
H. F. No. 344	S. F. No. 297	H. F. No. 565
S. F. No. 424		

JOHN K. VALENTINE, *Chairman.*

INTRODUCTION OF BILLS

Senate File No. 484, by sifting committee, a bill for an act so to amend chapter two hundred sixty-one (261), Code, 1931, and various sections of said chapter, as to eliminate certain unnecessary allowances to county officers as salary in counties which now or hereafter have a population of less than sixty thousand (60,000) and which now or hereafter may have two county seats at each of which district court is regularly held, and to fix in such counties the salary of certain county officers and of the first or chief deputy of each of said officers.

Read first and second times and placed on the calendar.

Senate File No. 485, by sifting committee, a bill for an act to authorize cities and towns to construct, own, equip, operate, maintain and improve works for the collection and/or treatment, purification and disposal of sewage and garbage; to authorize charges against owners of premises for the use of such works, and to provide for the collection of the same; to authorize cities and towns to issue revenue bonds payable solely from the revenues of such works, as an emergency measure to be financed only through The Reconstruction Finance Corporation.

Read first and second times and placed on the calendar.

Senate File No. 486, by sifting committee, a bill for an act so to amend Chapter 452, Code, 1931, as to provide a record of the final acceptance by public bodies of public improvements, and to amend Section 10313, Code, 1931 relative to the time when actions

may be brought to adjudicate claims against public funds covered by said chapter.

Read first and second times and placed on the calendar.

SENATE CONCURRENT RESOLUTION NO. 22

Be It Resolved by the Senate, the House Concurring, That the Forty-fifth General Assembly adjourn, sine die, at twelve o'clock noon, Wednesday, April 12, 1933.

PAUL W. SCHMIDT.

Passed on file.

THIRD READING OF BILLS

On motion of Senator Bennett House File No. 381, a bill for an act amending section thirty-eight hundred one (3801), Code 1931, relating to the custody of persons paroled by the court, and providing for the appointment by the court of two regular parole officers to whom persons may be paroled, in counties having a population of one hundred twenty five thousand (125,000) or more, and providing for their compensation, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Bennett moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 31.

Beatty	Hush	Miller of Jones	Stevens of
Bennett	Husted	Moore	Wapello
Calhoun	Irwin	Nelson	Topping
Carden	Kimberly	Pendray	Tripp
Cooney	Klemme	Reese	Valentine
Fisch	Knudson	Roelofs	Wenner
Harrington	McArthur	Stanley	Wilson
Hicklin	Miller of	Stevens of	
Hill	Buchanan	Decatur	

Nays, 1.

Coykendall

Absent or not voting, 18.

Anderson	Chrystal	Hopkins	Ritchie
Aschenbrenner	Doze	Meyer	Schmidt
Beardsley	Elthon	Mullaney	Shangle
Booth	Frailey	Patterson	White
Byers	Geske		

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

Senator Bennett moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in the Senate amendments to House File No. 537, a bill for an act to make appropriation to J. W. Arnett.

Also, that the House has concurred in the Senate Amendments to House File No. 65, a bill for an act to amend section 10840, Code, 1931 with reference to the payment of unclaimed fees.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 314, a bill for an act relating to the forfeiture of real estate contracts.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 473, a bill for an act relating to extension of time in payment of taxes.

LLOYD ELLIS, *Chief Clerk.*

HOUSE AMENDMENTS TO S. F. 473

Amend section One (1) by inserting after the "period (.)" in line four (4) the following:

"Any penalty paid prior to the taking effect of this act shall be credited as a payment on the second installment."

Also, strike from lines six (6) and seven (7) the words and figures "of one per cent (1%)" and insert in lieu thereof "three-fourths ($\frac{3}{4}$) of one per cent (1%)".

HOUSE MESSAGE CONSIDERED

House File No. 314, a bill for an act to amend section twelve thousand three hundred ninety (12390) and section twelve thousand three hundred ninety-three (12393), Code, 1931, relating to the forfeiture of real estate contracts.

Read first and second times and referred to sifting committee.

THIRD READING OF BILLS

On motion of Senator Cooney Senate File No. 457, a bill for an act to prohibit the sale of milk or milk products under false representations as to the breed of cattle from which the same were produced, returned by the sifting committee, was taken up and considered.

Senator Cooney offered the following amendment and moved its adoption:

Amend by adding as Sec. 2 the following:

"Sec. 2. A violation of the foregoing section shall be punished by a fine not exceeding one hundred dollars (\$100) or by imprisonment in the county jail not exceeding thirty (30) days or by both such fine and imprisonment."

The amendment was adopted.

Action was deferred temporarily.

President N. G. Kraschel in the chair at 10:58 a. m.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled.

House File No. 238.

HOMER HUSH, *Chairman Senate Committee.*

WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The president of the senate announced that, as president of the Senate, he had signed in the presence of the Senate, House File No. 238.

Senator Wilson was called to the chair at 11:00 a. m.

CONSIDERATION OF SENATE FILE NO. 457 RESUMED

The bill was read for information.

Senator Cooney moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 29.

Anderson	Hicklin	McArthur	Stevens of
Beatty	Hill	Miller of Jones	Wapello
Bennett	Hopkins	Nelson	Topping
Carden	Hush	Reese	Valentine
Chrystal	Irwin	Roelofs	Wenner
Cooney	Kimberly	Stanley	White
Coykendall	Klemme	Stevens of	Wilson
Elthon	Knudson	Decatur	

Nays, 1.

Miller of
Buchanan

Absent or not voting, 20.

Aschenbrenner	Doze	Husted	Pendray
Beardsley	Fisch	Meyer	Ritchie
Booth	Frailey	Moore	Schmidt
Byers	Geske	Mullaney	Shangle
Calhoun	Harrington	Patterson	Tripp

The bill having received a constitutional majority was declared to have passed the Senate.

On request of Senator Cooney, unanimous consent was granted to amend the title by inserting after the word "produced" the following: "and to provide a penalty for the violation of the provisions of this act".

The title as amended was agreed to.

Senator Cooney moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

President pro tempore Matt D. Cooney was called to the chair at 11:10 a. m.

THIRD READING OF BILLS

On motion of Senator Wilson Senate File No. 190, a bill for an act to amend sections fifty-nine hundred and seventy-five (5975), fifty-nine hundred and seventy-eight (5978), six thousand and two (6002), six thousand and three (6003), six thousand and twenty-four (6024), six thousand and twenty-six (6026), and six thousand and thirty-two (6032), of the 1931 Code of Iowa, relating to the improvement of streets by oiling and graveling and the assessment of the cost thereof, returned by the sifting committee, was taken up and considered.

Senator Wilson offered the following amendment and moved its adoption:

Amend by adding thereto the following:

Section 8. That Section Six Thousand Thirty-two (6032) of the code of 1931 is further amended by substituting a comma for the period following the word installments in the last line thereof and adding the following: except when the assessment exceeds \$10.00, in which event the same shall be automatically waived and paid in three annual installments.

Section 9. That Section Fifty-nine Hundred Seventy-four (5974) of the code of 1931 is amended by adding thereto as subsection 7, the following: The words oil shall include any asphaltic or bituminous liquids suitable for road building purposes and the word gravel shall include gravel, crushed rock, cinders, shale or similar material suitable for road building purposes.

The amendment was adopted.

On request of Senator Wilson unanimous consent was granted to strike the word "oiling" from line 3 of Sec. 2 and insert the word "oil".

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 30.

Anderson	Hicklin	McArthur	Stevens of
Bennett	Hopkins	Miller of	Decatur
Calhoun	Hush	Buchanan	Topping
Carden	Husted	Miller of Jones	Tripp
Cooney	Irwin	Pendray	Valentine
Coykendall	Kimberly	Reese	Wenner
Elthon	Klemme,	Roelofs	White
Harrington	Knudson	Stanley	Wilson

Nays, none.

Absent or not voting, 20.

Aschenbrenner	Doze	Meyer	Ritchie
Beardsley	Fisch	Moore	Schmidt
Beatty	Frailey	Mullaney	Shangle
Booth	Geske	Nelson	Stevens of
Byers	Hill	Patterson	Wapello
Chrystal			

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

Senator Wilson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Harrington Senate File No. 462, a bill for an act to amend Section sixty-four hundred seventy-eight, (6478), Code 1931, providing for the method of signing petitions for certain special elections, returned by the sifting committee, was taken up and considered.

Senator Wilson was called to the chair at 11:17 a. m.

On request of Senator Harrington unanimous consent was granted to defer action, such bill to retain its place on the calendar.

The Journal of March 31st was corrected and approved.

AMENDMENTS FILED

Amend Substitute for Senate File No. 73 by striking from lines three (3) and four (4), section two (2) the following: "one hundred eighty-six thousand four hundred fifty dollars (\$186,450)" and inserting in lieu thereof the following: "one hundred ninety thousand eight hundred sixty-six dollars (\$190,866)".

Further amend said section by striking from line eight (8) the figures "\$183,450" and inserting in lieu thereof the figures "\$187,866".

Further amend said section by striking from line eleven (11) the figures "\$186,450" and inserting in lieu thereof the figures "\$190,866".

CLAUDE STANLEY.

Amend Substitute for Senate File No. 73 as follows:

Amend Section 46 by striking from lines 9, 10 and 11 the words and figures "five million four hundred sixty-five thousand seven hundred twenty-two dollars and fifty cents (\$5,465,722.50)" and insert in lieu thereof the words and figures "five million four hundred ninety-one thousand seven hundred twenty-two dollars and fifty cents (\$5,491,722.50)".

Amend Section 46 by striking from line 96 the figures "\$5,465,722.50" and insert in lieu thereof the figures "\$5,491,722.50".

H. C. WHITE, *Chairman*.

Amend Substitute for Senate File No. 73, Section three (3), line 27, by striking the figures \$5500.00 and inserting in lieu thereof the figures \$3000.00.

CLYDE H. TOPPING.

On motion of Senator Hill the Senate adjourned until 10:00 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 3, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. Wm. J. Johnstone, of the Presbyterian Church of St. Paul, Minnesota.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Favoring the passage of Senate File No. 158 and House File No. 167. Senator Schmidt, from the City Council of Iowa City. Cities and towns.

Favoring the passage of Senate File No. 352. Senator Roelofs, from citizens of Hawarden. Motor vehicles.

Opposing the passage of Substitute for Senate File No. 352. Senator Doze, from Attorney A. M. Parker of Des Moines. Motor vehicles.

COMMUNICATION FROM CONGRESSMAN C. C. DOWELL

March 30, 1933.

MR. BYRON G. ALLEN,
SECRETARY OF THE SENATE,
State House, Des Moines, Iowa.

MY DEAR MR. ALLEN: I beg to acknowledge receipt of your favor inclosing Senate Concurrent Resolutions Nos. 16, 20, 21 and thank you very kindly.

Yours very truly,

C. C. DOWELL.

COMMUNICATION FROM SPEAKER MUNN, MINNESOTA

March 30, 1933.

MR. BYRON G. ALLEN,
SECRETARY OF THE SENATE,
State Senate, Des Moines, Iowa.

DEAR MR. ALLEN: Permit me to acknowledge receipt of a copy of the Iowa Senate Concurrent Resolution, No. 21.

Beg to advise you that we have a bill (H. F. 1787) similar to your Resolution and I am therefore referring your Resolution to the Minnesota House committee on Motor Vehicles and Motor Vehicle Tax Laws where our bill is now pending.

Respectfully yours,
CHAS. MUNN, *Speaker of the House.*

COMMUNICATION FROM SECRETARY TO
CONGRESSMAN WILLFORD

April 1, 1933.

MR. BYRON G. ALLEN,
SENATE CLERK,
Des Moines, Iowa.

DEAR MR. ALLEN: This is to notify you that the joint resolution memorial sent to Congressman A. C. Willford was taken up at the session and incorporated in the Congressional Record. Yours very truly,
BERL C. WILLFORD, *Sec. to Congressman Willford.*

COMMUNICATION FROM CONGRESSMAN FRED BIERMANN

March 30, 1933.

HON. BYRON G. ALLEN,
SECRETARY OF THE SENATE,
State Capitol, Des Moines, Iowa.

DEAR BYRON: This is to acknowledge receipt of Senate Concurrent Resolutions Nos. 16, 20 and 21.

I opposed the so-called Farm Relief Bill because I believe it will merely lead us into another blind alley such as the Farm Board has had us in and that if it becomes a law we shall lose a lot of time that we ought to employ in really getting out of the present situation.

With kind personal regards and with my compliments on the splendid work that the state administration has been doing, I am
Sincerely yours,

FRED BIERMANN.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 301, a bill for an act relating to persons to whom permit holders may sell intoxicating liquor.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 232, a bill for an act relating to permanent registration.
LLOYD ELLIS, *Chief Clerk.*

On request of Senator White, unanimous consent was granted to substitute Substitute for House File No. 73 on the calendar for Substitute for Senate File No. 73.

On request of Senator White unanimous consent was granted to consider Substitute for House File No. 73.

THIRD READING OF BILLS

On motion of Senator White Substitute for House File No. 73, a bill for an act to establish the general fund for the State of Iowa, for the biennium beginning July 1, 1933, and ending June 30, 1935, and to appropriate therefrom for all departments and various divisions thereof, of the State of Iowa, for all purposes provided by law, for the said biennium, was taken up and considered.

Senator White offered the following amendment and moved its adoption:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

Section 1. That the amount derived from direct taxation, other than from the bonus levy, during the fiscal years beginning July 1, 1933, and July 1, 1934, and ending June 30, 1934, and June 30, 1935, respectively, and all revenue from sources other than direct taxation which is available for appropriations for state purposes, and all other money in the state treasury which is not by law segregated, shall be established as a general fund, and so much thereof as may be necessary, shall be, and the same is hereby appropriated for the biennium beginning July 1, 1933, and ending June 30, 1935, in the following manner and for the following uses, to-wit:

DEPARTMENT OF ADJUTANT GENERAL

Sec. 2. For the department of the Adjutant General there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of one hundred eighty-six thousand four hundred fifty dollars (\$186,450) or so much thereof as may be necessary, to be used in the following manner:

For Salary of Adjutant General.....	\$ 3,000
For Salaries, Support, Maintenance and Miscellaneous Purposes	\$183,450
Grand total of all appropriations for all purposes for each year of the biennium for the department of the Adjutant General..	\$186,450

DEPARTMENT OF AGRICULTURE

Sec. 3. For the department of Agriculture there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of three hundred forty-one thousand six hundred forty dollars (\$341,640) or so much thereof as may be necessary, to be used in the following manner:

Agricultural Department	
For Salary of Secretary of Agriculture.....	\$ 4,500

For Salaries, Support, Maintenance and Miscellaneous
Purposes\$125,500

Total Agricultural Department\$130,000

Animal Health and Veterinary

For the control and eradication of contagious and infectious
livestock diseases, T. B. inspectors \$1,500 to \$2,400 an-
nually, and necessary traveling expenses; assistant state
veterinarians (per diem and expenses), indemnities and
miscellaneous\$150,000

Iowa Beef Producers' Association

State Aid\$ 4,500

Corn and Small Grain Growers' Association

State Aid\$ 3,000

Dairy Association

State Aid\$ 4,500
(To be expended in accordance with the provisions of
Chapter 137, Code of 1931)

Horticultural Society

State Aid\$ 5,500
Poultry Associations, Short Courses, County Achievement Shows
State Aid\$ 25,000

Board of Veterinary Examiners

Per Diem and Expenses of Board Members.....\$ 200

Iowa Horse Breeders' Association

State Aid\$ 4,500

Weather and Crops Bureau

For Salaries, Support, Maintenance and Miscellaneous
Purposes\$ 7,400

State Entomologist

For Salaries, Support, Maintenance and Miscellaneous
Purposes\$ 4,040
Grand total of all appropriations for all purposes for each year
of the biennium for the department of agriculture.....\$349,440

BOARD OF ASSESSMENT AND REVIEW

Sec. 4. For the Board of Assessment and Review there is hereby ap-
propriated for each year of the biennium beginning July 1, 1933, and
ending June 30, 1935, the sum of seventy thousand and forty-five dollars

and forty cents (\$70,045.40) or so much thereof as may be necessary, to be used in the following manner:

For Salaries: (a)	
Chairman	\$ 3,850
Vice Chairman	3,850
Member	3,850
For Salaries, Support, Maintenance and Miscellaneous Purposes: (b)	
	\$ 59,495.40
Grand total of all appropriations for all purposes for each year of the biennium for the board of assessment and review.....	
	\$ 70,045.40

BOARD OF AUDIT

Sec. 5. For the Board of Audit there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of three thousand six hundred dollars (\$3,600) or so much thereof as may be necessary, to be used in the following manner:

For Salaries: (a)	
Chief Voucher Clerk.....	\$ 1,200
Voucher Clerk and Stenographer.....	1,200
Voucher Clerk	1,200
Grand total of all appropriations for all purposes for each year of the biennium for the board of audit.....	
	\$ 3,600

AUDITOR OF STATE

Sec. 6. For the office of Auditor of State there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of twenty-two thousand eight hundred sixty dollars (\$22,860) or so much thereof as may be necessary, to be used in the following manner:

For Salary of Auditor of State.....	\$ 4,500
For Salaries and Miscellaneous Purposes (b).....	\$ 18,360
Grand total of all appropriations for all purposes for each year of the biennium for the department of auditor of state.....	
	\$ 22,860

COMMISSION FOR THE BLIND

Sec. 7. For the Commission for the Blind there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of nine thousand six hundred eighty-seven dollars (\$9,687) or so much thereof as may be necessary, to be used in the following manner:

For Salary of Secretary	\$ 2,370
For Salaries, Support, Maintenance and Miscellaneous Purposes: (b)	
	\$ 7,317
Grand total of all appropriations for all purposes for each year of the biennium for the commission for the blind.....	
	\$ 9,687

DIRECTOR OF THE BUDGET

Sec. 8. For the department of the Directors of the Budget there is hereby appropriated for each year of the biennium beginning July 1,

1933, and ending June 30, 1935, the sum of seventeen thousand seven hundred nineteen dollars and twenty cents (\$17,719.20) or so much thereof as may be necessary, to be used in the following manner:

For Salary of Director of the Budget.....	\$ 3,600
For Salaries and Miscellaneous Purposes:	\$ 14,119.20
Grand total of all appropriations for all purposes for each year of the biennium for the department of the Director of the Budget	\$ 17,719.20

BOARD OF CONSERVATION

Sec. 9. For the Board of Conservation there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of one hundred eight thousand dollars (\$108,000) or so much thereof as may be necessary, to be used in the following manner:

For Miscellaneous Purposes: (a)	
For maintenance of state parks, purchase of land and general improvements, and for the construction, maintenance and improvement of roads and highways in said parks	\$108,000
Grand total of all appropriations for all purposes for each year of the biennium for the Board of Conservation.....	\$108,000

BOARD OF CONTROL

Sec. 10. For the Board of Control there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of seventy-three thousand eight hundred forty-five dollars (\$73,845) or so much thereof as may be necessary, to be used in the following manner:

General Office and Child Welfare Division	
For Salaries of Members of the Board (3 at \$3,600).....	\$ 10,800
For Salaries, support, maintenance and miscellaneous purposes:	68,045
Grand total of all appropriations for all purposes for each year of the biennium for the Board of Control.....	78,845

CUSTODIAN

Sec. 11. For the department of the Custodian there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of forty-eight thousand nine hundred sixty-four dollars and eighty cents (\$48,964.80) or so much thereof as may be necessary, to be used in the following manner:

For Salary of Custodian	\$ 2,370
For Salaries and Miscellaneous Purposes:	46,594.80
Grand total of all appropriations for all purposes for each year of the biennium for the department of the Custodian.....	48,964.80

JUDGES OF THE DISTRICT COURT

Sec. 12. For the department of the District Court Judges there is hereby appropriated for each year of the biennium beginning July 1,

1933, and ending June 30, 1935, the sum of three hundred seventy-two thousand five hundred dollars (\$372,500) or so much thereof as may be necessary, to be used in the following manner:

For salaries of Judges of the District Court of Iowa (70 Judges)	\$350,000
For Miscellaneous Purposes:	
Traveling expenses of judges and court reporters in and out of districts	\$ 22,500

Grand total of all appropriations for all purposes for each year
of the biennium for the department of District Court Judges..\$372,500

BOARD OF EDUCATION

Sec. 13. For the department of the Board of Education there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of forty-five thousand six hundred twelve dollars (\$45,612) or so much thereof as may be necessary, to be used in the following manner:

For Salaries: (a)	
Chairman, Finance Committee	\$ 2,500
Member, Finance Committee	2,500
Secretary, Finance Committee	2,500
Chief Clerk	1,200
State Agent	1,200
Stenographer	1,000
Clerk	1,000
Statistical Clerk	1,100
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	\$ 13,000

For Miscellaneous Purposes: (b)	
Board Members (9—not to exceed \$500 each).....	\$ 4,500
Traveling Expenses	6,000
Release of Mortgages	12
President's Office Expense	100
Construction, maintenance and repair of state roads at any or all institutions under the control of the Board of Education	5,000
Aid for Blind Students	7,000
Aid for Deaf Students	10,000
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	\$ 32,612

Grand total of all appropriations for all purposes for each year
of the biennium for the Board of Education.....\$ 45,612

EXECUTIVE COUNCIL

Sec. 14. For the department of the Executive Council there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of two hundred seventeen thousand three hundred fifty dollars (\$217,350), or so much thereof as may be necessary, to be used in the following manner:

General Office

For Salaries, Support, Maintenance and Miscellaneous
Purposes\$217,350

STATE FAIR BOARD

Sec. 15. For the department of the State Fair Board there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of thirty thousand dollars (\$30,000) or so much thereof as may be necessary, to be used in the following manner:

For Maintenance and operating expenses of Fair.....\$ 30,000
Grand total of all appropriations for all purposes for each year
of the biennium for the State Fair Board.....\$ 30,000

AGRICULTURAL SOCIETIES

Sec. 16. For the Agricultural Societies there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of seventy-five thousand dollars (\$75,000) or so much thereof as may be necessary, to be used in the following manner:

For Miscellaneous Purposes: (a)

State Aid to County Fairs.....\$ 75,000

The foregoing appropriation for State Aid to County Fairs shall be deemed conditioned on full compliance with all other statutes which regulate and prescribe the conditions under which such aid is payable.

FIRE MARSHAL

Sec. 17. For the department of the State Fire Marshal there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of sixteen thousand dollars (\$16,000) or so much thereof as may be necessary, to be used in the following manner:

For salary of State Fire Marshal.....\$ 2,628
For Support, Maintenance, Salaries and Miscellaneous.....\$ 13,372
Grand total of all appropriations for all purposes for each year
of the biennium for the department of State Fire Marshal...\$ 16,000

GEOLOGICAL SURVEY

Sec. 18. For the department of the Geological Survey there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of four thousand dollars (\$4,000) or so much thereof as may be necessary, to be used in the following manner:

For Salaries, Support, Maintenance and Miscellaneous.....\$ 4,000
Grand total of all appropriations for all purposes for each year
of the biennium for the department of the Geological Survey..\$ 4,000

GOVERNOR

Sec. 19. For the department of the Governor there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of seventeen thousand dollars (\$17,000) or so much thereof as may be necessary, to be used in the following manner:

For Salary of Governor of the State of Iowa.....	\$ 7,500
For Salaries, support and miscellaneous purposes.....	9,500
Grand total of all appropriations for all purposes for each year of the biennium for the department of the Governor.....	\$ 17,000

GRAND ARMY OF THE REPUBLIC

Sec. 20. For the department of the Grand Army of the Republic there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of seven hundred fifty dollars (\$750) or so much thereof as may be necessary, to be used in the following manner:

Headquarters Expenses	\$ 750
Grand total of all appropriations for all purposes for each year of the biennium for the department of the Grand Army of the Republic	\$ 750

DEPARTMENT OF HEALTH

Sec. 21. For the Department of Health there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of seventy-one thousand five hundred dollars (\$71,500) or so much thereof as may be necessary, to be used in the following manner:

General Office

For salary of Commissioner of the Department of Health....	\$ 4,250
For Salaries, Support, Maintenance and Miscellaneous Purposes	\$ 39,750
Total General Office	\$ 44,000

Maternity and Child Hygiene

For Salaries, Support, Maintenance and Miscellaneous Purposes	\$ 8,000
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Inspector—Department of Health

For Salaries, Support, Maintenance and Miscellaneous Purposes	\$ 4,500
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Sanitary Engineer and Housing Division

For Salaries, Support, Maintenance and Miscellaneous Purposes	\$ 15,000
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Grand total of all appropriations for all purposes for each year of the biennium for the Department of Health.....	\$ 71,500
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(1) Board of Barbers Examiners

For the Board of Barbers Examiners there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June

30, 1935, the sum of twelve thousand dollars (\$12,000) or so much thereof as may be necessary, to be used in the following manner:

For Salaries, Support, Maintenance and Miscellaneous Purposes	\$ 14,500
Grand total of all appropriations for all purposes for each year of the biennium for the Board of Barbers Examiners.....	\$ 14,500

(2) Board of Chiropractic Examiners

For the Board of Chiropractic Examiners there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of seven hundred dollars (\$700) or so much thereof as may be necessary, to be used in the following manner:

For Salaries, Support, Maintenance and Miscellaneous Purposes	\$ 700
Grand total of all appropriations for all purposes for each year of the biennium for the Board of Chiropractic Examiners....	\$ 700

(3) Board of Cosmetology Examiners

For the Board of Cosmetology Examiners there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of twelve thousand dollars (\$12,000) or so much thereof as may be necessary, to be used in the following manner:

For Per Diem: (a)	
Board Members	
For Salaries: (b)	
Two Inspectors	
Two Stenographers	
For Other Expenses: (c)	
Traveling	
Supplies	
Grand total of all appropriations for all purposes for each year of the biennium for the Board of Cosmetology Examiners....	\$ 12,000

(4) Board of Dental Examiners

For the Board of Dental Examiners there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of two thousand five hundred dollars (\$2,500) or so much thereof as may be necessary, to be used in the following manner:

For Per Diem: (a)	
Board Members	\$ 1,800
Other Expenses: (b)	
Traveling	700
Grand total of all appropriations for all purposes for each year of the biennium for the Board of Dental Examiners.....	\$ 2,500

(5) Board of Embalmers' Examiners

For the Board of Embalmers' Examiners there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of nine hundred seventy dollars (\$970) or so much thereof as may be necessary, to be used in the following manner:

For Per Diem: (a)	
Board Members	\$ 470
Other Expenses: (b)	
Traveling	\$ 500
Grand total of all appropriations for all purposes for each year of the biennium for the Board of Emblamers' Examiners.....	\$ 970

(6) Board of Medical Examiners

For the Board of Medical Examiners there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of nine hundred dollars (\$900) or so much thereof as may be necessary, to be used in the following manner:

For Per Diem: (a)	
Board Members	\$ 650
Other Expenses: (b)	
Traveling	\$ 250
Grand total of all appropriations for all purposes for each year of the biennium for the Board of Medical Examiners.....	\$ 900

(7) Board of Nurses' Examiners

For the Board of Nurses' Examiners there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of nineteen hundred dollars (\$1,900) or so much thereof as may be necessary, to be used in the following manner:

For Per Diem: (a)	
Board Members	\$ 1,500
Other Expenses: (b)	
Traveling	\$ 400
Grand total of all appropriations for all purposes for each year of the biennium for the Board of Nurses' Examiners.....	\$ 1,900

(8) Board of Optometry Examiners

For the Board of Optometry Examiners there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of eight hundred dollars (\$800) or so much thereof as may be necessary, to be used in the following manner:

For Per Diem: (a)	
Board Members	\$ 500
Other Expenses: (b)	
Traveling	\$ 300
Grand total of all appropriations for all purposes for each year of the biennium for the Board of Optometry Examiners.....	\$ 800

(9) Board of Osteopathic Examiners

For the Board of Osteopathic Examiners there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of four hundred eighty dollars (\$480) or so much thereof as may be necessary, to be used in the following manner:

For Per Diem: (a)	
Board Members	\$ 280

Other Expenses: (b)

Traveling	\$	200
Grand total of all appropriations for all purposes for each year of the biennium for the Board of Osteopathic Examiners.....	\$	480

(10) Board of Podiatry Examiners

For the Board of Podiatry Examiners there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of three hundred ninety-five dollars (\$395) or so much thereof as may be necessary, to be used in the following manner:

For Per Diem: (a)

Board Members	\$	320
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Other Expenses: (b)

Traveling	\$	75
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Grand total of all appropriations for all purposes for each year of the biennium for the Board of Podiatry Examiners.....	\$	395
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(11) Board of Pharmacy Examiners

For the Board of Pharmacy Examiners there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of ten thousand dollars (\$10,000) or so much thereof as may be necessary, to be used in the following manner:

For Salaries, Support, Maintenance and Miscellaneous

Purposes: (a)	\$	10,000
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HISTORICAL DEPARTMENT

Sec. 22. For the Historical Department there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of thirty-five thousand dollars (\$35,000) or so much thereof as may be necessary, to be used in the following manner:

For Salary of Curator, Historical Department.....	\$	2,400
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For Miscellaneous, Salaries, Support and Maintenance of the following divisions: General, Archives, Library, Mu- seum, Annals of Iowa, Iowa in War and Newspaper.....	\$	32,600
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Grand total of all appropriations for all purposes for each year of the biennium for the Historical Department.....	\$	35,000
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HISTORICAL SOCIETY

Sec. 23. For the Historical Society there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of nine thousand dollars (\$9,000) or so much thereof as may be necessary, to be used in the following manner:

For Salaries, Support, Maintenance and Miscellaneous

Purposes: (a)	\$	9,000
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Grand total of all appropriations for all purposes for each year of the biennium for the Historical Society.....	\$	9,000
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INDUSTRIAL COMMISSION

Sec. 24. For the department of the Industrial Commission there is

hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of twenty-four thousand dollars (\$24,000) or so much thereof as may be necessary, to be used in the following manner:

For salary of the Industrial Commissioner.....	\$ 3,000
For Salaries, Support, Maintenance and Miscellaneous Purposes: (b)	\$ 21,000
Grand total of all appropriations for all purposes for each year of the biennium for the department of the Industrial Commission	\$ 24,000

DEPARTMENT OF INSURANCE

Sec. 25. For the Department of Insurance there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of forty-six thousand dollars (\$46,000) or so much thereof as may be necessary, to be used in the following manner:

For salary of Commissioner of Insurance.....	\$ 4,000
For Salaries, Support, Maintenance and Miscellaneous Purposes (b)	\$ 42,000
Grand total of all appropriations for all purposes for each year of the biennium for the Department of Insurance.....	\$ 46,000

DEPARTMENT OF JUSTICE

Sec. 26. For the Department of Justice there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of eighty-six thousand nine hundred seventy-three dollars and eighty cents (\$86,973.80) or so much thereof as may be necessary, to be used in the following manner:

For salary of Attorney General.....	\$ 5,000
For Salaries, Support, Maintenance and Miscellaneous Purposes (b)	\$ 81,973.80
Grand total of all appropriations for all purposes for each year of the biennium for the Department of Justice.....	86,973.80

BUREAU OF LABOR

Sec. 27. For the Department of the Bureau of Labor there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of eighteen thousand one hundred sixty-seven dollars and twenty cents (\$18,167.20) or so much thereof as may be necessary, to be used in the following manner:

For salary of Commissioner of Labor.....	\$ 2,500
For Salaries, Support, Maintenance and Miscellaneous Purposes (b)	15,667.20
Grand total of all appropriations for all purposes for each year of the biennium for the department of the Bureau of Labor	\$ 18,167.20

LIBRARY COMMISSION

Sec. 28. For the department of the Library Commission there is hereby appropriated for each year of the biennium beginning July 1, 1933, and

ending June 30, 1935, the sum of nineteen thousand five hundred sixty-six dollars and sixty cents (\$19,566.60) or so much thereof as may be necessary, to be used in the following manner:

For salary of Secretary	\$ 2,112
For Salaries, Support, Maintenance and Miscellaneous Purposes (b)	17,454.60
Grand total of all appropriations for all purposes for each year of the biennium for the department of the Library Commission	\$ 19,566.60

STATE LIBRARY

Sec. 29. For the department of the State Library there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of forty-two thousand six hundred seventy-two dollars and eighty cents (\$42,672.80) or so much thereof as may be necessary, to be used in the following manner:

General Division

For salary of State Librarian	\$ 2,400
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Law Division

For salary of Law Librarian.....	2,400
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Medical Division

For salary of Medical Librarian.....	2,000
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Economics and Sociology Division

For salary of Librarian	1,500
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For Salaries, Support, Maintenance, and Miscellaneous Purposes for all Divisions.....	34,372.80
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Grand total of all appropriations for all purposes for each year of the biennium for the department of the State Library.....	\$ 42,672.80
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BOARD OF MINE EXAMINERS

Sec. 30. For the department of the Board of Mine Examiners there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of fifteen hundred dollars (\$1,500) or so much thereof as may be necessary, to be used the following manner:

Per Diem and Expenses.....	\$ 1,500
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Grand total of all appropriations for all purposes for each year of the biennium, for the department of the Board of Mine Examiners	\$ 1,500
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MINE INSPECTORS

Sec. 31. For the department of Mine Inspectors there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of fifteen thousand five hundred dollars (\$15,500)

or so much thereof as may be necessary, to be used in the following manner:

For Salaries, Support, Maintenance and Miscellaneous Purposes\$ 15,500

BOARD OF PAROLE

Sec. 32. For the department of the Board of Parole there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of twenty-five thousand seven hundred twenty dollars and twenty cents (\$25,720.20) or so much thereof as may be necessary, to be used in the following manner:

For salaries of Board Members, 3 at \$2,790 each.....\$ 8,370

For Salaries, Support, Maintenance and Miscellaneous Purposes 17,350.20

Grand total of all appropriations for all purposes for each year of the biennium for the department of the Board of Parole....\$ 25,720.20

STATE PRINTING BOARD

Sec. 33. For the department of the State Printing Board there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of thirteen thousand five hundred six dollars (\$13,506) or so much thereof as may be necessary, to be used in the following manner:

General Office

For salary Superintendent of Printing.....\$ 3,120

For Salaries, Support, Maintenance, and Miscellaneous Purposes: (b) 10,386

Grand total of all appropriations for all purposes for each year of the biennium for the department of the State Printing Board Office\$ 13,506

STATE PRINTING BOARD

Sec. 34. For the department of the State Printing Board there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of one hundred twenty thousand seven hundred seventeen dollars (\$120,717) or so much thereof as may be necessary, to be used in the following manner:

State Purposes

For the necessary printing and binding authorized by law for the general assembly and for all state departments that have not been provided for in departmental appropriations\$120,717

This section is not to be construed or interpreted to include the expense of any printing for any of the following departments, bureaus, boards, or associations:

Animal Health, and Veterinary Division of Agricultural Department for elimination of bovine tuberculosis, Iowa Beef Producers' Association,

Iowa Corn and Small Grain Growers' Association, Farmers' Institutes, Iowa State Dairy Association, Iowa State Poultry Breeders' Association, Short Courses, Board of Conservation, State Entomologist, State Fair Board, Agricultural Societies, Iowa Department of the Grand Army of the Republic, Horse Breeders' Association, State Library and all divisions thereof, Psychopathic Hospital, State Highway Commission, Receivership, Division of the Banking Department, Board of Engineering Examiners, Fish and Game Department, Motor Vehicle Department, Motor Vehicle Fuel Tax Division, institutions under the Board of Control, institutions under the Board of Education, and the State Board of Vocational Education, Board of Educational Examiners, Industrial Survey, Motor Carrier Department, Truck Operator Department, and any and every agency, activity and undertaking that has a fund for general support. Providing that funds appropriated by this section, in the discretion of the Printing Board, may be used in supplying paper stock or multigraph work for any of the foregoing departments, bureaus, associations and institutions. Any sum so used to be refunded to the Printing Board and returned to the credit of the appropriation made by this section. When paper stock is so furnished, payment shall be made to the Printing Board in the same manner as other claims against such departments are paid, and the Printing Board shall remit the proceeds to the Treasurer of State on the first secular day of each calendar month, taking the treasurer's receipt therefor, showing the same properly credited to the appropriation authorized by this section. Such funds so handled shall be exempt from the provisions of sections 143 and 144 of the code.

SUPERINTENDENT OF PUBLIC INSTRUCTION

Sec. 35. For the department of the Superintendent of Public Instruction there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of twenty-nine thousand five hundred ten dollars (\$29,510) or so much thereof as may be necessary, to be used in the following manner:

General Office

For Salary of Superintendent of Public Instruction.....	\$ 4,000
For Salaries, Support, Maintenance and Miscellaneous Purposes:	\$ 25,510
Grand total of all appropriations for all purposes for each year of the biennium for the department of the Superintendent of Public Instruction, Office.....	\$ 29,510

SUPERINTENDENT OF PUBLIC INSTRUCTION

Sec. 36. For the department of the Superintendent of Public Instruction there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of four hundred thirty-six thousand four hundred fifty dollars (\$436,450) or so much thereof as may be necessary, to be used, in the following manner:

State Aid to Public Schools

For State Aid to Public Schools:

Normal Training Schools	\$120,000
Consolidated	135,000
Standard Schools (for use of rural schools only).....	50,000
Normal Institutes	4,500
Mining Camp Schools	45,000
Mining Camp Schools Emergencies	27,000
	<hr/>
	\$381,450

Grand total of all appropriations for all purposes for each year of the biennium for the department of the Superintendent of Public Instruction for state aid to public schools.....\$381,450

RELIEF

Sec. 37. For Relief there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of five hundred sixty dollars (\$560) or so much thereof as may be necessary, to be used in the following manner:

For Relief Purposes:

Relief of Frederick M. Hull.....	\$ 360
Relief of Marjorie Ball	200
	<hr/>
	\$ 560

Grand total of all appropriations for all purposes for each year of the biennium for Relief.....\$ 560

. BOARD OF RAILROAD COMMISSIONERS

Sec. 38. For the department of the Board of Railroad Commissioners there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of seventy-one thousand ninety-seven dollars and seventy cents (\$71,097.70) or so much thereof as may be necessary, to be used in the following manner:

Railroad Commission Office

For Salaries of Commissioners, 3 at \$3,600 each.....	\$ 10,800
For Salaries, Support, Maintenance and Miscellaneous Purposes	35,604.90
	<hr/>
Total Railroad Commission Office.....	\$ 46,404.90

Commerce Counsel

For Salary of Chief Counsel.....	\$ 4,250
For Salaries, Support, Maintenance and Miscellaneous Purposes	8,370
	<hr/>
Total Commerce Counsel	\$ 12,620

Valuation Department

For Salary of Agent	\$ 3,000
For Salaries, Support, Maintenance and Miscellaneous Purposes	5,572.80
Total Valuation Department	\$ 8,572.80

Pipe Lines

For General Expenses	\$ 3,500
Grand total of all appropriations for all purposes for each year of the biennium for the department of the Railroad Commission	\$ 71,097.70

SECRETARY OF STATE

Sec. 39. For the department of Secretary of State there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of fifty-thousand three hundred fifty-five dollars (\$50,355) or so much thereof as may be necessary, to be used in the following manner:

For Salary of Secretary of State.....	\$ 4,500
For Salaries, Support, Maintenance, and Miscellaneous for all Divisions	\$ 45,855
Grand total of all appropriations for all purposes for each year of the biennium for the department of the Secretary of State	\$ 50,355

CLERK OF THE SUPREME COURT

Sec. 40. For the department of the Clerk of the Supreme Court there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of eight thousand eight hundred thirty-seven dollars and forty cents (\$8,837.40) or so much thereof as may be necessary, to be used in the following manner:

For Salary of Clerk of Supreme Court.....	\$ 3,000
For Salaries, Support, Maintenance and Miscellaneous Purposes	\$ 5,837.40
Grand total of all appropriations for all purposes for each year of the biennium for the department of the Clerk of the Supreme Court	\$ 8,837.40

SUPREME COURT

Sec. 41. For the department of Supreme Court there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of eighty-two thousand four hundred four dollars (\$82,404) or so much thereof as may be necessary, to be used in the following manner:

For Salaries of Judges (9 at \$7,500 each).....	\$ 67,500
For Salaries, Support, Maintenance and Miscellaneous Purposes	14,904
Grand total of all appropriations for all purposes for each year of the biennium for the department of the Supreme Court....	\$ 82,404

REPORTER OF THE SUPREME COURT AND CODE EDITOR

Sec. 42. For the department of the Reporter of the Supreme Court and Code Editor there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of eleven thousand six hundred seventy-six dollars and forty cents (\$11,676.40) or so much thereof as may be necessary, to be used in the following manner:

For salary of Reporter of the Supreme Court and Code Editor	\$ 3,850
For Salaries, Support, Maintenance and Miscellaneous Purposes:	\$ 7,826.40
Grand total of all appropriations except as provided by Section 177 of the Code for all purposes for each year of the biennium for the department of the Reporter of the Supreme Court and Code Editor	\$ 11,676.40

TREASURER OF STATE

Sec. 43. For the department of Treasurer of State there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of eighty thousand five hundred ninety-seven dollars and seventy cents (\$80,597.70) or so much thereof as may be necessary, to be used in the following manner:

For salary of Treasurer of State.....	\$ 4,500
For Salaries, Support, Maintenance and Miscellaneous Purposes for all Divisions	\$ 76,097.70
Grand total of all appropriations for all purposes for each year of the biennium for the department of the Treasurer of State	\$ 80,597.70

BOARD OF VOCATIONAL EDUCATION

Sec. 44. For the department of Vocational Education there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of thirty-three thousand fifty-five dollars and twenty cents (\$33,055.20) or so much thereof as may be necessary, to be used in the following manner:

For salary of Director, Board of Vocational Education.....	\$ 1,628
For Salaries, Support, Maintenance and Miscellaneous Purposes:	\$ 31,427.20
Grand total of all appropriations for all purposes for each year of the biennium for the department of the Board of Vocational Education	\$ 33,055.20

BOARD OF CONTROL OF STATE INSTITUTIONS

Sec. 45. For the Board of Control of State Institutions, for the support, maintenance, operation, additions and betterments, of all state institutions under control of the said board, namely:

State Hospital and Colony for Epileptics and Feeble-minded, Woodward

Institution for Feeble-minded Children, Glenwood
 State Hospital for Insane, Cherokee
 State Hospital for Insane, Clarinda
 State Hospital for Insane, Independence
 State Hospital for Insane, Mount Pleasant
 State Juvenile Home, Toledo
 Penitentiary, Fort Madison
 Men's Reformatory, Anamosa
 Women's Reformatory, Rockwell City
 State Sanatorium, Oakdale
 Iowa Soldiers' Home, Marshalltown
 Iowa Soldiers' Orphans' Home, Davenport
 Training School for Boys, Eldora
 Training School for Girls, Mitchellville

there is hereby appropriated the sum of three million eight hundred ninety-nine thousand two hundred dollars (\$3,899,200) or so much thereof as may be necessary for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, to be used at the respective institutions in the following manner and for the following purposes:

State Hospital and Colony for Epileptics and
Feeble-minded, Woodward

(1) For the State Hospital and Colony for Epileptics and Feeble-minded there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of two hundred forty-six thousand five hundred dollars (\$246,500) or so much thereof as may be necessary, to be used in the following manner:

For Salaries, Support and Maintenance.....	\$234,000
For Special Purposes:	
Sewage Disposal Plant	\$ 12,500
	\$246,500

Institution for Feeble-Minded Children, Glenwood

(2) For the Institution for Feeble-minded Children there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of three hundred forty-four thousand dollars (\$344,000) or so much thereof as may be necessary, to be used in the following manner:

For Salaries, Support and Maintenance.....	\$279,000
For Special Purposes:	
Boiler Plant (to be available upon the taking effect of this act)	\$ 65,000
	\$344,000

State Hospital for Insane, Cherokee

(3) For the State Hospital for the Insane, Cherokee, there is hereby appropriated for each year of the biennium beginning July 1, 1933, and

ending June 30, 1935, the sum of two hundred eighty-two thousand five hundred dollars (\$282,500) or so much thereof as may be necessary, to be used in the following manner:

For Salaries, Support and Maintenance	\$270,000
For Special Purposes:	
Alteration of Power Plant	\$ 7,000
Water Softener	3,000
Repairs to Cold Storage Plant.....	2,500
	\$ 12,500
	\$282,500

State Hospital for Insane, Clarinda

(4) For the State Hospital for the Insane, Clarinda, there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of two hundred ninety-seven thousand five hundred dollars (\$297,500) or so much thereof as may be necessary, to be used in the following manner:

For Salaries, Support and Maintenance.....	\$247,500
For Special Purposes:	
Dining Room and Cold Storage Plant.....	50,000
	\$297,500

State Hospital for Insane, Independence

(5) For the State Hospital for the Insane, Independence, there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of two hundred seventy thousand dollars (\$270,000) or so much thereof as may be necessary, to be used in the following manner:

For Salaries, Support and Maintenance.....	\$270,000
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State Hospital for the Insane, Mt. Pleasant

(6) For the State Hospital for the Insane, Mt. Pleasant, there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of two hundred eighty-three thousand five hundred dollars (\$283,500) or so much thereof as may be necessary, to be used in the following manner:

For Salaries, Support and Maintenance.....	\$283,500
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State Juvenile Home, Toledo

(7) For the State Juvenile Home, Toledo, there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of ninety-nine thousand nine hundred dollars (\$99,900) or so much thereof as may be necessary, to be used in the following manner:

For Salaries, Support and Maintenance.....	\$ 99,900
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Penitentiary, Fort Madison

(8) For the State Penitentiary, Fort Madison, there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of four hundred seventy-one thousand one hundred dollars (\$471,100) or so much thereof as may be necessary, to be used in the following manner:

For Salaries, Support and Maintenance.....	\$418,500
For Special Purposes:	
Laundry Equipment	\$ 5,000
Cell Block	40,000
Prison Wall	7,500
	\$ 52,500
	\$471,100

Men's Reformatory, Anamosa

(9) For the Men's Reformatory, Anamosa, there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of three hundred eighty-four thousand five hundred dollars (\$384,500) or so much thereof as may be necessary, to be used in the following manner:

For Salaries, Support and Maintenance.....	\$351,000
For Special Purposes:	
Building for Criminal Insane and New Dining Room.....	32,500
	\$384,500

The Board of Control is hereby authorized to use from the "maintaining and establishing of industries" fund fifty thousand dollars (\$50,000) for building for criminal insane and new dining room.

Women's Reformatory, Rockwell City

(10) For the Women's Reformatory, Rockwell City, there is hereby appropriated for each year of biennium beginning July 1, 1933, and ending June 30, 1935, the sum of forty-nine thousand seven hundred dollars (\$49,700) or so much thereof as may be necessary, to be used in the following manner:

For Salaries, Support and Maintenance.....	\$ 47,700.
For Special Purposes:	
Water Connection with City Plant.....	2,000
	\$ 49,700

State Sanatorium, Oakdale

(11) For the State Sanatorium, Oakdale, there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of two hundred fifty-eight thousand dollars (\$258,000) or so much thereof as may be necessary, to be used in the following manner:

For Salaries, Support and Maintenance.....	\$216,000
For Special Purposes:	
Nurses' Home	\$40,000
Refrigeration Plant	2,000
	<hr/>
	\$ 42,000
	<hr/>
	\$258,000

Iowa Soldiers' Home, Marshalltown

(12) For the Iowa Soldiers' Home, Marshalltown, there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of one hundred ninety-four thousand four hundred dollars (\$194,400) or so much thereof as may be necessary, to be used in the following manner:

For Salaries, Support and Maintenance.....	\$194,400
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Iowa Soldiers' Orphans' Home, Davenport

(13) For the Iowa Soldiers' Orphans' Home, Davenport, there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of one hundred sixty-two thousand nine hundred dollars (\$162,900) or so much thereof as may be necessary, to be used in the following manner:

For Salaries, Support and Maintenance.....	\$162,900
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Training School for Boys, Eldora

(14) For the Training School for Boys, Eldora, there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of one hundred sixty-seven thousand five hundred dollars (\$167,500) or so much thereof as may be necessary, to be used in the following manner:

For Salaries, Support and Maintenance.....	\$157,500
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For Special Purposes:

Boiler and Equipment.....	\$5,000
Alteration of Power House.....	5,000
	<hr/>

\$ 10,000

\$167,500

Training School for Girls, Mitchellville

(15) For the Training School for Girls, Mitchellville, there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of ninety thousand two hundred dollars (\$90,200) or so much thereof as may be necessary, to be used in the following manner:

For Salaries, Support and Maintenance.....	\$ 70,200
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For Special Purposes:

School Building and Gymnasium	\$ 20,000
	<hr/>

\$90,200

Emergency Fund

For Emergency purposes, there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of fourteen thousand dollars (\$14,000) or so much thereof as may be necessary, to be used in the following manner:

For emergencies and unforeseen expenses at any or all institutions under the control of said board.....\$ 14,000

Road Fund

For road purposes there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of thirteen thousand dollars (\$13,000) or so much thereof as may be necessary, to be used in the following manner:

For construction, maintenance and repairs of roads at institutions under the control of said board.....\$ 13,000

Grand total of all appropriations for all purposes for each year of the biennium for all institutions under the board of Control\$3,899,200

STATE BOARD OF EDUCATION

Sec. 46. For the State Board of Education, for the administration, maintenance, operation, additions and betterments of the State University of Iowa, at Iowa City; the Iowa State College of Agriculture and Mechanic Arts, at Ames; the Iowa State Teachers' College, at Cedar Falls; the Iowa School for the Deaf, at Council Bluffs; the Iowa School for the Blind, at Vinton; the University Hospital, at Iowa City; the Psychopathic Hospital, at Iowa City; and the Bacteriological Laboratory, at Iowa City; and for Soldiers' Tuition:

There is hereby appropriated the sum of five million four hundred sixty-five thousand seven hundred twenty-two dollars and fifty cents (\$5,465,722.50) or so much thereof as may be necessary, for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, to be used in the following manner and for the following purposes, to-wit:

State University of Iowa

(1) For the State University of Iowa, at Iowa City, for each year of said biennium, the sum of one million seven hundred seventy-eight thousand three hundred fifty-six dollars (\$1,778,356) or so much thereof as may be necessary, for salaries other than the president, support, maintenance, equipment and general improvements.

(a) There is hereby appropriated for the salary of the president of the State University of Iowa for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, a sum not to exceed ten thousand dollars (\$10,000).

Iowa State College of Agriculture and Mechanic Arts

(2) For the Iowa State College of Agriculture and Mechanic Arts at Ames, Iowa, for each year of said biennium, the sum of one million seven hundred eighty-two thousand eight hundred ninety-one dollars and twenty

cents (\$1,782,891.20), or so much thereof as may be necessary for salaries other than the president, support, maintenance, equipment and general improvements.

(a) There is hereby appropriated for the salary of the president of the Iowa State College of Agriculture and Mechanic Arts for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, a sum not to exceed nine thousand dollars (\$9,000).

Iowa State Teachers' College

(3) For the Iowa State Teachers' College, at Cedar Falls, for each year of said biennium, the sum of four hundred sixty-two thousand two hundred dollars and eighty cents (\$462,200.80), or so much thereof as may be necessary, for salaries other than the president, support, maintenance, equipment and general improvements.

(a) There is hereby appropriated for the salary of the president of the Iowa State Teachers' College for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, a sum not to exceed seven thousand dollars (\$7,000).

Iowa School for the Deaf

(4) For the Iowa School for the Deaf, at Council Bluffs, for each year of said biennium, the sum of two hundred two thousand eight hundred twenty-five dollars (\$202,825), or so much thereof as may be necessary, to be expended as follows:

For Salaries, Support and Maintenance.....	\$193,825
For Special Purposes:	
Equipment, Roadways, Walks and Landscaping.....	10,000
	<hr/>
	\$202,825

Iowa School for the Blind

(5) For the Iowa School for the Blind at Vinton, for each year of said biennium, the sum of one hundred eleven thousand one hundred fifty dollars (\$111,150) or so much thereof as may be necessary, to be expended as follows:

For Salaries, Support, Maintenance, General Improvements and Betterments	\$111,150
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Medical and Surgical Treatment of Indigent Persons, University Hospital

(6) For the purpose of carrying out the provisions of Chapter 199, Code of 1931, for each year of said biennium, the sum of one million dollars (\$1,000,000) or so much thereof as may be necessary, to be expended in the manner and under the authority provided in said chapter.

Psychopathic Hospital

(7) For the Psychopathic Hospital, at Iowa City, for each year of said biennium the sum of one hundred eight thousand dollars (\$108,000) or so much thereof as may be necessary, to be used in the manner and

under the authority provided in Chapter 197, Code of 1931; provided, however, that said amount shall be available in monthly installments, not exceeding nine thousand dollars (\$9,000), and that said installments shall be expended only upon the submission of bills in the manner provided in section 3984 of said chapter.

Bacteriological Laboratory

(8) For the Bacteriological Laboratory, at Iowa City, for each year of said biennium, the sum of thirteen thousand ninety-nine dollars and fifty cents (\$13,099.50) or so much thereof as may be necessary, to be used in the manner and under the authority provided in Chapter 196, Code of 1931.

Soldiers' Tuition

(9) The sum of seven thousand two hundred dollars (\$7,200) or so much thereof as may be necessary, for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, for the payment of tuition for honorably discharged soldiers or sailors of the World War of the United States who are citizens of the state of Iowa, who enroll in any division of the State University, at Iowa City, or the College of Agriculture and Mechanic Arts, at Ames, said payment being fixed at twenty dollars (\$20.00) for each such student for each semester and each summer school.

Grand total of all appropriations for all purposes for each year of the biennium, for all institutions under the Board of Education\$5,465,722.50

GENERAL CONTINGENT FUND

Sec. 47. For the purpose of establishing a general contingent fund for the state, there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of twenty thousand dollars (\$20,000) or so much thereof as may be necessary, to be administered by the committee on retrenchment and reform for contingencies arising during the biennium, which are legally payable from the general fund of the state; provided, however, that no part of said fund shall be available to the State Board of Education or the Board of Control of State Institutions.

INSURANCE DEPARTMENT

Sec. 48. The Insurance Commissioner is hereby authorized to employ not to exceed eighteen (18) insurance examiners, of which examiners the commissioner may designate two examiners in charge at per diem not to exceed \$17.50 each and expenses as herein provided, all other examiners at per diem not exceeding \$15.00 each, and their actual and necessary expenses while engaged in the performance of their duties, said per diem and expenses to be paid from funds in the state treasury upon presentation of proper vouchers and warrants; provided, however, that the state treasurer shall be reimbursed in the manner and under the authority provided in sections 8632 and 8633, Code of 1931.

COUNTY AND MUNICIPAL EXAMINERS

Sec. 49. The Auditor of State is hereby authorized to employ county and municipal examiners and assistants at a per diem not exceeding seven dollars (\$7.00) each, and their actual and necessary expenses while engaged in the performance of their duties, to be paid in the manner provided in sections 125 and 126, Code of 1931.

FISH AND GAME COMMISSION

Sec. 50. For the Fish and Game Commission there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the Fish and Game protection fund in accordance with Sections 1703-d27, Chap. 95-d1, and Section 1717, Chap. 86, Code of 1931, to be used in the following manner:

For Official Salaries, Supervision, Clerical help, Field Supervision: (a)\$ 17,814.60

For Enforcement: (b)

Not to exceed forty-two deputy wardens, not to exceed four dollars and fifty cents (\$4.50), per day.....

For General Expenses, operation of fish and game divisions, investigations and other expenses of the Department, the unexpended balance of the fish and game protection fund.

Provided that no part of said compensation of such employee which have been provided for by law, shall be paid from the general fund of the state, but shall be paid from the Fish and Game protection fund in accordance with the provisions of Section 1717 of the Code.

TREASURER OF STATE

MOTOR VEHICLE FUEL DIVISION

Sec. 51. On and after July 1, 1933, and until June 30, 1935, the compensation of employees in the Motor Vehicle Fuel Tax Division of the office of treasurer of state shall not exceed the following amounts:

For Salaries:

Superintendent	\$ 1,900.80
Chief Clerk and Secretary.....	1,436.40
Auditors (each)	1,598.40
Refund Investigators (each)	1,436.40
Refund Auditor	1,204.20
Assistant Refund Auditor	972.00
Warrant Clerk	1,058.40

Provided that no part of said compensation or expenses of such employees, or postage, equipment, supplies, and printing shall be paid from the general fund of the state but shall be paid from that portion of motor vehicle fuel taxes allocated to the motor vehicle fuel tax division of the office of the treasurer of state.

BANKING DEPARTMENT

Sec. 52. On and after July 1, 1933, and until June 30, 1935, the number of employees in the Banking Department and their compensation shall not exceed the following specified number and amounts:

For Salaries:

Superintendent	\$ 4,500.00
Assistant Superintendent	3,500.00
Chief Examiner	3,500.00
Examiners (2 at \$3,000 each).....	6,000.00
Examiners (2 at \$3,000 each).....	6,000.00
Chief Clerk and Special Examiner.....	2,200.00
Legal Clerk	2,000.00
Clerk	1,500.00
Stenographers (5) each	1,000.00
Examiners (13) \$1,200 to \$2,400 each.....	

Provided that no part of such compensation, nor the expenses of such employees which have been provided for by law shall be paid from the general fund of the state, but shall be paid from the examination fees and other receipts of the department in the manner and under the authority provided for in Sections 9144 and 9145 of the Code and provided further that the foregoing provisions as to the number of employees in said department and their compensation shall not be so construed as to repeal or affect the provisions of Sections 9136 and 9137 of the Code.

BOARD OF ENGINEERING EXAMINERS

Sec. 53. The Board of Engineering Examiners is hereby authorized to pay its secretary a salary of six hundred dollars (\$600) per year and to pay a clerk three hundred dollars (\$300.00) per year, to be paid out of funds belonging to the Board of Engineering Examiners.

RAILROAD COMMISSION—MOTOR TRANSPORTATION DIVISION

Sec. 54. On and after July 1, 1933, and until June 30, 1935, the employees in the Motor Transportation Division of the Railroad Commission shall be compensated for their services in the following manner:

For Salaries:

Superintendent	\$ 2,200.00
Assistant Superintendents (2—not to exceed).....	4,000.00
Special Investigator	2,000.00
Tax Auditor	1,800.00
Examiners (each)	1,500.00
Chief Inspector	1,800.00
File Clerk	1,300.00
Clerks (each)	1,300.00
Permit Clerk	1,300.00
Inspectors (each)	1,500.00
Stenographers (each)	1,000.00

Provided that one-half of the above salaries are to be paid from the fees collected from motor vehicle carriers and one-half from fees for regulation of motor trucks.

EDUCATIONAL EXAMINERS

Sec. 55. On and after July 1, 1933, and until June 30, 1935, the number of employees in the Department of the Board of Educational Exami-

ners and their compensation shall not exceed the following number or amounts:

For Salaries:

Secretary	\$ 1,700.00
Chief Clerk	1,500.00
Bookkeeper	1,000.00
Stenographers (2—not to exceed).....	2,000.00

Such other clerical assistance as shall be deemed advisable and necessary to properly conduct the routine of the examination work of said board, at not to exceed fifty cents (50c) per hour per employee for the time they are actually engaged in said work in the office of the secretary of the board.

Such examiners as shall be deemed advisable, and necessary to properly examine and grade examination papers, at not to exceed seventy-five cents (75c) per hour per examiner, for the time they are actually engaged in said work in the office of the secretary of the board.

The members of the said board other than those receiving a salary from the state shall receive a per diem of not to exceed four dollars (\$4.00) and their actual and necessary expenses.

MOTOR VEHICLE DEPARTMENT

Sec. 56. On and after July 1, 1933, and until June 30, 1935, the number of employees in the Motor Vehicle Department in the office of the secretary of state and their compensation shall not exceed the following specified number and amounts:

For Salaries:

Superintendent	\$ 3,000.00
Chief Clerk	1,500.00
Chief Bookkeeper	1,300.00
Auditor	1,200.00
Cashier	1,300.00
Assistant Cashier and Bookkeeper.....	1,200.00
Secretary to Superintendent	1,300.00
Assistant Bookkeepers (not to exceed 7) each.....	1,100.00
Refund Clerk	1,200.00
Transfer Clerk (not to exceed 2) each.....	1,000.00
Assistant Clerk	1,000.00
Receiving Clerk	1,100.00
Superintendent of Index	1,500.00
Stenographer	1,000.00
Receipt Clerks (not to exceed 7) each.....	1,000.00
Chief Examiner	1,200.00
Examiners (not to exceed 4).....	4,000.00
Transfer Index Clerk (not to exceed 2).....	2,000.00
Chief Index Clerk	1,100.00
Index Clerk (9 at \$1,000 each).....	9,000.00
Shipping Clerk and Janitor	1,250.00
Inspectors (not to exceed 15) each.....	1,350.00

Provided, that no part of such compensation, nor the expenses of such

employees which have been provided for by law shall be paid from the general fund of the state but shall be paid from that part of the motor licenses allocated to the motor vehicle department as provided for in Section 4999 of the Code.

Other expenditures of the department are to be paid in a like manner and said amount including salaries and expenses shall not exceed the amount allocated in Section 4999 of the Code.

GENERAL PROVISIONS

Sec. 57. The governing board of any state department, institution, or agency, or, if there be no governing board, the head of any department, institution or agency, in the interest of economy and efficiency, may, with the written consent and approval of the governor and director of the budget, first obtained, at any time during the biennium, partially or wholly use its unexpended appropriations for purposes properly within the scope of such department, institution or agency.

Sec. 58. Nothing in this act shall be construed to require the auditor of state to keep a separate account for each specific item in an appropriation made to any department, but such amount may be kept in an aggregate amount of the appropriation.

Sec. 59. No state department, institution, or agency receiving appropriations under the provisions of this act shall expend funds or approve claims in excess of its appropriations, except as otherwise provided in this act. If the expenditures of any state department, institution, or agency, shall in any other manner exceed the amounts of its appropriation, the members of the governing board of any such state department, institution or agency who shall have voted for such excessive expenditures, or, if there be no governing board, the head of any such state department, institution, or agency making excessive expenditure or approving excessive claims shall be personally liable for the full amount of the unauthorized deficit thus created.

When the appropriation of any department, institution or agency is insufficient to properly meet the legitimate expense of such department, institution or agency of the state, the governor, with the approval of the director of the budget is authorized to transfer from any other department, institution or agency of the state having an appropriation in excess of its necessity, sufficient funds to meet that deficiency.

Sec. 60. No obligation of any kind, whatsoever, shall be incurred or created subsequent to June 30, 1935, against any appropriation made by this act, unless otherwise specifically provided by law, and, on June 30, 1935, it shall be the duty of the head of each department, board of commission, receiving appropriations under the provisions of this act, to file with the auditor of state a list of all expenditures for which warrants have not been drawn.

Sec. 61. Except where otherwise specifically provided by law, all appropriations made by this act, remaining unexpended or unobligated, at the close of business on December 31, 1935, shall revert to and become a part of the general fund in the state treasury.

Sec. 62. All salaries provided for by this act are in lieu of all existing statutory salaries, for the positions provided herein, and shall be payable

in equal monthly or semi-monthly installments, and shall be in full compensation for all services except as otherwise expressly provided.

In all cases the amount of the salary or per diem which has been fixed by the various appropriations shall be considered the maximum amount available for the respective positions and it shall be the duty of the heads of the various departments to use discretion in the matter of compensating employees, within the limits provided by this act.

The employees provided for in this act are granted one week's vacation after one year's steady employment and two weeks' vacation after two or more years' employment, with pay. Leave of absence of thirty days is granted to employees on account of sickness or injury, accumulative for three consecutive years, with pay at the discretion of the heads of departments.

Any person while traveling on state business, driving his own car, may charge for same at the rate of not to exceed five cents (5c) per mile for use of said car, regardless of the number of passengers carried. All citations in the code regarding automobile transportation are hereby repealed.

Sec. 63. All clerks, janitors and other employees provided for by this act, shall be under the control of the head of the department and may, by him, be temporarily assigned to such other work or duties within the department as he shall direct and shall be subject to dismissal by him.

Sec. 64. For the office of the auditor of state there is hereby set aside from the collection of taxes on motor vehicle fuel, the sum of two thousand five hundred dollars (\$2,500) annually, for use in employing sufficient help in writing motor vehicle fuel tax refund warrants.

Sec. 65. For the office of the industrial commissioner there is hereby set aside from the primary road fund the sum of fifteen thousand dollars (\$15,000) annually, for use in paying all claims of employees of the state highway commission who are injured or killed while on duty, as provided for in Chapter 70 of the Code.

Sec. 66. For the office of the attorney general there is hereby set aside from the primary road fund the sum of fifteen thousand dollars (\$15,000) annually, for the purpose of covering all costs of litigation arising from or pertaining to primary roads.

Sec. 67. The salary of the secretary of the Soldiers' Bonus Board shall not exceed two thousand four hundred dollars (\$2,400) per annum, and the salary of the clerk shall not exceed one thousand two hundred dollars (\$1200).

Sec. 68. For the purpose of carrying out the provisions of Chapter 134, Acts of the 43rd General Assembly, there is hereby appropriated three thousand dollars (\$3,000) annually for the registration of soldiers' and sailors' graves.

Sec. 69. Where any provisions of the laws of this state are in conflict with this act the provisions of this act shall govern for the biennium.

The amendment was adopted.

SUBSTITUTE FOR HOUSE FILE NO. 73 MADE SPECIAL ORDER

On request of Senator White, unanimous consent was granted

to defer action until 10:00 a. m. Tuesday, April 4th, at which time the bill shall become a special order.

CONSIDERATION OF SPECIAL ORDER

The time having arrived for consideration of Senate File No. 483, on motion of Senator Irwin, the Senate recessed until the fall of the gavel.

The Senate met at the fall of the gavel.

Senator Valentine moved to defer action on Senate File No. 483, such bill to be made a special order of business for tomorrow morning, to be considered ahead of the special order of Substitute for House File No. 73.

The motion prevailed.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT ON SUBSTITUTE FOR SENATE FILE NO. 131

Senator Stevens of Wapello called up for consideration, the report of conference committee on Substitute for Senate File No. 131, found on page 855 of the Senate Journal, and moved its adoption.

Senator Patterson raised the point of order that it was not within the province of the Senate to consider this report, for the reason that the conference committee ignored Joint Rule No. 1 of this body in the preparation of the report. The joint rules as found on page 18 of the book of rules set out that "the scope of authority vested in such committee shall be limited to the subject matter of the amendment or amendments which were insisted upon by the body requesting the conference committee"; and that the conference committee had proposed entirely new subject matter in Sec. 8, and practically an entirely new bill.

Senator Beatty moved to recess until 1:30 p. m. today.

The motion prevailed.

AFTERNOON SESSION

The Senate reconvened at the fall of the gavel, president N. G. Kraschel presiding.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT
ON SUBSTITUTE FOR SENATE FILE NO. 131 RESUMED**

On request of Senator Patterson unanimous consent was granted to withdraw his point of order.

On request of Senator Beatty unanimous consent was granted to delay action on the vote until the call of the Senate was complete on Substitute for Senate File No. 352.

THIRD READING OF BILLS

The time arrived for consideration of the special order.

Under motion on page 889 of the Senate Journal, the roll call revealed the presence of all members of the Senate except Senator Frailey.

On the question "Shall the conference committee report on Substitute for Senate File No. 131 be adopted and the amendment proposed therein be concurred in?" the vote was:

Ayes, 42.

Anderson	Doze	Knudson	Shangle
Aschenbrenner	Elthon	McArthur	Stanley
Beardsley	Fisch	Meyer	Stevens of
Beatty	Geske	Miller of	Decatur
Bennett	Harrington	Buchanan	Stevens of
Booth	Hicklin	Miller of Jones	Wapello
Byers	Hill	Moore	Topping
Calhoun	Husted	Mullaney	Tripp
Carden	Irwin	Pendray	Valentine
Chrystal	Kimberly	Reese	Wenner
Cooney	Klemme	Roelofs	White
Coykendall			

Nays, 6.

Hopkins	Patterson	Schmidt	Wilson
Hush	Ritchie		

Absent or not voting, 2.

Frailey	Nelson
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The conference committee report was adopted and the amendment concurred in.

On request of Senator Stevens of Wapello, unanimous consent was granted to message to the House immediately the conference committee report on Substitute for Senate File No. 131.

Senator Pendray moved that Senator Frailey be excused from the call temporarily. The motion prevailed.

CONSIDERATION OF SUBSTITUTE FOR SENATE FILE
NO. 352 RESUMED

On motion of Senator Miller of Buchanan Substitute for Senate File No. 352, a bill for an act to repeal chapters 252-a1, 252-a2, and 252-c1 of the code, 1931, relating to the regulation and taxation of motor carriers; and to provide for the supervision and regulation by the board of railroad commissioners of the use of the highways by those engaged in transportation by motor vehicles for hire; to define common and contract motor carriers; to provide for the levy and collection of a tax to be paid by such motor carriers for the maintenance and repair of the highways; and to provide for the administration and enforcement of the provisions of this act, the disposition of moneys collected hereunder, and punishment for violation of the provisions hereof, a sifting committee bill, was taken up and considered.

The bill was read for information.

Senator Valentine offered the following amendment and moved its adoption:

1. Amend by inserting in line 8 of Section 13, after the word, "or" the word, "major" and by inserting in line 11 of Section 13 thereof, after the word, "or" the word, "major" and by inserting in line 14 of Section 13 thereof, after the word, "or" the word, "major".

The amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

2. Amend by inserting in line 4 of Section 5, after the word "those", the word, "while".

Senator Frailey appeared in the Senate Chamber and the call was declared complete.

Senator Harrington moved to lay the Substitute for Senate File No. 352 on the table.

Roll call was demanded.

Rule No. 8 was invoked.

On the question, "Shall the motion to table prevail?" the vote was:

Ayes, 21.

Booth	Hopkins	Mullaney	Stevens of
Chrystal	Hush	Pendray	Decatur
Coykendall	Husted	Ritchie	Stevens of
Doze	McArthur	Roelofs	Wapello
Fisch	Miller of Jones	Schmidt	Tripp
Harrington	Moore		Wenner

Nays, 29.

Anderson	Cooney	Klemme	Reese
Aschenbrenner	Elthon	Knudson	Shangle
Beardsley	Frailey	Meyer	Stanley
Beatty	Geske	Miller of	Topping
Bennett	Hicklin	Buchanan	Valentine
Byers	Hill	Nelson	White
Calhoun	Irwin	Patterson	Wilson
Carden	Kimberly		

Absent or not voting, none.

The motion to table was lost.

The Valentine amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

3. Amend by inserting in line 8 of Section 8 after the word "established" the words "by the commission", and by inserting in line 8 of Section 8 after the word "commission" and before the semi-colon, the words "by such carrier".

The amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

4. Amend by striking the words "Every motor vehicle" in the first line of Section 35, and by inserting in lieu thereof the words "The commission may require motor vehicles", and by striking the word "shall" in line 3 of said section and substituting in lieu thereof the word "to", and by inserting in line 7 of said section before the word "such" the following: "such mechanical device on some form to be in the possession of the operator of".

The amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption.

5. Amend by striking from line 3 of Section 7 the word "contract,".

The amendment was adopted.

On request of Senator Schmidt, unanimous consent was granted to withdraw all his amendments as found on page 900 and 901 of the Senate Journal.

Senator Byers offered the following amendment and moved its adoption:

Amend by inserting in line 10 of Section 13 thereof, after the word, "balloon" the words, "or low pressure" and by inserting after the word, "balloon" in line 13 of Section 13 thereof, the words, "or low pressure".

The amendment was adopted:

Senator Byers offered the following amendment and moved its adoption:

Amend by striking from line 10 in Section 13 thereof the words, "two mills" and by inserting in lieu thereof the words, "one and one-half mills" and by striking from lines 13 and 14 in Section 13 thereof the words, "one and one-half mills" appearing after the comma after the word, "tires," in line 13 of said Section 13 thereof, and by inserting in lieu thereof the words, "one mill".

The amendment was adopted.

On request of Senator Topping unanimous consent was granted to withdraw his amendment as found on page 901 of the Senate Journal.

Senator Topping offered the following amendment and moved its adoption:

Amend section 5 by adding, following the semi-colon in line three (3) thereof, the following:

"nor to those carriers engaged exclusively in making deliveries within a radius of twenty-five miles beyond the corporate limits of such city, town or village;"

On request of Senator Topping unanimous consent was granted to insert in line 6 of his amendment after the word "or" the words "limits of a".

The amendment as amended was adopted.

Senator Elthon offered the following amendment and moved its adoption:

Amend Section 5 by inserting in line 7 after the semicolon the words: "nor to those carriers engaged exclusively in general farm trucking of net loads not to exceed six thousand (6,000) pounds;"

The amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend by inserting as section 11, the following:

"Sec. 11. Regulation—contract carriers. The commission is hereby vested with power and authority to supervise and regulate every contract motor carrier for the purpose of promoting safety upon the highways and the conservation of their use; to regulate and supervise the accounts of said carriers, and to supervise and regulate all contract motor carriers in all other matters affecting the relationship between such carriers and the traveling and shipping public.

The amendment was adopted.

Senator Wenner offered the following amendment and moved its adoption:

Amend by striking out all of Section 4.

Senator Fisch raised the point of order that this bill was contrary to the motion of Representative O. J. Ditto as found on page 1078 of the House Journal, in that this measure is a tax revision measure.

The President held the point of order not well taken.

The Wenner amendment was lost.

Senator Wenner offered the following amendment and moved its adoption:

2. Amend section five (5) by changing the period at the end of line 9 to a semicolon, and adding the following: "nor to those motor vehicles owned and exclusively used by persons, firms or corporations, in the distribution and delivery of merchandise and products distributed, produced, manufactured, treated, or processed, by the owners of such motor vehicles."

Senator Frailey moved the previous question, which motion prevailed.

Roll call was demanded.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 21.

Anderson	Fisch	Pendray	Stevens of
Beardsley	Harrington	Ritchie	Wapello
Booth	Hush	Roelofs	Tripp
Carden	Klemme	Schmidt	Wenner
Chrystal	McArthur	Stevens of	Wilson
Coykendall	Miller of Jones	Decatur	

Nays, 29.

Aschenbrenner	Frailey	Knudson	Patterson
Beatty	Geske	Meyer	Reese
Bennett	Hicklin	Miller of	Shangle
Byers	Hill	Buchanan	Stanley
Calhoun	Hopkins	Moore	Topping
Cooney	Husted	Mullaney	Valentine
Doze	Irwin	Nelson	White
Elthon	Kimberly		

Absent or not voting, none.

The amendment was lost.

Senator Miller of Buchanan offered the following amendment and moved its adoption:

Amend by adding after the period in section 22, line 24, the following: "The commission may accept in lieu of said bond and for insurance such other form of security as may be satisfactory to the commission."

The amendment was adopted.

Senator Shangle offered the following amendment and moved its adoption:

Amend by striking out all of Section 13 and inserting in lieu thereof the following:

"Sec. 13. Tax assessed. In lieu of the regular license fees or taxes otherwise imposed upon motor vehicles there shall be assessed against and collected from every motor carrier a tax of six cents per gallon for every gallon of gasoline or motor fuel used in the business of operating trucks under the provisions of this act for the administration of this act and the maintenance, repair and reconstruction of the public highways."

The amendment was lost.

Senator Knudson moved that when the Senate adjourn it be to reconvene at 9:00 a. m. Tuesday.

Senator Harrington moved as a substitute that when the Senate adjourn it be to reconvene at 9:50 a. m. Tuesday.

The substitution was made and the motion as substituted prevailed.

The Journal of April 1st was corrected and approved.

HOUSE MESSAGES CONSIDERED

House File No. 232, a bill for an act to amend section seven hundred eighteen-b eight (718-b8) of the Code, (1931) relating to permanent registration.

Read first and second times and referred to sifting committee.

House File No. 301, a bill for an act to amend Section Twenty-one Hundred Thirty-six (2136), Code, 1931, relating to the persons to whom permit holders may sell intoxicating liquor.

Read first and second times and referred to sifting committee.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption :

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House Files Nos. 65, 124, 130, 200, 223, 237, 266, 348, 384 and 537.

HOMER HUSH, *Chairman Senate Committee.*

WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 65, 124, 130, 200, 223, 237, 266, 348, 384 and 537.

AMENDMENTS FILED

Amend Senate File No. 483 as follows:

Amend Section 1 by adding a new sentence at the end thereof as follows: "Provided, however, that the Banking Department shall, with the approval of the Governor, have the right to waive or modify any of the provisions or requirements of this Act where a bank is not to resume or continue banking operations, and where waivers or depositors agreements are taken as a part of a plan for liquidating such bank."

Further amend Section 1 by striking the words "The purpose" in line 9 thereof; also strike lines 10 and 11 thereof; also strike the words "of the capital stock of said bank." in line 12 thereof.

Further amend Section 1 by striking the words "Any stockholder paying an" in line 12; strike lines 13 and 14; also strike the words "on the stock held by him." in line 15 and insert in lieu thereof the following "Any stockholder paying an amount equal to the sum so required shall be released thereby from any further liability, statutory or otherwise, on the stock held by him, to the extent of the amount so paid by him."

Amend Section 2 by adding a new sentence at the end thereof as follows: "Except that no unexpired waivers or depositors agreements between such banks or trust companies and their depositors shall be abrogated hereby."

Amend Section 3 by striking the period after the word "outstanding"

in line 16 and inserting in lieu thereof the following “, unless otherwise agreed upon between such bank or trust company and its depositors, and approved by the Superintendent of Banking.”

Further amend Section 3 by inserting after the word “A” in line 12 the word “non-cumulative”.

Amend Section 4 by inserting a comma (,) after the word “stock” as it appears in line 4 and by striking the period (.) at the end of Section 4 and inserting in lieu thereof the following “, unless otherwise agreed upon between such bank or trust company and its depositors, and approved by the Superintendent of Banking.”

Amend Section 7 by striking all of Section 7 and inserting in lieu thereof the following:

“Sec. 7. Any county, city, town, township, or school district by its governing board, at the board’s discretion, may accept the trust certificates authorized in this Act for their deposits in any bank issuing the same. The State may so agree through the Executive Council to accept the trust certificates provided for in this act.”

Amend Section 8 by striking all of said Section 8 and inserting in lieu thereof the following:

“Sec. 8. The acceptance of such trust certificates by public bodies shall not be a waiver of their right to participate in the State Sinking Fund for public deposits. In event of receivership or bankruptcy, the unpaid balance of any trust certificate held by any such public body shall be construed as a depositors claim of such public body in accordance with the provisions of Chapter 352-A1 of the 1931 Code of Iowa.”

Amend Section 12 by striking the period after the word “Iowa” in line 5 and inserting in lieu thereof the following: “, unless otherwise agreed upon between the bank or trust company and its depositors and approved by the Superintendent of Banking.”

H. L. IRWIN

JOHN K. VALENTINE

Amend Senate File No. 483 by striking all of section one (1).

WM. H. KLEMME.

Amend Senate File No. 483 by striking from section 1 all of the remaining section following the period after the word “bank” in line 9 and inserting in lieu thereof the following: “Any stock-holder paying an amount equal to the sum so required shall be relieved thereby from any further liability, statutory or otherwise, on the stock held by him, to the extent of the amount so paid by him.”

Further amend by striking all of section 2.

L. T. SHANGLE.

Amend Senate File No. 483 as follows:

1. Amend Section one (1) by inserting after the word “that” in line one (1) the following: “on and after the adoption of this act”.

2. Amend Section one (1) by inserting after the word “company” in line seven (7) the following: “to said bank or trust company to raise an amount equal to the par value of the capital stock of said bank or trust company,”.

3. Amend Section one (1) by inserting after the word “be” in line eight (8) the following: “permitted or”.

4. Amend Section one (1) by inserting after the word "full" in line nine (9) the following: "in cash".

5. Amend Section one (1) by inserting after the word "bank" in line nine (9) the following: "or trust company".

6. Amend Section one (1) by inserting after the word "further" in line fourteen (14) the following: "then present".

7. Amend Section one (1) by adding thereto the following:

"Provided that in lieu of any assessment against, or payment required to be paid by the stockholders of such bank or trust company, the said banking department, with the approval of the Governor, may permit a reduction of the capital stock of such bank or trust company to the minimum provided by law."

EDW. J. WENNER.

Amend Senate File No. 483 as follows:

Strike all of Section 3 after the word "deposits" in line twelve (12) thereof and insert in lieu thereof the following: "The assets so segregated and set aside as provided in this section shall be security for the trust certificates authorized to be issued hereunder and any amounts realized on such assets either from the sale or liquidation thereof or as earnings or interest therefrom shall be applied to the payment of the principal of such trust certificates. In addition thereto, for a period of five (5) years from the issuance of such certificates, all of the net earnings of such bank, and for a further period of five (5) years, one-half ($\frac{1}{2}$) of the net earnings of such bank, to the extent that the same may be necessary, shall likewise be applied to the payment of the principal of such trust certificates. All such payments shall be made pro rata to the holders of such certificates as of the end of each calendar year. Until the expiration of the periods herein named or until the principal of such trust certificates shall have been paid in full, no dividends shall be paid on the stock of such bank from earnings herein provided to be applied on the payment of such trust certificates."

Further amend by striking Section 12 and inserting in lieu thereof the following:

"Sec. 12. Until the principal of all trust certificates issued by any bank as provided herein shall have been paid off and liquidated in full, or until the expiration of a period of ten (10) years from the date of issuance of such trust certificates, no salary shall be paid to any officer, director or employee of such bank unless first approved by the Superintendent of Banking and the Governor of the state of Iowa."

CHAS. D. BOOTH.

Amend Senate File No. 483 by adding a section to be known as Section 14 as follows:

Sec. 14. This act shall apply also to any savings bank, state bank, private bank or trust company which has been placed in receivership since the first day of January, 1933, and prior to the enactment of Senate File No. 111, and which, upon approval of the Superintendent of Banking may be discharged from such receivership for the purpose of reorganization hereunder.

Also further amend by renumbering the following section.

CLYDE H. TOPPING.

Amend Section two (2) of Senate File No. 483 by inserting after the word "operating" in line one (1) of said section, the words, "under Senate File No. 111".

EDW. J. WENNER.

Amend the amendment to the Substitute for House File No. 73, Section 56, as printed on page 902 of the Journal of the Senate dated March 31, 1933, as follows:

"For the Department of Motor Vehicles there is hereby allotted for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, out of the funds allocated in Section four thousand nine hundred ninety-nine (4999) of the Code, the sum of one hundred seven thousand seven hundred forty dollars (\$107,740.00) or so much thereof as may be necessary, to be used in the following manner:

For salaries of the Motor Vehicle Department in the Administration of the Motor Vehicle Registration Act and the Operators and Chauffeurs License Act, including Inspection and Registration.....\$107,740.00"

CHRIS REESE.

Amend Substitute for House File No. 73 as follows:

Amend Section fifteen (15) by striking out of lines three (3) and four (4), the words and figures "Thirty thousand dollars (\$30,000)", and insert in lieu thereof the words and figures "Fifty thousand dollars (\$50,000)".

Also strike from lines six (6) and eight (8) the figures "\$30,000" and insert in lieu thereof the figures "\$50,000".

H. D. MILLER.

Amend the Substitute for House File No. 73 as follows:

Amend Section sixteen (16) as follows: Strike out of lines three (3) and four (4) the words and figures "Seventy-five thousand dollars (\$75,000)", and insert in lieu thereof "One hundred five thousand dollars (\$105,000)".

Also strike from line seven (7) the figures "\$75,000", and insert in lieu thereof, "\$105,000."

G. E. ROELOFS.

Amend Substitute for House File No. 73, Section six (6) by striking from line seven (7) the figures "\$18,360" and insert in lieu thereof the figures "\$23,800".

Amend line 10, section 6 by striking the figures "\$22,860" and inserting in lieu thereof the figures "\$28,300".

JOHN K. VALENTINE.

Amend substitute for House File No. 73, Section 45, as follows:

Strike the words and figures "three hundred forty-four thousand dollars (\$344,000)" in lines forty (40) and forty-one (41) and insert in lieu thereof "three hundred twenty-one thousand thirty-six dollars (\$321,036)"

Strike the figure "279,000" in line forty-three (43) and insert in lieu thereof "\$288,536"

Strike all of lines forty-five (45), forty-six (46) and forty-seven (47) and insert in lieu thereof the following:

"For boiler plant\$32,500

Provided that the total sum of sixty-five thousand (\$65,000) for the biennium for the boiler plant shall be available upon the taking effect of this act."

Strike the figures "\$344,000" in line forty-eight (48) and insert in lieu thereof "\$321,036". - HOMER HUSH.

Amend substitute for House File No. 73 as follows:

"Strike the figures \$4,040 in line 38 of Section 3 and insert in lieu thereof the figures \$6,410

Strike the figures \$150,000 in line 17 of Section 3 and insert in lieu thereof the figures \$200,000

Strike the figures \$14,500 in lines 31 and 34 of Section 21 and insert in lieu thereof the figures \$17,345"

Add to Section 29 after the word "Divisions" in line 15 the following: "to be expended under the supervision of the state librarian"

G. W. PATTERSON.

Amend substitute for Senate File No. 73, by inserting in Sec. 45 after line 110 thereof the following:

"Provided, however, that in the appropriation herein made the Board of Control shall so allocate said appropriation that every employee of the penitentiary at Fort Madison shall have one day vacation out of every consecutive seven days."

Further amend Section 45 of Substitute for Senate File No. 73 by inserting after line 121 thereof the following: "Provided, however, that in the appropriation herein made the Board of Control shall so allocate said appropriation that every employee of the men's reformatory at Anamosa shall have one day vacation out of every consecutive seven days."

J. R. FRAILEY.

Amend substitute to House File No. 73 as follows:

Amend Section forty (40) line six (6) by striking the figures "\$3000" and inserting in lieu thereof the figures "\$3127.60"

EDW. J. WENNER.

Amend substitute for Senate File No. 352 as follows:

1. Amend Sec. 2 by striking all of paragraph 2 and substituting therefor the following: "Common motor carrier of property when used in this act shall mean any person who holds himself out to the public as willing to undertake for hire to transport by motor vehicle over a regular route between fixed termini, the property of others who may choose to employ him."

2. By striking out all of Sec. 4 and renumbering the succeeding Sections.

3. Amend Sec. 5 (as numbered in the original bill), line 3, by adding immediately after the word "village" the words "including suburbs".

4. Strike out all of Sec. 7 (as numbered in the original bill) and renumber the succeeding sections.

5. Amend Sec. 8 (as numbered in the original bill), lines 15 and 16, by striking therefrom the words "illegal, unreasonable".

6. Amend Sec. 9 (as numbered in the original bill) by striking out all of lines 56 to 76 inclusive.

7. Amend Sec. 10 (as numbered in the original bill), line 5, by

striking out the word "not"; and also striking from line 5 the word "until" and substituting therefor the word "when".

8. Amend Sec. 10 (as numbered in the original bill), by inserting a period (.) after the word "Act" in line 6 and striking out the remainder of the paragraph.

9. Amend Sec. 10 (as numbered in the original bill) by striking from lines 12 and 13 the words "in addition to such other information as may be required by the commission,".

10. Amend Sec. 10 (as numbered in the original bill) by striking from lines 15, 16 and 17 the words "stating substantially the territory to be covered by the operation; the condition and character of the roads over which the transportation is to be performed;"

11. Amend Sec. 10, (as numbered in the original bill) by striking out all of lines 20 to 48 inclusive.

12. Amend by striking out all of Section 12 and renumbering the succeeding sections.

13. Amend Sec. 14 (as numbered in the original bill) by inserting a period "." after the word "partment" in line 9 thereof and striking out the remainder of the paragraph.

14. Amend Sec. 21 (as numbered in the original bill) lines 2 and 3 by striking out the words "and/or a contract motor carrier".

ROY E. STEVENS.

Amend Senate File No. 352 by striking section 1.

VINCENT F. HARRINGTON.

On motion of Senator Knudson the Senate adjourned, the time having been set previously for 9:50 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 4, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. Ernest L. Shaffer, of the Castle Memorial, United Brethren Church, Des Moines.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Approving prohibition. Senator Stanley, from citizens of Gravity and Bedford. Judiciary No. 1.

Opposing the passage of Senate File No. 273. Senator Hopkins, from residents of Dallas county. Cities and towns.

Favoring the passage of House File No. 461. Senator Bennett, from merchants of Missouri Valley. Cities and towns.

Favoring the passage of Senate File No. 352. Senator Byers, from Chicago & Northwestern Railway employees. Motor vehicles.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 233, a bill for an act relating to notice of expiration of right of redemption.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 356, a bill for an act relating to attaching territory to an adjoining corporation.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 387, a bill for an act requiring motor trucks operating on highways at night to be equipped with portable flares.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 393, a bill for an act relating to maximum hours of operation of commercial motor vehicles upon the highways of the State of Iowa.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 398, a bill for an act relating to meeting and turning to the right on arterial highways. LLOYD ELLIS, *Chief Clerk.*

CONSIDERATION OF SUBSTITUTE FOR SENATE FILE NO. 352 RESUMED

Under the call of the Senate roll call revealed the presence of all members of the Senate except Senator Knudson.

On motion of Senator Cooney Senator Knudson was temporarily excused.

Senator Stevens of Wapello offered the following amendments and moved their adoption;

1. Amend Sec. 2 by striking all of paragraph 2 and substituting therefor the following: "Common motor carrier of property when used in this act shall mean any person who holds himself out to the public as willing to undertake for hire to transport by motor vehicle over a regular route between fixed termini, the property of others who may choose to employ him."

2. By striking out all of Sec. 4 and renumbering the succeeding Sections.

3. Amend Sec. 5 (as numbered in the original bill), line 3, by adding immediately after the word "village" the words "including suburbs".

4. Strike out all of Sec. 7 (as numbered in the original bill) and renumber the succeeding sections.

5. Amend Sec. 8 (as numbered in the original bill), lines 15 and 16, by striking therefrom the words "illegal, unreasonable".

6. Amend Sec. 9 (as numbered in the original bill) by striking out all of lines 56 to 76 inclusive.

7. Amend Sec. 10 (as numbered in the original bill), line 5, by striking out the word "not"; and also striking from line 5 the word "until" and substituting therefor the word "when".

8. Amend Sec. 10 (as numbered in the original bill), by inserting a period (.) after the word "Act" in line 6 and striking out the remainder of the paragraph.

9. Amend Sec. 10 (as numbered in the original bill) by striking from lines 12 and 13 the words "in addition to such other information as may be required by the commission,".

10. Amend Sec. 10 (as numbered in the original bill) by striking from lines 15, 16 and 17 the words "stating substantially the territory to be covered by the operation; the condition and character of the roads over which the transportation is to be performed;"

11. Amend Sec. 10, (as numbered in the original bill) by striking out all of lines 20 to 48 inclusive.

12. Amend by striking out all of Section 12 and renumbering the succeeding sections.

13. Amend Sec. 14 (as numbered in the original bill) by inserting a period "." after the word "partment" in line 9 thereof and striking out the remainder of the paragraph.

14. Amend Sec. 21 (as numbered in the original bill) lines 2 and 3 by striking out the words "and/or a contract motor carrier".

Senator Knudson appeared in the Senate Chamber and the call was declared complete.

Senator Stevens of Wapello asked for a division of the question.

Senator Byers invoked Rule No. 41.

Senator Beardsley moved that Substitute for Senate File No. 352 be indefinitely postponed.

Senator Harrington raised the point of order that the motion before the Senate was not debatable.

The President held the point of order not well taken.

Senator Beatty raised the point of order that Senator Beardsley's motion to indefinitely postpone was out of order because such a motion cannot be made while an amendment is pending.

The President held the point of order well taken.

Senator Miller of Buchanan moved the previous question, on all pending amendments.

Senator Booth raised the point of order that the Senator moving the previous question had talked on the amendment and could not make the motion for previous question.

The President held the point of order not well taken for the reason that the Senator had not just finished speaking on the amendments.

Senator Wenner raised the further point of order that the motion for previous question was out of order because Senator Stevens of Wapello asked for a division of his amendments, and this would allow a discussion of each amendment.

Senator Cooney as a substitute motion, moved the previous question on all pending amendments and the main bill.

The President held the Wenner point of order not well taken.

The Cooney substitution was made.

The substitute motion prevailed.

Roll call was demanded on Stevens of Wapello's amendment No. 1.

Rule 8 was invoked.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 27.

Anderson	Coykendall	Miller of Jones	Stanley
Aschenbrenner	Doze	Mullaney	Stevens of
Beardsley	Fisch	Patterson	Decatur
Beatty	Harrington	Pendray	Stevens of
Booth	Hopkins	Ritchie	Wapello
Calhoun	Hush	Roelofs	Tripp
Carden	McArthur	Schmidt	Wenner
Chrystal			

Nays, 23.

Bennett	Hicklin	Knudson	Reese
Byers	Hill	Meyer	Shangle
Cooney	Husted	Miller of	Topping
Elthon	Irwin	Buchanan	Valentine
Frailey	Kimberly	Moore	White
Geske	Klemme	Nelson	Wilson

Absent or not voting, none.

Amendment No. 1 was adopted.

On request of Senator Stevens of Wapello, unanimous consent was granted to withdraw his amendments Nos. 2 and 3.

Consideration of Amendment No. 4

Senator Patterson raised the point of order that the previous question had prevailed and Senator Hicklin was out of order.

The President held that under Rule No. 12 all senators filing requests to be heard were excepted.

Roll call was demanded.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 26.

Anderson	Doze	McArthur	Stanley
Aschenbrenner	Fisch	Mullaney	Stevens of
Beardsley	Harrington	Patterson	Decatur
Beatty	Hill	Pendray	Stevens of
Booth	Hopkins	Ritchie	Wapello
Chrystal	Hush	Roelofs	Tripp
Coykendall	Klemme	Schmidt	Wenner

Nays, 24.

Bennett	Geske	Meyer	Reese
Byers	Hicklin	Miller of	Shangle
Calhoun	Husted	Buchanan	Topping
Carden	Irwin	Miller of Jones	Valentine
Cooney	Kimberly	Moore	White
Elthon	Knudson	Nelson	Wilson
Frailey			

Absent or not voting, none.

The amendment was adopted.

On request of Senator Stevens of Wapello, unanimous consent was granted to withdraw the remainder of his amendments.

Senator Harrington offered the following amendment and moved its adoption:

Amend by striking Section 1.

Roll call was demanded.

Rule 8 was invoked.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 23.

Aschenbrenner	Fisch	Patterson	Stevens of
Beardsley	Harrington	Pendray	Decatur
Booth	Hopkins	Roelofs	Stevens of
Calhoun	Hush	Schmidt	Wapello
Chrystal	McArthur	Shangle	Tripp
Coykendall	Mullaney	Stanley	Wenner
Doze			

Nays, 27.

Anderson	Frailey	Klemme	Nelson
Beatty	Geske	Knudson	Reese
Bennett	Hicklin	Meyer	Ritchie
Byers	Hill	Miller of	Topping
Carden	Husted	Buchanan	Valentine
Cooney	Irwin	Miller of Jones	White
Elthon	Kimberly	Moore	Wilson

Absent or not voting, none.

The amendment was lost.

Senator Shangle moved the adoption of Senator Stevens of Wapello's amendment No. 12, which had previously been withdrawn by the author.

Senator Wilson raised the point of order that Senator Shangle was attempting to revive or reintroduce an amendment and that the bill was not subject to further amendment as the previous question had prevailed.

The President held the point of order well taken.

Senator Shangle asked unanimous consent to offer an amendment.

Objection was raised.

Senator Miller of Buchanan moved that the reading previously had be considered the third reading, which motion prevailed.

Rule 8 was invoked.

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

Ayes, 24.

Anderson	Elthon	Klemme	Stevens of
Beatty	Frailey	Miller of	Wapello
Bennett	Geske	Buchanan	Topping
Byers	Hicklin	Nelson	Tripp
Calhoun	Irwin	Reese	Valentine
Carden	Kimberly	Shangle	White
Cooney			Wilson

Nays, 26.

Aschenbrenner	Harrington	Meyer	Roelofs
Beardsley	Hill	Miller of Jones	Schmidt
Booth	Hopkins	Moore	Stanley
Chrystal	Hush	Mullaney	Stevens of
Coykendall	Husted	Patterson	Decatur
Doze	Knudson	Pendray	Wenner
Fisch	McArthur	Ritchie	

Absent or not voting, none.

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

Senator Hush moved that the vote by which the bill failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Schmidt the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate reconvened at the fall of the gavel, President N. G. Kraschel presiding.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House Files Nos. 263, 272, 364, 367, 381, 390 and 476.

HOMER HUSH, *Chairman Senate Committee.*

A. R. WEED, *Acting Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 263, 272, 364, 367, 381, 390 and 476.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 579, a bill for an act to make an appropriation for Fenton Lynn.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 572, a bill for an act to make appropriation to Ira A. Polk, Conway Chevrolet Company, J. F. Batesole and others.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 569, a bill for an act to make appropriation to A. C. Sino.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 570, a bill for an act to make an appropriation to the City of Iowa City, Iowa, for expenditures made in paving streets adjacent to state owned property.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 562, a bill for an act to make an appropriation to Ben Whittington.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 561, a bill for an act to make an appropriation to George Anderson.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 480, a bill for an act to make appropriation for expenses in election contest of Horvei vs. Ostby.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 322, a bill for an act relating to investment of funds by guardians.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 336, a bill for an act providing for proper forms in reporting tax on motor vehicle fuel imported and sold in Iowa.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 480, a bill for an act relating to school privileges under certain conditions.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 448, a bill for an act to make appropriation to W. H. Sprole.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 317, a bill for an act relative to the assessment of water works plants and the personal property thereof.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 331, a bill for an act legalizing the granting of a franchise of Rowley, Iowa, to the Iowa Railway and Light Corporation.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 279, a bill for an act to make appropriation for Frank D. Paine.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 278, a bill for an act making appropriation for miscellaneous expenses of the general assembly.

LLOYD ELLIS, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE NO. 278

Amend Senate File No. 278 Section five (5), by striking out the "period (.)" at the end of the section and inserting in lieu thereof the following: "and eleven (11) coats for House pages, the sum of fifty-five dollars (\$55.00)."

THIRD READING OF BILLS

The time having arrived for consideration of the special order, on motion of Senator Irwin Senate File No. 483, a bill for an act

to provide for the reorganization of savings banks, state banks, private banks and trust companies and in connection therewith for the issuance of trust certificates and for the setting aside of assets in an amount equal thereto; prescribing the right of the holders of such trust certificates and authorizing the governing boards of taxing districts to accept the same; providing for the retirement of such trust certificates; and repealing conflicting laws or parts of laws, a sifting committee bill, was taken up and considered.

The bill was read for information.

Senator Patterson moved that action on Senate File No. 483 be deferred until the special session in August.

Senator Valentine raised the point of order that Senator Patterson was not speaking on the motion to defer action but was speaking on the merits and demerits of the bill.

The President held the point of order well taken.

Senator Patterson proceeded.

Senator Irwin raised the point of order that Senator Patterson was giving his reasons why the bill should be defeated rather than the reasons why the bill should be deferred.

Senator Irwin moved the previous question, which motion prevailed.

Roll call was demanded.

On the question, "Shall the motion to defer action prevail?" the vote was:

Ayes, 7.

Calhoun	Husted	Ritchie	Wilson
Hopkins	Patterson	Roelofs	

Nays, 43.

Anderson	Elthon	McArthur	Shangle
Aschenbrenner	Fisch	Meyer	Stanley
Beardsley	Frailey	Miller of	Stevens of
Beatty	Geske	Buchanan	Decatur
Bennett	Harrington	Miller of Jones	Stevens of
Booth	Hicklin	Moore	Wapello
Byers	Hill	Mullaney	Topping
Carden	Hush	Nelson	Tripp
Chrystal	Irwin	Pendray	Valentine
Cooney	Kimberly	Reese	Wenner
Coykendall	Klemme	Schmidt	White
Doze	Knudson		

Absent or not voting, none.

The motion to defer was lost.

Senators Irwin and Valentine offered the following amendment and moved its adoption:

Amend Section 1 by adding a new sentence at the end thereof as follows: "Provided, however, that the Banking Department shall, with the approval of the Governor, have the right to waive or modify any of the provisions or requirements of this Act where a bank is not to resume or continue banking operations, and where waivers or depositors' agreements are taken as a part of a plan for liquidating such bank."

Senator Calhoun offered the following amendment to the amendment and moved its adoption:

Amend by inserting after the word "for" in the last line thereof the words "reorganizing and/or".

The amendment to the amendment was adopted.

Senator Patterson offered the following amendment to the amendment and moved its adoption:

Amend by striking from line 3 the word "Governor" and inserting in lieu thereof "state banking board".

The amendment to the amendment was lost.

The amendment as amended was adopted.

Senators Valentine and Irwin offered the following amendment and moved its adoption:

Amend Section 1 by striking the words "The purpose" in line 9 thereof; also strike lines 10 and 11 thereof; also strike the words "of the capital stock of said bank." in line 12 thereof.

The amendment was adopted.

Senators Valentine and Irwin offered the following amendments and moved their adoption:

Amend Section 1 by striking the words "Any stockholder paying an" in line 12; strike lines 13 and 14; also strike the words "on the stock held by him." in line 15 and insert in lieu thereof the following "Any stockholder paying an amount equal to the sum so required shall be released thereby from any further liability, statutory or otherwise, on the stock held by him, to the extent of the amount so paid by him."

Senator Shangle offered the following amendment to the amendment and moved its adoption:

Amend line 4 by inserting after the word "paying" the following: "or who has already paid".

The amendment to the amendment was lost.

The amendment was adopted.

Senators Valentine and Irwin offered the following amendment and moved its adoption:

Amend Section 2 by adding a new sentence at the end thereof as follows: "Except that no unexpired waivers or depositors' agreements between such banks or trust companies and their depositors shall be abrogated hereby."

The amendment was adopted.

On request of Senator Valentine, unanimous consent was granted for him to offer the following amendment in lieu of the one which Senator Irwin and he had filed to the same section:

Amend Sec. 3 by striking the period "." after the word "outstanding" in line 16 and inserting in lieu thereof the following:

“, unless otherwise agreed upon between such bank or trust company and a majority of the depositors holding direct, unsecured and unpreferred obligations of such bank in excess of Ten Dollars (\$10.00) each, and totaling in the aggregate amount seventy-five per cent (75%) of the direct, unsecured and unpreferred obligations, and approved by the Superintendent of Banking.”

Senator Beatty moved that the amendment be adopted.

The amendment was adopted.

On request of Senator Valentine, unanimous consent was granted to withdraw the amendment offered by Senator Irwin and himself to line 12 of Sec. 3.

On request of Senator Valentine, unanimous consent was granted for him to offer the following amendment in lieu of the one which Senator Irwin and he had filed to the same section:

Amend Sec. 4 by inserting a comma “,” after the word “stock” as it appears in line 4 and by striking the period “.” at the end of Sec. 4 and inserting in lieu thereof the following:

“, unless otherwise agreed upon between such bank or trust company and a majority of the depositors holding direct, unsecured and unpreferred obligations of such bank in excess of Ten Dollars (\$10.00) each, and totaling in the aggregate amount seventy-five per cent (75%) of the direct, unsecured and unpreferred obligations, and approved by the Superintendent of Banking.”

Senator Beatty moved that the amendment be adopted. The amendment was adopted.

Senators Irwin and Valentine offered the following amendment and moved its adoption:

Amend Section 7 by striking all of Section 7 and inserting in lieu thereof the following:

"Sec. 7. Any county, city, town, township, or school district by its governing board, at the board's discretion, may accept the trust certificates authorized in this Act for their deposits in any bank issuing the same. The State may so agree through the Executive Council to accept the trust certificates provided for in this act."

The amendment was adopted.

Senators Valentine and Irwin offered the following amendment and moved its adoption:

Amend Section 8 by striking all of said Section 8 and inserting in lieu thereof the following:

"Sec. 8. The acceptance of such trust certificates by public bodies shall not be a waiver of their right to participate in the State Sinking Fund for public deposits. In event of receivership or bankruptcy, the unpaid balance of any trust certificate held by any such public body shall be construed as a depositors' claim of such public body in accordance with the provisions of Chapter 352-A1 of the 1931 Code of Iowa."

The amendment was adopted.

On request of Senator Valentine, unanimous consent was granted for him to offer the following amendment in lieu of the one which Senator Irwin and he had filed to the same section:

Amend Sec. 12 by striking the period after the word "Iowa" in line 5 and inserting in lieu thereof the following:

" , unless otherwise agreed upon between such bank or trust company and a majority of the depositors holding direct, unsecured and unpreferred obligations of such bank in excess of Ten Dollars (\$10.00) each, and totaling in the aggregate amount seventy-five per cent (75%) of the direct, unsecured and unpreferred obligations, and approved by the Superintendent of Banking."

Senator Beatty moved that the amendment be adopted. The amendment was adopted.

Senators Valentine and Irwin offered the following amendments and moved their adoption:

Amend Section 3 by striking out in Line 7 the words "bank to issue", and inserting in lieu thereof, the following: "issuance of".

Further amend Section 3 by striking out the word "deliver" in line 9, and inserting in lieu thereof the words "the delivery of".

Amend Section 11 by striking the same out in full and inserting in lieu thereof the following:

"Sec. 11. Banks coming within the provisions of this Act shall retire the trust certificates issued hereunder pro rata through the earnings of and the collections from the segregated assets and the net earnings of said bank as hereinbefore provided."

Amend Section 12 by striking out from line 1 thereof after the word "issued" the words "by any bank".

The amendments were adopted.

Senators Valentine and Irwin offered the following amendment and moved its adoption:

Amend Section 3 by striking the words, "A dividend of two and one-half percent", in line 12 of said section, all of lines 13 and 14 of said section and the words, "meeting and" in line 15 of said section, and inserting in lieu thereof the following:

"A dividend shall be declared at the end of each year covering the entire net earnings of the bank and the earnings of and collections from the segregated assets, which dividend shall be applied pro rata to the payment of outstanding certificates of trust as herein provided."

The amendment was adopted.

On request of Senator Klemme unanimous consent was granted to withdraw his amendment, found on page 951 of the Senate Journal.

On request of Senator Booth, unanimous consent was granted to withdraw his amendments as found on page 952 of the Senate Journal.

On request of Senator Wenner, unanimous consent was granted to withdraw his amendments Nos. 1, 2, 3 and 6 as found on pages 951 and 952 of the Senate Journal.

Senator Wenner called up for consideration his amendments as follows, asked for a division and moved their adoption:

4. Amend Section one (1) by inserting after the word "full" in line nine (9) the following: "in cash".

Senator Wilson offered the following amendment to the amendment and moved its adoption:

Amend by inserting after the word "cash" the following: "or in other securities to be approved by the Governor and the Superintendent of Banking".

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Wenner offered the following amendment and moved its adoption :

5. Amend Section one (1) by inserting after the word "bank" in line nine (9) the following: "or trust company".

The amendment was adopted.

Senator Wenner offered the following amendment and moved its adoption.

7. Amend Section one (1) by adding thereto the following:

"Provided that in lieu of any assessment against, or payment required to be paid by the stockholders of such bank or trust company, the said banking department, with the approval of the Governor, may permit a reduction of the capital stock of such bank or trust company to the minimum provided by law."

The amendment was lost.

On request of Senator Topping, unanimous consent was granted to withdraw his amendment as found on page 952 of the Senate Journal.

Senator Wenner offered the following amendment and moved its adoption :

Amend Section two (2) by inserting after the word "operating" in line one (1) of said section, the words, "under Senate File No. 111".

The amendment was lost.

Senator Harrington moved the previous question on all pending amendments and the main bill.

The motion prevailed.

Senator Ritchie offered the following amendments and moved their adoption :

Amend Section 1 as amended by striking the following:

"and where waivers or depositors' agreements are taken as a part of a plan for liquidating such bank" and inserting in lieu of the stricken words the following:

"or where waivers or depositors' agreements are taken as a part of a plan for operating or liquidating such bank".

Further amend Sec. 2 as amended by inserting, following the words "Except that no unexpired waivers or depositors' agreements", the following: "now executed".

The amendments were lost.

On request of Senator Shangle, unanimous consent was granted

to withdraw his amendment as found on page 951 of the Senate Journal.

Senator Byers offered the following amendment and moved its adoption:

Amend by striking the words and figures "Ten Dollars (\$10.00)" in line 3 of section 10 thereof, and by inserting in lieu thereof the words and figures "Twenty Five Dollars (\$25.00)";

Also amend by striking the words and figures "Ten Dollars (\$10.00)" in line 10 of section 3 thereof and by inserting in lieu thereof the words and figures "Twenty Five Dollars (\$25.00)".

On request of Senator Byers unanimous consent was granted to withdraw his amendment.

Senators Beatty and Hicklin offered the following amendment and moved its adoption.

Amend Section 11 as amended, by adding after the word "provided" in line five of said section as amended the words "or agreed upon under the provisions of this act".

The amendment was adopted.

Senator Irwin moved that the reading previously had be considered the third reading, which motion prevailed.

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

Ayes, 38.

Anderson	Elthon	McArthur	Schmidt
Aschenbrenner	Fisch	Meyer	Shangle
Beardsley	Frailey	Miller of	Stevens of
Beatty	Geske	Buchanan	Decatur
Bennett	Harrington	Miller of Jones	Stevens of
Booth	Hicklin	Moore	Wapello
Byers	Irwin	Mullaney	Topping
Chrystal	Kimberly	Pendray	Tripp
Cooney	Klemme	Reese	Valentine
Coykendall	Knudson	Roelofs	White
Doze			

Nays, 11.

Calhoun	Hopkins	Nelson	Stanley
Carden	Hush	Patterson	Wilson
Hill	Husted	Ritchie	

Absent or not voting, 1.

Wenner

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

Senator Valentine moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Valentine unanimous consent was granted to have the bill messaged to the House, upon the convening of the Senate Wednesday morning.

COPIES SENATE FILE NO. 483 ORDERED

On request of Senator Booth, unanimous consent was granted to have printed 2400 copies of Senate File No. 483 as passed.

AMENDMENTS FILED

Amend House File No. 382 as follows:

Amend Section 2, line 5, by striking the period at the end of the section, inserting in lieu thereof a comma and adding thereto the following: "but shall not be applicable to any machine or mechanical device, the use of which is for the safety of the general public or the safe keeping of money or valuables, or to any machine or mechanical device where the same is subject to public inspection, or is furnished by any person, firm or corporation operating under a public franchise, or to any mechanism used in the reproduction of moving pictures or sound." CHRIS REESE.

Amend substitute for House File No. 73 as follows:

Strike the figures "\$39,750" in line 9 of Section 21 and insert in lieu thereof the figures "\$47,928".

Strike the figures "\$44,000" in line 11 of said section and insert in lieu thereof the figures "\$52,178".

Strike the figures "\$15,000" in line 20 of said section and insert in lieu thereof the figures "\$17,516". G. W. PATERSON.

Amend House File No. 73 as follows:

1. Strike the figures "\$3,000" in line 6, section 2, and insert in lieu thereof the figures "\$2,000".

2. Amend section 2, line 11 by striking the figures "\$186,450" and insert in lieu thereof the figures "\$185,450".

3. Amend section 3, line 7 by striking out the figures "\$4,500" and insert in lieu thereof the figures "\$3,000".

Also strike out lines 18 to 29 inclusive, also strike out lines 32 and 33.

Also strike from line 40 the figures "\$349,440" and insert in lieu thereof the figures "\$290,940".

4. Amend section 12 by striking out lines 7, 8 and 9.

Also strike from line 13, section 12 the figures "\$372,500" and insert in lieu thereof the figures "\$350,000".

5. Further amend section 12 by adding after line 13 as line 14 the following: "Salaries of Judges of the District Court of Iowa, hereafter elected shall be \$4,000 per annum".

6. Amend section 36 by striking out line 8.

Also amend line 15, section 36 by striking out the figures "\$381,450" and inserting in lieu thereof the figures "\$261,450". L. T. SHANGLE.

Amend Substitute for House File No. 73 as follows: Strike figures

"1,500.00" in line Ten (10) Section Fifty-four (54) and substitute in lieu therefor the figures "1,600.00".

MATT D. COONEY.

Amend section 45 of Substitute for House File No. 73 as follows, to-wit:

1. Amend said section by inserting after the word "Mitchellville" in line nineteen (19) thereof the following words and figures, to-wit: "There is hereby appropriated as a special appropriation for purchasing and installing boilers and repairing boilers in the boiler plant at the Institution for Feeble Minded children at Glenwood, Iowa, the sum of sixty-five thousand dollars (\$65,000.00) or so much thereof as may be necessary, the same to be available upon the taking effect of this act, and".

2. Said section is further amended by striking from lines twenty (20) and twenty-one (21) the following words and figures, to-wit: "three million eight hundred ninety-nine thousand two hundred dollars (\$3,899,200)" and inserting in lieu thereof the following words and figures, to-wit: "three million five hundred sixty-three thousand two hundred dollars (\$3,563,200)".

Amend said section by striking from line two hundred five (205) the figures "\$3,899,200" and inserting in lieu thereof the figures "\$3,563,200".

3. Said section is further amended by striking from lines forty (40) and forty-one (41) the words and figures as follows, to-wit: "three hundred forty-four thousand dollars (\$344,000)" and inserting in lieu thereof the words and figures as follows: "two hundred seventy-nine thousand dollars (\$279,000)".

Said section is further amended by striking therefrom lines forty-four (44) to forty-eight (48) inclusive.

CLAUDE STANLEY.

Senator Knudson moved that when the Senate adjourn it be to reconvene at 9:00 a. m. Wednesday.

Senator Schmidt, as a substitute moved that when the Senate adjourn it be to reconvene at 10:00 a. m. Wednesday.

The substitution was made and the motion prevailed.

The Journal of April 3d was corrected and approved.

HOUSE MESSAGES CONSIDERED

House File No. 233, a bill for an act to amend section Seventy-two hundred and seventy-nine (7279) of the Code of 1931, relating to the notice of expiration of right of redemption.

Read first and second times and referred to sifting committee.

House File No. 356, a bill for an act to amend section forty-one hundred thirty-one (4131), code 1931, relating to attaching territory to an adjoining corporation.

Read first and second times and referred to sifting committee.

House File No. 387, a bill for an act to require motor trucks and combinations thereof when operating upon the highways at night to be equipped with portable flares and providing penalty therefor.

Read first and second times and referred to sifting committee.

House File No. 393, a bill for an act to amend Sections Five thousand seventy-nine-d eight (5079-d8) and five thousand seventy-nine-d nine (5079-d9) Code, 1931, relating to the maximum hours of operation of commercial motor vehicles, upon the highways of the State of Iowa.

Read first and second times and referred to sifting committee.

House File No. 398, a bill for an act to amend section fifty hundred twenty (5020), Code 1931, relating to meeting and turning to the right on arterial highways.

Read first and second times and referred to sifting committee.

House File No. 480, a bill for an act to make an appropriation for the payment of expenses incurred in the election contest of the Horvei vs. Ostby.

Read first and second times and referred to committee on appropriations.

House File No. 561, a bill for an act to make an appropriation to George Anderson.

Read first and second times and referred to committee on appropriations.

House File No. 562, a bill for an act to make an appropriation to Ben Whittington.

Read first and second times and referred to committee on appropriations.

House File No. 570, a bill for an act to make an appropriation to the City of Iowa City, Iowa, to reimburse the City for expenditures made in paving streets adjacent to state owned property.

Read first and second times and referred to committee on appropriations.

House File No. 572, a bill for an act to make an appropriation to Ira A. Polk, Conway Chevorlet Company, J. F. Batesole, Karl Engledinger, Walter Noffsinger, H. H. Lindeman, Albert Anselme,

W N. Attig, Rude Auto Company, Eugene Palmer, Thos. Shover, Guy A. Perry, Elmer J. Berber, Clarence McDole, A. L. Holub, E. E. Stegeman, and American Mutual Liability Company.

Read first and second times and referred to committee on appropriations.

House File No 569, a bill for an act to make an appropriation to A. C. Sino.

Read first and second times and referred to committee on appropriations.

House File No. 579, a bill for an act to make an appropriation to Fenton Lynn.

Read first and second times and referred to committee on appropriations.

House File No. 322, a bill for an act to repeal section twelve thousand six hundred forty-four c-fourteen (12644 c-14) of the code, 1931, and to enact a substitute therefor relating to investment of funds by guardians.

Read first and second times and referred to sifting committee.

House File No. 336, a bill for an act to amend section fifty-hundred ninety-three-a-five (5093-a5), Code 1931, to provide for proper forms in reporting tax on motor vehicle fuel imported and sold in Iowa.

Read first and second times and referred to sifting committee.

On motion of Senator Knudson the Senate adjourned, the time having been set previously for 10:00 a. m. Wednesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 5, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. D. Art Ray, of Early, Iowa.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Approving prohibition. Senator Knudson, from residents of Wright county. Senator Wenner, from residents of Black Hawk county. Judiciary No. 1.

Opposing the passage of the Beatty-Bennett bill. Senator Knudson, from students of Eagle Grove High School. Ways and means.

Opposing the passage of Senate File No. 248. Senator Shangle, from citizens of Oskaloosa. Public health.

Opposing the passage of House File No. 40. Senator Knudson, from the Board of Education of the Rowan Consolidated Independent School District of Rowan. Public schools.

Favoring the passage of Senate File No. 352. Senator Irwin, from citizens of Clinton. Motor vehicles.

Favoring the passage of Senate Files Nos. 125 and 175. Senator Knudson, from citizens of Eagle Grove, Ellsworth and Boone. Motor vehicles.

Favoring the passage of House File No. 461. Senator Stevens of Decatur, from citizens of Leon. Senator Doze, from citizens of Humeston. Cities and towns.

Favoring the passage of Senate Files Nos. 125, 175 and 141. Senator Valentine, from representatives of the various organizations of railway employees. Sifting committee.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate Files Nos. 317, 448, 279, 480 and 331.

HOMER HUSH, *Chairman Senate Committee.*

WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 317, 448, 279, 480 and 331.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 401, a bill for an act relating to perpetuation of credits earned by students in institutions of higher learning.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 573, a bill for an act to make appropriation to Jefferson County, Iowa, and to J. W. McDowell, Guardian of Elbert Elsworth Morgan and Lloyd Francis Morgan, minor heirs of Henry H. Morgan, deceased.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 574, a bill for an act to make an appropriation to Floyd Kisby.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 575, a bill for an act to make appropriation to Espy A. Barker.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 576, a bill for an act to make appropriation to R. F. Allen.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 578, a bill for an act to make appropriation to Anna Steece.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 580, a bill for an act to make appropriation to William Schuenke.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 581, a bill for an act to make appropriation to J. M. Brockway.

Also, that the House has adopted the Conference Committee report on House File No. 63 recommending that the House concur in the Senate Amendment to said bill.

Also, that the House has refused to concur in the Senate Amendments to House File No. 128, relating to provision for liens in favor of hospitals.

LLOYD ELLIS, *Chief Clerk.*

Senator Valentine moved that the Secretary of the Senate be authorized to have Senate File No. 483 engrossed before it is messaged to the House, also that it be printed as engrossed.

The motion prevailed.

The time arrived for consideration of the special order of Substitute for House File No. 73.

Senator Hicklin moved that Senate File No. 479, relating to the salaries of public officials be made a special order for 2:00 p. m., to be considered ahead of Substitute for House File No. 73, the appropriation bill.

On request of Senator Hicklin, unanimous consent was granted to withdraw his motion.

Senator White moved that the Senate resolve itself into a committee of the whole, that all persons be excluded except members and employees of the Senate and members of the press.

The motion prevailed.

Senator Stevens of Decatur moved that Mr. E. L. Brown of the Budget Director's office be allowed to remain to furnish necessary information to the Senate. The motion prevailed.

The Senate resolved itself into a committee of the whole.

The Senate arose from the committee of the whole.

Senator Wilson moved that when the Senate adjourns it be to reconvene at 9:30 a. m. Thursday. The motion prevailed.

The Journal of April 4th was corrected and approved.

HOUSE MESSAGES CONSIDERED

House File No. 401, a bill for an act relating to the perpetuation of credits earned by students in institutions of higher learning which may be discontinued.

Read first and second times and referred to sifting committee.

House File No. 573, a bill for an act to make an appropriation to Jefferson County, Iowa, and to J. W. McDowell, Guardian of Elbert Elsworth Morgan and Lloyd Francis Morgan, minor heirs of Henry H. Morgan, deceased.

Read first and second times and referred to committee on appropriations.

House File No. 574, a bill for an act to make an appropriation to Floyd Kisby.

Read first and second times and referred to committee on appropriations.

House File No. 575, a bill for an act to make an appropriation to Espy A. Barker.

Read first and second times and referred to committee on appropriations.

House File No. 576, a bill for an act to make an appropriation to R. F. Allen.

Read first and second times and referred to committee on appropriations.

House File No. 578, a bill for an act to make an appropriation to Anna Steece.

Read first and second times and referred to committee on appropriations.

House File No. 580, a bill for an act to make an appropriation to William Schuenke.

Read first and second times and referred to committee on appropriations.

House File No. 581, a bill for an act to make an appropriation to J. M. Brockway.

Read first and second times and referred to committee on appropriations.

AMENDMENTS FILED

Amend the Substitute for House File No. 73 as follows:

Strike out the words and figures "the sum of five million four hundred sixty-five thousand seven hundred twenty-two dollars and fifty cents (\$5,465,722.50)" in lines nine (9), ten (10) and eleven (11), section 46, and substitute therefor the words and figures "the sum of five million, nine hundred seventy-one thousand, one hundred fifty-four dollars (\$5,971,154)".

Also, strike out the words and figures "the sum of one million seven hundred seventy-eight thousand three hundred fifty-six dollars (\$1,778,356)" in lines sixteen (16) and seventeen (17), section 46, sub-section one, and substitute therefor the words and figures "the sum of two million, nine thousand dollars (\$2,009,000)".

Also, strike out the words "other than the president" in line eighteen (18), section 46, sub-section one.

Also, strike out the lines twenty (20), twenty-one (21), twenty-two (22) and twenty-three (23), inclusive, section 46, sub-section 1a.

Also, strike out the words and figures "the sum of one million, seven hundred eighty-two thousand eight hundred ninety-one dollars and twenty cents (\$1,782,891.20)" in lines twenty-six (26), twenty-seven (27) and twenty-eight (28), section 46, sub-section two, and substitute therefor the words and figures "the sum of one million nine hundred ninety-five thousand nineteen dollars (\$1,995,019)".

Also, strike out the words "other than the president" in line twenty-nine (29), section 46, sub-section two.

Also, strike out the words and figures "the sum of four hundred sixty-two thousand two hundred dollars and eighty cents (\$462,200.80)" in lines thirty-seven (37) and thirty-eight (38), section 46, sub-section three, and substitute therefor the words and figures "the sum of five hundred twenty-seven thousand six hundred seventy dollars (\$527,670)".

Also, strike out the words "other than the president" in line thirty-nine (39), section 46, sub-section three.

Also, strike out lines forty-one (41), forty-two (42), forty-three (43) and forty-four (44), section 46, sub-section 3a.

Also, strike out the figures "\$5,465,722.50" in line ninety-six (96), section 46, and substitute therefor the figures "\$5,971,154".

Also, strike out lines thirty-one (31), thirty-two (32), thirty-three (33) and thirty-four (34), inclusive, section 46, sub-section 2a.

Amend section forty-five (45) by striking therefrom lines 137 to 149, inclusive, and inserting in lieu thereof the following:

"(11) For the State Sanatorium, Oakdale, there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of two hundred eighty-two thousand dollars (\$282,000) or so much thereof as may be necessary, to be used in the following manner:

For Salaries, Support and Maintenance.....	\$240,000
For Special Purposes:	
Nurses' Home	\$40,000
Refrigeration Plant	2,000

\$42,000

282,000"

Amend section thirty-six (36), line ten (10) by striking therefrom the figures "50,000" and inserting in lieu thereof the figures "90,000".

PAUL W. SCHMIDT.

Amend Substitute for House File No. 73 as follows:

Amend Sec. 50, (page 44), line 7 by striking out the figures "\$17,814.60" and substituting therefor the figures "\$20,000". ROY E. STEVENS.

Amend Substitute for House File No. 73 as follows:

Amend Section forty-one (41) in line eight (8) by changing the figures \$14,904 to \$17,604.

J. R. FRALEY

O. P. BENNETT

Amend Substitute for House File No. 73 in section 23 in line 6 thereof by striking out the figures "9,000" and inserting in lieu thereof "25,000" and in line 8 thereof by striking out the figures "9,000" and inserting in lieu thereof "25,000".

J. R. FRALEY.

On motion of Senator Wilson the Senate adjourned, the time having been set previously for 9:30 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 6, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Philip Shutt, Lay-reader, St. James Episcopal Church of Independence.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Opposing the passage of Senate File No. 248. Senator Wilson, from citizens of Des Moines. Public health.

Favoring the passage of House File No. 461. Senator Harrington, from officials of Correctionville. Senator Hopkins, from citizens of Redfield. Cities and towns.

Opposing the passage of House File No. 461. Senator Byers, from citizens of Cedar Rapids. Cities and towns.

INTRODUCTION OF BILLS

Senate File No. 487, by sifting committee, a bill for an act to provide for the release of public funds in closed banks, to authorize the Executive Council to obtain funds from the Reconstruction Finance Corporation therefor, and to levy a tax for the purpose of securing repayment thereof.

Read first and second times and placed on the calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 156, a bill for an act relating to sale of insurance company stock as inducement to insurance.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 389, a bill for an act relating to license fees for well drills.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 394, a bill for an act to create a lien for certain services rendered in the favor of licensed veterinarians.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 413, a bill for an act regulating the taxation of motor vehicle carriers.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 568, a bill for an act relating to liability insurance for certain employees operating state owned motor vehicles.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 577, a bill for an act to make an appropriation to Devota Tipton.

Also, that the House has failed to pass the following bill in which the concurrence of the House was asked:

Senate File No. 386, a bill for an act relating to schools, school elections and meetings.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 98, a bill for an act relating to printing of names on primary ballots.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 130, a bill for an act relating to itinerant vendors of drugs, and fixing the license fees therefor.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 176, a bill for an act relating to compensation of public officers when suspended from office.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 311, a bill for an act relating to the apportionment of the compensation of persons employed to discover property not listed or assessed for taxation.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 320, a bill for an act relating to street improvements in cities under Commission form of government.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 481, a bill for an act legalizing certain depositors' agreements covering deposits of public moneys in the Commercial National Bank, Waterloo, Iowa.

Also, that the House has amended and passed the following bill:
Senate File No. 360, a bill for an act relating to the collection of taxes.

LLOYD ELLIS, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE NO. 360

Amend Section One (1), line three (3) by inserting after the word "shall" the following:

" , upon the order of the Board of Supervisors in the years 1933 and 1934, ".

BILLS SENT TO THE GOVERNOR

Senator Hush from the committee on enrolled bills submitted the following report :

MR. PREISDENT: Your committee on enrolled bills respectfully reports they have on this 6th day of April, 1933, sent to the Governor for his approval, Senate Files Nos. 317, 448, 279, 480 and 331.

HOMER HUSH, *Chairman.*

Passed on file.

HOUSE MESSAGES CONSIDERED

House File No. 156, a bill for an act to amend section eighty-six hundred twenty-four (8624), Code, 1931, relating to sale of insurance company stock as inducement to insurance.

Read first and second times and referred to sifting committee.

House File No. 389, a bill for an act to amend sections chapter two hundred fifty-one (251), Code 1931, relating to license fees for well drills.

Read first and second times and referred to sifting committee.

House File No. 394, a bill for an act to create a lien for certain services rendered in the favor of licensed veterinarians.

Read first and second times and referred to sifting committee.

House File No. 413, a bill for an act to amend the law as it now appears in Section Fifty-one Hundred Five-A Forty-one (5105-A41), Code, 1931, regulating the taxation of motor vehicle carriers.

Read first and second times and referred to sifting committee.

House File No. 577, a bill for an act to make an appropriation to Devota Tiptoin, claimant, and George B. Baker, attorney.

Read first and second times and referred to committee on appropriations.

House File No. 568, a bill for an act requiring liability insurance for certain employees operating state owned motor vehicles and providing the fact that the title to such motor vehicle is in the state of Iowa and such officer or employee is in discharge of his duties, shall be no defence to claim for damages based on negligence of such officers or employees in operating such motor vehicle.

Read first and second times and referred to sifting committee.

Senator Wilson moved that the Senate resolve itself into a committee of the whole. The motion prevailed.

The Senate arose from committee of the whole and resumed regular session.

REPORT OF COMMITTEE ON MILEAGE

MR. PRESIDENT: Your committee on mileage begs leave to report that Senator J. E. Doze is entitled to mileage allowance in the amount of seven dollars (\$7.00); also, that Senator D. Myron Tripp is entitled to mileage allowance in the amount of three dollars and fifty cents (\$3.50).

VINCENT F. HARRINGTON, *Chairman.*

LAFE HILL

MIKE G. FISCH

On request of Senator Harrington unanimous consent was granted to consider the report. The report was adopted.

PRELIMINARY REPORT OF THE COMMITTEE ACTING UNDER HOUSE JOINT RESOLUTION NO. 7

Senator Patterson called the Senate's attention to the preliminary report of the committee acting under House Joint Resolution No. 7 relating to the financial and other problems of the State University of Iowa Hospital at Iowa City and the care of indigent patients at said institution. The Senator asked that the published report found on pages 1130 to 1135, inclusive, of the House Journal be accepted by the Senate as the report to this body.

The Journal of April 5th was corrected and approved.

On motion of Senator Stevens of Wapello the Senate adjourned until 9:30 a. m. Friday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 7, 1933.

The Senate met in regular session, Senator Wilson presiding at the request of President N. G. Kraschel.

Prayer was offered by Rev. Lloyd Ellis, Chief Clerk of the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Cooney for the day, on request of Senator Moore; Senator Topping for the day, on request of Senator Wilson.

INTRODUCTION OF BILLS

Senate File No. 488, by claims committee, a bill for an act to make an appropriation to the Iowa Lutheran Hospital, Dr. S. E. Lincoln, Dr. Veril Ruth, Dr. C. S. Quail, and Dr. John Russell.

Read first and second times and referred to committee on appropriations.

Senate File No. 489, by claims committee, a bill for an act to make an appropriation to Fred Ballard and George Comfort.

Read first and second times and referred to committee on appropriations.

Senate File No. 490, by claims committee, a bill for an act to make an appropriation to Mrs. Lee Harris, Guardian.

Read first and second times and referred to committee on appropriations.

HOUSE AMENDMENTS CONSIDERED

Senator White called up for consideration Senate File No. 278, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File No. 278 Section five (5), by striking out the "period (.)" at the end of the section and inserting in lieu thereof the following:

"and eleven (11) coats for House pages, the sum of fifty-five dollars (\$55.00)."

On the question "Shall the Senate concur?" the vote was:

Ayes, 34.

Anderson	Hopkins	Miller of Jones	Shangle
Beatty	Hush	Moore	Stanley
Booth	Irwin	Mullaney	Stevens of
Carden	Kimberly	Nelson	Decatur
Coykendall	Klemme	Patterson	Tripp
Doze	McArthur	Pendray	Wenner
Elthon	Meyer	Reese	White
Fisch	Miller of	Roelofs	Wilson
Geske	Buchanan	Schmidt	
Hicklin			

Nays, none.

Absent or not voting, 16.

Aschenbrenner	Crystal	Hill	Stevens of
Beardsley	Cooney	Husted	Wapello
Bennett	Frailey	Knudson	Topping
Byers	Harrington	Ritchie	Valentine
Calhoun			

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Hicklin called up for consideration Senate File No. 473, amended by the House, and moved that the Senate concur in the following amendments:

Amend section One (1) by inserting after the "period (.)" in line four (4) the following:

"Any penalty paid prior to the taking effect of this act shall be credited as a payment on the second installment."

Also, strike from lines six (6) and seven (7) the words and figures "of one per cent (1%)" and insert in lieu thereof "three-fourths ($\frac{3}{4}$) of one per cent (1%)".

On the question "Shall the Senate concur?" the vote was:

Ayes, 37.

Anderson	Fisch	Meyer	Roelofs
Aschenbrenner	Geske	Miller of	Schmidt
Beardsley	Hicklin	Buchanan	Shangle
Beatty	Hopkins	Miller of Jones	Stanley
Bennett	Hush	Moore	Stevens of
Booth	Irwin	Mullaney	Decatur
Carden	Kimberly	Patterson	Wenner
Coykendall	Klemme	Pendray	White
Doze	Knudson	Reese	Wilson
Elthon	McArthur	Ritchie	

Nays, none.

Absent or not voting, 13.

Byers	Frailey	Nelson	Topping
Calhoun	Harrington	Stevens of	Tripp
Chrystal	Hill	Wapello	Valentine
Cooney	Husted		

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Knudson called up for consideration Senate File No. 360, amended by the House, and moved that the Senate concur in the following amendment:

Amend Section One (1), line three (3) by inserting after the word "shall" the following:

" , upon the order of the Board of Supervisors in the years 1933 and 1934."

On the question "Shall the Senate concur?" the vote was:

Ayes, 35.

Anderson	Fisch	Meyer	Schmidt
Aschenbrenner	Geske	Miller of	Shangle
Beardsley	Hicklin	Buchanan	Stanley
Bennett	Hopkins	Miller of Jones	Stevens of
Booth	Hush	Patterson	Decatur
Calhoun	Kimberly	Pendray	Tripp
Carden	Klemme	Reese	Wenner
Coykendall	Knudson	Ritchie	White
Doze	McArthur	Roelofs	Wilson
Elthon			

Nays, none.

Absent or not voting, 15.

Beatty	Frailey	Irwin	Stevens of
Byers	Harrington	Moore	Wapello
Chrystal	Hill	Mullaney	Topping
Cooney	Husted	Nelson	Valentine

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

SENATE INSISTS ON AMENDMENTS TO HOUSE FILE NO. 128

Senator Hicklin moved that the Senate insist on its amendments to House File No. 128.

On the question, "Shall the Senate insist?" the vote was:

Ayes, 32.

Anderson	Fisch	Meyer	Roelofs
Beardsley	Geske	Miller of	Schmidt
Beatty	Hicklin	Buchanan	Shangle
Bennett	Hopkins	Miller of Jones	Stanley
Booth	Hush	Moore	Stevens of
Carden	Irwin	Mullaney	Decatur
Coykendall	Kimberly	Patterson	White
Doze	Klemme	Reese	Wilson
Elthon	McArthur		

Nays, 2.

Pendray	Wenner
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Absent or not voting, 16.

Aschenbrenner	Frailey	Knudson	Topping
Byers	Harrington	Nelson	Tripp
Calhoun	Hill	Ritchie	Valentine
Chrystal	Husted	Stevens of	
Cooney		Wapello	

The Senate insisted upon its amendments to House File No. 128.

**APPOINTMENT OF CONFERENCE COMMITTEE ON
HOUSE FILE NO. 128**

The chair appointed as conference committee, on the part of the Senate, to act on House File No. 128, Senators Moore, Knudson, Anderson and Calhoun.

On motion of Senator Hicklin, the Senate resolved itself into a committee of the whole.

The Senate arose from a committee of the whole and resumed regular session, President N. G. Kraschel presiding.

THIRD READING OF BILLS

On motion of Senator White Substitute for House File No. 73, a bill for an act to establish the general fund for the State of Iowa, for the biennium beginning July 1, 1933, and ending June 30, 1935, and to appropriate therefrom for all departments and various divisions thereof, of the State of Iowa, for all purposes provided by law, for the said biennium, with report of committee of the whole recommending amendment and passage, was taken up and considered.

The bill was read for information.

Senators Irwin and Hicklin offered the following amendment and moved its adoption:

1. Amend Section three (3) by striking out the figures "\$4500.00" in line nineteen (19) and substituting in lieu thereof the figures "\$2500.00".

Roll call was demanded.

Rule 8 was invoked.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 5.

Beardsley	Irwin	Mullaney	Shangle
Hicklin			

Nays, 37.

Anderson	Fisch	McArthur	Reese
Aschenbrenner	Frailey	Meyer	Ritchie
Bennett	Geske	Miller of	Schmidt
Booth	Harrington	Buchanan	Stanley
Calhoun	Hopkins	Miller of Jones	Tripp
Carden	Hush	Moore	Valentine
Chrystal	Husted	Nelson	Wenner
Coykendall	Kimberly	Patterson	White
Doze	Klemme	Pendray	Wilson
Elthon	Knudson		

Absent or not voting, 8.

Beatty	Hill	Stevens of	Stevens of
Byers	Roelofs	Decatur	Wapello
Cooney			Topping

The amendment was lost.

Senators Irwin and Hicklin offered the following amendment and moved its adoption:

2. Amend Section three (3) by striking from line twenty-one (21) the figures "\$3000.00" and substituting in lieu thereof the figures "\$1500.00".

Roll call was demanded.

Rule 8 was invoked.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 5.

Beardsley	Irwin	Mullaney	Shangle
Hicklin			

Nays, 33.

Anderson	Calhoun	Fisch	Hopkins
Aschenbrenner	Carden	Frailey	Hush
Bennett	Coykendall	Geske	Kimberly
Booth	Elthon	Harrington	Klemme

Knudson	Miller of Jones	Ritchie	Valentine
McArthur	Nelson	Schmidt	Wenner
Meyer	Patterson	Stanley	White
Miller of Buchanan	Pendray Reese	Tripp	Wilson

Absent or not voting, 12.

Beatty	Doze	Roelofs	Stevens of
Byers	Hill	Stevens of	Wapello
Chrystal	Husted	Decatur	Topping
Cooney	Moore		

The amendment was lost.

Senators Irwin and Hicklin offered the following amendment and moved its adoption:

3. Amend Section three (3) by striking from line twenty-three (23) the figures "\$4500.00" and substituting in lieu thereof the figures "\$2500.00".

Roll call was demanded.

Rule 8 was invoked.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 6.			
Beardsley	Hicklin	Mullaney	Shangle
Doze	Irwin		

Nays, 33.			
Anderson	Geske	McArthur	Reese
Beatty	Harrington	Meyer	Ritchie
Bennett	Hopkins	Miller of	Schmidt
Booth	Hush	Buchanan	Stanley
Calhoun	Husted	Miller of Jones	Tripp
Carden	Kimberly	Moore	Valentine
Coykendall	Klemme	Nelson	Wenner
Elthon	Knudson	Patterson	White
Frailey		Pendray	

Absent or not voting, 11.			
Aschenbrenner	Fisch	Stevens of	Topping
Byers	Hill	Decatur	Wilson
Chrystal	Roelofs	Stevens of	
Cooney		Wapello	

The amendment was lost.

Senators Irwin and Hicklin offered the following amendment and moved its adoption:

4. Amend Section three (3) by striking from line twenty-seven (27) the figures "\$5500.00" and substituting in lieu thereof the figures "\$2500.00".

Roll call was demanded.

Rule 8 was invoked.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 7.

Beardsley	Irwin	Mullaney	Stevens of
Hicklin	Miller of Jones	Shangle	Wapello

Nays, 34.

Anderson	Elthon	Knudson	Schmidt
Beatty	Fisch	McArthur	Stanley
Bennett	Frailey	Meyer	Stevens of
Booth	Geske	Miller of	Decatur
Calhoun	Harrington	Buchanan	Tripp
Carden	Hopkins	Nelson	Valentine
Chrystal	Hush	Patterson	Wenner
Coykendall	Husted	Reese	White
Doze	Klemme	Ritchie	Wilson

Absent or not voting, 9.

Aschenbrenner	Hill	Moore	Roelofs
Byers	Kimberly	Pendray	Topping
Cooney			

The amendment was lost.

Senators Irwin and Hicklin offered the following amendment and moved its adoption:

5. Amend Section three (3) by striking from line twenty-nine (29) the figures "\$25,000.00" and substituting in lieu thereof the figures "\$10,000.00".

Roll call was demanded.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 12.

Anderson	Irwin	Miller of Jones	Shangle
Beatty	Meyer	Mullaney	Tripp
Doze	Miller of	Pendray	
Hicklin	Buchanan		

Nays, 29.

Bennett	Geske	McArthur	Stanley
Booth	Harrington	Nelson	Stevens of
Calhoun	Hopkins	Patterson	Decatur
Carden	Hush	Reese	Valentine
Coykendall	Husted	Ritchie	Wenner
Elthon	Kimberly	Roelofs	White
Fisch	Klemme	Schmidt	Wilson
Frailey	Knudson		

Absent or not voting, 9

Aschenbrenner	Chrystal	Hill	Stevens of
Beardsley	Cooney	Moore	Wapello
Byers			Topping

The amendment was lost.

Senators Irwin and Hicklin offered the following amendment and moved its adoption:

6. Amend Section three (3) by striking from line thirty-three (33) the figures "\$4500.00" and substituting in lieu thereof the figures "\$2500.00".

Roll call was demanded.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 14.

Anderson	Hicklin	Moore	Stevens of
Beardsley	Irwin	Mullaney	Wapello
Doze	Klemme	Shangle	Wenner
Elthon	Meyer	Stevens of	
		Decatur	

Nays, 28.

Aschenbrenner	Frailey	Miller of	Ritchie
Beatty	Geske	Buchanan	Schmidt
Bennett	Harrington	Miller of Jones	Stanley
Booth	Hopkins	Nelson	Tripp
Calhoun	Husted	Patterson	Valentine
Carden	Kimberly	Pendray	White
Coykendall	McArthur	Reese	Wilson
Fisch			

Absent or not voting, 8.

Byers	Cooney	Hush	Roelofs
Chrystal	Hill	Knudson	Topping

The amendment was lost.

Senator Moore offered the following amendment and moved its adoption:

Amend by striking from line 9 of section 21 the figures "39,750" and inserting in lieu thereof the figures "44,144".

Further amend by striking from line 11, section 21 the figures "44,000" and inserting in lieu thereof the figures "48,394".

The amendment was adopted.

Senator White offered the following amendments and moved their adoption:

Amend section 43 by striking from line 8 the figures "76,097.70" and

inserting in lieu thereof the figures "84,451.00"; also by striking from line 11 the figures "80,597.70" and inserting in lieu thereof the figures "88,951.00".

The amendments were adopted.

Senator White moved that the reading previously had be considered the third reading, which motion prevailed.

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

Ayes, 42.

Anderson	Fisch	McArthur	Roelofs
Aschenbrenner	Frailey	Meyer	Stanley
Beardsley	Geske	Miller of	Stevens of
Beatty	Harrington	Buchanan	Decatur
Bennett	Hopkins	Miller of Jones	Stevens of
Booth	Hush	Moore	Wapello
Calhoun	Husted	Mullaney	Tripp
Carden	Irwin	Patterson	Valentine
Chrystal	Kimberly	Pendray	Wenner
Coykendall	Klemme	Reese	White
Doze	Knudson	Ritchie	Wilson
Elthon			

Nays, 1.

Shangle

Absent or not voting, 7.

Byers	Hicklin	Nelson	Topping
Cooney	Hill	Schmidt	

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

Senator White moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator White, unanimous consent was granted to message Substitute for House File No. 73 to the House immediately

Senator Wilson moved that the Senate remove from the table the motion to reconsider the vote by which the bill passed the Senate.

The motion prevailed.

Senator Wilson moved to reconsider the vote by which the bill passed the Senate.

On the question, "Shall the motion prevail?" the vote was:

Ayes, 40.

Anderson	Harrington	Miller of	Stanley
Aschenbrenner	Hicklin	Buchanan	Stevens of
Beardsley	Hopkins	Miller of Jones	Decatur
Beatty	Hush	Moore	Stevens of
Bennett	Husted	Mullaney	Wapello
Booth	Irwin	Patterson	Tripp
Carden	Kimberly	Pendray	Valentine
Coykendall	Klemme	Reese	Wenner
Doze	Knudson	Ritchie	White
Frailey	McArthur	Schmidt	Wilson
Geske	Meyer	Shangle	

Nays, none.

Absent or not voting, 10.

Byers	Cooney	Hill	Roelofs
Calhoun	Elthon	Nelson	Topping
Chrystal	Fisch		

The motion to reconsider the vote by which the bill passed the Senate prevailed.

Senator Wilson moved to reconsider the vote by which the bill went to its third reading. The motion prevailed.

Action was deferred temporarily.

CONFERENCE COMMITTEE REPORT ON SENATE FILE NO. 477

TO THE PRESIDENT OF THE SENATE:

TO THE SPEAKER OF THE HOUSE:

We, your Conference Committee appointed to consider the differences between the Senate and the House, on Senate File No. 477, a bill for an act to provide a state constitutional convention to consider the ratification or the rejection of amendment or amendments to the Constitution of the United States, beg leave to report that we have given the same our consideration and respectfully report as follows:

1. That the House amendment to the title be amended as follows: Strike the title of the original bill and substitute in lieu thereof the following: "A bill for an Act to provide for a state convention to determine whether an amendment or amendments to the Constitution of the United States, as proposed and submitted by the Congress of the United States, shall be ratified, and for the calling of a special election to elect delegates-at-large to such convention, and making appropriations therefor."

2. That Section One (1) be amended by striking from line four (4) thereof the words "or rejection". Also, by striking from line six (6) of same section the words "a constitutional", and inserting in lieu thereof the word: "such".

3. That section four (4) be amended by striking from line five (5) thereof the word "constitutional".

4. That section five (5) be amended by striking from line two (2) thereof the word "constitutional".

5. That section six (6) be amended by striking from line two (2) thereof the word "constitutional".

6. That section seven (7) be amended by striking from line eight (8) thereof the word "constitutional".

7. That section nine (9) be amended by striking from line four (4) thereof the word "constitutional".

8. That section ten (10) be amended by striking from line three (3) thereof the word "constitutional".

9. That section thirteen (13) be amended by striking from line two (2) thereof the word "constitutional".

10. That section eleven (11) be amended by striking from line five (5) thereof the word "places" and substituting in lieu thereof the word "precincts". Also amend line seventeen (17) by inserting after the word "the" the words "office of the".

11. That section twelve (12) be amended by changing the colon (:) at the end of line two (2) to a comma (,) and inserting immediately below it the words: "Ballot for Voting for Delegates-at-Large to a State Convention". Also, amend lines three (3) and four (4) by inclosing in parentheses the words: "The Proposed Amendment to the Constitution of the United States". Further amend section twelve (12) by inserting between lines five (5) and six (6) the following: "Candidates for Delegates-at-Large to the State Convention". Further amend Section twelve (12) by inserting after line five (5) the following: "Instructions to Voters".

Respectfully submitted,

M. X. GESKE

H. L. IRWIN

E. R. HICKLIN

HOMER HUSH

CARL B. STIGER

JOHN F. BRADY

O. J. DITTO

JOHN H. SCHROEDER

On the part of the Senate.

On the part of the House.

On request of Senator Geske, unanimous consent was granted to consider the report.

On the question, "Shall the report be adopted and the amendments proposed therein concurred in?" the vote was:

Ayes, 39.

Anderson	Geske	Miller of	Stanley
Aschenbrenner	Harrington	Buchanan	Stevens of
Bennett	Hicklin	Miller of Jones	Decatur
Booth	Hopkins	Moore	Stevens of
Carden	Hush	Mullaney	Wapello
Chrystal	Irwin	Pendray	Tripp
Coykendall	Kimberly	Reese	Valentine
Doze	Klemme	Roelofs	Wenner
Elthon	Knudson	Schmidt	White
Fisch	McArthur	Shangle	Wilson
Frailey	Meyer		

Nays, none.

Absent or not voting, 11.

Beardsley	Calhoun	Husted	Ritchie
Beatty	Cooney	Nelson	Topping
Byers	Hill	Patterson	

The report was adopted and the amendments proposed therein concurred in.

On motion of Senator Klemme the Senate recessed until 1:30 p. m. today.

AFTERNOON SESSION

The Senate reconvened at the fall of the gavel, President N. G. Kraschel presiding.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate Files Nos. 481, 98, 176, 130, 311 and 320.

HOMER HUSH, *Chairman Senate Committee.*
WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 481, 98, 176, 130, 311 and 320.

BILLS SENT TO THE GOVERNOR

Senator Hush from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 7th day of April, 1933, sent to the Governor for his approval, Senate Files Nos. 481, 98, 176, 130, 311 and 320.

HOMER HUSH, *Chairman.*

Passed on file.

Senator Stanley submitted the following:

TUCK MEMORIAL RESOLUTION

Whereas, the Hon. John C. Tuck of Corning, Adams County, Iowa, who was a member of the Senate in the Thirty-ninth and Fortieth and Fortieth

Extra General Assemblies representing the Sixth Senatorial District of the State of Iowa, died in his home during the interim between the meeting of the Forty-fourth and the Forty-fifth General Assemblies; therefore,

Be It Resolved by the Senate of the Forty-fifth General Assembly, That a committee of three be appointed to draft suitable resolutions commemorating the life, character and service of this leading farmer and citizen and lawmaker of said district.

On request of Senator Stanley unanimous consent was granted to consider the resolution.

The resolution was unanimously adopted and the President appointed to act on such committee, Senators Stanley, Patterson and White.

On request of Senator Geske, unanimous consent was granted to message conference committee report on Senate File No. 477 to the House immediately.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 366, a bill for an act relating to limitation on action, and to prevent tolling of the statute by certain contingencies.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 583, a bill for an act to amend section fifteen hundred fifty-two (1552), Code, 1931, by defining cigarettes.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 571, a bill for an act to make appropriation to Albert Dickenson Company.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 441, a bill for an act relating to payment of assessments for sidewalks.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 236, a bill for an act relating to kidnapping for ransom.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 482, a bill for an act legalizing the Corporate Acts and Proceedings of Clinton, Davenport & Muscatine Railway Company of Davenport, Iowa, and to provide for the renewal and extension of the Period of Corporate Existence and the Adoption of Renewal, Amended

and substituted articles of Incorporation of said Clinton, Davenport & Muscatine Railway Company.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 478, a bill for an act to amend Substitute for Senate File No. 1, Acts of the 45th General Assembly relating to taxation.

Also, that the House has amended and passed the following bill:

Senate File No. 344, a bill for an act relating to the depositing of securities with the commissioner of insurance, etc.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 310, a bill for an act relating to provision for the rendition of judgments during a recess of the district court, in criminal cases prosecuted on trial information filed by the county attorney.

Also, that the House has failed to pass Senate File No. 291, a bill for an act relating to the taking of land for the rounding of primary road corners.

Also, that the House failed to pass Senate File No. 290, a bill for an act relating to removing the present limitations on the use of primary road funds for the payment of principal and interest of primary road bonds and bonds issued to refund primary road bonds.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 199, a bill for an act relating to intoxicating liquors.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 198, a bill for an act relating to the compromise of personal property taxes.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 189, a bill for an act relating to deposits of clerks and bailiffs of municipal courts.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 160, a bill for an act relating to the appointment of successor, trustees or appointees.

Also, that the House has amended and passed the following bill:

Senate File No. 83, a bill for an act relating to appraisal for inheritance tax purposes.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 368, a bill for an act to authorize the Burlington, Muscatine & Northwestern Railway Company, an Iowa Corporation, to construct, operate and maintain a railroad bridge across the Iowa River at or near the Village of Toolesboro, in Louisa County, Iowa.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 367, a bill for an act relating to certain procedure in drainage districts.

Also, that the House has amended and passed the following bill:

Senate File No. 348, a bill for an act requiring assigned or transferred mortgages to be reported to County Auditor within certain time limit and providing penalty.

Also, that the House has amended and passed the following bill:

Senate File No. 179, a bill for an act relating to workmen's compensation.

Also, that the House has amended and passed the following bill:

Senate File No. 178, a bill for an act relating to workmen's compensation.

LLOYD ELLIS, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE NO. 178

Amend the title, line two (2), by inserting after the "comma (,)" following the word "Code" the following: "1931,".

HOUSE AMENDMENT TO SENATE FILE NO. 179

Amend the title, line two (2), by inserting after the "comma (,)" following the word "Code" the following: "1931,".

HOUSE AMENDMENTS TO SENATE FILE NO. 348

Strike sections four (4) and five (5).

Amend the title by striking the last three words as follows: "and providing penalty".

HOUSE AMENDMENTS TO SENATE FILE NO. 83

1. Amend Section 1 by striking from line four (4) the words "Clerk of the".

2. Further amend Section 1 by striking from line six (6) the word "he" and inserting in lieu thereof "it"; also to strike from line 7 the words "he" and "his" where they appear in said line and insert in lieu thereof the word "it" and "its", respectively.

3. Amend Section 2 by striking from line four (4) the words "Clerk of such".

HOUSE AMENDMENTS TO SENATE FILE NO. 344

Amend Section 1, lines eight (8), fourteen (14) and seventeen (17) by inserting after the word "securities" where the same appears in said lines, the words "and real estate".

HOUSE MESSAGES CONSIDERED

House File No. 366, a bill for an act to amend section ten thousand two hundred ninety-six (10296), code, 1931, relating to limitation on action, and to prevent tolling of the statute by certain contingencies.

Read first and second times and referred to sifting committee.

House File No. 583, a bill for an act to amend section fifteen hundred fifty-two (1552), Code, 1931, by defining cigarettes.

Read first and second times and referred to sifting committee.

House File No. 571, a bill for an act to make an appropriation to the Albert Dickenson Company.

Read first and second times and referred to committee on appropriations.

House File No. 441, a bill for an act to amend section fifty-nine hundred sixty-four (5964) and to repeal section fifty-nine hundred sixty-five (5965) of the Iowa Code, 1931, relating to payment of assessments for sidewalks.

Read first and second times and referred to sifting committee.

House File No. 236, a bill for an act to amend section twelve thousand nine hundred eighty-three (12983), Code, 1931, relating to kidnapping for ransom, by changing the penalty therefor from life imprisonment to death by hanging upon conviction.

Read first and second times and referred to sifting committee.

• THIRD READING OF BILLS

On the motion of Senator Stevens of Wapello Senate File No. 479, a bill for an act providing for the reduction of the salaries and compensations of the public officials of the state, the counties, the towns and townships of the state, whose salaries and compensation are fixed by law, excepting salaries of judges and such others who, under the constitution, are entitled to receive their present salaries during the term of office for which they are elected, providing for the suspension of statutes fixing the present salaries of public officials until March 1, 1935, a sifting committee bill, was taken up and considered.

The bill was read for information.

Senator Wilson moved that Senate File No. 479 be made a special order for Monday, April 10th, at 2:00 p. m.

The motion prevailed.

MOTION TO REREFER

Senator White moved that all bills on the calendar after adjournment this evening be rereferred to the sifting committee.

The motion prevailed.

THIRD READING OF BILLS

On motion of Senator Irwin Senate File No. 248, a bill for an act to repeal the law as it appears in section twenty-five hundred forty-eight (2548), section twenty-five hundred fifty-one (2551), and section twenty-five hundred fifty-four (2554), of the code of Iowa, 1931, and to enact substitutes therefor; relating to the definition of osteopathy, osteopathy and surgery, the requirements necessary to practice osteopathy and osteopathy and surgery, and prohibiting the use of drugs and medicine by osteopaths and osteopathic surgeons, returned by the sifting committee, was taken up and considered.

Senator Beatty moved that action on Senate File No. 248 be deferred and that it retain its place on the calendar and that it be not sent to the sifting committee. The motion was lost.

CONFERENCE COMMITTEE REPORT ON HOUSE FILE NO. 63

MR. PRESIDENT: We, your conference committee appointed to consider the Senate Amendment to House File No. 63, beg leave to report that we have had the same under consideration and desire to recommend:

That the House concur in Senate amendment.

FRANK C. BYERS

M. D. COONEY

VINCENT F. HARRINGTON

CHAS. D. BOOTH

On the part of the Senate.

F. J. SWIFT

MILTON PEACO

W. H. GISSEL

A. W. WOLF

On the part of the House.

REPORT BY THE COMMITTEE OF THE WHOLE

MR. PRESIDENT: The committee of the whole, to which was referred Substitute for House File No. 73, begs leave to report it has had the same under consideration and has instructed that the bill be reported back to the Senate with the recommendation that the bill be amended as follows, and when so amended the bill do pass:

Amend Substitute for House File No. 73 as follows:

Amend Section two (2) as follows:

1. By striking from lines three (3) and four (4), section two (2) the following: "one hundred eighty-six thousand four hundred fifty dollars (\$186,450)" and inserting in lieu thereof the following: "one hundred ninety thousand eight hundred sixty-six dollars (\$190,866)".

2. By striking from line eight (8) the figures "\$183,450" and inserting in lieu thereof the figures "\$187,866".

3. By striking from line eleven (11) the figures "\$186,450" and inserting in lieu thereof the figures "\$190,866".

Amend Section three (3) as follows:

By striking from line 37, section 3 the figures "\$4,040" and inserting in lieu thereof the figures "\$7,040".

Amend Section four (4) as follows:

1. By striking from lines three and four the words and figures "seventy thousand and forty-five dollars and forty cents (\$70,045.40)" and inserting in lieu thereof the words and figures "seventy-nine thousand one hundred forty-five dollars and forty cents (\$79,145.40)".

2. By striking from line 10 the figures "\$59,495.40" and inserting in lieu thereof the figures "\$67,595.40".

Amend Section six (6) as follows:

1. By striking from line seven (7) the figures "\$18,360" and inserting in lieu thereof the figures "\$23,800".

2. By striking from line ten (10) the figures "\$22,860" and inserting in lieu thereof the figures "\$28,300".

Amend Section Twelve (12) as follows:

By striking from line nine (9) the figures "\$22,500" and inserting in lieu thereof the figures "\$27,500".

Amend Section thirteen (13) as follows:

1. By striking the words "Forty-five thousand" in line 8 and the words "Six Hundred Twelve" and figures "\$45,612.00" and inserting in lieu thereof the words and figures, "Forty-Six Thousand Three Hundred Sixty-Two Dollars (\$46,362.00)".

2. By striking the figures "\$2500.00" in line 7 and inserting in lieu thereof the figures "\$2750.00".

3. By striking the figures "\$2500.00" in line 8 and inserting in lieu thereof the figures, "\$2750.00".

4. By striking the figures "\$2500.00" in line 9 and inserting in lieu thereof the figures, "\$2750.00".

5. By striking the figures, "\$13,000.00" in line 16 and inserting in lieu thereof the figures, "\$13,750.00".

6. By striking the figures, "\$45,612.00" in line 31 and inserting in lieu thereof the figures, "\$46,362.00".

7. By striking from line nine the figures "\$2,500" and inserting in lieu thereof the figures "\$3,100".

Amend Section fifteen (15) as follows:

1. By striking from lines three (3) and four (4), the words and figures "Thirty thousand dollars (\$30,000)", and inserting in lieu thereof the words and figures "Fifty thousand dollars (\$50,000)".

2. By striking from lines six (6) and eight (8) the figures "\$30,000" and inserting in lieu thereof the figures "\$50,000".

Amend Section sixteen (16) as follows:

1. By striking from lines three (3) and four (4) the words and figures "Seventy-five thousand dollars (\$75,000)", and inserting in lieu thereof "One hundred five thousand dollars (\$105,000)".

2. By striking from line seven (7) the figures "\$75,000", and inserting in lieu thereof, "\$105,000".

Amend Section eighteen (18) as follows:

1. By striking out the words and figures "Four thousand dollars (\$4,000)" as the same appears in lines three (3) and four (4) thereof and inserting in lieu thereof the words and figures "Five thousand dollars (\$5,000)".

2. By striking out the figures "\$4,000" in line six (6) and inserting in lieu thereof the figures "\$5,000".

Amend Section nineteen (19) as follows:

By striking from line seven (7) the figures "\$9,500" and inserting in lieu thereof the figures "\$10,668".

Amend Section Twenty-one (21) as follows:

1. By striking from line nine (9) the figures "39,750" and inserting in lieu thereof the figures "44,144".

2. By striking from line eleven (11) the figures "44,000" and inserting in lieu thereof the figures "48,394".

3. By striking the figures "\$15,000" in line twenty (20) and inserting in lieu thereof the figures "\$17,094".

4. By striking from lines thirty-one and thirty-four (31 and 34) the figures "\$14,500" and inserting in lieu thereof the figures "\$17,345".

Amend Section twenty-three (23) as follows:

1. By striking from line six (6) the figures "9,000" and inserting in lieu thereof the figures "25,000".

2. By striking from line eight (8) the figures "9,000" and inserting in lieu thereof the figures "25,000".

Amend Section twenty-seven (27) as follows:

By striking from line six (6) the figures "\$2,500" and inserting in lieu thereof the figures "\$2,800".

Amend Section twenty-nine (29) as follows:

By adding at the end of the section after the word "Divisions" in line 15 the following: "to be expended under the supervision of the state librarian".

Amend Section thirty-two as follows:

1. By striking from lines three (3) and four (4) the words and figures "Twenty-five thousand seven hundred twenty dollars and twenty cents (\$25,720.20)" and inserting in lieu thereof the words and figures "Twenty-six thousand nine hundred twenty dollars and twenty cents (\$26,920.20)".

2. By striking from line eight the figures "\$17,350.20" and inserting in lieu thereof the figures "\$18,550.20".

3. By striking from line eleven (11) the figures "\$25,720.20" and inserting in lieu thereof the figures "\$26,920.20".

Amend Section thirty-four (34) as follows:

By adding in line thirteen (13) after the word "Associations" the following "State Teachers Associations,".

Amend Section thirty-six (36) as follows:

1. Strike from line 11 the figures "4,500" and insert in lieu thereof the figures "4,450".

2. By striking from line (10) the figures "50,000" and inserting in lieu thereof the figures "90,000".

3. By striking from lines three (3) and four (4) the words and figures "Four hundred thirty-six thousand four hundred fifty dollars (\$436,450)" and inserting in lieu thereof the words and figures "Three hundred eighty-one thousand four hundred fifty dollars (\$381,450)".

Amend Section forty (40) as follows:

By striking from line six (6) the figures "\$3,000" and inserting in lieu thereof the following: "\$3,127.60".

Amend Section forty-one (41) as follows:

By striking from line eight (8) the figures "\$14,904" and inserting in lieu thereof the figures "\$17,604".

Amend Section Forty-three (43) as follows:

1. By striking from line eight (8) the figures "\$76,097.70" and inserting in lieu thereof the figures "\$84,451".

2. By striking from line eleven (11) the figures "\$80,597.70" and inserting in lieu thereof the figures "\$88,951.00".

Amend Section Forty-four (44) as follows:

By striking lines six (6), seven (7), and eight (8) and inserting in lieu thereof the following:

"For Salary of Director of the Vocational Education Division
and Civilian Rehabilitation Division.....\$ 3,000
For Salaries, Support, Maintenance and Miscellaneous Pur-
poses for all divisions..... 29,799.20"

Amend Section Forty-five (45) as follows:

1. By striking from line forty-three (43) the figures "\$279,000" and inserting in lieu thereof the figures "\$288,536".

2. By inserting in line nineteen (19) after the word "Mitchellville" the following words and figures: "There is hereby appropriated as a special appropriation for new boiler plant and equipment at the Institution for Feeble Minded Children at Glenwood, Iowa, the sum of sixty-five thousand dollars (\$65,000.00) or so much thereof as may be necessary, the same to be available upon the taking effect of this act, and".

3. By striking from lines twenty (20) and twenty-one (21) the following words and figures: "three million eight hundred ninety-nine thousand two hundred dollars (\$3,899,200)" and inserting in lieu thereof the following words and figures: "three million five hundred sixty-three thousand two hundred dollars (\$3,563,200)".

4. By striking from line two hundred five (205) the figures "\$3,899,200" and inserting in lieu thereof the figures "\$3,563,200".

5. By striking therefrom lines forty-four (44) to forty-six (46) inclusive.

6. By inserting after line one hundred ten (110) thereof the following: "Provided, however, that in the appropriation herein made the Board of Control shall so allocate said appropriation that every employee of the penitentiary at Fort Madison shall have one day vacation out of every consecutive seven days."

7. By inserting after line one hundred twenty-one (121) the following: "Provided, however, that in the appropriation herein made the Board of Control shall so allocate said appropriation that every employee of the men's reformatory at Anamosa shall have one day vacation out of every consecutive seven days."

Amend Section forty-six (46) as follows:

1. By striking from lines thirty-seven (37) and thirty-eight (38) the words and figures "Four hundred sixty-two thousand two hundred dol-

lars and eighty cents (\$462,200.80)" and inserting in lieu thereof the following: "Four hundred ninety-one thousand, eighty-nine dollars (\$491,089.00)".

2. By striking from line fifty-two (52) the figures "\$10,000" and inserting in lieu thereof the figures "\$9,000".

Amend Section forty-seven (47) as follows:

By striking from lines five (5) and six (6) the words, "committee on retrenchment and reform" and substituting therefor the words, "Executive Council".

Amend Section fifty (50) as follows:

By striking from line seven (7) the figures "\$17,814.60" and substituting therefor the figures "\$20,000".

Amend Section fifty-four (54) as follows:

By striking from line ten (10) the figures "1,500.00" and inserting in lieu thereof the figures "1,600.00".

Amend Section fifty-six (56) as follows:

By striking Section fifty-six (56) and inserting in lieu thereof the following:

"Sec. 56. For the department of the Motor Vehicle there is hereby appropriated for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, the sum of seventy-one thousand four hundred forty dollars (\$71,740) or so much thereof as may be necessary, to be used in the following manner:

For salary of Superintendent.....\$3,000

For Salaries, Support, Maintenance and Miscellaneous Purposes 104,740

Grand total of all appropriations for all purposes for each year of the biennium for the Motor Vehicle Department....\$107,740

Provided, that no part of such compensation, nor the expenses of such employees which have been provided by law shall be paid from the general fund of the state but shall be paid from that part of the motor licenses allocated to the motor vehicle department as provided for in Section 4999 of the Code.

Other expenditures of the department are to be paid in a like manner and said amount including salaries and expenses shall not exceed the amount allocated in Section 4999 of the Code."

N. G. KRASCHEL, *Chairman*.

AMENDMENTS FILED

Amend Senate File No. 443 as follows:

"Amend Section 1 by striking all of said section following the word "that" in line six (6) and inserting in lieu thereof the following:

"the laws pertaining to redemption from tax deeds be broadened."

"Amend Section 2 by striking all of said section and substituting in lieu thereof the following:

"Sec. 2. From and after the taking effect of this act, it is declared that the emergency referred to in Section 1 hereof constitutes sufficient equitable grounds for the redemption of real estate from tax sale after deed has issued. The owner of any tract of real estate whose title shall

have been divested by tax deed after the taking effect of this act and prior to March 1st, 1935, shall have the period of two years from and after the issuance of such deed to make redemption therefrom from the person holding title by virtue thereof; such redemption rights shall be prior to any conveyance, lien, or encumbrance of or against the real estate made subsequent to the tax deed; the redemption if not voluntarily accepted may be enforced by civil action as provided in Section 7278, 1931 Code of Iowa." G. W. PATTERSON.

Amend Senate File No. 479 as follows:

By striking the comma (,) after the word "court" and before the word "nor" in line 3 of section 3 and add the following words "or of any sheriff". MIKE G. FISCH.

Amend Senate File No. 323 as follows:

1. Strike out sections one (1) and ten (10) and renumber the remaining sections in numerical order.

2. Amend section two (2) by striking from lines five (5) and six (6) thereof the words "so prescribed for his office" and inserting in lieu thereof the words "as prescribed by law".

3. Amend the title by striking out all after the words "An Act to" and inserting in lieu thereof the following:

"repeal sections one hundred twelve (112), one hundred thirteen (113), one hundred fourteen (114), one hundred sixteen (116), one hundred seventeen (117), one hundred twenty (120), one hundred twenty-four (124), and one hundred twenty-six (126), code 1931, and to enact substitutes therefor relating to the financial reports and records of counties, cities, and towns, and to the auditing of the financial records of counties, schools, cities, and towns." E. R. HICKLIN.

On motion of Senator Harrington the Senate adjourned until 10:00 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 8, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. Gordon Dale Cox, Ex-Army Chaplain, of Ottumwa.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Stevens of Decatur for the day, on request of Senator Shangle; Senator Patterson for the day, on request of Senator Shangle; Senator Cooney for the day, on request of Senator Hicklin; Senator Elthon for the day, on request of Senator Ritchie; Senator Carden for the day, on request of Senator Stanley.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Favoring prohibition. Senator Wenner from the Presbyterian Church of Cedar Falls, Iowa. Judiciary No. 1.

Favoring passage of House File No. 461. Senator Wenner from merchants of Waterloo. Senator Ritchie from citizens of Newell. Senator Hush from residents of Mills County. Senator Harrington from residents of Danbury. Senator Valentine from merchants of Bayard, Waterloo, Tama and Marion; and residents of Emerson, Creston, Randolph, Sidney, Malvern, Bridgewater, Stanton, Griswold, Ottumwa, Macedonia, Essex, Red Oak, Pacific Junction, Fontanelle, Massena, Orient, Elliott, Farragut, Riverton and Clearfield. Sifting committee.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the governor announcing that on April 1, 1933, he had signed Senate File No. 221, relating

to motor vehicles turning to right when overtaken and the passing of vehicles near crests of hills.

Also, that on April 7, 1933, he had signed the following bills: Senate File No. 331, relating to granting of franchise by the town of Rowley, Iowa; Senate File No. 480, relating to school privileges; Senate File No. 279 relating to appropriation to Frank D. Paine; Senate File No. 448, an appropriation to Sprole and Senate File No. 317, relating to assessment of water works plants.

INTRODUCTION OF BILLS

Senate File No. 491, by sifting committee, a bill for an act to amend sections nineteen hundred twenty-three (1923), twenty hundred seventy-two (2072), twenty-one hundred thirty (2130) and twenty-one hundred thirty-six (2136), Code 1931, all relating to intoxicating liquors; to provide revenue by taxation of certain non-intoxicating liquors and to license and regulate the manufacture and sale thereof.

Read first and second times and placed on the calendar.

SIFTING COMMITTEE REPORT

MR. PRESIDENT: Your Sifting Committee begs leave to advise they have had the following bills under consideration and reports out the following to be placed on the calendar of the Senate:

H. F. No. 323	S. F. No. 89
H. F. No. 324	H. F. No. 539
H. F. No. 325	S. F. No. 297
H. F. No. 327	H. F. No. 565
H. F. No. 330	H. F. No. 301
H. F. No. 334	H. F. No. 341
H. F. No. 335	H. F. No. 280
S. F. No. 484	H. F. No. 277
S. F. No. 485	H. F. No. 342
H. F. No. 344	

Your Sifting Committee also reports out as a committee bill Senate File No. 491, a bill for an act to amend sections nineteen hundred twenty-three (1923), twenty hundred seventy-two (2072), twenty-one hundred thirty (2130) and twenty-one hundred thirty-six (2136), Code 1931, relating to intoxicating liquors, etc.

JOHN K. VALENTINE, *Chairman.*

Senator Hill asked unanimous consent to withdraw from the sifting committee House File No. 101.

Senator Harrington objected.

Senator Wilson was called to the chair at 10:25 a. m.

CONSIDERATION OF CONFERENCE COMMITTEE
REPORT ON HOUSE FILE NO. 63

Senator Byers called up for consideration the report of conference committee on House File No. 63, found on page 1001 of the Senate Journal.

On the question, "Shall the report be adopted?" the vote was:

Ayes, 28.

Anderson	Fisch	Meyer	Stanley
Beatty	Harrington	Miller of Jones	Stevens of
Bennett	Hicklin	Mullaney	Wapello
Booth	Hill	Pendray	Tripp
Byers	Hush	Reese	Wenner
Calhoun	Kimberly	Ritchie	White
Coykendall	Klemme	Shangle	Wilson
Doze	Knudson		

Nays, none.

Absent or not voting, 22.

Aschenbrenner	Frailey	Miller of	Schmidt
Beardsley	Geske	Buchanan	Stevens of
Carden	Hopkins	Moore	Decatur
Chrystal	Husted	Nelson	Topping
Cooney	Irwin	Patterson	Valentine
Elthon	McArthur	Roelofs	

The report was adopted.

THIRD READING OF BILLS

On motion of Senator Hill House File No. 565, a bill for an act to make permanent the transfers of county funds in Floyd County to the poor fund and to the soldiers' relief fund from the road construction fund, where said transfers were originally made with the approval of the Director of the Budget, returned by the sifting committee, was taken up, and considered.

The bill was read for information.

Senator Hill moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 28.

Anderson	Fisch	Klemme	Shangle
Beatty	Geske	Knudson	Stevens of
Bennett	Harrington	Meyer	Wapello
Booth	Hicklin	Miller of Jones	Tripp
Byers	Hill	Mullaney	Wenner
Chrystal	Hopkins	Pendray	White
Cooney	Irwin	Reese	Wilson
Doze	Kimberly		

Nays, none.

Absent or not voting, 22.

Aschenbrenner	Frailey	Moore	Stanley
Beardsley	Hush	Nelson	Stevens of
Calhoun	Husted	Patterson	Decatur
Carden	McArthur	Ritchie	Topping
Coykendall	Miller of	Roelofs	Valentine
Elthon	Buchanan	Schmidt	

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

HOUSE AMENDMENTS CONSIDERED

Senator Stanley called up for consideration Senate File No. 83, amended by the House, and moved that the Senate concur in the following amendments:

1. Amend Section 1 by striking from line four (4) the words "Clerk of the".

2. Further amend Section 1 by striking from line six (6) the word "he" and inserting in lieu therefor "it"; also to strike from line 7 the words "he" and "his" where they appear in said line and insert in lieu thereof the word "it" and "its", respectively.

3. Amend Section 2 by striking from line four (4) the words "Clerk of such".

On the question "Shall the Senate concur?" the vote was:

Ayes, 32.

Anderson	Geske	Klemme	Roelofs
Beardsley	Harrington	Knudson	Shangle
Beatty	Hicklin	Meyer	Stanley
Bennett	Hill	Miller of Jones	Stevens of
Booth	Hopkins	Mullaney	Wapello
Byers	Hush	Pendray	Wenner
Calhoun	Irwin	Reese	White
Doze	Kimberly	Ritchie	Wilson
Fisch			

Nays, none.

Absent or not voting, 18.

Aschenbrenner	Frailey	Moore	Stevens of
Carden	Husted	Nelson	Decatur
Chrystal	McArthur	Patterson	Topping
Cooney	Miller of	Schmidt	Tripp
Coykendall	Buchanan		Valentine
Elthon			

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Valentine called up for consideration Senate File No.

178, amended by the House, and moved that the Senate concur in the following amendment:

Amend the title, line two (2), by inserting after the "comma (,)" following the word "Code" the following: "1931,".

On the question "Shall the Senate concur?" the vote was:

Ayes, 30.

Anderson	Harrington	Meyer	Stanley
Bennett	Hill	Miller of Jones	Stevens of
Booth	Hopkins	Mullaney	Wapello
Byers	Hush	Pendray	Valentine
Calhoun	Irwin	Reese	Wenner
Chrystal	Kimberly	Ritchie	White
Doze	Klemme	Roelofs	Wilson
Fisch	Knudson	Shangle	

Nays, none.

Absent or not voting, 20.

Aschenbrenner	Elthon	Miller of	Schmidt
Beardsley	Frailey	Buchanan	Stevens of
Beatty	Geske	Moore	Decatur
Carden	Hicklin	Nelson	Topping
Cooney	Husted	Patterson	Tripp
Coykendall	McArthur		

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Valentine called up for consideration Senate File No. 179, amended by the House, and moved that the Senate concur in the following amendment:

Amend the title, line two (2), by inserting after the "comma (,)" following the word "Code" the following: "1931,".

On the question "Shall the Senate concur?" the vote was:

Ayes, 31.

Anderson	Harrington	Meyer	Shangle
Beatty	Hill	Miller of Jones	Stanley
Bennett	Hopkins	Mullaney	Stevens of
Booth	Hush	Pendray	Wapello
Byers	Irwin	Reese	Valentine
Calhoun	Kimberly	Ritchie	Wenner
Chrystal	Klemme	Roelofs	White
Doze	Knudson	Schmidt	Wilson

Nays, none.

Absent or not voting, 19.

Aschenbrenner	Carden	Coykendall	Fisch
Beardsley	Cooney	Elthon	Frailey

Geske
Hicklin
Husted

McArthur
Miller of
Buchanan

Moore
Nelson
Patterson

Stevens of
Decatur
Topping
Tripp

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Knudson called up for consideration Senate File No. 344, amended by the House, and moved that the Senate concur in the following amendment:

Amend Section 1, lines eight (8), fourteen (14) and seventeen (17) by inserting after the word "securities" where the same appears in said lines, the words "and real estate".

On the question "Shall the Senate concur?" the vote was:

Ayes, 30.

Anderson
Beardsley
Beatty
Bennett
Booth
Byers
Calhoun
Harrington

Hill
Hopkins
Hush
Irwin
Kimberly
Klemme
Knudson
Meyer

Miller of Jones
Mullaney
Pendray
Reese
Ritchie
Roelofs
Schmidt
Shangle

Stanley
Stevens of
Wapello
Valentine
Wenner
White
Wilson

Nays, none.

Absent or not voting, 20.

Aschenbrenner
Carden
Chrystal
Cooney
Coykendall
Doze

Elthon
Fisch
Frailey
Geske
Hicklin
Husted

McArthur
Miller of
Buchanan
Moore
Nelson

Patterson
Stevens of
Decatur
Topping
Tripp

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has adopted the conference committee report on Senate File No. 477, a bill for an act to provide for a State Constitutional Convention to consider the ratification or rejection of amendment or amendments to the Constitution of the United States.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 483, a bill for an act to provide for the reorganization of savings banks, state banks, private banks and trust companies.

Also, that the House has amended and passed Senate File No. 267, a bill for an act relating to the duration of judgments and the limitations of actions on judgments.

LLOYD ELLIS, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE NO. 267

Amend section 1, line 3, by striking therefrom the words "claim for rent" and inserting in lieu thereof the words "in any action on a claim for rent".

Amend section 2, by adding thereto the following:

"Provided, however, that nothing herein shall prevent the continuance of such judgment in force for a longer period by the voluntary written stipulation of the parties, filed in said cause."

THIRD READING OF BILLS

On motion of Senator Harrington House File No. 344, a bill for an act to amend section twelve thousand three hundred ninety-six (12396), Code, 1931, relating to nuisances, and to provide that any object or structure over fifty feet high hereafter erected or maintained within one thousand feet of the limits of any municipal airport which may endanger or obstruct aerial navigation is a nuisance, returned by the sifting committee, was taken up, and considered.

Senator Harrington offered the following amendment and moved its adoption:

Amend by striking from lines 4 and 5 of section 1, the words "or maintained".

The amendment was adopted.

The bill was read for information.

Senator Harrington moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 12.

Anderson
Beatty
Chrystal
Frailey

Geske
Harrington
Mullaney

Pendray
Roelofs
Schmidt

Stevens of
Wapello
Topping

Nays, 11.

Beardsley
Kimberly
Klemme

Meyer
Ritchie
Shangle

Stanley
Valentine
Wenner

White
Wilson

Absent or not voting, 27.

Aschenbrenner	Doze	Husted	Moore
Bennett	Elthon	Irwin	Nelson
Booth	Fisch	Knudson	Patterson
Byers	Hicklin	McArthur	Reese
Calhoun	Hill	Miller of	Stevens of
Carden	Hopkins	Buchanan	Decatur
Cooney	Hush	Miller of Jones	Tripp
Coykendall			

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

MOTION TO RECONSIDER

Senator Kimberly moved to reconsider the vote by which House File No. 344 failed to pass the Senate.

On motion of Senator Frailey, House File No. 323, a bill for an act to amend section fifty-two hundred twenty-eight (5228), code, 1931, relating to the amount of the County Attorney's salary in counties having a population of over fifty thousand, returned by the sifting committee, was taken up, and considered.

The bill was read for information.

Senator Frailey moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 38.

Anderson	Fisch	Klemme	Shangle
Beardsley	Frailey	Knudson	Stanley
Beatty	Geske	Meyer	Stevens of
Bennett	Harrington	Miller of Jones	Wapello
Booth	Hicklin	Mullaney	Topping
Byers	Hill	Pendray	Valentine
Calhoun	Hopkins	Reese	Wenner
Chrystal	Hush	Ritchie	White
Coykendall	Irwin	Roelofs	Wilson
Doze	Kimberly	Schmidt	

Nays, none.

Absent or not voting, 12.

Aschenbrenner	Elthon	Miller of	Patterson
Carden	Husted	Buchanan	Stevens of
Cooney	McArthur	Moore	Decatur
		Nelson	Tripp

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

On motion of Senator Frailey, House File No. 324, a bill for an act to amend section fifty-two hundred twenty-four (5224), code, 1931, relating to the amount of the County Recorder's Salary in counties having a population of over fifty thousand (50,000), where district court is held in two places, returned by the sifting committee, was taken up, and considered.

The bill was read for information.

Senator Frailey moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 33.

Anderson	Doze	Knudson	Stanley
Beardsley	Fisch	Miller of Jones	Stevens of
Beatty	Frailey	Pendray	Wapello
Bennett	Geske	Reese	Topping
Booth	Hill	Ritchie	Valentine
Byers	Hopkins	Ruelofs	Wenner
Calhoun	Irwin	Schmidt	White
Chrystal	Kimberly	Shangle	Wilson
Coykendall	Klemme		

Nays, none.

Absent or not voting, 17.

Aschenbrenner	Hicklin	Miller of	Patterson
Carden	Hush	Buchanan	Stevens of
Cooney	Husted	Moore	Decatur
Elthon	McArthur	Mullaney	Tripp
Harrington	Meyer	Nelson	

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

On motion of Senator Frailey, House File No. 325, a bill for an act to amend section fifty-two hundred thirty-one (5231), code, 1931, relating to the amount of the salary of the Deputy Clerk of the District Court in counties having a population of over fifty thousand (50,000), where District Court is held in two places, returned by the sifting committee, was taken up, and considered.

The bill was read for information.

Senator Frailey moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 31.

Anderson	Doze	Knudson	Shangle
Beardsley	Fisch	Meyer	Stanley
Beatty	Frailey	Miller of Jones	Topping
Bennett	Geske	Pendray	Valentine
Booth	Hill	Reese	Wenner
Byers	Hopkins	Ritchie	White
Calhoun	Irwin	Roeolofs	Wilson
Coykendall	Klemme	Schmidt	

Nays, none.

Absent or not voting, 19.

Aschenbrenner	Hicklin	Miller of	Stevens of
Carden	Hush	Buchanan	Decatur
Chrystal	Husted	Moore	Stevens of
Cooney	Kimberly	Mullaney	Wapello
Elthon	McArthur	Nelson	Tripp
Harrington		Patterson	

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

On motion of Senator Frailey, House File No. 327, a bill for an act to amend section fifty-two hundred thirty (5230), code, 1931, relating to the amount of the salary of the Clerk of the District Court in counties having a population of over fifty thousand (50,000), where District Court is held in two places, returned by sifting committee, was taken up, and considered.

The bill was read for information.

Senator Frailey moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 33.

Anderson	Frailey	Knudson	Schmidt
Beatty	Geske	Meyer	Shangle
Bennett	Harrington	Miller of Jones	Stanley
Booth	Hopkins	Mullaney	Topping
Byers	Hush	Pendray	Valentine
Calhoun	Irwin	Reese	Wenner
Coykendall	Kimberly	Ritchie	White
Doze	Klemme	Roeolofs	Wilson
Fisch			

Nays, none.

Absent or not voting, 17.

Aschenbrenner	Elthon	Miller of	Stevens of
Beardsley	Hicklin	Buchanan	Decatur
Carden	Hill	Moore	Stevens of
Chrystal	Husted	Nelson	Wapello
Cooney	McArthur	Patterson	Tripp

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

On motion of Senator Frailey, House File No. 330, a bill for an act to amend section fifty-two hundred twenty-two (5222), Code, 1931, relating to the amount of the County Treasurer's salary in counties over twenty-five thousand (25,000) population having a special charter City and counties over fifty thousand (50,000) population where district court is held in two places, returned by the sifting committee, was taken up, and considered.

The bill was read for information.

Senator Frailey moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 33.

Anderson	Frailey	Knudson	Schmidt
Beatty	Geske	Meyer	Shangle
Bennett	Harrington	Miller of Jones	Stanley
Booth	Hopkins	Mullaney	Topping
Byers	Hush	Pendray	Valentine
Calhoun	Irwin	Reese	Wenner
Coykendall	Kimberly	Ritchie	White
Doze	Klemme	Roelofs	Wilson
Fisch			

Nays, none.

Absent or not voting, 17.

Aschenbrenner	Elthon	Miller of	Stevens of
Beardsley	Hicklin	Buchanan	Decatur
Carden	Hill	Moore	Stevens of
Chrystal	Husted	Nelson	Wapello
Cooney	McArthur	Patterson	Tripp

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

On motion of Senator Frailey, House File No. 334, a bill for an act to amend section fifty-two hundred twenty (5220), Code, 1931, relating to the amount of the county auditor's salary in counties having a population of over fifty thousand (50,000), where District Court is held in two places, returned by the sifting committee, was taken up, and considered.

The bill was read for information.

Senator Frailey moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 34.

Anderson	Frailey	Knudson	Schmidt
Bennett	Geske	Meyer	Shangle
Booth	Harrington	Miller of Jones	Stanley
Byers	Hill	Mullaney	Topping
Calhoun	Hopkins	Pendray	Valentine
Chrystal	Hush	Reese	Wenner
Coykendall	Irwin	Ritchie	White
Doze	Kimberly	Roelofs	Wilson
Fisch	Klemme		

Nays, none.

Absent or not voting, 16.

Aschenbrenner	Elthon	Miller of	Stevens of
Beardsley	Hicklin	Buchanan	Decatur
Beatty	Husted	Moore	Stevens of
Carden	McArthur	Nelson	Wapello
Cooney		Patterson	Tripp

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

On motion of Senator Frailey, House File No. 335, a bill for an act to amend section fifty-two hundred twenty-six (5226), Code, 1931, relating to the amount of the Sheriff's salary in counties having a population of over fifty thousand, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Frailey moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 34.

Anderson	Geske	Meyer	Stanley
Bennett	Harrington	Miller of Jones	Stevens of
Booth	Hill	Mullaney	Wapello
Byers	Hopkins	Pendray	Topping
Calhoun	Hush	Reese	Valentine
Coykendall	Irwin	Ritchie	Wenner
Doze	Kimberly	Roelofs	White
Fisch	Klemme	Schmidt	Wilson
Frailey	Knudson	Shangle	

Nays, none.

Absent or not voting, 16.

Aschenbrenner	Cooney	Miller of	Patterson
Beardsley	Elthon	Buchanan	Stevens of
Beatty	Hicklin	Moore	Decatur
Carden	Husted	Nelson	Tripp
Chrystal	McArthur		

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

On motion of Senator Frailey, Senate File No. 484, a bill for an act so to amend chapter two hundred sixty-one (261), Code, 1931, and various sections of said chapter, as to eliminate certain unnecessary allowances to county officers as salary in counties which now or hereafter have a population of less than sixty thousand (60,000) and which now or hereafter may have two county seats at each of which district court is regularly held, and to fix in such counties the salary of certain county officers and of the first or chief deputy of each of said officers, returned by the sifting committee, was taken up, and considered.

The bill was read for information.

Senator Frailey moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 33.

Anderson	Frailey	Klemme	Roelofs
Beardsley	Geske	Knudson	Shangle
Bennett	Harrington	Meyer	Stanley
Booth	Hill	Miller of Jones	Topping
Byers	Hopkins	Mullaney	Valentine
Calhoun	Hush	Pendray	Wenner
Coykendall	Irwin	Reese	White
Doze	Kimberly	Ritchie	Wilson
Fisch			

Nays, none.

Absent or not voting, 17.

Aschenbrenner	Elthon	Moore	Stevens of
Beatty	Hicklin	Nelson	Decatur
Carden	Husted	Patterson	Stevens of
Chrystal	McArthur	Schmidt	Wapello
Cooney	Miller of		Tripp
	Buchanan		

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

On request of Senator Frailey unanimous consent was granted to message to the House immediately House Files Nos. 323, 324, 325, 327, 330, 334, 335 and Senate File No. 484.

On motion of Senator Valentine, House File No. 280, a bill for an act to amend section forty-six hundred thirty-one (4631), Code,

1931, relating to the location, alteration, changing and abandonment of highways and roads so as to give the Board of Conservation additional powers relative thereto, returned by the sifting committee, was taken up, and considered.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 31.

Anderson	Fisch	Klemme	Schmidt
Beardsley	Frailey	Knudson	Shangle
Bennett	Geske	Meyer	Topping
Booth	Harrington	Miller of Jones	Valentine
Byers	Hicklin	Mullaney	Wenner
Calhoun	Hill	Pendray	White
Coykendall	Irwin	Ritchie	Wilson
Doze	Kimberly	Roelofs	

Nays, none.

Absent or not voting, 19.

Aschenbrenner	Hopkins	Moore	Stevens of
Beatty	Hush	Nelson	Decatur
Carden	Husted	Patterson	Stevens of
Chrystal	McArthur	Reese	Wapello
Cooney	Miller of	Stanley	Tripp
Elthon	Buchanan		

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

On motion of Senator Valentine, House File No. 277, a bill for an act authorizing the Board of Conservation to designate certain persons as peace officers, returned by the sifting committee, was taken up, and considered.

Senator Valentine offered the following amendment and moved its adoption:

"Amend Section one (1) line six (6) by striking the period following the word "officers" and add the following: "while in the performance of their official duties."

The amendment was adopted.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 33.

Anderson	Frailey	Knudson	Schmidt
Beardsley	Geske	Meyer	Shangle
Bennett	Hicklin	Miller of Jones	Stanley
Booth	Hill	Mullaney	Topping
Byers	Hopkins	Pendray	Valentine
Calhoun	Hush	Reese	Wenner
Chrystal	Irwin	Ritchie	White
Coykendall	Klemme	Roelofs	Wilson
Fisch			

Nays, none.

Absent or not voting, 17.

Aschenbrenner	Elthon	Miller of	Stevens of
Beatty	Harrington	Buchanan	Decatur
Carden	Husted	Moore	Stevens of
Cooney	Kimberly	Nelson	Wapello
Doze	McArthur	Patterson	Tripp

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

On motion of Senator Valentine, House File No. 342, a bill for an act to relinquish any claim, right, title or interest for or on behalf of the State of Iowa in and to certain real estate now known as Flanders-Bixby State Park in Marion County, Iowa, returned by the sifting committee, was taken up, and considered.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 31.

Anderson	Fisch	Meyer	Shangle
Beardsley	Frailey	Miller of Jones	Stanley
Bennett	Geske	Mullaney	Topping
Booth	Hicklin	Pendray	Valentine
Calhoun	Hopkins	Reese	Wenner
Chrystal	Hush	Ritchie	White
Coykendall	Klemme	Roelofs	Wilson
Doze	Knudson	Schmidt	

Nays, none.

Absent or not voting, 19.

Aschenbrenner	Harrington	Miller of	Stevens of
Beatty	Hill	Buchanan	Decatur
Byers	Husted	Moore	Stevens of
Carden	Irwin	Nelson	Wapello
Cooney	Kimberly	Patterson	Tripp
Elthon	McArthur		

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

CONSIDERATION OF SUBSTITUTE FOR HOUSE FILE NO 73
RESUMED

Senator White moved that the report of committee of the whole as found on page 1002 of the Senate Journal be adopted.

The report was adopted.

Senator White moved the adoption of the amendments therein proposed.

The amendments were adopted.

The bill was read for information.

Senator White moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 31.

Anderson	Frailey	Knudson	Schmidt
Bennett	Geske	Meyer	Stanley
Byers	Hicklin	Miller of Jones	Topping
Calhoun	Hill	Mullaney	Valentine
Chrystal	Hopkins	Pendray	Wenner
Coykendall	Hush	Reese	White
Doze	Irwin	Ritchie	Wilson
Fisch	Kimberly	Roelofs	

Nays, 1.

Shangle

Absent or not voting, 18.

Aschenbrenner	Elthon	Miller of	Stevens of
Beardsley	Harrington	Buchanan	Decatur
Beatty	Husted	Moore	Stevens of
Booth	Klemme	Nelson	Wapello
Carden	McArthur	Patterson	Tripp
Cooney			

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

On request of Senator White unanimous consent was granted to message substitute for House File No. 73 to the House immediately.

The Journal of April 7th was corrected and approved.

AMENDMENTS FILED

Amend the Sifting Committee Bill No. 479 by striking out all after the enacting clause and substituting therefor the following:

STATE OFFICERS

Section 1. (Secretary of State) Amend section eighty-eight-c one (88-c1), Code 1931, by striking from line two (2) the words "five thousand" and substituting therefor the words "four thousand five hundred".

Sec. 2. (Auditor of State) Amend section one hundred thirty-c one (130-c1), Code 1931, by striking from line two (2) the words "five thousand" and substituting therefor the words "four thousand five hundred".

Sec. 3. (Attorney-General) Amend section one hundred fifty-three-c one (153-c1), Code 1931, by striking from line two (2) the words "six thousand" and substituting therefor the words "five thousand four hundred".

Sec. 4. (Deputy Fish and Game Wardens) Amend section seventeen hundred three-d twenty-two (1703-d22), Code 1931, by striking from line three (3) the words "two thousand" and substituting therefor the words "fifteen hundred".

Sec. 5. (Secretary of Agriculture) Amend section twenty-six hundred three-c one (2603-c1), Code 1931, by striking from line two (2) the words "five thousand" and substituting therefor the words "four thousand five hundred".

Sec. 6. (Secretary of Fair Board) Amend section twenty-eight hundred eighty-two (2882), Code 1931, by striking from line four (4) the words "five thousand" and substituting therefor the words "three thousand five hundred".

Sec. 7. (Employees of Executive Committee) Amend section twenty-nine hundred forty-seven (2947), Code 1931, by striking from lines seven (7) and eight (8) the words "three thousand" and substituting therefor the words "two thousand".

Sec. 8. (Employees of Executive Committee) Amend section twenty-nine hundred fifty-two (2952), Code 1931, by striking from line seven (7) the words "three thousand" and substituting therefor the words "two thousand".

Sec. 9. (Superintendent of Soldiers' Home) Amend section thirty-three hundred seventy-three (3373), Code 1931, by striking from line three (3) the words "twenty-eight hundred" and substituting therefor the words "two thousand."

Sec. 10. (Superintendent of Sanitarium at Oakdale) Amend section thirty-three hundred eighty-eight (3388), Code 1931, by striking from lines three (3) and four (4) the words "twenty-five hundred" and substituting therefor the words "two thousand two hundred fifty".

Sec. 11. (Superintendent of Glenwood School for Feeble-minded) Amend section thirty-four hundred three (3403), Code 1931, by striking from line two (2) the words "three thousand" and substituting therefor the words "two thousand seven hundred".

Sec. 12. (Superintendent of School for Epileptic) Amend section

thirty-four hundred eighty-six (3486), Code 1931, by striking from lines four (4) and five (5) the words "three thousand" and substituting therefor the words "two thousand seven hundred".

Sec. 13. (Superintendent of Hospital for Insane) Amend section thirty-four hundred eighty-six (3486), Code 1931, by striking from line three (3) the words "three thousand" and substituting therefor the words "two thousand seven hundred".

Sec. 14. (Probation Officers) Amend section thirty-six hundred twelve (3612), Code 1931, by striking from subsection two (2), line seven (7) the words "fifteen hundred" and substituting therefor the words "thirteen hundred fifty"; line nine (9) the words "twelve hundred" and substituting therefor the words "ten hundred eighty".

Further amend said section by striking from subsection three (3), line four (4) the words "two thousand" and substituting therefor the words "eighteen hundred"; from line six (6) the words "fifteen hundred" and substituting therefor the words "thirteen hundred fifty".

Further amend said section by striking from subsection four (4), lines three (3) and four (4) the words "three thousand" and substituting therefor the words "twenty-five hundred"; from line seven (7) the words "twenty-two hundred" and substituting therefor the words "eighteen hundred sixty"; from line ten (10) the words "eighteen hundred" and substituting therefor the words "sixteen hundred twenty".

Sec. 15. (Child Welfare Supervisor) Amend section thirty-six hundred sixty-one-a five (3661-a5), Code 1931, by striking from line three (3) the words "three thousand" and substituting therefor the words "twenty-two hundred fifty".

Sec. 16. (Superintendent of Boys' Training School) Amend section thirty-six hundred eighty-seven (3687), Code 1931, by striking from line three (3) the words "twenty-five hundred" and substituting therefor the words "twenty-two hundred fifty".

(Superintendent of Girls' Training School) Further amend said section by striking from lines five (5) and six (6) the words "two thousand" and substituting therefor the words "eighteen hundred."

Sec. 17. (Superintendent of School at Davenport) Amend section thirty-seven hundred seven (3707), Code 1931, by striking from lines two (2) and three (3) the words "twenty-four hundred" and substituting therefor the words "two thousand".

Sec. 18. (Superintendent of Women's Reformatory) Amend section thirty-seven hundred twenty-four (3724), Code 1931, by striking from line four (4) the words "two thousand" and substituting therefor the words "eighteen hundred".

Sec. 19. (Maximum Salaries at Penitentiary and Reformatories) Amend section thirty-seven hundred forty-one (3741), Code 1931, by striking from subsection one (1), line one (1) the words "two hundred fifty dollars" and substituting therefor the words "two hundred twenty-five dollars".

Further amend said section by striking from subsection two (2), line one (1) the words "one hundred fifty" and substituting therefor the words "one hundred twenty".

Further amend said section by striking from subsection three (3), lines one (1) and two (2) the words "one hundred twenty-five dollars" and substituting therefor the words "one hundred twelve dollars and fifty cents".

Further amend said section by striking from subsection four (4), line one (1) the words "one hundred fifty" and substituting therefor the words "one hundred twenty".

Further amend said section by striking from subsection five (5), line one (1) the words "one hundred twenty-five dollars" and substituting therefor the words "one hundred twelve dollars and fifty cents".

Further amend said section by striking from subsection seven (7), line one (1) the words "one hundred twenty-five dollars" and substituting therefor the words "one hundred twelve dollars and fifty cents".

Further amend said section by striking from subsection eight (8), lines one (1) and two (2) the words "one hundred twenty-five dollars" and substituting therefor the words "one hundred twelve dollars and fifty cents".

Further amend said section by striking from subsection nine (9), lines two (2) and three (3) the words "one hundred ten dollars" and substituting therefor the words "one hundred dollars".

Sec. 20. (Salaries of Guards at Penitentiary and Reformatories) Amend section thirty-seven hundred forty-two (3742), Code 1931, by striking from subsection one (1), line one (1) the words "one hundred ten dollars" and substituting therefor the words "one hundred dollars".

Further amend said section by striking from subsection two (2), line one (1) the words "one hundred dollars" and substituting therefor the words "ninety-two dollars and fifty cents".

Further amend said section by striking from subsection three (3), line one (1) the words "ninety dollars" and substituting therefor the words "eighty-three dollars and twenty-five cents".

Sec. 21. (Salary of Highway Commission) Amend section forty-six hundred twenty-five (4625), Code 1931, by striking from line three (3) the words "four thousand" and substituting therefor the words "twenty-five hundred".

Sec. 22. (Counsel for Highway Commission) Amend section forty-six hundred thirty-one (4630-c1), Code 1931, by striking from line nine (9) the words "forty-five hundred" and substituting therefor the words "thirty-six hundred".

Sec. 23. (Salary of Members of Board of Assessment and Review) Amend section sixty-nine hundred forty-three-c eighteen (6943-c18), Code 1931, by striking from lines two (2) and three (3) the words "four thousand five hundred" and substituting therefor the words "thirty-six hundred".

Sec. 24. (Deputy Superintendent of Banking) Amend section ninety-one hundred thirty-seven (9137), Code 1931, by striking from lines six (6) and seven (7) the words "thirty-eight hundred" and substituting therefor the words "thirty-six hundred".

Further amend said section by striking from line sixteen (16) the words "forty-eight hundred" and substituting therefor the words "four thousand".

Sec. 25. (Salary of Supreme Court Judge) Amend section twelve thousand eight hundred sixteen-a one (12,816-a1), Code 1931, by striking from line three (3) the words "seventy-five hundred" and substituting therefor the words "six thousand six hundred".

Sec. 26. (Salary of District Court Judge) Amend section ten thousand eight hundred four (10,804), Code 1931, by striking from lines two (2) and three (3) the words "five thousand" and substituting therefor the words "four thousand".

Sec. 27. (Treasurer of State) Amend section one hundred forty-seven-c one (147-c1), Code 1931, by striking from line two (2) the words "five thousand" and inserting the words "forty-five hundred" in lieu thereof.

Sec. 28. The compensation, exclusive of mileage, of the members of the General Assembly and of the Lieutenant-Governor shall be reduced five (5) per cent.

COUNTY OFFICERS

Sec. 29. (Supervisors) Amend section fifty-one hundred twenty-five (5125), Code 1931, by striking from line three (3) the word "five" and substituting therefor the word "four".

Further amend said section by striking from line four (4) the word "five" and substituting therefor the word "four".

Sec. 30. Section fifty-one hundred twenty-six (5126), Code 1931, is hereby repealed and the following substituted therefor:

"Except as provided in the next section, the total compensation of any member of a board of supervisors in any year for session service, committee service, and mileage, shall not exceed that specified in the following schedule:

In counties having a population of:

1. 10,000 or less	\$ 500
2. More than 10,000 and less than 23,000.....	700
3. 23,000 and less than 40,000.....	900
4. 40,000 and less than 60,000.....	1000
5. 60,000 and less than 80,000.....	1100
6. 80,000 and less than 90,000.....	1200
7. 90,000 and over.....	1300

Sec. 31. (County Auditor) Amend section fifty-two hundred twenty (5220), Code 1931, by striking from paragraph one (1), line one (1), the words "seventeen hundred" and substituting therefor the words "one thousand five hundred thirty".

Further amend said section by striking from paragraph two (2), line two (2) the words "eighteen hundred" and substituting therefor the words "one thousand six hundred twenty".

Further amend said section by striking from paragraph three (3), line two (2) the words "nineteen hundred" and substituting therefor the words "one thousand seven hundred ten".

Further amend said section by striking from paragraph four (4), line two (2) the words "two thousand" and substituting therefor the words "eighteen hundred".

Further amend said section by striking from paragraph five (5), line two (2) the words "twenty-one hundred" and substituting therefor the words "one thousand eight hundred thirty-five".

Further amend said section by striking from paragraph six (6), line two (2) the words "twenty-two hundred" and substituting therefor the words "one thousand eight hundred seventy".

Further amend said section by striking from paragraph seven (7), line two (2) the words "twenty-four hundred" and substituting therefor the words "two thousand forty".

Further amend said section by striking from paragraph eight (8), line two (2) the words "twenty-eight hundred" and substituting therefor the words "two thousand four hundred eighty".

Further amend said section by striking from paragraph nine (9), line two (2) the words "three thousand" and substituting therefor the words "two thousand five hundred fifty".

Further amend said section by striking from paragraph ten (10), line two (2) the words "thirty-three hundred" and substituting therefor the words "two thousand eight hundred five".

Further amend said section by striking from paragraph eleven (11), lines one (1) and two (2) the words "thirty-four hundred", and substituting therefor the words "two thousand eight hundred ninety".

Sec. 32. (Deputy Auditor and Clerk) Amend section fifty-two hundred twenty-one (5221), Code 1931, by striking from paragraph one (1), line three (3), the words "fifteen hundred" and substituting therefor the words "fourteen hundred".

Further amend said section by striking from paragraph two (2), line five (5), the words "seventeen hundred fifty" and substituting therefor the words "one thousand five hundred seventy-five".

Further amend said section by striking from paragraph two (2), line ten (10) the words "fifteen hundred" and substituting therefor the words "fourteen hundred".

Sec. 33. (County Treasurer) Amend section fifty-two hundred twenty-two (5222), Code 1931, by striking from paragraph one (1), lines one (1) and two (2), the words "seventeen hundred" and substituting therefor the words "one thousand five hundred thirty".

Further amend said section by striking from paragraph two (2), line two (2) the words "eighteen hundred" and substituting therefor the words "one thousand six hundred twenty".

Further amend said section by striking from paragraph three (3), line two (2), the words "nineteen hundred" and substituting therefor the words "one thousand seven hundred ten".

Further amend said section by striking from paragraph four (4), line two (2), the words "two thousand" and substituting therefor the words "eighteen hundred".

Further amend said section by striking from paragraph five (5), line two (2), the words "twenty-one hundred" and substituting therefor the words "one thousand eight hundred thirty-five".

Further amend said section by striking from paragraph six (6), line two (2) the words "twenty-two hundred" and substituting therefor the

words "one thousand eight hundred seventy".

Further amend said section by striking from paragraph seven (7), line two (2) the words "twenty-four hundred" and substituting therefor the words "two thousand forty".

Further amend said section by striking from paragraph eight (8), line two (2) the words "twenty-eight hundred" and substituting therefor the words "two thousand four hundred eighty".

Further amend said section by striking from paragraph nine (9), line two (2) the words "three thousand fifty dollars" and substituting therefor the words "two thousand five hundred ninety-two dollars and fifty cents".

Further amend said section by striking from paragraph ten (10), line two (2) the words "thirty-three hundred" and substituting therefor the words "two thousand eight hundred five".

Further amend said section by striking from paragraph eleven (11), lines one (1) and two (2), the words "thirty-four hundred" and substituting therefor the words "two thousand eight hundred ninety".

Sec. 34. (Deputy Treasurer and Clerk) Amend section fifty-two hundred twenty-three (5223), Code 1931, by striking from paragraph one (1), line three (3), the words "fifteen hundred" and substituting therefor the words "fourteen hundred".

Further amend said section by striking from paragraph two (2), lines four (4) and five (5), the words "one thousand seven hundred fifty" and substituting therefor the words "one thousand five hundred seventy-five".

Further amend said section by striking from paragraph two (2), line ten (10), the words "fifteen hundred" and substituting therefor the words "fourteen hundred".

Sec. 35. (County Recorder) Amend section fifty-two hundred twenty-four (5224), Code 1931, by striking from paragraph one (1), lines one (1) and two (2) the words "sixteen hundred" and substituting therefor the words "one thousand four hundred forty".

Further amend said section by striking from paragraph two (2), line two (2), the words "seventeen hundred" and substituting therefor the words "one thousand five hundred thirty".

Further amend said section by striking from paragraph three (3), line two (2) the words "eighteen hundred" and substituting therefor the words "one thousand six hundred twenty".

Further amend said section by striking from paragraph four (4), line two (2) the words "nineteen hundred" and substituting therefor the words "one thousand seven hundred ten".

Further amend said section by striking from paragraph five (5), line two (2) the words "two thousand" and substituting therefor the words "eighteen hundred".

Further amend said section by striking from paragraph six (6), line two (2) the words "twenty-one hundred" and substituting therefor the words "one thousand eight hundred thirty-five".

Further amend said section by striking from paragraph seven (7), line two (2) the words "twenty-two hundred" and substituting therefor the words "one thousand eight hundred seventy".

Further amend said section by striking from paragraph eight (8), line

two (2) the words "twenty-three hundred" and substituting therefor the words "one thousand nine hundred fifty-five".

Further amend said section by striking from paragraph nine (9), line two (2) the words "twenty-four hundred" and substituting therefor the words "two thousand forty".

Further amend said section by striking from paragraph ten (10), line two (2) the words "twenty-eight hundred" and substituting therefor the words "two thousand four hundred eighty".

Further amend said section by striking from paragraph eleven (11), lines one (1) and two (2) the words "thirty-one hundred" and substituting therefor the words "two thousand six hundred thirty-five".

Sec. 36. (Deputy Recorder and Clerk) Amend section fifty-two hundred twenty-five (5225), Code 1931, by striking from paragraph one (1), line three (3) the words "fifteen hundred" and substituting therefor the words "fourteen hundred".

Further amend said section by striking from paragraph two (2), lines four (4) and five (5), the words "one thousand seven hundred fifty" and substituting therefor the words "one thousand five hundred seventy-five".

Further amend said section by striking from paragraph two (2), line ten (10), the words "fifteen hundred" and substituting therefor the words "fourteen hundred".

Sec. 37. (County Sheriff) Amend section fifty-two hundred twenty-six (5226), Code 1931, by striking from paragraph one (1), lines one (1) and two (2), the words "seventeen hundred" and substituting therefor the words "one thousand five hundred thirty".

Further amend said section by striking from paragraph two (2), line two (2) the words "eighteen hundred" and substituting therefor the words "one thousand six hundred twenty".

Further amend said section by striking from paragraph three (3), line two (2) the words "nineteen hundred" and substituting therefor the words "one thousand seven hundred ten".

Further amend said section by striking from paragraph four (4), line two (2) the words "two thousand" and substituting therefor the words "eighteen hundred".

Further amend said section by striking from paragraph five (5), line two (2) the words "twenty-one hundred" and substituting therefor the words "one thousand eight hundred thirty-five".

Further amend said section by striking from paragraph six (6), line two (2) the words "twenty-two hundred" and substituting therefor the words "one thousand eight hundred seventy".

Further amend said section by striking from paragraph seven (7), line two (2) the words "twenty-four hundred" and substituting therefor the words "two thousand forty".

Further amend said section by striking from paragraph eight (8), line two (2) the words "twenty-six hundred" and substituting therefor the words "two thousand two hundred ten".

Further amend said section by striking from paragraph nine (9), line two (2) the words "twenty-eight hundred" and substituting therefor the words "two thousand four hundred eighty".

Further amend said section by striking from paragraph ten (10), line two (2) the words "thirty-five hundred" and substituting therefor the words "two thousand nine hundred seventy-five".

Further amend said section by striking from paragraph ten (10), line four (4) the words "five thousand" and substituting therefor the words "four thousand".

Sec. 38. (Deputy Sheriff) Amend section fifty-two hundred twenty-seven (5227), Code 1931, by striking from paragraph one (1), line three (3) the words "fifteen hundred" and substituting therefor the words "fourteen hundred".

Further amend said section by striking from paragraph two (2), line five (5) the words "eighteen hundred" and substituting therefor the words "one thousand six hundred twenty".

Sec. 39. (County Attorney) Amend section fifty-two hundred twenty-eight (5228), Code 1931, by striking from paragraph one (1), lines one (1) and two (2) the words "eleven hundred dollars" and substituting therefor the words "one thousand seventeen dollars and fifty cents".

Further amend said section by striking from paragraph two (2), line two (2) the words "fourteen hundred" and substituting therefor the words "one thousand two hundred ninety-five".

Further amend said section by striking from paragraph three (3), line two (2) the words "sixteen hundred" and substituting therefor the words "one thousand four hundred forty".

Further amend said section by striking from paragraph four (4), line two (2) the words "seventeen hundred" and substituting therefor the words "one thousand five hundred thirty".

Further amend said section by striking from paragraph five (5), line two (2) the words "two thousand" and substituting therefor the words "one thousand eight hundred".

Further amend said section by striking from paragraph six (6), line two (2) the words "twenty-two hundred" and substituting therefor the words "one thousand eight hundred seventy".

Further amend said section by striking from paragraph seven (7), line two (2) the words "twenty-five hundred" and substituting therefor the words "two thousand one hundred twenty-five".

Further amend said section by striking from paragraph eight (8), line two (2) the words "thirty-five hundred" and substituting therefor the words "two thousand nine hundred seventy-five".

Further amend said section by striking from paragraph nine (9), line two (2) the words "four thousand" and substituting therefor the words "three thousand two hundred".

Further amend said section by striking from paragraph ten (10), lines one (1) and two (2) the words "five thousand" and substituting therefor the words "four thousand".

Sec. 40. (Assistant County Attorney) Amend section fifty-two hundred twenty-nine (5229), Code 1931, by striking from paragraph two (2), line two (2) the words "one thousand" and substituting therefor the words "nine hundred sixty".

Further amend said section by striking from paragraph three (3), line

two (2) the words "fifteen hundred" and substituting therefor the words "one thousand four hundred".

Further amend said section by striking from paragraph four (4), line two (2) the words "two thousand" and substituting therefor the words "one thousand eight hundred".

Further amend said section by striking from paragraph five (5), line two (2) the words "twenty-five hundred" and substituting therefor the words "two thousand one hundred twenty-five".

Further amend said section by striking from paragraph six (6), lines ten (10) and eleven (11), the words "two thousand" and substituting therefor the words "eighteen hundred".

Sec. 41. (Clerk of Court) Amend section fifty-two hundred thirty (5230), Code 1931, by striking from paragraph one (1), lines one (1) and two (2) the words "seventeen hundred" and substituting therefor the words "one thousand five hundred thirty".

Further amend said section by striking from paragraph two (2), line two (2) the words "eighteen hundred" and substituting therefor the words "one thousand six hundred twenty".

Further amend said section by striking from paragraph three (3), line two (2) the words "nineteen hundred" and substituting therefor the words "one thousand seven hundred ten".

Further amend said section by striking from paragraph four (4), line two (2) the words "two thousand" and substituting therefor the words "eighteen hundred".

Further amend said section by striking from paragraph five (5), line two (2) the words "twenty-one hundred" and substituting therefor the words "one thousand eight hundred thirty-five".

Further amend said section by striking from paragraph six (6), line two (2) the words "twenty-two hundred" and substituting therefor the words "one thousand eight hundred seventy".

Further amend said section by striking from paragraph seven (7), line two (2) the words "twenty-four hundred" and substituting therefor the words "two thousand forty".

Further amend said section by striking from paragraph eight (8), line two (2) the words "twenty-eight hundred" and substituting therefor the words "two thousand four hundred eighty".

Further amend said section by striking from paragraph nine (9), line two (2) the words "three thousand fifty dollars" and substituting therefor the words "two thousand five hundred ninety-two dollars and fifty cents".

Further amend said section by striking from paragraph ten (10), line two (2) the words "thirty-three hundred" and substituting therefor the words "two thousand eight hundred five".

Further amend said section by striking from paragraph eleven (11), lines one (1) and two (2) the words "thirty-four hundred" and substituting therefor the words "two thousand eight hundred ninety".

Sec. 42. (Deputy Clerk) Amend section fifty-two hundred thirty-one (5231), Code 1931, by striking from paragraph one (1) line three (3), the words "fifteen hundred" and substituting therefor the words "fourteen hundred".

Further amend said section by striking from paragraph two (2), lines four (4) and five (5) the words "one thousand seven hundred fifty" and substituting therefor the words "one thousand five hundred seventy-five".

Further amend said section by striking from paragraph two (2), line ten (10) the words "fifteen hundred" and substituting therefor the words "fourteen hundred".

Sec. 43. (County Superintendent) Amend section fifty-two hundred thirty-two (5232), Code 1931, by striking from line three (3) the words "eighteen hundred" and substituting therefor the words "one thousand six hundred twenty".

Further amend said section by striking from lines six (6) and seven (7), the words "three thousand" and substituting therefor the words "two thousand five hundred fifty".

Sec. 44. (Compensation of Township Trustees) Amend section fifty-five hundred seventy-one (5571), Code 1931, by striking from paragraph one (1), line three (3) the words "four dollars" and substituting therefor the words "two dollars and fifty cents".

Further amend said section by striking from paragraph one (1), line six (6) the words "four dollars" and substituting therefor the words "two dollars and fifty cents".

Sec. 45. (Compensation of Township Clerks) Amend section fifty-five hundred seventy-two (5572), Code 1931, by striking from paragraph one (1), lines four (4) and five (5) the words "four dollars" and substituting the words "two dollars and fifty cents".

Sec. 46. (Compensation of Assessors) Amend section fifty-five hundred seventy-three (5573), Code 1931, by striking from line six (6) the words "four dollars" and substituting therefor the words "three dollars".

Further amend said section by striking from line thirteen (13) the words "four dollars" and substituting therefor the words "three dollars".

Sec. 47. (Compensation of Assessors and Deputies) Amend section fifty-six hundred sixty-nine (5669), Code 1931, by striking from line nine (9) the words "eighteen hundred" and substituting therefor the words "one thousand six hundred twenty".

Further amend said section by striking from line eleven (11) the words "eighteen hundred" and substituting therefor the words "one thousand six hundred twenty".

Further amend said section by striking from line twelve (12) the word "five" and substituting therefor the word "four".

Further amend said section by striking from line fifteen (15) the word "five" and substituting therefor the word "four"; and by striking from lines fifteen (15) and sixteen (16) the words "and fifty cents".

Further amend said section by striking from lines twenty-four (24) and twenty-five (25) the words "twenty-five hundred" and substituting therefor the words "two thousand one hundred twenty-five".

Further amend said section by striking from line twenty-seven (27) the words "eighteen hundred" and substituting therefor the words "one thousand six hundred twenty".

Sec. 48. (Salaries of Mayor and Councilmen) Amend section sixty-five hundred seventeen (6517), Code 1931, by striking from subsection

one (1), line six (6) the words "one hundred fifty dollars" and substituting therefor the words "one hundred forty-two dollars and fifty cents".

Further amend said section, subsection one (1), by striking from line ten (10) the words "one hundred twenty" and substituting therefor the words "one hundred fourteen".

Further amend said section by striking from subsection one (1), line fourteen (14) the words "twenty-five hundred" and substituting therefor the words "two thousand one hundred twenty-five".

Further amend said section subsection one (1), by striking from line sixteen (16) the words "two thousand" and substituting therefor the words "eighteen hundred".

Further amend said section, subsection two (2), by striking from lines three (3) and four (4) the words "twenty-five hundred" and substituting therefor the words "two thousand one hundred twenty-five".

Further amend said section, subsection two (2) by striking from line five (5) the words "eighteen hundred" and substituting therefor the words "one thousand six hundred twenty".

Further amend said section, subsection three (3) by striking from line three (3) the words "three thousand" and substituting therefor the words "two thousand five hundred fifty".

Further amend said section, subsection three (3), by striking from lines four (4) and five (5) the words "twenty-five hundred" and substituting therefor the words "two thousand one hundred twenty-five".

Further amend said section, subsection four (4) by striking from line three (3) the words "thirty-five hundred" and substituting therefor the words "two thousand nine hundred seventy-five".

Further amend said section, subsection four (4) by striking from line four (4) the words "three thousand" and substituting therefor the words "two thousand five hundred fifty".

Sec. 49. (Compensation of Aldermen, Special Cities) Amend section sixty-seven hundred five (6705), Code 1931, by striking from line three (3) the words "two thousand five hundred" and substituting therefor the words "five hundred seventy".

Sec. 50. (Compensation of Mayor, Special Cities) Amend section sixty-seven hundred five (6705), Code 1931, by striking from line three (3) the words "two thousand five hundred" and substituting therefor the words "two thousand one hundred twenty-five".

Sec. 51. (Compensation of Trustees in City Owned Public Utilities) Amend section sixty-nine hundred forty-three-c four (6943-c4), Code 1931, by striking from lines two (2) and three (3) the words "six hundred" and substituting therefor the words "five hundred seventy".

Sec. 52. (Salary of Judge of Municipal Courts) Amend section ten thousand six hundred eighty-eight (10,688), Code 1931, by striking from line two (2) the words "three thousand" and substituting therefor the words "two thousand five hundred fifty".

Further amend said section by striking from line four (4) the words "three thousand four hundred" and substituting therefor the words "two thousand eight hundred ninety".

Further amend said section by striking from lines six (6) and seven (7)

the words "three thousand six hundred" and substituting therefor the words "three thousand sixty".

Further amend said section by striking from line ten (10) the words "eighteen hundred" and substituting therefor the words "one thousand six hundred twenty".

Further amend said section by striking from lines eleven (11) and twelve (12) the words "twenty-two hundred" and substituting therefor the words "one thousand eight hundred seventy".

Further amend said section by striking from line fourteen (14) the words "twenty-six hundred" and substituting therefor the words "two thousand two hundred ten".

Further amend said section by striking from line seventeen (17) the words "fifteen hundred" and substituting therefor the words "fourteen hundred".

Further amend said section by striking from lines eighteen (18) and nineteen (19) the words "one thousand seven hundred fifty" and substituting therefor the words "one thousand five hundred seventy-five".

Further amend said section by striking from lines twenty (20) and twenty-one (21) the words "two thousand" and substituting therefor the words "eighteen hundred".

Sec. 53. (Salary of Judge of Superior Court) Amend section ten thousand seven hundred thirty-nine (10,739), Code 1931, by striking from line three (3) the words "thirty-seven hundred fifty" and substituting therefor the words "thirty-one hundred".

Sec. 54. (Salary of Superior Court Judges) Amend section ten thousand seven hundred forty-eight (10,748), Code 1931, by striking from line four (4) the words "two thousand" and substituting therefor the words "eighteen hundred".

Further amend said section by striking from line seven (7) the words "three thousand" and substituting therefor the words "two thousand five hundred fifty".

Sec. 55. That all statutory salaries of state, county and city officers not hereinbefore mentioned shall be reduced as follows:

All salary rates of one thousand dollars (\$1,000) per year and under shall be reduced five (5) per cent.

All salary rates of one thousand and one dollars (\$1,001) per year and less than one thousand five hundred and one dollars (\$1,501) per year shall be reduced seven and one-half (7½) per cent but shall not be reduced to less than nine hundred sixty dollars (\$960) per year.

All salary rates of one thousand five hundred and one dollars (\$1,501) per year and less than two thousand one dollars (\$2,001) per year shall be reduced ten (10) per cent, but shall not be reduced to less than one thousand four hundred dollars (\$1,400) per year.

All salary rates of two thousand and one dollars (\$2,001) per year and less than three thousand six hundred and one dollars (\$3,601) per year shall be reduced fifteen (15) per cent but shall not be reduced to less than one thousand eight hundred thirty-five dollars (\$1,835) per year.

All salary rates of three thousand six hundred and one dollar (\$3,601) per year and less than five thousand and one dollar (\$5,001) per year

shall be reduced twenty (20) per cent, but shall not be reduced to less than three thousand one hundred dollars (\$3,100) per year.

All salary rates of five thousand one dollars (\$5,001) per year and over shall be reduced twenty-five (25) per cent but shall not be reduced to less than four thousand one hundred dollars (\$4,100) per year.

Sec. 56. That all provisions of the Code 1931 and laws of the Forty-fourth (44th) General Assembly, relating to salaries be amended, revised and codified in accordance herewith.

Sec. 57. All acts or parts of acts in conflict with the provisions hereof are hereby repealed.

By SUB-COMMITTEE OF COMMITTEE ON REDUCTION OF
PUBLIC EXPENDITURE,

ROY E. STEVENS, *Chairman*.

Amend Senate File No. 491 (Sifting Committee) by striking all of subsection b of Section 39, and by substituting the following in lieu thereof:

"b. All license fees and taxes collected by the Treasurer of State of the State of Iowa shall accrue to the State Sinking Fund, for Public Deposits as created in Chapter 352 A-1 of the 1931 Code of Iowa."

VINCENT F. HARRINGTON.

E. R. HICKLIN.

SIFTING COMMITTEE REPORT

MR. PRESIDENT: Your Sifting Committee begs leave to report that it has had the following bills under consideration and recommends that they be placed upon the calendar of the Senate:

H. F. No. 134	S. F. No. 323
S. F. No. 261	S. F. No. 487
H. F. No. 413	H. F. No. 236
H. F. No. 401	H. F. No. 389
S. F. No. 375	H. F. No. 235
H. F. No. 192	H. F. No. 231
S. F. No. 470	H. F. No. 232
S. F. No. 471	H. F. No. 307
S. F. No. 472	H. F. No. 343

JOHN K. VALENTINE, *Chairman*.

On motion of Senator Schmidt the Senate adjourned until 10:00 a. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 10, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. Henry McCraven, pastor of the African Methodist Episcopal Church of Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Cooney for the day, on request of Senator Topping.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Approving prohibition. Senator Byers, from members of the Church of Christ at Alburnett. Senator Calhoun, from members of the faculty of Parsons College. Judiciary No. 1.

Favoring the passage of House File No. 461, and Senate Files Nos. 125, 175 and 141. Senator Valentine, from citizens of Red Oak, Creston and Macedonia. Sifting committee.

COMMUNICATION FROM CONGRESSMAN WEARIN

April 6, 1933.

HON. BYRON G. ALLEN,
SEC. OF IOWA STATE SENATE,
Des Moines, Iowa.

DEAR SIR: The resolutions adopted by the Iowa State Senate and transmitted by you to the Congress of the United States have been properly filed and a record of the same has also been made in my office.

Very sincerely,

OTHA D. WEARIN.

Senator Reese submitted the following:

SENATE RESOLUTION NO. 6

Whereas, during the rush attendant upon the closing days of the session of the 45th General Assembly, bills upon the calendar are often deferred

as many as three and four and five times which of necessity delays action and creates a condition of confusion on the calendar; therefore,

Be It Resolved, That the sponsor of a bill placed upon the calendar may defer action on the bill only once; and

Be It Further Resolved, That upon the second request for said bill to be deferred, the bill shall lose its place upon the calendar and shall be rereferred to the sifting committee.

On request of Senator Reese unanimous consent was granted to suspend the rules and consider the resolution.

The resolution was adopted.

HOUSE AMENDMENTS CONSIDERED

Senator Patterson called up for consideration Senate File No. 267, amended by the House, and moved that the Senate concur in the following amendments:

Amend section 1, line 3, by striking therefrom the words "claim for rent" and inserting in lieu thereof the words "in any action on a claim for rent".

Amend section 2, by adding thereto the following:

"Provided, however, that nothing herein shall prevent the continuance of such judgment in force for a longer period by the voluntary written stipulation of the parties, filed in said cause."

On the question "Shall the Senate concur?" the vote was:

Ayes, 45.

Anderson	Harrington	Miller of	Shangle
Beardsley	Hicklin	Buchanan	Stanley
Beatty	Hill	Miller of Jones	Stevens of
Bennett	Hopkins	Moore	Decatur
Booth	Hush	Mullaney	Stevens of
Byers	Husted	Nelson	Wapello
Calhoun	Irwin	Patterson	Topping
Coykendall	Kimberly	Pendray	Tripp
Doze	Klemme	Reese	Valentine
Elthon	Knudson	Ritchie	Wenner
Fisch	McArthur	Roelofs	White
Geske	Meyer	Schmidt	Wilson

Nays, none.

Absent or not voting, 5.

Aschenbrenner	Chrystal	Cooney	Frailey
Carden			

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 396, a bill for an act relating to drainage warrants.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 363, a bill for an act relating to the improvement of extension of primary roads in cities and towns.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 224, a bill for an act relating to disabled firemen and policemen.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 269, a bill for an act limiting the period of operation of vehicles excepted from the provisions of chapter 120 of the Acts of the Forty-fourth General Assembly.

LLOYD ELLIS, *Chief Clerk.*

MOTION TO WITHDRAW HOUSE FILE NO. 101 FROM
COMMITTEE

Senator Hill asked unanimous consent to withdraw House File No. 101 from the sifting committee and place it on the calendar.

Objection was raised.

Senator Hill moved that House File No. 101 be withdrawn from the sifting committee and placed on the calendar for consideration of the Senate.

Senator Reese moved the previous question, which motion prevailed.

Roll call was demanded.

On the question, "Shall the motion prevail?" the vote was:

Ayes, 27.

Aschenbrenner	Doze	McArthur	Roelofs
Beardsley	Elthon	Miller of Jones	Shangle
Beatty	Hill	Nelson	Stanley
Bennett	Hopkins	Patterson	Stevens of
Booth	Hush	Pendray	Decatur
Calhoun	Husted	Reese	Tripp
Coykendall	Klemme	Ritchie	Wilson

Nays, 21.

Anderson	Chrystal	Frailey	Harrington
Byers	Fisch	Geske	Hicklin

Irwin	Miller of	Schmidt	Valentine
Kimberly	Buchanan	Stevens of	Wenner
Knudson	Moore	Wapello	White
Meyer	Mullaney	Topping	

Absent or not voting, 2.

Carden	Cooney
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The motion was lost, having failed to receive a two-thirds majority.

HOUSE AMENDMENTS CONSIDERED

Senator Elthon called up for consideration Senate File No. 348, amended by the House, and moved that the Senate concur in the following amendment:

Strike sections four (4) and five (5).

Amend the title by striking the last three words as follows: "and providing penalty".

On the question "Shall the Senate concur?" the vote was:

Ayes, 44.

Anderson	Fisch	Meyer	Stanley
Aschenbrenner	Geske	Miller of	Stevens of
Beardsley	Harrington	Buchanan	Decatur
Beatty	Hicklin	Miller of Jones	Stevens of
Bennett	Hopkins	Moore	Wapello
Booth	Hush	Mullaney	Topping
Byers	Husted	Nelson	Tripp
Calhoun	Irwin	Pendray	Valentine
Chrystal	Kimberly	Reese	Wenner
Coykendall	Klemme	Ritchie	White
Doze	Knudson	Schmidt	Wilson
Elthon	McArthur	Shangle	

Nays, none.

Absent or not voting, 6.

Carden	Frailey	Patterson	Roelofs
Cooney	Hill		

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

CONSIDERATION OF MOTION TO RECONSIDER SENATE FILE NO. 202

Senator Bennett called up for consideration his motion to reconsider Senate File No. 202 found on page 722 of the Senate Journal.

On the question, "Shall the motion to reconsider prevail?" the vote was:

Ayes, 20.

Beardsley	Hicklin	Nelson	Topping
Bennett	Irwin	Pendray	Valentine
Booth	Kimberly	Reese	Wenner
Byers	McArthur	Roelofs	Wilson
Calhoun	Miller of	Schmidt	
Fisch	Buchanan		

Nays, 21.

Anderson	Hopkins	Miller of Jones	Stevens of
Chrystal	Hush	Mullaney	Decatur
Coykendall	Husted	Patterson	Stevens of
Doze	Klemme	Ritchie	Wapello
Geske	Knudson	Shangle	Tripp
Hill	Meyer	Stanley	

Absent or not voting, 9.

Aschenbrenner	Cooney	Frailey	Moore
Beatty	Elthon	Harrington	White
Carden			

The motion to reconsider was lost.

CONSIDERATION OF HOUSE FILE NO. 151

Senator Valentine moved to take from the table the motion to reconsider House File No. 151, which motion prevailed.

Senator Valentine moved to reconsider the vote by which House File No. 151 passed the Senate.

On the question, "Shall the motion to reconsider prevail?" the vote was:

Ayes, 37.

Anderson	Geske	Miller of	Shangle
Beatty	Hicklin	Buchanan	Stanley
Bennett	Hush	Miller of Jones	Stevens of
Booth	Irwin	Moore	Decatur
Byers	Kimberly	Mullaney	Topping
Calhoun	Klemme	Patterson	Tripp
Coykendall	Knudson	Pendray	Valentine
Doze	McArthur	Reese	Wenner
Elthon	Meyer	Ritchie	White
Fisch		Schmidt	Wilson

Nays, 2.

Chrystal	Hopkins
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Absent or not voting, 11.

Aschenbrenner	Cooney	Hill	Roelofs
Beardsley	Frailey	Husted	Stevens of
Carden	Harrington	Nelson	Wapello

The motion to reconsider prevailed.

Senator Valentine moved to reconsider the vote by which House File No. 151 went to its third reading. The motion prevailed.

Action was deferred.

THIRD READING OF BILLS

On motion of Senator Valentine Senate File No. 485, a bill for an act to authorize cities and towns to construct, own, equip, operate, maintain and improve works for the collection and/or treatment, purification and disposal of sewage and garbage; to authorize charges against owners of premises for the use of such works, and to provide for the collection of the same; to authorize cities and towns to issue revenue bonds payable solely from the revenues of such works, as an emergency measure to be financed only through The Reconstruction Finance Corporation, returned by the sifting committee, was taken up and considered.

Senator Valentine moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 38.

Anderson	Harrington	Meyer	Shangle
Aschenbrenner	Hicklin	Miller of	Stanley
Beatty	Hopkins	Buchanan	Stevens of
Bennett	Hush	Miller of Jones	Decatur
Booth	Husted	Moore	Topping
Chrystal	Irwin	Mullaney	Tripp
Doze	Kimberly	Pendray	Valentine
Elthon	Klemme	Reese	Wenner
Fisch	Knudson	Ritchie	White
Geske	McArthur	Schmidt	Wilson

Nays, 1.

Coykendall

Absent or not voting, 11.

Beardsley	Carden	Hill	Roelofs
Byers	Cooney	Nelson	Stevens of
Calhoun	Frailey	Patterson	Wapello

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

Senator Valentine moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Schmidt, unanimous consent was granted to message to the House immediately, Senate File No. 485.

COPIES SENATE FILE NO. 267 ORDERED

On request of Senator Patterson, unanimous consent was granted to have printed in pamphlet form 1200 copies of Senate File No. 267 as passed by the Senate.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files Nos. 360, 473 and 278.

HOMER HUSH, *Chairman Senate Committee.*
WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 360, 473 and 278.

BILLS SENT TO THE GOVERNOR

Senator Hush from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 10th day of April, 1933, sent to the Governor for his approval, Senate Files Nos. 360, 473 and 278.

HOMER HUSH, *Chairman.*

Passed on file.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File No. 344 went to its third reading.

GEO. A. WILSON.

REPORTS OF COMMITTEE

Senator White submitted the following reports:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate File No. 488, a bill for an act to make an appropriation to the Iowa Lutheran Hospital for Dr. S. E. Lincoln, Dr. Veril Ruth, Dr. C. S. Quail and Dr. John Russel, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman.*

Ordered passed on file.

Also :

Your committee on appropriations to which was referred Senate File No. 490, a bill for an act to make an appropriation to Mrs. Lee Harris, Guardian of Burton Harris, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman.*

Ordered passed on file.

Also :

Your committee on appropriations to which was referred House File No. 581, a bill for an act to make an appropriation to J. M. Brockway, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman.*

Ordered passed on file.

Also :

Your committee on appropriations to which was referred House File No. 580, a bill for an act to make an appropriation to William Schuenke, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman.*

Ordered passed on file.

Also :

Your committee on appropriations to which was referred House File No. 578, a bill for an act to make an appropriation to Anna Steece, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman.*

Ordered passed on file.

Also :

Your committee on appropriations to which was referred House File No. 576, a bill for an act to make an appropriation to R. F. Allen, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman.*

Ordered passed on file.

Also :

Your committee on appropriations to which was referred House File No. 575, a bill for an act to make an appropriation for Espy A. Barker, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman.*

Ordered passed on file.

Also :

Your committee on appropriations to which was referred House File No. 574, a bill for an act to make an appropriation to Floyd Kisby, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman.*

Ordered passed on file.

Also :

Your committee on appropriations to which was referred House File No. 573, a bill for an act to make an appropriation to Jefferson County, Iowa, and to J. W. McDowell, Guardian of Elbert Elsworth Morgan and Lloyd Francis Morgan, minor heirs of Henry H. Morgan, deceased, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman.*

Ordered passed on file.

Also :

Your committee on appropriations to which was referred House File No. 561, a bill for an act to make an appropriation to George Anderson, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman.*

Ordered passed on file.

Also :

Your committee on appropriations to which was referred House File No. 562, a bill for an act to make an appropriation to Ben Whittington, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman.*

Ordered passed on file.

Also :

Your committee on appropriations to which was referred House File No. 569, a bill for an act to make an appropriation to A. C. Sino, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman.*

Ordered passed on file.

Also :

Your committee on appropriations to which was referred House File No. 570, a bill for an act to make an appropriation to the City of Iowa City, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman.*

Ordered passed on file.

Also :

Your committee on appropriations to which was referred House File No. 579, a bill for an act to make an appropriation for Fenton Lynn, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman.*

Ordered passed on file.

Also :

Your committee on appropriations to which was referred House File No. 572, a bill for an act to make an appropriation to Ira A. Polk, Conway Chevrolet Company, J. E. Batesole et al., begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman.*

Ordered passed on file.

Also :

Your committee on appropriations to which was referred Senate File No. 489, a bill for an act to make an appropriation to Fred Ballard and George Comfort, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman.*

Ordered passed on file.

Also :

Your committee on appropriations to which was referred House File No. 480, a bill for an act to make an appropriation for the payment of expenses incurred in the election contest of Horvei vs. Ostby, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Strike the period (.) after the word "Iowa" in line three (3) of section two (2) and insert the following " and the Cedar Valley Daily Times, a newspaper of general circulation at Vinton, Iowa."

H. C. WHITE, *Chairman.*

Ordered passed on file.

Senator Shangle moved to recess until 1:30 p. m. today.

Senator Valentine moved to amend by making the time 1:00 p. m.

The amendment was adopted, the motion as amended prevailed and the Senate recessed until 1:00 p. m. today.

AFTERNOON SESSION

The Senate reconvened at the fall of the gavel, President N. G. Kraschel presiding.

COMMUNICATION FROM THE GOVERNOR

A communication was received from the Governor stating that he had on April 8th approved the following bills:

Senate File No. 98, relating to the printing of names on primary ballots.

Senate File No. 130, relating to itinerant vendors of drugs.

Senate File No. 176, relating to public officers.

Senate File No. 311, relating to the apportionment of the compensation of "tax ferrets".

Senate File No. 320, relating to street improvements.

Senate File No. 481, relating to waivers of the Commercial National Bank of Waterloo.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files Nos. 483, 477 and 267.

HOMER HUSH, *Chairman Senate Committee.*

WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 483, 477 and 267.

BILLS SENT TO THE GOVERNOR

Senator Hush from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports

they have on this 10th day of April, 1933, sent to the Governor for his approval, Senate Files Nos. 483, 477 and 267.

HOMER HUSH, *Chairman.*

Passed on file.

THIRD READING OF BILLS

On motion of Senator Valentine House File No. 539, a bill for an act to amend section forty-two hundred sixty-seven-b one (4267-b1), Code, 1931, relating to Junior Colleges, to provide for the temporary suspension of same, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 30.

Aschenbrenner	Hicklin	Miller of Jones	Stevens of
Beardsley	Hill	Mullaney	Decatur
Bennett	Hush	Nelson	Topping
Booth	Klemme	Pendray	Tripp
Byers	McArthur	Reese	Valentine
Doze	Meyer	Roelofs	Wenner
Fisch	Miller of	Shangle	White
Geske	Buchanan	Stanley	Wilson

Nays, 8.

Elthon	Hopkins	Irwin	Ritchie
Harrington	Husted	Patterson	Schmidt

Absent or not voting, 12.

Anderson	Chrystal	Frailey	Moore
Beatty	Cooney	Kimberly	Stevens of
Calhoun	Coykendall	Knudson	Wapello
Carden			

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

Senator Valentine moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Knudson Senate File No. 89, a bill for an act to authorize the owner of a motor vehicle to store the same, and to authorize said owner subsequently to register said vehicle for a fractional part of the year, without penalty, and in accord-

ance with the provisions of section forty-nine hundred five (4905), code, 1931; also so to amend section forty-nine hundred thirty-three (4933), Code, 1931, as to coordinate the same with the provision of this act, returned by the sifting committee, was taken up and considered.

On request of Senator Knudson, unanimous consent was granted to withdraw all pending amendments except one filed by Senator Meyer.

The bill was read for information.

Senator Meyer offered the following amendments and moved their adoption:

1. Strike out sections one (1), two (2), and three (3) of the bill and insert in lieu thereof the following:

"Section 1. Section forty-nine hundred thirty-one (4931), Code, 1931, is hereby repealed and the following is enacted in lieu thereof, to-wit:

'4931. Monthly penalty—exception. On January first of each year, a penalty of one dollar (\$1.00) shall be added to all fees not paid by that date, and one dollar (\$1.00) shall be added to such fees on the first of each month thereafter that the same remains unpaid, until paid, provided that the owner of a motor vehicle who, on or before January first of any year, surrenders all license plates for said vehicle to the county treasurer of the county in which said plates are of record, shall have the right to register said car at any later period of said year by paying the full yearly license fee without said penalty.'

Sec. 2. Section forty-nine hundred thirty-three (4933), Code, 1931, is hereby amended by inserting immediately after the word "provided" in line eight (8) the following words, to-wit:

'and except those motor vehicles the plates of which have been surrendered to said treasurer on or prior to January first of said year.'

2. Strike out the title and in lieu insert the following:

"An act to repeal section forty-nine hundred thirty-one (4931) and to enact a substitute therefor and to amend section forty-nine hundred thirty-three (4933), all of the Code, 1931, and relating to penalties on unpaid motor vehicle license fees."

The amendments were adopted:

Senator Knudson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 42.

Anderson	Bennett	Carden	Elthon
Aschenbrenner	Booth	Coykendall	Fisch
Beardsley	Byers	Doze	Geske

Harrington	Knudson	Nelson	Stevens of
Hicklin	McArthur	Patterson	Decatur
Hill	Meyer	Pendray	Topping
Hopkins	Miller of	Reese	Tripp
Hush	Buchanan	Ritchie	Valentine
Irwin	Miller of Jones	Schmidt	Wenner
Kimberly	Moore	Shangle	White
Klemme	Mullaney	Stanley	Wilson

Nays, none.

Absent or not voting, 8.

Beatty	Chrystal	Husted	Stevens of
Calhoun	Frailey	Roelofs	Wapello
Cooney			

The bill having received a constitutional majority was declared to have passed the Senate.

On request of Senator Knudson, unanimous consent was granted to amend the title to read as follows:

A bill for an act to repeal Section four thousand nine hundred thirty-one (4931), Code, 1931, and to provide in lieu thereof for a penalty upon unpaid motor license fees, and to provide for the surrender of license plates to avoid such penalty, and to provide for the licensing of motor vehicles. Also amending Section four thousand nine hundred thirty three (4933), Code, 1931, excepting certain motor vehicles therefrom.

The title as amended was agreed to.

Senator Knudson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Knudson, unanimous consent was granted to message to the House immediately, Senate File No. 89.

On motion of Senator Knudson House File No. 341, a bill for an act to repeal the law as it appears in chapter eighty-five (85) Code, 1931, relating to inspection of passenger boats, and to enact a substitute therefor relating to inspection of boats, licensing of pilots and engineers, and regulating the operation of boats on inland Iowa lakes and streams, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Knudson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 42.

Anderson	Harrington	Miller of	Shangle
Aschenbrenner	Hicklin	Buchanan	Stevens of
Beardsley	Hill	Miller of Jones	Decatur
Bennett	Hopkins	Moore	Stevens of
Booth	Hush	Mullaney	Wapello
Byers	Husted	Patterson	Topping
Calhoun	Irwin	Pendray	Tripp
Carden	Kimberly	Reese	Valentine
Coykendall	Klemme	Ritchie	Wenner
Doze	Knudson	Roelofs	White
Elthon	Meyer	Schmidt	Wilson
Geske			

Nays, none.

Absent or not voting, 8.

Beatty	Cooney	Frailey	Nelson
Chrystal	Fisch	McArthur	Stanley

The bill having received a constitutional majority was declared to have passed the Senate.

On request of Senator Hush, unanimous consent was granted to amend the title by striking the period at the end thereof and adding the following “, and providing a penalty for the violation of the provisions of this act.”

The title as amended was agreed to.

Senator Knudson moved that the vote by which the bill passed the Senate, be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Roelofs Senate File No. 297, a bill for an act limiting the taxation of agricultural lands within independent school districts, returned by the sifting committee, was taken up and considered.

Senator Roelofs offered the following amendment and moved its adoption:

Amend section 1 by striking from line 2 following the word “district” the words “not a consolidated school district,”.

Senator Elthon moved the previous question, which motion prevailed.

The amendment was adopted.

Senator Shangle offered the following amendment and moved its adoption:

Amend section 1 by inserting in line 4 after the word "of" the words "less than"; also striking from line 4 the words "or less"; also in line 6 by inserting after the word "of" the words "less than"; also by striking from line 6 the word "or"; also by striking from line 7 the word "less"; also by striking from line 11 the word "township" and inserting in lieu thereof the words "school districts"; also by striking from lines 11 and 12 the words "independent school district" and inserting in lieu thereof the words "city or town".

Action was deferred temporarily.

The time having arrived for consideration of the special order, on motion of Senator Valentine, Senate File No. 479, a bill for an act providing for the reduction of the salaries and compensations of the public officials of the state, the counties, the towns and townships of the state, whose salaries and compensation are fixed by law, excepting salaries of judges and such others who, under the constitution, are entitled to receive their present salaries during the term of office for which they are elected, providing for the suspension of statutes fixing the present salaries of public officials until March 1, 1935, a sifting committee bill, was taken up and considered.

Senator Wilson was called to the chair at 2:30 p. m.

Senator Stevens of Wapello called up for consideration his amendment as found on page 1023 of the Senate Journal, and moved its adoption.

President N. G. Kraschel returned to the chair at 2:37 p. m.

Senator Booth moved the previous question on the amendment, which motion prevailed.

Senator White was excused from voting.

Roll call was demanded on the amendment.

Rule 8 was invoked.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 31.

Anderson	Calhoun	Hill	Knudson
Aschenbrenner	Carden	Hopkins	McArthur
Beardsley	Chrystal	Hush	Miller of Jones
Bennett	Coykendall	Husted	Mullaney
Booth	Doze	Klemme	Nelson

Patterson
Pendray
Reese
Ritchie

Roelofs
Shangle
Stanley

Stevens of
Decatur
Stevens of
Wapello

Tripp
Wenner

Nays, 15.

Byers
Elthon
Fisch
Geske

Harrington
Hicklin
Irwin
Kimberly

Meyer
Miller of
Buchanan
Moore

Schmidt
Topping
Valentine
Wilson

Absent or not voting, 4.

Beatty

Cooney

Frailey

White

The amendment was adopted.

Senator Husted offered the following amendment and moved its adoption:

Amend sections 1, 2, 5 and 27 by striking therefrom the words "four thousand five hundred" and inserting in lieu thereof the words "four thousand".

Roll call was demanded.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 23.

Aschenbrenner
Beardsley
Calhoun
Carden
Doze
Elthon

Hicklin
Hill
Hopkins
Hush
Husted
Klemme

Knudson
Meyer
Miller of Jones
Mullaney
Nelson
Patterson

Ritchie
Roelofs
Shangle
Stanley
Wenner

Nays, 23.

Anderson
Bennett
Booth
Byers
Chrystal
Coykendall
Fisch

Geske
Harrington
Irwin
Kimberly
McArthur
Miller of
Buchanan

Moore
Pendray
Reese
Schmidt
Stevens of
Decatur

Stevens of
Wapello
Topping
Tripp
Valentine
Wilson

Absent or not voting, 4.

Beatty

Cooney

Frailey

White

The amendment was lost. Action was deferred temporarily.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that

the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 338, a bill for an act relating to military stores property of the state.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 492, a bill for an act relating to salary of special counsel for highway commission.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 517, a bill for an act relating to liens on real estate acquired for highway purposes.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 582, a bill for an act to make appropriation to C. B. Laird.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 585, a bill for an act relating to the payment of persons who act as judges under certificates of election.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 270, a bill for an act to legalize the corporate acts and proceedings of the Highland Mutual Telephone Association of Highland Center, Iowa, and to provide for the renewal and extension of the period of corporate existence of said Highland Mutual Telephone Association.

Also that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 129, a bill for an act relating to prison made goods.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 333, a bill for an act for regulation, supervision and examination of building and loan associations and savings and loan associations.

LLOYD ELLIS, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE NO. 129

Amend by adding thereto as Section 3 the following:

"Sec. 3. Provided, however, that the provision of this act shall not be effective unless and until the Hawes-Copper Act becomes effective."

Amend the title by striking the "period (.)" at the end thereof and inserting in lieu the following: "and limiting time for the taking effect thereof."

HOUSE AMENDMENTS TO SENATE FILE NO. 333

Amend the title as follows:

1. Line three (3), by inserting preceding the word "Code" the figures "1931".

2. Line nine (9), by inserting after the figures "(9381)" the following: "Code, 1931".

3. Line twenty (20), by inserting preceding the word "Code" the figures "1931".

EXPLANATION

MR. PRESIDENT: I ask to have the following remarks printed in the Journal regarding my position on the motion by Senator Hill of Floyd to recall Senate File No. 87 from the Sifting Committee:

"Debate on the proposal to call Senate File No. 87 from the Sifting Committee having been shut off, I wish that it be known that I stand heartily in support of the remarks of the Senators from Louisa, Webster and Black Hawk Counties. The bill was originally referred to the Committee on Banks and Banking and in considering the bill it was referred to a sub-committee of which I happened to be a member. After a thorough investigation the sub-committee unanimously reported the bill back to the committee for indefinite postponement. Senators Husted and Kimberly joined with me in making that report.

"Subsequently, the bill was recalled and on February 20th the Hicklin, Chrystal, Knudson, Harrington amendment was filed. For almost a month the bill lay on the calendar and on March 16th was referred to the Sifting Committee.

"The bill has been discussed by the committee and it is because of the conclusions reached that we do not deem it advisable to open up a well-regulated business to the real loan sharks.

"Holding no brief for the 42%-a-year policy, I do most certainly view any attempt to allow the 150%-a-year man to prey upon our citizens as vicious and reprehensible."

VINCENT F. HARRINGTON.

AMENDMENTS FILED

Amend Senate File No. 323 by striking from lines five (5) and six (6) in section three (3) the following words: "at least once each year". Also by striking from line seven (7) in said section the words "at least once each year".

Further amend said section three (3) by inserting after the word "charter" in the ninth (9th) line thereof, "whenever requested to make such examination by the governing body of such city, school or county, or a like examination may be had upon the application of ten (10) percent of the tax payers of such municipality accompanied by such showing of facts as in the opinion of the Auditor of State will justify such examination".

CLAUDE STANLEY.

Amend House File No. 413 by striking from line 12 thereof the word "two" and inserting in lieu thereof the words "one and one-half".

G. E. ROELOFS.

At the request of the Corporation Committee, which prepared and recommended Senate File No. 430, I move to amend said Senate File No. 430 as follows:

1. By striking the semicolon (;) after the word "Corporations" in line 14 of the Title and substituting in lieu thereof a period (.) and by striking all of the title thereafter.

2. By striking the word "if" in line 9 of section 11 and substituting in lieu thereof the word "of".

3. By adding to section 12 the following paragraph:

"II. No corporation shall purchase or agree to purchase, directly or indirectly or assist in the purchase by another for its account any of its shares, except as follows: (1) To collect or compromise in good faith a claim against any shareholder; (2) from shareholders who, by reason of dissent, are entitled to be paid the full cash value of their shares; (3) from an employee who has purchased shares under an agreement reserving to the corporation the option to repurchase or obligating it to repurchase; (4) to eliminate fractional shares; (5) to purchase shares subject to redemption at prices not exceeding the redemption price thereof; (6) to carry out provisions of its articles authorizing conversion of its shares; and (7) subject to limitations, if any, contained in its articles only from earned surplus."

4. (a) By striking the comma (,) after the word "by-laws" in line 19 of section 31 and substituting in lieu thereof a period (.) and by striking all the words and characters thereafter in lines 19 and 20, and inserting in line 20 a new paragraph to read as follows:

"Except as otherwise prescribed by the articles or by-laws:"

and

(b) By striking the word "ten" in line 69 of section 31 and substituting in lieu thereof the word "twenty-five".

5. (a) By inserting after the word "state" in line 129 of section 37, the following:

"or from any domestic corporation making loans similar to those of building and loan associations and authorized under the provisions of Chapter 392 of the Code, 1931,"

and

(b) By striking the word "who" in line 131 and substituting in lieu thereof the word "which".

6. By adding the following paragraph to be designated as paragraph IV to section 43:

"The provisions of Sec. 43 shall apply only where the vote against such corporate action was one-third or more of the voting power of all shareholders and others entitled to vote."

7. By adding the letter "s" to the word "corporation" in line 2 of Sec. 46, thereby pluralizing the word "corporation".

8. By striking the comma (,) after the word "president" in line 12 of Sec. 47 and inserting in lieu thereof the words "or a"; by inserting in line 13 of Sec. 47, after the word "and" and before the word "secretary", the words "by the", and after the word "or" and before the word "assistant", the word "an", so that, as amended line 12 and line 13 shall read "b. the articles shall be signed by the president or a vice president and by the secretary or an assistant secretary".

9. By striking from line 15 and line 16 of Sec. 70 the following character and numbers: ", 8517, 8518, 8519, 8520, 8521, 8522, 8523, 8524".

O. P. BENNETT.

At the request of the corporation committee that prepared and recom-

mended Senate File No. 453, I move to amend said Senate File No. 453, as follows:

1. By striking the word "thirty" in line 71 of Section 6 and substituting in lieu thereof the word "sixty".

2. By striking the word "or" in line 111 of Section 28 and substituting in lieu thereof the word "to".

3. By striking the word "who" in line 116 of Section 28 and substituting in lieu thereof the word "which".

O. P. BENNETT.

Amend Senate File No. 375 as follows:

Amend by adding the following section: "Sec. 2. This act shall apply to counties having a population of not less than one hundred thousand nor more than one hundred twenty-five thousand by the last federal census."

Also, amend the title by striking the period at the end thereof and adding the following: "in certain cities."

VINCENT L. HARRINGTON.

Amend Senate File No. 479, Section 30, as follows:

1. By striking in line 10 the figures "900" and inserting in lieu thereof the figures "1100".

2. Strike in line 11, the figures "1000" and insert in lieu thereof the figures "1200".

3. Strike in line 12 the figures "1100" and insert in lieu thereof the figures "1300".

4. Strike in line 13 the figures "1200" and insert in lieu thereof the figures "1450".

5. Strike in line 14 the figures "1300" and insert in lieu thereof the figures "1450".

PAUL H. ANDERSON.

Amend the substitute for Senate File No. 479 by striking from Section 10 the words "two thousand two hundred and fifty" and substituting therefor the words "twenty-five hundred".

M. MOORE.

Amend Senate File No. 297 by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. That section four thousand one hundred thirty-three (4133), Code, 1931, be amended by adding thereto the following:

"Provided however that no such change shall be made in the boundary lines of any school corporation as will result in attaching to or including in any independent school corporation which includes a city or town, any land outside the corporate limits of such city or town, which land is not platted into building lots, without the written consent of the owners of the land so proposed to be attached to, or included in such independent school corporation."

Sec. 2. When any land lying outside of the corporate limits of a city or town which land is not platted or divided into building lots, is a part of or included in an independent school corporation consisting in part of a city or town, adjoins or is contiguous or adjacent to any rural school corporation, the county superintendent of schools shall, upon written request of the owner of such land, by a written order in duplicate, detach said land from such city or town independent school corporation and attach the same to and make it a part of the adjoining rural school cor-

poration; one copy of such order shall be at once transmitted to the secretary of each corporation affected thereby who shall record the same and make the proper designation on the plat of the corporation.

GARRITT E. ROELOFS
ROY E. STEVENS

Amend Senate File No. 470 as follows:

1. By striking all of the title to said bill and inserting in lieu thereof the following:

An Act to create, define the powers and duties and fix salary of State Comptroller; to abolish state board of audit and office of budget director and transfer personnel, appropriations, records, equipment and other property to State Comptroller and State Auditor; to relieve Board of Control and Auditor of State of certain duties and transfer of employees, unexpended appropriations, records, and office equipment to State Comptroller; to establish state budget system, provide for hearings on tentative budget and transmission to Governor and Legislature; to provide method for estimates of appropriations and income of the state, allotment and lapsing appropriations to prevent overdraft and deficit, and penalties and punishment for wrongful expending of appropriations; to control departmental and institutional receipts; establish uniform fiscal year; and to repeal all sections of the Code, 1931, and Acts or parts of Acts in conflict with this Act.

2. By striking all after the enacting clause of said bill and inserting in lieu thereof the following:

Section 1. Title of Act. This Act shall be known and may be cited as the "Budget and Financial Control Act".

Sec. 2. Definitions. When used in this Act:

1. The terms, "department and establishment" and "department" or "establishment", mean any executive or judicial department, commission, board, institution, bureau, office, court or other agency of the State government, by whatever name called, other than the Legislature, that uses, expends or receives any State funds.

2. "State funds" means any and all moneys appropriated by the Legislature of Iowa, or money collected by or for the State, or an agency thereof, pursuant to authority granted by any of its laws.

3. "Private trust funds" means any and all endowment funds and any and all moneys received by a department or establishment from private persons to be held in trust and expended as directed by the donor.

4. "Special fund" means any and all government fees and other revenue receipts earmarked to finance a governmental agency to which no general fund appropriation is made by the State.

5. "Repayment receipts" means those moneys collected by a department or establishment that supplement an appropriation made by the Legislature.

6. "Budget" means the budget document required by this Act to be transmitted to the Legislature.

7. "Government" means the government of the State of Iowa.

8. "Unencumbered balance" means the unobligated balance of an appropriation after charging thereto all unpaid liabilities for goods and

services and all contracts or agreements payable from an appropriation or a special fund.

9. "Code" or "the Code" means the Code of Iowa, 1931.

Sec. 3. Purpose. The Governor of the State shall have:

1. Direct and effective financial supervision over all departments and establishments, and every State agency by whatever name now or hereafter called, including the same power and supervision over such private corporations, persons and organizations that may receive, pursuant to statute, any funds, either appropriated by, or collected for, the State of Iowa, or any of its departments, boards, commissions, institutions, divisions and agencies.

2. The efficient and economical administration of all departments and establishments of the Government.

3. The initiation and preparation of a balanced budget of any and all revenues and expenditures for each regular session of the Legislature.

Sec. 4. Creation of Office of State Comptroller. There is hereby created an office to be known as "Office of State Comptroller", which shall be directly attached to the office of the Governor and shall be under the general direction, supervision and control of the Governor. Such office shall be in immediate charge of an officer to be known as "State Comptroller", who shall be appointed by the Governor and shall hold office at his pleasure and shall receive a salary not to exceed forty-five hundred (\$4,500.00) dollars a year. Before entering upon the discharge of his duties, he shall take the Constitutional Oath of office and he shall give a surety bond in such penalty as may be fixed by the Governor, payable to the State of Iowa, but such penalty shall not be less than twenty-five thousand (\$25,000.00) dollars conditioned upon the faithful discharge of his duties. The premium on his bond shall be paid out of the State Treasury.

Sec. 5. Powers and Duties of State Comptroller. The State Comptroller shall have the power and authority to:

1. Employ, with the approval of the Governor, two assistant comptrollers and such clerical assistants as he may find necessary.

2. Reassign the duties of all of the personnel transferred to his department by this Act.

3. Fix the compensation, with the approval of the Governor, of any person employed by him and of any person transferred under the provisions of the Act, provided that the total amount paid in salaries shall not exceed the appropriation made for that purpose.

4. Discharge any employee of his department whether transferred by this Act or employed by him.

5. Perform and exercise all duties and powers heretofore imposed or conferred by law upon the State Board of Audit.

6. Perform and exercise all those duties and powers now delegated by law and performed by the State Auditor which relate to bookkeeping and accounting and to the pre-audit and settlement of State accounts and claims.

7. Perform all those duties of the Board of Control pertaining to the maintenance of a central system of accounts, of pre-auditing, abstracting

and certifying claims of institutions for payment, and of prescribing uniform accounts for institutions under its control.

8. Perform all the duties now delegated by law, and not repealed in concurrent acts, performed by the Director of the Budget, except those duties imposed by Chapter twenty-one (21) of the Code as it now exists or may hereafter be amended, which are herein transferred to the State Auditor's office.

9. Exercise and perform such other powers and duties as may be prescribed by law.

Sec. 6. Specific Duties of State Comptroller. The specific duties of the State Comptroller shall be:

(1) To audit (a) all demands by the State, and (b) to pre-audit all accounts submitted for the issuance of warrants;

(2) To control (a) the payment of all moneys into the treasury and (b) all payments from the treasury by the preparation of appropriate warrants, or warrant checks, directing such collections and payment;

(3) To certify, record and encumber all formal contracts to prevent over-commitment of appropriations and allotments;

(4) To prescribe all accounting and business forms and the system of accounts and reports of financial transactions by all departments and agencies of the State government other than those of the legislative branch;

(5) To keep the central budget and proprietary control accounts of the State Government. Budget accounts are those accounts maintained to control the receipt and disposition of all funds, appropriations and allotments. Proprietary accounts are those accounts relating to assets, liabilities, income and expense.

(6) To establish and fix a reasonable imprest cash fund for each State department and/or institution for disbursement purposes where needed; provided, that these revolving funds shall be reimbursed only upon vouchers approved by the State Comptroller. It is the purpose of this subdivision to establish a pre-audit system of settling all claims against the State and to centralize all disbursements of the State government other than the disbursements of the State Fair Board and the institutions under the State Board of Education.

(7) To control the financial operations of the State Fair Board and the institutions under the State Board of Education: (a) By charging all warrants issued to the respective educational institutions and the State Fair Board to an advance account to be further accounted for and not as an expense which requires no further accounting; (b) by charging all collections made by the educational institutions and State Fair Board to the respective advance accounts of the institutions and State Fair Board, and by crediting all such repayment collections to the respective appropriations and special funds; (c) by charging all disbursements made to the respective allotment accounts of each educational institution or State Fair Board and by crediting all such disbursements to the respective advance and inventory accounts; and (d) by requiring a monthly abstract of all receipts and of all disbursements, both money and stores, and a complete account-current each month from each educational institution and the State Fair Board.

(8) To have the custody of all books, papers, records, documents, vouchers, conveyances, leases, mortgages, bonds and other securities appertaining to the fiscal affairs and property of the State, which are not required to be kept in some other office.

(9) To apportion the interest of the permanent school fund on the first Monday of March and September of each year, among the several counties in proportion to the number of persons between five and twenty-one years of age in each, as shown by the last report filed with him by the Superintendent of Public Instruction.

(10) To biennially prepare a separate report containing a complete list of all standing appropriations showing the amount of each appropriation and the purpose for which such appropriation is made and furnish a copy of such report to each member of the General Assembly on or before the first day of each regular session.

(11) To prepare the budget document and draft the legislation to make it effective;

(12) To perform the necessary work involved in reviewing requests for allotments as are submitted to the Governor for approval;

(13) To determine the need for all transfers of appropriations submitted to the Governor for approval under the authority of Section Twenty-seven (27) hereof:

(14) To make such investigations of the organization, activities and methods of procedure of the several departments and establishments as he may be called upon to make by the Governor and/or the Governor and Executive Council, or the Legislature;

(15) To furnish to any committee of either house of the Legislature having jurisdiction over revenues or appropriations such aid and information regarding the financial affairs of the government as it may request;

(16) To make such rules and regulations, subject to the approval of the Governor, as may be necessary for effectively carrying on the work of the State Comptroller's office;

(17) To prepare and submit to the Governor and the Legislature on or before December 15th of each year, an annual report setting forth in detail and in summary form the financial condition and operations of the government; his recommendations concerning legislation needed to facilitate the work of his office; and such other reports as the Governor or the General Assembly may from time to time require of him; and

(18) To perform such other duties as may be required to effectively control the financial operations of the Government.

Sec. 7. General Powers of the State Comptroller. In addition to the above duties the State Comptroller shall have the following general powers:

(1) The Comptroller may at any time require any person receiving money, securities, or property belonging to the State, or having the management, disbursement, or other disposition of the same, an account of which is kept in his office, to render statements thereof and information in reference thereto.

(2) If any officer who is accountable to the treasury for any money or property neglects to render an account to the Comptroller within the

time prescribed by law, or, if no time is so prescribed, then, within twenty days after being required so to do by the Comptroller, the Comptroller shall state an account against him from the books of his office, charging ten per cent damages on the whole sum appearing due, and interest at the rate of six per cent per annum on the aggregate from the time when the account should have been rendered; all of which may be recovered by action brought on such account, or on the official bond of such officer.

(3) If any such officer fails to pay into the treasury the amount received by him within the time prescribed by law, or, having settled with the Comptroller, fails to pay the amount found due, the Comptroller shall charge such officer with twenty per cent damages on the amount due, with interest on the aggregate from the time the same became due at the rate of six per cent per annum, and the whole may be recovered by an action brought on such account, or on the official bond of such officer, and he shall forfeit his commission.

(4) The penal provisions in the two preceding paragraphs are subject to any legal defense which the officer may have against the account as stated by the Comptroller, but judgment for costs shall be rendered against the officer in the action, whatever be its result, unless he rendered an account within the time named in the two preceding sections.

(5) When a county treasurer or other receiver of public money seeks to obtain credit on the books of the Comptroller's office for payment made to the treasurer, before giving such credit, the Comptroller shall require him to take and subscribe an oath that he has not used, loaned, nor appropriated any of the public money for his private benefit, nor the benefit of any other person.

(6) In those cases where the Comptroller is authorized to call upon persons or officers for information, or statements, or accounts, he may issue his requisition therefor in writing to the person or officer called upon, allowing reasonable time, which, having been served and return made thereon to the Comptroller, as a notice in a civil action, shall be evidence of the making of the requisition therein expressed.

Sec. 8. Limitation of Powers of State Comptroller. The State Comptroller shall be limited in authorizing the payment of claims, as follows:

(1) No claim shall be allowed by the State Comptroller's office when such claim is presented after the lapse of six months from its accrual.

(2) No claims for expenses in attending conventions, meetings, conferences or gatherings of members of any association or society organized and existing as quasi-public association or society outside the State of Iowa shall be allowed at public expense, unless authorized by the Executive Council; and claims for such expenses outside of the state shall not be allowed unless the voucher is accompanied by so much of the minutes of the Executive Council, certified to by its secretary, showing that such expense was authorized by said council. This section shall not apply to claims in favor of the Governor, Attorney General, Railroad Commissioners, or to trips referred to in Section Thirty-two Hundred and Eighty-four (3284), Code 1931.

(4) No claims for per diem and expenses payable from fees shall be approved for payment in excess of such fees where the law provides

that such expenditures are limited to the special funds collected and deposited in the State Treasury.

Sec. 9. State Board of Audit Abolished. The State Board of Audit is abolished to take effect June 30, 1933. All duties now performed by this board are hereby transferred to the Office of the State Comptroller. All sections of Chapter Twenty-five (25) of the Code, 1931, are hereby repealed. And, until otherwise provided, all employees, and the unexpended balances of appropriations made for salaries and expenses of such employees now engaged in the pre-audit and settlement of claims, in the keeping of bookkeeping and accounting records, and in the rendering of reports required by law are hereby transferred to the Office of State Comptroller, together with all books, records, documents and papers pertaining to such accounts and all office furniture, office equipment and other property of the Board shall become the property of the State Comptroller's Office.

Sec. 10. Office of Director of the Budget Abolished. The office of the Director of the Budget is abolished to take effect July 4, 1933, and the term of the office of the present director appointed under the provisions of Chapter Nineteen (19) of the Code, 1931, repealed by this Act, shall terminate on July 4, 1933. All sections of Chapter Nineteen (19) and Twenty (20) of the Code, 1931, are hereby repealed; and all provisions of the sections of Chapter Twenty-one (21) of the Code, 1931, as it now exists or may hereafter be amended, are made part of the duties of the Auditor of State; while all provisions of Chapter Twenty-two (22), Twenty-three (23), and Twenty-four (24) of the Code, 1931, as it now exists or may hereafter be amended, are made part of the duties of the State Comptroller. And, until otherwise provided, all employees, and the unexpended balances of appropriations made for salaries and expenses of those employees now engaged in the examination of and settlements with departments as required by Chapter Twenty-one (21) of the Code, 1931, are hereby transferred to the office of the State Auditor. And, until otherwise provided, all employees, and the unexpended balances of appropriations made for salaries and expenses of all other employees of the Budget Bureau, together with all books, records, documents and papers pertaining to the budget work of the State and local governments and all office furniture, office equipment and other property of the Budget Bureau are hereby transferred to the State Comptroller's office.

Sec. 11. Board of Control Relieved of Certain Auditing and Accounting Duties. The Board of Control is hereby relieved of all duties with regard to institutions under its control, in respect to auditing, abstracting and certifying claims for payment, prescribing uniform accounts and the maintenance of a central system of accounts as required by Chapter One Hundred Sixty-seven (167) of the Code, 1931, or any other law. And, until otherwise provided, all employees, and the unexpended balances of appropriations made for salaries of such employees now engaged in the audit and settlement of claims, both receipts and disbursements, and the keeping of central bookkeeping and accounting records and the rendering of financial reports relating to such institutions, of which the Board of Control is herein relieved, are hereby transferred to the Office

of State Comptroller, together with all books, records, documents and papers pertaining to such accounts and reports, and all office furniture, office equipment and other property no longer required by the State Board of Control as the result of the curtailment of its duties by this Section provided for.

Sec. 12. State Auditor Relieved of Certain Accounting and Auditing Duties. The State Auditor is hereby relieved of all duties in respect to the pre-audit and settlement of State accounts, both receipts and disbursements, and the keeping of accounting records and the making of financial reports now required of him by law as they relate to State finances. And, until otherwise provided, all employees, and the unexpended balances of appropriations made for salaries of such employees now engaged in the pre-audit and settlement of State claims, both receipts and disbursements, and the keeping of State bookkeeping and accounting records and the rendering of reports relating to State finances now required by law, of which the State Auditor is hereby relieved, are hereby transferred to the Office of State Comptroller, together with all books, records, documents and papers pertaining to such accounts and reports, and all office furniture, office equipment and other property no longer required by the State Auditor as the result of the curtailment of his duties by this Section provided for.

It is the purpose of this Section to repeal Sections One Hundred Two (102) to One Hundred Nine (109), inclusive, and Section One Hundred Thirty (130) of Chapter Ten (10) of the Code, 1931, and to relieve the State Auditor of all duties pertaining to the pre-audit and settlement of State accounts and claims and the keeping of accounting records hereinabove transferred to the State Comptroller's office in Section Five (5) hereof and as enumerated in Sections One Hundred Two (102) to One Hundred Nine (109), inclusive, Section One Hundred Thirty (130), Section One Hundred Sixty-four (164), Sections Fifty-one Hundred Sixty-nine-a-three (5169-a3), Fifty-one Hundred Sixty-nine-a-four (5169-a4), Fifty-one Hundred Sixty-nine-a-seven (5169-a7), and Fifty-one Hundred Sixty-nine-a-nine (5169-a9) of the Code, 1931. And it is also the purpose of this Section to confine the functions of the Auditor of State to those duties enumerated in: (a) Sections One Hundred Ten (110) to One Hundred Twenty-six (126), inclusive, Code 1931; (b) Section Two Hundred Fifty (250), Code 1931; (c) Sections Three Hundred Thirty-nine (339) to Three Hundred Forty-five (345), inclusive, Code 1931; (d) Section Twenty-eight Hundred Ninety-one (2891), Code 1931; (e) Section Fifty-one Hundred Fifty-four (5154), Code 1931; (f) Section Fifty-one Hundred Sixty-nine-a-two (5169-a2) Code 1931; (g) Sections Fifty-six Hundred Eighty (5680), Fifty-six Hundred Eighty-two (5682), and Fifty-six Hundred Eighty-four (5684), Code 1931; (h) Sections Sixty-nine Hundred Ninety-four (6994) to Sixty-nine Hundred Ninety-six (6996), inclusive, Code 1931; (i) Section Seventy Hundred Eighteen (7018), Code 1931; (j) Sections Eighty-five Hundred Eighteen (8518) to Eighty-five Hundred Twenty-one (8521), inclusive, Code 1931; (k) Sections Eighty-five Hundred Twenty-three (8523) and Eighty-five Hundred Twenty-four (8524), Code 1931; and (l) Sections Ninety-three Hundred Fifteen (9315), Ninety-three Hundred Nineteen (9319), Ninety-

three Hundred Twenty (9320), Ninety-three Hundred Thirty-three (9333), Ninety-three Hundred Fifty-four (9354) to Ninety-three Hundred Sixty-two (9362), inclusive, Ninety-three Hundred Sixty-eight (9368), Ninety-three Hundred Seventy-two (9372) to Ninety-three Hundred Seventy-six (9376), inclusive, Ninety-three Hundred Seventy-eight (9378) to Ninety-three Hundred Eighty-two (9382), inclusive, Ninety-three Hundred Eighty-four (9384), Ninety-three Hundred Eighty-six (9386), Ninety-three Hundred Eighty-seven (9387), and Ninety-three Hundred Ninety-two (9392) to Ninety-four Hundred and Two (9402), inclusive, Code 1931, as they now exist or may hereafter be amended; and (m) to that of (1) establishing a uniform system of accounting and reporting for all local governments, (2) to that of auditing all political subdivisions of the State, and (3) to that of post-auditing all accounts and records of all departments and establishments of the State government, including all institutions, the Treasurer's office and the Office of State Comptroller.

Sec. 13. Transfers of Personnel and Appropriations Authorized. The personnel required by the State Comptroller's Office, herein established, shall be transferred from the State Auditor's Office, the Budget Bureau, the Board of Control, and the State Board of Audit; and, the personnel required for the "examination of and settlements with departments", as provided by Chapter Twenty-one (21) of the Code, 1931, are hereby transferred from the Budget Bureau to the Auditor of State's Office, as hereinabove provided. The appropriations necessary for the payment of salaries of such employees as are transferred to the Comptroller's office are hereby transferred from the four offices named above; and the appropriation necessary for the payment of salaries and expenses of the examiners and accountants transferred to the State Auditor's Office are hereby transferred from the appropriations made to the Budget Bureau for the examination (post-audit) of departments. These transfers are to be effective as of the time the work of such accountants, examiners, bookkeepers and clerks are taken over by the State Comptroller and/or the Auditor of State. The salary of the State Comptroller is hereby transferred from the current annual appropriation of the Budget Bureau. This provision shall apply until such time as specific appropriations are made for the State Comptroller's Office.

THE BUDGET

Sec. 14. Transmission of the Budget to the Legislature. Not later than February fifteenth of the year of each biennial legislative session, the Governor shall transmit to the Legislature a document to be known as a budget setting forth his financial program for each of the fiscal years of the ensuing biennium and having the character and scope hereinafter set forth.

Sec. 15. Form and Contents. The budget shall consist of three parts, the nature and contents of which shall be as follows:

Part I shall consist of the Governor's budget message, in which he shall set forth:

(1) His program for meeting all the expenditure needs of the government for each of the years of the biennium to which the budget relates,

indicating the classes of funds, general or special, from which such appropriations are to be made and the means through which such expenditures shall be financed;

(2) Financial statements giving in summary form:

(a) The condition of the treasury at the end of the last completed fiscal year, the estimated condition of the treasury at the end of the year in progress, and the estimated condition of the treasury at the end of each of the two years to which the budget relates if his budget proposals are put into effect;

(b) Statements showing the bonded indebtedness of the government, debt authorized and unissued, debt redemption and interest requirements and condition of the sinking funds, if any;

(c) A summary of appropriations recommended for each of the two years of the biennium to which the budget relates for each department and establishment and for the government as a whole, in comparison with the actual expenditures for the last completed fiscal year and the estimated expenditures for the year in progress;

(d) A summary of the revenue, estimated to be received by the government during each of the two years of the biennium to which the budget relates, classified according to sources, in comparison with the actual revenue received by the government during the last completed fiscal year and estimated income during the year in progress; and

(e) Such other financial statements, data and comments as in his opinion are necessary or desirable in order to make known in all practicable detail the financial condition and operation of the government and the effect that the budget as proposed by him will have on such condition and operations.

If the estimated revenues of the government for the ensuing biennium as set forth in the budget on the basis of existing laws, plus the estimated amounts in the treasury at the close of the year in progress available for expenditure in the ensuing biennial period is less than the aggregate recommended for the ensuing biennial period as contained in the budget, the Governor shall make recommendations to the Legislature in respect to the manner in which such deficit shall be met, whether by an increase in the State tax or the imposition of new taxes, increased rates on existing taxes, or otherwise, and if the aggregate of such estimated revenues, plus estimated balances in the treasury is greater than such recommended appropriations for the ensuing biennial period, he shall make such recommendations in reference to the application of such surplus to the reduction of debt or otherwise, to the reduction in taxation, or to such other action as in his opinion is in the interest of the public welfare.

Part II shall present in detail for each of the two years of the ensuing biennium his recommendations for appropriations to meet the expenditure needs of the government from each general class of funds, in comparison with actual expenditures for each of said purposes during the last completed fiscal year and estimated expenditures for the year in progress, classified by departments and establishments and indicating for each the appropriations recommended for:

(a) Meeting the cost of administration, operation and maintenance of such departments and establishments, and

(b) Appropriations for meeting the cost of land, public improvements and other capital outlays in connection with such departments and establishments.

Each item of expenditure, actual, or estimated, and appropriations recommended for administration, operation and maintenance of each department or establishment shall be supported by detailed statements showing the actual and estimated expenditures and appropriations classified by objects according to a standard scheme of classification to be prescribed by the State Comptroller, hereinabove provided for.

Part III shall embrace a draft or drafts of appropriation bills having for their purpose to give legal sanction to the appropriations recommended to be made in Parts I and II. Such appropriation bills shall indicate the funds, general or special, from which such appropriations shall be paid, but such appropriations need not be in greater detail than to indicate the total appropriation to be made for:

(a) Administration, operation and maintenance of each department and establishment for each fiscal year of the biennium, and

(b) The cost of land, public improvements and other capital outlays for each department and establishment, itemized by specific projects or classes of projects of the same general character.

Sec. 16. Estimates of Appropriations. On, or before, October first next prior to each biennial legislative session, all departments and establishments of the government shall transmit to the State Comptroller, hereinabove provided for, on blanks to be furnished by him, estimates of their expenditure requirements, including every proposed expenditure, for each fiscal year of the ensuing biennium, classified so as to distinguish between expenditures estimated for (a) administration, operation and maintenance, and (b) the cost of each project involving the purchase of land or the making of a public improvement or capital outlay of a permanent character, together with such supporting data and explanations as may be called for by the State Comptroller, hereinabove provided for. In case of the failure of any department or establishment to submit such estimates within the time above specified, the Governor shall cause to be prepared such estimates for such department or establishment as in his opinion are reasonable and proper.

Sec. 17. Estimates of Income. On, or before, October first next prior to each biennial legislative session, the State Comptroller, hereinabove provided for, shall prepare an estimate of the total income of the government for each fiscal year of the ensuing biennium, in which the several items of income shall be listed and classified according to sources or character, departments or establishments producing said funds and brought into comparison with the income actually received during the last completed fiscal year and the estimated income to be received during the year in progress.

Sec. 18. Tentative Budget. Upon the receipt of the estimates of expenditure requirements called for by Section Sixteen (16) and the preparation of the estimates of income called for by Section Seventeen (17), and not later than November first next succeeding, the State Com-

troller, hereinabove provided for, shall cause to be prepared a tentative budget conforming as to scope, contents and character to the requirements of Section Fifteen (15) and containing the estimates of expenditures and revenue as called for by Sections Sixteen (16) and Seventeen (17), which tentative budget shall be transmitted to the Governor.

Sec. 19. Hearings on Tentative Budget. Upon the receipt by him of the tentative budget provided for by the preceding section, the Governor shall make provision for public hearings thereon not later than the ensuing month of December, at which he may require the attendance of the heads and other officers of all departments, establishments and other persons receiving or requesting the grant of State funds and the giving by them of such explanations and suggestions as they may be called upon to give or as they may desire to offer in respect to items of requested appropriations in which they are interested. The Governor shall also extend invitations to the Governor-elect and the State Comptroller, referred to in Section Four (4) hereof to be present at such hearings and to participate in the hearings through the asking of questions or the expression of opinion in regard to the items of the tentative budget.

Sec. 20. Formulation of the Budget. Following his inauguration, the Governor shall proceed to the formulation of the budget provided for by Sections Fourteen (14) and Fifteen (15). In doing so he shall give such weight to the estimates of income as prepared by the State Comptroller, hereinabove provided for, and to the estimates of expenditure requirements as submitted by the departments and establishments and to the testimony elicited at the hearings thereon as he deems proper, but the proposals contained in the budget shall represent his judgment and recommendations in respect to the provision to be made for meeting the revenue and expenditure needs of the government for each of the fiscal years of the ensuing biennium.

Sec. 21. Supplemental Estimates. The Governor shall transmit to the Legislature supplemental estimates for such appropriations as in his judgment may be necessary on account of laws enacted after transmission of the budget, or as he deems otherwise in the public interest. He shall accompany such estimates with a statement of the reasons therefor, including the reasons for their omission from the budget. Whenever such supplemental estimates amount to an aggregate which, if they had been contained in the budget, would have required the Governor to make a recommendation for the raising of additional revenue, he shall make such recommendation.

Sec. 22. Prohibiting Submission of Estimates by Departments Direct to Legislature. No estimate or request for an appropriation and no request for an increase in an item of any such estimate or request, and no recommendation as to how the revenue needs of the government should be met, shall be submitted to the Legislature or any committee thereof by any officer or employee of any department or establishment, unless at the request of either House of the General Assembly.

EXECUTION OF THE BUDGET

Sec. 23. Appropriations. The appropriations made shall not be available for expenditure until allotted as provided for in Section Twenty-four

(24). All appropriations now or hereafter made are hereby declared to be maximum and proportionate appropriations, the purpose being to make the appropriations payable in full in the amounts named in the event that the estimated budget resources during each fiscal year of the biennium for which such appropriations are made, are sufficient to pay all of the appropriations in full. The Governor shall restrict allotments only to prevent an overdraft or deficit in any fiscal year for which appropriations are made. The reduction in departmental appropriations shall be made as nearly uniformly as practicable.

Sec. 24. Allotments. Before an appropriation for administration, operation and maintenance of any department or establishment shall become available, there shall be submitted to the Governor, not less than twenty days before the beginning of each quarter of each fiscal year, a requisition for an allotment of the amount estimated to be necessary to carry on its work during the ensuing quarter. Such requisition shall contain such details of proposed expenditures as may be required by the Governor.

The Governor shall approve such allotments, unless he finds that the estimated budget resources during the fiscal year are insufficient to pay all appropriations in full, in which event he may modify such allotments to the extent he may deem necessary in order that there shall be no overdraft or deficit in the several funds of the State at the end of such fiscal year, and shall submit copies of the allotments thus approved or modified to the head of the department or establishment concerned, and to the State Comptroller, hereinabove provided for, who shall set up such allotments on his books and be governed accordingly in his control of expenditures. Allotments of appropriations made for equipment, land, permanent improvements, and other capital projects may, however, be allotted in one amount by major classes or projects for which they are expendable without regard to quarterly periods. Allotments thus made may be subsequently modified by the Governor either upon the written request of the head of the department or establishment concerned, or in the event the Governor finds that the estimated budget resources during the fiscal year are insufficient to pay all appropriations in full, upon his own initiative to the extent he may deem necessary in order that there shall be no overdraft or deficit in the several funds of the State at the end of such fiscal year; and the head of the department or establishment and the State Comptroller, hereinabove provided for, shall be given notice of such modification in the same way as in the case of original allotments.

Provided, however, that the allotment requests of all departments and establishments collecting governmental fees and other revenue which supplement a state appropriation shall attach to the summary of requests a statement showing how much of the proposed allotments are to be financed from (a) state appropriations, (b) stores, and (c) repayment receipts. The procedure to be employed in controlling the expenditures and receipts of the State Fair Board and the institutions under the State Board of Education, whose collections are not deposited in the State treasury, will be that outlined in Section Six (6), subdivision Seven (7) hereof.

Sec. 25. Departmental and Institutional Receipts. All appropriations

made to any department or establishment of the government as receive or collect moneys available for expenditure by them under present laws, are declared to be in addition to such repayment receipts, and such appropriations are to be available as and to the extent that such receipts are insufficient to meet the costs of administration; operation and maintenance, or public improvements of such departments: Provided, that such receipts or collections shall be deposited in the State treasury as part of the general fund or special funds in all cases, except those collections made by the State Fair Board and the institutions under the State Board of Education; Provided further, that no repayment receipts shall be available for expenditures until allotted as provided in Section Twenty-four (24) hereof; and Provided further, that the collection of repayment receipts by the State Fair Board and the institutions under the State Board of Education shall be deposited in a bank or banks duly designated and qualified as State depositories, in the name of the State of Iowa, for the use of such boards and institutions, and such funds shall be available only on the check of such boards or institutions depositing them, which are hereby authorized to withdraw such funds, but only after allotment by the Governor as provided in the preceding section; and Provided further, that this Act shall not apply to endowment and/or private trust funds or to gifts to institutions owned or controlled by the State or to the income from such endowment and/or private trust funds, or to private funds belonging to students or inmates of State institutions.

Sec. 26. Lapsing of Appropriations. All unencumbered balances of annual administration, operation and maintenance appropriations shall revert to the State treasury at the end of each fiscal year of a given biennium and to the credit of the General Fund or special funds from which the appropriation and/or appropriations were made; except that capital expenditures for the purchase of land or the erection of buildings or new construction shall continue in force until the attainment of the object or the completion of the work for which such appropriations are made: Provided, that this section shall not be construed to repeal the provisions of Sections Two Hundred Ninety (290) to Two Hundred Ninety-three (293), inclusive, Code 1931, except to (1) delete the words "Auditor and Treasurer of State" in the last line of Section Two Hundred Ninety-two (292) and to substitute the words "State Comptroller", and (2) to substitute the word "Comptroller" for the word "Auditor" in line one (1) of Section Two Hundred Ninety-three (293) and to delete the words "and Treasurer" following the word "Auditor" in said section.

Sec. 27. Transfer of Appropriations. Transfers or changes in appropriations may be authorized by the Governor as between organization units and activities of the same department upon the written request of the head or heads of such departments; and, transfers between departments and establishments may also be made by the Governor when the appropriation of any department is insufficient to properly meet the legitimate expenses of such department or establishment.

Sec. 28. Investigatory Powers. The Governor and the State Comptroller and any officer of the Office of State Comptroller, hereinabove provided for, when authorized by the Governor, are hereby authorized to make such inquiries regarding the receipt, custody and application of

State funds, existing organization, activities and methods of business of the departments and establishments, assignments of particular activities to particular services and regrouping of such services, as in the opinion of the Governor, will enable him to make recommendations to the Legislature, and, within the scope of the powers possessed by him, to order action to be taken, having for their purpose to bring about increased economy and efficiency in the conduct of the affairs of government.

Sec. 29. Fiscal Year. The fiscal year of the government shall commence on the first day of July and end on the thirtieth day of June. This fiscal year shall be used for purposes of making appropriations and of financial reporting and shall be uniformly adopted by all departments and establishments of the government.

Sec. 30. Appropriations Wrongfully Expended. Any board member, commissioner, director, manager, building committee or other officer, or person connected with any institution, or other State department or establishment as herein defined, to which an appropriation is made, who shall expend any appropriation for any purpose other than that for which the money was appropriated, budgeted and allotted or who shall consent thereto, shall be liable to the State of Iowa for such sum so spent, and the sum so spent, together with interest and costs, shall be recoverable in an action to be instituted by the Attorney General for the use of the State of Iowa, which action shall be instituted in the District Court of Polk County.

Sec. 81. Penalties and Punishments for Violations. A refusal to perform any of the requirements of this Act, and the refusal to perform any rule or requirement or request of the Governor and/or the State Comptroller made pursuant to or under authority of this Act, by any board member, commissioner, director, manager, building committee or other officer or person connected with any institution, or other State department or establishment as herein defined, shall subject the offender to a penalty of Two Hundred and Fifty (\$250.00) Dollars, to be recovered in an action instituted in the District Court of Polk County by the Attorney General for the use of the State of Iowa, and shall also constitute a misdemeanor, punishable by fine or imprisonment, or both, in the discretion of the court. If such offender be not an officer elected by vote of the people, such offense shall be sufficient cause for removal from office or dismissal from employment by the Governor upon thirty days' notice in writing to such offender; and, if such offender be an officer elected by vote of the people, such offense shall be sufficient cause to subject the offender to impeachment.

Sec. 32. Constitutionality. If any section, sub-section, clause, sentence or phrase of this Act is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portions of this Act. The Legislature hereby declares that it would have passed this Act and each section, sub-section, clause, sentence or phrase hereof, irrespective of whether any one or more of the sections, sub-sections, clauses, sentences or phrases be declared unconstitutional.

Sec. 33. Substitution of Titles of Officers and Offices. Wherever the word "director," where referring to the Director of the Budget, or words "director of the budget" shall appear in any of the Chapters of the Code,

1931, or in laws enacted by the Forty-Fifth General Assembly, it shall mean the "State Comptroller", except in Section Twenty-eight Hundred Ninety-one (2891) of Chapter One Hundred Thirty-five (135) of the Code, 1931. Wherever the words "State Board of Audit" or "Board of Audit" shall appear in any of the Chapters of the Code, 1931, or in laws enacted by the Forty-Fifth General Assembly, it shall mean the "Office of State Comptroller"; and, wherever the words "Auditor of State" or "State Auditor" shall appear in any Chapter of the Code, 1931, or in laws enacted by the Forty-Fifth General Assembly, with reference to the security of state revenue, settlement of state claims, both receipts and disbursements, issuance of warrants, apportionment of school funds, and the keeping of bookkeeping and accounting records and the rendering of bookkeeping and accounting reports, of which the Auditor of State is relieved in Section Twelve (12) hereof, it shall mean the "State Comptroller" or "Office of State Comptroller".

Sec. 34. Repealing and Effective Date Clause. All laws and parts of laws in conflict with this Act are hereby repealed, subject, however, to the following express provision: Inasmuch as this law and the concurrently enacted State Audit Act provide a new system in respect of the matters covered thereby to take the place of the system now in use, any of the matters covered by this law may in whole or in part, but only with the approval of the State Comptroller, be dealt with in accordance with the system now in use until provision shall have been made to deal with such matters in accordance with such new system; it being intended by this Section to enable the new system to be established in a gradual and orderly manner and without undue disturbance of the administrative functions of the government; Provided, however, that the system of budgeting and of making allotments of all appropriations shall become effective July 1, 1933; and, Provided further, that the new system of central budget and proprietary accounting and reporting provided by this law, and the Act defining the new duties of the State Auditor, shall in all respects be placed in full operation on or before December 1, 1933.

JOHN K. VALENTINE.

D. W. KIMBERLY.

Amend Senate File No. 471 as follows:

1. By striking all of title to said bill and inserting in lieu thereof the following:

An act to redefine the duties of the Auditor of State; to concentrate all post-auditing and examining functions of State and Local governments in the Auditor of State; to require biennial and individual audit reports; to restrict the Auditor's duties; to provide the personnel required by the Auditor of State's Office; to make an appropriation for additional accountants, examiners, assistants and clerks needed to audit all State institutions under the Board of Control and the State Board of Education formerly audited by certified public accountants; to provide when this Act shall go into effect; and to repeal all Code Sections and all Acts or parts of Acts in conflict with this Act.

2. By striking all after the enacting clause to said bill and insert in lieu thereof the following:

Section 1. Title of Act. This Act shall be known and may be cited as the "State Audit Act".

Sec. 2. Powers and Duties of Auditor of State with Reference to State Departments and Establishments. On and after the passage and approval of this Act, the powers, duties and functions of the Auditor of State with reference to State departments and establishments, shall, until otherwise provided, be those enumerated in Code (1931) Sections Three Hundred Thirty-nine (339) to Three Hundred Forty-five (345), inclusive, and Twenty-eight Hundred Ninety-one (2891), as they now exist or may hereafter be amended: Provided, that the accounts, records and documents of the Treasury department shall be audited daily; Provided further, that a preliminary audit of the Educational institutions and the State Fair Board shall be made periodically, at least quarterly, to check the monthly reports submitted to the Comptroller's Office as required by Section Six (6), sub-section Seven (7) of the Budget and Financial Control Act and that a final audit of such State agencies shall be made at the close of each fiscal year; and, Provided further, that all other departments and establishments of the State Government shall be audited at least annually.

Sec. 3. Powers and Duties of Auditor of State with Reference to Local Government Auditing and Accounting and Reporting. On and after the passage and approval of this Act, the powers, duties and functions of the Auditor of State with reference to local governments of the State, shall, until otherwise provided, be those enumerated in Code (1931) Sections One Hundred Eleven (111) to One Hundred Twenty-six (126), inclusive, as they now exist or may hereafter be amended and as enumerated in Sections Two Hundred Firty (250), Fifty-one Hundred Fifty-four (5154), Fifty-one Hundred Sixty-nine-a-two (5169-a2), Fifty-six Hundred Eighty (5680), Fifty-six Hundred Eighty-two (5682) and Fifty-six Hundred Eighty-four (5684): Provided, that all departments and all officials of all political subdivisions now required by law to be audited by the Auditor of State shall be audited at least annually.

Sec. 4. Other Powers and Duties of Auditor of State. The other powers and duties of the Auditor of State, on and after the passage and approval of this Act, shall be those enumerated in Code (1931) Sections One Hundred Ten (110), Sixty-nine Hundred Ninety-four (6994) to Sixty-nine Hundred Ninety-six (6996), inclusive, Seventy Hundred Eighteen (7018), Eighty-five Hundred Eighteen (8518) to Eighty-five Hundred Twenty-one (8521), inclusive, Eighty-five Hundred Twenty-three (8523), Eighty-five Hundred Twenty-four (8524), Ninety-three Hundred Fifteen (9315), Ninety-three Hundred Nineteen (9319), Ninety-three Hundred Twenty (9320), Ninety-three Hundred Thirty-three (9333), Ninety-three Hundred Fifty-four (9354) to Ninety-three Hundred Sixty-two (9362), inclusive, Ninety-three Hundred Sixty-eight (9368), Ninety-three Hundred Seventy-two (9372) to Ninety-three Hundred Seventy-six (9376), inclusive, Ninety-three Hundred Seventy-eight (9378) to Ninety-three Hundred Eighty-two (9382), inclusive, Ninety-three Hundred Eighty-four (9384), Ninety-three Hundred Eighty-six (9386), Ninety-three Hundred Eighty-seven (9387), and Ninety-three Hundred Ninety-

two (9392) to Ninety-four Hundred and Two (9402), inclusive, as they now exist or may hereafter be amended.

Sec. 5. Reports. The Auditor of State shall make the following reports: (1) An annual report to the Governor and General Assembly of all Municipal financial operations; (2) a biennial report to the Governor and the General Assembly of all operations of his Office; and (3) individual audit reports giving the results of all examinations and audits of all departments and establishments and all fiscal officers of the State and Local governments.

Sec. 6. Annual Reports. The annual report shall include statistics of all municipal financial operations similar to those now tabulated and reported in his Annual Report on Municipal Finances.

Sec. 7. Biennial Report. The biennial report shall include: (a) A narrative report and such statistical statements as the State Auditor deems essential to display the results of his audits of the State departments and establishments; (b) a narrative report and statistical statements of all County financial operations similar to that now tabulated and reported in his biennial report; and (c) statistics on Building and Loan Associations now required by law to be published biennially. The biennial report shall also include the results of his audit of the documents and the records of the State Comptroller's Office created in the Budget and Financial Control Act, which records shall be audited by him; and, the results of his audit of all taxes and other revenue collected and paid into the Treasury, and the sources thereof. This report shall also include his recommendations to improve the business methods of the government and any other matters having for their purpose to bring about increased economy and efficiency in the conduct of the affairs of the government.

Sec. 8. Individual Audit Reports. The individual audit reports shall include exhibits and schedules to report data similar to that now required by Section Three Hundred Forty-two (342) of the Code, 1931, and shall as nearly as possible correspond and be prepared similar in form to the audit reports rendered by Certified Public Accountants, and such reports shall include information as to the assets and liabilities of the various departments and institutions audited as of the beginning and close of the fiscal year audited, the receipts and expenditures of cash, the disposition of materials and other properties, and the net income and net operating cost. These reports shall also set forth the cost as to each inmate, member, or student per year in the various classifications of expenses, and shall make comparisons thereof, and shall give such other information, suggestions, and recommendations as may be deemed of advantage and to the best interests of the taxpayers of the State; Provided that the daily audit report of the state treasury shall be submitted to the State Comptroller; Provided further, that copies of all individual audit reports of all State departments and establishments shall be transmitted to the Executive Council and to the State Comptroller's Office after the completion of each audit, and that copies of all local government audits shall, until otherwise provided, be also supplied to the Comptroller's Office; Provided further, that copies of such audit reports shall also be supplied

to the officers of the counties, schools, cities and towns, as now provided by law; and, Provided further, that summaries of the findings, recommendations, and comparisons, together with any other information deemed essential, shall be printed and distributed to members of the Legislature, and such officials, including state officers, as may be designated by the Executive Council.

Sec. 9. Auditor of State's Duties Restricted. It is the purpose of this Act to restrict the duties of the Auditor of State, until otherwise provided, to that of: (1) Post-auditing all documents, accounts and financial records of all departments and establishments of the State government, including all institutions, the Treasury and the Office of State Comptroller; (2) auditing all local government financial records and accounts and of installing a uniform system of accounting and reporting in all political subdivisions of the State as now required by law; (3) performing those duties now assigned to him in Title XVI, Chapter Three Hundred Thirty-two (332) of the Code, 1931; (4) performing those duties now assigned to him in Title XVI, Chapter Three Hundred Thirty-four (334) of the Code, 1931; (5) performing those duties assigned to him in Title XIX, Chapter Three Hundred Ninety-two (392) of the Code, 1931; (6) performing those duties imposed on him by Title XXII, Chapter Four Hundred Seventeen (417) of the Code, 1931; and (7) continuing his duties as ex-officio member of the Executive Council and other State agencies.

Sec. 10. Personnel of Auditor of State's Office. The Auditor of State may employ such accountants, examiners, assistants and clerks as are provided by law, or may hereafter be appropriated for by the General Assembly, and as may be transferred to his office as provided in Section Ten (10) of the Budget and Financial Control Act, and he may remove them at his pleasure: Provided, that he is empowered to employ such additional accountants, examiners, assistants and clerks as may be required to perform the duties and functions assigned to him in this Act and formerly provided for in Section Three Hundred Ninety-seven-d one (397-d1).

Sec. 11. Appropriation for Additional Accountants, Examiners, Assistants and Clerks. There is hereby appropriated from any funds in the State treasury, not otherwise appropriated, a sum sufficient to defray the salaries and expenses of said additional accountants, examiners, assistants and clerks: Provided, that all salaries and expenses of the Auditor of State's Office, beginning with the fiscal year 1935-36, shall be appropriated for in the regular administration, operation and maintenance appropriation Act.

It is the purpose of this Section to provide an appropriation for auditing all State institutions under the Board of Control and the State Board of Education formerly audited by Certified Public Accountants.

Sec. 12. Constitutionality. If any section, sub-section, clause, sentence or phrase of this Act is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portions of this Act. The Legislature hereby declares that it would have passed this Act and each section, sub-section, clause, sentence or phrase

hereof, irrespective of whether any one or more of the sections, subsections, clauses, sentences or phrases be declared unconstitutional.

Sec. 13. Repealing and Effective Date Clause. All laws and parts of laws in conflict with this Act are hereby repealed, subject, however, to the following express provision: Inasmuch as this law and the concurrently enacted Budget and Financial Control Act provide a new system in respect of the matters covered thereby to take the place of the system now in use, any of the matters covered by this law may in whole or in part, but only with the approval of the State Comptroller be dealt with in accordance with the system now in use until provision shall have been made to deal with such matters in accordance with such new system; it being intended by this Section to enable the new system to be established in a gradual and orderly manner and without undue disturbance of the administrative functions of the government: Provided, that the new system and the transfer of functions provided for by this law and the Budget and Financial Control law shall in all respects be placed in full operation on or before December 1, 1933.

JOHN K. VALENTINE
D. W. KIMBERLY

The Journal of April 10th was corrected and approved.

CALL OF THE SENATE

MR. PRESIDENT: We ask a call of the Senate for the legislative day of April 11, 1933.

H. L. IRWIN
LEO ELTHON
CAROLYN C. PENDRAY
L. T. SHANGLE
I. H. KNUDSON
EDW. J. WENNER
H. C. WHITE

E. R. HICKLIN
WM. S. BEARDSLEY
C. H. TOPPING
D. W. KIMBERLY
GEO. A. WILSON
JOHN K. VALENTINE

On motion of Senator Wilson, the Senate adjourned until 9:00 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 11, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. E. A. Elliott, member of the House of Representatives, of Des Moines.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Opposing the passage of Senate File No. 418. Senator Beardsley, from citizens of Woodburn. Board of control.

Favoring the passage of the beer bill. Senator Booth, from residents of Cass county. Judiciary No. 1.

Opposing the passage of the beer bill. Senator Beardsley, from members of the Caroline Paul Memorial Church of the Four Square Gospel of Osceola. Judiciary No. 1.

INTRODUCTION OF BILLS

Senate File No. 492, by claims committee, a bill for an act to make an appropriation to Fred Johnson.

Read first and second times and referred to committee on appropriations.

Senate File No. 493, by claims committee, a bill for an act to make an appropriation to J. H. Hall, Ike Gustin, and Mrs. Bess Kelly.

Read first and second times and referred to committee on appropriations.

Senate File No. 494, by claims committee, a bill for an act to make an appropriation to L. E. McMains and W. L. Huebner.

Read first and second times and referred to committee on appropriations.

Senate File No. 495, by claims committee a bill for an act to make an appropriation to J. F. Scanland.

Read first and second times and referred to committee on appropriations.

Senate File No. 496, by claims committee, a bill for an act to make an appropriation to J. W. Reese.

Read first and second times and referred to committee on appropriations.

Senate File No. 497, by claims committee, a bill for an act to make an appropriation to Ted G. Andrews.

Read first and second times and referred to committee on appropriations.

Senate File No. 498, by claims committee, a bill for an act to make an appropriation to the Donahue Shipping Association, Donohue, Iowa.

Read first and second times and referred to committee on appropriations.

HOUSE MESSAGES CONSIDERED

House File No. 269, a bill for an act to amend the law as it appears in Section five thousand sixty-seven-d five (5067-d5), Code, 1931, limiting the period of operation of vehicles excepted from the provisions of chapter 120 of the Acts of the Forty-fourth General Assembly.

Read first and second times and referred to sifting committee.

House File No. 492, a bill for an act to amend section forty-six hundred thirty-c1 (4630-c1), Code of 1931 relating to salary of special counsel for Highway Commission.

Read first and second times and referred to sifting committee.

House File No. 582, a bill for an act to make an appropriation to C. B. Laird as compensation for a horse killed at Camp Dodge.

Read first and second times and referred to committee on appropriations.

House File No. 585, a bill for an act relating to the payment of persons who act as judges under certificates of election where a contest with respect to the validity of such certificate or election

may be pending and validating any and all acts of such judges during the period they so act.

Read first and second times and referred to sifting committee.

House File No. 517, a bill for an act relating to the purchase of real estate by the State Highway Commission for highway purposes and for the determination of priority of liens thereon, and authorizing the payment of the purchase price to the clerk of the district court of the county in which the real estate is situated, and directing the disbursement thereof to the respective lienholders upon the filing of proper releases and upon giving full credit on the indebtedness of the amounts received by such lienholders.

Read first and second times and referred to sifting committee.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate Files Nos. 368, 310, 199, 198, 160, 189, 478, 482 and 367.

HOMER HUSH, *Chairman Senate Committee.*

WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 368, 310, 199, 198, 160, 189, 478, 482 and 367.

BILLS SENT TO THE GOVERNOR

Senator Hush from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 11th day of April, 1933, sent to the governor for his approval: Senate Files Nos. 368, 310, 199, 198, 160, 189, 478, 482 and 367.

HOMER HUSH, *Chairman.*

Passed on file.

REPORT OF SECOND CONFERENCE COMMITTEE ON HOUSE FILE NO. 40

MR. PRESIDENT and MR. SPEAKER:

Your joint committee of conference appointed to confer in regard to House File No. 40 beg leave to report that this committee has conferred and that it has agreed and recommended as follows:

Amend House File No. 40 as amended and passed by the Senate by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Amend section forty-one hundred eighty-two (4182), code 1931, by adding thereto the following:

Before contracting for transportation as provided in this section, the board shall advertise for sealed bids by one insertion in a newspaper of general circulation in the district, or by posting notices in three conspicuous places in said districts. Such notice shall name the place at which such bids shall be received and the time and place of the opening of said bids and shall provide that all information concerning the requirements to be made of the successful bidders may be found on file with the secretary of the board; such contract shall be let to the lowest responsible bidder. The board may reject any and all bids.

Sec. 2. This act being deemed of immediate importance shall be in full force and effect on and after its passage and publication in the Bloomfield Democrat, a newspaper published at Bloomfield, Iowa, and in the Williamsburg Journal-Tribune, a newspaper at Williamsburg, Iowa.

Further amend by striking the title and substituting in lieu thereof the following:

An Act to amend section forty-one hundred eighty-two (4182), code, 1931, relating to transportation in consolidated school districts.

Respectfully submitted,

FRED W. NELSON
 GEO. M. HOPKINS, *Chairman.*
 FRANK M. STEVENS
 H. D. MILLER

D. R. MCCREERY, *Chairman.*
 THOS. STIMPSON
 S. B. DURANT
 LA MAR FOSTER

On the part of the Senate.

On the part of the House.

HOUSE AMENDMENTS CONSIDERED

Senator Byers called up for consideration Senate File No. 333, amended by the House, and moved that the Senate concur in the following amendment:

Amend the title as follows:

1. Line three (3), by inserting preceding the word "Code" the figures "1931".
2. Line nine (9), by inserting after the figures "(9381)" the following: "Code, 1931".
3. Line twenty (20), by inserting preceding the word "Code" the figures "1931".

On the question "Shall the Senate concur?" the vote was:

Ayes, 38.

Anderson	Carden	Geske	Irwin
Aschenbrenner	Coykendall	Harrington	Kimberly
Bennett	Doze	Hicklin	Klemme
Booth	Fisch	Hill	Meyer
Byers	Frailey	Hopkins	

Miller of Buchanan	Pendray Reese	Stevens of Decatur	Tripp Valentine
Miller of Jones	Ritchie	Stevens of Wapello	Wenner
Moore	Roelofs	Topping	White
Mullaney	Shangle		Wilson
Patterson	Stanley		

Nays, none.

Absent or not voting, 12.

Beardsley	Chrystal	Hush	McArthur
Beatty	Cooney	Husted	Nelson
Calhoun	Eithon	Knudson	Schmidt

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

There being a call of the Senate on file, roll call revealed the presence of all members of the Senate except Senators Chrystal, Cooney and Wilson.

On request of Senator Kimberly, Senator Cooney was excused from the call on account of illness.

HOUSE AMENDMENTS CONSIDERED

Senator Topping called up for consideration Senate File No. 129, amended by the House, and moved that the Senate concur in the following amendments:

Amend by adding thereto as Section 3 the following:

“Sec. 3. Provided, however, that the provision of this act shall not be effective unless and until the Hawes-Copper Act becomes effective.”

Amend the title by striking the “period (.)” at the end thereof and inserting in lieu the following: “and limiting time for the taking effect thereof.”

Senator Topping moved to amend by striking from line 3 the word “Copper” and inserting in lieu thereof the word “Cooper”.

The amendment was adopted.

On the question “Shall the Senate concur?” the vote was:

Ayes, 41.

Anderson	Coykendall	Hopkins	Miller of
Aschenbrenner	Doze	Hush	Buchanan
Beatty	Fisch	Husted	Miller of Jones
Bennett	Frailey	Irwin	Moore
Booth	Geske	Klemme	Mullaney
Calhoun	Harrington	Knudson	Pendray
Carden	Hicklin	McArthur	Reese
Chrystal	Hill	Meyer	Roelofs

Schmidt
Shangle
Stanley

Stevens of
Decatur
Stevens of
Wapello

Topping
Tripp
Valentine

Wenner
Wilson

Nays, none.

Absent or not voting, 9.

Beardsley
Byers
Cooney

Elthon
Kimberly

Nelson
Patterson

Ritchie
White

The House amendments as amended having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

On request of Senator Topping unanimous consent was granted to message to the House immediately, Senate File No. 129.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended the Senate amendments to House Substitute to House File No. 73 and when so amended have concurred therein.

Also, That the House has adopted the Conference Committee Report on Senate Substitute for Senate File No. 131, relating to taxation and to make mandatory reductions of total tax levies in each taxing district for the years 1933 and 1934.

LEOYD ELLIS, Chief Clerk.

Senator Chrystal appeared in the Senate Chamber.

Senator Valentine moved that Senator Nelson be excused temporarily.

The motion prevailed and the call was declared complete.

Senator Cooney appeared in the Senate Chamber.

CONSIDERATION OF SENATE FILE NO. 479 RESUMED.

Senator Husted offered the following amendment and moved its adoption:

Amend section 6 by striking the words "three thousand five hundred" and inserting in lieu thereof the words "three thousand".

Senator Valentine moved the previous question, which motion prevailed.

The amendment was lost.

Senator Moore offered the following amendment and moved its adoption:

Amend by striking from section 10 the words "two thousand two hundred and fifty" and substituting therefor the words "twenty-five hundred".

The amendment was adopted.

Senator Reese offered the following amendment and moved its adoption:

Amend by striking the words "two thousand" in line 4 of Section 9 and substituting in lieu thereof the words "two thousand three hundred".

The amendment was adopted.

Senator Wenner offered the following amendment and moved its adoption:

Amend section 13 by striking from line 4 the words "two thousand seven hundred" and inserting in lieu thereof the words "three thousand".

Senator Harrington moved the previous question, which motion prevailed.

The amendment was adopted.

Senator Wilson was called to the chair at 10:08 a. m.

Senator Hicklin offered the following amendment and moved its adoption:

Amend by adding the following:

Sec. 23-a. Salary of members of Board of Control. Section three thousand two hundred eighty three (3283) Code, 1931, is hereby amended by adding to said Section the following sentence: "The salary of each member of the Board of Control is fixed in the sum of Three Thousand Six Hundred (\$3,600.00) Dollars per annum."

The amendment was adopted.

Senator Nelson appeared in the Senate Chamber.

Senators Byers and Bennett offered the following amendment and moved its adoption:

Amend section 25 by striking the words "six thousand six hundred" in the last line of said section and inserting in lieu thereof "seven thousand".

Amend section 26 by striking the words "four thousand" in the last line of said section and inserting in lieu thereof "four thousand five hundred".

Senator Hicklin offered the following as a substitute amendment for amendments to section 25 and 26.

"The salaries of judges of the Supreme Court or District Court of this state shall not be affected by this act."

Rule 8 was invoked.

On the question, "Shall the substitution be made?" the vote was:

Ayes, 23.

Anderson	Frailey	Klemme	Reese
Beatty	Geske	McArthur	Schmidt
Bennett	Harrington	Meyer	Stanley
Byers	Hicklin	Miller of	Topping
Cooney	Irwin	Buchanan	Valentine
Fisch	Kimberly	Moore	Wilson

Nays, 27.

Aschenbrenner	Elthon	Mullaney	Stevens of
Beardsley	Hill	Nelson	Decatur
Booth	Hopkins	Patterson	Stevens of
Calhoun	Hush	Pendray	Wapello
Carden	Husted	Ritchie	Tripp
Chrystal	Knudson	Roelofs	Wenner
Coykendall	Miller of Jones	Shangle	White
Doze			

Absent or not voting, none.

The substitution was lost.

Senator Calhoun asked a division of the amendment.

Roll call was demanded on the amendment to Sec. 25.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 27.

Anderson	Fisch	McArthur	Schmidt
Beatty	Frailey	Meyer	Stanley
Bennett	Geske	Miller of	Topping
Byers	Harrington	Buchanan	Valentine
Calhoun	Hicklin	Miller of Jones	Wenner
Carden	Kimberly	Moore	White
Cooney	Klemme	Reese	Wilson

Nays, 22.

Aschenbrenner	Elthon	Mullaney	Shangle
Beardsley	Hill	Nelson	Stevens of
Booth	Hopkins	Patterson	Decatur
Chrystal	Hush	Pendray	Stevens of
Coykendall	Husted	Ritchie	Wapello
Doze	Knudson	Roelofs	Tripp

Absent or not voting, 1.

Irwin

The amendment was adopted.

Roll call was demanded on the amendment to Sec. 26.

Rule 8 was invoked.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 27.

Anderson	Fisch	Klemme	Schmidt
Beatty	Frailey	Meyer	Stanley
Bennett	Geske	Miller of	Topping
Booth	Harrington	Buchanan	Valentine
Byers	Hicklin	Miller of Jones	Wenner
Carden	Irwin	Moore	White
Cooney	Kimberly	Reese	Wilson

Nays, 23.

Aschenbrenner	Hill	Mullaney	Shangle
Beardsley	Hopkins	Nelson	Stevens of
Calhoun	Hush	Patterson	Decatur
Chrystal	Husted	Pendray	Stevens of
Coykendall	Knudson	Ritchie	Wapello
Doze	McArthur	Roelofs	Tripp
Elthon			

Absent or not voting, none.

The amendment was adopted.

Senator Harrington moved the previous question on all pending amendments and the main bill.

The chair held that the bill was being taken up section by section and the motion was out of order as time would have to be given to the members of the Senate to file amendments.

Senator Hicklin offered the following amendment and moved its adoption:

Amend by adding as section 25a the following:

"Sec. 25a. The salary of the Governor of the State of Iowa shall be Seven Thousand Dollars per annum."

Senator Tripp offered the following amendment to the amendment and moved its adoption:

Amend by striking the period at the end thereof and adding the following: "to take effect January 1, 1937".

Senator Irwin moved to lay the motion of Senator Tripp on the table.

On request of Senator Irwin, unanimous consent was granted to withdraw his motion to lay on the table.

Roll call was demanded.

On the question, "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 3.

Aschenbrenner	Shangle	Tripp
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Nays, 45.

Anderson	Fisch	Knudson	Roelofs
Beardsley	Frailey	McArthur	Schmidt
Beatty	Geske	Meyer	Stanley
Bennett	Harrington	Miller of	Stevens of
Booth	Hicklin	Buchanan	Decatur
Byers	Hill	Miller of Jones	Stevens of
Calhoun	Hopkins	Mullaney	Wapello
Carden	Hush	Nelson	Topping
Cooney	Husted	Patterson	Valentine
Coykendall	Irwin	Pendray	Wenner
Doze	Kimberly	Reese	White
Elthon	Klemme	Ritchie	Wilson

Absent or not voting, 2.

Chrystal	Moore
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The amendment to the amendment was lost.

Roll call was demanded on the Hicklin amendment.

Rule 8 was invoked.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 16.

Beardsley	Carden	Hopkins	Roelofs
Bennett	Elthon	Husted	Shangle
Byers	Hicklin	Nelson	Topping
Calhoun	Hill	Patterson	Wenner

Nays, 34.

Anderson	Geske	Miller of	Stanley
Aschenbrenner	Harrington	Buchanan	Stevens of
Beatty	Hush	Miller of Jones	Decatur
Booth	Irwin	Moore	Stevens of
Chrystal	Kimberly	Mullaney	Wapello
Cooney	Klemme	Pendray	Tripp
Coykendall	Knudson	Reese	Valentine
Doze	McArthur	Ritchie	White
Fisch	Meyer	Schmidt	Wilson
Frailey			

Absent or not voting, none.

The amendment was lost.

Senators Bennett and Frailey offered the following amendment and moved its adoption:

Amend section 21 by striking from lines 3 and 4 of said section the words "twenty-five hundred" and inserting in lieu thereof the words "thirty-six hundred".

The amendment was lost.

Senator Anderson offered the following amendment and moved its adoption:

Amend section 21 by striking from line 4 the words "twenty-five hundred" and inserting in lieu thereof the words "three thousand".

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 28.

Anderson	Geske	Moore	Stevens of
Beatty	Harrington	Reese	Wapello
Bennett	Hicklin	Roelofs	Topping
Byers	Kimberly	Schmidt	Tripp
Carden	McArthur	Stanley	Valentine
Cooney	Meyer	Stevens of	White
Coykendall	Miller of	Decatur	Wilson
Fisch	Buchanan		
Frailey			

Nays, 20.

Aschenbrenner	Hill	Klemme	Patterson
Beardsley	Hopkins	Knudson	Pendray
Calhoun	Hush	Miller of Jones	Ritchie
Doze	Husted	Mullaney	Shangle
Elthon	Irwin	Nelson	Wenner

Absent or not voting, 2.

Booth	Chrystal
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The amendment was adopted.

On motion of Senator Irwin the Senate recessed until 1:00 p. m. today.

AFTERNOON SESSION

The Senate reconvened at the fall of the gavel, President N. G. Kraschel presiding.

Roll call revealed the presence of all members of the Senate except Senators Bennett, Cooney, Frailey, Harrington and Topping.

Senator Valentine moved to excuse all absent members of the Senate temporarily.

The motion prevailed.

EXTRA COPIES SENATE FILE NOS. 131 AND 477 ORDERED

On request of Senator Stevens of Wapello, unanimous consent was granted to have 4200 copies of Substitute for Senate File No. 131 as passed.

On request of Senator Valentine unanimous consent was granted to have printed 3600 copies of Senate File No. 477 as passed.

Senator Bennett appeared in the Senate Chamber.

CONSIDERATION OF SENATE FILE NO. 479 RESUMED

Senator Miller of Buchanan offered the following amendment and moved its adoption:

Amend section 30 by striking from line 8 the figures "500" and inserting in lieu thereof the figures "900"; also by striking from line 9 the figures "700" and inserting in lieu thereof the figures "1000".

The amendment was adopted.

Senator Anderson offered the following amendments and moved their adoption:

Amend Section 30, as follows:

1. By striking in line 10 the figures "900" and inserting in lieu thereof the figures "1100".

2. Strike in line 11, the figures "1000" and insert in lieu thereof the figures "1200".

3. Strike in line 12 the figures "1100" and insert in lieu thereof the figures "1300".

4. Strike in line 13 the figures "1200" and insert in lieu thereof the figures "1450".

5. Strike in line 14 the figures "1300" and insert in lieu thereof the figures "1450".

The amendments were adopted.

Senator Wilson offered the following amendment and moved its adoption:

Amend section 30 by adding as subsection 8 the following:

"8. 125,000 and over, 1800".

The amendment was adopted.

Senator Harrington appeared in the Senate Chamber.

Senator Wilson offered the following amendment and moved its adoption:

Amend section 30 by striking from line 14 the word "over" and inserting in lieu thereof the following: "less than 125,000".

The amendment was adopted.

Senator Nelson offered the following amendment and moved its adoption:

Amend section 30 by striking from line 5 thereof the word “, and mileage.”.

Senator Topping appeared in the Senate Chamber.

Senator Harrington moved the previous question, which motion prevailed.

Roll call was demanded.

On the question “Shall the amendment be adopted?” the vote was:

Ayes, 35.

Anderson	Geske	McArthur	Ritchie
Aschenbrenner	Harrington	Meyer	Roelofs
Beardsley	Hicklin	Miller of Jones	Schmidt
Bennett	Hill	Moore	Stanley
Calhoun	Hopkins	Mullaney	Stevens of
Chrystal	Irwin	Nelson	Decatur
Coykendall	Kimberly	Patterson	Topping
Fisch	Klemme	Pendray	Valentine
Frailey	Knudson	Reese	Wilson

Nays, 12.

Beatty	Hush	Shangle	Tripp
Booth	Husted	Stevens of	Wenner
Carden	Miller of	Wapello	White
Elthon	Buchanan		

Absent or not voting, 3.

Byers	Cooney	Doze
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The amendment was adopted.

On request of Senator Nelson unanimous consent was granted to strike the comma from Sec. 30 after the word “service” in line 5 thereof, and insert in lieu thereof the word “and”.

Senator Cooney appeared in the Senate Chamber and the call was declared complete.

Senator Fisch offered the following amendments and moved their adoption:

Amend by striking out all of Section 37 of the amended bill.

Also by inserting immediately after the word “mentioned” in line two (2) of Sec. 55 of the amendment the following words: “except county sheriffs”.

Roll call was demanded.

On the question "Shall the amendments be adopted?" the vote was:

Ayes, 39.

Anderson	Doze	McArthur	Stanley
Aschenbrenner	Fisch	Miller of	Stevens of
Beatty	Frailey	Buchanan	Decatur
Bennett	Geske	Miller of Jones	Stevens of
Booth	Harrington	Moore	Wapello
Byers	Hicklin	Mullaney	Topping
Calhoun	Hill	Reese	Tripp
Carden	Hopkins	Roelofs	Valentine
Chrystal	Hush	Schmidt	Wenner
Cooney	Kimberly	Shangle	Wilson
Coykendall	Klemme		

Nays, 9.

Beardsley	Irwin	Patterson	Ritchie
Elthon	Meyer	Pendray	White
Husted			

Absent or not voting, 2.

Knudson Nelson

The amendments were adopted.

Senator Wilson offered the following amendment and moved its adoption:

Amend by striking section 38; also amend by inserting after the word "sheriffs" in line 2 of section 55 the words "and deputy sheriffs".

The amendment was adopted.

Senators Tripp, Wenner, Stevens of Wapello and Booth offered the following amendment and moved its adoption:

Amend by striking section 39 and substituting therefor the following:

Amend section fifty-two hundred twenty-eight (5228), code 1931, by striking from sub-section 1, lines 1 and 2, the words "eleven hundred" and substituting therefor the words "thirteen hundred seventy-five".

Also, by striking from sub-section two thereof, the words "fourteen hundred" and substituting the words "seventeen hundred fifty".

Also, by striking from sub-section 3, the words "sixteen hundred" and substituting therefor the words "two thousand".

Also, by striking from sub-section 4, the words "seventeen hundred" and substituting therefor the words "twenty-one hundred twenty-five".

Also, by striking from sub-section 5, the words "two thousand" and substituting therefor the words "twenty-five hundred".

Also, by striking from sub-section 6, the words "twenty-two hundred" and substituting therefor the words "twenty-six hundred fifty".

Also, by striking from sub-section 7, the words "twenty-five hundred" and substituting therefor the words "thirty-one hundred twenty-five".

Also, by striking from sub-section 8, the words "thirty-five hundred" and substituting therefor the words "four thousand".

Also, by striking from sub-section 9, the words "four thousand" and substituting therefor the words "forty-five hundred".

Also, by striking from sub-section 10, the words "five thousand" and substituting therefor the words "fifty-five hundred".

The amendment was adopted.

Senator Coykendall offered the following amendment and moved its adoption:

Amend section 44 by striking from line 4 the word "two" and inserting in lieu thereof the word "three".

The amendment was adopted.

Senator Coykendall offered the following amendment and moved its adoption:

Amend section 45 by striking from line 4 the word "two" and inserting in lieu thereof the word "three".

The amendment was adopted.

Senator Wilson offered the following amendment and moved its adoption:

Amend by striking sections 52, 53 and 54.

The amendment was adopted.

Senator Stevens of Wapello offered the following amendment and moved its adoption:

Amend section Fifty-five (55) by adding thereto the following, to-wit: "This section shall not apply to salaries of state officers and heads of state departments as fixed in the biennial salary appropriation act."

The amendment was adopted.

Senator Wilson offered the following amendment and moved its adoption:

Amend section 48 by striking therefrom paragraphs 7, 8, 9 and 10.

The amendment was adopted.

Senator Wilson offered the following amendment and moved its adoption:

Amend by adding to section 29 the following: "Provided, however, in counties having a population of 125,000 and over the members of the board of supervisors shall each receive five dollars for each day actually in session and five dollars per day when not in session but employed on committee service, and mileage as now provided by law."

The amendment was adopted.

Senator Stevens of Wapello offered the following amendment and moved its adoption:

Amend section 49 by striking in line four (4) the words "five hundred seventy" and substituting therefor the words "twenty-one hundred twenty-five".

The amendment was adopted.

Senator Bennett moved to defer final action until tomorrow morning. The motion prevailed.

Senator Valentine moved to consider the following bills in the order named: Senate Files Nos. 470, 471, 472, 323 and 487.

Senator Wilson asked for a division of the question.

Senator Wilson moved as a substitute motion that action on Senate File No. 470 be deferred until the special session in August.

Roll call was demanded.

On the question "Shall the substitute motion prevail?" the vote was:

Ayes, 22.

Beardsley	Carden	Hush	Roelofs
Beatty	Elthon	Husted	Stanley
Bennett	Frailey	Nelson	Topping
Booth	Hicklin	Patterson	Wenner
Byers	Hill	Ritchie	Wilson
Calhoun	Hopkins		

Nays, 28.

Anderson	Harrington	Miller of	Shangle
Aschenbrenner	Irwin	Buchanan	Stevens of
Chrystal	Kimberly	Miller of Jones	Decatur
Cooney	Klemme	Moore	Stevens of
Coykendall	Knudson	Mullaney	Wapello
Doze	McArthur	Pendray	Tripp
Fisch	Meyer	Reese	Valentine
Geske		Schmidt	White

Absent or not voting, none.

The substitute motion was lost.

The question being on the Valentine motion to consider Senate File No. 470, the motion prevailed.

THIRD READING OF BILLS

On motion of Senator Valentine Senate File No. 470, a bill for an

act to better secure the administration of the financial affairs of the State and to establish financial control over all State financial operations, and for that purpose, to vest in the Governor certain powers and duties; to create the office, define the powers and duties and fix the salary of a State Comptroller; to abolish the State Board of Audit, and to transfer its personnel, appropriations, records, equipment and other property to the Office of State Comptroller; to abolish the Office of Director of the Budget and to transfer its personnel, appropriations, records, equipment and other property in part to the Office of State Comptroller and, in part to the Office of State Auditor; to relieve the Board of Control of certain accounting and auditing duties and to provide for the transfer of certain employees and the unexpended balance of appropriations made for salaries, together with certain books, records, documents, papers, office furniture and equipment and other property to the Office of State Comptroller; to relieve the Auditor of State of certain duties and to provide for the transfer of certain employees and the unexpended balance of appropriations made for salaries, together with certain books, records, documents, papers, office furniture and equipment and other property to the Office of State Comptroller; to establish a State budget system; to provide for lapsing of appropriations; to provide for the transmission of the budget to the Legislature; to provide a method for securing estimates of appropriations and for estimates of income of the State; to provide a tentative budget and to provide for hearings on the same; to provide for transmission of the tentative budget to the Governor; to provide for allotment of appropriations to prevent an overdraft or a deficit in any fiscal year for which appropriations are made; to control departmental and institutional receipts; to provide an appropriation for printing, installation expenses and operating supplies; to establish a uniform fiscal year for all State departments and establishments; to prevent the wrongful expending of appropriations and to provide penalties and punishment; to provide when this Act shall go into effect and to repeal all Code sections and all Acts or parts of Acts in conflict with this Act, returned by the sifting committee, was taken up and considered.

Senators Valentine and Kimberly called up for consideration their amendment as found on page 1057 to 1071 of the Senate Journal and moved its adoption.

The amendment was adopted.

Senator Wilson raised the point of order that the amendment was out of order as it was an entirely new bill and until it had been read the first and second times, it could not be considered.

The President held the point of order not well taken.

Senators Valentine and Kimberly called up for consideration the amendment to the title as found on page 1057 of the Senate Journal and moved its adoption.

The amendment was adopted.

Senator Wilson moved that the report of the Brookings Institution to the interim committee be printed in the Journal.

The motion prevailed.

Senator Valentine moved that the bill be read a third time and placed on its passage, which motion prevailed.

Senator Cooney moved the previous question.

Senator Hicklin moved to defer action on the final vote of the bill until tomorrow morning.

Senator Cooney moved to recess for five minutes.

Senator Wilson moved as a substitute, that the Senate adjourn until 9:30 a. m. tomorrow.

Roll call was demanded.

On the question, "Shall the Senate adjourn?" the vote was:

Ayes, 25.

Beardsley	Elthon	Husted	Ritchie
Beatty	Frailey	Klemme	Roelofs
Bennett	Hicklin	Knudson	Stanley
Booth	Hill	Miller of Jones	Topping
Byers	Hopkins	Nelson	Wenner
Calhoun	Hush	Patterson	Wilson
Carden			

Nays, 25.

Anderson	Harrington	Moore	Stevens of
Aschenbrenner	Irwin	Mullaney	Decatur
Chrystal	Kimberly	Fendray	Stevens of
Cooney	McArthur	Reese	Wapello
Coykendall	Meyer	Schmidt	Tripp
Doze	Miller of	Shangle	Valentine
Fisch	Buchanan		White
Geske			

Absent or not voting, none.

The motion was declared to be lost, the President casting the deciding vote of "Nay".

Senator Irwin raised the point of order that Senator Hicklin's motion was out of order as the previous question had been moved.

Senator Wilson moved to adjourn until 9:15 a. m. tomorrow morning.

Roll call was demanded.

Senator Shangle raised the point of order that Senator Wilson's motion was out of order as there was no intervening business between his motions to adjourn.

The President held the point of order well taken.

Senator Wilson moved to amend the Cooney motion for a recess by making the time 9:00 p. m. tonight.

Senator Irwin moved as a substitute to recess for ten minutes.

Roll call was demanded.

On the question "Shall the Senate recess for ten minutes?" the vote was:

Ayes, 26.

Anderson	Harrington	Miller of Jones	Stevens of
Aschenbrenner	Irwin	Moore	Decatur
Chrystal	Kimberly	Mullaney	Stevens of
Cooney	McArthur	Pendray	Wapello
Coykendall	Meyer	Reese	Tripp
Doze	Miller of	Schmidt	Valentine
Fisch	Buchanan	Shangle	White
Geske			

Nays, 24.

Beardsley	Carden	Hush	Ritchie
Beatty	Elthon	Husted	Roelofs
Bennett	Frailey	Klemme	Stanley
Booth	Hicklin	Knudson	Topping
Byers	Hill	Nelson	Wenner
Calhoun	Hopkins	Patterson	Wilson

Absent or not voting, none.

The substitution was made, the motion as substituted prevailed and the Senate recessed for ten minutes.

The Senate met at the fall of the gavel.

Senator Hush moved to reconsider the vote by which Senate File No. 470 went to its third reading. The motion prevailed.

Senator Patterson moved to adjourn until 9:00 a. m. tomorrow.

Roll call was demanded.

On the question "Shall the Senate adjourn?" the vote was:

Ayes, 24.

Beardsley	Carden	Hush	Ritchie
Beatty	Elthon	Husted	Roelofs
Bennett	Frailey	Klemme	Stanley
Booth	Hicklin	Knudson	Topping
Byers	Hill	Nelson	Wenner
Calhoun	Hopkins	Patterson	Wilson

Nays, 26.

Anderson	Harrington	Miller of Jones	Stevens of
Aschenbrenner	Irwin	Moore	Decatur
Chrystal	Kimberly	Mullaney	Stevens of
Cooney	McArthur	Pendray	Wapello
Coykendall	Meyer	Reese	Tripp
Doze	Miller of	Schmidt	Valentine
Fisch	Buchanan	Shangle	White
Geske			

Absent or not voting, none.

The motion to adjourn was lost.

Senator Hicklin moved to defer final action on the bill until tomorrow morning.

Senator Kimberly, as a substitute, moved that Senate File No. 470 be made special order of business at 9:30 a. m. tomorrow.

The motion prevailed.

Senator Valentine called up the remainder of his motion to consider Senate Files Nos. 471, 472, 323, 487 in the order mentioned.

Senator Wenner asked for a division of the question.

Roll call was demanded.

Rule 8 was invoked.

On the question, "Shall the Senate consider Senate File No. 471 after Senate File No. 470?" the vote was:

Ayes, 27.

Anderson	Harrington	Miller of Jones	Stevens of
Aschenbrenner	Irwin	Moore	Decatur
Chrystal	Kimberly	Mullaney	Stevens of
Cooney	Kiemme	Pendray	Wapello
Coykendall	McArthur	Reese	Tripp
Doze	Meyer	Schmidt	Valentine
Fisch	Miller of	Shangle	White
Geske	Buchanan		

Nays, 23.

Beardsley	Carden	Hush	Roelofs
Beatty	Elthon	Husted	Stanley
Bennett	Frailey	Knudson	Topping
Booth	Hicklin	Nelson	Wenner
Byers	Hill	Patterson	Wilson
Calhoun	Hopkins	Ritchie	

Absent or not voting, none.

The motion prevailed.

Senator Valentine moved to consider Senate File No. 472 after Senate File No. 471.

Senator Wilson raised the point of order that it took a two-thirds vote to make a bill a special order.

Senator Cooney raised the point of order that Senator Wilson's point of order was made too late.

Senator Shangle raised the point of order that there was nothing before the Senate, thus no point of order was in order.

The President held that the Wilson point of order was not well taken as the same situation had obtained several times before today.

The motion by Senator Valentine prevailed.

Senator Valentine moved that the Senate consider Senate File No. 323 after Senate File No. 472. The motion prevailed.

Senator Valentine moved that the Senate consider Senate File No. 487 after Senate File No. 323. The motion prevailed.

The Journal of April 10th was corrected and approved.

PRELIMINARY REPORT ON FINANCIAL ADMINISTRATION
OF THE STATE GOVERNMENT OF IOWA

(Submitted to the Committee on Reduction of Governmental
Expenditures)

INTRODUCTION

Of the several factors entering into the problem of efficient government, none is of greater importance than that of financial administration. A large part, probably more than half, of the time of the legislative branch is devoted to a consideration of financial measures: what revenues shall be raised, how they shall be collected, cared for, and disbursed, what provision shall be made for meeting the expenditure needs of the government, and the conditions to be observed in making such expendi-

tures. On the administrative side, there is scarcely an act of government that does not have its financial aspects. The fact that an accurate record, susceptible of verification, must be kept of every penny of income due the government and collected and of every penny expended, means that practically every act of government must be reflected in the financial records. These records constitute at once the most important instrument of control over the fidelity and efficiency with which government officers perform their duties, the means of affording information regarding operations, and the basis for determining future needs of the government. In addition, special administrative services must be created and maintained for the assessment and collection of revenues, the custody of funds, the settlement of claims, the disbursement of moneys, the keeping of accounts, and the audit of such accounts in order to determine their accuracy and legality. It might be said that the system of financial administration has gone a long way toward putting the administration of its affairs upon an efficient basis, and conversely, that the government which has not done so cannot possibly have that economical and effective management of its affairs to which its citizens are entitled.

The State of Iowa has done little in the past few years in improving its financial organization and procedure. This report is prepared for the purpose of supplying the Committee on Reduction of Governmental Expenditures with the existing organization and the organization which should be set up to put the administration of the State's financial affairs upon an efficient basis. If the bills recommended are enacted into law the legislature will vest in the Governor of the State a direct and effective financial supervision over all departments and establishments. They will also place responsibility upon him for the efficient and economical administration of all services of the government and the initiation and preparation of a balanced budget of any and all receipts and expenditures for each regular session of the General Assembly. They will also delegate power to the Auditor of State to effectively check the administration and to see to it that the laws of the State in so far as finances are concerned are administered according to law.

Under the present financial system of the state government there is no single central agency charged with the responsibility of administering all finances; no central agency responsible for accounting for all state moneys; and no single published report containing information with regard to all the financial operations of state government. The state now has nine agencies charged with the duty of administering some phase of its finances. Among these is the Board of Assessment and Review which organization is not treated in this report in that it has to do with taxation and will be discussed in the final report of the Brookings Institution. These nine agencies are:

- a. The State Auditor,
- b. The State Treasurer,
- c. The Director of the Budget,
- d. The State Board of Audit,
- e. The State Board of Education, through its finance committee and the several institutions under its control,
- f. The Board of Control of State Institutions,

- g. The State Fair Board,
- h. The Soldiers Bonus Board, and
- i. Board of Assessment and Review.

These agencies are chosen on the basis that each is charged with sole responsibility of assessing, collecting revenues or of approving expenditures from some particular fund or funds of the state government and of accounting and reporting therefor. This fact alone leads to the conclusion that a complete picture of the state's financial operations and financial condition cannot be found in any one place in the state government.

Accounting. It has been found that the responsibility of accounting for the finances of the state is as decentralized as administrative control. For example, receipts and expenditures of all institutions under the Board of Control are accounted for by five different agencies. These are:

- a. By each particular institution,
- b. By the Office of the Board of Control,
- c. By the Office of the Board of Audit,
- d. By the Office of the State Auditor, and
- e. By the Office of the State Treasurer.

For all other departments and establishments, with the exception of the institutions under the State Board of Education and the State Fair Board, accounts for expenditures from funds and appropriations are maintained by four different agencies. These are:

- a. By the Office of each department or establishment,
- b. By the Office of the Board of Audit,
- c. By the Office of the State Auditor, and
- d. By the Office of the State Treasurer.

For all institutions under the State Board of Education and the State Fair Board, except for monthly advances made from state appropriations, no accounts are maintained for receipts and expenditures, except in the particular institution involved.

These facts again demonstrate the need for a central agency; an agency to be charged with the duty of accounting for all of the financial operations of the state government. The creation of such an agency would make it possible to abolish the keeping of accounts by all agencies of the state except by the particular department or establishment concerned and by the central control department.

Reporting. The value of accounting records is measured in their ability to produce all the information necessary to be presented in financial statements and in published reports. In this regard, complete information is available as to financial condition and operations at all times for the use of the Legislature, the chief executive, the administrative officers and the public.

Financial statements have been compiled for the purpose of reporting all receipts and expenditures of the state government for the last five-year period. In the process of compiling these reports it was necessary to resort to the published reports of seven different state agencies. These are the reports of:

- a. The State Auditor,
- b. The State Treasurer,

- c. The Director of the Budget,
- d. The State Board of Education,
- e. The Board of Control,
- f. The State Fair Board, and
- g. The Highway Commission.

The multiplicity of sources from which information must be taken in order to obtain complete information on the financial operations of the state makes it almost impossible to claim any degree of accuracy of the statistics obtained. It also makes it impossible to compile complete information within any reasonable length of time or without undue cost of time and energy.

These facts serve as a third illustration of the need for centralizing financial administration.

INADEQUACY OF PRESENT FINANCIAL STRUCTURE

In order to point out specifically wherein the present financial organization fails to meet the requirements of a proper financial structure, it is first necessary to describe briefly what is contemplated in a properly organized financial structure. Such organization should contemplate three departments with duties as follows:

1. Budgeting, accounting, reporting and business procedure,
2. Receipt, custody and disbursement of public funds, and
3. Auditing.

The first of these constitutes the executive and administrative authority for safeguarding finances through a properly prepared budget coupled with the machinery for the execution of the budget. The specific activities included in this organization unit are: (a) Budgeting; (b) controlling expenditures through the periodic allotment of appropriations and by the pre-audit of all claims presented for payment; (c) accounting, both fund and proprietary, for all operations of the state government; (d) drawing warrants on the State Treasurer for the payment of all claims; and (e) reporting of all financial operations and the financial condition of the state government.

The second department constitutes the Office of the State Treasurer and involves: (a) Accounting for all receipts and their classification by sources and funds; (b) accounting and reporting for and properly safeguarding the custody of all public funds; and (c) accounting for the disbursement of public funds.

The third constitutes the function of the State Auditor. The State Auditor is an elected representative of the people, and his duties should be confined to that of post-auditing all transactions of the state government. Through such audits he should be able to maintain a check on the financial administration of all state funds and should report to the Legislature and to the people whether the directions of the Legislature in creating revenues and authorizing expenditures have been properly administered.

Comparing these requirements with the present financial structure it has been found that no single agency is confined in its duties strictly to that which belongs in either of the classes outlined above.

OUTLINE OF PRESENT ORGANIZATION

There is submitted below an outline showing the organization of the Office of the State Auditor, the Director of the Budget, the Board of Audit and the accounting and auditing of the office of the Board of Control. This chart indicates the activities of each of these agencies that are proposed to be reorganized, as hereinafter outlined; serves to point out the over-lapping of duties and the decentralization of such activities. It also shows the salary rate of each position, the cost of each division and of each officer for the fiscal year 1932.

Only those offices or divisions of offices are included in this outline which are directly affected by the reorganization of financial agencies proposed in the next section of this report.

Office of the State Auditor

Organization	Salary
Office of the State Auditor	
General:	
State Auditor	\$ 5,000
Deputy Auditor	3,000
Secretary	1,500
Statistician	1,800
2 Clerks at \$1,200.....	2,400
	<hr/>
	\$13,700
Accounting and Warrants:	
Bookkeeper	\$2,100
Assistant Bookkeeper	1,200
Warrant Clerk	1,800
Assistant Warrant Clerk.....	1,400
Wt. Redemption Clerk	1,200
	<hr/>
	7,500
County Accounting and Auditing:	
Chief Clerk	\$2,400
Accountant	2,000
Stenographer	1,200
	<hr/>
	5,600
16 Examineers (\$7 per diem) (1)	
13 Assistant Examiners (\$6 per diem) (1)	
Municipal Acctg. and Auditing:	
5 Examiners (\$7 per diem) (1)	
5 Assistant Examiners (\$6 per diem) (1)	
	<hr/>
Total Office of State Auditor.....	\$26,800
Board of Audit	
Board Members:	
2 Clerks at \$1400.....	\$ 2,800
Clerk	1,200
	<hr/>
Total Board of Audit.....	\$ 4,000

Director of the Budget

General:

Director	\$ 5,000
Assistant	3,000
Secretary	1,800

Budget Report and Auditing:

State Accountant	\$3,000
2 Accountants	4,800

Local Budgets:

Chief Clerk	2,400
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Total Director of the Budget.....\$20,000

Board of Control (2)

Accounting:

Chief Accountant	\$ 2,500
Assistant Accountant	2,200
Assistant Accountant	1,800
Auditor of Claims	1,600
Assistant Auditor	1,800
Stenographer	1,200

Total Board of Control.....\$10,620

Grand Total—Salaries.....\$61,400

- (1) Salaries and expenses reimbursable by local governments.
- (2) Auditing and Accounting only.

The several organization units listed in the above outline are described below:

Office of State Auditor. From this chart it will be noted that the duties of the State Auditor payable from the general fund are practically all confined to financial administration; that is, issuing warrants and accounting and business procedure and that his only duties with respect to auditing are those involving annual and biennial examinations of local governments.

In addition to the activities indicated in this outline, the State Auditor is charged with certain duties relative to: (a) Regulating and certifying building and loan associations, partial payment investment companies and Morris Plan loan companies; (b) custody and issue of cigarette and oleomargarine stamps, and (c) semi-annually apportioning the interest on the Permanent School Fund. These duties have no relation to the functions of a State Auditor. Their proper allocation in the administrative structure of the state will be treated in the final report.

Board of Audit. This office is charged with the duty of auditing all claims presented to the State Auditor for the issuance of warrants except those for salaries of regular employees. It was found, however, that this office maintains a complete set of fund and appropriation accounts to which all claims are charged before they are submitted for payment.

Director of the Budget. In addition to the duties of the Director of the Budget with regard to the preparation and submission of a budget docu-

ment, the law directs that he shall appoint a State Accountant, whose duty it is to annually make an examination of every department, establishment and institution of the state government. He is also charged with the duty of prescribing accounting and business procedure for all state departments and establishments. The duties and cost of this office is, therefore, divided between that of the preparation of the budget and of auditing state departments and establishments.

Board of Control. Only one division of the office of the Board of Control is included here. That is, the division which performs all duties required by law in respect to auditing, abstracting and certifying claims for payment and of maintaining central accounts for all institutions under its control.

By reference to the outline chart, it will be noted that the total salaries of the offices and divisions included in the outline amounts to \$61,400. However, in order to present a complete picture of the cost of the accounting and auditing considered in this plan of reorganization, there should be added to this amount the cost of auditing state institutions by Certified Public Accountants for the same period. This amounted to \$73,270 in 1931 and \$38,530 in 1932, or an average of \$55,900 for the two years.

The cost of auditing counties, municipalities and financial institutions by the State Auditor's Office is not included in the above amounts, since these auditors work on a per-diem basis and the cost is reimbursable by local governments.

PROPOSED FINANCIAL REORGANIZATION

The need for reforming the financial administration of the state government has been pointed out by illustrating the decentralized and inadequate control now being exercised.

It was indicated for example, that nine state agencies are responsible for the administration of state finances; that accounting for financial operations is highly decentralized and that the duties and activities of the present organization units do not include a central office of financial control. The need for such central control office is apparent in view of the facts cited above.

There are being submitted to the Legislature for its consideration two Bills; one, the "Budget and Financial Control Act" having for its purpose the establishment of a budget and financial control system for the state government and a concurrent Bill, the "State Audit Act" which has for its purpose to redefine the duties of the State Auditor and to relieve him of certain accounting and financial duties which are unrelated to auditing. In order to correct the decentralized and unbusinesslike procedure now in effect in the state government, it is highly desirable that these two Bills be enacted into law at this session. Moreover, it is highly desirable that these Bills be considered concurrently, since they both relate to the general subject of financial administration and the enactment of one without the other would lead to confusion and delay in properly reorganizing the financial structure and financial system of the state.

To make it possible to reorganize the present financial system of the

state government, it is therefore recommended that these two Bills and the other Bills amending certain sections of the Code having for their purpose to change the Code to conform to the Budget and Financial Control and State Audit Acts, be enacted into law. A discussion of these two Bills follows:

Budget and Financial Control Act. This bill has for its purpose to reorganize the present decentralized functions of financial administration so as to bring together in one central agency all those duties in respect to budgeting, accounting, pre-audit of claims for payment, issuing warrants, prescribing uniform accounting procedure for all departments and establishments and of making investigations of the financial and business procedure of all departments, establishments and institutions. These duties are now being performed by the office of the State Auditor, the Board of Audit, the Director of the Budget and the Board of Control of State Institutions. In addition to the transfer of duties now performed by these agencies this bill provides an effective control over the financial operations of institutions under the State Board of Education and the State Fair Board. Specifically, the provisions of this bill are the following:

1. It vests in the Governor a direct and effective control over the financial operations of every department and establishment and every state agency by whatever name called.

2. It makes it the duty of the Governor to initiate, prepare and maintain a balanced budget. In fact, it requires him to so administer the finances of the State as to prevent a deficit in any fiscal year.

3. It supplies him with an agency directly under his control for the performance of these duties. The agency provided is that of an Office of State Comptroller. The duties of the State Comptroller, among other things, will be that of preparing the Governor's Budget for the consideration of the General Assembly, and of enforcing all rules and regulations restricting expenditures so as to insure a balanced budget at the end of each fiscal year.

4. It transfers to the Office of State Comptroller all those duties in respect to budgeting, accounting and financial control now being performed by the State Auditor, the Board of Audit, the Director of the Budget and the Board of Control of State Institutions.

5. It transfers to the Comptroller's office all those duties now performed by the State Auditor with regard to accounting and business procedure, the issuance of warrants on the State Treasurer, and all other duties which do not pertain strictly to post-auditing, with the exception of the regulation of certain financial institutions and other miscellaneous duties not in the field of financial administration.

6. It abolishes the Board of Audit and transfers all of the duties now performed by this Board to the Office of the Comptroller.

7. It abolishes the Office of the Director of the Budget and transfers all duties of this office with respect to budgeting to the Office of the State Comptroller all duties with respect to the audit of state departments, establishments, and institutions to the State Auditor.

8. It transfers all duties now performed by the Board of Control with

respect to the pre-audit of claims of institutions under its control and the keeping of a central system of accounting for such institutions to the Office of State Comptroller.

9. It provides that no appropriation shall be available for expenditure until allotted by the Governor. In this regard it is provided that every department and establishment shall submit, at least twenty days before the beginning of each quarterly period, a requisition for an allotment of the amount estimated to be necessary to carry on its work for the ensuing quarter.

10. It requires the State Comptroller to set up on his books each allotment approved by the Governor and be governed accordingly in exercising control over expenditures.

11. It provides that appropriations for land and public improvements may be allotted in lump sum without regard to quarterly periods.

12. It provides that allotments shall be encumbered for the amount of all purchase orders and contracts as executed. This has the effect of setting up a reserve against each allotment for such encumbrances thereby protecting the amount from being expended for other purposes.

13. It provides that all repayment receipts collected by a department or establishment which are added to or supplement appropriations shall be reported together with requests for allotments and such requests shall show how much of the estimated requirement is to be financed from such receipts and how much is requested to be allotted from the state appropriation.

14. It provides that, where a department or institution collects receipts which are available for expenditure by such department or establishment, the appropriation provided is in addition to such receipts and available for expenditure only to the extent that such repayment receipts are insufficient to meet all expenditures. In other words, in lieu of the present practice of considering appropriations to be expended in total and repayment receipts carried forward as an unexpended balance, this provision declares that repayment receipts are first expended and all unexpended balances of appropriations are reverted to the general funds.

15. It provides that all unencumbered balances of current annual appropriations made from the general fund or from special funds shall revert to the fund from which appropriated at the end of each fiscal year except that appropriations for land and public improvements shall remain in force and be available until the object for which appropriated shall have been accomplished as now provided by law.

16. It provides an effective control over the operations of the educational institutions and the State Fair Board. It accomplishes this by requiring these agencies to have their funds, both state appropriations and repayment receipts, allotted as are all other departments and establishments of the state government.

In order that the State Comptroller may exercise an effective control over the expenditures of such institutions and the State Fair Board, this bill outlines the accounting procedure to be followed by the Comptroller. This procedure provides: (a) That all advances made to such institutions and the State Fair Board shall be charged to an advance account

subject to a further accounting of expenditures therefrom; (b) that all collections reported shall be credited to the appropriation to which such receipts apply and charged to such advance account subject to further accounting; (c) that all disbursements made from such advance accounts be charged to the respective allotment account from which such expenditures are made and credited to the advance account; and (d) that each such institution and the State Fair Board shall submit a monthly account current reporting all receipts and expenditures for the purpose of charging the proper allotment accounts and crediting the proper advance accounts.

17. It provides that the fiscal year of the state for purposes of making appropriations and for purposes of accounting and reporting by all departments and establishments of the state government shall begin on July 1, and end on June 30.

State Audit Act. This bill has for its purpose to redefine the duties of the State Auditor to the end that his duties will eventually be confined to auditing and that such duties include an effective post-audit of all departments, establishments and institutions of the state government. At present his only duty with regard to auditing is confined to an annual audit of the fiscal affairs of counties, of biennially auditing all municipalities and of auditing school districts only under certain conditions prescribed by law. All duties with regard to auditing state departments and establishments are now performed by the Director of the Budget, while audits of all institutions have been annually performed by Certified Public Accountants. The enactment of this bill will have the effect of centralizing the auditing of all state departments, establishments and all institutions in the Office of the State Auditor. Specifically the provisions of this bill are:

1. To transfer to the Office of the State Auditor all those duties in respect to the annual audit of state departments and establishments now performed by the Office of the Director of the Budget, which office it is proposed to abolish in the concurrent Budget and Financial Control Act.

2. To continue the present duties of the State Auditor with regard to the annual and biennial audits of all local governments as now provided by law or as may be amended by the present Legislature.

3. To continue, for the time being, all those duties of the State Auditor with respect to regulation, certification and examination of Building and Loan Associations and similar financial institutions, and all other miscellaneous duties unrelated to financial administration, which are not transferred to the Office of State Comptroller by the concurrent Budget and Financial Control Act.

4. To make it the duty of the State Auditor to perform the audit of all institutions which has heretofore been performed by Certified Public Accountants, and to require him to employ qualified accountants to enable him to perform the same type of audit as that which has been performed by such accountants.

PROPOSED ORGANIZATION

There is submitted below an Outline of Organization, which has for its purpose to show the organization of the Office of the State Comptroller

and the Office of the State Auditor after all contemplated changes have been made. This represents an estimate of the personnel required to operate the Office of the State Comptroller after all new procedures are in effect and all unnecessary personnel eliminated. It also represents the organization of the Auditor's Office before taking on additional qualified accountants to perform the institutional audits heretofore performed by Certified Public Accountants.

OUTLINE OF PROPOSED ORGANIZATION

Organization	Salary
Office of State Comptroller	
State Comptroller	\$ 6,000
Secretary	1,500
Division of Budgets:	
Assistant Comptroller	\$3,000
Investigator	1,800
Clerk-Stenographer	1,200
	6,000
Division of Accounts and Audits:	
Assistant Comptroller	\$3,000
Auditor of Disbursements	1,800
2 Assistant Auditors of Disbursements @ \$1,500.....	3,000
Audit Clerk	1,200
Auditor of Receipts	1,500
Chief Accountant	2,100
Bookkeeper	1,500
Warrant Clerk	1,500
Assistant Warrant Clerk	1,200
Clerk-Stenographer	1,200
	18,000
Total Salaries	\$31,500
Office of the State Auditor	
Office of the Auditor Proper:	
State Auditor	\$6,000
Secretary	1,500
Statistician	1,800
	9,300
Division of State Audits:	
Deputy Auditor	\$3,000
Chief Accountant	2,400
2 Accountants @ \$1,800	3,600
	9,000
Accountants (Institutional Audits) (1).....	9,000
Division of Local Government Finance:	
Chief of Division	\$2,400
Accountant	2,000

Stenographer-Clerk	1,200
Local Government Auditors (Per Diem \$7) (2).....	5,600
Total Salaries	\$23,900
Grand Total	\$55,400

(1) Indefinite appropriation to be made to perform the work now done by Certified Public Accountants and heretofore appropriated in Section 397-d1 (44 GA, Ch. 11).

(2) Per Diem and expenses reimbursed by local governments.

Economies. From this outline of organization it will be noted that the total cost of the two departments created and/or redefined by the plan of reorganization contemplated in the two Bills, amounts to \$55,400 annually. Comparing this estimated cost with the cost of performing the same activities in 1932 of \$61,400 as shown by the outline of present organization on pages five and six reflects a direct economy of \$6,000. It is pointed out, however, that these amounts do not include the cost of auditing institutions by Certified Public Accountants nor the estimated cost to the State Auditor of performing these audits under the new plan.

As previously stated the cost of these outside audits was \$111,800 for the biennium 1931-1932. Of this sum \$73,270 was expended in 1931 and \$38,530 in 1932. With regard to the requirement that the State Auditor shall perform this work in the future it is provided in the State Audit Act that for the biennial period ending June 30, 1935 an indefinite appropriation shall be made to defray the cost of salaries and expenses of such additional accounts and examiners as may be employed by the State Auditor. Beginning with the fiscal year 1935-1936 it is contemplated that the State Auditor will be in a position to make a definite estimate of this additional expense. We are not in a position to estimate what this will approximate but it is reasonable to believe that the cost would not exceed one-half, and possibly less, than the average for the last two years.

These savings do not represent, however, the total savings which are possible of accomplishment by the introduction of the new methods contemplated in these two bills. The greatest economy will be derived from the establishment of a real financial control over the spending departments which spendings will, if these laws are enacted be restricted according to quarterly work programs presented to the Governor for approval. The presentation of these quarterly programs will give the Governor the opportunity of re-appraising the activities being conducted and where necessary make it possible for him to enforce economies and to restrict expenditures to the resources to become available during the fiscal years of the biennial period. For example, it has been the experience of those governments operating under a like system that large savings can be made by the quarterly authorization of expenditures through the process of reviewing the proposed work of the government each quarterly period.

AMENDMENTS FILED

Amend Senate File No. 487 as follows:

Insert after Section 1 the following as Sections 2, 3 and 4:

Sec. 2. To carry out the provisions of any agreement or undertaking entered into between the Executive Council and the Reconstruction Finance Corporation or other governmental agency, for the restoration or replenishment of the State sinking fund for public deposits, the Treasurer of State is authorized to sell, assign, pledge, transfer, and convey any or all of the assets held by him in trust for the said State sinking fund, including claims against defunct Banks and trust companies, and anticipated income from deposits of public funds in operating Banks and trust companies.

Sec. 3. Section seven thousand four hundred twenty b-three (7420 b-3) of Chapter 352 A-1 of the Code, 1931, is hereby amended by striking the comma (,) after the word warrants, in line ten (10), and inserting a period (.) in lieu thereof, and by striking out the remainder of said Section.

Sec. 4. Section seven thousand four hundred twenty b-six (7420-b6) of Chapter 352 A-1 of the Code, 1931, is hereby amended by inserting a period (.) after the word "fit" in line twelve (12), and by striking the remainder of said Section.

And that succeeding Sections be renumbered accordingly.

E. R. HICKLIN.

Amend the amendment to Senate File No. 479 by striking all of Sections forty-nine (49) and fifty (50) and substituting in lieu thereof the following:

"Sec. 49. (Compensation of Aldermen, Special Cities) Amend section sixty-seven hundred four (6704), Code 1931, by striking from line three (3) the words "six hundred" and substituting therefor the words "five hundred seventy".

"Sec. 50. (Compensation of Mayor, Special Cities) Amend section sixty-seven hundred five (6705), Code 1931, by striking from lines three (3) and four (4) the words "two thousand five hundred" and substituting therefor the words "two thousand one hundred twenty-five".

HOMER HUSH.

Amend Senate File No. 470 as follows:

1. Strike from line 28, page 6, the word "and", omit the period at the end of line 29, page 6, and add the words "and State Fish and Game Commission".

2. Strike the word "and" in line 11 in Section 25 on page 26, and strike the semi-colon at the end of line 11, and add following the word "education" at the end of line 11, the words "and the State Fish and Game Commission;".

3. Amend Section 26, on page 27, by inserting after the word "appropriations" in the third line thereof the words "except those of the State Fish and Game Commission".

4. Amend Section 27 on page 28 by inserting after the word "Appropriation" in line 2 thereof the words "except those made to the State Fish and Game Commission".

ROY E. STEVENS.

CALL OF THE SENATE

We, the undersigned members of the Senate, ask for a call of the Senate for the calendar day of April 12, 1933.

M. D. COONEY
PAUL W. SCHMIDT
F. M. STEVENS
L. T. SHANGLE
J. E. DOZE
H. L. IRWIN
CLYDE H. TOPPING

D. W. KIMBERLY
M. MOORE
M. X. GESKE
PAUL H. ANDERSON
H. C. WHITE
L. H. MEYER

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 12, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. C. E. Lookingbill, member of the House of Representatives, of Nevada, Iowa.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the designated committees:

Approving prohibition. Senator Wilson, from young people in Iowa. Senator Carden, from members of Ladies' Library Association of Mt. Pleasant. Judiciary No. 1.

Favoring the passage of House File No. 461. Senator Coykendall, from business men of Clarinda. Cities and towns.

Favoring the passage of the old age pension bill. Senator Wilson, from Local Union Number 5480 of the United Mine Workers of America, Des Moines. Judiciary No. 2.

There being a call of the Senate on file, roll call revealed the presence of all members of the Senate except Senators Aschenbrenner, Bennett, Byers, Fisch, Frailey, Hicklin, Knudson, McArthur, Topping, Tripp, Valentine, Wilson.

INTRODUCTION OF BILLS

Senate File No. 499, by appropriations committee, a bill for an act to make an appropriation to Muscatine County, Iowa, Emmet County, Iowa, Winnebago County, Iowa, and Louisa County, Iowa.

Read first and second times and placed on the calendar.

Senate File No. 500, by appropriations committee, a bill for an act to make an appropriation for certain miscellaneous state pur-

poses for the ensuing biennial fiscal term and to provide for the expenditure of said appropriated funds by the executive council of the State of Iowa.

Read first and second times and placed on the calendar.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 587, a bill for an act relating to intoxicating liquors; to provide revenue by taxation of and from permits to sell, and to issue permits to sell, and to issue permits for and regulate manufacture and sale thereof.

LLOYD ELLIS, *Chief Clerk.*

HOUSE MESSAGE CONSIDERED

House File No. 587, a bill for an act to amend sections nineteen hundred and twenty-three (1923), twenty hundred seventy-two (2072), twenty-one hundred thirty-six (2136) of the Code of Iowa 1931, all relating to intoxicating liquors; to provide revenue for the State of Iowa and certain of its municipal subdivisions by taxation of and from permits to manufacture, and/or sell certain non-intoxicating liquors and to issue permits for and regulate the manufacture and sale thereof.

Read first and second times and referred to sifting committee.

REPORTS OF COMMITTEE

Senator White submitted the following reports:

MR. PRESIDENT: Your committee on appropriations to which was referred House File No. 414, a bill for an act to make an appropriation for the expenses incurred in the election contest of Adair vs. Teter, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend Section 1 by striking all of line three (3) and by inserting in lieu thereof the following: "six hundred sixty-three dollars and fifty-four cents (\$663.54)."

Further amend Section 1, by striking the figures "300.00" at the end of line nine (9), and inserting in lieu thereof the figures "250.00".

Further amend Section 1, by striking the figures "275.00" at the end of line eleven (11) and inserting in lieu thereof the figures "250.00".

Further amend Section 1, by striking the figures "10.00" at the end of line fourteen (14).

Further amend Section 1, by striking the figures "748.54" at the end of line thirty-three (33), and inserting in lieu thereof the figures "663.54".

H. C. WHITE, *Chairman*.

Ordered passed on file.

Also:

Your committee on appropriations to which was referred House File No. 571, a bill for an act to make an appropriation for Albert Dickinson Company, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman*.

Ordered passed on file.

Also:

Your committee on appropriations to which was referred House File No. 582, a bill for an act to make an appropriation to C. B. Laird as compensation for a horse killed at Camp Dodge, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman*.

Ordered passed on file.

Also:

Your committee on appropriations to which was referred Senate File No. 496, a bill for an act to make an appropriation to J. W. Reese, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman*.

Ordered passed on file.

Also:

Your committee on appropriations to which was referred Senate File No. 495, a bill for an act to make an appropriation to J. Y. Scanland, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman*.

Ordered passed on file.

Also:

Your committee on appropriations to which was referred Senate File No. 492, a bill for an act to make an appropriation to Fred Johnson, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman*.

Ordered passed on file.

Also:

Your committee on appropriations to which was referred Senate File No. 494, a bill for an act to make an appropriation to L. E. McMains and W. L. Huebner, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman*.

Ordered passed on file.

Also:

Your committee on appropriations to which was referred Senate File No. 498, a bill for an act to make an appropriation to the Donahue Shipping Association, Donahue, Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman*.

Ordered passed on file.

Also:

Your committee on appropriations to which was referred Senate File No. 493, a bill for an act to make an appropriation to J. H. Hall, Ike Gustin, and Mrs. Bess Kelly, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman*.

Ordered passed on file.

Also:

Your committee on appropriations to which was referred Senate File No. 497, a bill for an act to make an appropriation to Ted G. Andrews, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman*.

Ordered passed on file.

Senators Valentine, Bennett, Fisch and Knudson appeared in the Senate Chamber.

Senator White moved that the Senate concur in the House amendments to the Senate amendments to Substitute for House File No. 73.

On the question, "Shall the Senate concur?" the vote was:

Ayes, none.

Nays, 38.

Anderson	Geske	Miller of	Roelofs
Beatty	Harrington	Buchanan	Schmidt
Bennett	Hill	Miller of Jones.	Shangle
Booth	Hopkins	Moore	Stanley
Calhoun	Husted	Mullaney	Stevens of
Carden	Irwin	Nelson	Decatur
Cooney	Kimberly	Patterson	Stevens of
Coykendall	Klemme	Pendray	Wapello
Doze	Knudson	Reese	Valentine
Fisch	Meyer	Ritchie	Wenner
			White

Absent or not voting, 12.

Aschenbrenner	Chrystal	Hicklin	Topping
Beardsley	Elthon	Hush	Tripp
Byers	Frailey	McArthur	Wilson

The Senate refused to concur in the House amendments to the Senate amendments to Substitute for House File No. 73.

Senators Byers, Frailey, Hicklin, Topping and Wilson appeared in the Senate Chamber.

Senator Valentine moved to recess until the fall of the gavel.

The motion prevailed.

The Senate met at the fall of the gavel.

SIFTING COMMITTEE REPORT

MR. PRESIDENT: Your Sifting Committee begs leave to report that it has had House File No. 587 under consideration and recommends that it be placed on the calendar of the Senate.

JOHN K. VALENTINE, *Chairman.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files Nos. 338, 270, 224, 179, 348, 363, 396, 344 and 178; House Files Nos. 63, 280, 323, 324, 325, 327, 330, 334, 335, 342, 539 and 565.

HOMER HUSH, *Chairman Senate Committee.*

WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 338, 270, 224, 179, 348, 363, 396, 344 and 178, and House Files Nos. 63, 280, 323, 324, 325, 327, 330, 334, 335, 342, 539 and 565.

COPIES OF SENATE FILE NO. 167 ORDERED

On request of Senator Hicklin, unanimous consent was granted to have printed 600 copies of Senate File No. 167 as passed.

CONSIDERATION OF SENATE FILE NO. 470

Senator Patterson moved to defer action on Senate File No. 470 until the special session in August.

There being a call of the Senate on file, roll call revealed the presence of all members of the Senate except Senator Beatty.

Senator Beatty appeared in the Senate Chamber and the call was declared complete.

Senator Valentine moved as a substitute that action on Senate Files Nos. 470, 471 and 472 be deferred, such bills to retain their places on the calendar.

Senator Fisch moved the previous question, which motion prevailed.

Roll call was demanded.

Rule 8 was invoked.

On the question, "Shall the substitution be made?" the vote was:

Ayes, 25.

Anderson	Geske	Miller of Jones	Stevens of
Aschenbrenner	Harrington	Moore	Decatur
Chrystal	Irwin	Mullaney	Stevens of
Cooney	McArthur	Pendray	Wapello
Coykendall	Meyer	Reese	Tripp
Doze	Miller of	Schmidt	Valentine
Fisch	Buchanan	Shangle	White

Nays, 25.

Beardsley	Elthon	Husted	Ritchie
Beatty	Frailey	Kimberly	Roelofs
Bennett	Hicklin	Klemme	Stanley
Booth	Hill	Knudson	Topping
Byers	Hopkins	Nelson	Wenner
Calhoun	Hush	Patterson	Wilson
Carden			

Absent or not voting, none.

The vote being a tie, the President cast the deciding vote of "aye" and the substitution was made.

Rule 8 was invoked.

On the question, "Shall the substitute motion prevail?" the vote was:

Ayes, 28.

Anderson	Geske	Miller of	Shangle
Aschenbrenner	Harrington	Buchanan	Stevens of
Calhoun	Irwin	Miller of Jones	Decatur
Chrystal	Kimberly	Moore	Stevens of
Cooney	Knudson	Mullaney	Wapello
Coykendall	McArthur	Pendray	Tripp
Doze	Meyer	Reese	Valentine
Fisch		Schmidt	White

Nays, 22.

Beardsley	Elthon	Husted	Roelofs
Beatty	Frailey	Klemme	Stanley
Bennett	Hicklin	Nelson	Topping
Booth	Hill	Patterson	Wenner
Byers	Hopkins	Ritchie	Wilson
Carden	Hush		

Absent or not voting, none.

The substitute motion prevailed and action on Senate Files Nos. 470, 471 and 472 was deferred.

On motion of Senator Valentine, the Senate recessed until 1:30 p. m. today.

AFTERNOON SESSION

The Senate reconvened at the fall of the gavel, President N. G. Kraschel presiding.

The call of the Senate being in force, roll call revealed the presence of all members of the Senate except Senator Frailey.

Senator Valentine moved that Senator Frailey be temporarily excused. The motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate Amendment to House File No. 341, a bill for an act relating to inspection of passenger boats.

Also, that the House has concurred in the Senate Amendment to House File No. 277, a bill for an act authorizing the Board of Conservation to designate certain persons as peace officers.

Also, that the House has adopted the Conference Committee report on House File No. 40, a bill for an act relating to transportation in consolidated school districts.

Also, that the House has adopted the Conference Committee report on House File No. 128, a bill for an act to provide liens in favor of hospitals.

Also, that the House has concurred in the Senate Amendments to House Amendment to Senate File No. 129, a bill for an act relating to prison-made goods.

LLOYD ELLIS, *Chief Clerk.*

CONFERENCE COMMITTEE REPORT ON HOUSE FILE NO. 40

MR. PRESIDENT AND MR. SPEAKER: Your joint committee of conference appointed to confer in regard to House File No. 40 beg leave to report that this committee has conferred and that it has agreed and recommended as follows:

Amend House File No. 40 as amended and passed by the Senate by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. Amend section forty-one hundred eighty-two (4182), code 1931, by adding thereto the following:

Before contracting for transportation as provided in this section, the board shall advertise for sealed bids by one insertion in a newspaper of general circulation in the district, or by posting notices in three conspicuous places in said districts. Such notice shall name the place at which such bids shall be received and the time and place of the opening of said bids and shall provide that all information concerning the requirements to be made of the successful bidders may be found on file with the secretary of the board; such contract shall be let to the lowest responsible bidder. The board may reject any and all bids.

Sec. 2. This act being deemed of immediate importance shall be in full force and effect on and after its passage and publication in the Bloomfield Democrat, a newspaper published at Bloomfield, Iowa, and in the Williamsburg Journal-Tribune, a newspaper at Williamsburg, Iowa.

Further amend by striking the title and substituting in lieu thereof the following:

An Act to amend section forty-one hundred eighty-two (4182), code, 1931, relating to transportation in consolidated school districts.

Respectfully submitted,

FRED W. NELSON, *Chairman.*

GEO. M. HOPKINS

FRANK M. STEVENS

H. D. MILLER

On the part of the Senate.

D. R. MCCREERY, *Chairman.*

THOS. STIMPSON

S. B. DURANT

LA MAR FOSTER

On the part of the House.

CONFERENCE COMMITTEE REPORT ON HOUSE FILE NO. 128

MR. PRESIDENT AND MR. SPEAKER: Your joint Committee of Conference appointed to confer in regard to House File No. 128, as passed by the House and as amended and passed by the Senate and in which amendments the House refused to concur, begs leave to report that your Committee has conferred and that it has agreed and recommends as follows: That the Senate recede from its amendments.

M. MOORE, *Chairman.*

PAUL H. ANDERSON

JOHN N. CALHOUN

IRVING H. KNUDSON

On the part of the Senate.

E. A. JOHNSON, *Chairman.*

J. E. CRAVEN

F. J. SWIFT

E. H. FABRITZ

On the part of the House.

CONSIDERATION OF SENATE FILE NO. 297 RESUMED

Action having been deferred on page 1051 of the Senate Journal, Senator Roelofs offered the following amendment and moved its adoption:

Amend by striking all after the enacting clause and substituting in lieu thereof the following:

Section 1. That section four thousand one hundred thirty-three (4133), Code, 1931, be amended by adding thereto the following:

"Provided however that no such change shall be made in the boundary lines of any school corporation as will result in attaching to or including in any independent school corporation which includes a city or town, any land outside the corporate limits of such city or town, which land is not platted into building lots, without the written consent of the owners of the land so proposed to be attached to, or included in such independent school corporation."

Sec. 2. When any land lying outside of the corporate limits of a city or town which land is not platted or divided into building lots, is a part of or included in an independent school corporation consisting in part of a city or town, adjoins or is contiguous or adjacent to any rural school corporation, the county superintendent of schools shall, upon written request of the owner of such land, by a written order in duplicate, detach said land from such city or town independent school corporation and attach the same to and make it a part of the adjoining rural school corporation; one copy of such order shall be at once transmitted to the secretary of each corporation affected thereby who shall record the same and make the proper designation on the plat of the corporation.

Senator Hush offered the following amendment to the amendment and moved its adoption:

Amend section 1 by inserting in line 8 after the word "town," the words "except rural consolidated districts,".

The amendment to the amendment was adopted.

Senator Hush offered the following amendment to the amendment and moved its adoption:

Amend section 2 by inserting after the word "corporation" in line 4 the words "not a rural consolidated district".

The amendment to the amendment was lost.

Senator Frailey appeared in the Senate Chamber and the call was declared complete.

Senator Harrington moved the previous question which motion prevailed.

The amendment as amended was lost.

Senator Booth offered the following amendment and moved its adoption:

Amend by striking the enacting clause.

Senator Harrington moved the previous question, which motion prevailed.

The amendment was lost.

Senator Hush moved to defer action on the bill until the special session in August. The motion prevailed.

THIRD READING OF BILLS

On motion of Senator Geske House File No. 301, a bill for an act to amend Section Twenty-one Hundred Thirty-six (2136), Code, 1931, relating to the persons to whom permit holders may sell intoxicating liquor, returned by the sifting committee, was taken up and considered.

Senator Miller of Buchanan being temporarily absent from the Senate Chamber, was excused from voting.

The bill was read for information.

Senator Geske moved that the reading just had be considered the third reading, which motion prevailed.

Rule 8 was invoked.

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

Ayes, 32.

Anderson	Frailey	Moore	Stevens of
Aschenbrenner	Geske	Mullaney	Wapello
Bennett	Harrington	Pendray	Topping
Booth	Hicklin	Reese	Tripp
Byers	Hush	Roelofs	Valentine
Chrystal	Irwin	Schmidt	Wenner
Cooney	Kimberly	Stevens of	White
Doze	Meyer	Decatur	Wilson
Fisch	Miller of Jones		

Nays, 17.

Beardsley	Elthon	Klemme	Patterson
Beatty	Hill	Knudson	Ritchie
Calhoun	Hopkins	McArthur	Shangle
Carden	Husted	Nelson	Stanley
Coykendall			

Absent or not voting, 1.

Miller of Buchanan

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

Senator Geske moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Knudson House File No. 134, a bill for an act to amend section seventy-four hundred twenty-d4 (7420-d4), Code, 1931, relating to the location of depositories of public funds, returned by the sifting committee, was taken up and considered.

Senator Hopkins offered the following amendments and moved their adoption:

1. Strike from line 16 of section 1 the words "by the school treasurer and approved".
2. Strike from line 17 of section 1 the words "or the trustees".

By unanimous consent Senator Hopkins withdrew the amendments.

The bill was read for information.

Senator Knudson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 44.

Anderson	Elthon	Knudson	Roelofs
Aschenbrenner	Frailey	McArthur	Schmidt
Beardsley	Geske	Meyer	Shangle
Beatty	Harrington	Miller of	Stanley
Bennett	Hicklin	Buchanan	Stevens of
Booth	Hill	Miller of Jones	Decatur
Byers	Hopkins	Moore	Stevens of
Carden	Hush	Mullaney	Wapello
Chrystal	Husted	Nelson	Topping
Cooney	Irwin	Pendray	Wenner
Coykendall	Kimberly	Reese	Wilson
Doze	Klemme	Ritchie	

Nays, none.

Absent or not voting, 6.

Calhoun	Patterson	Valentine	White
Fisch	Tripp		

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

Senator Knudson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Patterson moved to withdraw from the sifting committee Senate File No. 88 and place it on the calendar.

The President ruled that the motion was out of order until the completion of the bills on the calendar, at the close of the day.

On motion of Senator Topping Senate File No. 261, a bill for an act to repeal sections twenty-one hundred five (2105) to twenty-one hundred nine (2109), inclusive, and to amend section twenty-one hundred ten (2110), Code, 1931, relating to the physician's record of prescriptions for intoxicating liquors, returned by the sifting committee, was taken up and considered.

Senator Harrington moved the previous question, which motion prevailed.

The bill was read for information.

Senator Topping moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 30.

Anderson	Frailey	Miller of	Stevens of
Aschenbrenner	Geske	Buchanan	Decatur
Bennett	Harrington	Miller of Jones	Stevens of
Byers	Hicklin	Moore	Wapello
Chrystal	Irwin	Mullaney	Topping
Cooney	Kimberly	Reese	Valentine
Coykendall	Klemme	Roelofs	White
Doze	Meyer	Schmidt	Wilson
Fisch			

Nays, 19.

Beardsley	Hill	McArthur	Shangle
Booth	Hopkins	Nelson	Stanley
Calhoun	Hush	Patterson	Tripp
Carden	Husted	Pendray	Wenner
Elthon	Knudson	Ritchie	

Absent or not voting, 1.

Beatty

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

Senator Topping moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 586, a bill for an act relating to motor vehicle license fees, operator's and chauffeur's license fees. LLOYD ELLIS, *Chief Clerk*.

HOUSE FILE NO. 587 MADE SPECIAL ORDER

Senator Valentine moved that House File No. 587 be made special order for Thursday, April 13th at 10:00 a. m.

The motion prevailed.

THIRD READING OF BILLS

On motion of Senator McArthur House File No. 413, a bill for an act to amend the law as it now appears in Section Fifty-one Hundred Five-A Forty-one (5105-A41), Code, 1931, regulating the taxation of motor vehicle carriers, returned by the sifting committee, was taken up and considered.

Senator Roelofs offered the following amendment and moved its adoption:

Amend by striking from line 12 thereof the word "two" and inserting in lieu thereof the words "one and one-half".

President pro tempore Matt. D. Cooney was called to the chair at 3:15 p. m.

Senator Nelson moved the previous question on the amendment, which motion prevailed.

The amendment was adopted.

The bill was read for information.

Senator McArthur moved that the reading just had be considered the third reading, which motion prevailed.

Rule 8 was invoked.

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

Ayes, 41.

Anderson	Byers	Cooney	Elthon
Aschenbrenner	Carden	Coykendall	Fisch
Bennett	Chrystal	Doze	Frailey

Geske	Klemme	Nelson	Stevens of
Harrington	Knudson	Patterson	Decatur
Hicklin	McArthur	Pendray	Topping
Hopkins	Meyer	Reese	Valentine
Hush	Miller of	Ritchie	Wenner
Husted	Buchanan	Roelofs	White
Irwin	Miller of Jones	Schmidt	Wilson
Kimberly	Mullaney	Stanley	

Nays, 9.

Beardsley	Calhoun	Moore	Stevens of
Beatty	Hill	Shangle	Wapello
Booth			Tripp

Absent or not voting, none.

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

Senator McArthur moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Nelson, unanimous consent was granted to message to the House immediately, House File No. 413.

President N. G. Kraschel returned to the chair at 3:33 p. m.

On motion of Senator Schmidt House File No. 401, a bill for an act relating to the perpetuation of credits earned by students in institutions of higher learning which may be discontinued, returned by the sifting committee, was taken up and considered.

Senator Beatty was excused for 5 minutes.

Senator Irwin moved that the call of the Senate be raised.

The motion prevailed.

Action was deferred temporarily.

On motion of Senator Harrington Senate File No. 375, a bill for an act to amend section fifty one hundred eleven (5111), Code 1931, relating to county government, returned by the sifting committee, was taken up and considered.

Senator Harrington offered the following amendments and moved their adoption:

Amend by adding the following section: "Sec. 2. This act shall apply to counties having a population of not less than one hundred thousand nor more than one hundred twenty-five thousand by the last federal census."

Also, amend the title by striking the period at the end thereof and adding the following: "in certain cities."

Senator Wenner offered the following amendment to the amendment and moved its adoption:

Amend section 2 by inserting after the word "apply" the word "only"; also by striking from the last line the word "cities" and inserting in lieu thereof the word "counties".

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Roelofs offered the following amendment and moved its adoption:

Amend section 1 by striking from line 7 the word "which" and inserting in lieu thereof the word "whom".

The amendment was adopted.

The bill was read for information.

Senator Harrington moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 35.

Anderson	Geske	Miller of	Stevens of
Aschenbrenner	Harrington	Buchanan	Decatur
Bennett	Hill	Miller of Jones	Stevens of
Booth	Hopkins	Moore	Wapello
Byers	Irwin	Mullaney	Topping
Chrystal	Kimberly	Pendray	Tripp
Coykendall	Klemme	Reese	Valentine
Doze	Knudson	Roelofs	Wenner
Fisch	McArthur	Schmidt	White
Frailey		Stanley	

Nays, 2.

Ritchie	Shangle
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Absent or not voting, 13.

Beardsley	Cooney	Hush	Nelson
Beatty	Elthon	Husted	Patterson
Calhoun	Hicklin	Meyer	Wilson
Carden			

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

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Substitute for Senate File No. 131.

HOMER HUSH, *Chairman Senate Committee.*
WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Substitute for Senate File No. 131.

BILLS SENT TO THE GOVERNOR

Senator Hush from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 12th day of April, 1933, sent to the Governor for his approval, Senate Files Nos. 338, 270, 224, 179, 348, 363, 396, 344, 178 and Substitute for Senate File No. 131. HOMER HUSH, *Chairman.*

Passed on file.

HOUSE MESSAGE CONSIDERED

House File No. 586, a bill for an act to amend sections forty-nine hundred ten (4910), forty-nine hundred sixty-d one (4960-d1), forty-nine hundred sixty-d twenty five (4960-d25), five thousand (5000), five thousand ten (5010), and five thousand twenty-seven (5027), Code, 1931, relating to motor vehicle license fees and operator's and chauffeur's license fees and the duties of the Motor Vehicle Department and the funds available for its support.

Read first and second times and referred to sifting committee.

AMENDMENTS FILED

Amend Senate File No. 479 by inserting as Sec. 52 the following:

The salaries of County Sheriffs, deputy sheriffs, municipal court judges, superior court judges, shorthand court reporters, and salaries of mayors and councilmen as set out in subsections three (3) and four (4) of Sec. 6572 of the Code, 1931, shall not be effected by the provisions of this Act.

ROY E. STEVENS
HOMER HUSH
D. MYRON TRIPP

Amend Senate File No. 470 as follows:

Amend section 4 by adding after the word "Governor" in the 7th line thereof the following: "with the approval, in executive session, of two-thirds of the Senate,"

CLAUDE STANLEY
CHAS. D. BOOTH

Amend Senate File No. 470 as follows:

Amend section 20 by striking therefrom all after the period in line 4.

CLAUDE STANLEY.

Amend House File No. 587 as follows:

Amend Sec. 36 by striking all of subsection b and inserting in lieu thereof the following: "b. All license fees and taxes collected by the Treasurer of State of the state of Iowa shall accrue to the state sinking fund for public deposits as created in Chapter 352 A-1 of the 1931 Code of Iowa."

VINCENT F. HARRINGTON

E. R. HICKLIN

Amend House File No. 587 as follows:

1. Amend Sec. 13 by striking the period (.) from line eight (8) and inserting in lieu thereof a comma (,) and adding the following: "provided, however, that a wholesaler may sell such beer in quantities of not less than two hundred eighty-eight (288) ounces, unrefrigerated, to consumers at their homes."

2. Amend Sec. 14 by striking from lines nine (9) and ten (10) the words and figures "one hundred forty-four (144)" and inserting in lieu thereof the words and figures "forty-eight (48)".

3. Amend Sec. 24 by changing the comma (,) after the word "act" in line seven (7) to a period and striking the rest of the section.

4. Amend by striking all of Sec. 34 and renumbering the following sections.

VINCENT F. HARRINGTON.

The Journal of April 11th was corrected and approved.

CALL OF THE SENATE

MR. PRESIDENT: We, the undersigned Senators, ask that a call of the Senate issue for the legislative day of April 13th.

M. D. COONEY

PAUL W. SCHMIDT

D. W. KIMBERLY

L. H. MEYER

M. X. GESKE

M. MOORE

PAUL H. ANDERSON

CLYDE H. TOPPING

T. W. MULLANEY

I. G. CRYSTAL

MIKE G. FISCH

VINCENT F. HARRINGTON

JOHN K. VALENTINE

CHRIS REESE

On motion of Senator Carden the Senate adjourned until 9:30 a. m. Thursday.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, APRIL 13, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. A. R. Weed, Pastor of the West Star and Worthington Churches, of Winterset.

There being a call of the Senate on file, roll call revealed the presence of all members of the Senate except Senators Anderson and Hicklin.

INTRODUCTION OF BILLS

Senate File No. 501, by claims committee, a bill for an act to make an appropriation of three hundred dollars (\$300.00) to G. B. Van Arsdale, administrator of the estate of Senator John H. Judd of Chariton, Lucas County, Iowa, which sum is the amount due the late Senator John H. Judd for his services as a member of the Senate of the Forty-fifth General Assembly under the provisions of Section 15, Chapter 2 of the Code, 1931.

Read first and second times and referred to committee on appropriations.

Senate File No. 502, by claims committee, a bill for an act to make an appropriation of two hundred dollars (\$200.00) to Mrs. Leah Myers, widow of the late Senator O. P. Myers of Newton, Jasper County, Iowa, which sum is the balance of the amount due the late Senator O. P. Myers for his services as a member of the Senate of the Forty-fifth General Assembly, under the provisions of Section 15, Chapter 2 of the Code, 1931.

Read first and second times and referred to committee on appropriations.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the

House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 544, a bill for an act to provide for the certification and training of teachers in the public schools.

Also, that the House has adopted the following Concurrent Resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution No. 25 relating to the adjournment of the 45th General Assembly of Iowa sine die.

LLOYD ELLIS, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION NO. 25

Be It Resolved by the House, the Senate concurring, That the Forty-fifth General Assembly adjourn, sine die, at twelve o'clock noon, Tuesday, April 18th, 1933.

Senator Hicklin appeared in the Senate Chamber.

Senator Valentine moved that the Senate stand at recess until all Senators are present in the Chamber.

The motion prevailed, and the Senate recessed.

The Senate reconvened at the fall of the gavel.

Roll call revealed the presence of all members of the Senate, and the call was declared complete.

THIRD READING OF BILLS

The time having arrived for consideration of the special order, on motion of Senator Harrington House File No. 587, a bill for an act to amend sections nineteen hundred and twenty-three (1923), twenty hundred seventy-two (2072), twenty-one hundred thirty-six (2136) of the Code of Iowa 1931, all relating to intoxicating liquors; to provide revenue for the State of Iowa and certain of its municipal subdivisions by taxation of and from permits to manufacture, and/or sell certain non-intoxicating liquors and to issue permits for and regulate the manufacture and sale thereof, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Nelson raised the point of order that in the title of the bill there was a provision for revenue and on page 839 of the Senate Journal the Senate adopted a motion postponing all such measures until the special session in August. This includes all bills of like subject matter.

Senator Irwin pointed out that the motion to which Senator Nelson referred was one with reference to tax revision only and did not of a necessity include a bill of this sort.

Senator Nelson replied that the motion included all "tax proposals" which would exclude the consideration of this bill.

The President held the point of order not well taken.

Senators Harrington and Hicklin offered the following amendment and moved its adoption:

Amend Sec. 36 by striking all of subsection b and inserting in lieu thereof the following: "b. All license fees and taxes collected by the Treasurer of State of the state of Iowa shall accrue to the state sinking fund for public deposits as created in Chapter 352 A-1 of the 1931 Code of Iowa."

Roll call was demanded.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 48.

Anderson	Elthon	Meyer	Shangle
Aschenbrenner	Fisch	Miller of	Stanley
Beardsley	Frailey	Buchanan	Stevens of
Beatty	Geske	Miller of Jones	Decatur
Bennett	Harrington	Moore	Stevens of
Booth	Hicklin	Mullaney	Wapello
Byers	Hill	Nelson	Topping
Calhoun	Hush	Patterson	Tripp
Carden	Irwin	Pendray	Valentine
Chrystal	Kimberly	Reese	Wenner
Cooney	Klemme	Ritchie	White
Coykendall	Knudson	Roelofs	Wilson
Doze	McArthur	Schmidt	

Nays, 2.

Hopkins Husted

Absent or not voting, none.

The amendment was adopted.

Senator Harrington offered the following amendments and moved their adoption:

1. Amend Sec. 13 by striking the period (.) from line eight (8) and inserting in lieu thereof a comma (,) and adding the following: "provided, however, that a wholesaler may sell such beer in quantities of not less than two hundred eighty-eight (288) ounces, unrefrigerated, to consumers at their homes."

2. Amend Sec. 14 by striking from lines nine (9) and ten (10) the

words and figures "one hundred forty-four (144)" and inserting in lieu thereof the words and figures "forty-eight (48)".

3. Amend Sec. 24 by changing the comma (,) after the word "act" in line seven (7) to a period and striking the rest of the section.

4. Amend by striking all of Sec. 34 and renumbering the following sections.

Roll call was demanded on amendment No. 1.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 3.

Harrington

Husted

Ritchie

Nays, 46.

Anderson

Fisch

Meyer

Shangle

Aschenbrenner

Frailey

Miller of

Stanley

Beardsley

Geske

Buchanan

Stevens of

Beatty

Hicklin

Miller of Jones

Decatur

Bennett

Hill

Moore

Stevens of

Booth

Hopkins

Mullaney

Wapello

Byers

Hush

Nelson

Topping

Calhoun

Irwin

Patterson

Tripp

Carden

Kimberly

Pendray

Valentine

Chrystal

Klemme

Reese

Wenner

Cooney

Knudson

Roelofs

White

Coykendall

McArthur

Schmidt

Wilson

Elthon

Absent or not voting, 1.

Doze

Amendment No. 1 was lost.

Amendment No. 2 was lost.

On request of Senator Harrington, unanimous consent was granted to withdraw the remainder of his amendments.

Senator Reese offered the following amendment and moved its adoption:

Amend section 19 by inserting after the semi-colon in line six (6) the words: "provided however that a golf or country club located outside the territorial limits of the city, town or special charter city may be issued a Class "B" permit by the local Board of Supervisors".

Roll call was demanded.

Rule 8 was invoked.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 39.

Anderson	Frailey	Miller of	Stevens of
Aschenbrenner	Geske	Buchanan	Decatur
Bennett	Harrington	Miller of Jones	Stevens of
Booth	Hicklin	Moore	Wapello
Byers	Hush	Mullaney	Topping
Calhoun	Irwin	Pendray	Tripp
Chrystal	Kimberly	Reese	Valentine
Cooney	Klemme	Roelofs	Wenner
Coykendall	McArthur	Schmidt	White
Doze	Meyer	Shangle	Wilson
Fisch		Stanley	

Nays, 11.

Beardsley	Elthon	Husted	Patterson
Beatty	Hill	Knudson	Ritchie
Carden	Hopkins	Nelson	

Absent or not voting, none.

The amendment was adopted.

Senator Patterson offered the following amendment and moved its adoption:

Amend by inserting in line four (4) of Section thirty-six (36) before the word "All" the words "Fifty per cent (50%) of".

Also amend line seven (7) of said section by striking the period at the end of the line and substituting therefor a semi-colon and adding the words "fifty per cent (50%) shall be allocated to the general fund of the County."

Senator Patterson moved that action on House File No. 587 be deferred until the special session in August.

Senator Valentine raised the point of order that Senator Patterson was not talking on the motion to defer but on the bill.

The President held that the Senator could speak on the propriety of deferring only.

Senator Moore raised the point of order stating that in his belief this Senate had not the power to defer any bill to the special session in August.

The President held the point of order not well taken.

Senator Frailey raised the point of order that Senator Patterson was not talking on the motion to defer or his amendment but was discussing in detail what he considered the merits and demerits of the bill.

The President held that the Senator was discussing the bill but could proceed in his discussion of the motion to defer.

Senator Frailey raised his same point of order again.

The President requested that Senator Patterson confine his remarks to the motion on deferment.

Senator Topping moved to let Senator Patterson speak for ten minutes on any phase of the measure.

Senator Calhoun raised the point of order that there was a motion before the Senate and the motion of the Senator from Des Moines was out of order.

Senator Irwin raised the point of order that there was no rule limiting debate on the motion to defer, thus to adopt such a rule would take a two-thirds majority.

Senator Hicklin as a substitute motion moved to let Senator Patterson proceed at his discretion.

The substitution was made and the motion as substituted was adopted.

Senator Frailey moved the previous question on the motion to defer action, which motion prevailed.

Roll call was demanded.

Rule 8 was invoked.

On the question, "Shall the motion to defer prevail?" the vote was:

Ayes, 15.

Beardsley	Calhoun	Hopkins	Patterson
Beatty	Carden	Hush	Ritchie
Bennett	Elthon	Husted	Stanley
Booth	Hill	Nelson	

Nays, 35.

Anderson	Geske	Miller of	Stevens of
Aschenbrenner	Harrington	Buchanan	Decatur
Byers	Hicklin	Miller of Jones	Stevens of
Chrystal	Irwin	Moore	Wapello
Cooney	Kimberly	Mullaney	Topping
Coykendall	Klemme	Pendray	Tripp
Doze	Knudson	Reese	Valentine
Fisch	McArthur	Roelofs	Wenner
Frailey	Meyer	Schmidt	White
		Shangle	Wilson

Absent or not voting, none.

The motion to defer was lost.

The question was on the Patterson amendment to section 36.

Senator Hicklin offered as a substitute, the following amendment and moved its adoption:

Amend by striking from line 3 the words and figures "fifty per cent (50%)" and substituting in lieu thereof the words and figures "seventy-five per cent (75%)".

Senator Knudson moved to recess until 1:30 p. m. today.

Senator Wilson as a substitute moved to recess until 1:00 p. m. today.

Roll call was demanded.

On the question, "Shall the substitution be made?" the vote was:

Ayes, 23.

Aschenbrenner	Calhoun	Hopkins	Ritchie
Beardsley	Carden	Hush	Roelofs
Beatty	Coykendall	Husted	Stanley
Bennett	Elthon	Knudson	Wenner
Booth	Hicklin	Nelson	Wilson
Byers	Hill	Patterson	

Nays, 26.

Anderson	Kimberly	Mullaney	Stevens of
Chrystal	Klemme	Pendray	Wapello
Cooney	McArthur	Reese	Topping
Fisch	Meyer	Schmidt	Tripp
Frailey	Miller of	Shangle	Valentine
Geske	Buchanan	Stevens of	White
Harrington	Miller of Jones	Decatur	
Irwin	Moore		

Absent or not voting, 1.

Doze

The substitution was lost.

Roll call was demanded on the motion to recess.

On the question, "Shall the Senate recess until 1:30 p. m. today?" the vote was:

Ayes, 34.

Anderson	Doze	Knudson	Ritchie
Aschenbrenner	Elthon	McArthur	Roelofs
Beardsley	Frailey	Meyer	Schmidt
Beatty	Hicklin	Miller of	Stanley
Bennett	Hill	Buchanan	Stevens of
Booth	Hopkins	Nelson	Wapello
Byers	Hush	Patterson	Topping
Calhoun	Husted	Pendray	Tripp
Carden	Irwin	Reese	Wenner

Nays, 12.

Cooney
Coykendall
Geske

Harrington
Kimberly
Klemme

Moore
Mullaney
Shangle

Stevens of
Decatur
White
Wilson

Absent or not voting, 4.

Chrystal

Fisch

Miller of Jones

Valentine

The motion prevailed and the Senate recessed until 1:30 p. m. today.

AFTERNOON SESSION

The Senate met at the fall of the gavel, President N. G. Kraschel presiding.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House Files Nos. 277 and 341.

HOMER HUSH, Chairman Senate Committee.
WM. KOCH, Chairman House Committee.

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 277 and 341.

Roll call revealed the presence of all members of the Senate except Senators Cooney, Frailey, Irwin, Tripp, and Valentine.

CONSIDERATION OF HOUSE FILE NO. 587 RESUMED

On request of Senator Hicklin unanimous consent was granted to withdraw his amendment to the Patterson amendment.

Senators Cooney, Frailey, Irwin, Tripp and Valentine appeared in the Senate Chamber and the call was declared complete.

Consideration was resumed on the Patterson amendment.

Action was deferred temporarily on the Patterson amendment.

Senator Hush offered the following amendments and moved their adoption:

Amend line 2 of section eleven (11) by changing the word "shall" to "may".

Amend line 1 section twelve (12) by changing the word "shall" to "may".

Amend line 2 section eighteen (18) by changing the word "shall" to "may".

Senator Mullaney moved the previous question, which motion prevailed.

Roll call was demanded.

On the question, "Shall the amendments be adopted?" the vote was:

Ayes, 21.

Aschenbrenner	Elthon	Knudson	Ritchie
Beardsley	Hill	McArthur	Stanley
Beatty	Hopkins	Nelson	Tripp
Booth	Hush	Patterson	Wenner
Calhoun	Husted	Pendray	Wilson
Carden			

Nays, 29.

Anderson	Fraily	Miller of	Shangle
Bennett	Geske	Buchanan	Stevens of
Byers	Harrington	Miller of Jones	Decatur
Chrystal	Hicklin	Moore	Stevens of
Cooney	Irwin	Mullaney	Wapello
Coykendall	Kimberly	Reese	Topping
Doze	Klemme	Roelofs	Valentine
Fisch	Meyer	Schmidt	White

Absent or not voting, none.

The amendment was lost.

Senator Patterson offered the following amendment and moved its adoption:

Amend by adding to Section seven (7) the following:

"Sec. 7a. Provided, however, that nothing in this Act shall be construed to, in any event, prevent the councils of cities and incorporated towns and cities under special charter from passing ordinances regulating the location of any business carried on under any permit granted under this Act and the manner in which the business conducted under a permit granted under Class B, as defined in this Act, shall be conducted including the right to fix the hours for the opening and closing of such place of business; to prohibit such place of business to be open on Sunday, on legal holidays and on election day; to prohibit minors or women from entering or being employed in said place of business and to make such reasonable rules and ordinances as may be proper for the regulation of said business and not in conflict with the provisions of any of the statutes of the state of Iowa as contemplated by Paragraph H, of Section 5, except as to hotels and restaurants.

Roll call was demanded.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 23.

Aschenbrenner	Carden	Knudson	Roelofs
Beardsley	Elthon	McArthur	Stanley
Beatty	Hill	Nelson	Tripp
Bennett	Hopkins	Patterson	Wenner
Booth	Hush	Pendray	Wilson
Calhoun	Husted	Ritchie	

Nays, 27.

Anderson	Geske	Miller of	Stevens of
Byers	Harrington	Buchanan	Decatur
Chrystal	Hicklin	Miller of Jones	Stevens of
Cooney	Irwin	Moore	Wapello
Coykendall	Kimberly	Mullaney	Topping
Doze	Klemme	Reese	Valentine
Fisch	Meyer	Schmidt	White
Frailey		Shangle	

Absent or not voting, none.

The amendment was lost.

Senator Hicklin offered the following amendment as a substitute for the Patterson amendment upon which action was deferred and moved its adoption:

"Amend Section 36 by striking out subsection "a" and substituting the following in lieu thereof:

"a. In all counties in which there is a city having a population of more than ten thousand, permit fees collected under the provisions of this act by any municipality shall be retained by such municipality and allocated to its general fund; in all other counties fifty per cent of the permit fees collected under the provisions of this act by any municipality shall be retained by it and allocated to its general fund; and fifty per cent shall be paid to the County Treasurer and accrue to the general fund of such county."

Senator Harrington moved the previous question, which motion prevailed.

Roll call was demanded.

On the question, "Shall the substitution be made?" the vote was:

Ayes, 43.

Anderson	Booth	Chrystal	Elthon
Aschenbrenner	Byers	Cooney	Frailey
Beardsley	Calhoun	Coykendall	Geske
Bennett	Carden	Doze	Harrington

Hicklin	McArthur	Pendray	Stevens of
Hill	Meyer	Reese	Decatur
Hopkins	Miller of	Ritchie	Stevens of
Hush	Buchanan	Roelofs	Wapello
Husted	Miller of Jones	Schmidt	Topping
Irwin	Mullaney	Shangle	Valentine
Kimberly	Patterson	Stanley	White
Knudson			Wilson

Nays, 4.

Fisch	Moore	Tripp	Wenner
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Absent or not voting, 3.

Beatty	Klemme	Nelson
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The substitution was made.

Action was deferred temporarily on the Hicklin substitute amendment as substituted.

Senator Stanley offered the following amendment and moved its adoption:

Amend section eleven (11) by adding after the period in line twenty-six (26) the following: "Provided that any place or building shall be at least three hundred (300) feet from any schoolhouse or church".

Senator Harrington moved the previous question, which motion prevailed.

The amendment was lost.

Senator Valentine offered the following amendment and moved its adoption:

Amend by inserting after the word "act" in Section 38, line 2, the following: "or who manufactures or sells beer without a permit as provided herein,".

The amendment was adopted.

Senator Cooney offered the following amendment and moved its adoption:

Amend section eight (8) by inserting before the word "under" in line ten (10) the following: "or permitted and authorized to do business".

The amendment was adopted.

Senator Harrington offered the following amendment and moved its adoption:

Amend section 24 lines 7 and 8 by striking out the words ", given or delivered".

The amendment was adopted.

Senators Hicklin and Harrington offered the following amendment and moved its adoption:

Amend section 19 as amended by striking the period at the end of subsection a, and by inserting in lieu thereof the following: "and provided further that such golf or country club shall comply with the restrictions contained in the succeeding paragraphs of this section."

The amendment was adopted.

Senators Tripp and Frailey offered the following amendments and moved their adoption:

Amend Section one (1) by striking all of said Section and inserting in lieu thereof the following:

Section 1. That section one thousand nine hundred twenty-three (1923) of the Code of Iowa, 1931, be and the same is hereby amended by striking the period after the word "whatever" in line six (6) thereof and inserting in lieu thereof the following:

"provided, however, that the words "liquor" or "intoxicating liquor" wherever used in Title Six of the Code of Iowa, 1931, shall not be construed to include beer, ale, porter, stout, or any other malt liquor containing not more than three and two-tenths (3.2) per centum of alcohol by weight."

Amend Section thirty-nine (39) by striking all of said section and renumbering the succeeding sections.

The amendments were adopted.

Senator Moore offered the following amendment and moved its adoption:

Amend Section 24 by changing the comma (,) after the word "act" in line seven (7) to a period and striking the rest of the section.

On request of Senator Moore, unanimous consent was granted to withdraw his amendment.

Senator Reese offered the following amendment and moved its adoption:

Amend Section 19 as amended, by inserting after the words "supervisors" in the last line of the amendment proposed by Senator Reese, and adopted, the following: ", and further provided that all of the permit fees authorized under the provisions of this act shall be collected and retained by the county in which such golf or country club is located and credited to the general fund of said county".

On request of Senator Reese, unanimous consent was granted to strike from his amendment the words "the provisions of this act" and inserting in lieu thereof the words "this paragraph".

The amendment as amended was adopted.

Senator Harrington offered the following amendments and moved their adoption:

Amend Section 20 by striking from line three (3) the word "it's" where it occurs in two places and inserting in lieu thereof the word "its".

Amend Section one by striking from line five (5) the word "spiritous" and inserting in lieu thereof the word "spirituous".

On request of Senator Harrington unanimous consent was granted to withdraw the second paragraph of his amendment.

The amendment was adopted.

Senator Nelson offered the following amendment to the substituted Hicklin amendment, on which action was deferred, and moved its adoption:

Amend by striking all of the proposed subsection "a" offered to section 36 and inserting in lieu thereof the following:

"a. The revenues so derived shall be retained by any such municipality and allocated to its general fund, in such proportion as the population residing in incorporated cities and/or towns within such county, as determined by the last Federal Census, is to the total population of the county; the balance of said fees collected by any municipality shall be paid to the county treasurer and accrue to the general fund of said county."

Senator Irwin moved the previous question, which motion prevailed.

Roll call was demanded on the amendment to the substituted amendment.

On the question, "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 22.

Aschenbrenner	Fisch	McArthur	Roelofs
Beardsley	Hill	Nelson	Stanley
Beatty	Hopkins	Patterson	Tripp
Calhoun	Hush	Pendray	Wenner
Carden	Husted	Ritchie	Wilson
Elthon	Knudson		

Nays, 27.

Anderson	Geske	Miller of	Stevens of
Bennett	Harrington	Buchanan	Decatur
Booth	Hicklin	Miller of Jones	Stevens of
Byers	Irwin	Moore	Wapello
Chrystal	Kimberly	Mullaney	Topping
Cooney	Klemme	Reese	Valentine
Coykendall	Meyer	Schmidt	White
Frailey		Shangle	

Absent or not voting, 1.

Doze

The amendment to the amendment was lost.

The substituted amendment of Senator Hicklin was adopted.

Senator Cooney moved the previous question, which motion prevailed.

Senator Frailey moved that all speeches be limited to ten minutes. The motion prevailed.

Senator Harrington moved that the reading just had be considered the third reading, which motion prevailed.

Rule 8 was invoked.

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

Ayes, 31.

Anderson	Geske	Miller of Jones	Stevens of
Aschenbrenner	Harrington	Moore	Wapello
Byers	Hicklin	Mullaney	Topping
Chrystal	Irwin	Reese	Tripp
Cooney	Kimberly	Schmidt	Valentine
Coykendall	Klemme	Shangle	Wenner
Doze	Meyer	Stevens of	White
Fisch	Miller of	Decatur	Wilson
Frailey	Buchanan		

Nays, 19.

Beardsley	Carden	Husted	Pendray
Beatty	Elthon	Knudson	Ritchie
Bennett	Hill	McArthur	Roelofs
Booth	Hopkins	Nelson	Stanley
Calhoun	Hush	Patterson	

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the Senate.

On request of Senators Hicklin and Kimberly, unanimous consent was granted to amend the title by adding thereto after the word "subdivision" in line 6 thereof the following:

"including cities and towns under special charter".

The title as amended was agreed to.

Senator Cooney moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Cooney, unanimous consent was granted to message to the House immediately House File No. 587.

EXPLANATION OF VOTE

MR. PRESIDENT: I desire to explain my vote on Senate Concurrent Resolution No. 15 by Frailey, and House File No. 587 by Sifting Committee. I vote aye on both:

I am a Republican, and dry, and always have been and should vote as my conscience dictates. That sounds good to some but let me say I am not here to vote as my conscience dictates. I would be representing myself and not the masses of the people back in my district—Winneshiek and Howard Counties. My district went strong Republican for many years and in the last election those counties went just as strong Democratic as in former years Republican. And why this great change? The people got sick and tired of the so-called dry law because it did not stop drunkenness and encouraged bootlegging and made bootleg millionaires and the retail bootleggers made enough so they could buy a new car every year. In saloon times I never saw drunken boys and girls and women as under this present law. Under the present law we are making drunkards of the boys and girls by the thousands. In saloon days there was no need of having the sheriff present at dances to take care of the drunks and to keep the bootleggers away and to keep peace.

Iowa had fourteen years of Prohibition before the Mulct Law was enacted in the 25th General Assembly. Under that law (prohibition) outlawing and drunkenness got so bad in many counties that ministers of the Gospel and good church people from those wet counties came before the Republican State Convention in the fall of 1894 and demanded of that Convention that in counties where the prohibition law would no longer prohibit to enact a law that would control. The Republican Convention granted that request by the 13th Plank in its platform, and the Mulct Law was enacted in the following General Assembly. I was a member of that General Assembly and voted for a change in the liquor law and the result was the Mulct Law. That law stood on the statute books of the State until the Volstead Act became a national law, which is our present law. That law stands in the same shoes as the law before the Mulct Law. It will no longer prohibit, for when the sign is given the bootlegger will bring his bootleg whiskey to the doors.

The majority of the voters of Winneshiek County was wet when the Mulct Law was enacted, the same as they are now. Also, Howard County, in my district, in the November 1932 election, went Democratic same as Winneshiek County and it was the Republicans that did it all, and why?

The people of both counties, and the state, got sick and tired of the bootlegger and his rotten bootleg whiskey at a price of 100 to 400 per cent higher than should be. The majority of the people lay these unheard of hard times and high taxes at the door of this prohibition law, for in place of getting millions of dollars as revenue out of the liquor traffic under this Dry Law, we are paying out millions of dollars to enforce the law and making a perfect failure out of it. And who is paying these

millions of dollars wasted under this law? The taxpayer and the farmer gets hit the hardest because he is the heaviest taxpayer and gets the least for his labor. Nearly every dollar he pays in taxes to help pay these millions of dollars wasted in prosecuting under this dry law he and his family have to earn by the sweat of their brow thus depriving the family of comforts and a comfortable home and the proper nourishment, and all for the purpose of upholding a law that does not prohibit, or protect our boys and girls.

Nearly all the ministers of the Gospel are favoring this so-called dry law, and I believe they are sincere in believing that that law is the right law to handle this liquor evil. They see only one side of this question and that is the religious side, which I honor them for, but do not look at the financial side of this matter. As a rule, ministers do not have much property, so do not worry about taxes. There are some people that pay very little tax who are also opposed to a change in this liquor law because it won't cost them much in taxes and they are willing to let the other fellow pay by earning same by the sweat of his brow, and depriving his family from what rightfully belong to them.

Should this new liquor measure become a law one-half of all license fees and penalties under the law goes in the state treasury and the other one-half in treasury of the counties where the license fees and penalties are collected for the benefit of the school fund. That will reduce taxes that much. To this I hear objections by those opposed to a change in the liquor law because it was collected under this new liquor law and is tainted money and must not be used to educate the children. Is it possible that people can get so narrow minded and unjust to refuse money that came in from that source but are willing to take the money paid as taxes from the man that earned every dollar by the sweat of his brow and must deprive his family of the comforts of living? If that is justice or righteousness I want to be counted out.

I was a member of the House in the 25th, 26th and 27th General Assemblies. The Muilt measure became a law in the 25th General Assembly and I voted for that law, and vote the same on this new liquor bill. If I had voted according to the dictates of my conscience I should have voted No on the Muilt law and the same on this House File No. 587. If I did that I would be representing myself and not the people of my District, for both counties went strong Democratic because the Democrats in their platform last fall promised the people a change in the liquor law and on that account and the high taxes and unheard of hard times the Republicans went in swarms and voted the Democratic ticket and the whole state and Nation went Democratic.

As long as I am Senator I am a public servant and will so act, and will vote on all important measures with the masses of my people.

WM. H. KLEMMÉ.

The Journal of April 12th was corrected and approved.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 14, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Elder C. L. Beswick, of the Christian Church of Stockport, also member of the House of Representatives.

PETITIONS AND MEMORIALS

The following petition was received and referred to the designated committee:

Approving prohibition. Senator Reese, from young people of Marshall county. Sifting committee.

COMMUNICATIONS FROM THE GOVERNOR

A communication was received from the Governor stating that on April 10th he had approved the following bills:

Senate File No. 473, relating to payment of taxes.

Senate File No. 360, relating to the collection of taxes.

Senate File No. 278, providing an appropriation for miscellaneous expense of the General Assembly.

Also, that on April 11th he had approved the following bills:

Senate File No. 483, providing for the reorganization of savings banks, state banks, private banks and trust companies.

Senate File No. 198, relating to the compromise of personal property taxes.

Senate File No. 199, relating to intoxicating liquors.

Senate File No. 367, relating to the sale of lands within drainage or levee districts.

Senate File No. 310, relating to the rendition of judgments during a recess of the District Court.

Senate File No. 267, relating to the duration of judgments and the limitations of actions on judgments.

Senate File No. 477, providing for the calling of a state convention to determine whether an amendment to the constitution of the United States shall be ratified.

Also, that on April 12th, he had approved the following bills:

Senate File No. 160, relating to the appointment of successor, trustees or appointees.

Senate File No. 478, relating to taxation.

Senate File No. 368, authorizing the Burlington, Muscatine & Northwestern Railway Company to construct a railroad bridge across the Iowa river at Toolesboro, Iowa.

Senate File No. 189, relating to deposits of Clerks and bailiffs of municipal courts.

Senate File No. 482, legalizing the corporate acts and proceedings of Clinton, Davenport & Muscatine Railway Company of Davenport.

Also, that on April 13th, he had approved the following bills:

Senate File No. 338, relating to military stores property of the State.

Senate File No. 348, relating to assigned or transferred mortgages.

Senate File No. 179, relating to workmen's compensation.

Senate File No. 363, relating to the improvement of extension of primary roads in cities and towns.

Senate File No. 224, relating to disabled firemen and policemen.

Senate File No. 178, relating to workmen's compensation.

Senate File No. 270, legalizing the corporate acts and proceedings of the Highland Mutual Telephone Association of Highland Center.

Senate File No. 396, relating to the receiving of drainage warrants for assessments.

Senate File No. 344, relating to the depositing of securities with the Commissioner of Insurance.

Substitute for Senate File No. 131, relating to taxation.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 589, a bill for an act relating to the revocation and suspension of operators' and chauffeurs' licenses for driving while intoxicated.

Also, that the House has refused to concur in the Senate Amendment to House File No. 413, a bill for an act regulating the taxation of motor vehicle carriers.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 298, a bill for an act relating to application by poor persons for relief.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 260, a bill for an act relating to complaints by property owners to the local board of review, and to appeals from said board to the district court.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 467, a bill for an act to correct errors in the reference in sections forty hundred sixty-two-b twelve (4062-b12), eighty-seven hundred thirty-seven (8737), eighty-eight hundred twenty-nine (8829), and eighty-nine hundred twenty-seven (8927), Code, 1931, to certain federal acts.

LLOYD ELLIS, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 544, a bill for an act to provide for the certification and training of teachers in the public schools; to repeal section thirty-eight hundred fifty-eight (3858), code 1931, and to enact a substitute therefor; to repeal sections thirty-eight hundred sixty-two (3862) to thirty-eight hundred seventy-two (3872) inclusive, code 1931, and to enact a substitute therefor, the repeal to be effective July 1, 1935; to repeal sections thirty-eight hundred seventy-eight (3878) and four thousand ninety-seven (4097), code

1931, and to enact substitutes therefor; to amend sections thirty-eight hundred seventy-six (3876) and thirty-eight hundred ninety-nine (3899), code 1931, all sections relating to the training and certification of teachers.

Read first and second times and referred to sifting committee.

House File No. 589, a bill for an act to amend Section forty-nine hundred sixty-d thirty-three (4960-d33), Code 1931, and to repeal sections forty-nine hundred sixty-d forty (4960-d40) and fifty hundred twenty-seven-d one (5027-d1), Code, 1931, relating to the revocation and suspension of operators' and chauffeurs' licenses for driving and operating motor vehicles upon conviction of illegal transportation or sale of intoxicating liquors, and also providing for periods of time in which new licenses shall not be issued for first, second, and third convictions of driving motor vehicles while under the influence of intoxicating liquor or narcotic drugs, or illegal transportation or sale of intoxicating liquor in the State of Iowa.

Read first and second times and referred to sifting committee.

CONSIDERATION OF HOUSE CONCURRENT RESOLUTION
NO. 25

Senator Wenner called up for consideration the following resolution and moved its adoption:

Be It Resolved by the House, the Senate concurring, That the Forty-fifth General Assembly adjourn, sine die, at twelve o'clock noon, Tuesday, April 18th, 1933.

The resolution was adopted and concurred in.

CONSIDERATION OF SENATE FILE NO. 479 RESUMED

Senator Stevens of Wapello called up for consideration Senate File No. 479 on which action was deferred on page 1091 of the Senate Journal.

Senator Stevens of Wapello offered the following amendment and moved its adoption:

Amend by inserting as Sec. 52 the following:

The salaries of County Sheriffs, deputy sheriffs, municipal court judges, superior court judges, shorthand court reporters, and salaries of mayors and councilmen as set out in subsections three (3) and four (4) of Sec. 6572 of the Code, 1931, shall not be effected by the provisions of this Act.

On request of Senator Wilson unanimous consent was granted to change the figures "6572" to the figures "6517".

On request of Senator Stevens of Wapello, unanimous consent was granted to change the word "effected" to the word "affected".

The amendment as amended was adopted.

Senator Hush offered the following amendment and moved its adoption:

Amend by striking all of Sections forty-nine (49) and fifty (50) and substituting in lieu thereof the following:

"Sec. 49. (Compensation of Aldermen, Special Cities) Amend section sixty-seven hundred four (6704), Code 1931, by striking from line three (3) the words "six hundred" and substituting therefor the words "five hundred seventy".

"Sec. 50. (Compensation of Mayor, Special Cities) Amend section sixty-seven hundred five (6705), Code, 1931, by striking from lines three (3) and four (4) the words "two thousand five hundred" and substituting therefor the words "two thousand one hundred twenty-five".

The amendment was adopted.

The bill was read for information.

Senator Stevens of Wapello moved that the reading just had be considered the third reading, which motion prevailed.

Rule 8 was invoked.

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

Ayes, 43.

Aschenbrenner	Hicklin	Miller of	Shangle
Beatty	Hill	Buchanan	Stanley
Bennett	Hopkins	Miller of Jones	Stevens of
Booth	Hush	Moore	Decatur
Byers	Husted	Mullaney	Stevens of
Calhoun	Irwin	Nelson	Wapello
Carden	Kimberly	Patterson	Topping
Chrystal	Klemme	Pendray	Tripp
Coykendall	Knudson	Reese	Valentine
Doze	McArthur	Ritchie	Wenner
Elthon	Meyer	Roelofs	White
Geske			Wilson

Nays, 1.

Cooney

Absent or not voting, 6.

Anderson	Fisch	Harrington	Schmidt
Beardsley	Frailey		

The bill having received a constitutional majority was declared to have passed the Senate.

On request of Senator Hush, unanimous consent was granted to amend the title by striking all after the words "An Act" and substituting therefor the following:

"to repeal section fifty-one hundred twenty-six (5126) and enact a substitute therefor and to amend sections eighty-eight-c one (88-c1), one hundred thirty-c one (130-c1), one hundred forty-seven-c one (147-c1), one hundred fifty-three-c one (153-c1), seventeen hundred three-d twenty-two (1703-d22), twenty-six hundred three-c one (2603-c1), twenty-eight hundred eighty-two (2882), twenty-nine hundred forty-seven (2947), twenty-nine hundred fifty-two (2952), thirty-three hundred seventy-three (3373), thirty-three hundred eighty-eight (3388), thirty-four hundred three (3403), thirty-four hundred eighty-six (3486), thirty-six hundred twelve (3612), thirty-six hundred sixty-one-a five (3661-a5), thirty-six hundred eighty-seven (3687), thirty-seven hundred seven (3707), thirty-seven hundred twenty-four (3724), thirty-seven hundred forty-one (3741), thirty-seven hundred forty-two (3742), forty-six hundred twenty-five (4625), forty-six hundred thirty-c one (4630-c1), sixty-nine hundred forty-three-c eighteen (6943-c18), ninety-one hundred thirty-seven (9137), ten thousand eight hundred four (10,804), and twelve thousand eight hundred sixteen-a one (12,816-a1), fifty-one hundred twenty-five (5125), fifty-two hundred twenty (5220), fifty-two hundred twenty-one (5221), fifty-two hundred twenty-two (5222), fifty-two hundred twenty-three (5223), fifty-two hundred twenty-four (5224), fifty-two hundred twenty-five (5225), fifty-two hundred twenty-eight (5228), fifty-two hundred twenty-nine (5229), fifty-two hundred thirty (5230), fifty-two hundred thirty-one (5231), fifty-two hundred thirty-two (5232), fifty-five hundred seventy-one (5571), fifty-five hundred seventy-two (5572), fifty-five hundred seventy-three (5573), and fifty-six hundred sixty-nine (5669), sixty-five hundred seventeen (6517), sixty-seven hundred four (6704), sixty-seven hundred five (6705), sixty-nine hundred forty-three-c four (6943-c4), Code 1931, all relating to statutory salaries and compensation of state, county and city officers; and reducing statutory state, city and county salaries not mentioned herein with certain exceptions, and repealing conflicting acts."

The title as amended was agreed to.

Senator Stevens of Wapello moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Stevens of Wapello, unanimous consent was granted to message to the House immediately, Senate File No. 479.

SENATE RECEDES FROM AMENDMENTS TO HOUSE
FILE NO. 413

On request of Senator McArthur, unanimous consent was granted to consider House File No. 413.

Senator McArthur moved that the Senate recede from its amendment.

On the question, "Shall the Senate recede?" the vote was:

Ayes, 43.

Aschenbrenner	Geske	Miller of	Shangle
Beatty	Hicklin	Buchanan	Stanley
Bennett	Hill	Miller of Jones	Stevens of
Booth	Hopkins	Moore	Decatur
Byers	Hush	Mullaney	Stevens of
Calhoun	Husted	Nelson	Wapello
Carden	Kimberly	Patterson	Topping
Chrystal	Klemme	Pendray	Tripp
Cooney	Knudson	Reese	Valentine
Coykendall	McArthur	Ritchie	Wenner
Doze	Meyer	Roelofs	White
Elthon			Wilson

Nays, none.

Absent or not voting, 7.

Anderson	Fisch	Harrington	Schmidt
Beardsley	Frailey	Irwin	

The Senate receded from its amendments.

CONSIDERATION OF REPORT OF SECOND CONFERENCE
COMMITTEE ON HOUSE FILE NO. 40

Senator Nelson called up for consideration the second conference committee report on House File No. 40, as found on page 1078 of the Senate Journal, and moved that the Senate adopt the report and concur in the amendment as proposed therein.

Senator Knudson moved the previous question, which motion prevailed.

On the question, "Shall the report be adopted and the amendment proposed be concurred in?" the vote was:

Ayes, 10.

Beatty	Hopkins	McArthur	Stevens of
Coykendall	Hush	Nelson	Decatur
Hill	Irwin	Reese	

Nays, 30.

Aschenbrenner	Geske	Moore	Stevens of
Bennett	Husted	Mullaney	Wapello
Booth	Kimberly	Patterson	Topping
Calhoun	Klemme	Pendray	Tripp
Carden	Knudson	Ritchie	Valentine
Chrystal	Miller of	Roelofs	Wenner
Cooney	Buchanan	Shangle	White
Elthon	Miller of Jones	Stanley	Wilson

Absent or not voting, 10.

Anderson	Doze	Harrington	Meyer
Beardsley	Fisch	Hicklin	Schmidt
Byers	Frailey		

The Senate refused to adopt the report.

THIRD CONFERENCE COMMITTEE ON HOUSE FILE NO. 40

The President appointed as a third conference committee on House File No. 40, Senators Bennett, Chrystal, Moore and Stanley.

THIRD READING OF BILLS

On motion of Senator Knudson House File No. 192, a bill for an act prohibiting the unlawful use, manufacture, preparation, or possession of stench bombs, tear bombs, or any liquid, gaseous, or solid substance with intent to throw, drop, pour, explode, deposit, release, discharge or expose any such noxious, annoying, offensive or dangerous substance in any public place, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Knudson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 39.

Aschenbrenner	Hicklin	Miller of	Shangle
Beardsley	Hill	Buchanan	Stanley
Bennett	Hopkins	Miller of Jones	Stevens of
Booth	Hush	Moore	Decatur
Byers	Husted	Mullaney	Stevens of
Calhoun	Irwin	Nelson	Wapello
Carden	Klemme	Patterson	Topping
Coykendall	Knudson	Reese	Tripp
Doze	McArthur	Ritchie	Valentine
Elthon	Meyer	Roelofs	Wenner
Geske			Wilson

Nays, none.

Absent or not voting, 11.

Anderson	Cooney	Harrington	Schmidt
Beatty	Fisch	Kimberly	White
Chrystal	Frailey	Pendray	

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

Senator Knudson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Cooney, unanimous consent was granted to introduce a joint resolution.

INTRODUCTION OF BILLS

Senate Joint Resolution No. 11, by Senators Valentine and Booth, a Joint Resolution providing for the continuance of the special corporation commission authorized by House Joint Resolution No. 6 of the Forty-fourth General Assembly for the purpose of completing proposed legislation to make the corporation laws of this state comprehensive, adequate, modern and harmonious with present business conditions and requirements, and to report to the next regular session of the General Assembly of the State of Iowa or any special session of the Forty-fifth General Assembly of the State of Iowa, and providing an appropriation therefor.

Read first and second times and referred to committee on appropriations.

COPIES OF SUBSTITUTE FOR SENATE FILE NO. 131 ORDERED

On request of Senator Stevens of Wapello, unanimous consent was granted to have printed 3,000 copies of Substitute for Senate File No. 131 as passed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate Files Nos. 333 and 129.

HOMER HUSH, *Chairman Senate Committee.*
WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 333 and 129.

BILLS SENT TO THE GOVERNOR

Senator Hush from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 14th day of April, 1933, sent to the Governor for his approval, Senate Files Nos. 333 and 129. **HOMER HUSH, Chairman.**

Passed on file.

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move that the vote by which House Concurrent Resolution No. 25 passed the Senate be reconsidered.

JOHN K. VALENTINE.

On motion of Senator Carden the Senate recessed until 1:00 p. m. today.

AFTERNOON SESSION

The Senate met at the fall of the gavel, President N. G. Kraschel presiding.

CALL OF THE SENATE

MR. PRESIDENT: We, the undersigned, ask that a call of the Senate issue for the legislative day of April 14th, to take effect at 1:00 p. m. and continue for the balance of the day.

H. C. WHITE

FRANK M. STEVENS

FRANK COYKENDALL

ORA E. HUSTED

GEO. M. HOPKINS

H. L. IRWIN

ROY E. STEVENS

JOHN K. VALENTINE

MIKE G. FISCH

FRANK C. BYERS

CARL ASCHENBRENNER

WM. MCARTHUR

M. D. COONEY

Roll call revealed the presence of all members of the Senate except Senators Anderson, Byers, Cooney, Frailey, Harrington, Knudson and Roelofs.

Senator Wilson moved that the absent Senators be excused from the call, temporarily.

The motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in Senate Amendments to House File No. 587, a bill for an act relating to the manufacture and sale of all intoxicating liquors, and providing revenue therefrom.

Also, that the House has adopted the following Joint Resolution in which the concurrence of the Senate is asked:

Joint Resolution No. 8 relating to an appropriation for investigation of the Highway Commission.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 588, a bill for an act relating to the authorization of public bodies in signing depositors' agreements with banks and trust companies.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 379, a bill for an act directing the Governor, on behalf of the State of Iowa, to issue to Samuel Allen, Isaac S. Allen and Wilson R. Allen, jointly, a patent or conveyance to certain land in Allamakee county, Iowa.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 254, a bill for an act relating to the duties of the secretary of the executive council, members of the state board of assessment and review and of the employees of said board.

LLOYD ELLIS, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator Pendray Senate File No. 323, a bill for an act to repeal sections one hundred eleven (111), one hundred twelve (112), one hundred thirteen (113), one hundred fourteen (114), one hundred seventeen (117), one hundred twenty (120), one hundred twenty four (124), one hundred twenty six (126), and to amend thirty-eight hundred thirty two (3832), relating to the auditing and financial reports and records of counties, schools, cities, and towns, returned by the sifting committee, was taken up and considered.

Senator Hicklin offered the following amendments and moved their adoption:

1. Strike out sections one (1) and ten (10) and renumber the remaining sections in numerical order.
2. Amend section two (2) by striking from lines five (5) and six (6) thereof the words "so prescribed for his office" and inserting in lieu thereof the words "as prescribed by law".

3. Amend the title by striking out all after the words "An Act to" and inserting in lieu thereof the following:

"repeal sections one hundred twelve (112), one hundred thirteen (113), one hundred fourteen (114), one hundred sixteen (116), one hundred seventeen (117), one hundred twenty (120), one hundred twenty-four (124), and one hundred twenty-six (126), code 1931, and to enact substitutes therefor relating to the financial reports and records of counties, cities, and towns, and to the auditing of the financial records of counties, schools, cities, and towns."

The amendments were adopted.

Senator Knudson appeared in the Senate Chamber.

Senator Stanley offered the following amendment and moved its adoption:

Amend by striking from lines five (5) and six (6) in section three (3) the following words: "at least once each year". Also by striking from line seven (7) in said section the words "at least once each year".

Further amend said section three (3) by inserting after the word "charter" in the ninth (9th) line thereof, "whenever requested to make such examination by the governing body of such city, school or county, or a like examination may be had upon the application of ten (10) per cent of the tax payers of such municipality accompanied by such showing of facts as in the opinion of the Auditor of State will justify such examination".

Senators Roelofs, Anderson and Byers appeared in the Senate Chamber.

Senator Reese moved the previous question, which motion prevailed.

Roll call was demanded.

Rule 8 was invoked.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 24.

Aschenbrenner	Elthon	Klemme	Ritchie
Beardsley	Geske	Knudson	Roelofs
Beatty	Hopkins	Meyer	Stanley
Calhoun	Hush	Miller of Jones	Topping
Carden	Irwin	Moore	Wenner
Coykendall	Kimberly	Patterson	Wilson

Nays, 23.

Anderson	Byers	Fisch	Husted
Bennett	Chrystal	Hicklin	McArthur
Booth	Doze	Hill	Miller of Buchanan

Mullaney	Reese	Stevens of	Tripp
Nelson	Schmidt	Decatur	Valentine
Pendray	Shangle	Stevens of	White
		Wapello	

Absent or not voting, 3.

Cooney	Frailey	Harrington
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The amendment was adopted.

Senator Wilson moved to reconsider the vote by which the amendment was adopted.

On request of Senator Pendray unanimous consent was granted to defer action temporarily.

Senator Cooney appeared in the Senate Chamber.

On motion of Senator Irwin Senate File No. 487, a bill for an act to provide for the release of public funds in closed banks, to authorize the Executive Council to obtain funds from the Reconstruction Finance Corporation therefor, and to levy a tax for the purpose of securing repayment thereof, returned by the sifting committee, was taken up and considered.

Senator Hicklin offered the following amendment and moved its adoption:

Insert after Section 1 the following as Sections 2, 3 and 4:

Sec. 2. To carry out the provisions of any agreement or undertaking entered into between the Executive Council and the Reconstruction Finance Corporation or other governmental agency, for the restoration or replenishment of the State sinking fund for public deposits, the Treasurer of State is authorized to sell, assign, pledge, transfer, and convey any or all of the assets held by him in trust for the said State sinking fund, including claims against defunct Banks and trust companies, and anticipated income from deposits of public funds in operating Banks and trust companies.

Sec. 3. Section seven thousand four hundred twenty b-three (7420 b-3) of Chapter 352 A-1 of the Code, 1931, is hereby amended by striking the comma (,) after the word "warrants," in line ten (10), and inserting a period (.) in lieu thereof, and by striking out the remainder of said Section.

Sec. 4. Section seven thousand four hundred twenty b-six (7420-b6) of Chapter 352 A-1 of the Code, 1931, is hereby amended by inserting a period (.) after the word "fit" in line twelve (12), and by striking the remainder of said Section.

And that succeeding Sections be renumbered accordingly.

President pro tempore Matt. D. Cooney was called to the chair at 2:35 p. m.

On request of Senator Hicklin unanimous consent was granted to strike from sec. 2 of his amendment all after the word "income" in line 11 down to the period.

On request of Senator Hicklin unanimous consent was granted to strike from sec. 3 of his amendment the word "warrants" in line 4 and insert the word "claims"; also strike from line 4 the word and figures "ten (10)" and insert in lieu thereof the word and figure "nine (9)".

President N. G. Kraschel returned to the chair at 2:40 p. m.

The amendment as amended was adopted.

Senator Hicklin offered the following amendment and moved its adoption:

Amend section 2 by striking from line 1 the word "and" as it appears at the end thereof; by striking from line 2 the word "directed"; by inserting after the word "tax" in line 2 the words "of not to exceed one mill"; and by striking from line 3 the words "of sufficient millage".

The amendment was adopted.

Senator Shangle offered the following amendment and moved its adoption:

Amend by inserting as a new section the following:

"Any tax levied under the provisions of this act shall be levied upon the various taxing districts in proportion to the amount received by each of the funds borrowed under provisions of this act."

The amendment was lost.

Senator Valentine offered the following amendments and moved their adoption:

1. By inserting after the comma in line 9 of Section 1 the following: "or any other agency,".
2. Further amend Section 1 by inserting after the comma in line 13 the following: "or any other agency".
3. Amend Section 2 by inserting after the word, "agency" in line 5 the following: ", or any other agency or source,".
4. Further amend Section 2 by inserting after the word, "agency", in line 14, the following: ", or any other agency,".
5. Amend Section 3 by inserting after the comma in line 2 the following: "or any other agency or source,".
6. Amend Section 4 by inserting after the comma in line 4 the following: "or any other agency or source,".

7. Amend Section 2 as proposed by Senator Hicklin by inserting after the comma in line 4 the following: "or any other agency,".

The amendments were adopted.

Senators Hicklin and Valentine offered the following amendment and moved its adoption:

Amend by providing for publication in the Centerville Daily Iowegian, Centerville, Iowa, and the West Liberty Index, of West Liberty, Iowa.

The amendment was adopted.

Senator Patterson moved the previous question, which motion prevailed.

The bill was read for information.

Senator Irwin moved that the reading just had be considered the third reading, which motion prevailed.

Rule 8 was invoked.

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

Ayes, 30.

Anderson	Fisch	Miller of	Schmidt
Aschenbrenner	Geske	Buchanan	Stevens of
Byers	Hicklin	Miller of Jones	Decatur
Carden	Irwin	Moore	Stevens of
Chrystal	Kimberly	Mullaney	Wapello
Cooney	Knudson	Pendray	Topping
Coykendall	McArthur	Reese	Tripp
Doze	Meyer	Roelofs	Valentine
			White

Nays, 18.

Beardsley	Elthon	Klemme	Shangle
Beatty	Hill	Nelson	Stanley
Bennett	Hopkins	Patterson	Wenner
Booth	Hugh	Ritchie	Wilson
Calhoun	Husted		

Absent or not voting, 2.

Frailey Harrington

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

Senator Irwin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

BILLS WITHDRAWN

On request of Senator Stevens of Wapello, unanimous consent was granted to withdraw Senate Files Nos. 9, 11, 14, 16 and 19, relating to tax matters.

Senator Wilson moved that Senate File No. 479 be engrossed before it goes to the House, if necessary. The motion prevailed.

THIRD READING OF BILLS

On motion of Senator Hicklin House File No. 307, a bill for an act to legalize execution sales made by execution officers without making proper and required entries and indorsements on the execution, as provided by law, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Hicklin moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 42.

Anderson	Geske	Miller of	Stanley
Aschenbrenner	Hicklin	Buchanan	Stevens of
Beardsley	Hill	Miller of Jones	Decatur
Beatty	Hopkins	Moore	Stevens of
Bennett	Hush	Mullaney	Wapello
Booth	Irwin	Nelson	Topping
Byers	Kimberly	Patterson	Tripp
Calhoun	Klemme	Pendray	Valentine
Carden	Knudson	Reese	Wenner
Chrystal	McArthur	Roelofs	White
Coykendall	Meyer	Schmidt	Wilson
Doze			

Nays, none.

Absent or not voting, 8.

Cooney	Fisch	Harrington	Ritchie
Elthon	Frailey	Husted	Shangle

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

On motion of Senator White Senate File No. 488, a bill for an act to make an appropriation to the Iowa Lutheran Hospital, Dr. S. E. Lincoln, Dr. Veril Ruth, Dr. C. S. Quail, and Dr. John Russell, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator White moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 43.

Anderson	Fisch	McArthur	Ritchie
Aschenbrenner	Geske	Meyer	Shangle
Beatty	Hicklin	Miller of	Stanley
Bennett	Hill	Buchanan	Stevens of
Booth	Hopkins	Miller of Jones	Decatur
Byers	Hush	Moore	Topping
Calhoun	Husted	Mullaney	Tripp
Carden	Irwin	Nelson	Valentine
Chrystal	Kimberly	Patterson	Wenner
Coykendall	Klemme	Pendray	White
Doze	Knudson	Reese	Wilson
Elthon			

Nays, none.

Absent or not voting, 7.

Beardsley	Fraily	Roelofs	Stevens of
Cooney	Harrington	Schmidt	Wapello

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On request of Senator Wilson, unanimous consent was granted the Secretary of the Senate to renumber the sections properly..

On motion of Senator White Senate File No. 489, a bill for an act to make an appropriation to Fred Ballard and George Comfort, with report of appropriations committee recommending passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator White moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 42.

Anderson	Doze	Kimberly	Mullaney
Aschenbrenner	Elthon	Klemme	Nelson
Beatty	Fisch	Knudson	Patterson
Bennett	Geske	McArthur	Pendray
Booth	Hicklin	Meyer	Reese
Byers	Hill	Miller of	Ritchie
Calhoun	Hopkins	Buchanan	Roelofs
Carden	Hush	Miller of Jones	Shangle
Chrystal	Husted	Moore	Stanley

Stevens of Decatur	Topping Tripp	Valentine Wenner	White Wilson
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Nays, none.

Absent or not voting, 8.

Beardsley Cooney Coykendall	Frailey Harrington	Irwin Schmidt	Stevens of Wapello
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The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has refused to recede from its amendments to the Senate amendments to the House Substitute to House File No. 73, and requests a conference committee on the same and that the Speaker has appointed as a conference committee on behalf of the House the following gentlemen: Bonnstetter of Kossuth, Malone of Cass, Koch of Bremer, Maniece of Emmett, Snyder of Hamilton.

LLOYD ELLIS, *Chief Clerk.*

CONFERENCE COMMITTEE ON SUBSTITUTE FOR HOUSE FILE NO. 73

The President appointed as conference committee to act on Substitute for House File No. 73 Senators White, Patterson, Byers, Miller of Buchanan, and Coykendall.

THIRD READING OF BILLS

On motion of Senator White Senate File No. 490, a bill for an act to make an appropriation to Mrs. Lee Harris, Guardian, with report of appropriations committee recommending passage, was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Carden moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 41.

Anderson	Byers	Doze	Hush
Aschenbrenner	Calhoun	Fisch	Husted
Beardsley	Carden	Geske	Kimberly
Beatty	Chrystal	Hicklin	Klemme
Bennett	Cooney	Hill	Knudson
Booth	Coykendall	Hopkins	McArthur

Meyer	Mullaney	Reelofs	Tripp
Miller of Buchanan	Nelson	Stanley	Wenner
Miller of Jones	Patterson	Stevens of Decatur	White
Moore	Pendray	Reese	Wilson
	Reese	Topping	

Nays, 1.

Ritchie

Absent or not voting, 8.

Elthon	Harrington	Schmidt	Stevens of
Frailey	Irwin	Shangle	Wapello
			Valentine

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Hicklin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator White Senate File No. 492, a bill for an act to make an appropriation to Fred Johnson, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Mullaney moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 40.

Anderson	Doze	Knudson	Roelofs
Aschenbrenner	Elthon	McArthur	Shangle
Beatty	Fisch	Meyer	Stanley
Bennett	Geske	Miller of Jones	Stevens of
Booth	Hicklin	Moore	Decatur
Byers	Hill	Mullaney	Topping
Calhoun	Hush	Nelson	Tripp
Carden	Husted	Patterson	Wenner
Chrystal	Kimberly	Pendray	White
Cooney	Klemme	Reese	Wilson.
Coykendall			

Nays, none.

Absent or not voting, 10.

Beardsley	Hopkins	Ritchie	Stevens of
Frailey	Irwin	Schmidt	Wapello
Harrington	Miller of Buchanan		Valentine

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator White Senate File No. 493, a bill for an act to make an appropriation to J. H. Hall, Ike Gustin, and Mrs. Bess Kelly, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 39.

Anderson	Doze	Klemme	Roelofs
Aschenbrenner	Elthon	Knudson	Shangle
Beatty	Fisch	McArthur	Stanley
Bennett	Geske	Meyer	Stevens of
Booth	Hicklin	Miller of Jones	Decatur
Byers	Hill	Moore	Topping
Calhoun	Hopkins	Mullaney	Tripp
Carden	Hush	Patterson	Wenner
Cooney	Husted	Pendray	White
Coykendall	Kimberly	Reese	Wilson

Nays, none.

Absent or not voting, 11.

Beardsley	Harrington	Nelson	Stevens of
Chrystal	Irwin	Ritchie	Wapello
Frailey	Miller of	Schmidt	Valentine
	Buchanan		

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator White Senate File No. 494, a bill for an act to make an appropriation to L. E. McMains and W. L. Huebner, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator White offered the following amendment and moved its adoption:

Amend by striking lines five (5) and six (6) of Sec. 2, and inserting in lieu thereof the following: "authorized and directed to pay the same from the general fund of the State of Iowa, not otherwise appropriated."

The amendment was adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 38.

Anderson	Doze	Kimberly	Patterson
Aschenbrenner	Elthon	Knudson	Pendray
Beatty	Fisch	McArthur	Reese
Bennett	Geske	Meyer	Shangle
Booth	Harrington	Miller of	Stanley
Byers	Hicklin	Buchanan	Stevens of
Calhoun	Hill	Miller of Jones	Decatur
Carden	Hopkins	Moore	Topping
Cooney	Hush	Mullaney	Tripp
Coykendall	Husted	Nelson	White

Nays, 2.

Klemme	Wenner
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Absent or not voting, 10.

Beardsley	Irwin	Schmidt	Valentine
Chrystal	Ritchie	Stevens of	Wilson
Frailey	Roelofs	Wapello	

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator White Senate File No. 495, a bill for an act to make an appropriation to J. Y. Scanland, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 42.

Anderson	Doze	Knudson	Ritchie
Aschenbrenner	Elthon	McArthur	Roelofs
Beatty	Fisch	Meyer	Shangle
Bennett	Geske	Miller of	Stanley
Booth	Hicklin	Buchanan	Stevens of
Byers	Hill	Miller of Jones	Decatur
Calhoun	Hopkins	Moore	Topping
Carden	Hush	Mullaney	Tripp
Chrystal	Husted	Nelson	Wenner
Cooney	Kimberly	Patterson	White
Coykendall	Klemme	Pendray	Wilson

Nays, none.

Absent or not voting, 8.

Beardsley	Harrington	Reese	Stevens of
Frailey	Irwin	Schmidt	Wapello
			Valentine

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Topping moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator White Senate File No. 496, a bill for an act to make an appropriation to J. W. Reese, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 42.

Anderson	Coykendall	Knudson	Reese
Aschenbrenner	Doze	McArthur	Roelofs
Beardsley	Eithon	Meyer	Shangle
Beatty	Fisch	Miller of	Stanley
Bennett	Geske	Buchanan	Stevens of
Booth	Hicklin	Miller of Jones	Decatur
Byers	Hill	Moore	Topping
Calhoun	Hopkins	Mullaney	Tripp
Carden	Husted	Nelson	Weaner
Chrystal	Kimberly	Patterson	White
Cooney	Klemme	Pendray	Wilson

Nays, none.

Absent or not voting, 8.

Frailey	Hush	Ritchie	Stevens of
Harrington	Irwin	Schmidt	Wapello
			Valentine

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Wilson the Senate recessed until the fall of the gavel.

The Senate met at the fall of the gavel.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption :

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate Files Nos. 260, 298 and 467.

HOMER HUSH, *Chairman Senate Committee.*

WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 260, 298 and 467.

BILLS SENT TO THE GOVERNOR

Senator Hush from the committee on enrolled bills submitted the following report :

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 14th day of April, 1933, sent to the Governor for his approval, Senate Files Nos. 260, 298 and 467.

HOMER HUSH, *Chairman.*

Passed on file.

SENATE RESOLUTION NO. 7

Whereas, it has been noticed during the regular session of the 45th General Assembly, and preceeding sessions, that conditions in regard to ventilation in the Senate Chamber are not conducive to the good health of the members of the Senate, its employees and officers, and that when the chamber is attended by any large number of spectators, the room becomes so stuffy as to hinder and delay the activities and deliberation of the Senate, and

Whereas, it is apparent that during the month of August, a special session of the legislature will be convened, and that such conditions will be materially increased by hot weather then due, therefore,

Be It Resolved, That the Executive Council of the State of Iowa be requested to install adequate ventilating system in the Senate Chamber prior to the convening of such special session.

IRVING H. KNUDSON

E. R. HICKLIN

On request of Senator Patterson, unanimous consent was granted to introduce a bill.

INTRODUCTION OF BILLS

Senate Joint Resolution No. 12, by Senator Patterson, a joint resolution creating a special joint legislative committee cooperating with the tax department of the Brookings Institution and the State Board of Assessment and Review to prepare measures of tax revision to be presented at the special session of the legislature of the 45th General Assembly.

Read first and second times and referred to committee on appropriations.

CALL OF THE SENATE

MR. PRESIDENT: We, the undersigned Senators, ask that a call of the Senate issue for the legislative day of April 15th.

H. C. WHITE

WILLIAM CARDEN

ORA E. HUSTED

F. I. COYKENDALL

FRANK M. STEVENS

GEO. M. HOPKINS

M. X. GESKE

W. F. MILLER

WM. MCARTHUR

D. W. KIMBERLY

M. D. COONEY

L. H. MEYER

LEO ELTHON

Senator Wilson moved that when the Senate adjourns it be to reconvene at 9:00 a. m. Saturday. The motion prevailed.

The Journal of April 13th was corrected and approved.

The Senate recessed until the fall of the gavel.

The Senate met at the fall of the gavel.

HOUSE MESSAGES CONSIDERED

House File No. 588, a bill for an act to amend House File No. 541, enacted by the Forty-Fifth General Assembly of Iowa, relating to the authorization of public bodies in signing depositors' agreements with banks and trust companies.

Read first and second times and referred to sifting committee.

House Joint Resolution No. 8, a joint resolution authorizing the Committee appointed under House Resolution No. 21, to continue its investigation and making an appropriation therefor.

Read first and second times and referred to sifting committee.

On motion of Senator Hush, the Senate adjourned, the time having been set previously for 9:00 a. m. Saturday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 15, 1933.

The Senate met in regular session, Senator Wilson presiding, at the request of President N. G. Kraschel.

Prayer was offered by Rev. A. R. Weed of Winterset.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the sifting committee:

Favoring the passage of Senate File No. 285. Senator Wilson from Local Union No. 270 International Union of Operating Engineers of Des Moines.

Favoring the passage of the beer bill. Senator Booth, from citizens of Harlan, Portsmouth, Atlantic and Griswold, and residents of Cass and Shelby counties. Senator Knudson, from merchants of Webster City.

Approving prohibition. Senator Knudson, from members of the Equality Club of Eagle Grove.

Opposing the placing of a tax on chain stores. Senator Knudson, from residents of Ackley.

Favoring the passage of Senate Files Nos. 125, 175, 141 and House File No. 246. Senator Knudson, from residents of Eagle Grove.

Favoring an appropriation for the Iowa State Horticulture Society. Senator Knudson, from citizens of Ackley.

Favoring a change in the auto license law. Senator Knudson, from citizens of Eagle Grove.

Relating to railroad stations. Senator Knudson, from citizens of Webster City.

Relating to the collection of a refund on taxes paid on gasoline used for agricultural purposes. Senator Knudson, from residents of Hamilton county.

Favoring the passage of tax reduction measures. Senator Knudson, from residents of Hamilton county.

On request of Senator Topping unanimous consent was granted that the call of the Senate be raised.

SIFTING COMMITTEE REPORT

MR. PRESIDENT: Your sifting committee begs leave to report that it has had the following bills under consideration and recommends that they be placed on the calendar of the Senate:

H. F. No. 585

A sifting committee bill for an act relating to the payment of persons who act as judges (of the Supreme Court of the State of Iowa) under the validity of such certificate or election may be pending and validating any and all acts of such judges during the period they so act.

Sifting committee bill for an act to repeal sections eighty-three hundred sixty-five (8365) and eighty-three hundred sixty-six (8366) of the Code, 1931, relating to the renewals of domestic corporations, and to enact a substitute therefor.

A sifting committee bill for an act to modify the rate of interest on certain public warrants, bonds, and other evidences of public indebtedness and to this end to amend Sections 135, 4318, 4407, 5160, 5277, 5351, 5377, 5803, 5880, 6103, 6113, 6253, 6927 and 7505, Code 1931, etc.

H. F. No. 475

A sifting committee bill for an act to legalize the practice of Naprapathy by certain persons in the State of Iowa.

A sifting committee bill for an act to amend Sections 10502, 10504, 10515 and 10658, Code 1931, to define more accurately the territorial jurisdiction of justices of the peace.

H. F. No. 397

S. F. No. 369

H. F. No. 357

S. F. No. 424

S. F. No. 420

A sifting committee bill for an act to repeal chapter five hundred ninety-three (593), Code 1931, relative to gambling and to enact a substitute therefor; to provide for the licensing of certain mechanical devices; to provide for the distribution of funds received under this act, etc.

H. F. No. 176

H. F. No. 339

A sifting committee bill for an act to amend substitute for Senate File No. 131 of 45th General Assembly, relating to taxation, providing for certain exceptions thereto as applied to cities having a population in excess of 100,000.

H. F. No. 89

H. F. No. 544

H. F. No. 410

H. F. No. 393

H. F. No. 269

S. F. No. 262

H. F. No. 387

S. F. No. 462

JOHN K. VALENTINE, *Chairman.*

Senator Stevens of Wapello moved that when the Senate adjourns it be to reconvene at 10:00 a. m. Monday.

The Senate recessed until the fall of the gavel.

The Senate reconvened at the fall of the gavel, President N. G. Kraschel presiding.

INTRODUCTION OF BILLS

Senate File No. 503, by sifting committee, a bill for an act relating to the payment of persons who act as Judges of the Supreme Court of the State of Iowa under the validity of such certificate or election may be pending and validating any and all acts of such Judges during the period they so act.

Read first and second times and placed on the calendar.

Senate File No. 504, by sifting committee, a bill for an act to repeal Sections eighty-three hundred sixty-five (8365) and eighty-three hundred sixty-six (8366) of the Code, 1931, relating to the renewals of domestic corporations, and to enact a substitute therefor.

Read first and second times and placed on the calendar.

Senate File No. 505, by sifting committee, a bill for an act to modify the rate of interest on certain public warrants, bonds, and other evidences of public indebtedness and to this end to amend sections one hundred thirty-five (135), forty-three hundred eighteen (4318), forty-four hundred seven (4407), fifty-one hundred sixty (5160), fifty-two hundred seventy-seven (5277), fifty-three hundred fifty-one (5351), fifty-three hundred seventy-seven (5377), fifty-eight hundred three (5803), fifty-eight hundred eighty (5880), sixty-one hundred three (6103), sixty-one hundred thirteen (6113), sixty-two hundred fifty-three (6253), sixty-nine hundred twenty-seven (6927), and seventy-five hundred five (7505), all of the Code, 1931, and to provide an optional redemption of bonds under certain circumstances.

Read first and second times and placed on the calendar.

Senate File No. 506, by sifting committee, a bill for an act to legalize the practice of Naprapathy by certain persons in the State of Iowa.

Read first and second times and placed on the calendar.

Senate File No. 507, by sifting committee, a bill for an act to amend sections ten thousand five hundred two (10502), ten thousand five hundred four (10504), ten thousand five hundred fifteen (10515), and ten thousand six hundred fifty-eight (10658), Code 1931; to define more accurately the territorial jurisdiction of justices of the peace.

Read first and second times and placed on the calendar.

Senate File No. 508, by sifting committee, a bill for an act to repeal Chapter five hundred ninety-three (593), Code 1931, relative to gambling and to enact a substitute therefor; to provide for the licensing of certain mechanical devices; to provide for the distribution of funds received under this act; and to fix a penalty for violations of this act.

Read first and second times and placed on the calendar.

Senate File No. 509, by sifting committee, a bill for an act to amend Substitute for Senate File No. 131, enacted by the 45th General Assembly relating to taxation, providing for certain exceptions thereto as applied to cities having a population in excess of 100,000.

Read first and second times and placed on the calendar.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled House Files Nos. 134, 301 and 587.

HOMER HUSH, *Chairman Senate Committee.*
WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The president of the Senate announced that, as president of the Senate, he had signed in the presence of the Senate, House Files Nos. 134, 301 and 587.

THIRD READING OF BILLS

On motion of Senator White, Senate File No. 497, a bill for an act to make an appropriation to Ted G. Andrews, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator White moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 35.

Bennett	Harrington	McArthur	Reese
Booth	Hicklin	Meyer	Shangle
Byers	Hill	Miller of	Stevens of
Carden	Hopkins	Buchanan	Decatur
Chrystal	Hush	Miller of Jones	Topping
Cooney	Husted	Moore	Tripp
Coykendall	Kimberly	Mullaney	Wenner
Fisch	Klemme	Patterson	White
Frailey	Knudson	Pendray	Wilson
Geske			

Nays, none.

Absent or not voting, 15.

Anderson	Calhoun	Nelson	Stanley
Aschenbrenner	Doze	Ritchie	Stevens of
Beardsley	Elthon	Roelofs	Wapello
Beatty	Irwin	Schmidt	Valentine

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator White, Senate File No. 498, a bill for an act to make an appropriation to the Donahue Shipping Association, Donahue, Iowa, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 37.

Bennett	Calhoun	Cooney	Fisch
Booth	Carden	Coykendall	Frailey
Byers	Chrystal	Doze	Geske

Harrington	Klemme	Mullaney	Topping
Hicklin	Knudson	Patterson	Tripp
Hill	Meyer	Pendray	Valentine
Hopkins	Miller of	Reese	Wenner
Hush	Buchanan	Shangle	White
Husted	Miller of Jones	Stevens of	Wilson
Kimberly	Moore	Decatur	

Nays, none.

Absent or not voting, 13.

Anderson	Elthon	Ritchie	Stanley
Aschenbrenner	Irwin	Roelofs	Stevens of
Beardsley	McArthur	Schmidt	Wapello
Beatty	Nelson		

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator White, Senate File No. 499, a bill for an act to make an appropriation to Muscatine County, Iowa, Emmet County, Iowa, Winnebago County, Iowa, and Louisa County, Iowa, an appropriations committee bill, was taken up and considered.

The bill was read for information.

Senator White moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 37.

Beatty	Fisch	Klemme	Reese
Bennett	Frailey	Knudson	Stevens of
Booth	Geske	Meyer	Decatur
Byers	Harrington	Miller of	Topping
Calhoun	Hicklin	Buchanan	Tripp
Carden	Hill	Miller of Jones	Valentine
Chrystal	Hopkins	Moore	Wenner
Cooney	Hush	Mullaney	White
Coykendall	Husted	Patterson	Wilson
Doze	Kimberly	Pendray	

Nays, none.

Absent or not voting, 13.

Anderson	Irwin	Roelofs	Stanley
Aschenbrenner	McArthur	Schmidt	Stevens of
Beardsley	Nelson	Shangle	Wapello
Elthon	Ritchie		

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator White, House File No. 580, a bill for an

act to make an appropriation to William Schuenke, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator White moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 36.

Beatty	Frailey	Miller of	Shangle
Bennett	Geske	Buchanan	Stevens of
Booth	Harrington	Miller of Jones	Decatur
Byers	Hicklin	Mullaney	Topping
Calhoun	Hill	Patterson	Tripp
Carden	Hopkins	Pendray	Valentine
Chrystal	Hush	Reese	Wenner
Cooney	Kimberly	Ritchie	White
Coykendall	Klemme	Schmidt	Wilson
Fisch	Knudson		

Nays, none.

Absent or not voting, 14.

Anderson	Elthon	Meyer	Stanley
Aschenbrenner	Husted	Moore	Stevens of
Beardsley	Irwin	Nelson	Wapello
Doze	McArthur	Roelofs	

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator White, Senate File No. 500, a bill for an act to make an appropriation for certain miscellaneous state purposes for the ensuing biennial fiscal term and to provide for the expenditure of said appropriated funds by the executive council of the State of Iowa, an appropriations committee bill, was taken up and considered.

The bill was read for information.

Senator White moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 38.

Beatty	Calhoun	Coykendall	Frailey
Bennett	Carden	Doze	Geske
Booth	Chrystal	Elthon	Harrington
Byers	Cooney	Fisch	Hicklin

Hill	Meyer	Patterson	Topping
Hopkins	Miller of	Pendray	Valentine
Hush	Buchanan	Reese	Wenner
Husted	Miller of Jones	Schmidt	White
Kimberly	Moore	Shangle	Wilson
Klemme	Mullaney	Stevens of Decatur	

Nays, none.

Absent or not voting, 12.

Anderson	Knudson	Ritchie	Stevens of
Aschenbrenner	McArthur	Roelofs	Wapello
Beardsley	Nelson	Stanley	Tripp
Irwin			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator White, House File No. 581, a bill for an act to make an appropriation to J. M. Brockway, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 38.

Beatty	Frailey	Knudson	Ritchie
Bennett	Geske	McArthur	Schmidt
Booth	Harrington	Meyer	Shangle
Calhoun	Hicklin	Miller of	Stevens of
Carden	Hill	Buchanan	Decatur
Cooney	Hopkins	Moore	Topping
Coykendall	Hush	Mullaney	Tripp
Doze	Husted	Patterson	Wenner
Elthon	Kimberly	Pendray	White
Fisch	Klemme	Reese	Wilson

Nays, none.

Absent or not voting, 12.

Anderson	Chrystal	Nelson	Stevens of
Aschenbrenner	Irwin	Roelofs	Wapello
Beardsley	Miller of Jones	Stanley	Valentine
Byers			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Carden moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator White, House File No. 582, a bill for an act to make an appropriation to C. B. Laird as compensation for a horse killed at Camp Dodge, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 39.

Beatty	Fisch	Meyer	Schmidt
Bennett	Frailey	Miller of	Shangle
Booth	Geske	Buchanan	Stevens of
Byers	Harrington	Miller of Jones	Wapello
Calhoun	Hicklin	Moore	Topping
Carden	Hill	Mullaney	Tripp
Chrystal	Hopkins	Patterson	Wenner
Cooney	Hush	Pendray	White
Coykendall	Kimberly	Reese	Wilson
Doze	Klemme	Ritchie	
Elthon	McArthur		

Nays, none.

Absent or not voting, 11.

Anderson	Husted	Nelson	Stevens of
Aschenbrenner	Irwin	Roelofs	Decatur
Beardsley	Knudson	Stanley	Valentine

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 479, a bill for an act relating to statutory salaries paid state, city, county, and other officers.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 592, a bill for an act to make appropriation to W. K. Robbins.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 590, a bill for an act to make appropriation to Warren Johnson, E. F. Zimmerman, and A. K. Zimmerman.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 591, a bill for an act to make appropriation to Jason B. McCoskey.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 593, a bill for an act to make appropriation to Derrill G. Stanton.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 594, a bill for an act to make appropriation to the Department of Health of the State of Iowa.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 595, a bill for an act to make appropriation to Mrs. Tena B. Richardson.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 597, a bill for an act to make appropriation to Margaret Fisher.
LLOYD ELLIS, *Chief Clerk.*

On request of Senator Stevens of Wapello, unanimous consent was granted to consider the House amendment to Senate File No. 479.

HOUSE AMENDMENTS CONSIDERED

Senator Stevens of Wapello called up for consideration Senate File No. 479, amended by the House, and moved that the Senate concur in the following amendments:

"of statutory salaries paid for officials of the state and statutory salaries for city officers and officials of Municipal, Juvenile and Superior courts, and salaries of county officers and prescribing the method of fixing salaries of their deputies, and to amend sections eighty-eight-c one (88-c1), one hundred thirty-c one (130-c1), one hundred forty-seven-c one (147-c1), one hundred fifty-three-c one (153-c1), seventeen hundred three-d twenty-two (1703-d22), twenty-six hundred three-c one (2603-c1), twenty-eight hundred eighty-two (2882), twenty-nine hundred forty-seven (2947), twenty-nine hundred fifty-two (2952), thirty-three hundred seventy-three (3373), thirty-three hundred eighty-eight (3388), thirty-four hundred three (3403), thirty-four hundred sixty-six (3466), thirty-four hundred eighty-six (3486), thirty-six hundred sixty-one-a five (3661-a five), thirty-six hundred eighty-seven (3687), thirty-seven hundred seven (3707), thirty-seven hundred twenty-four (3724), thirty-seven hundred forty-one (3741), thirty-seven hundred forty-two (3742),

forty-six hundred twenty-five (4625), forty-six hundred thirty-c one (4630-c1), sixty-nine hundred forty-three-c eighteen (6943-c18), ninety-one hundred thirty-seven (9137), ten thousand eight hundred four (10,804), twelve thousand eight hundred sixteen-a one (12,816-a1), thirty-six hundred twelve (3612), sixty-five hundred seventeen (6517), sixty-seven hundred four (6704), sixty-seven hundred five (6705), sixty-nine hundred forty-three-c four (6943-c4), ten thousand six hundred eighty-eight (10,688), ten thousand seven hundred thirty-nine (10,739), ten thousand seven hundred forty-eight (10,748); repeal sections fifty-two hundred twenty-one (5221), fifty-two hundred twenty-three (5223), fifty-two hundred twenty-five (5225), fifty-two hundred twenty-nine (5229), fifty-two hundred thirty-one (5231), and fifty-two hundred thirty-six (5236), code 1931, and enact substitutes therefor; and to amend sections fifty-one hundred twenty-five (5125), fifty-two hundred twenty (5220), fifty-two hundred twenty-two (5222), fifty-two hundred twenty-four (5224), fifty-two hundred twenty-eight (5228), fifty-two hundred thirty (5230), fifty-two hundred thirty-two (5232), fifty-five hundred seventy-one (5571), fifty-five hundred seventy-two (5572), fifty-five hundred seventy-three (5573), and fifty-six hundred sixty-nine (5669), code 1931.

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

Section 1. (Secretary of State) Amend section eighty-eight-c one (88-c1), code 1931, by striking from line two (2) the words "five thousand" and substituting therefor the words "four thousand".

Sec. 2. (Auditor of State) Amend section one hundred thirty-c one (130-c1), code 1931, by striking from line two (2) the words "five thousand" and substituting therefor the words "four thousand".

Sec. 3. (Attorney General) Amend section one hundred fifty-three-c one (153-c1), code 1931, by striking from line two (2) the words "six thousand" and substituting therefor the words "four thousand six hundred".

Sec. 4. (Deputy Fish Warden) Amend section seventeen hundred three-d twenty-two (1703-d22), code 1931, by striking from line three (3) the words "two thousand" and substituting therefor the words "twelve hundred".

Sec. 5. (Secretary of Agriculture) Amend section twenty-six hundred three-c one (2603-c1), code 1931, by striking from line two (2) the words "five thousand" and substituting therefor the words "four thousand".

Sec. 6. (Secretary of Fair Board) Amend section twenty-eight hundred eighty-two (2882), code 1931, by striking from line four (4) the words "five thousand" and substituting therefor the words "three thousand".

Sec. 7. (Employees of Executive Committee of State Dairy Association) Amend section twenty-nine hundred forty-seven (2947) code 1931, by striking from lines seven (7) and eight (8) the words "three thousand" and substituting therefor the words "eighteen hundred".

Sec. 8. (Employees of Executive Committee of Beef Cattle Association) Amend section twenty-nine hundred fifty-two (2952), code

1931, by striking from line seven (7) the words "three thousand" and substituting therefor the words "eighteen hundred".

Sec. 9. (Superintendent of Soldiers' Home) Amend section thirty-three hundred seventy-three (3373), code 1931, by striking from line three (3) the words "twenty-eight hundred" and substituting therefor the words "twenty-two hundred forty".

Sec. 17. (Superintendent of Sanitarium at Oakdale) Amend section thirty-three hundred eighty-eight (3388), code 1931, by striking from lines three (3) and four (4) the words "twenty-five hundred" and substituting therefor the words "two thousand sixty-three".

Sec. 11. (Superintendent of Glenwood School for Feeble-Minded) Amend section thirty-four hundred three (3403), code 1931, by striking from line two (2) the words "three thousand" and substituting therefor the words "twenty-four hundred".

Sec. 12. (Superintendent of School for Epileptics) Amend section thirty-four hundred sixty-six (3466), code 1931, by striking from lines four (4) and five (5) the words "three thousand" and substituting therefor the words "twenty-four hundred".

Sec. 13. (Superintendent of Hospital for Insane) Amend section thirty-four hundred eighty-six (3486), code 1931, by striking from line three (3) the words "three thousand" and substituting therefor the words "twenty-four hundred".

Sec. 14. (Child Welfare Supervisor) Amend section thirty-six hundred sixty-one-a five (3661-a5), code 1931, by striking from line three (3) the words "three thousand" and substituting therefor the words "twenty-four hundred".

Sec. 15. (Superintendent of Boys' Training School) Amend section thirty-six hundred eighty-seven (3687), code 1931, by striking from line three (3) the words "twenty-five hundred" and substituting therefor the words "two thousand sixty-three".

(Superintendent of Girls' Training School) Further amend said section by striking from lines five (5) and six (6) the words "two thousand" and substituting therefor the words "seventeen hundred".

Sec. 16. (Superintendent of School at Davenport) Amend section thirty-seven hundred seven (3707), code 1931, by striking from lines two (2) and three (3) the words "twenty-four hundred" and substituting therefor the words "nineteen hundred eighty".

Sec. 17. (Superintendent of Women's Reformatory) Amend section thirty-seven hundred twenty-four (3724), code 1931, by striking from line four (4) the words "two thousand" and substituting therefor the words "seventeen hundred".

Sec. 18. (Maximum Salaries at Penitentiary and Reformatories) Amend section thirty-seven hundred forty-one (3741), code 1931, by striking from subsection one (1) line one (1), the words "two hundred fifty dollars" and substituting therefor the words "two hundred dollars".

Further amend said section by striking from subsection two (2) line one (1) the words "one hundred fifty" and substituting therefor the words "one hundred twenty-six".

Further amend said section by striking from subsection three (3) lines one (1) and two (2) the words "one hundred twenty-five dollars" and

substituting therefor the words "one hundred twelve dollars and fifty cents".

Further amend said section by striking from subsection four (4) line one (1) the words "one hundred fifty" and substituting therefor the words "one hundred twenty-~~five~~".

Further amend said section by striking from subsection five (5) line one (1) the words "one hundred twenty-five dollars" and substituting therefor the words "one hundred twelve dollars and fifty cents".

Further amend said section by striking from subsection seven (7) line one (1) the words "one hundred twenty-five dollars" and substituting therefor the words "one hundred twelve dollars and fifty cents".

Further amend said section by striking from subsection eight (8) lines one and two (2) the words "one hundred twenty-five dollars" and substituting therefor the words "one hundred twelve dollars and fifty cents".

Further amend said section by striking from subsection nine (9) lines two (2) and three (3) the words "one hundred ten" and substituting therefor the words "ninety-nine".

Sec. 19. (Salaries of Guards at Penitentiary and Reformatories) Amend section thirty-seven hundred forty-two (3742), code 1931, by striking from subsection one (1) line one (1) the words "one hundred ten" and substituting therefor the words "ninety-nine".

Further amend said section by striking from subsection two (2) line one (1) the words "one hundred" and substituting therefor the words "ninety".

Further amend said section by striking from subsection three (3) line one (1) the word "ninety" and substituting therefor the word "eighty-one".

Sec. 20. (Salary of Highway Commission) Amend section forty-six hundred twenty-five (4625), code 1931, by striking from line three (3) the words "four thousand" and substituting therefor the words "two thousand".

Sec. 21. (Counsel for Highway Commission) Amend section forty-six hundred thirty-one (4630-c1), code 1931, by striking from line nine (9) the words "forty-five hundred" and substituting therefor the words "three thousand".

Sec. 22. (Salary of Members of Board of Assessment and Review) Amend section sixty-nine hundred forty-three-c eighteen (6943-c18), code 1931, by striking from lines two (2) and three (3) the words "four thousand five hundred" and substituting therefor the words "thirty-two hundred sixty-three".

Sec. 23. (Assistant Superintendent of Banking) Amend section ninety-one hundred thirty-seven (9137), code 1931, by striking from lines six (6) and seven (7) the words "thirty-eight hundred" and substituting therefor the words "twenty-eight hundred fifty".

Further amend said section by striking from line sixteen (16) the words "forty-eight hundred" and substituting therefor the words "thirty-four hundred eighty".

Sec. 24. (Salary of Supreme Court Judge) Amend section twelve thousand eight hundred sixteen-a one (12,816-a1), code 1931, by striking

from line three (3) the words "seventy-five hundred" and substituting therefor the words "six thousand".

Sec. 25. (Salary of District Court Judge) Amend section ten thousand eight hundred four (10,804), code 1931, by striking from lines two (2) and three (3) the words "five thousand" and substituting therefor the words "four thousand".

Sec. 26. (Treasurer of State) Amend section one hundred forty-seven-c one (147-c1), code 1931, by striking from line two (2) the word "five" and substituting therefor the word "four".

Sec. 27. (Prohibition Officers Juvenile Court) Amend section thirty-six hundred twelve (3612), code 1931, by striking from subsection two (2) line seven (7) the words "fifteen hundred" and substituting therefor the words "thirteen hundred fifty"; line nine (9) the words "twelve hundred" and substituting therefor the words "one thousand eighty".

Further amend said section by striking from subsection three (3) line four (4) the words "two thousand" and substituting therefor the words "seventeen hundred"; from line six (6) the words "fifteen hundred" and substituting therefor the words "thirteen hundred fifty".

Further amend said section by striking from subsection four (4) lines three (3) and four (4) the words "three thousand" and substituting therefor the words "twenty-four hundred"; from line seven (7) the words "twenty-two hundred" and substituting therefor the words "eighteen hundred fifteen"; from line ten (10) the words "eighteen hundred" and substituting therefor the words "fifteen hundred thirty".

Sec. 28. (Salaries of Mayor and Councilmen) Amend section sixty-five hundred seventeen (6517), code 1931, by striking from subsection one (1), line fourteen (14) the words "twenty-five hundred" and substituting therefor the words "two thousand sixty-three".

Further amend said section subsection one (1) by striking from line sixteen (16) the words "two thousand" and substituting therefor the words "seventeen hundred".

Further amend said section, subsection two (2), by striking from lines three (3) and four (4) the words "twenty-five hundred" and substituting therefor the words "two thousand sixty-three".

Further amend said section, subsection two (2), by striking from line five (5) the words "eighteen hundred" and substituting therefor the words "fifteen hundred thirty".

Further amend said section subsection three (3), by striking from line three (3) the words "three thousand" and substituting therefor the words "twenty-four hundred".

Further amend said section subsection three (3), by striking from lines four (4) and five (5) the words "twenty-five hundred" and substituting therefor the words "two thousand sixty-three".

Further amend said section subsection four (4), by striking from line three (3) the words "thirty-five hundred" and substituting therefor the words "twenty-seven hundred thirteen".

Further amend said section subsection four (4), by striking from line four (4) the words "three thousand" and substituting therefor the words "twenty-four hundred".

Sec. 29. (Compensation of Aldermen, Special Charter Cities) Amend section sixty-seven hundred four (6704), code 1931, by striking from line three (3) the words "six hundred" and substituting therefor the words "five hundred seventy".

Sec. 30. (Compensation of Mayor, Special Cities) Amend section sixty-seven hundred five (6705), code 1931, by striking from lines three (3) and four (4) the words "two thousand five hundred" and substituting therefor the words "two thousand sixty-three".

Sec. 31. (Compensation of Trustees in City Owned Public Utilities) Amend section sixty-nine hundred forty-three-c four (6943-c4), code 1931, by striking from lines two (2) and three (3) the words "six hundred" and substituting therefor the words "five hundred seventy".

Sec. 32. (Salary of Judges of Municipal Courts) Amend section ten thousand six hundred eighty-eight (10,688), code 1931, by striking from line two (2) the words "three thousand" and substituting therefor the words "twenty-four hundred".

Further amend said section by striking from line four (4) the words "three thousand four hundred" and substituting therefor the words "twenty-six hundred thirty-five".

Further amend said section by striking from lines six (6) and seven (7) the words "three thousand six hundred" and substituting therefor the words "twenty-seven hundred".

Further amend said section by striking from line ten (10) the words "eighteen hundred" and substituting therefor the words "fifteen hundred thirty".

Further amend said section by striking from lines eleven (11) and twelve (12) the words "twenty-two hundred" and substituting therefor the words "eighteen hundred fifteen".

Further amend said section by striking from line fourteen (14) the words "twenty-six hundred" and substituting therefor the words "two thousand eighty".

Further amend said section by striking from line seventeen (17) the words "fifteen hundred" and substituting therefor the words "thirteen hundred fifty".

Further amend said section by striking from lines eighteen (18) and nineteen (19) the words "seventeen hundred fifty" and substituting therefor the words "fourteen hundred eighty-eight".

Further amend said section by striking from lines twenty (20) and twenty-one (21) the words "two thousand" and substituting therefor the words "seventeen hundred".

The provision of this section shall not apply to the present term to which they are elected.

Sec. 33. (Salary of Judge of Superior Court) Amend section ten thousand seven hundred thirty-nine (10,739), code 1931, by striking from line three (3) the words "thirty-seven hundred fifty" and substituting therefor the words "twenty-eight hundred thirteen".

Sec. 34. (Salary of Superior Court Judges) Amend section ten thousand seven hundred forty-eight (10,748), code 1931, by striking from

line four (4) the words "two thousand" and substituting therefor the words "seventeen hundred".

Further amend said section by striking from line seven (7) the words "three thousand" and substituting therefor the words "two thousand four hundred".

Sec. 35. That sections fifty-two hundred twenty-one (5221), fifty-two hundred twenty-three (5223), fifty-two hundred twenty-five (5225), fifty-two hundred twenty-nine (5229), fifty-two hundred thirty-one (5231), and fifty-two hundred thirty-six (5236), code 1931, be and the same are hereby repealed and the following enacted in lieu thereof:

"That the salaries of all Deputy Auditors, Deputy Treasurers, Deputy Recorders, Assistant County Attorneys, Deputy Clerks of Court, and all other deputy county officials shall be fixed by the Board of Supervisors."

Sec. 36. (Supervisors) Amend section fifty-one hundred twenty-five (5125), code 1931, by striking from line three (3) the word "five" and substituting therefor the word "four".

Further amend said section by striking from line four (4) the word "five" and substituting therefor the word "four".

Sec. 37. (County Auditor) Amend section fifty-two hundred twenty (5220), code 1931, by striking from paragraph one (1) line one (1) the words "seventeen hundred" and substituting therefor the words "fourteen hundred forty-five".

Further amend said section by striking from paragraph two (2) line two (2) the words "eighteen hundred" and substituting therefor the words "fifteen hundred thirty".

Further amend said section by striking from paragraph three (3), line two (2) the words "nineteen hundred" and substituting therefor the words "sixteen hundred fifteen".

Further amend said section by striking from paragraph four (4) line two (2) the words "two thousand" and substituting therefor the words "seventeen hundred".

Further amend said section by striking from paragraph five (5) line two (2) the words "twenty-one hundred" and substituting therefor the words "seventeen hundred thirty-three".

Further amend said section by striking from paragraph six (6) line two (2) the words "twenty-two hundred" and substituting therefor the words "eighteen hundred fifteen".

Further amend said section by striking from paragraph seven (7) line two (2) the words "twenty-four hundred" and substituting therefor the words "nineteen hundred eighty".

Further amend said section by striking from paragraph eight (8) line two (2) the words "twenty-eight hundred" and substituting therefor the words "twenty-two hundred forty".

Further amend said section by striking from paragraph nine (9) line two (2) the words "three thousand" and substituting therefor the words "twenty-four hundred".

Further amend said section by striking from paragraph ten (10), line two (2) the words "thirty-three hundred" and substituting therefor the words "twenty-five hundred fifty-eight".

Further amend said section by striking from paragraph eleven (11) lines one (1) and two (2) the words "thirty-four hundred" and substituting therefor the words "twenty-six hundred thirty-five".

Sec. 38. (County Treasurer) Amend section fifty-two hundred twenty-two (5222), code 1931, by striking from paragraph one (1) lines one (1) and two (2) the words "seventeen hundred" and substituting therefor the words "fourteen hundred forty-five".

Further amend said section by striking from paragraph two (2) line two (2) the words "eighteen hundred" and substituting therefor the words "fifteen hundred thirty".

Further amend said section by striking from paragraph three (3) line two (2) the words "nineteen hundred" and substituting therefor the words "sixteen hundred fifteen".

Further amend said section by striking from paragraph four (4) line two (2) the words "two thousand" and substituting therefor the words "seventeen hundred".

Further amend said section by striking from paragraph five (5) line two (2) the words "twenty-one hundred" and substituting therefor the words "seventeen hundred thirty-three".

Further amend said section by striking from paragraph six (6) line two (2) the words "twenty-two hundred" and substituting therefor the words "eighteen hundred fifteen".

Further amend said section by striking from paragraph seven (7) line two (2) the words "twenty-four hundred" and substituting therefor the words "nineteen hundred eighty".

Further amend said section by striking from paragraph eight (8) line two (2) the words "twenty-eight hundred" and substituting therefor the words "twenty-two hundred forty".

Further amend said section by striking from paragraph nine (9) line two (2) the words "three thousand fifty" and substituting therefor the words "twenty-four hundred".

Further amend said section by striking from paragraph ten (10) line two (2) the words "thirty-three hundred" and substituting therefor the words "twenty-five hundred fifty-eight".

Further amend said section by striking from paragraph eleven (11) lines one (1) and two (2) the words "thirty-four hundred" and substituting therefor the words "twenty-six hundred thirty-five".

Further amend said section by striking the last fourteen (14) lines of paragraph thirteen (13).

Sec. 39. (County Recorder) Amend section fifty-two hundred twenty-four (5224), code 1931, by striking from paragraph one (1) lines one (1) and two (2) the words "sixteen hundred" and substituting therefor the words "thirteen hundred sixty".

Further amend said section by striking from paragraph two (2) line two (2) the words "seventeen hundred" and substituting therefor the words "fourteen hundred forty-five".

Further amend said section by striking from paragraph three (3) line two (2) the words "eighteen hundred" and substituting therefor the words "fifteen hundred thirty".

Further amend said section by striking from paragraph four (4) line

two (2) the words "nineteen hundred" and substituting therefor the words "sixteen hundred fifteen".

Further amend said section by striking from paragraph five (5) line two (2) the words "two thousand" and substituting therefor the words "seventeen hundred".

Further amend said section by striking from paragraph six (6) line two (2) the words "twenty-one hundred" and substituting therefor the words "seventeen hundred thirty-three".

Further amend said section by striking from paragraph seven (7) line two (2) the words "twenty-two hundred" and substituting therefor the words "eighteen hundred fifteen".

Further amend said section by striking from paragraph eight (8) line two (2) the words "twenty-three hundred" and substituting therefor the words "eighteen hundred ninety-eight".

Further amend said section by striking from paragraph nine (9) line two (2) the words "twenty-four hundred" and substituting therefor the words "nineteen hundred eighty".

Further amend said section by striking from paragraph ten (10) line two (2) the words "twenty-eight hundred" and substituting therefor the words "twenty-two hundred forty".

Further amend said section by striking from paragraph eleven (11) lines one (1) and two (2) the words "thirty-one hundred" and substituting therefor the words "twenty-four hundred three".

Sec. 40. (County Attorney) Amend section fifty-two hundred twenty-eight (5228), code 1931, by striking lines one (1) to twenty-three (23) inclusive, and substituting therefor the following:

"County Attorney. Each County Attorney shall receive as his annual salary in counties having a population of:

1. Less than fifteen thousand (15,000) ten hundred dollars (\$1,000).
2. Fifteen thousand (15,000) and under twenty thousand (20,000), twelve hundred and fifty dollars (\$1,250).
3. Twenty thousand (20,000) and under thirty thousand (30,000), fifteen hundred dollars (\$1,500).
4. Thirty thousand (30,000) and under forty thousand (40,000), two thousand dollars (\$2,000).
5. Forty thousand (40,000) and under fifty thousand (50,000), twenty-five hundred dollars (\$2,500).
6. Fifty thousand (50,000) and under sixty thousand (60,000), twenty-seven hundred and fifty dollars (\$2,750).
7. Sixty thousand (60,000) and under eighty thousand (80,000), three thousand dollars (\$3,000).
8. Eighty thousand (80,000) and under one hundred thousand (100,000), thirty-five hundred dollars (\$3,500).
9. One hundred thousand (100,000) and over, four thousand dollars (\$4,000).

Sec. 41. (Clerk of Court) Amend section fifty-two hundred thirty (5230) code 1931, by striking from paragraph one (1), lines one (1) and two (2) the words "seventeen hundred" and substituting therefor the words "fourteen hundred forty-five".

Further amend said section by striking from paragraph two (2) line two (2) the words "eighteen hundred" and substituting therefor the words "fifteen hundred thirty".

Further amend said section by striking from paragraph three (3) line two (2) the words "nineteen hundred" and substituting therefor the words "sixteen hundred fifteen".

Further amend said section by striking from paragraph four (4) line two (2) the words "two thousand" and substituting therefor the words "seventeen hundred".

Further amend said section by striking from paragraph five (5) line two (2) the words "twenty-one hundred" and substituting therefor the words "seventeen hundred thirty-three".

Further amend said section by striking from paragraph six (6) line two (2) the words "twenty-two hundred" and substituting therefor the words "eighteen hundred fifteen".

Further amend said section by striking from paragraph seven (7) line two (2) the words "twenty-four hundred" and substituting therefor the words "nineteen hundred eighty".

Further amend said section by striking from paragraph eight (8) line two (2) the words "twenty-eight hundred" and substituting therefor the words "twenty-four hundred forty".

Further amend said section by striking from paragraph nine (9) line two (2) the words "three thousand fifty" and substituting therefor the words "twenty-four hundred".

Further amend said section by striking from paragraph ten (10) line two (2) the words "thirty-three hundred" and substituting therefor the words "twenty-five hundred fifty-eight".

Further amend said section by striking from paragraph eleven (11) lines one (1) and two (2) the words "thirty-four hundred" and substituting therefor the words "twenty-six hundred thirty-five".

Sec. 42. (County Superintendent) Amend section fifty-two hundred thirty-two (5232), code 1931, by striking from line three (3) the words "eighteen hundred" and substituting therefor the words "fifteen hundred thirty".

Further amend said section by striking from lines six (6) and seven (7) the words "three thousand" and substituting therefor the words "twenty-four hundred".

Sec. 43. (Compensation of Township Trustees) Amend section fifty-five hundred seventy-one (5571), code 1931, by striking from paragraph one (1) line three (3) the words "four dollars" and substituting therefor the words "three dollars".

Further amend said section by striking from paragraph one (1) line six (6) the words "four dollars" and substituting therefor the words "three dollars".

Sec. 44. (Compensation of Township Clerks) Amend section fifty-five hundred seventy-two (5572), code 1931, by striking from paragraph one (1) lines four (4) and five (5) the words "four dollars" and substituting therefor the words "three dollars".

Sec. 45. (Compensation of Assessors) Amend section fifty-five hun-

dred seventy-three (5573), code 1931, by striking from line six (6) the words "four dollars" and substituting therefor the words "three dollars".

Further amend said section by striking from line thirteen (13) the words "four dollars" and substituting therefor the words "three dollars".

Sec. 46. (Compensation of Assessors and Deputies) Amend section fifty-six hundred sixty-nine (5669), code 1931, by striking from line nine (9) the words "eighteen hundred" and substituting therefor the words "fifteen hundred thirty".

Further amend said section by striking from line eleven (11) the words "eighteen hundred" and substituting therefor the words "fifteen hundred thirty".

Further amend said section by striking from line twelve (12) the word "five" and substituting therefor the word "four".

Further amend said section by striking from line fifteen (15) the word "five" and substituting therefor the word "four"; and by striking from lines fifteen (15) and sixteen (16) the words "and fifty cents".

Further amend said section by striking from lines twenty-four (24) and twenty-five (25), the words "twenty-five hundred" and substituting therefor the words "two thousand sixty-three".

Further amend said section by striking from line twenty-seven (27) the words "eighteen hundred" and substituting therefor the words "fifteen hundred thirty".

Sec. 47. That all statutory salaries of state officials, city officers and officials of municipal, juvenile and superior courts, and county and township officers, except sheriffs and deputy sheriffs, shall be reduced as follows:

All salary rates between three hundred (\$300) dollars and nine hundred ninety-nine (\$999) dollars per year and under shall be reduced five (5) per cent.

All salary rates of one thousand (\$1000) dollars to fourteen hundred ninety-nine (\$1,499) dollars per year inclusive shall be reduced ten (10) per cent but not less than nine hundred fifty (\$950) dollars per year.

All salary rates of fifteen hundred (\$1500) dollars to nineteen hundred ninety-nine (\$1999) dollars per year inclusive shall be reduced fifteen (15) per cent but not less than thirteen hundred fifty (\$1350) dollars per year.

All salary rates of two thousand (\$2000) dollars to twenty-four hundred ninety-nine (\$2499) dollars per year inclusive shall be reduced seventeen and one-half (17½) per cent but not less than seventeen hundred (\$1700) dollars per year.

All salary rates of twenty-five hundred (\$2500) dollars to twenty-nine hundred ninety-nine (\$2999) dollars per year inclusive shall be reduced twenty (20) per cent but not less than two thousand sixty-three (\$2063) dollars per year.

All salary rates of three thousand (\$3000) dollars to thirty-four hundred ninety-nine (\$3499) dollars per year inclusive shall be reduced twenty-two and one-half (22½) per cent but not less than twenty-four hundred (\$2400) dollars per year.

All salary rates of thirty-five hundred (\$3500) dollars to thirty-nine

hundred ninety-nine (\$3999) dollars per year inclusive shall be reduced twenty-five (25) per cent but not less than twenty-seven hundred thirteen (\$2713) dollars per year.

All salary rates of four thousand (\$4000) dollars per year or over shall be reduced twenty-seven and one half (27½) per cent but not less than three thousand (\$3000) dollars per year.

Sec. 48. The provisions of this act shall not apply to the salary or compensation of any public official whose salary under the constitution of this state cannot be increased or diminished during the term of office for which he is elected.

Sec. 49. Whereas, on account of the financial and economic condition today in Iowa and throughout the United States as heretofore recognized in legislative enactments of this legislature and by declaration of the Governor of the state, an emergency exists which requires that the salaries of public officials, as heretofore herein provided, be reduced to conserve the expenditures of funds raised by taxation.

Sec. 50. That all provisions of the code 1931 and laws of the Forty-fourth (44th) General Assembly, relating to salaries be amended, revised and codified in accordance herewith.

Sec. 51. All acts or parts of acts in conflict with the provisions hereof are hereby repealed.

Sec. 52. This act, being emergency legislation and being deemed of immediate importance, shall after its passage be published as required by law and be in full force and effect upon the first day of the month following such publication.

On the question "Shall the Senate concur?" the vote was:

Ayes, 1.

Shangle

Nays, 36.

Beatty	Elthon	Klemme	Ritchie
Bennett	Frailey	Knudson	Schmidt
Booth	Geske	Meyer	Stevens of
Byers	Harrington	Miller of	Wapello
Calhoun	Hicklin	Buchanan	Topping
Carden	Hill	Moore	Tripp
Chrystal	Hopkins	Mullaney	Wenner
Cooney	Hush	Patterson	White
Coykendall	Husted	Pendray	Wilson
Doze	Kimberly		

Absent or not voting, 13.

Anderson	Irwin	Reese	Stevens of
Aschenbrenner	McArthur	Roelofs	Decatur
Beardsley	Miller of Jones	Stanley	Valentine
Fisch	Nelson		

The House amendment having failed to receive a constitutional majority was declared to have failed to be adopted and concurred in by the Senate.

On request of Senator Stevens of Wapello, unanimous consent

was granted to message Senate File No. 479 to the House immediately.

On motion of Senator White, House File No. 561, a bill for an act to make an appropriation to George Anderson, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 39.

Beatty	Fisch	Klemme	Ritchie
Bennett	Frailey	Knudson	Schmidt
Booth	Geske	McArthur	Shangle
Byers	Harrington	Meyer	Stevens of
Calhoun	Hicklin	Miller of	Wapello
Carden	Hill	Buchanan	Topping
Chrystal	Hopkins	Mullaney	Tripp
Cooney	Hush	Patterson	Wenner
Coykendall	Husted	Pendray	White
Doze	Kimberly	Reese	Wilson
Elthon			

Nays, none.

Absent or not voting, 11.

Anderson	Irwin	Nelson	Stevens of
Aschenbrenner	Miller of Jones	Roelofs	Decatur
Beardsley	Moore	Stanley	Valentine

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator White, House File No. 562, a bill for an act to make an appropriation to Ben Whittington, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 40.

Beatty	Eyers	Chrystal	Doze
Bennett	Calhoun	Cooney	Elthon
Booth	Carden	Coykendall	Fisch

Frailey	Kimberly	Moore	Stevens of
Geske	Klemme	Mullaney	Wapello
Harrington	Knudson	Patterson	Topping
Hicklin	McArthur	Pendray	Tripp
Hill	Meyer	Ritchie	Wenner
Hopkins	Miller of	Schmidt	White
Hush	Buchanan	Stevens of	Wilson
Husted	Miller of Jones	Decatur	

Nays, 1.

Shangle

Absent or not voting, 9.

Anderson	Irwin	Reese	Stanley
Aschenbrenner	Nelson	Roelofs	Valentine
Beardsley			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator White, House File No. 569, a bill for an act to make an appropriation to A. C. Sino, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 37.

Bennett	Fisch	Knudson	Schmidt
Booth	Frailey	McArthur	Stevens of
Byers	Geske	Meyer	Decatur
Calhoun	Harrington	Miller of	Stevens of
Carden	Hicklin	Buchanan	Wapello
Chrystal	Hill	Moore	Topping
Cooney	Hopkins	Mullaney	Tripp
Coykendall	Hush	Patterson	Valentine
Doze	Kimberly	Pendray	Wenner
Elthon	Klemme	Ritchie	Wilson

Nays, 1.

Shangle

Absent or not voting, 12.

Anderson	Beatty	Miller of Jones	Roelofs
Aschenbrenner	Husted	Nelson	Stanley
Beardsley	Irwin	Reese	White

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Moore, House File No. 585, a bill for an

act relating to the payment of persons who act as judges under certificates of election where a contest with respect to the validity of such certificate or election may be pending and validating any and all acts of such judges during the period they so act, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Moore moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 36.

Beatty	Fisch	Meyer	Shangle
Bennett	Frailey	Miller of	Stevens of
Booth	Harrington	Buchanan	Decatur
Byers	Hill	Moore	Stevens of
Calhoun	Hopkins	Mullaney	Wapello
Carden	Hush	Patterson	Topping
Cooney	Husted	Pendray	Tripp
Coykendall	Kimberly	Reese	Wenner
Doze	Klemme	Ritchie	White
Elthon	McArthur	Schmidt	

Nays, none.

Absent or not voting, 14.

Anderson	Geske	Miller of Jones	Stanley
Aschenbrenner	Hicklin	Nelson	Valentine
Beardsley	Irwin	Roelofs	Wilson
Chrystal	Knudson		

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator White, House File No. 570, a bill for an act to make an appropriation to the City of Iowa City, Iowa, to reimburse the City for expenditures made in paving streets adjacent to state owned property, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 39.

Beatty	Booth	Calhoun	Chrystal
Bennett	Byers	Carden	Cooney

Coykendall	Husted	Mullaney	Stevens of
Doze	Kimberly	Patterson	Wapello
Elthon	Klemme	Pendray	Topping
Fisch	McArthur	Reese	Tripp
Frailey	Meyer	Schmidt	Valentine
Hicklin	Miller of	Shangle	Wenner
Hill	Buchanan	Stevens of	White
Hopkins	Miller of Jones	Decatur	Wilson
Hush	Moore		

Nays, 1.

Knudson

Absent or not voting, 10.

Anderson	Geske	Nelson	Roelofs
Aschenbrenner	Harrington	Ritchie	Stanley
Beardsley	Irwin		

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator White, House File No. 571, a bill for an act to make an appropriation to the Albert Dickenson Company, with report of appropriations committee recommending *passage*, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 38.

Beatty	Elthon	McArthur	Stevens of
Bennett	Fisch	Meyer	Decatur
Booth	Frailey	Miller of Jones	Stevens of
Byers	Harrington	Moore	Wapello
Calhoun	Hicklin	Mullaney	Topping
Carden	Hopkins	Patterson	Tripp
Chrystal	Hush	Pendray	Valentine
Cooney	Husted	Reese	Wenner
Coykendall	Kimberly	Ritchie	White
Doze	Knudson	Schmidt	Wilson

Nays, 1.

Shangle

Absent or not voting, 11.

Anderson	Geske	Klemme	Nelson
Aschenbrenner	Hill	Miller of	Roelofs
Beardsley	Irwin	Buchanan	Stanley

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator White, House File No. 572, a bill for an act to make an appropriation to Ira A. Polk, Conway Chevorlet Company, J. F. Batesole, Karl Engledinger, Walter Noffsinger, H. H. Lindeman, Albert Anselme, W. N. Attig, Rude Auto Company, Eugene Palmer, Thos. Shover, Guy A. Perry, Elmer J. Berber, Clarence McDole, A. L. Holub, E. E. Stegeman, and American Mutual Liability Company, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee was adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 39.

Beatty	Frailey	Meyer	Stevens of
Bennett	Harrington	Miller of	Decatur
Booth	Hicklin	Buchanan	Stevens of
Byers	Hill	Miller of Jones	Wapello
Calhoun	Hopkins	Moore	Topping
Carden	Hush	Mullaney	Tripp
Chrystal	Husted	Patterson	Valentine
Coykendall	Kimberly	Pendray	Wenner
Doze	Klemme	Reese	White
Elthon	Knudson	Schmidt	Wilson
Fisch	McArthur		

Nays, 1.

Shangle

Absent or not voting, 10.

Anderson	Cooney	Nelson.	Roelofs
Aschenbrenner	Geske	Ritchie	Stanley
Beardsley	Irwin		

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator White, House File No. 573, a bill for an act to make an appropriation to Jefferson County, Iowa, and to J. W. McDowell, Guardian of Elbert Elsworth Morgan and Lloyd Francis Morgan, minor heirs of Henry H. Morgan, deceased, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 38.

Beatty	Fisch	McArthur	Shangle
Bennett	Frailey	Meyer	Stevens of
Booth	Harrington	Miller of	Decatur
Byers	Hicklm	Buchanan	Stevens of
Calhoun	Hill	Moore	Wapello
Carden	Hopkins	Mullaney	Topping
Chrystal	Hush	Nelson	Tripp
Cooney	Kimberly	Patterson	Valentine
Coykendall	Klemme	Pendray	Wenner
Doze	Knudson	Schmidt	Wilson
Elthon			

Nays, none.

Absent or not voting, 12.

Anderson	Geske	Miller of Jones	Roelofs
Aschenbrenner	Husted	Reese	Stanley
Beardsley	Irwin	Ritchie	White

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator White, House File No. 574, a bill for an act to make an appropriation to Lloyd Kisby, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 36.

Anderson	Elthon	McArthur	Shangle
Bennett	Fisch	Meyer	Stevens of
Booth	Frailey	Miller of	Decatur
Byers	Harrington	Buchanan	Stevens of
Calhoun	Hill	Moore	Wapello
Carden	Hopkins	Mullaney	Topping
Chrystal	Hush	Patterson	Tripp
Cooney	Husted	Pendray	Wenner
Coykendall	Kimberly	Reese	Wilson
Doze	Klemme	Schmidt	

Nays, none.

Absent or not voting, 14.

Aschenbrenner	Hicklin	Miller of Jones	Roelofs
Beardsley	Irwin	Nelson	Stanley
Beatty	Knudson	Ritchie	Valentine
Geske			White

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator White, House File No. 575, a bill for an act to make an appropriation to Espy A. Barker, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 36.

Anderson	Fisch	McArthur	Reese
Beatty	Frailey	Meyer	Schmidt
Bennett	Harrington	Miller of	Stevens of
Booth	Hill	Buchanan	Wapello
Byers	Hopkins	Miller of Jones	Topping
Calhoun	Hush	Moore	Tripp
Carden	Irwin	Mullaney	Wenner
Cooney	Kimberly	Patterson	Wilson
Coykendall	Klemme	Pendray	
Elthon	Knudson		

Nays, none.

Absent or not voting, 14.

Aschenbrenner	Geske	Ritchie	Stevens of
Beardsley	Hicklin	Roelofs	Decatur
Chrystal	Husted	Shangle	Valentine
Doze	Nelson	Stanley	White

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator White, House File No. 576, a bill for an act to make an appropriation to R. F. Allen, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 35.

Beatty	Fisch	Klemme	Pendray
Bennett	Frailey	McArthur	Reese
Booth	Harrington	Meyer	Shangle
Calhoun	Hill	Miller of	Stevens of
Carden	Hopkins	Buchanan	Decatur
Chrystal	Hush	Miller of Jones	Stevens of
Cooney	Husted	Moore	Wapello
Coykendall	Irwin	Mullaney	Tripp
Doze	Kimberly	Patterson	White
Elthon			Wilson

Nays, 1.

Wenner

Absent or not voting, 14.

Anderson	Geske	Ritchie	Stanley
Aschenbrenner	Hicklin	Roelofs	Topping
Beardsley	Knudson	Schmidt	Valentine
Byers	Nelson		

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator White, House File No. 578, a bill for an act to make an appropriation to Anna Steece, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 37.

Anderson	Elthon	Knudson	Roelofs
Beatty	Fisch	McArthur	Shangle
Bennett	Frailey	Meyer	Stevens of
Booth	Harrington	Miller of	Decatur
Byers	Hopkins	Buchanan	Steven of
Calhoun	Hush	Moore	Wapello
Chrystal	Husted	Patterson	Tripp
Cooney	Irwin	Pendray	Wenner
Coykendall	Kimberly	Reese	White
Doze	Klemme	Ritchie	Wilson

Nays, none.

Absent or not voting, 13.

Aschenbrenner	Hicklin	Mullaney	Stanley
Beardsley	Hill	Nelson	Topping
Carden	Miller of Jones	Schmidt	Valentine
Geske			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF HOUSE FILE NO. 401 RESUMED

Senator Schmidt called up for consideration, House File No. 401, upon which action was deferred on page 1123 of the Senate Journal.

The bill was read for information.

Senator Schmidt moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes 42.

Anderson	Frailey	Meyer	Schmidt
Beatty	Geske	Miller of	Shangle
Bennett	Harrington	Buchanan	Stevens of
Booth	Hopkins	Miller of Jones	Decatur
Byers	Hush	Moore	Stevens of
Calhoun	Husted	Mullaney	Wapello
Chrystal	Irwin	Patterson	Topping
Cooney	Kimberly	Pendray	Tripp
Coykendall	Klemme	Reese	Wenner
Doze	Knudson	Ritchie	White
Elthon	McArthur	Roelofs	Wilson
Fisch			

Nays none.

Absent or not voting, 8.

Aschenbrenner	Carden	Hill	Stanley
Beardsley	Hicklin	Nelson	Valentine

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

REPORT OF SPECIAL COMMITTEE

Senator Moore called up for consideration the report of special committee relating to House Joint Resolution No. 7 as found on page 1130 of the House Journal, and moved that the report be adopted and that the committee continue, to report at the special session.

The motion prevailed and the report was adopted.

On motion of Senator White, House File No. 579, a bill for an act to make an appropriation to Fenton Lynn, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 40.

Anderson	Fisch	McArthur	Stevens of
Beatty	Frailey	Meyer	Decatur
Booth	Geske	Miller of	Stevens of
Byers	Harrington	Buchanan	Wapello
Calhoun	Hicklin	Miller of Jones	Topping
Carden	Hopkins	Moore	Tripp
Chrystal	Husted	Mullaney	Valentine
Cooney	Irwin	Patterson	Wenner
Coykendall	Kimberly	Pendray	White
Doze	Klemme	Reese	Wilson
Elthon	Knudson	Ritchie	

Nays, 1.

Shangle

Absent or not voting, 9.

Aschenbrenner	Hill	Nelson	Schmidt
Beardsley	Hush	Roelofs	Stanley
Bennett			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator White, House File No. 480, a bill for an act to make an appropriation for the payment of expenses incurred in the election contest of the Harvei vs. Ostby, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was considered:

Strike the period (.) after the word "Iowa" in line three (3) of section two (2) and insert the following "and the Cedar Valley Daily Times, a newspaper of general circulation at Vinton, Iowa."

The amendment was adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 44.

Anderson	Bennett	Byers	Carden
Beatty	Booth	Calhoun	Chrystal

Cooney	Hush	Moore	Stevens of
Coykendall	Husted	Mullaney	Decatur
Doze	Irwin	Patterson	Stevens of
Elthon	Kimberly	Pendray	Wapello
Fisch	Klemme	Reese	Topping
Frailey	Knudson	Ritchie	Tripp
Geske	Meyer	Roelofs	Valentine
Harrington	Miller of	Schmidt	Wenner
Hicklin	Buchanan	Shangle	White
Hopkins	Miller of Jones		Wilson

Nays, none.

Absent or not voting, 6.

Aschenbrenner	Hill	Nelson	Stanley
Beardsley	McArthur		

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator White, House File No. 414, a bill for an act to make an appropriation for the expenses incurred in the election contest of Adair vs. Teter, with report of appropriations committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

Amend Section 1 by striking all of line three (3) and by inserting in lieu thereof the following: "six hundred sixty-three dollars and fifty-four cents (\$663.54)."

Further amend Section 1, by striking the figures "300.00" at the end of line nine (9), and inserting in lieu thereof the figures "250.00".

Further amend Section 1, by striking the figures "275.00" at the end of line eleven (11) and inserting in lieu thereof the figures "250.00".

Further amend Section 1, by striking the figures "10.00" at the end of line fourteen (14).

Further amend Section 1, by striking the figures "748.54" at the end of line thirty-three (33), and inserting in lieu thereof the figures "663.54."

The amendments were adopted.

The bill was read for information.

Senator Husted moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 41.

Anderson	Calhoun	Doze	Harrington
Beatty	Carden	Elthon	Hicklin
Bennett	Cooney	Frailey	Hill
Booth	Coykendall	Geske	Hopkins

Hush	Miller of	Reese	Stevens of
Irwin	Buchanan	Ritchie	Decatur
Kimberly	Miller of Jones	Roelofs	Topping
Klemme	Moore	Schmidt	Tripp
McArthur	Mullaney	Shangle	Valentine
Meyer	Patterson	Stanley	Wenner
	Pendray		White
			Wilson

Nays, none.

Absent or not voting, 9.

Aschenbrenner	Chrystal	Knudson	Stevens of
Beardsley	Fisch	Nelson	Wapello
Byers	Husted		

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF HOUSE FILE NO. 151 RESUMED

Senator Cooney called up for consideration House File No. 151, upon which action was deferred on page 1041 of the Senate Journal.

Senator Cooney moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 41.

Anderson	Frailey	Meyer	Shangle
Bennett	Geske	Miller of	Stevens of
Booth	Harrington	Buchanan	Decatur
Byers	Hill	Miller of Jones	Stevens of
Calhoun	Hopkins	Moore	Wapello
Carden	Hush	Mullaney	Topping
Cooney	Husted	Patterson	Tripp
Coykendall	Irwin	Pendray	Valentine
Doze	Kimberly	Reese	Wenner
Elthon	Klemme	Roelofs	White
Fisch	McArthur	Schmidt	Wilson

Nays, none.

Absent or not voting, 9.

Aschenbrenner	Chrystal	Knudson	Ritchie
Beardsley	Hicklin	Nelson	Stanley
Beatty			

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

Senator Cooney moved that the vote by which the bill passed

the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Wilson, House File No. 235, a bill for an act to amend sections fifty-three hundred fourteen (5314), fifty-three hundred sixteen (5316), and fifty-three hundred nineteen (5319), Code, 1931, and to repeal sections fifty-three hundred eleven (5311) to fifty-three hundred thirteen, (5313), inclusive, Code, 1931, all relating to settlement of poor persons, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 40.

Anderson	Frailey	Miller of	Stevens of
Beatty	Geske	Buchanan	Decatur
Bennett	Harrington	Miller of Jones	Stevens of
Booth	Hicklin	Moore	Wapello
Byers	Hush	Mullaney	Topping
Calhoun	Husted	Patterson	Tripp
Carden	Irwin	Pendray	Valentine
Cooney	Kimberly	Ritchie	Wenner
Coykendall	Klemme	Roelofs	White
Elthon	McArthur	Schmidt	Wilson
Fisch	Meyer	Shangle	

Nays, none.

Absent or not voting, 10.

Aschenbrenner	Doze	Knudson	Reese
Beardsley	Hill	Nelson	Stanley
Chrystal	Hopkins		

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

On motion of Senator Wilson, House File No. 231, a bill for an act to authorize cities having a population of over one hundred twenty-five thousand (125,000) and having permanent registration to establish a permanent registration fund, providing that all moneys received from the city or county shall be placed in said fund, and providing that this section be placed in the Code immediately following section seven hundred eighteen-b eighteen (718-b18) as section seven hundred eighteen-e one (718-e1), returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 38.

Anderson	Hicklin	Miller of	Stevens of
Beatty	Hill	Buchanan	Decatur
Bennett	Hopkins	Miller of Jones	Stevens of
Booth	Hush	Moore	Wapello
Byers	Irwin	Mullaney	Topping
Calhoun	Kimberly	Pendray	Tripp
Coykendall	Klemme	Reese	Valentine
Elthon	Knudson	Roelofs	Wenner
Fisch	McArthur	Schmidt	White
Geske	Meyer	Shangle	Wilson
Harrington			

Nays, none.

Absent or not voting, 12.

Aschenbrenner	Chrystal	Frailey	Patterson
Beardsley	Cooney	Husted	Ritchie
Carden	Doze	Nelson	Stanley

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

On motion of Senator Wilson, House File No. 232, a bill for an act to amend section seven hundred eighteen-b eight (718-b8) of the Code, (1931) relating to permanent registration, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 41.

Anderson	Fisch	McArthur	Roelofs
Beatty	Frailey	Meyer	Schmidt
Bennett	Geske	Miller of	Shangle
Booth	Harrington	Buchanan	Stevens of
Byers	Hicklin	Miller of Jones	Decatur
Calhoun	Hill	Moore	Stevens of
Carden	Hopkins	Mullaney	Wapello
Chrystal	Hush	Patterson	Tripp
Cooney	Kimberly	Pendray	Wenner
Doze	Klemme	Reese	White
Elthon	Knudson	Ritchie	Wilson

Nays, none.

Absent or not voting, 9.

Aschenbrenner	Husted	Nelson	Topping
Beardsley	Irwin	Stanley	Valentine
Coykendall			

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

On motion of Senator Cooney, Senate File No. 420, a bill for an act to amend Section Two Thousand seventy-three (2073) and Section Two Thousand eighty-two (2082) of Chapter One Hundred (100), Code, 1931, relating to the application for and the granting of permits to licensed pharmacists to buy, keep and sell intoxicating liquors for medicinal purposes, returned by the sifting committee, was taken up and considered.

Senator Cooney offered the following amendments and moved their adoption:

Amend section 1 by striking from line 4 the word "two" and inserting in lieu thereof the word "ten"; by striking from Sec. 2, line 7 the word "two" and inserting in lieu thereof the word "ten"; by striking the publication clause.

The amendments were adopted.

The bill was read for information.

Senator Cooney moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 30.

Anderson	Frailey	Miller of	Schmidt
Booth	Geske	Buchanan	Shangle
Byers	Harrington	Miller of Jones	Stevens of
Carden	Hicklin	Moore	Decatur
Chrystal	Irwin	Mullaney	Stevens of
Cooney	Kimberly	Pendray	Wapello
Coykendall	Klemme	Reese	Topping
Fisch	Meyer	Roelofs	Valentine
			White

Nays, 6.

Calhoun	Hill	Husted	Tripp
Elthon	Hopkins		

Absent or not voting, 14.

Aschenbrenner	Doze	Nelson	Stanley
Beardsley	Hush	Patterson	Wenner
Beatty	Knudson	Ritchie	Wilson
Bennett	McArthur		

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

Senator Cooney moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator Cooney, Senate File No. 424, a bill for an act to amend Section Seven Thousand One Hundred and nine (7109), Code 1931, by exempting from taxation additions, alterations and improvements made upon existing buildings in the years 1933 and 1934, not exceeding Five Thousand (5000) Dollars, returned by the sifting committee, was taken up, and considered.

Senator Cooney offered the following amendment and moved its adoption:

Amend section 1 by striking from line 7 the figures "1940" and inserting in lieu thereof the figures "1936".

The amendment was adopted.

The bill was read for information.

Senator Cooney moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 29.

Anderson	Harrington	Miller of	Stevens of
Bennett	Hicklin	Buchanan	Decatur
Byers	Hopkins	Miller of Jones	Stevens of
Carden	Irwin	Moore	Wapello
Cooney	Kimberly	Mullaney	Topping
Coykendall	Klemme	Reese	Valentine
Doze	McArthur	Schmidt	White
Frailey	Meyer	Shangle	
Geske			

Nays, 14.

Beatty	Elthon	Knudson	Roelofs
Booth	Fisch	Patterson	Wenner
Calhoun	Hill	Pendray	Wilson
Chrystal	Hush		

Absent or not voting, 7.

Aschenbrenner	Husted	Ritchie	Stanley
Beardsley	Nelson		Tripp

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

Senator Cooney moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senators Hicklin and Valentine, unanimous consent was granted to introduce a joint resolution.

INTRODUCTION OF BILLS

Senate Joint Resolution No. 13, by Senators Valentine and Hicklin, a bill for an act creating a special joint legislative committee to make inquiry into and study of tax revision and to prepare and submit bills to the special session of the 45th General Assembly.

Read first and second times and referred to committee on appropriations.

Senate File No. 510, by claims committee, a bill for an act to make an appropriation to Strock & Sloan.

Read first and second times and referred to committee on appropriations.

HOUSE MESSAGES CONSIDERED

House File No. 590, a bill for an act to make an appropriation to Warren Johnson, E. F. Zimmerman, and A. K. Zimmerman.

Read first and second times and referred to committee on appropriations.

House File No. 591, a bill for an act to make an appropriation to Jason B. McCoskey.

Read first and second times and referred to committee on appropriations.

House File No. 592, a bill for an act to make an appropriation to W. K. Robbins.

Read first and second times and referred to committee on appropriations.

House File No. 593, a bill for an act to make an appropriation to Derrill G. Stanton.

Read first and second times and referred to committee on appropriations.

House File No. 594, a bill for an act to make an appropriation to the Department of Health of the State of Iowa.

Read first and second times and referred to committee on appropriations.

House File No. 595, a bill for an act to make an appropriation to Mrs. Tena B. Richardson.

Read first and second times and referred to committee on appropriations.

House File No. 597, a bill for an act to make an appropriation to Margaret Fisher.

Read first and second times and referred to committee on appropriations.

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which House File No. 570 passed the Senate.

GEO. HOPKINS.

COPIES SENATE FILE NO. 483 ORDERED

On request of Senator Irwin, unanimous consent was granted to have printed 1200 copies of Senate File No. 483.

The Journal of April 14th was corrected and approved.

On motion of Senator Knudson, the Senate adjourned, the time having been set previously for 10:00 a. m. Monday.

JOURNAL OF THE SENATE

**SENATE CHAMBER,
DES MOINES, IOWA, APRIL 17, 1933.**

The Senate met in regular session, President N. G. Kraschel presiding

Prayer was offered by Rev. S. A. Fulton, Pastor of the First Presbyterian Church of Des Moines.

COMMUNICATION FROM THE GOVERNOR

A communication was received from the Governor stating that on April 15th he had approved the following bills:

Senate File No. 129, relating to regulations and inspections.

Senate File No. 333, relating to domestic building and loan associations.

Senate File No. 260, relating to complaints by property owners to the local Board of Review.

Senate File No. 298, relating to application by poor persons for relief.

Senate File No. 467, relating to the correction of errors in the Code, 1931, in reference to certain Federal Acts.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 598, a bill for an act to make an appropriation to R. G. DeVotie.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 602, a bill for an act to amend the law as it appears in Senate File No. 483 as enacted by the Forty-fifth General Assembly relating to banks and banking.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 469, a bill for an act to make permanent the temporary transfer of money from the secondary road construction fund to the general county fund of Pocahontas County, Iowa.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 475, a bill for an act to legalize Articles of Incorporation, Marshall County Farmers Mutual Fire Insurance Association of Marshalltown, Iowa.

Also, that the House insists upon its amendments to Senate File No. 479, a bill for an act providing for the reduction of the salaries and compensations of the public officials of the state, the counties, the towns and townships of the state, and the Speaker has appointed five members as a Conference Committee as follows: Roe of Allamakee, Osborn of Decatur, McCreary of Linn, Rice of Keokuk, Ellsworth of Hardin.

LLOYD ELLIS, *Chief Clerk.*

HOUSE MESSAGES CONSIDERED

House File No. 598, a bill for an act to make an appropriation to R. G. DeVotie, Administrator of the estate of Vernon F. DeVotie, deceased.

Read first and second times and referred to committee on appropriations.

House File No. 602, a bill for an act to amend the law as it appears in Senate File No. 483, as enacted by the forty-fifth General Assembly, relating to banks and banking, providing for the reorganization of savings banks, state banks, private banks and trust companies and in connection therewith for the issuance of trust certificates and for the setting aside of assets in an amount equal thereto; providing for credit on stockholders' statutory liability; prescribing the rights of the holders of such trust certificates and authorizing the governing boards of taxing districts to accept the same; providing for the retirement of such trust certificates; and repealing conflicting laws or parts of laws.

Read first and second times and referred to sifting committee.

REPORTS OF COMMITTEES

Senator White submitted the following reports:

MR. PRESIDENT: Your committee on appropriations to which was referred Senate Joint Resolution No. 13, a joint resolution creating a special joint legislative committee to make inquiry into and study of tax revision and to prepare and submit bills to the special session of the 45th General Assembly, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman.*

Ordered passed on file.

Also:

Your committee on appropriations to which was referred Senate Joint Resolution No. 11, a joint resolution providing for the continuance of the special corporation commission authorized by House Joint Resolution No. 6 of the Forty-fourth General Assembly for the purpose of completing proposed legislation to make the corporation laws of this state comprehensive, adequate, modern and harmonious with present business conditions and requirements, and to report to the next regular session of the General Assembly of the State of Iowa or any special session of the Forty-fifth General Assembly of the State of Iowa, and providing an appropriation therefor, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman.*

Ordered passed on file.

THIRD READING OF BILLS

On motion of Senator Valentine Senate Joint Resolution No. 13, a joint resolution creating a special joint legislative committee to make inquiry into and study of tax revision and to prepare and submit bills to the special session of the 45th General Assembly, with report of appropriations committee recommending passage, was taken up and considered.

On request of Senator Valentine, unanimous consent was granted to suspend the rules and consider the report.

The report of the committee was adopted.

President pro tempore Matt. D. Cooney was called to the chair at 11:06 a. m.

President N. G. Kraschel returned to the chair at 11:14 a. m.

Senators Valentine and Hicklin offered the following amendment and moved its adoption:

Amend section 1 by striking the period at the end thereof and inserting the following: “, which measures and bills, together with a report of its recommendations, shall be submitted to the Governor and to the members of the legislature as far in advance of the convening of such special session as is possible.”

The amendment was adopted.

The joint resolution was read for information.

Senator Hicklin moved that the reading just had be considered the third reading, which motion prevailed.

On the question “Shall the joint resolution pass?” the vote was:

Ayes, 47.

Anderson	Fisch	Miller of	Shangle
Aschenbrenner	Frailey	Buchanan	Stanley
Beardsley	Geske	Miller of Jones	Stevens of
Beatty	Harrington	Moore	Decatur
Bennett	Hicklin	Mullaney	Stevens of
Booth	Hill	Nelson	Wapello
Byers	Hush	Patterson	Topping
Carden	Irwin	Pendray	Tripp
Chrystal	Kimberly	Reese	Valentine
Cooney	Klemme	Ritchie	Wenner
Coykendall	Knudson	Roelofs	White
Doze	McArthur	Schmidt	Wilson
Elthon	Meyer		

Nays, 2.

Hopkins	Husted
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Absent or not voting, 1.

Calhoun

The joint resolution having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hicklin moved that the vote by which the joint resolution passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Hicklin, unanimous consent was granted to message to the House immediately Senate Joint Resolution No. 13.

On motion of Senator Cooney Senate Joint Resolution No. 11, a Joint Resolution providing for the continuance of the special corporation commission authorized by House Joint Resolution No. 6 of the Forty-fourth General Assembly for the purpose of completing proposed legislation to make the corporation laws of this state comprehensive, adequate, modern and harmonious with present business conditions and requirements, and to report to the next regular session of the General Assembly of the State of Iowa or any special session of the Forty-fifth General Assembly of the State of Iowa, and providing an appropriation therefor, with report of appropriations committee recommending passage, was taken up and considered.

On request of Senator Cooney unanimous consent was granted to suspend the rules and consider the report.

The report of the committee was adopted.

Senators Booth and Valentine offered the following amendment and moved its adoption:

Amend by striking from lines 7 and 8, Section 2 the words and figures "Fifteen Hundred (\$1500.00) Dollars" and inserting in lieu thereof the words and figures "Seven Hundred Fifty (\$750.00) Dollars".

The amendment was adopted.

The joint resolution was read for information.

Senator Booth moved that the reading just had be considered the third reading, which motion prevailed.

On the question "Shall the joint resolution pass?" the vote was:

Ayes, 49.

Anderson	Fisch	McArthur	Schmidt
Aschenbrenner	Frailey	Meyer	Shangle
Beatty	Geske	Miller of	Stanley
Bennett	Harrington	Buchanan	Stevens of
Booth	Hicklin	Miller of Jones	Decatur
Byers	Hill	Moore	Stevens of
Calhoun	Hopkins	Mullaney	Wapello
Carden	Hush	Nelson	Topping
Chrystal	Husted	Patterson	Tripp
Cooney	Irwin	Pendray	Valentine
Coykendall	Kimberly	Reese	Wenner
Doze	Klemme	Ritchie	White
Elthon	Knudson	Roelofs	Wilson

Nays, none.

Absent or not voting, 1.

Beardsley

The joint resolution having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Booth moved that the vote by which the joint resolution passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Booth, unanimous consent was granted to message to the House immediately Senate Joint Resolution No. 11.

SENATE JOINT RESOLUTION NO. 12 WITHDRAWN

On request of Senator Patterson, unanimous consent was granted to withdraw Senate Joint Resolution No. 12, a similar bill to the one just passed.

Senator Stanley submitted the following:

SENATE RESOLUTION NO. 7

Be It Resolved, That the Senate go on record as approving the expenditure of so much of the funds appropriated by the Forty-fourth General Assembly for Iowa's participation in the Century of Progress, as the Governor of Iowa may deem advisable.

Senator Stanley asked unanimous consent to suspend the rules and consider the resolution.

Senator Shangle objected.

Senator Wilson moved to suspend the rules and consider the resolution, which motion prevailed.

Senator Harrington moved the previous question, which motion prevailed.

Roll call was demanded.

Rule 8 was invoked.

On the question, "Shall the resolution be adopted?" the vote was:

Ayes, 32.

Anderson	Frailey	Miller of	Stevens of
Aschenbrenner	Geske	Buchanan	Decatur
Bennett	Harrington	Miller of Jones	Stevens of
Booth	Hicklin	Moore	Wapello
Calhoun	Hopkins	Nelson	Topping
Carden	Husted	Reese	Valentine
Chrystal	Kimberly	Roelofs	Wenner
Cooney	Knudson	Schmidt	Wilson
Doze	McArthur	Stanley	

Nays, 18.

Beardsley	Fisch	Meyer	Ritchie
Beatty	Hill	Mullaney	Shangle
Byers	Hush	Patterson	Tripp
Coykendall	Irwin	Pendray	White
Elthon	Klemme		

Absent or not voting, none.

The resolution was adopted.

Senator Harrington moved that Senate File No. 506, relating to the practice of naprapathy, be rereferred to the sifting committee.

Senator Roelofs moved to recess until 1:00 p. m. today.

The motion prevailed.

AFTERNOON SESSION

The Senate met at the fall of the gavel, President N. G. Kraschel presiding.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE
FILE NO. 479

The President appointed as conference committee on Senate File No. 479 Senators Stevens of Wapello, Irwin, Booth, Tripp and Bennett.

SENATE FILE NO. 491 WITHDRAWN

On request of Senator Harrington, unanimous consent was granted to withdraw Senate File No. 491, a companion bill to House File No. 587 as passed.

SENATE FILE NO. 434 ORDERED

On request of Senator Harrington, unanimous consent was granted to have printed 600 extra copies of Senate File No. 434.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files Nos. 379 and 254.

HOMER HUSH, *Chairman Senate Committee.*

WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files Nos. 379 and 254.

BILLS SENT TO THE GOVERNOR

Senator Hush from the committee on enrolled bills submitted the following report:

MR. PRESIDENT: Your committee on enrolled bills respectfully reports they have on this 17th day of April, 1933, sent to the Governor for his approval, Senate Files Nos. 379 and 254. HOMER HUSH, *Chairman.*

Passed on file.

MESSAGES FROM THE HOUSE

The following messages were received from the House :

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following House Joint Resolution in which the concurrence of the Senate is asked:

House Joint Resolution No. 9, authorizing the appointment of a committee to investigate refunds of motor vehicle fuel license fees and making an appropriation to pay the expense thereof.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 485, a bill for an act to authorize cities and towns to construct, own, equip, operate, maintain and improve works for the collection and/or treatment, purification and disposal of sewage and garbage.

LLOYD ELLIS, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE NO. 485

Amend Section two (2) by striking the "period (.)" at the end of line five (5) and inserting in lieu thereof the following:

"; the work of construction shall be done by hand labor insofar as is practicable."

Amend section five (5), line three (3), by inserting after the word "nature" the following: "referred to in this Act".

HOUSE MESSAGE CONSIDERED

House Joint Resolution No. 9, a joint resolution for an act authorizing the appointment of a committee to investigate refunds of motor vehicle fuel license fees and making an appropriation to pay the expense thereof.

Read first and second times and referred to committee on appropriations.

REPORTS OF COMMITTEES

Senator White submitted the following reports:

MR. PRESIDENT: Your committee on appropriations to which was referred House File No. 594, a bill for an act to make an appropriation to the Department of Health of the State of Iowa, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman.*

Ordered passed on file.

Also:

Your committee on appropriations to which was referred House File No. 593, a bill for an act to make an appropriation to Derrill G. Stanton, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman.*

Ordered passed on file.

Also :

Your committee on appropriations to which was referred House File No. 592, a bill for an act to make an appropriation to W. K. Robbins, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman.*

Ordered passed on file.

Also :

Your committee on appropriations to which was referred House File No. 591, a bill for an act to make an appropriation to Jason B. McCoskey, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman.*

Ordered passed on file.

Also :

Your committee on appropriations to which was referred House File No. 590, a bill for an act to make an appropriation to Warren Johnson, E. F. Zimmerman, and A. K. Zimmerman, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman.*

Ordered passed on file.

Also :

Your committee on appropriations to which was referred House File No. 595, a bill for an act to make an appropriation to Mrs. Tena B. Richardson, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman.*

Ordered passed on file.

Also :

Your committee on appropriations to which was referred House File No. 597, a bill for an act to make an appropriation to Margaret Fisher, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman.*

Ordered passed on file.

Also :

Your committee on appropriations to which was referred House File No. 535, a bill for an act to make an appropriation to R. Kamminga, Administrator of the Estate of Michael Barry, deceased, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman.*

Ordered passed on file.

Also :

Your committee on appropriations to which was referred House File No. 577, a bill for an act to make an appropriation to Devota Tipton, claim-

ant, and George B. Baker, Attorney, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman*.

Ordered passed on file.

Also:

Your committee on appropriations to which was referred Senate File No. 510, a bill for an act to make an appropriation to Strook & Sloan, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman*.

Ordered passed on file.

Also:

Your committee on appropriations to which was referred Senate File No. 502, a bill for an act to make an appropriation of two hundred dollars (\$200.00) to Mrs. Leah Myers, widow of the late Senator O. P. Myers of Newton, Jasper County, Iowa, which sum is the balance of the amount due the late Senator O. P. Myers for his services as a member of the Senate of the Forty-fifth General Assembly, under the provisions of Section 15, Chapter 2 of the Code, 1931, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman*.

Ordered passed on file.

Also:

Your committee on appropriations to which was referred Senate File No. 501, a bill for an act to make an appropriation of three hundred dollars (\$300.00) to G. B. Van Arsdale, administrator of the estate of Senator John H. Judd of Chariton, Lucas County, Iowa, which sum is the amount due the late Senator John H. Judd for his services as a member of the Senate of the Forty-fifth General Assembly under the provisions of Section 15, Chapter 2 of the Code, 1931, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman*.

Ordered passed on file.

Senator Harrington called up for consideration his motion to rerefer to the sifting committee, Senate File No. 506.

Senator Roelofs moved the previous question, which motion prevailed.

The motion to rerefer prevailed.

CONSIDERATION OF SENATE FILE NO. 323 RESUMED

Senator Wilson called up for consideration his motion as found on page 1155 of the Senate Journal to reconsider the vote by

which the Stanley amendment was adopted, and moved its adoption.

On the question, "Shall the motion to reconsider prevail?" the vote was:

Ayes, 38.

Anderson	Harrington	Miller of Jones	Shangle
Aschenbrenner	Hill	Moore	Stevens of
Booth	Hopkins	Mullaney	Decatur
Byers	Hush	Nelson	Stevens of
Carden	Husted	Patterson	Wapello
Chrystal	Klemme	Pendray	Topping
Cooney	Knudson	Reese	Tripp
Coykendall	McArthur	Ritchie	Wenner
Doze	Miller of	Roelofs	White
Fisch	Buchanan	Schmidt	Wilson
Geske			

Nays, 1.

Stanley

Absent or not voting, 11.

Beardsley	Calhoun	Hicklin	Meyer
Beatty	Elthon	Irwin	Valentine
Bennett	Frailey	Kimberly	

The motion to reconsider prevailed.

Senator Stanley offered the following amendment to his amendment, found on page 1154 of the Senate Journal, as reconsidered, and moved its adoption:

Amend by striking out all of said amendment after the word "county" in line 8 and substituting the following in lieu thereof:

"or a like examination may be had upon the petition of the legal voters of any such municipality, which petition shall be signed by a number of such voters equivalent to five per cent (5%) of the votes cast for the office of Secretary of State at the last preceding General Election, except that any such petition shall not be required to have more than one hundred (100) such signatures."

Roll call was demanded.

On the question, "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 7.

Beardsley	Knudson	Ritchie	Wenner
Elthon	Patterson	Stanley	

Nays, 32.

Anderson	Byers	Cooney	Fisch
Aschenbrenner	Carden	Coykendall	Geske
Booth		Doze	Harrington

Hill	Miller of Buchanan	Pendray	Stevens of Wapello
Hopkins	Buchanan	Reese	Tripp
Hush	Miller of Jones	Roelofs	White
Husted	Moore	Schmidt	Wilson
Klemme	Mullaney	Shangle	
McArthur	Nelson	Stevens of Decatur	

Absent or not voting, 11.

Beatty	Chrystal	Irwin	Topping
Bennett	Frailey	Kimberly	Valentine
Calhoun	Hicklin	Meyer	

The amendment to the amendment was lost.

Senator Roelofs moved the previous question, which motion prevailed.

Roll call was demanded on the amendment.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 7.

Beardsley	Elthon	Patterson	Stanley
Beatty	Hopkins	Ritchie	

Nays, 34.

Anderson	Fisch	McArthur	Roelofs
Aschenbrenner	Geske	Meyer	Schmidt
Bennett	Harrington	Miller of Shangle	
Booth	Hill	Buchanan	Stevens of Decatur
Byers	Hush	Miller of Jones	
Carden	Husted	Mullaney	Stevens of Wapello
Chrystal	Kimberly	Nelson	Tripp
Cooney	Klemme	Pendray	White
Coykendall	Knudson	Reese	
Doze			

Absent or not voting, 9.

Calhoun	Irwin	Topping	Wenner
Frailey	Moore	Valentine	Wilson
Hicklin			

The amendment was lost.

Senator Beatty offered the following amendment and moved its adoption:

Amend section 3 by striking the period at the end of line 9 and adding the following "; provided that the provisions of this act shall not apply to school townships or rural independent school districts."

Roll call was demanded.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 12.

Beardsley	Calhoun	Hush	Stanley
Beatty	Elthon	Patterson	Topping
Byers	Hopkins	Ritchie	Wenner

Nays, 30.

Anderson	Geske	Miller of Jones	Stevens of
Aschenbrenner	Harrington	Mullaney	Decatur
Bennett	Husted	Nelson	Stevens of
Booth	Kimberly	Pendray	Wapello
Carden	Klemme	Reese	Tripp
Chrystal	McArthur	Roelofs	Valentine
Cooney	Meyer	Schmidt	White
Doze	Miller of	Shangle	
Fisch	Buchanan		

Absent or not voting, 8.

Coykendall	Hicklin	Irwin	Moore
Frailey	Hill	Knudson	Wilson

The amendment was lost.

Senator Harrington moved the previous question, which motion prevailed.

Senator Pendray moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 36.

Anderson	Geske	Miller of	Stevens of
Aschenbrenner	Harrington	Buchanan	Decatur
Bennett	Hicklin	Miller of Jones	Stevens of
Booth	Husted	Mullaney	Wapello
Byers	Irwin	Nelson	Topping
Chrystal	Kimberly	Pendray	Tripp
Cooney	Knudson	Reese	Valentine
Coykendall	McArthur	Roelofs	Wenner
Doze	Meyer	Schmidt	White
Frailey		Shangle	Wilson

Nays, 10.

Beatty	Hill	Klemme	Ritchie
Calhoun	Hopkins	Patterson	Stanley
Elthon	Hush		

Absent or not voting, 4.

Beardsley	Carden	Fisch	Moore
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Pendray moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Pendray asked unanimous consent to message Senate File No. 323 to the House immediately.

Objection was raised.

Senator Pendray moved that Senate File No. 323 be messaged to the House immediately. The motion prevailed.

CONSIDERATION OF SENATE FILE NO. 470 RESUMED

Senator Valentine called up for consideration, Senate File No. 470 upon which action was deferred on page 1115 of the Senate Journal.

Senator Byers moved that action on Senate File No. 470 be deferred until the special session in August.

Senator Shangle raised the point of order that the only way to defer action is to vote to reconsider the vote by which the Senate failed to defer action before.

Senator Kimberly as a substitute motion moved that Senate File No. 470 be made special order for 10:00 a. m. Tuesday.

Roll call was demanded.

On the question, "Shall the motion prevail?" the vote was:

Ayes, 30.

Anderson	Harrington	Moore	Stevens of
Aschenbrenner	Irwin	Mullaney	Wapello
Chrystal	Kimberly	Pendray	Topping
Cooney	Knudson	Reese	Tripp
Coykendall	McArthur	Schmidt	Valentine
Doze	Meyer	Shangle	Wenner
Fisch	Miller of	Stevens of	White
Frailey	Buchanan	Decatur	
Geske	Miller of Jones		

Nays, 20.

Beardsley	Calhoun	Hopkins	Patterson
Beatty	Carden	Hush	Ritchie
Bennett	Elthon	Husted	Roelofs
Booth	Hicklin	Klemme	Stanley
Byers	Hill	Nelson	Wilson

Absent or not voting, none.

Senator Patterson raised the point of order that the motion was lost as it took a two-thirds majority vote to make a special order.

Senator Irwin raised the point of order that under Rule No. 30 of the Senate Rules Senator Patterson's point of order was out of

order, as the Senate was governed by the Senate Rules and not by Robert's Rules of Order, and the chair has always ruled that it only takes a majority.

Senator Patterson quoted Rule 45, that Robert's Rules of Order governed when the Senate Rules were not adequate.

The chair ruled Senator Patterson's point of order not well taken.

The substitution was made, the substitute motion adopted, and the bill made special order for 10:00 a. m. Tuesday.

THIRD READING OF BILLS

On motion of Senator Knudson House File No. 236, a bill for an act to amend section twelve thousand nine hundred eighty-three (T2983), Code, 1931, relating to kidnapping for ransom, by changing the penalty therefor from life imprisonment to death by hanging upon conviction, returned by the sifting committee, was taken up and considered.

Senator Wenner offered the following amendment and moved its adoption:

Amend section 1 by striking from lines 5 and 6 the words "sentenced to death by hanging" and inserting in lieu thereof the following: "punished with death, or imprisonment for life at hard labor in the penitentiary as determined by the jury, or the court if the defendant pleads guilty".

The amendment was adopted.

The bill was read for information.

Senator Knudson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 38.

Anderson	Elthon	Klemme	Ritchie
Beardsley	Frailey	Knudson	Stanley
Bennett	Geske	McArthur	Stevens of
Booth	Harrington	Meyer	Decatur
Byers	Hicklin	Miller of Jones	Stevens of
Calhoun	Hill	Moore	Wapello
Carden	Hopkins	Mullaney	Topping
Chrystal	Husted	Nelson	Valentine
Cooney	Irwin	Pendray	Wenner
Doze	Kimberly	Reese	Wilson

Nays, 6.

Aschenbrenner	Fisch	Shangle	Tripp
Beatty	Roelofs		

Absent or not voting, 6.

Coykendall	Miller of	Patterson	White
Hush	Buchanan	Schmidt	

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

Senator Knudson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Knudson, unanimous consent was granted to message to the House immediately, House File No. 236.

On motion of Senator Wenner House File No. 389, a bill for an act to amend sections chapter two hundred fifty-one (251), Code 1931, relating to license fees for well drills, returned by the sifting committee, was taken up and considered.

Senator Wenner offered the following amendment and moved its adoption:

Amend the enacting clause by inserting before the word "Iowa" the words "the state of".

The amendment was adopted.

The bill was read for information.

Senator Wenner moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 41.

Anderson	Fisch	Knudson	Stanley
Aschenbrenner	Frailey	McArthur	Stevens of
Beatty	Geske	Meyer	Decatur
Bennett	Harrington	Miller of Jones	Stevens of
Booth	Hicklin	Moore	Wapello
Calhoun	Hopkins	Mullaney	Topping
Carden	Hush	Nelson	Tripp
Chrystal	Husted	Reese	Valentine
Cooney	Irwin	Ritchie	Wenner
Doze	Kimberly	Schmidt	Wilson
Elthon	Klemme	Shangle	

Nays, none.

Absent or not voting, 9.

Beardsley	Hill	Patterson	Roelofs
Byers	Miller of	Pendray	White
Coykendall	Buchanan		

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

Senator Wenner moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Wenner unanimous consent was granted to message to the House immediately, House File No. 389.

On motion of Senator Knudson House File No. 343, a bill for an act to amend Section seventy-four hundred and twenty-b3 (7420-b3), Code, 1931, relating to anticipatory warrants, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Knudson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 39.

Anderson	Geske	Knudson	Shangle
Aschenbrenner	Harrington	McArthur	Stanley
Beardsley	Hicklin	Meyer	Stevens of
Bennett	Hill	Miller of Jones	Decatur
Booth	Hopkins	Moore	Stevens of
Calhoun	Hush	Mullaney	Wapello
Carden	Husted	Reese	Topping
Chrystal	Irwin	Ritchie	Tripp
Doze	Kimberly	Roelofs	Valentine
Fisch	Klemme	Schmidt	Wenner
Frailey			

Nays, none.

Absent or not voting, 11.

Beatty	Elthon	Nelson	White
Byers	Miller of	Patterson	Wilson
Cooney	Buchanan	Pendray	
Coykendall			

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

Senator Knudson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On motion of Senator White House File No. 245, a bill for an act to amend Chapter twenty (20) Code 1931, by adding section three hundred thirty-eight-e1 (338-e1) relating to the state budget, an appropriations committee bill, was taken up and considered.

Senator Topping moved that action be deferred. The motion prevailed.

On motion of Senator Tripp Senate File No. 503, a bill for an act relating to the payment of persons who act as Judges of the Supreme Court of the State of Iowa under the validity of such certificate or election may be pending and validating any and all acts of such Judges during the period they so act, a sifting committee bill, was taken up and considered.

The bill was read for information.

On request of Senator Bennett unanimous consent was granted to defer action such bill to retain its place on the calendar.

On motion of Senator Harrington Senate File No. 504, a bill for an act to repeal Sections eighty-three hundred sixty-five (8365) and eighty-three hundred sixty-six (8366) of the Code, 1931, relating to the renewals of domestic corporations, and to enact a substitute therefor, a sifting committee bill, was taken up and considered.

The bill was read for information.

On request of Senator Wenner unanimous consent was granted to defer action, such bill to retain its place on the calendar.

On motion of Senator Wilson Senate File No. 505, a bill for an act to modify the rate of interest on certain public warrants, bonds, and other evidences of public indebtedness and to this end to amend sections one hundred thirty-five (135), forty-three hundred eighteen (4318), forty-four hundred seven (4407), fifty-one hundred sixty (5160), fifty-two hundred seventy-seven (5277), fifty-three hundred fifty-one (5351), fifty-three hundred seventy-seven (5377), fifty-eight hundred three (5803), fifty-eight hundred eighty (5880), sixty-one hundred three (6103), sixty-one hundred thirteen (6113), sixty-two hundred fifty-three (6253), sixty-nine hundred twenty-seven (6927), and seventy-five hundred five (7505), all of the Code, 1931, and to provide an optional redemption of bonds under certain circumstances, a sifting committee bill, was taken up and considered.

Senator Wilson offered the following amendment and moved its adoption:

Amend section 4 by striking from line 2 the words "less than" and inserting in lieu thereof the words "not exceeding".

The amendment was adopted.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 18.

Anderson	Frailey	Irwin	Schmidt
Booth	Geske	Kimberly	Stevens of
Byers	Harrington	Meyer	Decatur
Calhoun	Hopkins	Miller of Jones	Topping
Cooney	Husted	Nelson	

Nays, 23.

Aschenbrenner	Doze	Knudson	Stanley
Beardsley	Elthon	Moore	Stevens of
Beatty	Fisch	Pendray	Wapello
Bennett	Hicklin	Ritchie	Tripp
Carden	Hill	Roelofs	Wenner
Chrystal	Hush	Shangle	Wilson

Absent or not voting, 9.

Coykendall	Miller of	Patterson	Valentine
Klemme	Buchanan	Reese	White
McArthur	Mullaney		

The bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Byers House File No. 475, a bill for an act to provide for the regulation, supervision and licensing of persons, firms, corporations or associations, which sell, or offer for sale, memberships or certificates of membership entitling the holders thereof to purchase, either from the issuer or someone designated by the issuer, merchandise, materials, equipment or services on a fixed basis, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Stevens of Wapello offered the following amendment and moved its adoption:

Amend by inserting as section 13 the following:

"Sec. 13. Sections eighty-seven hundred eighteen (8718) and eighty-seven hundred nineteen (8719), code 1931, are hereby repealed."

Renumber the following section.

Amend the title by adding thereto the following:

"and repeal sections eighty-seven hundred eighteen (8718) and eighty-seven hundred nineteen (8719), code 1931, relating to life, health and accident insurance."

Senator Byers raised the point of order that the amendment was not germane to the subject matter of the bill.

President pro tempore Matt. D. Cooney was called to the chair at 4:05 p. m.

Action was deferred temporarily.

On motion of Senator Hicklin Senate File No. 369, a bill for an act to provide that when any Bank incorporated under the laws of this State shall take over any State or National Bank, the purchasing Bank shall succeed to the rights of the Bank taken over, to act as Executor, Administrator, Guardian, Trustee or any fiduciary capacity, returned by the sifting committee, was taken up and considered.

Senator Topping offered the following amendment and moved its adoption:

Amend section 2, by providing publication in the "Burlington Gazette, of Burlington, Iowa".

The amendment was adopted.

Senator Tripp moved to defer action on Senate File No. 369, such bill to retain its place on the calendar.

The Journal of April 15th was corrected and approved.

AMENDMENTS FILED

Amend Senate File No. 470 as amended by the amendment appearing on pages 1057 to 1071 of the Senate Journal as follows:

Amend Section 33 thereof by inserting after the word "director" in line 2 of said section the words "or 'budget director'", and by inserting after the words "director of the budget" in line 3 the words "or 'state budget director'".

F. M. BEATTY.

Amend Senate File No. 470 as follows:

1. Amend Section 24 by adding the following paragraph:

"The finding by the Governor that the estimated budget resources during the fiscal year are insufficient to pay all appropriations in full, as provided herein, shall be subject to the concurrence in such finding by the Executive Council before reductions in allotment shall be made, and

in the event any reductions in allotment be made, such reductions shall be uniform and pro-rated between all departments, agencies and establishments upon the basis of their respective appropriations.

2. Amend by striking all of Section 27 and renumbering the succeeding sections.

3. Amend Sub-section 1 of Section 2 by striking from line 2 thereof the words, "or judicial", and by striking from line 3 thereof the word, "court", and by inserting after the word "government", in line 4 the words, "except the courts".

4. Amend Sub-section 18 of Section 6 by striking the period at the end of said sub-section and adding, "as limited by this act."

5. Amend Section 23 by striking the last sentence thereof.

JOHN K. VALENTINE.

Amend Section 34 of the amendment to Senate File No. 470 as found on page 1071 of the Senate Journal of April 10 by striking the following:

"Provided, however, that the system of budgeting and of making allotments of all appropriations shall become effective July 1, 1933; and, Provided further, that the new system of central budget and proprietary accounting and reporting provided by this law, and the Act defining the new duties of the State Auditor, shall in all respects be placed in full operation on or before December 1, 1933." and inserting in lieu thereof the following:

"The provisions of this act shall not become effective until it shall have been submitted to a vote of the people of the state at the next annual election or at a special election held at the call of the Governor prior to that date and a majority of all the votes cast at such election shall be in favor of the adoption thereof."

G. W. PATTERSON.

Amend House File No. 357 by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Chapter One Hundred Thirty-eight (138) of the Code, 1931, relating to Farm Aid Associations, be and the same is hereby repealed."

L. T. SHANGLE.

Amend House File No. 475, section 3, by striking the period at the end of line 4 and adding the following: ", but in no event shall it charge anything for such certificate of membership." L. T. SHANGLE.

On motion of Senator Wilson, the Senate adjourned until 9:00 a. m. Tuesday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 18, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. Gordon Dale Cox, Ex-Army Chaplain of Ottumwa.

PETITIONS AND MEMORIALS

The following petitions were received and referred to the sifting committee:

Favoring the passage of Senate Files Nos. 432 and 434. Senator Patterson, from residents of Palo Alto county.

Favoring the placing of a tax on the so-called "chain stores" doing business in the state. Senator Patterson, from residents of Palo Alto county.

COMMUNICATION

STATE OF MICHIGAN

57TH LEGISLATURE

REGULAR SESSION OF 1933

SENATE CONCURRENT RESOLUTION NO. 10

A concurrent resolution urging the United States Congress to reflate the Dollar.

Whereas, The debts of individuals, corporations and governmental units are a staggering sum and it is absolutely impossible to have them liquidated with the present unit of value of all commodities, including labor, and

Whereas, A very high percentage of these debts were contracted at a time when this unit of value, the dollar, was very much less in its purchasing power and a great many times easier to acquire, and

Whereas, The inability of our people to acquire these units of value for personal service and sale of commodities has brought about unemployment, the lowest wage on the average and the lowest prices of commodi-

ties in many cases in the history of our country, thus causing dire distress in every state in our union, and

Whereas, Unrest and discouragement over loss of homes, fortunes and factories is beginning to show itself in strikes, riots, boycotts and even radical moves in state legislatures, and

Whereas, Inflation of the currency in France since the World War and in Great Britain recently has brought about increase in business, and

Whereas, Economic conditions in the United States have reached a point where there is need of federal protection of bank deposits and equality in bearing the burden of taxation on the basis of ability to pay the same, therefore be it

Resolved, by the Senate (the House of Representatives concurring), That the Congress of the United States reclaim its function under the Constitution, namely, "to coin money and regulate the value thereof", and be it further

Resolved, That currency be issued in payment of United States bonds that are already outstanding and currency issued instead of United States bonds whenever necessary, because of deficiencies in governmental income until the price of wheat, which is a wonderful standard of values and always has been, reaches the cash price of ninety cents per bushel on the Chicago market, or until the index of all commodities, including labor, reaches the point where it has been in the past thirty-five years when wheat was selling at about ninety cents per bushel cash in the Chicago market, and be it further

Resolved, That the Congress is hereby requested to pass legislation that will insure and protect at all times the money deposited in any and all National and State Banks, in order that more money may be put into circulation and without any danger of losing such money when so deposited; and that will put all money now invested or hereafter to be invested in federal, state, municipal and all district bonds and securities subject to taxation for all purposes on the basis of equality with property taxes; and be it further

Resolved, That a suitable copy of this resolution be sent to the President of the United States, to the Congress of the United States, to the Michigan members in the House and Senate of the Congress and to the clerk of the House and secretary of the Senate of the various legislatures in the United States.

Adopted, by House of Representatives, April 7, 1933.

Adopted, by Senate, April 11, 1933.

DON W. CANFIELD, *Secretary of the Senate.*

MYLES F. GRAY, *Clerk of the House of Representatives.*

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following House Concurrent Resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution No. 27 relating to presenting of chairs

to various officers of the House and Senate and purchasing of chairs by members.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 604, a bill for an act to make permanent the transfer of funds in Clay County, Iowa, from the secondary road maintenance fund to the general fund.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 603, a bill for an act to make an appropriation to Edward R. Robinson.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 601, a bill for an act making appropriation for damages to William Ross, William Gould, L. E. Carmer, Charles Boggs, Charles G. Larkins, G. C. Sarwin, Cary Sayers, Maud S. Todt, Chester Rollison, Lola Erickson and F. J. Erickson.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 600, a bill for an act making an appropriation of five hundred dollars to Senator J. E. Doze, for services as a member of the 45th General Assembly.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 599, a bill for an act making an appropriation of five hundred dollars to Senator D. Myron Tripp of Newton, Iowa, for services as a member of the 45th General Assembly.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 596, a bill for an act to make an appropriation to E. H. Wiegner.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

Senate File No. 499, a bill for an act to make an appropriation to Muscatine County, Iowa, Emmet County, Iowa, Winnebago County, Iowa, and Louisa County, Iowa.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 498, a bill for an act to make an appropriation to the Donahue Shipping Association, Donahue, Iowa.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 497, a bill for an act to make an appropriation to Ted G. Andrews.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 496, a bill for an act to make an appropriation to J. W. Reese.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 495, a bill for an act to make an appropriation to J. Y. Scanland.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 493, a bill for an act to make an appropriation to J. H. Hall, Ike Gustin and Mrs. Bess Kelly.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 492, a bill for an act to make an appropriation to Fred Johnson.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 489, a bill for an act to make an appropriation to Fred Ballard and George Comfort.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 202, a bill for an act to make an appropriation for expenses incurred in the contest of Moen vs. Roelofs.

LLOYD ELLIS, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE FILE NO. 202

Amend section one (1), lines two (2) and three (3) by striking out the words and figures "one thousand six hundred thirteen dollars and thirty-three cents (\$1613.33)" and substituting in lieu thereof the words and figures "seven hundred twelve dollars and fifty-eight cents (\$712.58);".

Also strike from line twenty-two (22) the words and figures "nine hundred sixty-two dollars and fifty-eight cents (\$962.58)" and substitute in lieu thereof the words and figures "seven hundred twelve dollars and fifty-eight cents (\$712.58)".

HOUSE CONCURRENT RESOLUTION NO. 27

Whereas, members of the Forty-fifth General Assembly may desire to purchase the chairs occupied by them during this session; therefore,

Be It Resolved by the House, the Senate concurring, That such members be permitted to purchase such chairs from the secretary of the executive council at the price of fifteen (\$15.00) dollars, and that the custodian of the state house be instructed to crate such chairs as may be purchased and deliver them to the express office in Des Moines, addressed to the purchasers.

Be It Further Resolved by the House, the Senate concurring, That the Speaker of the House and the President of the Senate, the Sergeant-at-Arms of the House and the Sergeant-at-Arms of the Senate, the Assistant Sergeant-at-Arms of the House, the Chief Doorkeeper of the Senate be presented with the chairs occupied by them during the session, and that the custodian of the state house be instructed to crate such chairs and deliver them to the express office in Des Moines, addressed to the persons mentioned herein.

O. J. DITTO
L. S. MERCER
C. B. STIGER

JOHN F. BRADY
D. R. MCCREERY

CONSIDERATION OF HOUSE FILE NO. 475 RESUMED

Senator Byers called up for consideration House File No. 475 upon which action was deferred on page 1225 of the Senate Journal.

On request of Senator Byers, unanimous consent was granted to withdraw Senator Stevens of Wapello's amendment as found on pages 1224 and 1225 of the Senate Journal.

Senator Beatty offered the following amendment and moved its adoption:

Amend by adding as another paragraph at the end of Section 2, and as a part of said section, the following:

"This act shall not apply to any corporation or association organized upon the assessment plan, for the purpose of insuring the lives of individuals or furnishing benefits to the widows, heirs, orphans or legatees of deceased members, or insuring the health of persons, or furnishing accident indemnity, nor to any benevolent associations or societies."

The amendment was adopted.

Senator Shangle offered the following amendment and moved its adoption:

Amend section 3 by striking the period at the end of line 4 and adding the following: ", but in no event shall it charge anything for such certificate of membership."

The amendment was lost.

Senator Roelofs moved the previous question, which motion prevailed.

Senator Byers moved that the reading previously had be considered the third reading, which motion prevailed.

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

Ayes, 38.

Anderson	Geske	Miller of	Schmidt
Aschenbrenner	Harrington	Buchanan	Shangle
Byers	Hicklin	Moore	Stanley
Calhoun	Hill	Mullaney	Stevens of
Carden	Hopkins	Nelson	Decatur
Cooney	Hush	Patterson	Topping
Coykendall	Kimberly	Pendray	Valentine
Doze	Klemme	Reese	Wenner
Fisch	McArthur	Ritchie	White
Frailey	Meyer	Roelofs	Wilson

Nays, none.

Absent or not voting, 12.

Beardsley	Chrystal	Irwin	Stevens of
Beatty	Elthon	Knudson	Wapello
Bennett	Husted	Miller of Jones	Tripp
Booth			

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

Senator Byers moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Byers, unanimous consent was granted to message to the House immediately House File No. 475.

CONSIDERATION OF SENATE FILE NO. 369 RESUMED

Senator Hicklin called up for consideration, Senate File No. 369 upon which action was deferred on page 1225 of the Senate Journal.

Senator Tripp offered the following amendment and moved its adoption:

Amend by adding immediately after section one (1) the following as section two (2) and renumbering section two (2) as section three (3):

Section 2. Sub-divisions one (1) and two (2) of section nine thousand two hundred eighty-four (9284) of the Code, 1931, be and the same are hereby repealed; provided, however, the repealing of said sub-divisions one (1) and two (2) shall be ineffective as to the power of Trust Companies, State and Savings Banks to carry out and complete any and all fiduciaries now being executed by such Trust Companies, State or Savings Banks.

Senator Wilson was called to the chair at 9:50 a. m.

The amendment was adopted.

The bill was read for information.

Senator Hicklin moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 36.

Anderson	Cooney	Frailey	Kimberly
Bennett	Coykendall	Geske	Klemme
Byers	Doze	Hicklin	McArthur
Calhoun	Elthon	Hopkins	Meyer
Carden	Fisch	Hush	

Miller of Buchanan	Nelson Pendray	Shangle Stanley	Topping Tripp
Miller of Jones	Reese	Stevens of Decatur	Valentine
Moore	Roelofs		Wilson
Mullaney	Schmidt		

Nays, 1.

Ritchie

Absent or not voting, 13.

Aschenbrenner	Chrystal	Irwin	Stevens of Wapello
Beardsley	Harrington	Knudson	Wenner
Beatty	Hill	Patterson	White
Booth	Husted		

The bill having received a constitutional majority was declared to have passed the Senate.

On request of Senator Hicklin unanimous consent was granted to amend the title by adding after the word "capacity" the following:

"and to provide for the repeal of sub-divisions 1 and 2 of section nine thousand two hundred eighty-four (9284) of the code, 1931, and to provide that such repeal shall be ineffectual as to existing fiduciary relations".

The title as amended was agreed to.

Senator Tripp moved that the vote by which the bill passed the Senate be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Hicklin unanimous consent was granted to message Senate File No. 369 to the House immediately.

CALL OF THE SENATE

MR. PRESIDENT: We, the undersigned Senators, ask that a call of the Senate issue for the balance of the legislative day of April 18th.

JOHN K. VALENTINE
I. G. CHRYSTAL
J. E. DOZE
MIKE G. FISCH
W. F. MILLER
T. W. MULLANEY
L. T. SHANGLE
M. D. COONEY

M. MOORE
CARL ASCHENBRENNER
F. I. COYKENDALL
FRANK M. STEVENS
H. C. WHITE
CAROLYN PENDRAY
VINCENT F. HARRINGTON

Roll call revealed the presence of all members of the Senate except Senators Chrystal, Husted and Irwin.

CONSIDERATION OF SENATE FILE NO. 470 RESUMED

Senator Valentine called up for consideration Senate File No.

470, upon which action was deferred on page 1220 of the Senate Journal.

Senators Chrystal and Husted appeared in the Senate Chamber.

On motion of Senator Valentine Senator Irwin was excused temporarily.

Senator Stevens of Wapello offered the following amendment and moved its adoption:

1. Strike from line 28, page 6, the word "and", omit the period at the end of line 29, page 6, and add the words "and State Fish and Game Commission".

2. Strike the word "and" in line 11 in Section 25 on page 26, and strike the semi-colon at the end of line 11, and add following the word "education" at the end of line 11, the words "and the State Fish and Game Commission;"

3. Amend Section 26, on page 27, by inserting after the word "appropriations" in the third line thereof the words "except those of the State Fish and Game Commission".

4. Amend Section 27 on page 28 by inserting after the word "Appropriation" in line 2 thereof the words "except those made to the State Fish and Game Commission".

On request of Senator Stevens of Wapello unanimous consent was granted to correct amendment No. 1 as follows:

By striking the words and figures "28, page 6" and inserting the words and figures, "8 of sub-section 6 of Sec. 6"; also by striking the words and figures "29, page 6" and inserting the words and figures "9 of subsection 6 of Sec. 6"; by striking from amendment No. 2 in line 2 the following: "at the end of" and inserting the word "in"; also by striking from line 3 the following: "at the end of line 12"; by striking from amendment No. 3 the following: "on page 27,"; by striking from amendment No. 4 the following: "on page 28".

The amendment as amended was adopted.

Senator Stanley offered the following amendment and moved its adoption:

Amend section 20 by striking therefrom all after the period in line 4.

The amendment was adopted.

Senators Stanley and Booth offered the following amendment and moved its adoption:

Amend section 4 by adding after the word "Governor" in the 7th line thereof the following: "with the approval, in executive session, of two-thirds of the Senate,".

The amendment was adopted.

Senator Beatty offered the following amendment and moved its adoption:

Amend Section 33 thereof by inserting after the word "director" in line 2 of said section the words "or 'budget director'", and by inserting after the words "director of the budget" in line 3 the words "or 'state budget director'".

The amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Section 24 by adding the following paragraph:

"The finding by the Governor that the estimated budget resources during the fiscal year are insufficient to pay all appropriations in full, as provided herein, shall be subject to the concurrence in such finding by the Executive Council before reductions in allotment shall be made, and in the event any reductions in allotment be made, such reductions shall be uniform and pro-rated between all departments, agencies and establishments upon the basis of their respective appropriations.

The amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend by striking all of Section 27 and renumbering the succeeding sections.

The amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Sub-section 1 of Section 2 by striking from line 2 thereof the words, "or judicial", and by striking from line 3 thereof the word, "court", and by inserting after the word "government", in line 4 the words, "except the courts".

The amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Sub-section 18 of Section 6 by striking the period at the end of said sub-section and adding, "as limited by this act."

The amendment was adopted.

Senator Valentine offered the following amendment and moved its adoption:

Amend Section 23 by striking the last sentence thereof.

The amendment was adopted.

Senator Patterson offered the following amendment and moved its adoption:

Amend section 34, line 13, by striking the following:

"Provided, however, that the system of budgeting and of making allotments of all appropriations shall become effective July 1, 1933; and, Provided further, that the new system of central budget and proprietary accounting and reporting provided by this law, and the Act defining the new duties of the State Auditor, shall in all respects be placed in full operation on or before December 1, 1933." and inserting in lieu thereof the following:

"The provisions of this act shall not become effective until it shall have been submitted to a vote of the people of the state at the next annual election or at a special election held at the call of the Governor prior to that date and a majority of all the votes cast at such election shall be in favor of the adoption thereof."

Senator Irwin appeared in the Senate Chamber and the call was declared complete.

Roll call was demanded.

Senator Reese moved the previous question, which motion prevailed.

Senator Valentine raised the point of order that Senator Patterson was not speaking on a subject matter germane to the amendment.

The President held the point of order well taken.

Rule 8 was invoked.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 24.

Beardsley	Carden	Hush	Ritchie
Beatty	Elthon	Husted	Roelofs
Bennett	Frailey	Klemme	Stanley
Booth	Hicklin	Knudson	Topping
Byers	Hill	Nelson	Wenner
Calhoun	Hopkins	Patterson	Wilson

Nays, 26.

Anderson	Harrington	Miller of Jones	Stevens of
Aschenbrenner	Irwin	Moore	Decatur
Chrystal	Kimberly	Mullaney	Stevens of
Cooney	McArthur	Pendray	Wapello
Coykendall	Meyer	Reese	Tripp
Doze	Miller of	Schmidt	Valentine
Fisch	Buchanan	Shangle	White
Geske			

Absent or not voting, none.

The amendment was lost.

Senators Knudson and Valentine offered the following amendment and moved its adoption:

All to Section 25 the following: "The provisions of this act shall not be construed to prohibit the State Fair Board from creating an emergency or sinking fund out of the receipts of the State Fair and state appropriation for the purpose of taking care of any emergency that might arise beyond the control of the board of not to exceed fifty thousand (\$50,000) dollars."

Amend Section 26 by inserting following the word "appropriations" in line 3 "and except those for the State Fair Board".

Amend Section 27 by inserting following the word "appropriations" in lines 1 and 2 "except those for the State Fair Board".

The amendment was adopted.

Action was deferred temporarily.

MOTION TO RECONSIDER HOUSE CONCURRENT RESOLUTION NO. 25

Senator Valentine called up for consideration his motion to reconsider the vote by which House Concurrent Resolution No. 25 was adopted, and moved its adoption.

The motion to reconsider prevailed.

Senator Valentine moved to amend House Concurrent Resolution No. 25 by striking from line 3 "at twelve o'clock noon, Tuesday, April 18, 1933." and inserting in lieu thereof the following: "at five o'clock p. m., Wednesday, April 19, 1933."

The amendment was adopted.

The resolution as amended was adopted.

Senator Valentine moved that the vote by which the resolution was adopted be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Valentine unanimous consent was granted to message the resolution to the House immediately.

CONSIDERATION OF SENATE FILE NO. 470 RESUMED

Senator Frailey moved that the speeches of Senators filing requests to speak be limited to ten minutes. The motion prevailed.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading, which motion prevailed.

On motion of Senator Harrington the Senate recessed until 1:00 p. m. today.

AFTERNOON SESSION

The Senate met at the fall of the gavel, President N. G. Kraschel presiding.

Roll call revealed the presence of all members of the Senate and the call was declared complete.

CONSIDERATION OF SENATE FILE NO. 470 RESUMED

The question was on the main bill.

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

Ayes, 26.

Anderson	Harrington	Miller of Jones	Stevens of
Aschenbrenner	Irwin	Moore	Decatur
Chrystal	Kimberly	Mullaney	Stevens of
Cooney	McArthur	Pendray	Wapello
Coykendall	Meyer	Reese	Tripp
Doze	Miller of	Schmidt	Valentine
Fisch	Buchanan	Shangle	White
Geske			

Nays, 24.

Beardsley	Carden	Hush	Ritchie
Beatty	Elthon	Husted	Roelofs
Bennett	Frailey	Klemme	Stanley
Booth	Hicklin	Knudson	Topping
Byers	Hill	Nelson	Wenner
Calhoun	Hopkins	Patterson	Wilson

Absent or not voting, none.

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

Senator Valentine moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

Senator Valentine asked unanimous consent to message the bill to the House immediately.

Objection was raised.

Senator Valentine moved that the bill be messaged to the House immediately.

Roll call was demanded.

On the question, "Shall the motion prevail?" the vote was:

Ayes, 37.

Anderson	Fisch	Miller of	Shangle
Aschenbrenner	Frailey	Buchanan	Stevens of
Beardsley	Geske	Miller of Jones	Decatur
Bennett	Harrington	Moore	Stevens of
Booth	Hill	Mullaney	Wapello
Carden	Irwin	Nelson	Topping
Chrystal	Kimberly	Pendray	Tripp
Cooney	Knudson	Reese	Valentine
Coykendall	McArthur	Roelofs	White
Doze	Meyer	Schmidt	Wilson

Nays, 13.

Beatty	Hicklin	Husted	Ritchie
Byers	Hopkins	Klemme	Stanley
Calhoun	Hush	Patterson	Wenner
Elthon			

Absent or not voting, none.

The motion to message to the House prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 488, a bill for an act to make an appropriation to the Iowa Lutheran Hospital, Dr. S. E. Lincoln, Dr. Veril Ruth, Dr. C. S. Quail, and Dr. John Russell.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 190, a bill for an act relating to the improvement of streets by oiling and graveling and the assessment of the cost thereof.

Also, that the House has concurred in the Senate Amendment to the following bill in which the concurrence of the House was asked:

House File No. 236, a bill for an act relating to kidnapping for ransom.

Also, that the House has concurred in the Senate Amendment to the following bill in which the concurrence of the House was asked:

House File No. 475, a bill for an act relating to selling merchandise, materials, equipment or services on a fixed basis.

Also, that the House has concurred in the Senate Amendment to the following bill in which the concurrence of the House was asked:

House File No. 480, a bill for an act to make an appropriation for election contest of *Horvei vs. Ostby*.

Also, that the House has concurred in the Senate Amendment to the following bill in which the concurrence of the House was asked:

House File No. 389, a bill for an act relating to license fees for well drills.

LLOYD ELLIS, *Chief Clerk*.

THIRD READING OF BILLS

On motion of Senator Valentine Senate File No. 471, a bill for an act to redefine the duties of the Auditor of State; to concentrate all post-auditing and examining functions of State and Local governments in the Auditor of State; to require biennial and individual audit reports; to restrict the Auditor's duties; to fix the salary of the Auditor of State; to provide the personnel required by the Auditor of State's Office; to make an appropriation for additional accountants, examiners, assistants and clerks needed to audit all State institutions under the Board of Control and the State Board of Education formerly audited by certified public accountants; to provide when this Act shall go into effect; and to repeal all Code Sections and all Acts or parts of Acts in conflict with this Act, a sifting committee bill, was taken up and considered.

Senators Valentine and Kimberly called up for consideration their amendments as found on pages 1071 to 1075 inclusive of the Senate Journal, and moved their adoption.

The amendment to the title was adopted.

The amendment to the bill was adopted.

Senator Frailey moved the previous question, which motion prevailed.

Senator Elthon was excused from voting.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading, which motion prevailed.

Rule 8 was invoked.

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

Ayes, 30.

Anderson	Harrington	Miller of Jones	Stevens of
Aschenbrenner	Irwin	Moore	Decatur
Chrystal	Kimberly	Mullaney	Stevens of
Cooney	Knudson	Pendray	Wapello
Coykendall	McArthur	Reese	Topping
Doze	Meyer	Roelefs	Tripp
Fisch	Miller of	Schmidt	Valentine
Frailey	Buchanan	Shangle	White
Geske			

Nays, 19.

Beardsley	Calhoun	Hush	Ritchie
Beatty	Carden	Husted	Stanley
Bennett	Hicklin	Klemme	Wenner
Booth	Hill	Nelson	Wilson
Byers	Hopkins	Patterson	

Absent or not voting, 1.

Elthon

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

Senator Valentine moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Valentine, unanimous consent was granted to message Senate File No. 471 to the House immediately.

On motion of Senator Valentine Senate File No. 472, a bill for an act to amend Sections one hundred thirty-three (133), one hundred thirty-four (134), one hundred thirty-five (135), one hundred thirty-seven (137), one hundred forty-three-b two (143-b2), one hundred forty-three-b three (143-b3), one hundred forty-four (144), one hundred forty-five (145), Code 1931, to conform to the Budget and Financial Control and State Audit Acts, and to authorize the State Treasurer to accept and pay warrants drawn on him by the State Comptroller, a sifting committee bill, was taken up and considered.

The absent Senators were excused from voting.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading, which motion prevailed.

Rule 8 was invoked.

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

Ayes, 28.

Anderson	Gecke	Miller of	Schmidt
Aschenbrenner	Harrington	Buchanan	Shangle
Chrystal	Irwin	Miller of Jones	Stevens of
Cooney	Kimberly	Moore	Decatur
Coykendall	Knudson	Mullaney	Topping
Doze	McArthur	Pendray	Valentine
Fisch	Meyer	Reese	Wilson
Fralley		Roelofs	

Nays, 13.

Beardsley	Carden	Hush	Ritchie
Beatty	Hicklin	Husted	Stanley
Byers	Hopkins	Klemme	Wenner
Calhoun			

Absent or not voting, 9.

Bennett	Hill	Stevens of	Tripp
Booth	Nelson	Wapello	White
Elthon	Patterson		

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

Senator Valentine moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Valentine unanimous consent was granted to message Senate File No. 472 to the House immediately.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, House Files Nos. 151, 192, 232, 235, 307, 343, 401, 413, 561, 562, 569, 571, 572, 573, 574, 575, 576, 578, 579, 580, 581, 582 and 585.

HOMER HUSH, *Chairman Senate Committee.*
WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 151, 192, 232, 235, 307, 343, 401, 413, 561, 562, 569, 571, 572, 573, 574, 575, 576, 578, 579, 580, 581, 582 and 585.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 607, a bill for an act relating to the refund of license fees on motor vehicle fuel.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 606, a bill for an act authorizing the Executive Council to sell certain tracts, parcels, or pieces of land when the fee title thereto has been acquired by the State, in or for the improvement of its primary highways.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 549, a bill for an act relating to tax liens upon certain personal property.

Also, that the House has amended and concurred in Senate Amendments to the following bill in which the concurrence of the House was asked:

House File No. 414, a bill for an act to make an appropriation for the election contest of Adair vs. Teter. LLOYD ELLIS, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE AMENDMENTS TO HOUSE FILE NO. 414

Amend the Senate Amendment by inserting after line three (3) the following:

"Further amend Section 1 by striking from line nine (9) the words and figures "12 days at \$25.00"."

Further amend the amendment by inserting after line six (6) the following:

"Further amend section 1 by striking from line eleven (11) the words and figures "11 days at \$25.00"."

HOUSE MESSAGES CONSIDERED

House File No. 596, a bill for an act to make an appropriation to E. H. Wiegner.

Read first and second times and referred to committee on appropriations.

House File No. 599, a bill for an act to make an appropriation of five hundred dollars (\$500.00) to Senator D. Myron Tripp of Newton, Jasper County, Iowa, which sum is the amount due Senator Tripp for his services as a member of the Senate of the Forty-fifth General Assembly, under the provisions of Section 15, Chapter 2 of the Code, 1931.

Read first and second times and referred to committee on appropriations.

House File No. 600, a bill for an act to make an appropriation of five hundred dollars (\$500.00) to Senator J. E. Doze of Humes-ton, Wayne County, Iowa, which sum is the balance of the amount due Senator Doze for his services as a member of the Senate of the Forty-fifth General Assembly, under the provisions of Section 15, Chapter 2 of the Code, 1931.

Read first and second times and referred to committee on appropriations.

House File No. 606, a bill for an act authorizing the Executive Council of the State of Iowa to sell certain tracts, parcels, or pieces of land when the fee title thereto has been acquired by the State of Iowa, in or for the improvement of its primary highways, and to prescribe the procedure in pursuance of which such sales may be made.

Read first and second times and referred to sifting committee.

House File No. 607, a bill for an act to amend section five thousand ninety-three-a eight (5093-a8), Code, 1931, relating to the refund of license fees on motor vehicle fuel, used or otherwise disposed of within the State of Iowa, and exempting the license fees on motor vehicle fuel used in construction or maintenance work and paid for out of public funds.

Read first and second times and referred to sifting committee.

House File No. 549, a bill for an act to amend Section seventy-two hundred five (7205), Code, 1931, relating to tax liens upon certain personal property.

Read first and second times and referred to sifting committee.

House File No. 601, a bill for an act to make an appropriation to William Ross, William Gould, L. E. Carmer, Charles Boggs, Charles C. Larkins, G. C. Sarwin, Carl Sayers, Maude S. Todt, Chester Rolison, Lola Erickson, F. J. Erickson.

Read first and second times and referred to committee on appropriations.

House File No. 603, a bill for an act to make an appropriation to Edward R. Robinson.

Read first and second times and referred to committee on appropriations.

House File No. 604, a bill for an act to make permanent the transfer of funds in Clay County, Iowa, from the secondary road maintenance fund to the general fund.

Read first and second times and referred to sifting committee.

On motion of Senator Frailey, the Senate went into executive session.

EXECUTIVE SESSION

The Senate refused to confirm the appointment of Mrs. Jennie Good Corlett of Oskaloosa, Mahaska county, as a member of the State Board of Education for the term of six years beginning July 1, 1933.

The Senate arose from executive session and resumed regular session.

Senator Frailey moved that the call of the Senate be raised.

The motion prevailed.

On request of Senator Valentine, unanimous consent was granted to return to introduction of bills.

AMENDMENTS IN JOURNAL CORRECTED

On request of Senator Hush, unanimous consent was granted to correct the Journal as to typographical errors in amendments filed to Senate File No. 470.

The Journal of April 17th was corrected and approved.

INTRODUCTION OF BILLS

Senate File No. 511, by sifting committee, a bill for an act to amend House File five hundred eighty-seven (587), Acts of the Forty-fifth (45) General Assembly, authorizing the sale of certain non-intoxicating liquors and regulating the sale thereof.

Read first and second times and placed on the calendar.

Senate File No. 512, by sifting committee, a bill for an act to authorize cities and towns to borrow funds from the United States Reconstruction Finance Corporation for the purpose of constructing self-liquidating projects and public works as herein defined, and to issue "Revenue Bonds" as security therefor, payable solely from revenue to be derived from such projects and public works.

Read first and second times and placed on the calendar.

Senate File No. 513, by sifting committee, a bill for an act to require county treasurers to stamp not paid for want of available funds orders drawn on such treasurer by the proper authorities of the taxing bodies located in whole or in part within said county

and to make said orders so stamped obligations of said county payable in the order of their stamping, and to authorize refunding of such obligations.

Read first and second times and placed on the calendar.

Senate File No. 514, by sifting committee, a bill for an act to amend section fifty-two hundred seventy-five (5275), Code, 1931, relating to the funding and refunding of the indebtedness of counties.

Read first and second times and placed on the calendar.

Senate File No. 515, by sifting committee, a bill for an act to amend the law as the same appears in Section 1171 d-3 of the Code, 1931, relating to penalties for violating the law relating to preference for domestic products.

Read first and second times and placed on the calendar.

Senate File No. 516, by sifting committee, a bill for an act to authorize counties to establish a system of old age pensions, to provide regulations therefor, to prescribe who may be paid such pensions, to create the method for administering the system, and to provide a tax levy to maintain same, and to provide a method for abandoning such system.

Read first and second times and placed on the calendar.

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which Senate File No. 505 failed to pass the Senate, also move to reconsider the vote by which the bill went to its third reading.

GEO. A. WILSON.

SIFTING COMMITTEE REPORT

MR. PRESIDENT: Your Sifting Committee begs leave to report that it has had the following bills under consideration and recommends they be placed on the calendar of the Senate:

A Bill for an Act to amend House File No. 587, Acts of the Forty-fifth General Assembly.

A Bill for an Act to authorize cities and towns to borrow funds from the United States Reconstruction Finance Corporation for the purpose of constructing self-liquidating projects and public works as herein defined, and to issue "Revenue Bonds" as security therefor, payable solely from revenue to be derived from such projects and public works.

A Bill for an Act to require County Treasurers to stamp not paid for want of available funds orders drawn on such treasurer by the proper authorities of the taxing bodies located in whole or in part within said county.

A Bill for an Act to amend Section Fifty-two hundred seventy-five (5275), Code 1931, relating to the finding and refunding of the indebtedness of counties.

H. F. No. 602
 H. F. No. 588
 H. F. No. 226
 H. F. No. 227
 H. F. No. 336
 H. F. No. 322
 H. F. No. 586

H. F. No. 567
 H. F. No. 441
 H. F. No. 349
 S. F. No. 334
 S. F. No. 358
 S. F. No. 425

A Sifting Committee bill for an Act to authorize counties to establish a system of old age pensions, to provide regulations therefor, to prescribe who may be paid such pensions, to create the method for administering the system, and to provide a tax levy to maintain same, and to provide a method for abandoning such system.

A Sifting Committee bill for an Act to amend the law as the same appears in Section 1171 d-3 of the Code, 1931, relating to penalties for violating the law relating to preference for domestic products.

JOHN K. VALENTINE, *Chairman.*

EXCHANGE OF SEATS

MR. PRESIDENT: By agreement Matt D. Cooney, seat No. 31, and M. X. Geske, seat No. 49, have exchanged seats in the Senate.

MATT D. COONEY
 M. X. GESKE

AMENDMENTS FILED

Amend House File No. 586 by striking out all of Section 6 and renumbering the succeeding sections.

JOHN K. VALENTINE.

Amend House File No. 387 by adding the following section as Section two (2) and renumbering the following sections:

"Sec. 2. All motor vehicles carrying commercial types of bodies shall carry at the rear a red safety lamp equipped with an enclosed reflector which will produce a continuous line of light across the entire width of the vehicle; clearly visible under normal atmospheric conditions for at least one thousand (1,000) feet. The light shall have mounted in the center a back reflecting unit and stop light."

VINCENT F. HARRINGTON.

Amend Senate File No. 503 by Sifting Committee, as follows:

Strike out the title and insert in lieu thereof the following:

"A bill for an act providing for the payment of compensation to any person who acts as Judge of the Supreme Court of the State of Iowa under certificate of election from the State Board of Canvassers, where such person's title to such office is invalidated by judicial proceedings, and validating all acts of such person during the period he acts in such purported judicial capacity, and making provision for an appropriation for the payment of said compensation."

Strike out all of said Bill after the enacting clause, and insert in lieu thereof the following:

"Section 1. Any person who has received a certificate of election as Judge of the Supreme Court of Iowa from the State Board of Canvassers, and has qualified and acted thereunder, and whose title to such office has been held invalid by judicial proceedings, shall be entitled to compensation from the date he actually assumes such office to the date his title to such office is declared invalid by the trial court, the amount of such compensation to be the same as would be paid to any acting Judge of said Supreme Court of Iowa under Section 12816-a1 of 1931 Code, for a similar period of time. Said amount shall be paid from the general funds of the State not otherwise appropriated.

"Sec. 2. All acts of such person purporting to have been done under and by virtue of such certificate of election are hereby validated.

"Sec. 3. This act being deemed of immediate importance, shall be in full force and effect after its passage and publication in the....., a newspaper published at, Iowa, and in the..... a newspaper published at, Iowa." GEO. A. WILSON.

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

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 19, 1933.

The Senate met in regular session, President N. G. Kraschel presiding.

Prayer was offered by Rev. Levi P. Goodwin, pastor of the Wesley Methodist Church of Des Moines.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 500, a bill for an act to make an appropriation for certain miscellaneous state purposes for the ensuing biennial fiscal term and to provide for the expenditure of said appropriated funds by the executive council of the State of Iowa.

Also, that the House has concurred in the following Senate Joint Resolution in which the concurrence of the House was asked:

Senate Joint Resolution No. 11, providing for the continuance of the special corporation commission authorized by House Joint Resolution No. 6, of the 44th General Assembly.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 490, a bill for an act to make an appropriation to Mrs. Lee Harris, Guardian of Burton Harris.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 494, a bill for an act to make an appropriation to L. E. McMains and W. L. Huebner. LLOYD ELLIS, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE NO. 494

Amend section one (1) by striking from line one (1) the words "Primary Road" and inserting in lieu thereof the word "General".

HOUSE AMENDMENTS TO SENATE FILE NO. 490

Amend Senate File No. 490 by striking from section one (1) lines two (2) and three (3) the words and figures "thirty-one hundred ninety

dollars (\$3190.00)" and substituting therefor the words and figures "nineteen hundred forty dollars (\$1940.00)".

Further amend by striking from section two (2) line three (3) the words and figures "thirty-one hundred ninety dollars (\$3190.00)" and substituting therefor the words and figures "nineteen hundred and forty dollars (\$1940.00)".

Further amend by striking from section three (3) lines one (1) and two (2) the words and figures "thirty-one hundred and ninety dollars (\$3190.00)" and substituting therefor the words and figures "nineteen hundred and forty dollars (\$1940.00)".

REPORTS OF COMMITTEES

Senator White submitted the following reports:

MR. PRESIDENT: Your committee on appropriations to which was referred House File No. 600, a bill for an act to make an appropriation of five hundred dollars (\$500) to Senator J. E. Doze of Humeston, Wayne County, Iowa, which sum is the balance of the amount due Senator Doze for his services as a member of the Senate of the Forty-fifth General Assembly, under the provisions of Section 15, Chapter 2 of the Code, 1931, begs leave to report it has had the same under consideration and recommends the same be amended as follows; and when so amended the bill do pass:

Amend line one (1) of the title by striking the words and figures "five hundred dollars (\$500.00)" and insert in lieu thereof the words and figures "seven hundred dollars (\$700.00)".

Amend lines twelve (12) and thirteen (13) of the preamble by striking the words and figures "five hundred dollars (\$500.00)" and inserting in lieu thereof the words and figures "seven hundred dollars (\$700.00)".

Amend section one (1) lines three (3) and four (4) by striking the words and figures "five hundred dollars (\$500.00)" and inserting in lieu thereof the words and figures "seven hundred dollars (\$700.00)".

H. C. WHITE, *Chairman.*

Ordered passed on file.

Also:

Your committee on appropriations to which was referred House File No. 601, a bill for an act to make an appropriation to William Ross, William Gould, L. E. Carmer, Charles Boggs, Charles C. Larkins, G. C. Sarwin, Carl Sayers, Maude S. Todt, Chester Rolison, Lola Erickson, F. J. Erickson, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman.*

Ordered passed on file.

Also:

Your committee on appropriations to which was referred House File No. 603, a bill for an act to make an appropriation to Edward R. Robinson, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman.*

Ordered passed on file.

Also :

Your committee on appropriations to which was referred House File No. 596, a bill for an act to make an appropriation to E. H. Wiegner, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman*.

Ordered passed on file.

Also :

Your committee on appropriations to which was referred House File No. 598, a bill for an act to make an appropriation to R. G. Devotie, administrator of the estate of Vernon F. Devotie, deceased, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman*.

Ordered passed on file.

Also :

Your committee on appropriations to which was referred House File No. 599, a bill for an act to make an appropriation of five hundred dollars (\$500.00) to Senator D. Myron Tripp of Newton, Jasper County, Iowa, which sum is the amount due Senator Tripp for his services as a member of the Senate of the Forty-fifth General Assembly, under the provisions of Section 15, Chapter 2 of the Code, 1931, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman*.

Ordered passed on file.

Also :

Your committee on appropriations to which was referred House Joint Resolution No. 9, a Joint Resolution authorizing the appointment of a committee to investigate refunds of motor vehicle fuel license fees and making an appropriation to pay the expense thereof, begs leave to report it has had the same under consideration and recommends the same do pass.

H. C. WHITE, *Chairman*.

Ordered passed on file.

On request of Senator Wilson, unanimous consent was granted to excuse Senators Booth, Tripp, Bennett, Irwin and Stevens of Wapello to attend a conference committee meeting.

THIRD READING OF BILLS

On motion of Senator White House File No. 600, a bill for an act to make an appropriation of five hundred dollars (\$500.00) to Senator J. E. Doze of Humeston, Wayne County, Iowa, which sum is the balance of the amount due Senator Doze for his services as a member of the Senate of the Forty-fifth General Assembly, under

the provisions of Section 15, Chapter 2 of the Code, 1931, with report of appropriations committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments proposed by the appropriations committee were considered.

Amend line one (1) of the title by striking the words and figures "five hundred dollars (\$500.00)" and insert in lieu thereof the words and figures "seven hundred dollars (\$700.00)".

Amend lines twelve (12) and thirteen (13) of the preamble by striking the words and figures "five hundred dollars (\$500.00)" and inserting in lieu thereof the words and figures "seven hundred dollars (\$700.00)".

Amend section one (1) lines three (3) and four (4) by striking the words and figures "five hundred dollars (\$500.00)" and inserting in lieu thereof the words and figures "seven hundred dollars (\$700.00)".

The amendments were adopted.

The bill was read for information.

Senator White moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 34.

Anderson	Geske	Meyer	Ritchie
Aschenbrenner	Harrington	Miller of	Roelofs
Beatty	Hill	Buchanan	Schmidt
Byers	Hopkins	Miller of Jones	Stevens of
Calhoun	Hush	Mullaney	Decatur
Carden	Husted	Nelson	Valentine
Coykendall	Klemme	Patterson	Wenner
Elthon	Knudson	Pendray	White
Fisch	McArthur	Reese	Wilson

Nays, none.

Absent or not voting, 16.

Beardsley	Doze	Kimberly	Stevens of
Bennett	Frailey	Moore	Wapello
Booth	Hicklin	Shangle	Topping
Chrystal	Irwin	Stanley	Tripp
Cooney			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator White House File No. 601, a bill for an act to make an appropriation to William Ross, William Gould, L. E. Carmer, Charles Boggs, Charles C. Larkins, G. C. Sarwin,

Carl Sayers, Maude S. Todt, Chester Rolison, Lola Erickson, F. J. Erickson, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 37.

Anderson	Geske	Miller of	Shangle
Aschenbrenner	Harrington	Buchanan	Stanley
Beardsley	Hill	Miller of Jones	Stevens of
Beatty	Hopkins	Mullaney	Decatur
Byers	Hush	Nelson	Topping
Calhoun	Husted	Patterson	Valentine
Carden	Klemme	Pendray	Wenner
Coykendall	Knudson	Reese	White
Doze	McArthur	Ritchie	Wilson
Elthon	Meyer	Roelofs	

Nays, none.

Absent or not voting, 13.

Bennett	Fisch	Irwin	Stevens of
Booth	Frailey	Kimberly	Wapello
Chrystal	Hicklin	Moore	Tripp
Cooney			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator White House File No. 603, a bill for an act to make an appropriation to Edward R. Robinson, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 36.

Anderson	Carden	Geske	Klemme
Aschenbrenner	Chrystal	Harrington	Knudson
Beardsley	Coykendall	Hill	McArthur
Beatty	Doze	Hopkins	Meyer
Byers	Elthon	Hush	Miller of
Calhoun	Fisch	Husted	Buchanan

Miller of Jones	Reese	Stevens of	Wenner
Mullaney	Ritchie	Decatur	White
Patterson	Roelofs	Topping	Wilson
Pendray	Stanley		

Nays, none.

Absent or not voting, 14.

Bennett	Hicklin	Nelson	Stevens of
Booth	Irwin	Schmidt	Wapello
Cooney	Kimberly	Shangle	Tripp
Frailey	Moore		Valentine

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator White House File No. 596, a bill for an act to make an appropriation to E. H. Wiegner, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 35.

Anderson	Geske	Meyer	Ritchie
Aschenbrenner	Harrington	Miller of	Roelofs
Beatty	Hill	Buchanan	Stanley
Byers	Hopkins	Miller of Jones	Stevens of
Calhoun	Hush	Mullaney	Decatur
Carden	Husted	Nelson	Topping
Coykendall	Klemme	Patterson	Wenner
Doze	Knudson	Pendray	White
Elthon	McArthur	Reese	Wilson
Fisch			

Nays, none.

Absent or not voting, 15.

Beardsley	Cooney	Kimberly	Stevens of
Bennett	Frailey	Moore	Wapello
Booth	Hicklin	Schmidt	Tripp
Chrystal	Irwin	Shangle	Valentine

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator White House File No. 598, a bill for an act to make an appropriation to R. G. DeVotie, administrator of the estate of Vernon F. DeVotie, deceased, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 38.

Aschenbrenner	Roelofs	McArthur	Ritchie
Beardsley	Elthon	Meyer	Schmidt
Beatty	Fisch	Miller of	Stevens of
Bennett	Geske	Buchanan	Decatur
Booth	Hill	Miller of Jones	Stevens of
Byers	Hopkins	Mullaney	Wapello
Calhoun	Hush	Nelson	Topping
Carden	Husted	Patterson	Tripp
Chrystal	Irwin	Pendray	White
Cooney	Knudson	Reese	Wilson
Coykendall			

Nays, 5.

Doze	Shangle	Stanley	Wenner
Klemme			

Absent or not voting, 7.

Anderson	Harrington	Kimberly	Valentine
Frailey	Hicklin	Moore	

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator White House Joint Resolution No. 9, a joint resolution for an act authorizing the appointment of a committee to investigate refunds of motor vehicle fuel license fees and making an appropriation to pay the expense thereof, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 38.

Anderson	Harrington	Miller of Jones	Stanley
Aschenbrenner	Hill	Mullaney	Stevens of
Beatty	Hopkins	Nelson	Decatur
Byers	Hush	Patterson	Stevens of
Calhoun	Klemme	Pendray	Wapello
Carden	Knudson	Reese	Topping
Chrystal	McArthur	Ritchie	Valentine
Cooney	Meyer	Roelofs	Wenner
Coykendall	Miller of	Schmidt	White
Doze	Buchanan	Shangle	Wilson
Geske			

Nays, 1.

Husted

Absent or not voting, 11.

Beardsley	Elthon	Hicklin	Moore
Bennett	Fisch	Irwin	Tripp
Booth	Frailey	Kimberly	

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On request of Senator White, unanimous consent was granted to return to introduction of bills.

INTRODUCTION OF BILLS

Senate File No. 517, by appropriations committee, a bill for an act to make an appropriation of two thousand seven hundred seventy-one & 31/100 (\$2,771.31) dollars to Hubert Utterback of Des Moines, Polk County, Iowa, for services as Justice of the Supreme Court of the State of Iowa, for a period from and including December 5, 1932, to April 17, 1933.

Read first and second times.

Senator Wilson moved that the rules be suspended by which no bill may be read the second and third times the same day.

The motion prevailed.

THIRD READING OF BILLS

On motion of Senator White Senate File No. 517, a bill for an act to make an appropriation of two thousand seven hundred seventy-one & 31/100 (\$2,771.31) dollars to Hubert Utterback of Des Moines, Polk County, Iowa, for services as Justice of the Supreme Court of the State of Iowa, for a period from and including December 5, 1932, to April 17, 1933, an appropriation bill, was taken up and considered.

The bill was read for information.

Senator Wilson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 40.

Anderson	Bennett	Carden	Coykendall
Aschenbrenner	Byers	Chrystal	Doze
Beatty	Calhoun	Cooney	Fisch

Geske	Meyer	Pendray	Stevens of
Harrington	Miller of	Reese	Wapello
Hill	Buchanan	Ritchie	Topping
Hopkins	Miller of Jones	Roelofs	Tripp
Hush	Mullaney	Shangle	Valentine
Klemme	Nelson	Stanley	Wenner
Knudson	Patterson	Stevens of	White
McArthur		Decatur	Wilson

Nays, none.

Absent or not voting, 10.

Beardsley	Frailey	Irwin	Moore
Booth	Hicklin	Kimberly	Schmidt
Elthon	Husted		

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

Senator Tripp moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Tripp, unanimous consent was granted to message the bill just passed to the House immediately.

On request of Senator Tripp unanimous consent was granted to withdraw from further consideration of the Senate, Senate File No. 503.

On motion of Senator White House File No. 577, a bill for an act to make an appropriation to Devota Tiptoin, claimant, and George B. Baker, attorney, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 38.

Anderson	Geske	Miller of	Schmidt
Aschenbrenner	Harrington	Buchanan	Shangle
Beardsley	Hill	Miller of Jones	Stanley
Beatty	Hopkins	Mullaney	Stevens of
Calhoun	Hush	Nelson	Decatur
Carden	Husted	Patterson	Topping
Coykendall	Klemme	Pendray	Valentine
Doze	Knudson	Reese	Wenner
Elthon	McArthur	Ritchie	White
Fisch	Meyer	Roelofs	Wilson

Nays, none.

Absent or not voting, 12.

Bennett	Cooney	Irwin	Stevens of
Booth	Frailey	Kimberly	Wapello
Byers	Hicklin	Moore	Tripp
Chrystal			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator White Senate File No. 510, a bill for an act to make an appropriation to Strock and Sloan, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 35.

Aschenbrenner	Harrington	Miller of	Schmidt
Beatty	Hill	Buchanan	Stanley
Calhoun	Hopkins	Miller of Jones	Stevens of
Carden	Hush	Mullaney	Decatur
Coykendall	Husted	Nelson	Topping
Doze	Klemme	Patterson	Valentine
Elthon	Knudson	Pendray	Wenner
Fisch	McArthur	Reese	White
Geske	Meyer	Ritchie	Wilson
		Roelofs	

Nays, 1.

Shangle

Absent or not voting, 14.

Anderson	Byers	Hicklin	Stevens of
Beardsley	Chrystal	Irwin	Wapello
Bennett	Cooney	Kimberly	Tripp
Booth	Frailey	Moore	

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On request of Senator Wilson unanimous consent was granted to message the bill just passed to the House immediately.

On motion of Senator White Senate File No. 502, a bill for an act to make an appropriation of two hundred dollars (\$200.00) to Mrs. Leah Myers, widow of the late Senator O. P. Myers of Newton, Jasper County, Iowa, which sum is the balance of the amount

due the late Senator O. P. Myers for his services as a member of the Senate of the Forty-fifth General Assembly, under the provisions of Section 15, Chapter 2 of the Code, 1931, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator White moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 38.

Anderson	Elthon	McArthur	Schmidt
Aschenbrenner	Fisch	Meyer	Shangle
Beardsley	Geske	Miller of	Stanley
Beatty	Harrington	Buchanan	Stevens of
Booth	Hill	Miller of Jones	Decatur
Byers	Hopkins	Mullaney	Topping
Calhoun	Husted	Nelson	Tripp
Carden	Irwin	Patterson	Valentine
Coykendall	Klemme	Pendray	Wenner
Doze	Knudson	Ritchie	Wilson

Nays, none.

Absent or not voting, 12.

Bennett	Hicklin	Moore	Stevens of
Chrystal	Hush	Reese	Wapello
Cooney	Kimberly	Roelofs	White
Frailey			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On request of Senator Wilson, unanimous consent was granted to message all Senate appropriations bills to the House immediately upon their passage.

On motion of Senator White Senate File No. 501, a bill for an act to make an appropriation of three hundred dollars (\$300.00) to G. B. Van Arsdale, administrator of the estate of Senator John H. Judd of Chariton, Lucas County, Iowa, which sum is the amount due the late Senator John H. Judd for his services as a member of the Senate of the Forty-fifth General Assembly under the provisions of Section 15, Chapter 2 of the Code, 1931, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator White moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 43.

Anderson	Fisch	Meyer	Schmidt
Aschenbrenner	Geske	Miller of	Shangle
Beardsley	Harrington	Buchanan	Stanley
Beatty	Hill	Miller of Jones	Stevens of
Bennett	Hopkins	Mullaney	Decatur
Booth	Husted	Nelson	Topping
Byers	Irwin	Patterson	Tripp
Calhoun	Kimberly	Pendray	Valentine
Carden	Klemme	Reese	Wenner
Coykendall	Knudson	Ritchie	White
Doze	McArthur	Roelofs	Wilson
Elthon			

Nays, none.

Absent or not voting, 7.

Chrystal	Frailey	Hush	Stevens of
Cooney	Hicklin	Moore	Wapello

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator White House File No. 535, a bill for an act to make an appropriation to R. Kamminga, administrator of the estate of Michael Barry, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator White moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 40.

Anderson	Fisch	McArthur	Ritchie
Aschenbrenner	Geske	Meyer	Roelofs
Beardsley	Harrington	Miller of	Shangle
Beatty	Hill	Buchanan	Stanley
Bennett	Hopkins	Miller of Jones	Stevens of
Booth	Hush	Moore	Wapello
Byers	Husted	Mullaney	Topping
Calhoun	Irwin	Patterson	Wenner
Carden	Kimberly	Pendray	White
Coykendall	Klemme	Reese	Wilson
Elthon	Knudson		

Nays, none.

Absent or not voting, 10.

Chrystal	Frailey	Schmidt	Tripp
Cooney	Hicklin	Stevens of	Valentine
Doze	Nelson	Decatur	

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator Nelson House File No. 397, a bill for an act to amend Section ninety hundred fifty-five (9055), and to repeal section ninety hundred forty-three (9043), Code, 1931, and to enact a substitute in lieu thereof relating to associations engaged in the writing of hail insurance and to provide for limited assessments; to fix time of closing books, the minimum percentage which shall be returned to members through payment of losses and dividends from the income for each year; to provide for contributions to an emergency or surplus fund, and to provide the date on which hail losses shall be due and payable, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Nelson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 40.

Anderson	Doze	Klemme	Pendray
Aschenbrenner	Elthon	Knudson	Reese
Beardsley	Fisch	McArthur	Ritchie
Beatty	Geske	Meyer	Roelofs
Bennett	Hill	Miller of	Stanley
Booth	Hopkins	Buchanan	Stevens of
Calhoun	Hush	Miller of Jones	Wapello
Carden	Husted	Moore	Topping
Chrystal	Irwin	Mullaney	Tripp
Coykendall	Kimberly	Nelson	Wenner
		Patterson	White

Nays, none.

Absent or not voting, 10.

Byers	Harrington	Shangle	Valentine
Cooney	Hicklin	Stevens of	Wilson
Frailey	Schmidt	Decatur	

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

On motion of Senator Hopkins House File No. 387, a bill for an act to require motor trucks and combinations thereof when oper-

ating upon the highways at night to be equipped with portable flares and providing penalty therefor, returned by the sifting committee, was taken up and considered.

Senator Harrington offered the following amendment and moved its adoption :

Amend by adding the following section as Section two (2) and renumbering the following sections:

"Sec. 2. All motor vehicles carrying commercial types of bodies shall carry at the rear a red safety lamp equipped with an enclosed reflector which will produce a continuous line of light across the entire width of the vehicle; clearly visible under normal atmospheric conditions for at least one thousand (1,000) feet. The light shall have mounted in the center a back reflecting unit and stop light."

The amendment was adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 41.

Anderson	Elthon	Knudson	Roelofs
Aschenbrenner	Fisch	McArthur	Shangle
Beardsley	Geske	Meyer	Stanley
Beatty	Harrington	Miller of	Stevens of
Bennett	Hill	Buchanan	Decatur
Byers	Hopkins	Miller of Jones	Stevens of
Calhoun	Hush	Mullaney	Wapello
Carden	Husted	Patterson	Topping
Chrystal	Irwin	Pendray	Tripp
Coykendall	Kimberly	Reese	Wenner
Doze	Klemme	Ritchie	White

Nays, none.

Absent or not voting, 9.

Booth	Hicklin	Nelson	Valentine
Cooney	Moore	Schmidt	Wilson
Frailey			

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

Senator Hopkins moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Hopkins, unanimous consent was granted to message to the House immediately the bill just passed.

On motion of Senator Shangle the Senate recessed until 1:00 p. m.

AFTERNOON SESSION

The Senate met at the fall of the gavel, President N. G. Kraschel presiding.

PRESENTATION OF GIFT TO LIEUTENANT GOVERNOR

Senator Schmidt approached the chair and spoke as follows:

MR. PRESIDENT: It has been the custom, in the past, for the members of this assembly to give our presiding officer some token of our appreciation. Therefore, I present this set of traveling cases to you, our Lieutenant Governor, as a memento of esteem of the members of the Forty-fifth General Assembly.

Lieutenant Governor N. G. Kraschel replied in part as follows:

MEMBERS OF THE GENERAL ASSEMBLY: I am very grateful for your kindness in presenting me with this gift. It is rather difficult for one, on occasions of this kind, to properly voice his feelings of appreciation. After the many hectic hours we have spent here together, it moves me that the members should feel so kindly toward me that they should present me such a beautiful present. I had in mind a thought similar to Senator Klemme's, but feel if that were your only intention you would not have selected such a beautiful piece of merchandise.

I agree with the late Senator Walsh in his sentiment, expressed at the close of the last Democratic National Convention, that he "hoped that the harsh things he had said would be forgotten and only the pleasant things he had said would be remembered." That really is my sentiment on this occasion and my personal feeling to you from the bottom of my heart for this wonderful gift which you have tendered me on this great occasion.

THIRD READING OF BILLS

On motion of Senator Carden House File No. 544, a bill for an act to provide for the certification and training of teachers in the public schools; to repeal section thirty-eight hundred fifty-eight (3858), code 1931, and to enact a substitute therefor; to repeal sections thirty-eight hundred sixty-two (3862) to thirty-eight hundred seventy-two (3872) inclusive, code 1931, and to enact a substitute therefor, the repeal to be effective July 1, 1935; to repeal sections thirty-eight hundred seventy-eight (3878) and four thousand ninety-seven (4097), code 1931, and to enact substitutes therefor; to amend sections thirty-eight hundred seventy-six (3876) and thirty-eight hundred ninety-nine (3899), code 1931, all

sections relating to the training and certification of teachers, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Carden moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 37.

Aschenbrenner	Fisch	Klemme	Shangle
Beardsley	Frailey	Knudson	Stanley
Beatty	Geske	McArthur	Stevens of
Bennett	Harrington	Meyer	Decatur
Booth	Hill	Miller of Jones	Stevens of
Calhoun	Hopkins	Nelson	Wapello
Carden	Hush	Patterson	Valentine
Chrystal	Husted	Pendray	Wenner
Coykendall	Irwin	Reese	White
Doze	Kimberly	Roelofs	

Nays, 1.

Ritchie

Absent or not voting, 12.

Anderson	Hicklin	Moore	Topping
Byers	Miller of	Mullaney	Tripp
Cooney	Buchanan	Schmidt	Wilson
Elthon			

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

On motion of Senator Valentine House File No. 588, a bill for an act to amend House File No. 541, enacted by the Forty-Fifth General Assembly of Iowa, relating to the authorization of public bodies in signing depositors' agreements with banks and trust companies, reported out by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 39.

Anderson	Carden	Frailey	Hush
Aschenbrenner	Cooney	Geske	Husted
Beatty	Coykendall	Harrington	Irwin
Bennett	Doze	Hill	Kimberly
Booth	Fisch	Hopkins	Klemme

Knudson	Mullaney	Shangle	Topping
McArthur	Nelson	Stanley	Valentine
Meyer	Patterson	Stevens of	Wenner
Miller of	Pendray	Decatur	White
Buchanan	Reese	Stevens of	
Miller of Jones	Roelofs	Wapello	

Nays, 1.

Wilson

Absent or not voting, 10.

Beardsley	Chrystal	Moore	Schmidt
Byers	Elthon	Ritchie	Tripp
Calhoun	Hicklin		

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

CONFERENCE COMMITTEE REPORT ON SUBSTITUTE FOR HOUSE FILE NO. 73

MR. PRESIDENT: Your joint committee of conference appointed to confer in regard to Substitute for House File No. 73 begs leave to report that this committee has conferred and that it has agreed and recommends as follows:

Amend Substitute for House File No. 73 as follows:

Strike from lines three (3) and four (4) section 3 the words and figures "three hundred forty-one thousand six hundred forty dollars (\$341,640)" and insert in lieu thereof the words and figures "three hundred fifteen thousand fifty-one dollars (\$315,051)".

Strike from line nine (9) the figures "\$125,500" and insert in lieu thereof the figures "\$123,000".

Strike from line eleven (11) the figures "\$130,000" and insert in lieu thereof the figures "\$127,500".

Strike from line seventeen (17) the figures "\$150,000" and insert in lieu thereof the figures "\$137,500".

Strike from line nineteen (19) the figures "\$4,500" and insert in lieu thereof the figures "\$4,250".

Strike from line twenty-one (21) the figures "\$3,000" and insert in lieu thereof the figures "\$1,625".

Strike from line twenty-three (23) the figures "\$4,500" and insert in lieu thereof the figures "\$4,250".

Strike from line twenty-seven (27) the figures "\$5,500" and insert in lieu thereof the figures "\$4,000".

Strike from line twenty-nine (29) the figures "\$25,000" and insert in lieu thereof the figures "\$17,500".

Strike from line thirty-one (31) the figures "\$200" and insert in lieu thereof the figures "\$400".

Strike from line thirty-three (33) the figures "\$4,500" and insert in lieu thereof the figures "\$4,250".

Strike from line thirty-five the figures "\$7,400" and insert in lieu thereof the figures "\$6,736".

Strike from line forty the figures "\$341,640" and insert in lieu thereof the figures "\$315,051".

Amend Section 4 as follows:

Strike from lines three (3) and four (4) the words and figures "seventy-nine thousand forty-five dollars and forty cents (\$79,045.40)" and insert in lieu thereof the words and figures "seventy-five thousand dollars (\$75,000)".

Strike from line ten the figures "\$67,495.40" and insert in lieu thereof the figures "\$63,450".

Strike from line thirteen (13) the figures "\$79,045.40" and insert in lieu thereof the figures "\$75,000".

Amend Section 6 as follows:

Strike from lines three (3) and four (4) the words and figures "twenty-eight thousand three hundred dollars (\$28,300)" and insert in lieu thereof the words and figures "twenty-four thousand dollars (\$24,000)".

Strike from line seven (7) the figures "\$23,800" and insert in lieu thereof the figures "\$19,500".

Strike from line ten (10) the figures "\$28,300" and insert in lieu thereof the figures "\$24,000".

Amend Section 7 as follows:

Strike from lines three (3) and four (4) the words and figures "nine thousand six hundred eighty-seven dollars (\$9,687)" and insert in lieu thereof the words and figures "nine thousand three hundred forty-eight dollars (\$9,348)".

Strike from line seven (7) the figures "\$7,317" and insert in lieu thereof the figures "\$6,978".

Strike from line ten (10) the figures "\$9,687" and insert in lieu thereof the figures "\$9,348".

Amend Section 9 as follows:

Strike from lines three (3) and four (4) the words and figures "one hundred eight thousand dollars (\$108,000)" and insert in lieu thereof the words and figures "eighty-five thousand dollars (\$85,000)".

Strike from line nine (9) the figures "\$100,000" and insert in lieu thereof the figures "\$85,000".

Strike from line eleven (11) the figures "\$108,000" and insert in lieu thereof the figures "\$85,000".

Amend Section 10 as follows:

Strike from lines three (3) and four (4) the words and figures "seventy-three thousand eight hundred forty-five dollars (\$73,845)" and insert in lieu thereof the words and figures "seventy-four thousand five hundred dollars (\$74,500)".

Strike from line nine (9) the figures "\$63,045" and insert in lieu thereof the figures "\$63,700".

Strike from line eleven (11) the figures "\$73,845" and insert in lieu thereof the figures "\$74,500".

Amend Section 11 as follows:

Strike from lines three (3) and four (4) the words and figures "forty-eight thousand nine hundred sixty-four dollars and eighty cents (\$48,964.80)" and insert in lieu thereof the words and figures "fifty-three thousand two hundred seventeen dollars (\$53,217)".

Strike from line seven (7) the figures "\$46,594.80" and insert in lieu thereof the figures "\$50,847".

Strike from line nine (9) the figures "\$48,964.80" and insert in lieu thereof the figures "\$53,217".

Amend Section 13 as follows:

Strike from lines three (3) and four (4) the words and figures "forty-six thousand seven hundred twelve dollars (\$46,712)" and insert in lieu thereof the words and figures "fifty thousand five hundred sixty-six dollars (\$50,566)".

Strike from lines ten (10) to thirty-one (31) inclusive and insert in lieu thereof the following, "For Salaries, Support, Maintenance and Miscellaneous Purposes\$41,966".

Board Members to receive a per diem of \$10.00 per day and shall not exceed \$600 per year per member.

Grand total of all appropriations for all purposes for each year of the biennium for the Board of Education.....\$50,566.

Amend Section 14 as follows:

Strike from lines three (3) and four (4) the words and figures "two hundred seventeen thousand three hundred fifty dollars (\$217,350)" and insert in lieu thereof the words and figures "two hundred twenty thousand dollars (\$220,000)".

Strike from line eight (8) the figures "\$217,350" and insert in lieu thereof the figures "\$220,000".

Amend Section 21 as follows:

Strike from lines three (3) and four (4) the words and figures "seventy-seven thousand nine hundred eighty-eight dollars (\$77,988)" and insert in lieu thereof the words and figures "seventy-five thousand fifty dollars (\$75,050)".

Strike from line nine (9) the figures "\$44,144" and insert in lieu thereof the figures "\$41,090".

Strike from line eleven (11) the figures "\$48,394" and insert in lieu thereof the figures "\$45,340".

Strike from line fourteen (14) the figures "\$8,000" and insert in lieu thereof the figures "\$6,600".

Strike from line seventeen (17) the figures "\$4,500" and insert in lieu thereof the figures "\$4,200".

Strike from line twenty (20) the figures "\$17,094" and insert in lieu thereof the figures "\$18,910".

Strike from line twenty-three (23) the figures "\$77,988" and insert in lieu thereof the figures "\$75,050".

Strike from line twenty-seven (27) the words "seventeen thousand three hundred forty-five dollars" and insert in lieu thereof the words "fifteen thousand one hundred fifty dollars".

Strike from line thirty-one the figures "\$17,345" and insert in lieu thereof the figures "\$15,150".

Strike from line thirty-four (34) the figures "\$17,345" and insert in lieu thereof the figures "\$15,150".

Strike from line thirty-eight (38) the words and figures "seven hundred dollars (\$700)" and insert in lieu thereof the words and figures "fifteen hundred sixty dollars (\$1,560)".

Strike from line forty-two the figures "\$700" and insert in lieu thereof the figures "\$1,560".

Strike from line forty-five (45) the figures "\$700" and insert in lieu thereof the figures "\$1,560".

Strike from line forty-nine (49) the words and figures "twelve thousand dollars (\$12,000)" and insert in lieu thereof the words and figures "eleven thousand three hundred sixty dollars (\$11,360)".

Strike lines fifty-two (52) to fifty-nine (59) inclusive and insert in lieu thereof the following:

"For Salaries, Support, Maintenance and Miscellaneous

Purposes\$11,360".

Strike from line sixty-two (62) the figures "\$12,000" and insert in lieu thereof the figures "\$11,360".

Strike from line sixty-six the words and figures "two thousand five hundred dollars (\$2,500)" and insert in lieu thereof the words and figures "two thousand four hundred dollars (\$2,400)".

Strike from line seventy-two (72) the figures "\$700" and insert in lieu thereof the figures "\$600".

Strike from line seventy-five (75) the figures "\$2,500" and insert in lieu thereof the figures "\$2,400".

Strike from line one hundred three (103) the words and figures "nineteen hundred dollars (\$1900)" and insert in lieu thereof the words and figures "five thousand two hundred eighty dollars (\$5,280)".

Strike from line one hundred eight (108) the words and figures "Traveling.....\$400" and insert in lieu thereof the words and figures "For Salaries, Support and Miscellaneous Purposes.....\$3,780".

Strike from line one hundred eleven (111) the figures "\$1,900" and insert in lieu thereof the figures "\$5,280".

Strike from line one hundred fifteen (115) the words and figures "eight hundred dollars (\$800)" and insert in lieu thereof the words and figures "seven hundred fifty dollars (\$750)".

Strike from line one hundred twenty (120) the figures "\$300" and insert in lieu thereof the figures "\$250".

Strike from line one hundred twenty-three (123) the figures "\$800" and insert in lieu thereof the figures "\$750".

Strike from line one hundred twenty-seven (127) the words and figures "four hundred eighty dollars (\$480)" and insert in lieu thereof the words and figures "one thousand five hundred sixty dollars (\$1,560)".

Add as a new line following line one hundred thirty-two (132) the following, "Secretary.....\$1,080".

Strike from line one hundred thirty-six (136) the figures "\$480" and insert in lieu thereof the figures "\$1,560".

Strike from line one hundred fifty-two (152) the words and figures "ten thousand dollars (\$10,000)" and insert in lieu thereof the words and figures "ten thousand eighty dollars (\$10,080)".

Strike from line one hundred fifty-five (155) the figures "\$10,000" and insert in lieu thereof the figures "\$10,080".

Amend Section 22 as follows:

Strike from line three (3) the words and figures "thirty-five thousand

dollars (\$35,000)" and insert in lieu thereof the words and figures "twenty-eight thousand nine hundred seventy-nine dollars (\$28,979)".

Strike from line ten (10) the figures "\$32,600" and insert in lieu thereof the figures "\$26,579".

Strike from line thirteen (13) the figures "\$35,000" and insert in lieu thereof the figures "\$28,979".

Amend Section 24 as follows:

Strike from lines three (3) and four (4) the words and figures "twenty-four thousand dollars (\$24,000)" and insert in lieu thereof the words and figures "twenty-five thousand nine hundred two dollars (\$25,902)".

Insert after the word "Maintenance" in line seven (7) the word, ", Compensation".

Strike from line eight (8) the figures "\$21,000" and insert in lieu thereof the figures "\$22,902".

Strike from line eleven (11) the figures "\$24,000" and insert in lieu thereof the figures "\$25,902".

Amend Section 28 as follows:

Strike from lines three (3) and four (4) the words and figures "nineteen thousand five hundred sixty-six dollars and sixty cents (\$19,566.60)" and insert in lieu thereof the words and figures "eighteen thousand five hundred sixty-eight dollars (\$18,568)".

Strike from line eight (8) the figures "\$17,454.60" and insert in lieu thereof the figures "\$16,456".

Strike from line eleven (11) the figures "\$19,566.60" and insert in lieu thereof the figures "\$18,568".

Amend Section 29 as follows:

Strike from lines three (3) and four (4) the words and figures "forty-two thousand six hundred seventy-two dollars and eighty cents (\$42,672.80)" and insert in lieu thereof the words and figures "forty-one thousand dollars (\$41,000)".

Strike from line sixteen (16) the figures "\$34,372.80" and insert in lieu thereof the figures "\$32,700".

Strike from line eighteen (18) the figures "\$42,672.80" and insert in lieu thereof the figures "\$41,000".

Insert after the word "Purposes" in line seven (7) of Sec. 31 the following, "provided that \$3,000 be allocated to the Iowa Coal institute,".

Amend Section 32 as follows:

Strike from lines three and four the words and figures "twenty-six thousand nine hundred twenty dollars and twenty cents (\$26,920.20)" and insert in lieu thereof the words and figures "twenty-six thousand nine hundred twenty dollars (\$26,920)".

Strike from line six (6) the figure "3" before the sign "¢" and insert in lieu thereof the figure "2".

Strike from line six (6) the figures "\$8,370" and insert in lieu thereof the figures "\$5,580".

Add as a new line after line six (6) the following, "For Salary of Legal Member, 1 @ \$3,000.....\$3,000".

Strike from line eight (8) the figures "\$18,550.20" and insert in lieu thereof the figures "\$18,340".

Strike from line eleven (11) the figures "\$26,920.20" and insert in lieu thereof the figures "\$26,920".

Amend Section 33 as follows:

Strike from lines three and four the words and figures "thirteen thousand five hundred six dollars (\$13,506)" and insert in lieu thereof the words and figures "fourteen thousand one hundred seventy-eight dollars (\$14,178)".

Strike from line nine (9) the figures "\$10,386" and insert in lieu thereof the figures "\$11,058".

Strike from line twelve (12) the figures "\$13,506" and insert in lieu thereof the figures "\$14,178".

Amend Section 34 as follows:

Strike from lines three (3) and four (4) the words and figures "one hundred twenty thousand seven hundred seventeen dollars (\$120,717)" and insert in lieu thereof the words and figures "one hundred twenty thousand dollars (\$120,000)".

Strike from line ten (10) the figures "\$120,717" and insert in lieu thereof the figures "\$120,000".

In section 35, lines 3 and 4, strike the words and figures twenty-nine thousand five hundred ten (29,510) and insert "twenty-six thousand three hundred sixty-one (26,361)". In line 9 strike the figures "25,510" and insert "22,361". In line 12 strike the figures "29,510" and insert "26,361".

In section 36, line 4, strike the word "twenty" and strike the figures "(421,450)" and insert "(401,450)".

In section 36, line 8, strike the figures "120,000" and insert "110,000". In line 9 strike the figures "135,000" and insert "125,000". In line 15 strike the figures "421,450" and insert "401,450". In line 19 strike the figures "421,450" and insert "401,450".

In section 38, lines 3 and 4, strike the words and figures "seventy-one thousand ninety-seven dollars and seventy cents (\$71,097.70)" and insert "sixty thousand dollars (\$60,000)". In line 9 strike the figures "35,604.90" and insert "49,200". Strike all of lines 10 to 25 inclusive. In line 29 strike the figures "71,097.70" and insert "60,000".

In section 39, lines 3 and 4, strike the words and figures "fifty-thousand three hundred fifty-five dollars (\$50,355)" and insert "forty-nine thousand forty-six dollars (\$49,046)". In line 8 strike the figures "45,855" and insert "44,546". In line 11 strike the figures "50,355" and insert "49,046".

In section 41, lines 3 and 4, strike the words and figures "eighty-five thousand one hundred four dollars (\$85,104)" and insert "eighty-three thousand four hundred dollars (\$83,400)". In line 8 strike the figures "17,604" and insert "15,900". In line 11 strike the figures "85,104" and insert "83,400".

In section 43, lines 3 and 4, strike the words and figures "eighty-eight thousand nine hundred fifty-one dollars (\$88,951)" and insert "eighty-five thousand nine hundred sixteen dollars (\$85,916)". In line 8 strike the figures "84,451" and insert "81,416". In line 11 strike the figures "88,951" and insert "85,916".

In section 45, lines 20 and 21, strike the words and figures "three million six hundred five thousand one hundred thirty-six dollars (\$3,605,136)"

and insert "three million four hundred fifteen thousand three hundred sixty-two dollars (\$3,415,362)". In lines 29 and 30 strike the words and figures "two hundred forty-six thousand five hundred dollars (\$246,500)" and insert "two hundred twenty-four thousand dollars (\$224,000)". In line 32 following the word "support" strike the word "and", and after the word "maintenance" add the words "and improvements"; strike the figures "234,000" and insert "224,000". Strike lines 33, 34, 35, and 36.

In lines 52 and 53 strike the words and figures "two hundred eighty-two thousand five hundred dollars (\$282,500)" and insert "two hundred seventy-two thousand five hundred dollars (\$272,500)". In line 55 following the word "support" strike the word "and", and after the word "Maintenance" add the words "and improvements"; strike the figures "270,000" and insert "272,500". Strike all of lines 56 to 63 inclusive.

In lines 67 and 68 strike the words and figures "two hundred ninety-seven thousand five hundred dollars (\$297,500)" and insert "two hundred seventy-five thousand dollars (\$275,000)". In line 70 following the word "Support" strike the word "and", and after the word "Maintenance" add the words "and Improvements"; strike the figures "247,500" and insert "275,000". Strike all of lines 71 to 74 inclusive.

In line 78 after the word "seventy" add the word "five". In line 79 strike the figures "(270,000)" and insert "(275,000)". In line 81 following the word "Support" strike the word "and", and after the word "Maintenance" add the words "and Improvements"; strike the figures "270,000" and insert "275,000".

In lines 85 and 86 strike the words and figures "two hundred eighty-three thousand five hundred dollars (\$283,500)" and insert "two hundred seventy-five thousand dollars (\$275,000)". In line 88 following the word "Support" strike the word "and", and following the word "Maintenance" add the words "and Improvements"; strike the figures "283,500" and insert "275,000".

In line 95 following the word "Support" strike the word "and", and following the word "Maintenance" add the words "and Improvements".

In lines 99 and 100 strike the words and figures "four hundred seventy-one thousand (\$471,000)" and insert "four hundred thirty-six thousand twenty-three (\$436,023)". In line 102 following the word "Support" strike the word "and", and following the word "Maintenance" add the words "and Improvements"; strike the figures "418,500" and insert "436,023". Strike all of lines 103 to 110 inclusive.

In lines 114 and 115 strike the words and figures "three hundred eighty-three thousand five hundred dollars (\$383,500)" and insert "three hundred forty thousand sixty-seven dollars (\$340,067)". In line 117 following the word "Support" strike the word "and", and following the word "Maintenance" add the words "and Improvements"; strike the figures "351,000" and insert "340,067". Strike all of lines 118 to 121 inclusive."

In line 131 following the word "Support" strike the word "and", and following the word "Maintenance" add the words "and Improvements"; strike the figures "47,700" and insert "49,700". Strike all of lines 132 to 135 inclusive.

In lines 139 and 140 strike the words and figures "two hundred fifty-

eight thousand" "(258,000)" and insert "two hundred seventeen thousand" "(\$217,000)". In line 142 following the word "Support" strike the word "and", and following the word "Maintenance" add the words "and Improvements"; strike the figures "216,000" and insert "217,000". Strike all of lines 143 and 149 inclusive.

In lines 153 and 154 strike the words and figures "one hundred ninety-four thousand four hundred dollars (\$194,400)" and insert "two hundred thousand dollars (\$200,000)". In line 156 following the word "Support" strike the word "and", and following the word "Maintenance" add the words "and Improvements"; strike the figures "194,400" and insert "200,000".

In line 163 following the word "Support" strike the word "and", and following the word "Maintenance" add the words "and Improvements".

In line 170 following the word "Support" strike the word "and", and following the word "Maintenance" add the words "and Improvements"; strike the figures "157,500" and insert "167,500". Strike all of lines 171 to 177 inclusive.

In lines 181 and 182 strike the words and figures "ninety thousand two hundred dollars (\$90,200)" and insert "seventy-five thousand seven hundred thirty-six dollars (\$75,736)". In line 184 following the word "Support" strike the word "and", and following the word "Maintenance" add the words "and Improvements"; strike the figures "70,200" and insert "75,736". Strike all of lines 185 to 188 inclusive.

In line 199 strike the word "thirteen" and figures "(\$13,000)" and insert in lieu thereof the word "ten" and figures "(\$10,000)". In line 202 strike the figures "13,000" and insert "10,000". In line 205 strike the figures "3,605,136" and insert "3,415,362".

In lines 114 and 115 strike the words and figures "three hundred eighty-three thousand five hundred dollars (\$383,500)" and insert "three hundred forty thousand sixty-seven dollars (\$340,067)". In line 117 following the word "Support" strike the word "and", and following the word "Maintenance" add the words "and Improvements"; strike the figures "351,000" and insert "340,067". Strike all of lines 118 to 121 inclusive.

In line 131 following the word "Support" strike the word "and", and following the word "Maintenance" add the words "and Improvements"; strike the figures "47,700" and insert "49,700". Strike all of lines 132 to 135 inclusive.

In lines 139 and 140 strike the words and figures "two hundred fifty-eight thousand" "(\$258,000)" and insert "two hundred seventeen thousand" "(\$217,000)". In line 142 following the word "Support" strike the word "and", and following the word "Maintenance" add the words "and Improvements"; strike the figures "216,000" and insert "217,000". Strike all of lines 143 to 149 inclusive.

In lines 153 and 154 strike the words and figures "one hundred ninety-four thousand four hundred dollars (\$194,400)" and insert "two hundred thousand dollars (\$200,000)". In line 156 following the word "Support" strike the word "and", and following the word "Maintenance" add the words "and Improvements"; strike the figures "194,400" and insert "200,000".

In line 163 following the word "Support" strike the word "and", and following the word "Maintenance" add the words "and Improvements".

In line 170 following the word "Support" strike the word "and", and following the word "Maintenance" add the words "and Improvements"; strike the figures "157,000" and insert "167,500". Strike all of lines 171 to 177 inclusive.

In lines 181 and 182 strike the words and figures "ninety thousand two hundred dollars (\$90,200)" and insert "seventy-five thousand seven hundred thirty-six dollars (\$75,736)". In line 184 following the word "Support" strike the word "and", and following the word "Maintenance" add the words "and Improvements"; strike the figures "70,200" and insert "75,736". Strike all of lines 185 to 188 inclusive.

In line 199 strike the word "thirteen" and figures "(\$13,000)" and insert in lieu thereof the word "ten" and figures "(\$10,000)". In line 202 strike the figures "13,000" and insert "10,000". In line 205 strike the figures "3,605,136" and insert "3,415,362".

In section 54, line 4, strike the colon ":" and add the words "and shall not exceed the following amounts:"

Section 56, strike all of lines 1 to 27 inclusive and insert in lieu thereof the following:

"Sec. 56. For the Department of Motor Vehicles there is hereby allotted for each year of the biennium beginning July 1, 1933, and ending June 30, 1935, out of the funds allocated in Section four thousand nine hundred ninety-nine (4999) of the Code, the sum of one hundred seven thousand seven hundred forty dollars (\$107,740) or so much thereof as may be necessary, to be used in the following manner:

For salaries of the Motor Vehicle Department in the Administration of the Motor Vehicle Registration Act and the Operators and Chauffeurs License Act, including Inspection and Registration.....\$107,740.00".

H. C. WHITE

F. I. COYKENDALL

G. W. PATTERSON

FRANK C. BYERS

W. F. MILLER

A. H. BONNSTETTER

E. J. MANIECE

WM. KOCH

C. E. MALONE

On the part of the Senate.

On the part of the House

MR. PRESIDENT: Your joint committee of conference appointed to confer in regard to Substitute for House File No. 73 beg leave to report as a supplementary report as follows:

Amend section 46 by striking from lines 9, 10 and 11 the words and figures five million five hundred twenty thousand six hundred ten dollars and seventy cents (\$5,520,610.70) and insert in lieu thereof the words and figures "Five million three hundred seventy-eight thousand two hundred twenty-six dollars (\$5,378,226).

In lines 16 and 17 strike the words and figures One million seven hundred seventy-eight thousand three hundred fifty-six dollars (\$1,778,356) and insert in lieu thereof the words and figures "One million seven hundred ninety thousand dollars" (\$1,790,000).

In lines 27 and 28 strike the words and figures One million seven hundred eighty-two thousand eight hundred ninety-one dollars and twenty

cents (\$1,782,891.20) and insert in lieu thereof "One million seven hundred seventy-one thousand dollars (\$1,771,000)".

In lines 37 and 38 strike the words and figures four hundred ninety-one thousand eighty-nine dollars (\$491,089) and insert in lieu thereof the words and figures "Four hundred seventy-three thousand dollars (\$473,000)".

In lines 47 and 48 strike the words and figures Two hundred two thousand eight hundred twenty-five dollars (\$202,825) and insert in lieu thereof the words and figures "One hundred ninety-five thousand dollars (\$195,000)".

In line 50 strike the figures \$193,825 and insert \$195,000.

Strike lines 51 to 54 inclusive.

In lines 57 and 58 strike the words and figures One hundred eleven thousand one hundred fifty dollars (\$111,150) and insert in lieu thereof the words and figures "One hundred five thousand dollars (\$105,000), also, in line 61 change \$111,150 to \$105,000.

In lines 65 and 66 strike the words and figures One million dollars \$1,000,000 and insert in lieu thereof the words and figures "Nine hundred thousand dollars (\$900,000).

In lines 71 and 72 strike the words and figures One hundred eight thousand dollars (\$108,000) and insert in lieu thereof the words and figures "One hundred thousand dollars (\$100,000)".

In lines 75 and 76 strike the words and figures Nine thousand dollars (\$9,000) and insert in lieu thereof the words and figures "eight thousand three hundred thirty three dollars" (\$8,333)"

In lines 80 and 81 strike the words and figures Thirteen thousand ninety nine dollars and fifty cents (\$13,099.50) and insert in lieu thereof the words and figures "Twelve thousand two hundred twenty six dollars (\$12,226)"

In line 85 strike the words and figures Seven thousand two hundred dollars (\$7,200) and insert in lieu thereof the words and figures "Six thousand dollars (\$6,000)"

In line 96 strike the figures \$5,520,610.70 and insert in lieu thereof "\$5,378,226"

In Section 55 line 12 strike the words and figures fifty cents (50¢) and insert in lieu thereof the words and figures "forty cents (40¢)"

In line 17 strike the words and figures seventy five cents (75¢) and insert in lieu thereof the words and figures "sixty cents (60¢)"

Amend House Substitute for House File No. 73 by inserting as Section 69 the following:

All appropriations made by this act may be available by such department, bureau, board, commission or institution as named as herein, only upon a sworn statement made by the head of the department, bureau, board, commission or institution, that all money received from unexpended appropriations, miscellaneous receipts, fees or other income, has been expended.

The sworn statement shall be made to the Auditor of State, who shall disburse to the department, bureau, board or commission such part of the appropriations as he deems necessary. All unexpended balance from this appropriation shall revert to the general fund of the state. Re-number section 69 as section 70.

Add as section 71 the following: "All appropriations made by this act are to be recorded and accounted for as is the procedure for the appropriations for the present biennium."

Also that the House recedes from its amendments to Substitute for House File No. 73 as amended by the Senate.

Respectfully submitted,

H. C. WHITE

F. I. COYKENDALL

G. W. PATTERSON

FRANK C. BYERS

W. F. MILLER

On the part of the Senate

A. H. BONNSTETTER

E. J. MANIECH

WM. KOCH

C. E. MALONE

On the part of the House.

On request of Senator White unanimous consent was granted to consider the report.

Senator White moved that the report and supplementary report be adopted and the amendments proposed therein, concurred in.

On the question "Shall the report and the supplementary report, be adopted and the amendments proposed therein be concurred in?" the vote was:

Ayes, 43.

Anderson	Fisch	McArthur	Shangle
Aschenbrenner	Frailey	Meyer	Stanley
Beardsley	Geske	Miller of	Stevens of
Beatty	Harrington	Buchanan	Decatur
Bennett	Hill	Miller of Jones	Stevens of
Booth	Hopkins	Mullaney	Wapello
Calhoun	Hush	Patterson	Topping
Carden	Husted	Pendray	Tripp
Cooney	Irwin	Reese	Valentine
Coykendall	Kimberly	Ritchie	Wenner
Doze	Klemme	Roelofs	White
Elthon	Knudson		

Nays, none.

Absent or not voting, 7.

Byers	Hicklin	Nelson	Wilson
Chrystal	Moore	Schmidt	

The report and supplementary report were adopted and the amendments proposed therein concurred in.

On request of Senator White unanimous consent was granted to message the bill to the House immediately.

On motion of Senator White House File No. 599, a bill for an act to make an appropriation of five hundred dollars (\$500.00) to Senator D. Myron Tripp of Newton, Jasper County, Iowa, which sum is the amount due Senator Tripp for his services as a

member of the Senate of the Forty-fifth General Assembly, under the provisions of Section 15, Chapter 2 of the Code, 1931, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 41.

Anderson	Elthon	Klemme	Ritchie
Aschenbrenner	Fisch	Knudson	Shangle
Beatty	Frailey	McArthur	Stanley
Bennett	Geske	Meyer	Stevens of
Booth	Harrington	Miller of	Decatur
Byers	Hill	Buchanan	Topping
Calhoun	Hopkins	Miller of Jones	Valentine
Carden	Hush	Mullaney	Wenner
Cooney	Husted	Nelson	White
Coykendall	Irwin	Patterson	Wilson
Doze	Kimberly	Pendray	

Nays, none.

Absent or not voting, 9.

Beardsley	Moore	Roelofs	Stevens of
Chrystal	Reese	Schmidt	Wapello
Hicklin			Tripp

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

MOTION TO RECONSIDER WITHDRAWN

On request of Senator Hopkins, unanimous consent was granted to withdraw his motion to reconsider the vote by which House File No. 570 passed the Senate, as found on page 1205 of the Senate Journal.

CONSIDERATION OF SENATE FILE NO. 505 RESUMED

Senator Wilson called up for consideration, his motions to reconsider Senate File No. 505, as found on page 1247 of the Senate Journal, and moved their adoption.

Senator Ritchie moved the previous question, which motion prevailed.

Rule 8 was invoked.

On the question, "Shall the Senate reconsider the vote by

which Senate File No. 505 failed to pass the Senate?" the vote was:

Ayes, 34.

Anderson	Coykendall	Kimberly	Reese
Beardsley	Doze	Knudson	Roelofs
Beatty	Fisch	McArthur	Schmidt
Bennett	Frailey	Meyer	Stanley
Booth	Geske	Miller of	Topping
Byers	Harrington	Buchanan	Wenner
Calhoun	Hopkins	Miller of Jones	White
Carden	Husted	Moore	Wilson
Cooney	Irwin	Nelson	

Nays, 13.

Aschenbrenner	Hush	Ritchie	Stevens of
Chrystal	Klemme	Shangle	Wapello
Elthon	Mullaney	Steven of	Tripp
Hill	Pendray	Decatur	

Absent or not voting, 3.

Hicklin	Patterson	Valentine
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The motion to reconsider prevailed.

On request of Senator Wilson, unanimous consent was granted to withdraw his motion to reconsider the vote by which the bill went to its third reading.

Rule 8 was invoked.

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

Ayes, 28.

Anderson	Cooney	Irwin	Nelson
Beardsley	Coykendall	Kimberly	Reese
Beatty	Doze	McArthur	Schmidt
Bennett	Fisch	Miller of	Stanley
Booth	Frailey	Buchanan	Topping
Byers	Geske	Miller of Jones	White
Calhoun	Harrington	Moore	Wilson
Carden			

Nays, 11.

Aschenbrenner	Klemme	Ritchie	Stevens of
Hill	Knudson	Shangle	Wapello
Hopkins	Meyer	Stevens of	Tripp
Hush	Mullaney	Decatur	Valentine
Husted	Pendray		

Absent or not voting, 6.

Chrystal	Hicklin	Roelofs	Wenner
Elthon	Patterson		

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

On request of Senator Wilson, unanimous consent was granted to message the bill to the House immediately.

**CONSIDERATION OF CONFERENCE COMMITTEE REPORT
ON HOUSE FILE NO. 128**

Senator Anderson called up for consideration, conference committee report on House File No. 128, found on page 1117 of the Senate Journal and moved its adoption.

Senator Reese moved the previous question, which motion prevailed.

Rule 8 was invoked.

On the question, "Shall the report be adopted?" the vote was:

Ayes, 16.

Anderson	Doze	Irwin	Moore
Aschenbrenner	Fisch	Klemme	Reese
Carden	Harrington	Knudson	Schmidt
Cooney	Hopkins	Meyer	Shangle

Nays, 32.

Beardsley	Geske	Mullaney	Stevens of
Beatty	Hill	Nelson	Wapello
Booth	Hush	Patterson	Topping
Byers	Husted	Pendray	Tripp
Calhoun	Kimberly	Ritchie	Valentine
Chrystal	McArthur	Roelofs	Wenner
Coykendall	Miller of	Stanley	White
Elthon	Buchanan	Stevens of	Wilson
Frailey	Miller of Jones	Decatur	

Absent or not voting, 2.

Bennett	Hicklin
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The conference committee report failed to be adopted.

SECOND CONFERENCE COMMITTEE ON HOUSE FILE NO. 128

The President appointed as second conference committee, on the part of the Senate, on House File No. 128, Senators Tripp, Pendray, Coykendall and Beatty.

On request of Senator Beatty unanimous consent was granted to consider House File No. 602.

THIRD READING OF BILLS

On motion of Senator Beatty House File No. 602, a bill for an act to amend the law as it appears in Senate File No. 483, as enacted by the forty-fifth General Assembly, relating to banks and

banking, providing for the reorganization of savings banks, state banks, private banks and trust companies and in connection therewith for the issuance of trust certificates and for the setting aside of assets in an amount equal thereto; providing for credit on stockholders' statutory liability; prescribing the rights of the holders of such trust certificates and authorizing the governing boards of taxing districts to accept the same; providing for the retirement of such trust certificates; and repealing conflicting laws or parts of laws, was taken up and considered.

The bill was read for information.

Senator Beatty moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 38.

Anderson	Frailey	Meyer	Stanley
Aschenbrenner	Geske	Miller of	Stevens of
Beatty	Harrington	Buchanan	Decatur
Bennett	Hill	Miller of Jones	Stevens of
Booth	Hopkins	Moore	Wapello
Byers	Husted	Mullaney	Topping
Carden	Irwin	Reese	Tripp
Chrystal	Kimberly	Roelofs	Valentine
Doze	Klemme	Schmidt	Wenner
Elthon	Knudson	Shangle	White
Fisch			

Nays, 4.

Beardsley	Calhoun	Pendray	Wilson
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Absent or not voting, 8.

Cooney	Hicklin	McArthur	Patterson
Coykendall	Hush	Nelson	Ritchie

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

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 487, a bill for an act providing for the release of public funds in closed banks by obtaining funds from Reconstruction Finance Corporation and levying a tax to make payment thereof.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 323, a bill for an act relating to the financial reports and records of counties, cities and towns, and to the auditing of the financial records of counties, schools, cities and towns.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 470, a bill for an act creating the office of the State Comptroller and providing for administration of same.

Also, that the House has adopted the following House Concurrent Resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution No. 28, providing for the retention of the necessary help to close up the business of the 45th General Assembly after its adjournment.

LLOYD ELLIS, *Chief Clerk.*

HOUSE CONCURRENT RESOLUTION NO. 28

Be It Resolved by the House, the Senate concurring, That the Chief Clerk of the House and the Secretary of the Senate be required to remain at the Capitol and perform their respective duties for so long a time as may be necessary following the final adjournment of the Forty-fifth General Assembly and that they be authorized to select such of their respective assistants as may be necessary for such time as may be required for the purpose of correcting and certifying the records of the session and otherwise closing up the business of their respective offices, and also for the packing of the supplies of members for shipment to their homes.

The Chief Clerk of the House and the Secretary of the Senate are hereby authorized to correct the Journals of the House and Senate, respectively, for the last day of the session.

Each of said officers and employees shall receive the same compensation per day for such extra service performed as they now receive, to be paid by the Auditor of State upon certification by the Speaker and Chief Clerk of the House and the President and Secretary of the Senate.

C. L. RICE

O. J. DITTO

THIRD READING OF BILLS

On motion of Senator White House File No. 597, a bill for an act to make an appropriation to Margaret Fisher, with report of appropriations committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator White moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 41.

Anderson	Doze	Klemme	Shangle
Aschenbrenner	Elthon	Knudson	Stevens of
Beardsley	Fisch	Meyer	Decatur
Bennett	Frailey	Miller of	Stevens of
Booth	Geske	Buchanan	Wapello
Byers	Harrington	Miller of Jones	Topping
Calhoun	Hill	Mullaney	Tripp
Carden	Hopkins	Reese	Valentine
Chrystal	Husted	Ritchie	Wenner
Cooney	Irwin	Roelofs	White
Coykendall	Kimberly	Schmidt	Wilson

Nays, none.

Absent or not voting, 9.

Beatty	McArthur	Nelson	Pendray
Hicklin	Moore	Patterson	Stanley
Hush			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On request of Senator Stanley, unanimous consent was granted to defer action on House File No. 595.

On motion of Senator White House File No. 590, a bill for an act to make an appropriation to Warren Johnson, E. F. Zimmerman, and A. K. Zimmerman, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 42.

Anderson	Geske	Miller of Jones	Stevens of
Beardsley	Harrington	Moore	Decatur
Beatty	Hill	Mullaney	Stevens of
Bennett	Hopkins	Patterson	Wapello
Byers	Husted	Pendray	Topping
Calhoun	Irwin	Reese	Tripp
Carden	Kimberly	Ritchie	Valentine
Chrystal	Klemme	Roelofs	Wenner
Coykendall	Knudson	Schmidt	White
Doze	Meyer	Shangle	Wilson
Elthon	Miller of	Stanley	
Frailey	Buchanan		

Nays, none.

Absent or not voting, 8.

Aschenbrenner	Cooney	Hicklin	McArthur
Booth	Fisch	Hush	Nelson

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator White House File No. 591, a bill for an act to make an appropriation to Jason B. McCoskey, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 45.

Anderson	Fisch	Miller of	Shangle
Beardsley	Frailey	Buchanan	Stanley
Beatty	Harrington	Miller of Jones	Stevens of
Bennett	Hicklin	Moore	Decatur
Booth	Hill	Mullaney	Stevens of
Byers	Hopkins	Nelson	Wapello
Carden	Husted	Patterson	Topping
Chrystal	Irwin	Pendray	Tripp
Cooney	Kimberly	Reese	Valentine
Coykendall	Klemme	Ritchie	Wenner
Doze	Knudson	Roelofs	White
Elthon	Meyer	Schmidt	Wilson

Nays, none.

Absent or not voting, 5.

Aschenbrenner	Geske	Hush	McArthur
Calhoun			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator White House File No. 592, a bill for an act to make an appropriation to W. K. Robbins, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 89.

Beardsley	Elthon	Meyer	Schmidt
Beatty	Fisch	Miller of	Shangle
Bennett	Frailey	Buchanan	Stanley
Booth	Geske	Miller of Jones	Stevens of
Byers	Harrington	Moore	Decatur
Calhoun	Hill	Patterson	Topping
Carden	Hopkins	Pendray	Tripp
Chrystal	Husted	Reese	Wenner
Cooney	Irwin	Ritchie	White
Coykendall	Kimberly	Roelofs	Wilson
Doze	Klemme		

Nays, 1.

Anderson

Absent or not voting, 9.

Aschenbrenner	Knudson	Mullaney	Stevens of
Hicklin	McArthur	Nelson	Wapello
Hush			Valentine

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator White House File No. 593, a bill for an act to make an appropriation to Derrill G. Stanton, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 42.

Anderson	Doze	Klemme	Ritchie
Aschenbrenner	Elthon	Knudson	Roelofs
Beardsley	Fisch	Meyer	Schmidt
Beatty	Frailey	Miller of	Shangle
Bennett	Geske	Buchanan	Stanley
Byers	Harrington	Miller of Jones	Stevens of
Calhoun	Hill	Moore	Decatur
Carden	Hopkins	Mullaney	Topping
Chrystal	Husted	Patterson	Valentine
Cooney	Irwin	Pendray	Wenner
Coykendall	Kimberly	Reese	White

Nays, none.

Absent or not voting, 8.

Booth	McArthur	Stevens of	Tripp
Hicklin	Nelson	Wapello	Wilson
Hush			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

On motion of Senator White House File No. 594, a bill for an act to make an appropriation to the Department of Health of the State of Iowa, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 41.

Anderson	Doze	Meyer	Schmidt
Beardsley	Elthon	Miller of	Shangle
Beatty	Fisch	Buchanan	Stanley
Bennett	Frailey	Miller of Jones	Stevens of
Booth	Geske	Moore	Decatur
Byers	Hill	Mullaney	Topping
Calhoun	Hopkins	Nelson	Valentine
Carden	Hush	Patterson	Wenner
Chrystal	Irwin	Pendray	White
Cooney	Kimberly	Reese	Wilson
Coykendall	Klemme	Roelofs	

Nays, none.

Absent or not voting, 9.

Aschenbrenner	Husted	McArthur	Stevens of
Harrington	Knudson	Ritchie	Wapello
Hicklin			Tripp

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

CONSIDERATION OF SENATE FILE NO. 504 RESUMED

Senator Harrington called up for consideration Senate File No. 504, upon which action was deferred on page 1223 of the Senate Journal.

Senator Harrington offered the following amendment and moved its adoption:

1. Strike all after the enacting clause and insert in lieu thereof the following:

"Section 1. Amend section 8365, Code 1931, by adding thereto the following: Stock-holders voting for renewal shall have three years from the date such action for renewal was taken in which to purchase the stock

voted against such renewal, which purchase price shall bear interest at eight per cent per annum from the date of such renewal action until paid, and the provisions of this act shall not apply to any renewal voted before this act becomes operative.

Sec. 2. This act being deemed of immediate importance shall be in full force and effect after its passage and publication in the Lockridge Times, a newspaper published at Lockridge, Iowa, and in the Van Buren Record, a newspaper published at Bonaparte, Iowa."

2. Strike the title and insert in lieu thereof the following:

"An Act to amend Section 8365, Code 1931, fixing a period of time in which to complete renewal of corporate charter by purchase of stock voting against renewal and providing rate of interest during such period."

The amendment was adopted.

Senator Harrington moved that the reading previously had be considered the third reading, which motion prevailed.

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

Ayes, 86.

Anderson	Doze	Miller of	Shangle
Beatty	Elthon	Buchanan	Stanley
Bennett	Geske	Miller of Jones	Stevens of
Booth	Harrington	Moore	Decatur
Byers	Hopkins	Mullaney	Topping
Calhoun	Hush	Pendray	Valentine
Carden	Husted	Reese	Wenner
Chrystal	Irwin	Roelofs	White
Cooney	Kimberly	Schmidt	Wilson
Coykendall	Klemme		

Nays, 1.

Patterson

Absent or not voting, 13.

Aschenbrenner	Hicklin	Meyer	Stevens of
Beardsley	Hill	Nelson	Wapello
Fisch	Knudson	Ritchie	Tripp
Frailey	McArthur		

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

Senator Harrington moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Harrington, unanimous consent was granted to message the bill to the House immediately.

MOTION TO PLACE BILL ON CALENDAR

Senator Doze moved that House File No. 461 be withdrawn from the sifting committee and placed on the calendar.

Rule 8 was invoked.

On the question, "Shall the motion prevail?" the vote was:

Ayes, 21.

Aschenbrenner	Fisch	Miller of	Reese
Beardsley	Geske	Buchanan	Roelofs
Beatty	Hill	Moore	Shangle
Calhoun	Hopkins	Mullaney	Stevens of
Coykendall	Irwin	Nelson	Decatur
Doze	Knudson	Pendray	

Nays, 20.

Anderson	Frailey	McArthur	Stanley
Booth	Harrington	Miller of Jones	Topping
Byers	Hush	Patterson	Valentine
Cooney	Husted	Ritchie	Wenner
Elthon	Klemme	Schmidt	Wilson

Absent or not voting, 9.

Bennett	Hicklin	Stevens of	Tripp
Carden	Kimberly	Wapello	White
Chrystal	Meyer		

The motion was lost, not having a two-thirds majority.

On motion of Senator Bennett House File No. 410, a bill for an act to amend sections fifty-three hundred eighty-eight (5388) and fifty-three hundred ninety (5390), Code, 1931, relating to the relief for soldiers, sailors, and marines, returned by the sifting committee, was taken up and considered.

Senator Bennett offered the following amendment and moved its adoption:

Amend by adding the following section:

"Sec. 3. This act being deemed of immediate importance shall be in full force and effect after its passage and publication in the Spencer News-Herald, a newspaper published at Spencer, Iowa, and in the Mapleton Press, a newspaper published at Mapleton, Iowa."

The amendment was adopted.

The bill was read for information.

Senator Bennett moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 35.

Anderson	Geske	Miller of	Shangle
Beatty	Harrington	Buchanan	Stanley
Bennett	Hill	Miller of Jones	Stevens of
Byers	Hush	Mullaney	Decatur
Carden	Husted	Nelson	Topping
Chrystal	Irwin	Pendray	Valentine
Cooney	Klemme	Reese	Wenner
Coykendall	Knudson	Roelofs	White
Fisch	Meyer	Schmidt	Wilson
Frailey			

Nays, none.

Absent or not voting, 15.

Aschenbrenner	Doze	Kimberly	Ritchie
Beardsley	Elthon	McArthur	Stevens of
Booth	Hicklin	Moore	Wapello
Calhoun	Hopkins	Patterson	Tripp

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

Senator Bennett moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Bennett, unanimous consent was granted to message the bill to the House immediately.

On motion of Senator Wenner House File No. 393, a bill for an act to amend Sections Five thousand seventy-nine-d eight (5079-d8) and five thousand seventy-nine-d nine (5079-d9) Code, 1931, relating to the maximum hours of operation of commercial motor vehicles, upon the highways of the State of Iowa, returned by the sifting committee, was taken up and considered.

The bill was read for information.

Senator Wenner moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 34.

Anderson	Cooney	Hill	Meyer
Aschenbrenner	Coykendall	Hopkins	Miller of
Beardsley	Doze	Hush	Buchanan
Bennett	Elthon	Husted	Miller of Jones
Booth	Fisch	Irwin	Mullaney
Carden	Geske	Klemme	Patterson

Pendray Reese Schmidt Shangle	Stanley Stevens of Decatur	Topping Valentine Wenner	White Wilson
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Nays, 2.

Chrystal	Moore
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Absent or not voting, 14.

Beatty Byers Calhoun Fralley	Harrington Hicklin Kimberly	Knudson McArthur Nelson Ritchie	Roelofs Stevens of Wapello Tripp
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF HOUSE FILE NO. 344 RESUMED

Senator Wilson called up for consideration the motion to reconsider the vote by which House File No. 344 failed to pass the Senate, as found on page 1014 of the Senate Journal.

On the question "Shall the motion to reconsider prevail?" the vote was:

Ayes, 36.

Anderson Aschenbrenner Beardsley Bennett Booth Calhoun Carden Cooney Coykendall Doze	Elthon Fisch Fralley Geske Hill Hush Husted Irwin Klemme McArthur	Meyer Miller of Buchanan Miller of Jones Mullaney Nelson Patterson Pendray Reese	Schmidt Stanley Stevens of Decatur Topping Valentine Wenner White Wilson
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Nays, 4.

Chrystal	Ritchie	Shangle	Tripp
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Absent or not voting, 10.

Beatty Byers Harrington	Hicklin Hopkins Kimberly	Knudson Moore Roelofs	Stevens of Wapello
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The motion to reconsider prevailed.

On request of Senator Wilson unanimous consent was granted to withdraw his motion to reconsider the vote by which the bill went to its third reading, found on page 1042 of the Senate Journal.

Senator Coykendall moved that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

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

Ayes, 34.

Anderson	Geske	Miller of Jones	Stevens of
Beardsley	Hill	Mullaney	Wapello
Booth	Hush	Nelson	Topping
Carden	Husted	Patterson	Tripp
Cooney	Irwin	Pendray	Valentine
Coykendall	Kimberly	Schmidt	Wenner
Doze	Klemme	Stanley	White
Elthon	McArthur	Stevens of	Wilson
Fisch	Meyer	Decatur	
Frailey			

Nays, 7.

Calhoun	Miller of	Moore	Ritchie
Chrystal	Buchanan	Reese	Shangle

Absent or not voting, 9.

Aschenbrenner	Byers	Hicklin	Knudson
Beatty	Harrington	Hopkins	Roelofs
Bennett			

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

Senator Schmidt moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Patterson, unanimous consent was granted to return to introduction of bills.

INTRODUCTION OF BILLS

Senate File No. 518, by committee on ways and means, a bill for an act designating and fixing the amount of revenue for general state purposes for which levy is to be made by the State Board of Assessment and Review.

Read first and second times.

On request of Senator Patterson unanimous consent was granted to suspend Rule No. 17 and read the bill the third time.

THIRD READING OF BILLS

On motion of Senator Patterson Senate File No. 518, a bill for an act designating and fixing the amount of revenue for general state purposes for which levy is to be made by the State Board of Assessment and Review, was taken up and considered.

The bill was read for information.

Senator Patterson moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 35.

Anderson	Geske	Meyer	Schmidt
Aschenbrenner	Hill	Miller of	Shangle
Beardsley	Hush	Buchanan	Stanley
Booth	Husted	Miller of Jones	Stevens of
Calhoun	Irwin	Moore	Decatur
Carden	Kimberly	Mullaney	Topping
Chrystal	Klemme	Patterson	Tripp
Coykendall	Knudson	Pendray	Valentine
Doze	McArthur	Reese	Wenner
Frailey			

Nays, none.

Absent or not voting, 15.

Beatty	Elthon	Hopkins	Stevens of
Bennett	Fisch	Nelson	Wapello
Byers	Harrington	Ritchie	White
Cooney	Hicklin	Roelofs	Wilson

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

Senator Patterson moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Patterson unanimous consent was granted to message to the House immediately the bill just passed.

On motion of Senator Irwin House File No. 269, a bill for an act to amend the law as it appears in Section five thousand sixty-seven-d five (5067-d5), Code, 1931, limiting the period of operation of vehicles excepted from the provisions of chapter 120 of the Acts of the Forty-fourth General Assembly, returned by the sifting committee, was taken up and considered.

Senator Stevens of Decatur moved the previous question, which motion prevailed.

The bill was read for information.

Senator Irwin moved that the reading just had be considered the third reading, which motion prevailed.

Rule 8 was invoked.

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

Ayes, 28.

Anderson	Knudson	Meyer	Reese
Aschenbrenner	Doze	Miller of	Shangle
Beatty	Frailey	Buchanan	Stevens of
Bennett	Geske	Moore	Decatur
Booth	Hill	Mullaney	Topping
Byers	Hopkins	Nelson	Valentine
Carden	Irwin	Patterson	White
Cooney	Kimberly		

Nays, 21.

Beardsley	Harrington	Pendray	Stevens of
Calhoun	Hush	Ritchie	Wapello
Chrystal	Husted	Roelofs	Tripp
Coykendall	Klemme	Schmidt	Wenner
Elthon	McArthur	Stanley	Wilson
Fisch	Miller of Jones		

Absent or not voting, 1.

Hicklin

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

Senator Irwin moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On request of Senator Irwin, unanimous consent was granted to message the bill to the House immediately.

On motion of Senator Wenner Senate File No. 507, a bill for an act to amend sections ten thousand five hundred two (10502), ten thousand five hundred four (10504), ten thousand five hundred fifteen (10515), and ten thousand six hundred fifty-eight (10658), Code 1931; to define more accurately the territorial jurisdiction of justices of the peace, a sifting committee bill, was taken up and considered.

Senator Wenner offered the following amendments and moved their adoption:

1. Amend by striking sections 2, 4, and 5 and by substituting as section 2 the following:

Sec. 2. Section ten thousand five hundred four (10504) Code, 1931, is hereby repealed and the following enacted in lieu thereof:

"10504. All actions in a justice of the peace court shall be brought only in the township where the plaintiff or the defendant, or one of said defendants, resides, unless otherwise provided by law."

2. Amend the title to read as follows: "A bill for an act to amend sections ten thousand five hundred fifteen (10515) ten thousand five hun-

dred four (10504) and ten thousand five hundred two (10502), Code, 1931, relating to the jurisdiction of justices of the peace, to restrict and to define more accurately said jurisdiction.

Action was deferred.

Senator Coykendall moved that all bills, except appropriations bills, claims bills, bills that have passed both houses, and one legalizing act, be rereferred to the sifting committee.

Senator Beardsley moved the previous question, which motion prevailed.

Roll call was demanded.

Rule 8 was invoked.

On the question "Shall the motion prevail?" the vote was:

Ayes, 33.

Anderson	Coykendall	Kimberly	Roelofs
Aschenbrenner	Doze	Klemme	Schmidt
Beardsley	Elthon	Meyer	Shangle
Bennett	Fisch	Moore	Stanley
Booth	Frailey	Nelson	Topping
Byers	Geske	Patterson	Wenner
Calhoun	Harrington	Reese	White
Carden	Husted	Ritchie	Wilson
Cooney			

Nays, 15.

Chrystal	Knudson	Mullaney	Stevens of
Hill	McArthur	Pendray	Wapello
Hopkins	Miller of	Stevens of	Tripp
Hush	Buchanan	Decatur	Valentine
Irwin	Miller of Jones		

Absent or not voting, 2.

Beatty Hicklin

The motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 608, a bill for an act to make an appropriation for the payment of miscellaneous expenses of the 45th General Assembly.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 471, a bill for an act to redefine the duties of the Auditor of State and provide reports, personnel and salaries.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 472, a bill for an act to conform to the Budget and Financial Control and State Audit Acts, and to authorize the State Treasurer to accept and pay warrants drawn on him by the State Comptroller

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 501, a bill for an act to make appropriation of \$300 to G. B. Van Arsdale, administrator of the estate of Senator John H. Judd of Chariton, Iowa, for Senator Judd's services in the General Assembly.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 502, a bill for an act to make appropriation of \$200 to Mrs. Leah Myers, widow of the late Senator O. P. Myers of Newton, Jasper County.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 510, a bill for an act to make an appropriation to Strock and Sloan.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 517, a bill for an act to make an appropriation to Hubert Utterback, for services as Justice of the Supreme Court of the State of Iowa.

Also, that the House has refused to concur in the Senate amendments to the following bill in which the concurrence of the House was asked:

House File No. 387, a bill for an act requiring motor trucks to be equipped with portable flares and providing penalty therefor.

Also, that the House has concurred in the Senate amendments to the following bill in which the concurrence of the House was asked:

House File No. 410, a bill for an act relating to relief for soldiers, sailors and marines.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 609, a bill for an act making permanent a temporary transfer of funds from the Secondary Road Construction Fund to the Poor Fund of Clarke County, Iowa.

Also, that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 89, a bill for an act to provide a penalty upon unpaid motor license fees and excepting certain motor vehicles therefrom.

Also, that the House has amended the Senate amendment to the following House Concurrent Resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution No. 25, relating to date of adjournment
LLOYD ELLIS, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE
CONCURRENT RESOLUTION NO. 25

Amend the Senate amendment by striking from line 2 the words and figures "5:00 P. M. Wednesday, April 19th" and inserting in lieu thereof the words and figures "12 o'clock noon, Thursday, April 20th".

On request of Senator Wilson unanimous consent was granted to consider the amendment.

The amendment was concurred in.

Senator Wilson moved that the vote by which the amendment was concurred in be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

HOUSE AMENDMENTS TO SENATE FILE NO. 89

Amend Section one (1) by striking from line four (4) the word "January" and inserting in lieu thereof the word "February".

On motion of Senator Valentine House File No. 586, a bill for an act to amend sections forty-nine hundred ten (4910), forty-nine hundred sixty-d one (4960-d1), forty-nine hundred sixty-d twenty five (4960-d25), five thousand (5000), five thousand ten (5010), and five thousand twenty-seven (5027), Code, 1931, relating to motor vehicle license fees and operator's and chauffeur's license fees and the duties of the Motor Vehicle Department and the funds available for its support, a sifting committee bill, was taken up and considered.

On request of Senator Valentine, unanimous consent was granted to withdraw his amendment as found on page 1248 of the Senate Journal.

Senator Wilson offered the following amendment and moved its adoption:

Amend by striking sec. 6.

Action was deferred temporarily.

CONFERENCE COMMITTEE REPORT ON SENATE FILE NO. 479

MR. PRESIDENT: We, the conference committee appointed to consider the differences of the Senate and the House of Representatives on Senate File No. 479, do hereby report the same for consideration.

ROY E. STEVENS, *Chairman.*

OLIVER P. BENNETT

CHAS. D. BOOTH

D. MYRON TRIPP

H. L. IRWIN

OVE T. ROE

C. L. RICE

D. R. MCCREERY

E. O. ELLSWORTH

WALTER OSBORN

On the part of the Senate.

On the part of the House.

Amend Senate File No. 479 as follows:

Section 1, line 4, strike the words "four thousand five hundred" and insert in lieu thereof the words "four thousand three hundred fifty".

Section 2, line 4, strike the words "four thousand five hundred" and insert in lieu thereof the words "four thousand three hundred fifty".

Section 3, line 4, strike the words "five thousand four hundred" and insert in lieu thereof the words "five thousand".

Section 5, line 4, strike the words "four thousand five hundred" and insert in lieu thereof the words "four thousand three hundred fifty".

Section 6, line 4, strike the words "three thousand five hundred" and insert in lieu thereof the words "three thousand two hundred fifty".

Amend Section seven (7) by striking the words "two thousand" in lines four (4) and five (5) and inserting in lieu thereof "nineteen hundred".

Amend Section eight (8) by striking the words "two thousand" in line four (4) and inserting in lieu thereof "nineteen hundred".

Amend Section nine (9) by striking the words "two thousand three hundred" in lines four (4) and five (5) and inserting in lieu thereof "two thousand two hundred fifty".

Amend Section ten (10) by striking the words "twenty-five hundred" in line five (5) and inserting in lieu thereof "twenty-four hundred".

Amend Section eleven (11) by striking the words "two thousand seven hundred" in lines four (4) and five (5) and inserting in lieu thereof "two thousand six hundred".

Amend Section twelve (12) by striking the words "two thousand seven hundred" in lines four (4) and five (5) and inserting in lieu thereof "twenty-six hundred".

Amend Section thirteen (13) by striking the words "three thousand" in lines four (4) and five (5) and inserting in lieu thereof "two thousand seven hundred".

Amend Section fourteen (14) by striking the words "eighteen hundred" in line nine (9) and inserting in lieu thereof "seventeen hundred fifty".

Further amend Section fourteen (14) by striking the word "five" in line fourteen (14) and inserting in lieu thereof the word "four".

Further amend section fourteen (14) by striking the word "sixty" in line sixteen (16) and inserting in lieu thereof the word "fifty".

Further amend Section fourteen (14) by striking the word "twenty" in line eighteen (18).

Amend Section 19 by striking from line 5 the word "twenty-five".

Amend section 20, lines 8 and 9, by striking the words "ninety-two dollars and fifty cents" and inserting in lieu thereof the words "ninety dollars".

Further amend said section, lines 12 and 13, by striking the words "eighty-three dollars and twenty-five cents" and inserting in lieu thereof the words "eighty dollars".

Amend section 22, line 4, by striking the words "thirty-six hundred" and inserting in lieu thereof the words "thirty-three hundred".

Amend section 25, line 5, by striking the words "thirty-six hundred" and inserting in lieu thereof the words "thirty-five hundred".

Further amend said section, line 8, by striking the words "four thousand" and inserting in lieu thereof the words "thirty-seven hundred fifty".

Amend section 26, line 4, by striking the words "seven thousand" and inserting in lieu thereof the words "sixty-seven hundred".

Amend section 27, lines four and five by striking the words "four thousand five hundred" and substituting therefor the words "forty-three hundred fifty".

Amend section 28, line 4, by striking the words "forty-five hundred" and substituting therefor the words "forty-three hundred fifty".

Strike section 29 and substitute the following:

"Sec. 29. The compensation, exclusive of mileage, of the members of the Forty-fifth (45th) General Assembly and of the Lieutenant Governor of said session, shall be reduced five (5) per cent.

Strike lines six (6) to eleven (11) inclusive in Section 30, and substitute the following:

"Further amend Section fifty-one hundred twenty-five (5125), by inserting after the word "service" in line six (6) of the Code, 1931, the following:

Provided, however, that no member shall receive, for the same calendar day, a per diem compensation in excess of four (4) dollars."

Strike Section thirty-one (31).

Amend Section 32 by striking the word "thirty" in line 4.

Further amend said section by striking the word "twenty" in line 7.

Further amend said section by striking the word "ten" in line 11.

Further amend said section by striking the words "eighteen hundred" in line 14 and substituting therefor the words "seventeen hundred fifty".

Further amend said section by striking the words "thirty-five" in line 17.

Further amend section thirty-two (32) by striking the word "seventy" in line twenty (20) and inserting the word "fifty".

Further amend section thirty-two (32) by striking the words "two thousand forty" in line twenty-three (23) and inserting the words "twenty-one hundred".

Further amend section thirty-two (32) by striking the words "two thousand four hundred eighty" in lines twenty-six (26) and 27 and inserting the words "twenty-three hundred fifty".

Further amend section thirty-two (32) by striking out the word "fifty" in line thirty-one (31).

Further amend section thirty-two (32) by striking the words "two thousand eight hundred five" in lines thirty-four (34) and thirty-five (35) and inserting the words "twenty-six hundred fifty".

Further amend section thirty-two (32) by striking the words "two thousand eight hundred ninety" in lines thirty-eight (38) and thirty-nine (39) and inserting the words "twenty-seven hundred fifty".

Amend section thirty-three (33) by striking all of said section and inserting in lieu thereof the following:

"The salaries of all Deputy Auditors, Deputy Treasurers, Deputy Recorders, Assistant County Attorneys, Deputy Clerks of Court, and all other deputy county officials shall be fixed by the Board of Supervisors; not to exceed sixty (60) per cent of the salary of the principal of the respective office."

Amend section thirty-four (34) by striking the words "one thousand

five hundred thirty" in line four (4) and inserting the words "fifteen hundred".

Further amend section thirty-four (34) by striking the words "one thousand six hundred twenty" in line seven (7) and inserting the words "sixteen hundred".

Further amend section thirty-four (34) by striking the words "one thousand seven hundred ten" in line ten (10) and inserting the words "seventeen hundred".

Further amend section thirty-four (34) by striking the words "eighteen hundred" in line thirteen (13) and inserting the words "seventeen hundred fifty".

Further amend section thirty-four (34) by striking the words "one thousand eight hundred thirty-five" in line sixteen (16) and inserting the words "eighteen hundred".

Further amend section thirty-four (34) by striking the words "one thousand eight hundred seventy" in line nineteen (19) and inserting the words "eighteen hundred fifty".

Further amend said section by adding the following:

"Further amend said section by striking the first fourteen (14) lines of paragraph thirteen (13).

Further amend said section by striking the words "two thousand forty" in line 22 and substituting therefor the words "twenty-one hundred".

Further amend said section by striking the words "two thousand four hundred eighty" in line 25 and substituting therefor the words "twenty-three hundred fifty".

Further amend said section by striking the words "two thousand five hundred ninety-two dollars and fifty cents" in lines 28 and 29 and substituting therefor the following: "twenty-five hundred dollars".

Further amend said section by striking the words "two thousand eight hundred five" in line 32 and substituting therefor the words "twenty-six hundred fifty".

Further amend said section by striking the words "two thousand eight hundred ninety" in lines 35 and 36 and substituting therefor the words "twenty-seven hundred fifty".

Strike section thirty-five (35).

Amend section 36 by striking the words "one thousand four hundred forty" in line 4 and substituting therefor the words "fourteen hundred".

Further amend said section by striking the words "one thousand five hundred thirty" in line 7 and substituting therefor the words "fifteen hundred".

Further amend said section by striking the words "one thousand six hundred twenty" in line 10 and substituting the words "sixteen hundred".

Further amend said section by striking the words "one thousand seven hundred ten" in line 13 and substituting therefor the words "sixteen hundred fifty".

Further amend said section by striking the words "eighteen hundred" in line 16 and substituting therefor the words "seventeen hundred fifty".

Further amend said section by striking the words "one thousand eight hundred thirty-five" in line 19 and substituting therefor the words "eighteen hundred".

Further amend said section by striking the words "one thousand eight hundred seventy" in line 22 and substituting therefor the words "eighteen hundred fifty".

Further amend said section, line 25, by striking the words "one thousand nine hundred fifty-five" and inserting in lieu thereof the words "nineteen hundred fifty".

Further amend said section, line 28, by striking the words "two thousand forty" and inserting in lieu thereof the words "twenty-one hundred".

Further amend said section, line 31, by striking the words "two thousand four hundred eighty" and inserting in lieu thereof the words "twenty-three hundred fifty".

Further amend said section, lines 34 and 35, by striking the words "two thousand six hundred thirty-five" and inserting in lieu thereof the words "twenty-five hundred".

Section 37. Amend by striking all of said section.

Section 38, line 4, by striking the words "thirteen hundred seventy-five" and inserting in lieu thereof the words "twelve hundred".

Further amend said section, lines 6 and 7, by striking the words "seventeen hundred fifty" and inserting in lieu thereof the words "fifteen hundred".

Further amend said section, line 9, by striking the words "two thousand" and inserting in lieu thereof the words "seventeen hundred".

Further amend said section, line 12, by striking the words "twenty-one hundred twenty-five" and inserting in lieu thereof the words "two thousand".

Further amend said section, lines 20 and 21, by striking the words "thirty-one hundred twenty-five" and inserting in lieu thereof the words "three thousand".

Further amend said section, line 23, by striking the words "four thousand" and inserting in lieu thereof the words "thirty-three hundred".

Further amend said section, lines 25 and 26, by striking the words "forty-five hundred" and inserting in lieu thereof the words "thirty-eight hundred".

Further amend said section, line 28, by striking the words "fifty-five hundred" and inserting in lieu thereof the words "forty-two hundred fifty".

Section 39. Strike all of said section.

Section 40, lines 4 and 5. Strike the words "one thousand five hundred thirty" and insert in lieu thereof the words "fifteen hundred".

Further amend said section, line 9, by striking the word "twenty".

Further amend said section, line 13, by striking the word "ten".

Further amend said section, line 16, by striking the words "eighteen hundred" and inserting in lieu thereof the words "seventeen hundred fifty".

Further amend said section, line 20, by striking the words "thirty-five".

Further amend said section, line 24, by striking the word "seventy" and inserting in lieu thereof the word "fifty".

Further amend said section, line 27, by striking the words "two thousand forty" and inserting in lieu thereof the words "twenty-one hundred".

Further amend said section, lines 30 and 31, by striking the words

"two thousand four hundred eighty" and inserting in lieu thereof the words "twenty-three hundred fifty".

Further amend said section, line 35, by striking the words "ninety-two dollars and fifty cents" and inserting in lieu thereof the word "dollars".

Further amend said section, lines 38 and 39, by striking the words "two thousand eight hundred five" and inserting in lieu thereof the words "twenty-six hundred fifty".

Further amend said section, lines 42 and 43, by striking the words "two thousand eight hundred ninety" and inserting in lieu thereof the words "twenty-seven hundred fifty".

Section 41. Amend by striking all of said section.

Section 42, line 7, amend by striking the words "two thousand five hundred fifty" and inserting in lieu thereof the words "two thousand four hundred".

Further amend said section by striking the word "twenty" in line four.

Section 43, line 5, amend by striking the words "and fifty cents".

Further amend said section, lines 8 and 9, by striking the words "two dollars and fifty cents" and inserting in lieu thereof the words "three dollars".

Section 44, line 5, strike the words "and fifty cents".

Section 46, line 5, strike the word "twenty".

Amend Section 46 by striking the word "twenty" in line 8.

Further amend said section by striking the words "one hundred twenty-five" in line 17 and 18.

Further amend said section by striking the words "one thousand six hundred twenty" in line 21 and substituting therefor the words "fifteen hundred".

Amend section 47 by striking the words "one hundred forty-two dollars and fifty cents" in lines 4 and 5, and substituting therefor the words "one hundred thirty-five dollars".

Further amend said section by striking the word "fourteen" in line 8 and substituting therefor the word "eight".

Further amend said section by striking the words "eighteen hundred" in line 15 and substituting therefor the words "seventeen hundred fifty".

Further amend said section by striking the word "twenty" in line 22.

Further amend said section by adding the following:

"Further amend said section, subsection three (3) by striking from line three (3) the words "three thousand" and substituting therefor the words "twenty-seven hundred".

Further amend said section, subsection three (3), by striking from lines four (4) and five (5) the words "twenty-five hundred" and substituting therefor the words "twenty-two hundred fifty".

Further amend said section, subsection four (4) by striking from line three (3) the words "thirty-five hundred" and substituting therefor the words "thirty-one hundred fifty".

Further amend said section, subsection four (4) by striking from line four (4) the words "three thousand" and substituting therefor the words "twenty-seven hundred".

Strike section 51 and substitute the following:

"Sec. 51. The salaries of county sheriffs, deputy sheriffs, municipal

court judges, superior court judges, as provided in section ten thousand seven hundred forty-eight (10,748), code 1931, and shorthand court reporters, shall not be affected by the provisions of this Act.

Strike all of section 52.

Strike section 53 and substitute the following:

"Amend section ten thousand seven hundred thirty-nine (10,739), code 1931, by striking the words "thirty-seven hundred fifty" in line three (3) and substituting the words "thirty-two hundred".

Strike Section 54 and substitute the following:

"Whereas, on account of the financial and economic condition in Iowa and throughout the United States as heretofore recognized in Legislative enactments of this Legislature and by declaration of the Governor of the State, an emergency exists which requires that the salaries of public officials, as herein provided, be reduced to conserve the expenditures of funds raised by taxation."

Add the following as section 55:

"That all provisions of the Code 1931 and laws of the Forty-fourth (44th) General Assembly, relating to salaries be amended, revised and codified in accordance herewith."

Add the following as section 56:

"Insofar as the provisions of this act may conflict with other laws of this state, the provisions of this act shall control."

Add the following as section 57:

"This act, being emergency legislation and being deemed of immediate importance, shall after its passage be published as required by law, and be in full force and effect upon the first day of the month following the enactment of this law."

Amend the title by striking the semi-colon (;) in line 30 and insert a period. Strike the remainder of the sentence.

ROY E. STEVENS, *Chairman.*

OLIVER P. BENNETT

CHAS. D. BOOTH

D. MYRON TRIPP

H. L. IRWIN

On the part of the Senate.

OVE T. ROE, *Chairman.*

C. L. RICE

D. R. MCCREEBY

E. O. ELLSWORTH

WALTER OSBORN

On the part of the House.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled Senate Files Nos. 469, 475, 498, 499, 493, 492, 495, 496, 497 and 489.

HOMER HUSH, *Chairman Senate Committee.*

WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, APRIL 20, 1933.

The Senate met in regular session, Senator Wilson presiding, at the request of President N. G. Kraschel.

Prayer was offered by Rev. A. R. Weed, Member of the House of Representatives, of Winterset.

LEAVE OF ABSENCE

Leave of absence was granted as follows: Senator Anderson for the day, on request of Senator Irwin.

COMMUNICATION FROM THE GOVERNOR

A communication was received from the Governor stating that he had on April 17th approved the following bills:

Senate File No. 254, relating to the duties of the Secretary of the Executive Council and to the duties of the members of the State Board of Assessment and Review.

Senate File No. 379, relating to the issuing of a patent to certain land in Allamakee county.

HOUSE CONCURRENT RESOLUTION NO. 28 CONSIDERED

Senator Topping called up for consideration House Concurrent Resolution No. 28, found on page 1280 of the Senate Journal and moved its adoption.

The resolution was adopted.

HOUSE AMENDMENTS CONSIDERED

Senator Knudson called up for consideration Senate File No. 89, amended by the House, and moved that the Senate concur in the following amendments:

Amend Section one (1) by striking from line four (4) the word "January" and inserting in lieu thereof the word "February".

On the question "Shall the Senate concur?" the vote was:

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Hopkins called up for consideration Senate File No. 494, amended by the House, and moved that the Senate concur in the following amendments:

Amend section one (1) by striking from line one (1) the words "Primary Road" and inserting in lieu thereof the word "General".

On the question "Shall the Senate concur?" the vote was:

Ayes, 39.

Aschenbrenner	Fisch	Miller of	Shangle
Beatty	Geske	Buchanan	Stanley
Bennett	Hicklin	Miller of Jones	Stevens of
Booth	Hill	Mullaney	Decatur
Byers	Hopkins	Nelson	Stevens of
Calhoun	Hush	Patterson	Wapello
Carden	Irwin	Pendray	Topping
Chrystal	Kimberly	Reese	Tripp
Coykendall	Klemme	Ritchie	Wenner
Doze	Knudson	Roelofs	Wilson
Elthon	Meyer		

Nays, none.

Absent or not voting, 11.

Anderson	Frailey	McArthur	Valentine
Beardsley	Harrington	Moore	White
Cooney	Husted	Schmidt	

The House amendment having received a constitutional majority was declared to have been adopted and concurred in by the Senate.

Senator Roelofs called up for consideration Senate File No. 202, amended by the House, and moved that the Senate concur in the following amendments:

Amend section one (1), lines two (2) and three (3) by striking out the words and figures "one thousand six hundred thirteen dollars and thirty-three cents (\$1613.33)" and substituting in lieu thereof the words and figures "seven hundred twelve dollars and fifty-eight cents (\$712.58)";

Also strike from line twenty-two (22) the words and figures "nine hundred sixty-two dollars and fifty-eight cents (\$962.58)" and substitute in lieu thereof the words and figures "seven hundred twelve dollars and fifty-eight cents (\$712.58)".

On the question "Shall the Senate concur?" the vote was:

Ayes, 35.

Aschenbrenner	Byers	Coykendall	Geske
Bennett	Calhoun	Doze	Hicklin
Booth	Chrystal	Fisch	Hill

The House amendments having failed to receive a constitutional majority were declared to have failed to be adopted and concurred in by the Senate.

On request of Senator Hicklin unanimous consent was granted to message Senate File No. 490 to the House immediately.

Senator Valentine called up for consideration Senate File No. 485, amended by the House, and moved that the Senate concur in the following amendments:

Amend Section two (2) by striking the "period (.)" at the end of line five (5) and inserting in lieu thereof the following:

"; the work of construction shall be done by hand labor insofar as is practicable."

Amend section five (5), line three (3), by inserting after the word "nature" the following: "referred to in this Act".

On the question "Shall the Senate concur?" the vote was:

Ayes, 41.

Beatty	Harrington	Meyer	Shangle
Booth	Hicklin	Miller of	Stanley
Byers	Hill	Buchanan	Stevens of
Calhoun	Hopkins	Miller of Jones	Decatur
Carden	Hush	Moore	Stevens of
Chrystal	Husted	Mullaney	Wapello
Coykendall	Irwin	Nelson	Topping
Doze	Kimberly	Pendray	Tripp
Elthon	Klemme	Reese	Valentine
Fisch	Knudson	Roelofs	Wenner
Geske	McArthur	Schmidt	Wilson

Nays, 1.

Aschenbrenner

Absent or not voting, 8.

Anderson	Bennett	Frailey	Ritchie
Beardsley	Cooney	Patterson	White

The House amendments having received a constitutional majority were declared to have been adopted and concurred in by the Senate.

Senator Valentine called up for consideration, House File No. 586, upon which action was deferred on page 1294 of the Senate Journal.

Senator Nelson called up for consideration Senator Wilson's amendment, as follows, and moved its adoption:

Amend by striking section 6.

Absent or not voting, 6.

Anderson	Frailey	Irwin	Moore
Cooney	Hush		

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

Senator Valentine moved that the vote by which the bill passed the Senate be reconsidered and that the motion to reconsider be laid on the table, which motion prevailed.

On the request of Senator Valentine, unanimous consent was granted to message House File No. 586 to the House immediately.

CONSIDERATION OF HOUSE FILE NO. 387

Senator Hopkins moved that the Senate recede from its amendments to House File No. 387.

On the question, "Shall the Senate recede?" the vote was :

Ayes, 40.

Aschenbrenner	Elthon	Meyer	Schmidt
Beardsley	Fisch	Miller of	Shangle
Beatty	Geske	Buchanan	Stevens of
Bennett	Harrington	Miller of Jones	Decatur
Booth	Hicklin	Moore	Stevens of
Byers	Hill	Mullaney	Wapello
Calhoun	Hopkins	Patterson	Tripp
Carden	Husted	Pendray	Wenner
Chrystal	Klemme	Reese	White
Coykendall	Knudson	Ritchie	Wilson
Doze	McArthur	Roelofs	

Nays, none.

Absent or not voting, 10.

Anderson	Hush	Nelson	Topping
Cooney	Irwin	Stanley	Valentine
Frailey	Kimberly		

The motion prevailed and the Senate receded from its amendments to House File No. 387.

CONSIDERATION OF COMMITTEE REPORT ON SENATE FILE NO. 479

Senator Stevens of Wapello called up for consideration the conference committee's report on Senate File No. 479, as found on page 1294 of the Senate Journal.

SUPPLEMENTAL REPORT OF CONFERENCE COMMITTEE ON SENATE FILE NO. 479

MR. PRESIDENT: Your joint conference committee appointed to confer

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 611, a bill for an act authorizing the sale of certain non-intoxicating liquors and regulating the sale and providing for the expenses of the administration thereof.

Also, that the House has concurred in the Senate Amendments to the following bill in which the concurrence of the House was asked:

House File No. 600, a bill for an act making an appropriation to Senator J. E. Doze for services as member of the Senate of the 45th General Assembly.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 504, a bill for an act relating to the renewals of domestic corporations, and to enact a substitute therefor.

Also, that the House has concurred in the Senate Amendments to the following bill in which the concurrence of the House was asked:

House File No. 586, a bill for an act relating to motor vehicle license fees and operator's and chauffeur's license fees.

Also, that the House has amended and passed the following Senate Joint Resolution in which the concurrence of the House was asked:

Senate Joint Resolution No. 13 creating a special legislative committee on tax revision.

LLOYD ELLIS, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE JOINT RESOLUTION NO. 13

Amend Senate Joint Resolution No. 13 by striking from line one (1), section one (1), the word and figure "fifteen (15)" and inserting in lieu thereof the word and figure "nine (9)", also

By striking from line two (2) of said section the word and figure "five (5)" and inserting in lieu thereof the word and figure "three (3)", also

By striking from line "three (3)" of said section the word and figure "five (5)" and inserting in lieu thereof the word and figure "three (3)", also

By striking from line five (5) of said section the word and figure "five (5)" and inserting in lieu thereof the word and figure "three (3)". Also

Amend the title by adding thereto the following:

"and making an appropriation therefor."

PRESENTATION OF GIFT TO PRESIDENT PRO
TEMPORE MATT. D. COONEY

Senator Schmidt, on the part of the Senate, presented President pro tempore Matt. D. Cooney, with a beautiful over night bag.

President pro tempore Matt. D. Cooney spoke briefly, as follows:

MR. PRESIDENT AND MEMBERS OF THE SENATE: I want to thank you very very much for this token of appreciation. In leaving here I don't

to suspend Rule No. 17 by which no bill may be read the second and third times the same day and consider the bill.

THIRD READING OF BILLS

On motion of Senator Valentine Senate File No. 519, a bill for an act to amend Senate File four hundred seventy-seven (477), Acts of the Forty-fifth General Assembly, relating to the form, size and cost of ballots to be used in a special election and providing for the publication of the proclamation and sample ballots in connection therewith, a sifting committee bill, was taken up and considered.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 40.

Aschenbrenner	Geske	Miller of	Stevens of
Beardsley	Harrington	Buchanan	Decatur
Bennett	Hicklin	Miller of Jones	Stevens of
Booth	Hill	Moore	Wapello
Byers	Hopkins	Mullaney	Topping
Calhoun	Hush	Pendray	Tripp
Carden	Irwin	Reese	Valentine
Cooney	Kimberly	Ritchie	Wenner
Coykendall	Klemme	Schmidt	White
Doze	McArthur	Shangle	Wilson
Fisch	Meyer	Stanley	

Nays, none.

Absent or not voting, 10.

Anderson	Elthon	Knudson	Patterson
Beatty	Frailey	Nelson	Roelofs
Chrystal	Husted		

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

Senator Wilson moved that all bills to be passed, be messaged to the House immediately upon their passage. The motion prevailed.

On request of Senator Stevens of Wapello, unanimous consent was granted to suspend the rules and consider House File No. 336.

On motion of Senator Stevens of Wapello House File No. 336, a bill for an act to amend section fifty-hundred ninety-three-a-five

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, House Files Nos. 236, 389, 475 and 480.

MESSAGES FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File No. 344, a bill for an act relating to nuisances erected or maintained within one thousand feet of airports.

Also, that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 518, a bill for an act designating and fixing the amount of revenue for general state purposes for which levy is to be made by the State Board of Assessment and Review.

Also, that the House recedes from its amendment to Senate File No. 490, a bill for an act making an appropriation to Mrs. Lee Harris, guardian of Burton Harris.

LLOYD ELLIS, *Chief Clerk.*

THIRD READING OF BILLS

On motion of Senator Valentine, House File No. 604, a bill for an act to make permanent the transfer of funds in Clay County, Iowa, from the secondary road maintenance fund to the general fund, was taken up and considered.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 31.

Beardsley	Hicklin	Miller of Jones	Stevens of
Bennett	Hill	Mullaney	Wapello
Byers	Hopkins	Patterson	Topping
Calhoun	Irwin	Pendray	Tripp
Carden	Kimberly	Ritchie	Valentine
Elthon	Klemme	Roelofs	Wenner
Frailey	Meyer	Shangle	Wilson
Geske	Miller of	Stevens of	
Harrington	Buchanan	Decatur	

Nays, none.

Absent or not voting, 19.

Anderson	Beatty	Chrystal	Coykendall
Aschenbrenner	Booth	Cooney	Doze

Strike the word "Meyers" in line four (4) of section fourteen (14) and insert in lieu thereof the word "Myers".

Also strike the word "Leslie" in line seven (7) of section fourteen (14) and insert in lieu thereof the word "Wesley".

The amendment was adopted.

The bill was read for information.

Senator Valentine moved that the reading just had be considered the third reading, which motion prevailed.

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

Ayes, 37.

Anderson	Hill	Mullaney	Stevens of
Aschenbrenner	Hopkins	Nelson	Decatur
Bennett	Irwin	Patterson	Stevens of
Chrystal	Kimberly	Pendray	Wapello
Coykendall	Klemme	Reese	Topping
Doze	Knudson	Ritchie	Tripp
Frailey	Meyer	Roelofs	Valentine
Geske	Miller of	Schmidt	Wenner
Harrington	Buchanan	Shangle	White
Hicklin	Miller of Jones	Stanley	Wilson

Nays, none.

Absent or not voting, 13.

Beardsley	Calhoun	Elthon	Husted
Beatty	Carden	Fisch	McArthur
Booth	Cooney	Hush	Moore
Byers			

The bill having received a constitutional two-thirds majority was declared to have passed the Senate and the title was agreed to.

REPORT OF COMMITTEE

Senator White submitted the following report:

MR. PRESIDENT: Your committee on appropriations to which was referred House Joint Resolution No. 8, a joint resolution authorizing the committee appointed under House Resolution No. 21, to continue its investigations and making an appropriation therefor, begs leave to report it has had the same under consideration and recommends the same be deferred until the session in August. H. C. WHITE, *Chairman*.

THIRD READING OF BILLS

On motion of Senator White House Joint Resolution No. 8, authorizing the committee appointed under House Resolution No. 21, to continue its investigations and making an appropriation therefor, with report of appropriations committee recommending that same be deferred until the session in August was taken up and considered, and the report of the committee adopted.

the members' desks and for the return of same at the special session in August.

Be It Further Resolved, That they be permitted to take all or any part of the library now on their desks to their homes, have the same shipped to their homes, or leave same in care of the Secretary of the Senate, who will see that same is properly stored and replaced on the desks for the special session.

Be It Further Resolved, That in case any Senator desires his library, or part thereof, sent to his home, the Secretary of the Senate is instructed to ship the same without expense to the Senator.

On request of Senator Fisch, unanimous consent was granted to suspend the rules and consider the resolution. The resolution was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House :

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 519, a bill for an act relating to ballots to be used in a special election.

Also, that the House has adopted the conference committee report to Senate File No. 479, a bill for an act relating to statutory salaries and compensation of state, county and city officers.

LLOYD ELLIS, *Chief Clerk*.

President N. G. Kraschel returned to the chair.

On request of Senator Harrington, unanimous consent was granted to suspend the rules and consider House File No. 611.

THIRD READING OF BILLS

On motion of Senator Harrington House File No. 611, a bill for an act to amend House File five hundred eighty-seven (587), Acts of the Forty-fifth (45) General Assembly, authorizing the sale of certain nonintoxicating liquors and regulating the sale and providing for the expenses of the administration thereof, was taken up and considered.

Senator Harrington offered the following amendment and moved its adoption:

Amend by striking the words "and consumed" in lines eleven (11) and twelve (12) in Section three (3), and by striking the words "and unrefrigerated" in line eighteen (18) of Section three (3).

Senator Booth moved that the resolution be deferred until August.

The motion prevailed.

On request of Senator Byers, unanimous consent was granted to have the following printed in the Journal.

We came to the session with vigor and zeal
To put into effect the "people's new deal",
It soon was apparent the cards had been stacked,
The steps of procedure I shall try to enact.

First in attention was a long list of bills,
Designed to cure our tax-paying ills.
Some passed on their merits, others met with defeat;
But relief to tax payers is still incomplete.

But Lo! On the horizon, bold and imposing,
A vision of banks that were constantly closing,
Emergency action,—fervent prayers to high heaven.
The answer? Senate File One Hundred Eleven.

The down-trodden farmer came next for relief,
'Twas right he should have it, after twelve years of grief.
His fate now rests with the powers that be,
As provided in House File One Ninety Three.

A moratorium was asked—on insurance,
Demands by patrons were taxing endurance.
Conditions improved, though still far from serene,
By passage of Senate File Four Fifteen.

Throughout all this strife of emergency need,
Party lines were discarded to generate speed.
A commendable attitude all will agree,
But it could not continue, as later we'll see.

There came from our National Administration
A request to amend the Constitution.
Thus entered the Democrats into a huddle,
We hope it was not their intent to be-fuddle.

But in view of their efforts to legalize beer
Which they claim will intoxicate no one, my dear,
What does it contain to create such a fear
That youth may not buy till its twenty-first year?

And now as we near the end of the trip
When we think we have heard the last crack of the whip,
With Jefferson still on his face overturned!
It's an opportune time,—let us stand adjourned!

FRED W. NELSON.

So I pledge you again, and can only say this—
 Yet it springs from a sentiment true—
 I shall always regret every hour that I miss
 From a bunch of good fellows—like you.

(All rights reserved.—W. D. N.)

President pro tempore Matt. D. Cooney was called to the chair.

MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House insists upon its amendments to Senate Joint Resolution No. 13 and requests a Conference Committee on the same and that the Speaker has appointed as a Conference Committee on the part of the House the following: Fabritz of Wapello, Swift of Jackson, Stewart of Calhoun, Garner of Butler, and Bruce of Pocahontas. LLOYD ELLIS, *Chief Clerk*.

President N. G. Kraschel returned to the chair.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE JOINT RESOLUTION NO. 13

The President appointed as conference committee on Senate Joint Resolution No. 13, on the part of the Senate, Senators Valentine, Hicklin, Irwin, Roelofs and Nelson.

MESSAGE FROM THE HOUSE

The following messages were received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has concurred in the Senate Amendments to the following bill in which the concurrence of the House was asked:

House File No. 608, a bill for an act making an appropriation for miscellaneous expenses of the 45th General Assembly.

Also, that the House has concurred in the first Senate amendment to House File No. 611 but has refused to concur in the second Senate amendment.

LLOYD ELLIS, *Chief Clerk*.

CONSIDERATION OF HOUSE FILE NO. 611 RESUMED

Senator Harrington moved that the Senate insist on its second amendment to House File No. 611.

Senator Cooney moved that the Senate recede from its second amendment to House File No. 611.

On the question, "Shall the Senate recede?" the vote was:

ment is unpopular with a considerable number of the people of the United States and, while the people of the state of Iowa have generally accepted it, many of our people have been opposed to it.

Doubtless, the unpopularity of the Amendment has had considerable to do with its violation. This unpopularity seems to have increased rather than to have decreased, and tho the officials have diligently endeavored to enforce the law, it may be doubted whether there is less violation now than shortly after the Amendment was adopted.

In passing, I might say that many, very many, of the people of the United States who favored the prohibition of the manufacture and sale of distilled liquors, favored the permissive manufacture and sale of brewed liquors such as beer and ale, and it is my opinion that had the 18th Amendment excepted from its provisions the manufacture and sale of brewed liquors—beer and ale—the great majority of people would have favored adherence to the provisions of the Amendment. Strict and total prohibition has bred disrespect for the 18th Amendment and the laws enacted to carry it into effect.

Immediately following the adoption of the 18th Amendment agitation arose for a modification of it—this modification to permit the manufacture and sale of brewed liquors. This agitation has continued and, without question, it has increased as the years have gone by. This increased agitation was recognized by both of the major political parties and, in their National Conventions held in 1932, each adopted platform pronouncements favoring the submission to the people of the states of a proposal to repeal the 18th Amendment. This served to crystalize the sentiment referred to and to still further increase the clamor for repeal.

The present Congress of the United States, within a short time after convening, adopted a resolution for the submission of a repeal proposal to the various States of the Union, and many of the States have already taken action to submit the question to their people. Our own state has taken such action and in the coming June the question will be submitted to the legal voters.

The present Congress at an early opportunity modified the so-called Volstead Act changing the permissible alcoholic content of beer to 3.2 per cent, and the present General Assembly, in an effort to carry this modification to the people of Iowa, has considered the modification of certain of the Iowa prohibitory statutes and the adoption of other provisions permitting the manufacture and sale of such beer in Iowa. That there has been a growing sentiment for such a change in the Iowa laws cannot be disputed.

In November, 1930, I was elected to represent the 38th Senatorial District in the General Assembly of Iowa. This District composes Black Hawk and Grundy Counties. I was a candidate for nomination in the primary of 1930 and, I might say, that the campaign was waged on issues other than prohibition, modification, or the manufacture or sale of liquor. In fact, the liquor question was not mentioned, nor was it considered by any of the three Republican candidates of which I was the successful one. I had no opposition in the November election. Consequently, it cannot be said that the liquor question in any of its forms was

on each barrel of beer sold in Iowa will be paid into the State Sinking Fund for Public Deposits, which is provided for by Chapter 352-a1 of the 1931 Code. I supported this amendment. It is estimated this tax will amount to between \$500,000.00 and \$1,000,000.00 per year. It is out of this sinking fund that public deposits in closed banks are paid, and, at present, there are about \$20,000,000.00 to \$25,000,000.00 of public funds in closed banks.

At this time we are confronted with the most severe depression ever experienced by the people of our Nation. This condition is world wide. I am not contending that the legalizing of beer in Iowa will solve this problem, but I do say there is a spirit of unrest amongst all of our people, and it seems to me that if some of the restrictions which, by many are called unreasonable, are lifted or lessened, recovery may be hastened. It is possible that a modification of our prohibitory laws will, in some manner, assist in recovering from our depression.

It is not my claim that the proposed law is a perfect one, nor do I feel it will not be changed, modified, or repealed. It is not impossible that many who are now clamoring for this law will, within a comparatively short time, ask that it be amended, or even ask that it be repealed. Our experience with it may be very unsatisfactory. If so, the same persons who are now asking for it may be asking that it be discontinued. We all understand that experience is a good teacher. Wise people change their opinions. If the experiment proves to be unwise, a succeeding legislature can repeal the law.

EDW. J. WENNER.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Hush, from the joint committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT: Your joint committee on enrolled bills respectfully reports that it has examined and finds correctly enrolled, Senate Files Nos. 490, 519, 518, 494, 202, 504, 89, 485, 323, 517, 510, 472, 471, 501, 502, 488, 190, 500, 487, 83, 470, 479, Senate Joint Resolution No. 11, House Joint Resolution No. 9 and House Files Nos. 397, 410, 535, 544, 570, 577, 588, 590, 591, 592, 593, 594, 596, 597, 598, 599, 601, 602, 603, 231, 611, 608, 344, 269, 604, 600, 336, 609, 387, 393, 414, 586 and Substitute for House File No. 73.

HOMER HUSH, *Chairman Senate Committee.*

WM. KOCH, *Chairman House Committee.*

Report adopted.

BILLS SIGNED BY THE PRESIDENT

The President of the Senate announced that, as President of the Senate, he had signed in the presence of the Senate, Senate Files No. 490, 519, 518, 494, 202, 504, 89, 485, 323, 517, 510, 472, 471, 501, 502, 488, 190, 500, 487, 83, 470, 479, Senate Joint Resolution No. 11, House Joint Resolution No. 9 and House Files Nos. 397, 410, 535, 544, 570, 577, 588, 590, 591, 592, 593, 594, 596, 597, 598, 599, 601,

was ready to adjourn sine die and to ascertain whether or not he had any further communication to lay before the Senate.

The motion prevailed.

The President appointed as such committee, Senators Irwin, Nelson and Kimberly.

COMMITTEE TO NOTIFY THE HOUSE

Senator Wenner moved that a committee of three be appointed to notify the House that the Senate was ready to adjourn sine die.

The motion prevailed.

The President appointed as such committee Senators Geske, Knudson and Stanley.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to adjourn sine die.

REPORTS OF SPECIAL COMMITTEES

The committee appointed to notify the House that the Senate was ready to adjourn sine die returned and announced it had performed its duty.

The report was accepted and the committee was discharged.

The committee appointed to wait upon the Governor reported that it had performed its duty, and had asked him if he had any further statement or communication to be sent to the Senate.

Senator Irwin, the chairman, then read the following message from the Governor:

SPECIAL MESSAGE TO THE LEGISLATURE

MR. PRESIDENT, MR. SPEAKER, SENATORS AND REPRESENTATIVES OF THE FORTY-FIFTH GENERAL ASSEMBLY:

Your Committee informs me that the Forty-fifth General Assembly is prepared to adjourn and invites any final communication which the Executive desires to make.

I acknowledge this courtesy and although there is nothing of official character which requires this communication, I do wish to send to you the congratulations of the Executive Department of government upon the splendid results achieved by this General Assembly in the way of patriotic and intelligent legislation. Thousands of letters which cross my desk from citizens throughout the state justify me in saying to you that the sentiment of the people of Iowa is that you have performed a notable service in a most trying and difficult time. Not only from these

HISTORY OF SENATE BILLS IN SENATE

SENATE FILES AND JOINT RESOLUTIONS PASSED AND APPROVED

7, 17, 18, 23, 26, 44, 52, 56, 71, 75, 83, 89, 90, 91, 98, 107, 111, 115, 129, 130, 131, 145, 146, 160, 166, 167, 176, 178, 179, 189, 190, 192, 198, 199, 200, 201, 202, 203, 212, 221, 223, 224, 243, 254, 256, 260, 267, 270, 278, 279, 280, 298, 300, 302, 310, 311, 317, 320, 323, 327, 331, 333, 338, 339, 344, 348, 360, 363, 367, 368, 379, 384, 391, 396, 415, 448, 466, 467, 469, 470, 471, 472, 473, 475, 477, 478, 479, 480, 481, 482, 483, 485, 487, 488, 489, 490, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 504, 510, 517, 518, 519, S. J. R. 2, 4, 6, 11.

RECORD OF EACH SENATE BILL

Senate File No.	Page	Senate File No.	Page
1 By Hicklin and Stevens of Wapello. Tax rates to assessed value.		8 By Stevens of Wapello and Hicklin. Registration of automobiles.	
Introduced	13	Introduced	16
Substitute bill filed	26	Amendments filed	27
Referred	90	Referred	89
Amendment filed	102	To sifting committee.....	619, 667
Amendment withdrawn	217		
Withdrawn	659	9 By Hicklin and Stevens of Wapello. Removing tax exemptions from Iowa public bonds.	
2 By Stevens of Wapello, and Hicklin. Combining assessment books and tax list into one record.		Introduced, referred	16, 89
Introduced, referred	15, 89	Recommended amendment and passage	98
Withdrawn	672	Rereferred	120
3 By Hicklin and Stevens of Wapello. To assess real estate every four years.		Amendment filed	128
Introduced, referred	15, 89	To sifting committee.....	619, 667
Withdrawn	672	Withdrawn	1158
4 By Stevens of Wapello and Hicklin. County tax budget commission.		10 By Hicklin and Stevens of Wapello. Firemen and police pension laws.	
Introduced	15	Introduced, referred	16, 89
Amendment filed	27	Action deferred	269
Referred	89	To sifting committee.....	619, 667
To sifting committee.....	619, 667		
5 By Hicklin and Stevens of Wapello. Limiting tax levy increases.		11 By Hicklin and Stevens of Wapello. To continue the Elliott bill.	
Introduced, referred	15, 89	Introduced	16, 89
To sifting committee.....	619, 667	Recommended passage	327
6 By Stevens of Wapello and Hicklin. Amending local tax budget law.		Action deferred	606
Introduced	16	To sifting committee.....	619, 667
Substitute bill filed	27	Withdrawn	1158
Referred	89	12 By Stevens of Wapello and Hicklin. To abolish state census.	
To sifting committee.....	619, 667	Introduced, referred	16, 89
Withdrawn	688	Recommended amendment and passage	98
7 By Hicklin and Stevens of Wapello. Secondary road levies.		Report adopted	220
Introduced, referred	16, 89	H. F. 12 substituted.....	220
Recommended passage	95	Withdrawn	221
Rules suspended, passed; ayes 47, nays 0	96	13 By Stevens of Wapello and Hicklin. Printing of certain state reports and documents.	
Received back	117	Introduced	17
Amendments adopted	136	Amendment filed	27
Reported enrolled	144	Referred	89
Signed by President.....	144	To sifting committee.....	619, 667
Sent to Governor.....	144-145	Withdrawn	693
Approved by Governor.....	188	14 By Hicklin and Stevens of Wapello. Comptroller for state institutions.	
		Introduced, referred	17, 89
		To sifting committee.....	619, 667
		Withdrawn	1158

Senate File No.	Page
30 By Stevens of Wapello and Hicklin. Centralized county purchasing.	
Introduced, referred	20, 89
Recommended passage	170
Rereferred	246
Report adopted	267
Amended, passed; ayes 30, nays 17	269
Title amended	269
31 By Hicklin and Stevens of Wapello. Reducing pauper allowance.	
Introduced, referred	20, 89
Recommended passage	99
Passed; ayes 47, nays 0	127
Motion filed to reconsider	140
Received back	151
Reported enrolled	156
Signed by President	156
Sent to Governor	197
Vetoed by Governor	219
32 By Hicklin and Stevens of Wapello. To transfer issu- ance of dog, fishing and hunt- ing licenses to county treas- urer's office.	
Introduced, referred	20, 89
To sifting committee	619, 667
33 By Stevens of Wapello and Hicklin. To abolish office of coroner.	
Introduced, referred	20, 89
Returned without recommenda- tion	245
Amendment filed	323
Report adopted	335
Amended, failed to pass; ayes 23, nays 25	336
34 By Hicklin and Stevens of Wapello. To abolish county recorder.	
Introduced, referred	21, 89
To sifting committee	619, 667
35 By Hicklin and Stevens of Wapello. Number on board of supervisors.	
Introduced, referred	21, 89
Recommended passage	245
Withdrawn	348
36 By Stevens of Wapello and Hicklin. Expenditures for school libraries.	
Introduced, referred	21, 89
Recommended amendment and passage	229
Report adopted	306
H. F. 36 substituted	306
Withdrawn	307
37 By Hicklin and Stevens of Wapello. School records.	
Introduced, referred	21, 89
Recommended amendment and passage	229
Report adopted	306
H. F. 37 substituted	306
Withdrawn	306
38 By Stevens of Wapello and Hicklin. To abolish office of school treasurer.	
Introduced	21
Amendment filed	28

Senate File No.	Page
Referred	89
Recommended amendment and passage	229
Report adopted	317
Amended, passed; ayes 27, nays 20	318
39 By Hicklin and Stevens of Wapello. Optional centralized school purchasing.	
Introduced, referred	22, 89
Recommended amendment and passage	328
Action deferred	606
To sifting committee	619, 667
40 By Hicklin and Stevens of Wapello. Increasing pupil transportation zone.	
Introduced, referred	22, 89
Recommended amendment and passage	290
Action deferred	567
Report adopted	583
H. F. 40 substituted	583
Withdrawn	670
41 By Stevens of Wapello and Hicklin. Eliminating sub- jects from school courses.	
Introduced, referred	22, 89
Recommended amendment and passage	100
Amendment filed	102
Committee amendments adopted	137
Amended, passed; ayes 46, nays 3	138
Withdrawn	262
42 By Hicklin and Stevens of Wapello. Kindergartens.	
Introduced, referred	22, 89
Recommended amendment and passage	100
Amendment filed	152
H. F. 42 substituted	157
Withdrawn	158
43 By Stevens of Wapello and Hicklin. Restricting small high schools.	
Introduced, referred	22, 89
To sifting committee	619, 667
44 By Hicklin and Stevens of Wapello. Teachers' salary.	
Introduced, referred	22, 89
Recommended amendment and passage	100
Amended, passed; ayes 46, nays 3	148
Received back	300
Amendment to House amend- ment adopted	407
House amendments as amended, adopted and concurred in	407
Concurrence received	447
Reported enrolled	471
Signed by President	471
Sent to Governor	487
Approved by Governor	521
45 By Stevens of Wapello and Hicklin. Audit of school dis- tricts.	
Introduced, referred	23, 89
To sifting committee	619, 667
Withdrawn	688

Senate File No.	Page
66 By Stevens of Wapello and Hicklin. Salaries of city officials.	
Introduced, referred	25, 89
Amendment filed	472
Action deferred	567, 589
To sifting committee.....	619, 667
67 By Hicklin and Stevens of Wapello. Legal and official notices.	
Introduced, referred	25, 89
To sifting committee.....	619, 667
Reported out	732
H. F. 67 substituted.....	737
Withdrawn	739
68 By Stevens of Wapello and Hicklin. Notice of tax sale.	
Introduced, referred	26, 89
To sifting committee.....	619, 667
Withdrawn	688
69 By Hicklin and Stevens of Wapello. Penalty in tax sale redemptions.	
Introduced, referred	26, 89
To sifting committee.....	619, 667
Withdrawn	735
70 By Stevens of Wapello and Hicklin. Publication of proposed amendments to the constitution.	
Introduced, referred	26, 89
To sifting committee.....	619, 667
Withdrawn	688
71 By Hicklin and Stevens of Wapello. Publishing proceedings of boards of supervisors.	
Introduced, referred	26, 90
Amendment filed	102
Recommended amendment and passage	343
Report adopted	657
Amendments adopted	658
Filed amendment withdrawn..	658
Amended, passed; ayes 42, nays 0	658-659
Received back	685
Reported enrolled	697
Signed by President March 17...	
Sent to Governor.....	709
Approved by Governor.....	756
72 By Stevens of Wapello and Hicklin. Attorneys' fees.	
Introduced, referred	26, 90
To sifting committee.....	619, 667
Withdrawn	688
73 By White. State appropriation bill.	
Introduced, referred	48, 90
Substitute bill introduced.....	883
Placed on calendar	883
Amendments filed	902, 911
Substitute H. F. 73 substituted..	913
74 By Hush. Bounties on wild animals.	
Introduced, referred	48, 90
Withdrawn	217
75 By Calhoun. Legalizing acts of supervisors of Van Buren Co.	
Introduced, referred	48, 90
Amendment filed	525

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Recommended passage	617
To sifting committee.....	619, 667
Reported out	707
Amended, passed; ayes 30, nays 0	716
Received back	798
Reported enrolled	804
Signed by President.....	804
Sent to Governor.....	817
Approved by Governor.....	819
76 By Bennett. Reducing taxes levied for 1933.	
Introduced, referred	48, 90
Recalled from committee.....	435
To sifting committee.....	619, 667
77 By Bennett. Limiting tax levies.	
Introduced, referred	48, 90
Recalled from committee.....	435
To sifting committee.....	619, 667
78 By Bennett. Penalties on unpaid taxes.	
Introduced, referred	49, 90
Recalled from committee.....	435
Recommended passage	483
To sifting committee.....	619, 667
79 By Carden. Secondary road programs.	
Introduced	52
Amendment filed	81
Referred	90
Recommended passage	454
Withdrawn	589
80 By Anderson. Industrial alcohol.	
Introduced, referred	52, 90
Recommended amendment and passage	148
Made special order.....	224
H. F. 80 substituted.....	231
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81 By Carden. Legalizing acts of certain boards of supervisors.	
Introduced, referred	52, 90
Recommended passage	454
Withdrawn	469
82 By Stanley. Reregistration of motor vehicles.	
Introduced, referred	52, 90
To sifting committee.....	619, 667
83 By Stanley. Appraisals for inheritance tax.	
Introduced, referred	52, 90
Recommended passage	326
Report adopted	614
Amended, passed; ayes 45, nays 0	614
Received back	998
House amendments adopted and concurred in	1010
Reported enrolled	1328
Signed by President.....	1328
Sent to Governor.....	1329
84 By Hopkins. License tax for cigarette sales.	
Introduced, referred	52, 90
Recommended indefinite postponement	300
To sifting committee.....	619, 667

Senate File No.	Page	Senate File No.	Page
102 By White. Trucks.	94	113 By Wenner. Mortgage fore-	
Introduced, referred	561	closure.	
Recommended passage	619, 667	Introduced, referred	105
To sifting committee	843	Returned without recommenda-	253
Reported out	877	tion	351, 396, 436
Amended, passed; ayes 45, nays 0		Action deferred	476
		Withdrawn	
103 By McArthur. Rights of redemtion.	94	114 By Wenner. Main high-	
Introduced, referred	619, 667	ways.	
To sifting committee		Introduced, referred	105
		Withdrawn	277
104 By Coykendall. Poll tax.	94	115 By Husted. Earnings under receiver-ship.	
Introduced, referred	197	Introduced, referred	105
Withdrawn		Withdrawn from committee and substituted for S. F. 171	218
105 By White. Annual audit.	94	Amendment offered, action deferred	218
Introduced, referred	161	Amended, passed; ayes 45, nays 2	221
Withdrawn		Title amended	223
106 By Coykendall. Red fox.	94	Received back	268
Introduced, referred	468	Reported enrolled	394
Withdrawn		Signed by President	394
		Sent to Governor	427
107 By Hopkins. State board of assessment and review.	94	Approved by Governor	521
Introduced, referred	156	116 By Myers. Landlord's lien.	
Recommended passage	161	Introduced, referred	105
Passed; ayes 43, nays 0	176	Recommended reference	253
Passage reconsidered	177	Rereferred	253
Amended, passed; ayes 44, nays 0	193	To sifting committee	619, 667
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Signed by President	233	Recommended reference	253
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Approved by Governor		To sifting committee	619, 667
108 By Shangle. Official newspaper.	95	118 By Miller of Buchanan. Mortgages.	
Introduced, referred	619, 667	Introduced, referred	114
To sifting committee		Recommended amendment and passage	455
109 By Wenner. Court of claims.	95	To sifting committee	619, 667
Introduced, referred	106	119 By Hush. County conventions.	
Recommended passage	112	Introduced, referred	114
Report adopted	112	Recommended passage	384
Amendments filed	426	To sifting committee	619, 667
Action deferred	442	120 By Anderson. Bovine tuberculosis.	
Amendment filed	490-491	Introduced, referred	115
Amended, failed to pass; ayes 12, nays 32		To sifting committee	619, 667
110 By Topping. Public bonds election.	95	121 By Fisch. Duties of game commission.	
Introduced, referred	384	Introduced, referred	130
Recommended amendment and passage	562	Recommended amendment and passage	381
Amendment filed	619, 667	Made special order	394
To sifting committee		Report adopted	464
111 By Committee on Banks and Banking. Banks.	104	H. F. 238 substituted	465
Introduced, placed on calendar	108-110	Withdrawn	670
Amended, passed; ayes 47, nays 0	111	122 By Knudson. Engineers and land surveyors.	
Received back	111	Introduced, referred	131
Reported enrolled	111	Recommended amendment and passage	216
Signed by President	111	Action deferred	305, 314
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Approved by Governor	188	Action deferred	334
112 By Hush, Myers, Nelson and Patterson. State income tax.	105	Report adopted	346
Introduced, referred	394	Amendment adopted	346
Recommended amendment and passage	619, 667	Amended, passed; ayes 42, nays 2	347
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219 By Myers. Mortgaged real estate security.	265
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220 By Myers. Personal tax liability.	265
Introduced, referred	265
Recommended passage	385
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To sifting committee	619, 667
221 By Booth. Motor vehicles.	265
Introduced, referred	265
Recommended passage	483
To sifting committee	619, 667
Reported out	756
Amended, passed; ayes 45, nays 0	772
Title amended	774
Received back	860
Reported enrolled	888
Signed by President	888
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Approved by Governor	1007
222 By White. Dog license.	272
Introduced, referred	272
Recommended passage	485
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223 By Byers. Building and Loan Associations.	273
Introduced, referred	273
Recommended passage	477
To sifting committee	619, 667
Reported out	741
Passed; ayes 36, nays 0	770
Received back	803
Reported enrolled	811
Signed by President	811
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Approved by Governor	846
224 By Reese. Firemen and policemen pension fund.	273
Introduced, referred	273
To sifting committee	619, 667
Reported out	881
Amended, passed; ayes 43, nays 0	887
Received back	1038
Reported enrolled	1114
Signed by President	1114
Sent to Governor	1125
Approved by Governor	1144
225 By Husted. Board of Conservation.	273
Introduced, referred	273
Recommended passage	463
To sifting committee	619, 667
Withdrawn	760
226 By Harrington. Gross income tax.	273
Introduced, referred	273
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227 By Nelson, Byers, Harrington. Fuel alcohol.	274
Introduced, referred	274
Amendment filed	660
To sifting committee	619, 667
228 By Stanley. Liens.	274
Introduced, referred	274
Recommended passage	360
Made special order	369, 394

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Amendment filed	595
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229 By Wilson. Insignias of associations.	280
Introduced, referred	280
Recommended passage	462
To sifting committee	619, 667
230 By Wilson. Fraternal hospitals.	280
Introduced, referred	280
Recommended passage	598
To sifting committee	619, 667
231 By Committee on Agriculture. Gasoline and gasoline containing alcohol.	280
Introduced, placed on calendar	280
Action deferred	437
Amendment filed	441
Action deferred	504
Amended, action deferred	532
Withdrawn	566
232 By Chrystal. Legalizing act.	288
Introduced, referred	288
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233 By Irwin. County and Township Affairs.	288
Introduced, referred	288
Recommended indefinite postponement	463
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234 By Stanley. Severance of territory from municipality.	288
Introduced, referred	288
Recommended passage	478
To sifting committee	619, 667
235 By Committee on Ways and Means. Assessment on mortgage.	288
Introduced, placed on calendar	288
Passed; ayes 44, nays 0	504
Title amended	505
236 By Committee on Ways and Means. Book forms of board of assessment and review.	288
Introduced, placed on calendar	288
Passed; ayes 42, nays 0	505
Title amended	506
237 By Committee on Ways and Means. Annual utility report.	288
Introduced, placed on calendar	288
Passed; ayes 45, nays 0	506
Title amended	506
238 By Committee on Ways and Means. Forest and fruit tree reservations.	288
Introduced, placed on calendar	288
Amended, action deferred	507
Amendment filed	516
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239 By Committee on Ways and Means. Terminating of tax exemption.	289
Introduced, placed on calendar	289
Passed; ayes 43, nays 0	507
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376	By Harrington. Nepotism. Introduced, referred	502
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377	By Harrington. Authorizing appointment of assistant county attorney or special investigator in counties of 60,000.	
	Introduced, referred	502
	Recommended indefinite postponement	575
	To sifting committee	619, 667
378	By Harrington. Sale of public bonds.	
	Introduced, referred	503
	To sifting committee	619, 667
379	By Mullaney. Patent to Samuel Allen.	
	Introduced, referred	503
	To sifting committee	619, 667
	Reported out	688
	Passed; ayes 38, nays 0	696
	Received back	1153
	Reported enrolled	1212
	Signed by President	1212
	Sent to Governor	1212
	Approved by Governor	1302
380	By Harrington. Interstate bridges.	
	Introduced, referred	503
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	To sifting committee	619, 667
381	By Hicklin. Legalizing act.	
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	To sifting committee	619, 667
382	By Hicklin. Making principal and sureties on bonds cover labor and material on public improvements.	
	Introduced, referred	503
	To sifting committee	619, 667
383	By Elthon. Tax on incomes derived from tax free securities.	
	Introduced, referred	504
	To sifting committee	619, 667
384	By Roelofs. Stamped scrip.	
	Introduced	509
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	Amended, passed; ayes 40, nays 0	510
	Received back	513
	Reported enrolled	513
	Signed by President	513
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	Approved by Governor	882
385	By Stanley. Filing public improvement claims.	
	Introduced, referred	515
	Recommended amendment and passage	577
	To sifting committee	619, 667
386	By Harrington. Consolidation of city and school elections.	
	Introduced, referred	521
	To sifting committee	619, 667
	Reported out	688
	Passed; ayes 29, nays 1	731-732
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	Introduced, referred	522
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388	By Hush. Primary elections and party conventions.	
	Introduced, referred	522
	To sifting committee	619, 667
389	By Roelofs. Cutting and destruction of weeds.	
	Introduced, referred	522
	To sifting committee	619, 667
390	By Knudson. Plumbers.	
	Introduced, referred	523
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391	By Moore. To repair heating plant at Iowa School for Deaf.	
	Introduced, referred	523
	Recommended passage	646
	Committee report adopted	690
	Passed; ayes 39, nays 0	690
	Received back	798
	Reported enrolled	804
	Signed by President	804
	Sent to Governor	817
	Approved by Governor	819
392	By Schmidt, Carden, Byers, Cooney. Purchasing associations.	
	Introduced, referred	523
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393	By Schmidt, Carden, Byers, Cooney. Securities.	
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	Recommended passage	599
	To sifting committee	619, 667
394	By Booth. Mutual assessment insurance associations.	
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	Reported out	781
	H. F. 451 substituted	807
	Withdrawn	815
395	By Cooney. Appointment of chief of police and chief of fire department.	
	Introduced, referred	524
	To sifting committee	619, 667
	Reported out	905
	To sifting committee	1000
396	By Hicklin. Drainage bonds.	
	Introduced, referred	524
	To sifting committee	619, 667
	Reported out	732
	Action deferred	736-737
	Passed; ayes 45, nays 0	753
	Received back	1038
	Reported enrolled	1114
	Signed by President	1114
	Sent to Governor	1125
	Approved by Governor	1145
397	By Cooney. Prohibit charging of fees by certain benevolent employment associations.	
	Introduced, referred	524
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425 By McArthur, Roelofs. Agriculture education.	
Introduced, referred	542
To sifting committee	619, 667
Reported out	1247
426 By Stevens of Wapello. Repealing legislation relating to assessment associations handling life, health and accident insurance.	
Introduced, referred	543
To sifting committee	619, 667
427 By Fisch. Riots defined.	
Introduced, referred	543
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428 By Fisch. Resisting execution of process.	
Introduced, referred	543
To sifting committee	619, 667
429 By Bennett. Limiting time which actions may be brought on causes of action arising within this state.	
Introduced, referred	543
To sifting committee	619, 667
430 By Bennett, Cooney. Regulating and chartering corporations.	
Introduced, referred	543
To sifting committee	619, 667
Reported out	688
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Amendment filed	1054
431 By Fralley. Warehouseman's lien.	
Introduced, referred	544
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432 By Roelofs. Licensing buyers of livestock.	
Introduced, referred	544
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433 By Roelofs. Livestock at packing plants.	
Introduced, referred	544
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434 By Harrington. Packing plants.	
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435 By Miller of Buchanan. Erection of memorials upon petition of members of Disabled American World War Veterans.	
Introduced, referred	545
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436 By Nelson. Home banks.	
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437 By Committee on Banks and Banking. Depositors' agreements.	
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450 By Wilson. Examination of mine inspector.	
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474 By Committee on Drainage. Drainage.	
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475 By Sifting Committee. Legalizing Act.	
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68 By Malone. Notice of tax sale.	
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70 By Malone. Publication of proposed amendments to the constitution.	
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72 By Malone. Attorneys' fees.	
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73 By Committee on Appropriations. State appropriation bill.	
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78 By Spidel. Legalizing acts of certain board of supervisors.	
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79 By Spidel. Levies for secondary roads.	
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83 By Reed. Releases of mortgages and liens.	
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84 By Peet. High school attendance.	
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238 By Committee on Fish and Game. Fish and game department.		
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243 By Hanson of Winnebago. Board of Supervisors.		
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245 By Committee on Appropriations. Governor authorized to reduce appropriation by Legislature.		
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263 By Brady. Workmen's compensation.		
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264 By Ditto. Metered mail. Received, referred	600	668
266 By Committee on Judiciary. Lien for threshing.		
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269 By Koch. Motor vehicles.		
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272 By Mercer. Fraternal society hospitals.		
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274 By Committee on Conservation of Resources. Dams.		
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275 By Committee on Conservation of Resources. Speed limits.		
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277 By Committee on Conservation of Resources. Peace officers.		
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278 By Committee on Conservation of Resources. State owned lands.		
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337 By Ditto. Concealed weapons.	
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339 By Johnson. Disabled voters.	
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340 By Johnson. Directed verdict by judges.	
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341 By Moore of Harrison. Passenger boats.	
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349 By Craven. Township licenses of amusement places.	
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350 By Fuester, McKinnon, Wenig. Period of redemption on foreclosed property.	
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367. By Falvey. Transfer of funds in Monroe County.	
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591 By Claims Committee. Jason B. McCoskey.	
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