

Major Legislation

With 100 of its 183 members new at their work, it may have been the most inexperienced legislature to meet in Iowa since the 1st General Assembly convened in 1846. Even so, it was not the most reluctant to tackle and to act decisively on major legislation of long-lasting effect.

Maybe the fact it was comparatively young in spirit and fresh in outlook was in its favor. For it was not hog-tied to hidebound concepts such as "it has never been done before," or "it can't be done that way because it's always been done this way."

Its members wrangled vigorously and often. Not infrequently they mired down in black bogs of parliamentary procedure. At times they denounced each other and their leaders. At times the leaders failed to provide the helpful guidance and firm discipline many consider to be essential to a smooth operation. At other times, however, things did run smoothly and, in the end, they compiled an enviable record for passing much legislation knowledgeable Iowans in both political parties agreed was long overdue.

In the process they stayed in session longer, adopted a higher budget, and cost the taxpayers

more than any legislature in Iowa history. But this was hardly a singular honor. Indeed, every legislature in the last decade has outdone its immediate predecessor in at least two, and often all three, of these categories.

The 1963 legislature, for example, lasted 125 days and adopted a record budget of \$208 million a year compared to records of 118 days and \$193.8 million set by the 1961 legislature. But the 1965 legislature was in session 145 days and adopted a record budget of \$267 million — \$12.4 million a year over the \$254.6 million budget proposed by Governor Hughes.

The 1965 legislature also set some sort of record for adopting proposed amendments to the Iowa Constitution by sending eight to the 1967 legislature for approval before they can be submitted to the people. Moreover, it approved one amendment, and turned down two, launched by the 1963 legislature. Approved was Senate Joint Resolution 10, to move the effective date for new laws from July 4 to July 1 in years the legislature meets. It now goes to the people for ratification or rejection at the general election November 1, 1966. Not approved were two 1963 amendments dealing with reapportionment. One would have repealed Section 37, Article III of the Iowa Constitution, which apparently prohibits sub-districts in multi-legislator counties. The other was the first step toward a permanent apportionment plan.

The 1965 legislature had other ideas and adopted a new permanent plan, conforming more closely to United States Supreme Court guidelines, for submission to the people in 1968 if approved by the 1967 legislature.

Here are the proposed amendments adopted for the first time by the 1965 legislature (they must be approved by the 1967 legislature before they can be submitted to the people):

House Joint Resolution 8, giving the legislature authority to fix expense allowances, as well as salaries, for members of succeeding legislatures.

Senate Joint Resolution 3, providing for annual sessions of the legislature.

Senate Joint Resolution 8, legalizing bingo games if conducted by charitable or religious organizations, or by congressionally-chartered veterans organizations.

Senate Joint Resolution 9, giving the Governor item veto power on appropriation bills.

Senate Joint Resolution 11, giving the Governor authority to appoint the Secretary of State, State Treasurer and Attorney General, and the legislature authority to appoint the State Auditor.

Senate Joint Resolution 13, providing home rule for municipalities.

Senate Joint Resolution 21, extending the terms of Governor and Lieutenant Governor from two to four years and making it mandatory for candidates of the same political affiliations for these of-

fices to run as teams, as candidates for President and Vice President do on national tickets.

Senate Joint Resolution 24, providing for a new permanent legislative apportionment plan.

The legislature did not stop with enactment of these proposed changes in the State's fundamental law. It also adopted much far-reaching legislation and made changes in many existing laws.

In the area of taxation, it passed bills increasing the cigaret tax from five to eight cents a pack and the gasoline tax from six to seven cents a gallon; extending the 2 per cent sales tax to hotel and motel rooms; boosting biennial drivers licenses from \$3 to \$5; withholding state income tax from paychecks beginning January 1, 1966; hiking inheritance tax rates; increasing hunting and fishing licenses 50-cents each and adding 25-cents to automobile fees to pay for reflectorizing license plates.

The legislature also voted to repeal five of the six-mill moneys and credits tax, then made up for the lost revenue by inserting a new \$9,000 bracket into the state income tax form.

In the area of education laws were passed:

Requiring every area of the State to be included in a 12-grade high school district by July 1, 1966.

Increasing from 7 to 10 mills the maximum levy for school bond indebtedness.

Authorizing four new vocational-technical training schools.

Authorizing private school students to enroll for public school courses not available in their own schools on a "shared time" basis.

Permitting public schools to charge fees for summer school.

Increasing state school aid from \$30 million a year to \$45 million.

Establishing a \$500,000 scholarship program for deserving Iowans at Iowa universities and colleges.

Setting minimum standards for all public and private schools through the junior college level.

On reapportionment, the legislature approved a new temporary plan leaving the House unchanged but increasing Senate membership from 59 to 61, to conform with the United States Supreme Court's one-man-one-vote decision. Even before the legislature adjourned, the constitutionality of this new plan was being tested in state and federal courts. The legislature also passed a proposed amendment for a new permanent plan calling for a Senate of not more than 50 members and a House of not more than 100. Republicans waged a bitter fight on this plan in an effort to make subdistricting of multi-legislator counties mandatory. But subdistricting is permissive in the plan as passed.

In the field of agriculture, the legislature in-

creased the appropriation for agricultural land tax credit from \$11.3 million a year to \$15 million; lowered the milk fat content required for ice cream sold in Iowa from 12 to 10 per cent and changed it for ice milk from 6 per cent to from 2 to 7 per cent.

Liquor laws underwent change, too. Quantity discount purchases were limited to liquor licensees only. And hours for sale of liquor-by-the-drink were extended from 1 to 2 a.m. Mondays through Fridays and from midnight Saturdays to 1 a.m. Sundays.

In the field of labor legislation, the legislature increased workmen's compensation and employment security benefits. It also passed a law permitting employees to request that employer-paid physical examinations be performed by physicians of their own choice.

Other legislation approved included bills:

Moving the primary election date from the first Monday in June to the first Tuesday after Labor Day in September;

Liberalizing voter-registration laws;

Abolishing capital punishment;

Limiting billboards on Interstate highways;

Permitting county supervisors to create the office of public defender;

Authorizing district court judges to parole county prisoners to take jobs during normal working hours;

Raising legislators' pay from \$30 to \$40 a day, and raising the pay of virtually all other employees of the state and of Iowa's 99 counties.

Appropriating a total of \$267 million a year to run the State government for the biennium starting July 1, 1965. Included in the appropriations was \$6 million to build not less than four new vocational-technical training schools, \$3 million for a new state office building and \$50,000 for a study of the state's tax structure.

There were other bills that the legislature did not pass, some of them recommended by Governor Hughes. After one of the bitterest behind-the-scenes fights of the session, it refused to give private students the right to ride on public school buses. And after another prolonged battle, this one more out in the open, it refused to change the right-to-work law.

It also refused to pass a civil service bill, even though Secretary of Agriculture Kenneth Owen's dismissal of a Republican milk sanitarian, Richard Dennler of Le Mars, sparked a long-winded legislative investigation which pointed to the need for civil service.

Then, too, the legislature did not settle the long-standing Iowa-Nebraska boundary dispute, or pass a multi-county health boards law, or appropriate funds for a new Governor's mansion. Nor would it approve lowering the voting age from 21 to 18, or consolidating certain state departments.

In retrospect, however, it did pass 480 bills and resolutions. But these three bills were stabbed by the Governor's veto pen and did not become law:

Senate File 335, authorizing the Iowa Highway Commission, county supervisors, and city councils to issue special permits to truckers to operate trucks of illegal length, weight, height and width on Iowa roads and streets under certain conditions. In his veto message, the Governor said he felt "the legislation went too far in its delegation of authority" and that its implementation would endanger human lives and contribute to breaking up the highways. Moreover, he added, the Attorney General had questioned the constitutionality of the bill in delegating such broad authority to non-legislative officials.

Senate File 546, relating to the assessment and valuation of property. The Governor noted this bill had been requested by the State Tax Commission and the State Comptroller. But, he said, it was amended to change the deadline date for filing applications for homestead tax credit and military service tax exemption from July 1 to June 1. This not only would be confusing to taxpayers and officials alike, he continued, but it also changed the purpose for which the bill originally was requested. So he disapproved it.

Senate File 641, which was passed to amend Senate File 335. The Governor noted that inas-

much as he already had disapproved Senate File 335 "no useful purpose would be served by allowing Senate File 641 to become law."

Here is the "accomplishment" box score of the 1965 legislature:

	House Bills	Senate Bills	Joint Resolutions		
			House	Senate	Total
Introduced	719	646	28	27	1,420
Withdrawn	104	96	9	1	210
Indefinitely Postponed	42	3	0	0	45
Failed to Pass	8	7	1	0	16
Passed by one house, no vote in other	67	31	5	0	103
Substitution made for.....	61	59	7	2	129
Tabled	2	5	0	1	8
Sent to Sec. of State	0	0	1	8	9
Signed by Governor	220	251	4	2	477
Became Law Without Governor's Signature ..	0	0	0	0	0
Vetoed by Governor	0	3	0	0	3
Passed Over Veto	0	0	0	0	0
New Laws	220	251	4	2	477

By comparison, the 1963 legislature passed 388 new laws. So the 1965 legislature outdid it in this respect, as well as in length and cost.

In the final analysis, the legislature went along with 56 of the 71 recommendations made by Governor Hughes in his inaugural and budget addresses, giving him a batting average of .788, one of the highest ever attained by an Iowa Chief Executive, if not the highest.

As recorded earlier, the 1965 legislature had convened at 10:05 a.m., January 11. Now, on June

4, the big clocks at the rear of the two chambers were stopped with the hands pointing to a few minutes before 5 p.m. But the legislature continued to work far into the night.

And as darkness fell, a bitter debate raged in the House over a controversial resolution asking Congress to call a Constitutional Convention on the reapportionment question. In the Senate an amusement tax bill was being debated. These were rivaled for attention only by the comic entanglement of the House in parliamentary red tape. A Call of the House, requiring every member's presence, had been filed on the resolution under debate and a roll call showed 25 members absent. But, these members could not be excused from the call without returning to vote on the motion to excuse themselves.

So, even as the House debate waxed hot, the Senate decided to quit business at 10:55 p.m., June 4. Upon learning this, the House followed suit 15 minutes later.

While work was at an end for legislators, formal adjournment did not take place for another six days in order to allow time for the staff to tie loose ends. Thus, on June 10, some 20 Representatives and 10 Senators returned to their desks to go through the motions of final adjournment.

The big clocks at the back of each chamber, stopped shortly before 5 p.m. on June 4, were started again. As their hands approached the hour

of 5 p.m., the rear doors of the two big chambers were opened so Speaker Vincent B. Steffen and Lieutenant Governor Robert Fulton could face each other across the rotunda, their gavels raised. Precisely at the hour of 5 p.m., they banged the session to an end.

But it was not really 5 p.m., June 4, 1965. It was 12:02 p.m., June 10, 1965.