

## Major Legislation

Iowa's legislature meets in regular session every other year for an allotted 100 days, or more if necessary, during which time it considers hundreds of bills proposing new laws or changing existing ones. Considering the variety of bills presented, it is amazing that so much is accomplished in so little time.

For the official record, the 1953 legislature required 108 days to complete its work — from 10 a.m. January 12 to 5 p.m. April 29. Unofficially, however, an extra day was required; the legislature did not actually adjourn until 5:26 p.m. April 30. To get around the extra day, the legislature crowded an "extra" 24 hours and 26 minutes into the session by the simple procedure of stopping the clock at 5 p.m. April 29, as called for in a House concurrent resolution adopted earlier in the session. All actions of April 30 were duly recorded as having taken place on April 29.

The 100th day fell on April 21, but for the first time in years the legislature did not stop the clock on that day. Although 108 calendar days elapsed between the fall of the opening and closing gavels, the official record of actual working time shows that the Senate was in session 74 days and the House 72.

During the session 971 bills were introduced, 182 fewer than in 1951, with 518 being originated in the House and 453 in the Senate. Of the total, 295 were passed and 293 were signed by the Governor, who vetoed the other two. The House originated both of the bills that failed to win the Governor's approval and 157 of those that he signed. The Senate originated the other 136. Two additional bills were passed by both houses but in different form. They never reached the Governor because neither chamber would concur in what the other wanted.

In addition to bills, three kinds of resolutions may be introduced in the Assembly — joint, concurrent, and just plain House or Senate resolutions. Joint and concurrent resolutions must win approval of both houses, and joint resolutions must be signed by the Governor to become effective. Plain House and Senate resolutions need only the approval of the chamber in which they were introduced.

Altogether 91 resolutions of varying kinds were introduced, 59 in the House and 32 in the Senate. Of the total, 24 were joint resolutions, 53 were concurrent resolutions, and 14 were plain one-house resolutions. Of the joint resolutions 19 were introduced in the House and 5 in the Senate. One of the House resolutions was later withdrawn, while 2 House and 1 Senate resolution were passed and signed by the Governor. Of the con-

current resolutions, 31 were introduced in the House and 22 in the Senate. Twenty-four of the House concurrent resolutions were adopted, and 19 of the Senate's were passed. Of the plain resolutions, Representatives introduced 9 and the House passed all but 1. Five were introduced in the Senate which passed 2. These resolutions do not include those adopted in memory of former members of the Assembly — known as Memorial Resolutions.

As if this business were not enough to keep both chambers busy, the Senate also passed 54 bills which failed to gain House approval, while 40 House-approved bills did not arouse enough enthusiasm for passage by the Senate. In addition, the Senate voted down five of its own bills while the House defeated one of its bills and one of its joint resolutions. Thirty-nine House and seven Senate bills, as well as two House joint resolutions, were indefinitely postponed.

One of the bills vetoed by Governor Beardsley proposed amending Section 627.10 of the 1950 Code exempting earnings of a family breadwinner. House File 123 provided for a 10 per cent garnishment for debts. The Governor returned it unsigned on April 15, with the following letter.

I have considered this bill very seriously and have been impressed with the earnestness and sincerity of the authors of the bill in their desire to protect merchants and small business men in the collection of accounts.

However, we must look further. The purpose of the debtor's law . . . is to protect the home and the family against the financial vicissitudes of life. The law was created for that purpose, recognizing the responsibility of the state in protecting the home.

. . . One can readily see, by the application of this act, that a family's support could be impaired for a long period of time, and the home life even disrupted, especially if a creditor sought mercilessly to pursue the collection of a debt.

In view of these hazards . . . I have withheld my signature.

The House attempt to override the Governor's veto failed because the 61 to 44 vote in favor lacked the required constitutional two-thirds majority.

The House had no opportunity to override the Governor's veto of House File 328, the other bill he would not sign, because the bill was not sent to him until April 28, the day before official adjournment sine die; and under the law he had thirty days in which to act on it. On May 28, Governor Beardsley notified Secretary of State Melvin D. Synhorst that he was delivering to him, unsigned, House File 328. In his letter he included the following reason of his refusal to sign:

Section 2 of the Bill provides for the contracting of work without competitive bidding up to the amount of \$25,000.00. In my judgment, this is not sound public policy, as a transaction of that size should be subject to competitive bidding.

The beneficiary of more authority to contract for work up to \$25,000, had the Governor signed the bill, would have been the State Board of Control.

It is impossible to mention all of the bills adopted and signed into law. Only those of general interest are presented here. From that standpoint, however, there is no question as to which of the many bills passed attracted most widespread attention. They were the so-called "oleo" bills, including one to remove the ban on the sale of yellow oleomargarine in Iowa, and one to repeal the 5-cent per pound tax on oleomargarine. But even though the legislature considered these bills over the longest period of time, most members did not rate them as important as many others that received more concentrated attention but failed to attract comparable interest.

Of vital importance to Iowa's secondary system of public school education was the new law changing the office of State Superintendent of Public Instruction from elective to appointive and creating a new Iowa Board of Public Instruction to be composed of nine lay citizens serving part time. Eight of the new board members were to be elected by delegates named by Boards of Education located in each of the eight congressional districts, and the ninth appointed by the Governor. The Board will supervise the secondary school program and appoint the State Superintendent. This new law also abolished the State Boards of Vocational

Education and of Educational Examiners, transferring their duties to the new Board.

The legislature also established a new procedure for reorganization of school districts. One clause of major importance in this new law provided that new districts must have at least 300 pupils. By this method it was hoped school districts would be able to offer more courses and better equipped teachers, while operating more efficiently and economically.

Another important bill that received legislative approval in one of the greatest displays of statesmanship that came out of the arguments in both houses was the change made in the retirement system for Iowa's public employees. This change was accomplished by three bills which (1) abolished the existing system which had been declared insolvent, (2) placed employees under the federal social security system, and (3) created a new state system to supplement federal coverage.

Important to every citizen paying an income tax was the bill which made permanent the 75 per cent rate and the deduction schedule that had been in effect on a session-to-session basis since 1945. The removal of the tax on oleo was also important. Another bill helped indirectly to lessen the taxpayer's load. It exempted public bodies from paying the sales and use taxes, instead of paying them and later applying for refunds.

Offsetting this boon to income tax payers was

the increased tax on gasoline and cigarettes. The tax went up a penny a gallon on gas (from 4 to 5 cents) and a penny a pack on cigarettes (from 2 to 3 cents). The \$7,500,000 which it was estimated the extra cent of gasoline tax would bring in was to go specifically for hard surfacing primary roads now covered only with gravel or rock.

In the field of agriculture one bill set the requirements for the percentage of butterfat in substandard ice milk, substandard frozen milk, and ice cream from none to 10 per cent. Another increased the minimum butterfat content of market milk from 3 to 3.25 per cent to conform with the uniform federal requirement for Grade A milk.

Other agricultural bills added vesicular exanthema, scrapie, and rinderpest to the list of communicable animal diseases subject to condemnation and payment of indemnity to the owner; and prohibited the feeding of raw garbage to swine except as regulated by the Secretary of Agriculture and unless boiled for thirty minutes. The exanthema law affords a good example of how the legislature can act promptly in emergencies. This dreaded hog disease broke out in Iowa while the legislature was in session. A bill, recommended by the Council of State Governments, was passed by both houses and signed by the Governor in a matter of hours.

On appropriations matters the legislature adopted the "must" legislation to keep the state govern-

ment and its subdivisions going. It also voted: (1) to return \$450,000 from the World War II bonus fund to the general fund, and to extend the period for World War II veterans to claim their bonus from December 31, 1950, to June 30, 1953; (2) to terminate the World War II bonus board and to transfer its records to the State Auditor; (3) to transfer \$2,000,000 from the World War I bonus fund to the Board of Control for construction of a nursing home at the Soldiers' Home in Marshalltown; (4) to appropriate \$843,000 to the State Conservation Commission, of which \$500,000 was for use in a sanitary district at Clear Lake and \$25,000 for algae treatment at Storm Lake; and (5) to authorize the spending of \$500,000 for a new liquor warehouse.

The legislators also voted:

To provide a penalty of \$25 to \$100 for refusal of a cemetery corporation to accept a body because of race or color.

To require operators of prearranged funeral plans to deposit 80 per cent of all payments in separate trust funds.

To repeal the 5-mill limit on municipal taxation for payment of bond issues and interest, and to correct a number of other municipal code laws passed by the 1951 legislature.

To lower from 65,000 to 40,000 the minimum population of a county authorized to spend up to \$25,000 for courthouse, jail, or county home addi-



tions without a vote of the people, provided the county has a county seat of 5,000 or more.

To raise the daily pay of petit jurors from \$3 to \$5.

To provide a fine up to \$10,000 or a prison term up to ten years for any one convicted of attempting to bribe an athlete. This law soon became applicable when a man was charged with attempting to bribe a Drake University basketball player.

To increase from two up to twenty years the penitentiary sentence for selling narcotics.

To require foreign-born physicians to show citizenship or intent to become citizens before they can qualify for a license to practice.

To redistrict four senatorial districts by transferring Grundy County from the Black Hawk-Grundy district to the Tama-Benton district and Franklin County from the Cerro Gordo-Hancock-Franklin district to the Butler-Bremer district.

To reduce minority party membership on the legislative budget and financial control committee from two to one from each house whenever the minority party controls fewer than ten per cent of the seats in that house.

To raise active duty pay of guardsmen from \$1 to \$3 daily, and to recognize the air guard.

To increase motor vehicle speed limits in school districts from 20 to 25 miles per hour.

To assess a monthly fee of \$2 to \$3 on mobile homes in licensed trailer parks, the proceeds to be

distributed among the local school district, municipality, and county.

To establish a centralized printing department.

To require issuance by county treasurers of certificates of title to motor vehicles.

This summary does not begin to cover the work accomplished by the legislature; nor does it detail what was contained in bills or resolutions which the legislature refused to adopt on such subjects as Class C beer permits and reapportionment of the lower house. It does, however, indicate the tremendous amount of work done and the magnitude of the task the legislature faces each biennium in giving just consideration to every proposal.

FRANK T. NYE

#### COST OF A LEGISLATIVE SESSION

<i>Expense items</i>	<i>Senate</i>	<i>House</i>	<i>Joint</i>
Members' salaries .....	\$104,000.00	\$218,000.00	\$—————
Employees' salaries .....	80,210.00	131,833.40	30,099.50
Printing .....	28,173.53	39,076.11	4,087.16
Traveling expenses .....	650.10	1,369.60	—————
Chaplains' expenses .....	735.40	735.40	—————
Miscellaneous expenses ....	4,673.85	3,236.35	103.49
	—————	—————	—————
Total expense 55th General			
Assembly .....	\$218,442.88	\$394,250.86	\$34,290.15
Expense total, 54th General			
Assembly .....	\$235,969.73	\$427,586.50	\$61,236.70