

Major Legislation

In his third inaugural address Governor Hughes had said the two parties could work harmoniously and that he would help. Lieutenant Governor Fulton and Speaker Baringer had echoed his words. Party leaders in both chambers had pledged that as their common goal.

The hard-working 1967 legislature spent nearly six months on the job. What it did—after overcoming frequent outbreaks of partisanship that could have ended the session in a hopeless stalemate had they gone unchecked—was to write a record reading: "Highly Productive." Perhaps this was because the leaders were as good as their word. Rather than accept divided control as an insurmountable barricade to progress, they used it to advantage in putting through major legislation that neither party had been able to pass on its own, in previous sessions.

Divided control was the major factor leading to the first major overhaul of the state's tax structure in decades and this action was still drawing both praise and criticism long after the session ended. Divided control was largely responsible, too, for new laws (1) seeking to end discrimination in housing and (2) creating a civil service

system for state employees. Without it, there was doubt that the legislature would have taken the first steps toward reorganizing the administrative branch by (1) remodeling the State Tax Commission into a new Department of Revenue and (2) merging three existing state boards into a new Department of Social Services.

But these were not the only major accomplishments of the legislature. In the area of proposed constitutional amendments alone, for example, it was extremely active. It approved, for submission to the people at the 1968 general election, five of eight amendments initiated in 1965:

Senate Joint Resolution 1, giving municipalities a greater degree of home rule.

Senate Joint Resolution 2, giving the Governor item veto power on appropriation bills.

Senate Joint Resolution 4, requiring the legislature to meet annually instead of biennially.

Senate Joint Resolution 8, providing a new permanent apportionment plan that would reduce the legislature's membership to not more than 150 from 185.

Senate Joint Resolution 10, authorizing the legislature to fix the reimburseable expenses of members, as well as their compensation.

Not approved were three amendments passed by the 1965 legislature:

Senate Joint Resolution 3, extending terms of Governor and Lieutenant Governor to 4 years from 2 years and requiring them to run as a team.

Senate Joint Resolution 11, legalizing bingo.

Senate Joint Resolution 14, shortening the ballot by authorizing the appointment of four elective state officials.

Even then the legislature was not through. It initiated three constitutional amendments, requiring approval by the 1969 legislature before they could be put to a vote of the people:

Senate Joint Resolution 12, requiring that each legislator be elected from a separate district.

Senate Joint Resolution 24, liberalizing residency requirements for certain voting purposes.

House Joint Resolution 11, repealing the section providing two-year terms for county attorneys, opening the way for passage of a law making them four-year terms to conform with those of other county officials.

Moreover, the legislature approved Senate Joint Resolution 13, ratifying a proposed amendment to the Federal Constitution relating to the succession to the presidency and the vice-presidency and to cases where the President is unable to carry out the powers and duties of his office.

This was only the beginning. In the field of education, the legislature passed laws (1) outlining conditions under which Amish children would be exempted from attending public schools and from observing state school standards, (2) continuing the newly-organized vocational-technical schools and community colleges after fierce, session-long wrangling over whether or not they had over-stepped bounds laid down by the 1965 legislature, (3) appropriating \$500,000 to start a statewide educational television system, (4) changing the name of the State College of Iowa to the "University of Northern Iowa," (5) ap-

appropriating \$500,000 to start a new state university in western Iowa, (6) continuing programs for state scholarships and guaranteed loans for college students. It also passed legislation:

Creating a medicare program for recipients of present welfare services.

Removing the 4 per cent ceiling on interest Iowa banks could pay for idle public funds.

Creating a toll bridge authority.

Outlining a code of ethics for legislators.

Implementing three bills of a seven-bill package designed to reorganize the judicial branch.

Requiring liquor licensees to pay tax on liquor at the time of purchase from state stores rather than after it is sold for consumption.

Requiring distilleries to disclose payments made to Iowans, directly or indirectly, as the result of sales to the Iowa Liquor Control Commission.

Requiring open meetings of all public boards, commissions, agencies, etc.

Extending to Iowa Vietnam veterans the same tax exemptions, benefits, and privileges enjoyed by Iowa veterans of earlier wars.

Authorizing use of patient's fees and of gifts, to retire bonds issued to finance building at University Hospitals.

Creating a state air pollution control commission.

Authorizing the purchase of a Federal building in downtown Des Moines to house state departments.

Improving the public employees' retirement system.

Extending the work release law, relating to county prisoners, to inmates of state prisons.

Appropriating funds to build (1) a peace officers academy and (2) a medium security penal unit.

Extending workmen's compensation laws.

Authorizing the state to aid local communities hit by disasters.

Requiring the humane slaughter of animals.

Authorizing creation of area health boards.

On the lighter side, the Assembly passed bills:

Designating the slogan "Beautiful Land" for automobile license plates, only to repeal it five months later upon discovering that half of the 1968 plates would not be carrying the slogan because they were made before the new law would take effect.

Authorizing use of metal-studded snow tires between November 1 and April 1.

Declaring the geode to be the official state rock.

Legalizing the sale of liquor to Indians.

Raising the marriage license fee to \$5 from \$3.

These bills produced levity when it was needed to break the tension resulting from some tough in-fighting. One of the most bitter fights was over a bill extending the legal length of truck-tractors pulling two trailers to 65 feet from 60 feet. After passing the bill and sending it to the Governor, the legislature, reacting to a storm of public protest, recalled the measure, and defeated it.

Other measures that failed to clear:

Allowing private students to ride public school buses.

Repealing Iowa's Daylight Saving Time law.

Liberalizing the state's abortion laws.

Lowering the voting age to 18 years from 21.

Requiring state inspection of motor vehicles.

Increasing municipalities' percentage share of the state road use tax fund to 15 from 13.

Not passed, for the second consecutive session, was a resolution asking Congress to call a consti-

tutional convention to set aside the United States Supreme Court's one-man, one-vote apportionment decision. It was passed by the House but died in a Senate committee.

Not all the bills passed by the legislature became law. Governor Hughes saw to that by applying his veto pen to these measures:

Senate File 40, requiring drivers' and chauffeurs' licenses include a color photograph of the holder.

House File 72, forbidding hunters without deer licenses to carry shotguns loaded with a slug or with shot larger than No. 2, or any rifle other than a .22 calibre rimfire.

For the first time in his career, the Governor let a bill (House File 754) become law without his signature. It established the Iowa Comprehensive Alcoholism Project with a \$50,000 appropriation and ratified acts of the Governor in setting up the project before it was enacted.

The "box score" of the Assembly read:

	<i>House Bills</i>	<i>Senate Bills</i>	<i>House Joint</i>	<i>Senate Resolutions</i>	<i>Totals</i>
Introduced	797	879	34	39	1,749
Withdrawn	75	91	4	1	171
Indefinitely Postponed	49	3	3	1	56
Failed to Pass	14	6	0	0	20
Passed one house, no vote in the other	70	111	6	4	191
Substitutions made for.....	55	68	1	3	127
Tabled	3	1	0	0	4
Passed both but in different form	3	2	0	0	5
Sent to Sec. of State.....	0	0	6	8	14
Signed by Governor	212	247	2	1	462
Became law without Governor's signature	1	0	0	0	1
Vetoed by Governor	1	1	0	0	2
Passed over Veto	0	0	0	0	0
New Laws	213	247	6	8	474

With such a record it could be easily understood why the 1967 legislature achieved its "Highly Productive" rating. In fact, two of its accomplishments left veteran observers shaking their heads in disbelief.

The first was in farming out to a 10-member bipartisan state commission the almost impossible task of temporarily dividing Iowa's 18 multi-member legislator districts into single-member representative and senatorial subdistricts. This had to be done in time for the election, in 1968, of the 1969 legislature to satisfy a state Supreme Court decision. The commission was given less than a month to do what the legislature itself wrangled over hopelessly for nearly three months before delegating its authority. The commission performed its assignment so expertly that the legislature adopted its report with only minor changes.

The second item of disbelief was passage of a three-bill package designed to shift a portion of the ever-increasing school tax load from property owners to other sources of revenue.

In this package House File 686 contained a new formula for distributing state school aid and was the product of several years of hard work. Among other things, this bill increased the state's share of public school costs to 36 per cent from 13 per cent. Sponsors predicted this would result in relieving property taxes for school purposes by a statewide average of 18 to 20 mills.

Senate File 702 provided the funding for increased school aid called for in House File 686. Senate File 702 was highly controversial because it was vaguely written, probably the result of having been concocted hurriedly behind closed doors in the last 10 days of the session by legislative leaders of both parties in meetings with Governor Hughes. Among other things this bill raised the Iowa sales tax to 3 per cent from 2 per cent; initiated a 3 per cent tax on most services; increased personal income tax rates in brackets above \$7,000; established new 6 and 8 per cent brackets in corporation tax rates and permitted corporations to deduct only half of the Federal corporation tax paid in computing their state tax; increased cigaret tax 2 cents a pack, to 10 cents; increased the beer tax to 12 cents a gallon and established a new 10 per cent wholesale tobacco tax. Sponsors estimated the bill would raise \$102 million a year in new revenue.

Senate File 772 required assessment of all real and personal property at 27 per cent of its "fair and reasonable" value beginning January 1, 1968. This was to standardize assessments throughout the state so property owners would be on an equal footing, both for taxation and tax relief purposes.

All hands seemed agreed that the package would redeem property tax relief planks in the platforms of both parties. But many doubted the need of the service and other new taxes.

However, leaders of the two parties in both houses had made a pact, together and with Governor Hughes, to ram the package through the legislature without major change and they did it, over the bitterly expressed opposition of a minority in both chambers.

Yet, even though the normal committee procedures were dispensed with in order to push the package through; and even though leaders forced the Assembly to work on it shortly after receipt of mimeographed copies of Senate File 702, and before they could digest what was in it, the whole package was not "in the bag" until Sunday, July 2, because opponents put up quite a fight.

Leaders had hoped to end the session by noon, then by midnight, Friday, June 30, the 173rd day. But one thing after another came up to force an extension until Saturday, July 1.

Appropriation bills were not all finished, for one thing, and they were in the category of "must" legislation. But little did members of appropriations committees know, when they came to work at 8 a.m. July 1, they were about to put in the longest day in the history of the Iowa legislature.

Leaders were so confident the session would end early Saturday evening that they did not recess for the evening meal. Complications arose and hunger pangs became almost audible by 9 p.m. When word was leaked that adjournment would come by midnight, members sent for sand-

wiches and box suppers to keep body and soul together. During procedural lulls, weary legislators laid their heads on desks, or stretched out on sofas in the lounges or around the perimeters of the chambers. Now and then a songfest would begin, with strains of such numbers as "Show Me the Way To Go Home," "Sweet Adeline," and "I Won't Be Home Until Morning," wafting through the high-ceilinged House chamber. The Senate was a bit more sedate. But when Saturday midnight passed with no adjournment in sight, it was announced in that chamber that a special mass for Catholic legislators would take place at 6 a.m. Appropriately, House vocalists changed their selections to religious songs such as "Faith of Our Fathers," "The Old Rugged Cross," and "When the Roll Is Called Up Yonder, I'll Be There."

But the rolls to be called down here were of more immediate concern to the bleary-eyed lawmakers. And many more rolls were called as the wee hours of Sunday wore on, as tempers wore thin and voices grew hoarse, in the raging debates over every bill or conference report that came up.

One, two, and three bells sounded and all was not well as legislators began to wonder whether the session would ever end. The break came a half hour or so before the first streaks of dawn were to light the sky. The last of the appropria-

tion bills was ready and its passage would send the state's spending total for the two-years starting July 1, 1967, to a record high of \$988,411,934. If highway commission expenditures were included, the biennial budget would top the \$1 billion mark for the first time in Iowa's history.

It was appropriate, perhaps, that some legislators appeared to be dreaming, or talking in their sleep, as final bills were passed shortly after 4 a.m.

A few more minutes and the Senate adjourned at 4:34 a.m. The House followed suit at 4:43 a.m. It was Sunday, July 2, the 175th day of the session—and the first time a regular session had met (1) in two fiscal years, (2) in July, (3) on the Sabbath, and (4) for more than 20 hours straight covering a Saturday and a Sunday.

A week was set aside for the staff to complete housekeeping chores. Then a few legislators gathered for final adjournment rites. Clocks, stopped back on July 2nd, pretended that July 2nd was still on the calendar. But when Lieutenant Governor Fulton and Speaker Baringer rapped their gavels to sound sine die adjournment, it was really 4:23 p.m. July 10, 1967.