

to amend section two hundred forty-one point two (241.2), subsection two (2), Code 1958, so as to eliminate the requirement that applicants of aid to the blind be a citizen of the United States or have made application for citizenship.

Read first and second times and placed on the calendar.

Senate File 309, by committee on social security, a bill for an act to repeal subsection five (5) of section two hundred forty-one point two (241.2), Code 1958, relating to the ineligibility of an applicant of aid to the blind if he at any time has solicited alms.

Read first and second times and placed on the calendar.

Senate File 310, by committee on social security, a bill for an act to amend section two hundred forty-one point twenty (241.20), Code 1958, and section two hundred forty-one point twenty-one (241.21), Code 1958, relating to the amount of participation by the county in the aid to the blind program.

Read first and second times and placed on the calendar.

Senate File 311, by Senators Prentis, Henry, Schroeder and Nolan, a bill for an act relating to the deposit of public funds not needed for current operating expense.

Read first and second times and passed on file.

Senate File 312, by Senators O'Malley, Miller, Wolf and Hoschek, a bill for an act to amend chapter six hundred five A (605A), Code 1958, to include municipal and superior court judges in the judicial retirement system and providing for contributions by such judges and the city and county of their respective court districts to finance their portion of the benefits.

Read first and second times and passed on file.

#### UNFINISHED BUSINESS

On motion of Senator Shaff, Senate Joint Resolution 7, a joint resolution proposing to amend Article Five (V) of the Constitution of the State of Iowa relating to the supervisory and administrative control of the inferior courts by the Supreme Court; to the qualifications, selection, tenure, compensation, powers and duties of judicial nominating commission members, judges and other judicial officers; to the mandatory retirement with compensation of judges of the Supreme and District Courts and to the termination of all courts inferior to the District Court unless otherwise provided by law, was taken up for further consideration.

Senator Nolan offered the following amendment filed by Senators Nolan, Boothby, Vance, Putney and Byers:

Amend Senate Joint Resolution 7, by striking all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Amend Article Five (V) of the Constitution of the State of Iowa as follows:

"1. Amend section four (4) thereof, as it appears in the Code 1958, by striking from lines eight (8) and nine (9) of such section the words 'exercise a supervisory' and inserting in lieu thereof the words, 'shall exercise a supervisory and administrative'.

"2. Sections three (3), five (5), nine (9) and eleven (11) thereof are repealed.

"3. Article Five (V) is further amended by adding the following sections:

Section 15. Vacancies in the Supreme Court and District Court shall be filled by appointment by the Governor subject to confirmation by a constitutional majority vote of the Senate of the State of Iowa at the session of the General Assembly next following such appointment.

Section 16. The members of such courts shall hold office during good behavior. The General Assembly shall prescribe mandatory retirement for judges of such courts at a specified age and shall provide for adequate retirement compensation. Retired judges may be assigned to temporary judicial duties by the chief justice of the Supreme Court during their period of retirement.

Section 17. Judges of the Supreme Court and District Court shall receive salaries from the state, and such salaries shall not be diminished during their continuance in office. They shall be members of the bar of the state and shall have such other qualifications as may be provided by law and shall be eligible to hold or be a candidate for any elective office while serving on said courts.

Section 18. Judges of the Supreme Court and District Court who were elected or appointed prior to the effective date hereof shall continue in office during good behavior and until reaching the age of retirement.

"Sec. 2. The foregoing proposed amendment to the Constitution of the State of Iowa is hereby referred to the General Assembly to be chosen at the next general election, and the secretary of state is hereby directed to cause the same to be published as provided by law."

Senator Nolan offered the following amendment to the amendment:

Amend the amendment as follows:

Section 1. Strike the figures thirty-three (33) in line eleven (11) and insert therefor the figure three (3).

Sec. 2. Add the following after period (.) on line twenty (20) "Appointment to the district court shall be from the name or names submitted to the governor by the members of the Bar of the district or districts involved".

Senator Nolan asked and received unanimous consent to withdraw section 1 of the amendment to the amendment.

On motion of Senator Nolan, section 2 of the amendment to the amendment was adopted.

Senator Dewel moved the previous question on the amendment.

Roll call was demanded.

On the question "Shall the previous question be ordered?" the vote was:

**Ayes, 37:**

Boothby	Evans	Hoffman	Rigler
Buck	Fisher	Hoschek	Ringgenberg
Butler	Getting	Long	Schroeder
Byers	Gillespie	Lynes	Scott
Coleman	Gilmour	McCurdy	Shaff
Dewel	Grimstead	Mincks	Shoeman
Dykhouse	Harbor	Moore	Stuart
Edelen	Henry	Price	Vance
Elijah	Hill	Prince	Weber
Eppers			

**Nays, 12:**

Frommelt	Nolan	Potter	Turner
Hansen	O'Connor	Prentis	Walker
Hoxie	O'Malley	Putney	Wolf

**Absent or not voting, 1:**

Miller

The motion prevailed and the previous question was ordered.

Senator Nolan moved the adoption of the amendment as amended.

Roll call was demanded.

On the question "Shall the amendment as amended be adopted?" the vote was:

**Ayes, 11:**

Boothby	Getting	Potter	Scott
Byers	Nolan	Prentis	Vance
Eppers	O'Connor	Putney	

**Nays, 38:**

Buck	Gillespie	Long	Ringgenberg
Butler	Gilmour	Lynes	Schroeder
Coleman	Grimstead	McCurdy	Shaff
Dewel	Hansen	Mincks	Shoeman
Dykhouse	Harbor	Moore	Stuart
Edelen	Henry	O'Malley	Turner
Elijah	Hill	Price	Walker
Evans	Hoffman	Prince	Weber
Fisher	Hoschek	Rigler	Wolf
Frommelt	Hoxie		

**Absent or not voting, 1:**

Miller

The amendment was lost.

Senator Nolan offered the following amendment and moved the adoption of divisions 1 and 2 of the amendment:

Amend Senate Joint Resolution 7 as follows:

1. Strike the words "Three nominees" in line 14, and insert in lieu thereof the words "One or not more than three nominees".

2. Strike the words "two nominees" in line 15, and insert in lieu thereof "one or not more than two nominees".

3. Strike all following "law," in line 79 and insert in lieu thereof the following "":

4. Strike all of lines 80 and 81 and the following in line 82 "provided by law."

Roll call was demanded.

On the question "Shall divisions 1 and 2 of the amendment be adopted?" the vote was:

Ayes, 13:

Boothby	Getting	Mincks	Putney
Byers	Grimstead	Nolan	Scott
Coleman	McCurdy	Prentis	Vance
Eppers			

Nays, 33:

Buck	Hansen	Lynes	Ringgenberg
Butler	Harbor	Moore	Shaff
Dewel	Henry	O'Malley	Shoeman
Edelen	Hill	O'Connor	Stuart
Elijah	Hoffman	Potter	Turner
Evans	Hoschek	Price	Walker
Fisher	Hoxie	Prince	Weber
Gillespie	Long	Rigler	Wolf
Gilmour			

Absent or not voting, 4:

Dykhouse	Frommelt (present)	Miller	Schroeder
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Division 1 and 2 of the amendment was lost.

Senator Nolan moved the adoption of divisions 3 and 4 of the amendment.

Divisions 3 and 4 of the amendment were adopted.

Senator Moore offered the following amendment and moved its adoption:

Amend Senate Joint Resolution 7 by striking from section 1 all of lines 19 to 52, inclusive, and inserting in lieu thereof the following:

"Section 16. There shall be a state judicial nominating commission as shall be provided by law. The commission shall make nominations to fill vacancies in the supreme court. There shall also be a district judicial nominating committee in each judicial district of the state as shall be provided by law. Such commissions shall make nominations to fill vacancies in the district court within their respective districts."

Roll call was demanded.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 24:

Byers	Edelen	Evans	Gillespie
Coleman	Eppers	Frommelt	Gilmour

Hansen	McCurdy	O'Connor	Price
Harbor	Mincks	O'Malley	Putney
Hill	Moore	Potter	Scott
Hoxie	Nolan	Prentis	Wolf

Nays, 25:

Boothby	Getting	Lynes	Shoeman
Buck	Grimstead	Prince	Stuart
Butler	Henry	Rigler	Turner
Dewel	Hoffman	Ringgenberg	Vance
Dykhousé	Hoschek	Schroeder	Walker
Elijah	Long	Shaff	Weber
Fisher			

Absent or not voting, 1:

Miller

The amendment was lost.

Senator Shaff offered the following amendment and moved its adoption:

Amend the title to Senate Joint Resolution 7 as follows:

1. By striking the semicolon (;) in line 6 and inserting in lieu thereof the word "and".
2. By inserting a period (.) after the word "Courts" in line 8 and striking the balance of lines 8, 9 and 10.

The amendment was adopted.

Senator Shaff moved that the resolution be read a third time now, which motion prevailed, and the resolution was read a third time.

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

Ayes, 29:

Buck	Getting	Hoschek	Ringgenberg
Butler	Gilmour	Hoxie	Schroeder
Coleman	Hansen	Long	Shaff
Dewel	Harbor	Lynes	Stuart
Dykhousé	Henry	Moore	Walker
Edelen	Hill	O'Malley	Weber
Elijah	Hoffman	Rigler	Wolf
Fisher			

Nays, 18:

Boothby	Grimstead	Potter	Putney
Byers	McCurdy	Prentis	Scott
Eppers	Mincks	Price	Turner
Evans	Nolan	Prince	Vance
Frommelt	O'Connor		

Absent or not voting, 3:

Gillespie	Miller	Shoeman
(present)		

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