

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 4, a bill for an act to permit the refund of motor fuel tax paid on motor fuel used in corn shellers and roller mills.

Also: That the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File 237, a bill for an act relating to reciprocity and apportionment of motor vehicle registrations and to the compensation tax on certain motor vehicles.

WILLIAM R. KENDRICK, *Chief Clerk.*

HOUSE AMENDMENT TO SENATE FILE 237

Amend Senate File 237 as follows:

1. Add to line sixteen (16) of section two (2) after the word, "owners" the word, "of".
2. Strike from line twenty-seven (27) of section two (2) the word, "application" and insert the word, "applicant".

HOUSE MESSAGE CONSIDERED

House File 4, a bill for an act to permit the refund of motor fuel tax paid on motor fuel used in corn shellers and roller mills.

Read first and second times and passed on file.

SPECIAL ORDER OF BUSINESS

The hour of 10:30 a.m. having arrived, the Chair announced the special order of business for the reconsideration of 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.

Senator Moore called up the following amendment, filed by him, and the action on same found on page 351 of the Senate Journal:

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."

Senator Nolan asked and received unanimous consent to take up out of order the following amendment filed by Senators Nolan, Boothby, Putney and Vance:

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 thereto the following:

(1) The method of selecting judges of all courts shall be as provided by the General Assembly.

(2) The terms of office of such judges shall be determined by the General Assembly, provided, however, that the terms of Supreme Court judges shall not be less than eight years and the terms of District Court judges shall be not less than six years.

(3) 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 ineligible to hold or be a candidate for any other public office while serving on said courts except as otherwise provided by law.

(4) The General Assembly shall prescribe mandatory retirement for judges of the Supreme Court and District Court 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.

(5) Judges of the Supreme Court and District Court who are holding office on the effective date hereof shall continue in such office for the remainder of the term to which they were elected or appointed and for such further time as may be provided by the General Assembly."

"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 by law."

Senator Nolan moved the adoption of the amendment.

Roll call was demanded.

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

Ayes, 14:

Boothby	Frommelt	O'Connor	Putney
Byers	Mincks	Potter	Scott
Coleman	Moore	Prentis	Vance
Eppers	Nolan		

Nay, 36:

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

Absent or not voting, none.

The amendment was lost.

Senator Moore again called up the amendment, filed by him, offered the following amendment to the amendment and moved its adoption:

Amend line 7 of the amendment by striking the word "committee" and inserting in lieu thereof the word "commission".

The amendment to the amendment was adopted.

Senator Moore 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, 15:

Byers	Gillespie	Mincks	Potter
Coleman	Gilmour	Moore	Putney
Eppers	Hansen	Nolan	Scott
Frommelt	Hill	O'Connor	

Nays, 35:

Boothby	Getting	McCurdy	Shaff
Buck	Grimstead	Miller	Shoeman
Butler	Harbor	O'Malley	Stuart
Dewel	Henry	Prentis	Turner
Dykhousé	Hoffman	Price	Vance
Edelen	Hoscheck	Prince	Walker
Elijah	Hoxie	Rigler	Weber
Evans	Long	Ringgenberg	Wolf
Fisher	Lynes	Schroeder	

Absent or not voting, none.

The amendment as amended was lost.

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, 31:

Buck	Dykhousé	Evans	Gillespie
Butler	Edelen	Fisher	Gilmour
Dewel	Elijah	Getting	Hansen

Henry	Lynes	Rigler	Vance
Hill	Miller	Schroeder	Walker
Hoffman	O'Malley	Shaff	Weber
Hoschek	Price	Shoeman	Wolf
Long	Prince	Stuart	

Nays, 19:

Boothby	Grimstead	Moore	Putney
Byers	Harbor	Nolan	Ringgenberg
Coleman	Hoxie	O'Connor	Scott
Eppers	McCurdy	Potter	Turner
Frommelt	Mincks	Prentis	

Absent or not voting, none.

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

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

Division was called for.

The motion prevailed.

Senator Schroeder moved that the Secretary be instructed to immediately message Senate Joint Resolution 7 to the House, which motion prevailed.

SENATE CONCURRENT RESOLUTION 12

By Appropriations Committee

Be It Resolved by the Senate, the House Concurring: That the following bills, authorized by legislative action, are hereby approved and ordered paid as provided by section two point twenty (2.20), Code 1958:

Office Machine Supply Co., repairing typewriters, repair, clean and furnish new ribbon on Burroughs adding machine, 1 new Hermes Ambassador typewriter, check 54 typewriters @\$2.00 each and furnish 54 new typewriter ribbons @ \$9.00 per dozen (Senate)	\$ 381.50
Koch Brothers, 2 Gunlocke chairs for use of Lieutenant Governor (Senate)	468.80
Storey-Kenworthy Co., lamps and tubes (Senate)	154.64
Globe Machinery & Supply Co., step ladder (Senate)	20.00
Smith-Corona Marchant Inc., 2 Smith-Corona typewriters (Senate)	387.00
Royal McBee Corporation, 2 Royal standard typewriters (Senate)	387.00
Des Moines Rubber Stamp Co., 14 badges, 1 desk sign, rubber stamps, doorkeeper badges, Sergeant-at-Arms badge, Page badges (Senate)	78.70
Northwestern Bell Telephone Co., telephone and toll charges (Senate)	36.75
Jack Schroeder, long distance toll charges (Senate)	56.34