

# ICC Staff Recommends Rate Reduction for IE

The staff of the Iowa commerce commission has recommended that rates of Iowa Electric Light and Power Co. be reduced.

Iowa Electric has had an application before the ICC for more than a year asking a rate increase, and has been collecting higher rates under bond since Nov. 21, 1971.

The Cedar Rapids utility, according to an IE spokesman, has asked for a delay in a hearing on the proposal in order to submit a rebuttal to the staff proposal.

Both the utility spokesman and James Maret, staff counsel for the ICC, indicated no decision on the staff recommendation or IE application is likely before late summer.

The Iowa Electric spokesman said the recommendation calls for increases ranging from about \$800,000 to about \$2 million, based on different methods of evaluation.

Maret said the staff's recommendation was arrived at by analyzing the figures for an actual year of operation by the company.

The year studied for this purpose extended from Oct. 1, 1971, to Sept. 30, 1972, Maret said. Because the company was collecting at a higher rate during that period, he said, the staff is recommending a two-step reduction.

One step would be a reduction in excess of \$800,000 for the test year and the other about \$1.6 or \$1.7 million on future rates.

Iowa Electric, however, will continue to collect rates under bond at the current schedule pending a decision by the ICC.

The company spokesman said commission staff members have made similar recommendations about utility rates in the past in conjunction with applications for increases.

None has been upheld, however, although in one case an increase was rejected.

Iowa Electric is seeking its first rate increase since 1952, the company said.

# Drake: Horn Resident of 28th District

State Rep. Wally Horn (D-Cedar Rapids) was, and is, a resident of the state's 28th representative district, in the opinion of Rep. Richard Drake (R-Muscatine), chairman of the house elections subcommittee.

"Rep. Horn was duly seated by this body (the Iowa house) without challenge and only this body, except herein provided by the code of 1973, could unseat Rep. Horn," Drake said in a letter addressed to House Speaker Andrew Varley (R-Stuart).

"It is my opinion no vacancy exists in district 28, that Rep. Horn was and is a resident of district 28, and no further action by your office or the house of representatives is warranted."

Drake said in the letter that he had received a petition dated Feb. 22 and signed by Jennings C. Falcon and 17 other residents of Linn county questioning whether Horn was a resident of the 28th district prior to and on election day, Nov. 7, 1972 and whether he is still a resident of that district.

### Interviewed Horn

Drake said he had made an investigation of the facts, including an interview with Horn, before reaching his conclusion.

He said that under common and federal law a wife's domicile follows that of her husband, and therefore the physical presence of Horn's family at his 116 Second street SW address in the 28th district "is immaterial in this matter."

Horn told The Gazette in a statement Thursday that he actually has been living at the Second street address when he comes home weekends from the legislature, and that he has lived there since last August.

However, his wife and family still reside in a home he owns at 6102 First avenue NW in the 27th district. Horn said the First avenue house is for sale.

"Federal law is vague, as is state law concerning what constitutes residency, but federal law does state a person's residence is the place where he receives his mail," Drake wrote in his letter to Varley.

### Receives Mail

He noted that Horn has been receiving his mail at his residence in the 28th district and that he maintains he is a resident of that district and was a resident prior to last fall's election.

Every qualified voter of a state also is entitled to only one voting residence and this residence is the place he maintains as his home.

"I further note that this com-



Overcrowded conditions are ruining our school... For one thing, there are too many girls!

cept of law was used in Cedar Rapids," Drake continued, "when, for many years, U.S. Sen. Bourke Hickenlooper maintained a residence and voting address at the Roosevelt hotel.

"The same concept is used for U.S. servicemen, employees of the U.S. government not in Iowa, and other residents of Iowa, temporarily absent from their residence in Iowa."

Varley said he hadn't read Drake's letter and he wasn't sure whether he had received the petition from Falcon and the other Cedar Rapids signers.

Secretary of State Melvin Synhorst, the state's commissioner of elections, said he received the petition and plans to discuss it with Attorney General Richard Turner to determine his responsibilities as elections commissioner in the case.

### Three Post Bond On Book Sale Counts

Three Cedar Rapids men were arrested Thursday afternoon on charges of selling obscene literature.

Arrested and subsequently released on \$300 bond each were Robert Freberg, 35, of 2505 Illinois street SW; Gary Cahill, 30, of 111 Sixth avenue SW, and Edward Wedelstedt, 30, of 3401 Sunnydale street SW.

Wedelstedt was charged as owner of two adult book stores in Cedar Rapids. Cahill and Freberg were charged as store employees.

The arrests were made in connection with sales made to Cedar Rapids detectives last Friday.

30 YEARS AGO — Government officials said twice as much American food would be shipped abroad under lend-lease in 1943 as in 1942.

# Misses Vote, IPERS Hike Fails

By Frank Nye

DES MOINES — For the want of one vote an amendment to increase the retirement benefits of those under the Iowa Public Employees Retirement System (IPERS) by 11.8 percent was lost Friday.

As a result, the amendment, by Rep. Stephen Rapp (D-Cedar Falls), went down the drain on a 48-48 tie vote and an effort to revive it through a reconsideration motion failed 50 to 47.

Only legislator on the premises who was not in the house chamber at the time of the 48-48 vote was Rep. Joan Lipsky (R-Cedar Rapids) who said later she would have voted for the Rapp amendment had she been there instead of on the telephone.

As is so often the case during legislative sessions, she had been called to the house lounge to take a long distance call from Cedar Rapids and missed the debate on the Rapp amendment.

When other legislators went to the lounge to ask her to leave her vote, Mrs. Lipsky explained she did not want to do so without knowing more about the amendment.

Later, after learning the contents of the Rapp amendment, Mrs. Lipsky told The Gazette she would have voted for it.

She was back at her seat in the house chamber when the reconsideration motion came up, however, and took the opportunity to explain her situation to the house, saying she was for reconsideration of the Rapp amendment so she'd have a chance to vote on it.

"Since my vote was crucial I would like the chance to vote," she told house members.

Mrs. Lipsky then voted in favor of the motion to reconsider the Rapp amendment but it lost when the Rapp forces lost four of their original supporters and picked up only three new votes for a net loss of one, leaving the final vote 47 to reconsider and 50 against.

The other three missing legislators were the late Delbert Trowbridge (R-Charles City), and Reps. Robert Kreamer (R-Des Moines) and Donald Doyle (D-Sioux City) who were out of town.

Rapp said this could cost employers — in this case state and local governmental agencies — an additional \$3.6 million a year over the increased benefits contemplated by the main bill under consideration by the house and \$2.2 million more than the plan recommended by Gov. Robert Day which is presently on the senate calendar.

Rapp said the big arguments he has heard against giving IPERS people a substantial increase in pension benefits is that the state has other priorities for its money.

However, he said, there is no greater priority than the needs of its employees who have been underpaid for years and for former employees who are still being underpaid in their pension benefits.

Rapp said that Iowa's retirement system ranks forty-sixth lowest in the nation in benefits to about 20,000 retirees and in prospective future benefits for about 119,000 now under the system.

The Rapp amendment would have required the state to pay the share of city, county and school districts to the IPERS funds.

The main bill calls for 3.4 percent increase in benefits and other amendments to increase this amount failed to pass the house Thursday afternoon during the first day of debate on the bill (HF 287).

One such amendment, defeated 59 to 38 had been offered by Mrs. Lipsky and Rep. Phillip Hill (R-Des Moines).

It would have increased contributions of both employers and employees to four percent from 3.5 and would have changed the formula for determining benefits by taking the five years of highest salary in the last ten years of employment instead of the present method of averaging what an employ received in salary throughout his entire time on the payroll.

Another amendment, to raise employe benefits 10.6 percent (lost 52 to 45. It was offered by Reps. John Patchett (D-Iowa City) and Don Avenson (D-Des Moines).

### Enters Guilty Plea On Amended Charge

Paul Willcoxson, no address, pled guilty Wednesday in municipal court to an amended charge of larceny of less than \$29 and was given a 10-day suspended jail sentence.

He was accused of taking \$37 from David Bougham on Nov. 10.

# Juveniles Are Accused of Four Breakins in C.R.

Two 16-year-old Cedar Rapids boys were charged with breaking and entering Thursday in connection with four recent breakins.

The youths are accused of a Feb. 20 breakin at Noelridge park warming house in which \$22 in change was stolen from a soft drink machine; theft of \$17.65 from Dale's fruit market, 3333 Center Point road NE, Monday; theft of \$138 from Carano's Nineteenth Hole, 3340 Center Point road NE, on Monday, and theft of \$503 from Jim and Bob's meat market, 3333 Center Point road NE, on Monday.

One boy was processed by the youth office and referred to a probation officer. The other was being held pending court action.

Another 16-year-old boy and a 14-year-old boy also were charged with breaking and entering Thursday. They are accused of taking a coin collection of unknown value from the home of Viola Schenken, 3108 Leonard terrace NE, within the last week. The boys were processed by the youth bureau and referred to a probation officer.

# Winter Sports Areas Closed

Winter sports areas in Cedar Rapids have been closed for the season. This involves officially closing the Noelridge lagoon ice rink and the Jones park coasting area and toboggan runs.

Daily checks had been conducted at the Noelridge rink for possible re-opening and use. Deterioration of the ice and warm weather have forced the closing for this season. The remaining ice on the lagoon is unsafe.

The supervision and facilities for coasting and tobogganing have been discontinued at the Jones park site. Since the possibility of extended snow is remote at this time, no re-opening is scheduled.

# Search Resumed For Guy Heckle

Linn deputies Friday resumed searching the waters near where 11-year-old Guy Heckle was last seen Feb. 3 in the Toddville vicinity.

Sheriff Walter Grant said the warmer temperatures have made it possible to search parts of the Cedar river and its backwaters that previously were inaccessible because of ice.

The boy, son of the Howard Heckles, 1505 Forty-eighth street NE, disappeared while on a Boy Scout outing.

# Municipal Court

### Three Persons to Linn Grand Jury

Three persons have appeared in municipal court and had their cases bound over to the grand jury.

James A. Owens, Anamosa, was bound over on a charge of drunk driving. He was arrested Dec. 21.

Jeffrey Cartano, 621 Eighth street SE, was bound over on a charge of larceny. He is accused of taking two television sets from May's, 4116 Center Point road NE, on Jan. 6.

Denise Morgan, 712 Ninth avenue SE, waived to the grand jury on a larceny charge. She is charged with taking goods from Stereoland on Dec. 28.

### Assault and Battery Charge Dismissed

A charge of assault and battery against Michael Lint, 132 Twentieth avenue SW, was dismissed last week in municipal court because the complaining witness did not wish to prosecute.

He was accused of assaulting Sharon Lint on Dec. 2.

### Stovie Sentenced On Theft Charge

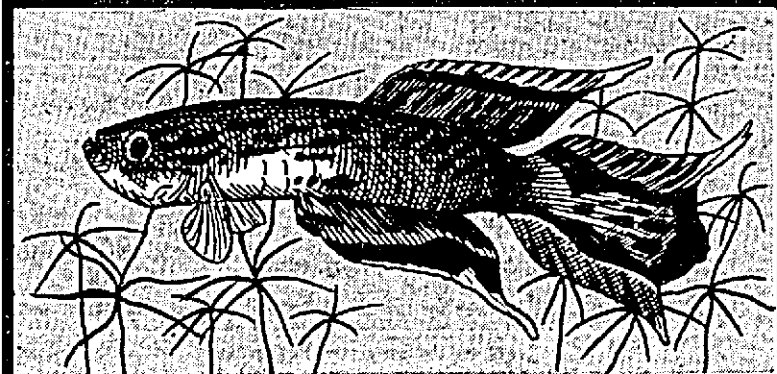
Thomas Stovie, 2863 Thirteenth avenue SE, has been given a 30-day suspended jail sentence on an amended charge of larceny of less than \$20.

He was charged with taking goods from the Me Too store, 2405 Mt. Vernon road SE, on Oct. 23.

### Charge Dropped, No Court Jurisdiction

A charge of defrauding a hotelkeeper against Lee Brevig, Barrington, Ill., was dismissed Tuesday in municipal court because the defendant was out of the jurisdiction of the court.

He was charged with defrauding the Roosevelt hotel on Sept. 19.



## LAST CHANCE!

10 gal. All-glass Aquariums 5.99

"While they last!"

Durable-with a 5 year guarantee 10"Wx20"L

MALE SHOW BETTAS 99c

TETRA SERPAE 37c

A BEAUTIFUL RED FISH MORE IN-STORE SPECIALS SALE ENDS SUNDAY MAR. 4



803 Third Ave. S.E. 364-4176 Hours Tues. and Wed. 8 a.m.-6 p.m. Mon., Thurs. and Fri. 8 a.m.-9 p.m. Sat. 8 a.m.-5 p.m.; Sun. Noon-5 p.m.

### PARKING FACILITIES NOW OPEN IN THE Beautiful New ie Tower. Parking by the hour or on a monthly basis.

For information call 366-1580

## IT'S NATURES' SYSTEM!

Living World habitrail

The only limit is your imagination... you may add on as many components as you wish!

When your looking for a home for your gerbils, white mice or hamsters, remember that they're going to spend a lot of time there. For that reason it should be interesting and full of fun things to keep your pet busy. Living World has designed these sets with this in mind. Habitatrail sets are colorful, roomy, a pure joy for the animals who can travel around as they please, sometimes with hilarious results for you to watch. Habitatrail sets have tunnels, secret passages, things to climb; places to crawl through and provide every opportunity to run, dig, scratch, grow and explore.

FOR★WHITE MICE ★GERBILS★HAMSTERS

Complete with food and treats. Priced from \$7.95 to \$14.95

Free Delivery Responsible Charge Accounts Welcome

**Hawkeye** SEED Co., Inc.

Hours Tues. and Wed. 8 a.m.-6 p.m. Mon., Thurs. & Fri. 8 a.m.-9 p.m. Sat. 8 a.m.-5 p.m.; Sun. Noon-5 p.m. 803 Third Avenue SE 364-4176